



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا
وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ حَكِيمٌ
صَدَقَ اللَّهُ الْعَظِيمُ

THE TRIBES OF JORDAN

AT THE BEGINNING OF THE
TWENTY-FIRST CENTURY



Ghazi bin Muhammad

.....
The Tribes of Jordan

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

INTRODUCTION

Nobility is not just a hereditary claim to social status. It is virtue, grandeur and dignity — crowned by piety — proved time and time again and passed on from generation to generation. The purpose of this treatise is to reveal the *essential nobility* of the tribes of Jordan (and by extension of all the Arab tribes) — and thus also how they can fall short of it — for the benefit not only of foreign observers, but of the tribesmen themselves, many of whom now badly need to be reminded it. It is not an *apologia*, nor is it a genealogical study of Jordan's tribes, a sociological examination of their customs, or a historical account of what has happened to them during the Twentieth Century — albeit that it necessarily touches on all these topics — but rather it is a *traditional philosophical consideration* (based, like all traditional Islamic philosophy, upon the Holy Qur'an) of their identity and particularity, their potential strengths and weaknesses, and above all of their deepest nature and 'spiritual temperament'. It seemed to the author that there was everywhere much *discussion* of the tribes, but very little actual *understanding* of them; it is hoped that such a treatise might help to rectify this situation.

(I) WHO ARE THE TRIBES?

All Jordanians of East Bank origin (and many of Palestinian origin) who are ethnically Arab and either Muslim or Orthodox Christian belong to a tribe (*'ashirah*), be it traditionally¹ Settled (that is, urban dwellers and/or farmers and peasants), Semi-Nomadic (that is, who move only twice a year and within a limited area, and rear sheep and goats) or Bedouin (that is, 'fully nomadic', i.e. who move thousands of miles into the inner deserts of Arabia and rear camels; the word 'Bedouin' comes from the Arabic *badiya* which means 'desert', and which itself comes from the tri-letteral root *bada'a* meaning 'to be obvious, clear'²). This includes even the Royal Family which is descended from the Prophet Muhammad (p.b.u.h.) who himself came from the *Hashemite* clan of the tribe of the *Quraysh* (hence the name 'The *Hashemite* Kingdom of Jordan').

Today, the following Bedouin tribes inhabit the Jordanian Desert: in the North, the *Beni Khalid* (most of this large tribe lives in Syria, but it extends from Palestine to Kuwait); the noble *Sardiyyah* and the proud *Sirhan* (these two tribes each in turn ruled the area of Modern Jordan several hundred years ago, the *Sardiyyah*, under their 'paramount Shaykh' *Mahfoudh al-Sardi*, finally breaking the power of the *Sirhan* and forcing most of the tribe back into the

1 By 'traditionally' we mean effectively until the end of the Second World War, although many Bedouins were not actually settled until the 1970s, and although of course the process that was to change the lifestyle of the Tribes began with the establishment of the Emirate of Transjordan in 1921, as will later be seen.

2 In Jordanian contemporary parlance, the word '*bedu*' refers to the Bedouins; the word '*asha'ir*', is used to mean the 'Settled Tribes' (although it technically means all the Tribes, including the 'Semi-Nomadic Tribes' and the Bedouins); and the term '*asha'ir al-badiya*' (meaning literally: 'the Tribes of the desert' — as the Semi-Nomadic Tribes live, in general, on the edge of desert) is used to mean the 'Semi-Nomadic Tribes'. This is because on the one hand the term 'Semi-Nomadic' in Arabic (*'ashbah ruhal'*) contains the pejorative connotations of the English term 'pseudo-Nomadic', and because, as will later be seen, the literal truth of these traditional categories has been somewhat eroded in the last fifty years.

Wadi Sarhan from whence they came, before finally being defeated themselves by the *'Adwan* and their confederates); the tough *'Isa* (most of this pure Bedouin tribe lives in Iraq); the *Ahl al-Jabal* (this populous tribe has come down from the Hauran since around 1940 and consists of four large clans: the *Masa'id*, the *Shurafat*, the *Athamat* and the *Zbaid*); a small portion of the great *Rualla* (one of the leading branches — never defeated in any of the inter-Bedouin wars of the Eighteenth and Nineteenth Centuries — of that greatest of all Arabian Bedouin tribes, the *'Anayzah*, to which the Royal Families of Saudi Arabia and Kuwait belong); and scattered families of the aristocratic Northern *Shammar* (*Anayzah*'s traditional great rivals and the second most powerful Bedouin tribe in Arabia). In Central Jordan, we find the warlike³ *Beni Sakhr*⁴ (this tribe comes originally from the ferocious Hejazi Bedouin tribe of *Harb*, but by the beginning of the Twentieth Century was perhaps the most powerful Bedouin tribe in Jordan proper). In the South, we have the fierce *Huwaytat*⁵ (traditional rivals of the *Beni Sakhr*

3 The Beni Sakhr's traditional epithet (which they themselves like) is: *Beni Sakhr: qulbuha suwan; humr al-nawathir* (meaning: Beni Sakhr; their hearts are of granite; their look is bloodshot [from anger]).

4 According to the 1986 Jordanian Electoral Law the *Beni Sakhr* comprises the following thirteen clans: *al-Ghbein*, *al-'Amir*, *al-Ka'abneh*, *al-Hqaish*, *al-Saleet* and *al-Tayibeen* (traditionally known collectively as the *'Twaqab* half of the *Beni Sakhr*); *al-Khershan*, *al-Jbour*, *al-Salim*, *al-Badarin*, *al-Qudab*, *al-Hammad* and *al-Shra'ah* (traditionally known collectively as the *'Ka'abneh* half of the *Beni Sakhr*, and not to be confused with the *Twaqab* clan of the same name just mentioned). These 'clan' divisions, it should be added, are not exactly the traditional ones, and it need hardly be said that they in turn are subdivided into smaller clans and groups of families. Finally, it should be noted that a Royal Decree in 1996 recognized the (*al-Hisan*) *Jarayreh* and the *Mara'abeh* as also belonging to the *Beni Sakhr*.

5 According to the 1986 Jordanian Electoral Law the *Huwaytat* comprise the following twenty clans: *al-Matalqab*; *al-Tawaybah*; *al-Njadat*; *al-Mara'yeh*; *al-Sulaymaniyeen*; *al-Zawaydeh*; *al-Zalabyeh*; *al-'Utoun*; *al-Darawsheh*; *al-Damaniyeh*; *al-Hadban*; *al-Butuniyeh*; *al-Rashaydeh*; *al-Musbbihin*; *al-Smayhiyin*; *al-Tqatqab*; *al-Rbaya*; *al-Sa'ediyyin*; *al-'Amareen*; and *al-Ahaywat*. We mentioned above the *Hajayah* and the *Man'a'een*; it remains to be noted that there is to this day some discussion as to whether the last three clans listed, particularly the *Ahaywat* of Aqabah and *Wadi 'Arabah*, are *Huwaytat* or *Sab'awi* Bedouins or both. Also, it should again be said that these 'clan' divisions are not exactly the traditional ones, and that they too are, in turn, subdivided into smaller clans and groups of families. Finally, it should be mentioned that the *Bedul* of Petra are actually

and relations of the *Beni 'Attiyah*, the *Huwaytat* had their numbers depleted at the end of the Nineteenth Century by bitter wars with the Turks and the Southern *Shammar*); the unaffected *Hajayah* (a large clan that split off from the *Huwaytat* and includes the *Hajayah* proper and the *Mana'een*); the *Nu'aymat* (this huge and ancient tribe is scattered all over the Arab world, and lives alongside the *Huwaytat* in the South of Jordan, alongside the *Belqawiyahs* in Central Jordan, and in the North in the *Harrah* desert under the two names *Nu'aymat* and *Nu'aym*); and the *Beni 'Attiyah* (only the northern tip of this large Hejazi tribe, distantly related to the *'Anayzah*, lives in Jordan). There are also numerous Bedouins from the four large *Beer al-Sab'a* tribes (originally from what is now the southern Israeli desert) — the *'Azazmeh*, the *Jabarat*, the *Tayahah* and the *Tarabin* — spread all over Jordan, but concentrated in the South and around Madaba and Zerqa.

The Semi-Nomadic tribes — or rather 'tribal confederations', for not all the clans of these tribal confederations are originally related by blood, but rather they coalesced and 'officially adopted each other' for reasons of mutual defence and friendship — are four: in the North, the *Beni Hasan* (a huge tribe with twelve main clans numbering over 200,000⁶); in Central Jordan the *'Abbadis* (traditional allies of the *Beni Sakhr*, these number over 100,000, living in dozens of villages spread around Greater Amman) and the *Belqawiyyahs* (this huge confederation, which includes such famous tribes as the *'Adwan*, the *'Ajarmeh* and the *Hadid*, is even larger than the *Beni Hasan*, numbering over 250,000, and before the advent of the *Beni Sakhr* was the premier tribal power in Jordan); and in the South the *Beni Hamidah* (now famous for the eponymous N.G.O. which sells their beautiful rugs, this tribe numbers about 150,000 and lives, still very pastorally, around Madaba all the way down to Kerak, and in a few villages around Tafileh). Thus, on the eve of the Twenty-first Century

also *Huwaytat*, whether or not the Law recognizes them as such.

6 All tribal population figures given herein are unofficial estimates extrapolated from various sources.

and the Third Millennium C.E., out of a national population of about five million,⁷ at least a quarter comes from Nomadic or Semi-Nomadic tribes, with over 350,000 'originally Jordanian' Bedouins, over 650,000 'Semi-Nomads' and, at the very least, 200,000 Jordanian *Sab'awi* Bedouins. This, added to another 30% of the population which consists of Settled Jordanian Tribes of East Bank origin⁸ (more or less the entire populations of the towns of Irbid, Ramtha, 'Ajloun, Jerash, Salt, Madaba, Kerak, Shobak, Ma'an and Tafileh, not to mention countless smaller villages on the western side of contemporary Jordan⁹ — the only exceptions being the inhabitants of the refugee camps and a few gypsy, Turkoman and other ethnically non-Arab families living in those areas) means that a majority of the population of Jordan is still 'tribal', even to this day.¹⁰

7 According to an 'Arab African Forum on Population and Development' set up by the UNPFA (United Nations Population Fund) in Amman on July 11, 1999, on the occasion of 'World Population Day', the population stood at around 4.8 million (minimum), with 55% of the population under 20 years old. With an annual growth rate of 3.4%, the country's population is due to reach 6 million by the year 2005.

8 The most common mistake made by foreigners, and even by modernized Jordanians living in (and often never leaving) opulent West Amman, is the assumption that famous Tribes and clans of East Bank origin such as *Majali* (from whom come the Paramount *Shaykhs* — *Shyukh al-Mashayikh* — of Kerak), *Tarawneh*, *'Arabiyyat* (from whom come the Paramount *Shaykhs* of Salt) and *'Ubaydat* are Bedouins or even Semi-Nomadic: they are not, and were not when the Emirate of Transjordan was founded in 1921. Even in Ottoman times they were Settled Tribes (although admittedly powerful ones, who sometimes even participated in raids and, in the case of the *Majalis*, still reared camels at the beginning of the Twentieth Century). Obviously, moreover, many of these Settled Tribes are originally descended from pure Bedouin stock: for example, the *Majalis* are descended from *Beni Tamim*; the *'Ubaydat* are descended from the *Wild 'Ali* of the *'Anayzah*, and so on.

9 If one draws an imaginary straight line from Jabir to Mafraq to Ma'an, and then another one from Ma'an to Aqabah (this division is roughly the traditional one made by the old Hejaz Railway, except that the Hejaz Railway extended due south from Ma'an to Mudawwarah, rather than south-west to Aqabah), then all that falls east of this line — 85% of the territory of the country — is desert and in fact inhabited only by the Bedouins. All that falls west of this line — 15% of the territory of the country; the 'western side of Jordan' — is fertile land, and heavily inhabited by the rest of the population.

10 All this, of course, does not even take into consideration the question of Jordanian Tribes of West Bank origin.

(II) WHAT MAKES THEM TRIBES?

What traditionally makes a person 'belong' to a tribe is not merely successive degrees of genetic relationships — which, after all, every family in the world has — but rather that a person and his/her tribe think the same way; believe in the same principles; assimilate the same values and ethos; act according to the same unique rules and laws; respect the same hereditary *Shaykh* (Tribal Lord); live together; migrate together; defend each other; fight together, and die together. In short, it is the consciousness of belonging to that tribe and behaving accordingly.

As already mentioned, the process that was to change the lifestyle of the tribes in Jordan began with the establishment of the Emirate of Transjordan in 1921. This happened slowly and imperceptibly at first, but gradually an inexorable array of pressures was to change a life-style that had remained essentially the same for at least 5,000 years.¹¹ Most immediate among these was the inevitable struggle for power between the nascent state and that of the Tribal Lords or *Shyukh*. Under the Ottomans, the land of Jordan — with its unruly Nomadic tribes who struck at will and could not be punished because no Ottoman Army could follow them or fight in the vast, harsh and waterless inner Arabian Desert — was simply considered as the 'badlands' of the empire, and the *Sublime Port* was resigned to leaving it alone as long as it did not jeopardize more important regional interests or possessions such as Syria, Jerusalem or the Hejaz. The new Emirate of Transjordan, however, did not have that luxury, and obviously would have been rendered

11 Camels — which are the *sine qua non* of life in the desert (for the obvious reason that neither man nor any domesticated animal other than the camel can survive or travel in the desert with as little water and shade as the desert provides) — were definitely in use in Arabia around 1000 BCE, for it is recorded in the Bible that they were used at the time Prophet Solomon (p.b.u.h.). Indeed, they were probably in use much, much earlier, for the domestication of other animals in the Middle East goes back at least 10,000 years.

pointless, were it not able gradually to assert its civil authority on the recalcitrant *Shyukh*.¹² This it did with great difficulty, enduring many rebellions, particularly during the 1920s and 1930s, but finally succeeding, thanks to its Hashemite religious legitimacy on the one hand, and through the following practical measures on the other hand: through a policy of generous governmental concessions to the Tribes; through the *Emir* (Abdullah I) personally befriending the *Shyukh*, visiting their tribal encampments and spending time with them; through a strategy aimed at uniting or isolating the *Shyukh* (depending on the situation); through co-opting the tribesmen into the Jordanian army, and, finally, through securing public British guarantees of military support for the Transjordanian army. Far more lethal, however, were the pressures of modernization: not just because the cars, trains, planes and telegraphs (and, later, telephones, electricity, running water, radios, televisions) made much of the tribal lifestyle easier, and began to lure the tribesmen into pacification and settlement, but more profoundly because modern state education (which gradually became compulsory) inculcated into them the idea that it was somehow better to abandon the traditional lifestyle of their forbears and seek instead the material possibilities and (often largely imaginary) benefits provided by the modern lifestyle.¹³ This, in turn, opened the door to modern Western popular culture and moeurs which then, with their ‘democratic’ cultural prejudices and ‘politically-correct’ bumper-sticker panaceas, corroded the internal

12 Moreover, had the early Transjordanian government not tried to rein in the Tribes, the state itself would have been vulnerable to reprisals by the neighbouring newly-established states, whose territories and populations Transjordanian Tribes were hitherto wont to raid.

13 It has to be said also that had there been a single, exceptional Bedouin *Shaykh* in the whole of Arabia, able to discern what *truly* was good for them and *truly* was bad for the tribes in modern material culture — where to compromise with the state and where not to compromise in order to preserve their virile tribal identity and lifestyle, and in order to still know how to survive in the desert — the tribal lifestyle would have been able to persist much more intact, as it has, for example, with the *Tuaregs* of the Sahara. Instead, most *Shyukh* rushed headlong into every modern invention and every material contraption or facility they could lay their hands on, believing, almost innocently, that they were better off with all this ‘progress’.

social structure and cohesion of many of the tribes, glibly casting away solutions worked out, with wisdom and patience, over thousands of years of struggle for life in the desert.¹⁴

Nevertheless, because of Jordan's relative poverty, this process took a very long time — far longer than with the tribes in the neighbouring countries (Saudi Arabia, Iraq, Syria and Israel) — and until the end of the Second World War it was hardly noticeable, especially with the Bedouins. Moreover, official Tribal Law, along with Nomadic Migration, was not ended until 1974 (except with regard to

14 Amongst the Tribes, and in Islam generally, no person was traditionally thought to be 'better' than another except through that person's virtue. The Holy Qur'an says (49:13):

O mankind! Lo! We have created you male and female and have made you nations and tribes that ye may know one another. Lo! the noblest of you, in the sight of God, is the most pious. Lo! God is Knower, Aware.

Hereditary tribal *Shaykh* held temporal power over their Tribes only as *primus inter pares* (first among equals), and whatever decisions they made were made not through the vote of the *majority*, but through consideration, consultation and convocation of the *whole* Tribe — that is, by a genuine *consensus* in the Tribe — and this on pain of the Tribe splitting up. Moreover, the hereditary *Shaykh* themselves were chosen from their peers within the 'noble houses' by the same process, for their leadership potential.

There was thus no room for the oppression of the minority by the majority through 'demagoguery' as in modern Western democracy: it need hardly be said that Hitler was democratically elected as Chancellor in Germany in 1933, after having failed a putsch in 1923, and having published *Mein Kampf* with its clear racist and anti-Semitic agenda in 1925! Moreover, who will honestly say that even in the 1990s the *majority* of Serbs were not behind the government that carried out (even if by proxy) 'ethnic cleansing' of Muslims in Bosnia, and later in Kosovo, or that the *majority* of Hutus in Rwanda were not behind the '*interahamwe*' groups that slaughtered, with machetes, over 700,000 Tutsis?

Yet today, certain tribesmen, bewitched by Western 'democratic' slogans and suddenly resentful of a nobility won by having been noble, are constantly saying that they are 'as good as' the hereditary *Shaykh* and so should replace them (not, mind you, become members of the elected Legislative Jordanian Parliament, for which they have every right and opportunity to run, but for which they would actually have to win a local election) on the grounds that they: (A) 'have more money than them'; (B) 'are better educated than them' (which of course means 'have more modern university degrees than them', and (C) 'are more popular than them'. As if all this was not in itself the clearest possible proof of complete ignorance of what a *Shaykh* should be and do, and did not thereby inherently constitute a disqualification, precisely, for that function! Needless to say, finally, that since 1921 it has invariably been those Tribes who have been the most united behind their hereditary *Shaykh* that have extracted the most concessions from the government!

the three most complicated issues: crimes of bloodshed (*dam*¹⁵), rape ('ard) and 'violation of protection' (*takti' wajih*) which subsist up to the present and are judged by traditional Tribal Judges). Even today, there are still national institutions — not to mention innumerable social customs ranging from individual tribal accents and gestures, eating with one's hands, and wearing traditional Arab clothes, to openly carrying weapons and engaging in blood feuds! — particular to the tribes, especially the Bedouins and the 'Desert Tribes'. These include: (1) distinct voting districts and seats for the Bedouins in the Jordanian Parliament; (2) a Desert Police Legion consisting entirely of Bedouins or Semi-Nomadic Tribesmen (and, indeed, who better to police them, and endure the desert, than they themselves?); (3) the existence of a ministerial-level post of Advisor to H.M. the King for Tribal Affairs (usually filled by a member of the Royal Family itself or by a Sharif,¹⁶ and traditionally responsible for investigating the conditions of, particularly, the Bedouins and the Semi-Nomadic

15 When tribesmen are involved in crimes concerning bloodshed (*dam*) in particular, whether fatal or not, and whether pre-meditated or accidental (such as hitting a pedestrian with a car, which is always the driver's fault according to Jordanian Law), this automatically entails a whole set of unique proceedings of Tribal Law, in addition to those of the Criminal Law. If a murder is committed, the local Civil Authorities and Security Apparatus immediately contact the aggrieved Tribe and beg or coerce them to give an '*atwah amniyeh*' (a temporary but renewable guarantee that they will not rush out and take revenge themselves). In return for this, the same authorities ensure a *jalwah* by the immediate family of the murderer (up to and including paternal first cousins before 1998, and thenceforth only children, grandchildren, father, grandfather, brothers and nephews). What this means is that these persons must leave their homes and lands and may not return (indefinitely until 1998, but thenceforth for one year only). Also the family of the murderer must pay a fixed *diyyah* ('blood money') as damages, and this on top of civil criminal punishment, which can be capital. All these measures were carefully designed by Tribal Law to prevent the tribesmen from plunging headlong into long and bitter blood feuds (and though they usually work, there are exceptions, so fiery are the tribesmen) by minimizing material loss, punishing the culprit and by separating the concerned parties. Needless to say, rape ('ard) and 'violation of protection' (*takti' wajih*) are hardly less complicated and also proceed alongside and in addition to criminal law; were there any viable alternatives to these tribal solutions, the state, in all likelihood, would have already enforced them.

16 A Sharif is a Hashemite also descended from the Prophet Muhammad (p.b.u.h.), and thus paternally related to the Royal Family.

Tribes, for advising the King thereupon, for organizing personal contacts between the Tribes and the King, and for protecting and promoting of their interests with the Government); (4) recognition by Royal Decree of Tribal *Shyukh* (and benefits attendant thereupon); (5) special royal scholarships and military schools for poor students from tribal areas; (6) special desert (*badiya*) projects (often generously subsidized by foreign governments and N.G.O.s) to help tackle specific desert diseases (notably tuberculosis because of the fine desert sand getting into the lungs, and cataracts because of the blinding sun¹⁷) and livestock veterinary problems; and, last but not least, (7) a traditional aggressive recruitment drive amongst the tribes for the Armed Forces (for, as will later be explained — and as history has shown — tribesmen naturally make excellent soldiers, and are the secret behind the excellence of Jordan's Armed Forces). Finally, it must also be noted that, although nowadays even the Bedouins live mostly in villages with (albeit often intermittent) water and electricity and engaging mostly in light agriculture, there are still today many families, and even clans, that live, by choice, out in the open desert in their tents¹⁸ and with their camels, preferring their freedom to modern amenities; just as there are today still families, and even clans, that live, by choice, in the middle of towns, in their tents and with their sheep and their goats, again, preferring

17 A medical study by J.U.S.T. (Jordan University of Science and Technology) and the W.H.O. completed in July 1999, also revealed a 7 % rate of conjunctivitis (of the eyes); a 1% rate of asthma, and a 73% rate of tooth decay (!) amongst children in Bedouin areas. Bedouin children were also generally underweight compared to their peers in urban areas, and suffered from the many congenital defects associated with a high rate of consanguinity (the Bedouin preference is still for marriage within the same extended family, clan or Tribe). Thus the diseases especially high amongst the Bedouins can all be directly associated with their particular lifestyle and/or the desert.

18 A helicopter ride over the southern or eastern deserts in Jordan will still, at the beginning of the third millennium CE, reveal a heart-warming plenitude of black tents, sheep, goats and camels, even if these now often have 'pick-up' trucks besides them (which the state exempts from taxation). These trucks are used by the tribesmen for moving their sheep (which cannot, like camels, survive long without water); for selling their livestock and buying supplies in the towns; for taking their children to (special boarding) schools, and so forth.

their freedom to modern amenities.

More pertinent than all this, however, is the acute consciousness and pride — all but invisible to outsiders and foreigners because now covered under a layer of nationalism and Jordanian patriotism — that every tribesman, Settled, Semi-Nomadic or Nomadic, has in the back of his mind of belonging to his tribe, of the history and particularity of his tribe, and of the tribe being the last thing, ‘if push comes to shove’, that will defend him. This is evinced particularly in times of crisis and personal adversity, especially as regards physical violence or insult to their womenfolk, when even outwardly ‘Westernized’ individuals from old Settled Tribes will fall back on modes of behaviour and considerations that are entirely tribal¹⁹. Moreover, whether it is spoken of to outsiders or not, every tribe is all too well aware of the old rivalries and the old ‘pecking orders’ of (and within) the tribes — the latter established by force of arms in long tribal wars on the one hand, and by reputations for generosity, magnanimity and nobility, on the other. Indeed, every tribesman in Jordan still seems to find great pleasure in recounting the minute details of such wars *ad infinitum* — and commenting on the hierarchies and aristocracies that arose based upon their outcomes²⁰. Significantly

19 I remember being struck by this when a friend of mine from a long-Settled Tribe — a former minister and Chancellor of a University whose entire Higher Education had taken place in the West and was fluent in more than one European language — thought his brother had been murdered, and as a result of this was considering a blood feud!

20 If truth be told, and the independent historical record be impartially studied, it has to be said that of these various kinds of Tribes it was traditionally the Bedouins and then the Semi-Nomadic Tribes who were the most warlike and most powerful. Indeed, these raided (*ghazu*) and often subjugated — forcibly extricating ‘taxes’ (*khawa*) from — the Settled Tribes and the non-Arab urban dwellers (and there are people still alive today who participated in this), with the strategic depth of the open desert to retreat into, in case of military reprisals by formal armies (namely, the Ottoman army until the First World War, and the Transjordanian Legion until the Second World War) with heavier fire-power.

For all these military advantages enjoyed by the Bedouins in particular, however, nothing like a permanent traditional Western ‘class system’ did arise, or could arise, amongst or within any of the Tribes: first, because of ‘Islamic egalitarianism’ as already mentioned; second, because even the most powerful Tribe and even the greatest *Shaykh* suffered — through surprise raids or through ever shifting tribal military alliances, or

enough, since the 1970s, Jordan has seen a spate of poorly planned, poorly researched, poorly written and largely fictitious books in Arabic, whose publications were financed by their own authors, and whose sole purpose seems to be to endow their authors' own tribes and families with a more glorious past than they actually had, thereby continuing inter-tribal struggle by others means.

More sinister than this vivid 'tribal consciousness', however, is 'tribal prejudice', although in fact it is merely a degenerate aspect of the former, and proves — albeit in an unfortunate way — the same thing: that the tribes are still tribes. Basically, and at worst (for this is by no means universally true), urban Jordanians, including even many of the oldest Settled Tribes from the north and centre of the country (the southern Settled Tribes being generally still close enough to their Bedouin neighbours not to harbour any prejudices against them) regard Bedouins as 'natural brigands and uneducated, dirty cut-throats that used to prey on their forefathers without respect for law or limb or personal property'. Conversely, Bedouins and the Semi-Nomadic Tribesmen closest to them, at worst regard townsfolk as 'soft, effete and delapidated peasants who eat too much, talk too much and sleep too much, and who hide behind trade to swindle them at every given opportunity'. In a word, on the one side we find the resentment and dread of people who perceive that 'the other' will not work for a living; and on the other side, the scorn and disdain of people who perceive that 'the other' will not fight for a living. We do not want to dwell too much on this, because it is merely a resurgence of the ancient animosity between the *ahl al-madar* and the *ahl al-wabar* (the 'clay-dwellers' and the

even through the mere harshness of desert conditions — their fair share of defeats, losses and humiliations; and third, because no Tribe would have ever tolerated from their *Shaykh* a fraction of the airs some of their heirs nowadays annoyingly take on, just as the Tribes in general would have never tolerated the total dominance of a single Tribe, but would have allied against it, if it had not already suffered from in-fighting within its clans (as always happened, for example, within both *Anayzah* and *Shammar* until the great warrior and Bedouin chieftain, Abd al-Aziz Ibn Sa'ud [1876–1953], finally united the former and overcame the latter to form the Kingdom of Saudi Arabia, with himself as its King).

‘animal-hair dwellers’); between the sedentary and the nomadic; between Cain and Abel, albeit in a mode that is obviously petty and unjust — on both sides²¹ — save only to say that it is also a tension sadly more real than outsiders probably imagine, and persists to this day underneath the surface of society, rearing its ugly head every now and then in the most unexpected places,²² to the bafflement of those not familiar with Tribal history.²³

All this is to say, then, that tribal society and the tribal ethic is still alive and well in Jordan, albeit obviously not in the same physical form that it was a century ago, or even half a century ago. Moreover — and this is just as important, if not more so — the Tribes of Jordan still consider themselves as such, and even the long-Settled Tribes, many of whose customs have now changed in favour of civilization and Westernization, would bristle at any suggestion to the contrary. To use a well-worn dictum: ‘you can take the Arab out of the desert, but you cannot take the desert out of the Arab’.

21 Nomads are not synonymous with the disinherited, and they have never so considered themselves. On the contrary, they are convinced that their way of life is the expression of a free choice of which they are proud. For the nomad, the sedentary is, as it were, his own prisoner, and for the sedentary, the nomad is a barbarian or even a savage. There is no doubt that these two ways of living are each favourable to different qualities — different yet complementary; they represent something like the two halves of the totality that is mankind. (Titus Burckhardt, *The Art of Islam*, trans. J. Peter Hobson, World of Islam Festival Trust, 1976, pp.104–105.)

22 For example, the last three years (1997–1999) have seen ‘mob fights’ at the University of Jordan — fortunately none too serious — between students from the rival *Abbadi* Tribes and the old Settled Tribes of Salt. Moreover, in May 1999, three days of fighting erupted, at the same university, between hundreds of *Beni Hamidah* and *Beni Sakhr* students, and this because of a single (albeit public) slur by a *Beni Sakhr* student about the *Beni Hamidah*! Needless to say — and having personally been involved in the solution of the problem — what *really*, finally defused the situation was the traditional ‘cup of coffee of reconciliation’ between the elders of both Tribes, rather than the pressure brought to bear on the two Tribes by the university and civil authorities!

23 Foreign political commentators always note that there are cultural distinctions in the country between Jordanians of East Bank origin and Jordanians of West Bank origin; between Christian Jordanians and Muslim Jordanians; between ethnically Arab Jordanians and non-Arab Jordanians (Circassians, Chechens or even Africans); and between Northerners and Southerners. It seems odd that they should overlook the old cultural distinctions between Nomadic and Sedentary!

(III) THE TRIBAL ETHOS AND ISLAM

The ‘consciousness of belonging to a tribe and behaving accordingly’ — that is to say, the tribal ethos and mentality — is in fact none other than the *‘asabiyyah* (‘solidarity’) mentality of the Ancient *Jahiliyyah*, the ‘shame culture’ of the original desert Shamanism of the pre-Islamic Arab Bedouin tribes, and in its extreme form, of its degenerate paganisms. This mentality is at the antipodes of the ‘guilt culture’²⁴ and pious humility of the religion of Islam, and in fact, in its extreme form, always was — and still is, to this very day — inherently and implacably opposed to Islam.

From the Islamic perspective, the world is seen as a kind of ‘temporary stage’ where people can practise the virtues and worship God through religion as Revealed through the Holy Qur’an, in order that the soul attain eternal felicity in the Hereafter and be at least content in the herebelow. Laws and behavioural precepts are organized by religion only to maximize the conditions that foster the maintenance of a moral equilibrium in society, thereby facilitating mankind’s practice of virtue and worship. The tribal ethos, on the other hand, springs not from a Revealed (nor even an innate²⁵) conception of individual human virtue, but rather from

24 We use the terms ‘guilt culture’ and ‘shame culture’ because they are nowadays so well-known, despite their secular and anthropological connotations (to which we obviously do not subscribe — guilt is guilt because its cause is *inherently bad*, and not because people feel bad about something even when no one else knows of its existence; equally, shame is shame because privacy is a perfectly legitimate need in the post-Edenic world, and there are some things which others should not know about, and these may or may not be inherently bad. One need only think of the body and bodily functions to see the *inherent* truth in this, no matter what sociologists will tell us nowadays about ‘acquired cultural prejudice’, as is proved, precisely, by the shame of Adam and Eve at their nakedness after the fall). These provisos, however — and the recognition of a legitimate shame even in ‘guilt cultures’ like Islam, Christianity and Judaism — do not, for all that, excuse pure ‘shame cultures’ of their monstrous lack of discernment and virtue.

25 Evidently, however, the tribal ethos does comprise traces of an innate or natural conception of human virtue — living in the desert, surrounded by God’s portents (*‘ayat’*) in nature it could hardly escape their influence — and without these traces

a social code where the overriding necessity is that tribes or clans hold together and defend each other in order merely to survive in the face of other foreign and marauding nomads, and in the face of severe desert conditions which make this survival impossible except through the unity, co-operation and symbiotic division of roles in tightly-knit but necessarily permanently-mobile groups of families. In this ethos a person thus naturally views the world in concentric circles with himself (or herself) at the centre, then his immediate family, his extended family or clan; his tribe; (and then, in the modern 'Islamized' form of tribalism) his country; the Arab nation as a whole; his (perhaps nominal) co-religionists (i.e. Muslims); and then, finally, humankind. Indeed, the most famous of all tribal adages says: 'I against my brother; my brother and I against my cousin; my cousin and I against the outsider'. It is thus the ego and its successive extensions that determine considerations pertaining to behaviour.²⁶

there would be no possibility of true virtue amongst the Bedouins, which as will shortly be seen, is by no means the case. Moreover, the Qur'an Itself says repeatedly that Its own message — like that of all true religions before it (but after the Fall of Adam) — is only to re-awaken the innate virtue ('*fitrah*') of the primordial human soul (the '*hanif*')

So set thy purpose for religion as one with primordial faith [hanif] — the fitrah of God according to which He brought people forth. There is no changing the creation of God. That is the right religion, but most people know not. (30:30)

Say [unto them, O Muhammad]: Nay, but [we follow] the religion of Abraham, the hanif, and he was not of the idolaters. Say [O Muslims]: We believe in God and that which is revealed unto us and that which is revealed unto Abraham and Ishmael, and Isaac, and Jacob, and the Tribes, and that which Moses and Jesus received, and that which the Prophets received from their Lord. We make no distinction between any of them, and unto Him we have surrendered. (2:135–136)

Thus, it stands to reason that even in the tribal ethos, despite its opposition to and differences with Islam, there must be some traces, in varying degrees of purity or distortion, of 'Islamic virtue'; but again, more of this shortly...

26 Moreover, it is this same mentality which is at the root of the fractious individualism that has characterized the Arabs as a people throughout history (with the brief exception of the period of the early Islamic conquests), and that in turn is responsible for their having been historically and politically disunited, and hence weak. Indeed, the Arabs have never achieved anything significant as a people except when united, and they have never been truly united except under Islam. The Qur'an Itself even warns

To give a concrete example: if one's brother were to commit a serious crime like assault or robbery, the tribal ethos would lead one to support him against the victim — for, as another famous tribal adage says: 'Aid your brother whether oppressed or oppressor!' ('*Unsur akhaka dhaliman aw madhlum!*') — whereas correct Islamic behaviour would be to compel one to reprimand one's own brother and effect a restitution, if not actually punish him for the good of his own immortal soul before God Almighty. The two attitudes could hardly be more different. Little wonder then that Holy Qur'an Itself generally forewarns (despite the exceptions It mentions at the end) that:

The nomadic Arabs are more intense in disbelief and hypocrisy, and better suited to be ignorant of the limits which God hath revealed unto His messenger. And God is Knower, Wise. (9: 97)

And of the nomadic Arabs there is he who taketh that which he expendeth [in the cause of God] as a loss, and awaiteth [evil] turns of fortune for you. The evil turn of fortune will be theirs. God is Hearer, Knower. (9: 98)

And of the nomadic Arabs there is he who believeth in God and the Last Day, and taketh that which he expendeth and also the prayers of the messenger as acceptable offerings in the sight of God. Lo! verily it is an acceptable offering for them. God will bring them into His mercy. Lo! God is Forgiving, Merciful. (9: 99)

Nor is it surprising that the Prophet (p.b.u.h.) said:

The summit of unbelief is towards the East [the Arabian

that no worldly power could, in itself, permanently unite the Tribes, such is the hold of the *Jabiliyyah* mentality:

If thou hadst spent all that is in the earth thou couldst not have attuned their hearts, but God hath attuned them. Lo! He is Mighty, Wise. (8:63)

*Desert], and pride and conceitedness is found among the owners of horses and camels. [These are] rude and uncivil people and live in camel hair tents. Tranquility of heart is found among those who rear goats and sheep.*²⁷

Ibn Qayyim (in his book *Madarij al-Salikin*) comments that a person's occupation greatly influences his/her character and behaviour, and that since goats and sheep are humble and docile, their rearing inculcates humility and politeness. Doubtless this is true, but it is perhaps not to be taken as the sole meaning of this *hadith*; nor is it to be taken exclusively as a premonition of the unprecedented viciousness and ferocity with which the nomads of the Eastern Arabian Desert were to fight the Muslim State immediately after the death of the Prophet (p.b.u.h.), during the Wars of Apostasy (*Hurub al-Ridda* 10–12 AH; 632–633 CE²⁸), although this too is probably indicated, and certainly is in the case of the verses of the Qur'an quoted before it. Rather, it should perhaps be taken as an indication that the 'Semi-Nomadic' lifestyle maintains some of the clear martial virility and austerity of the Desert Nomads whilst nevertheless taming the callous egoism and malicious belligerence of their *'asabiyyah* ethos in its degenerated form. Otherwise — and if the Bedouins in general were overwhelmingly or intrinsically bad,²⁹ notwithstanding the exceptions with which the Qur'an

27 *Sahib Muslim, Kitab al-Iman*, Ch.22, no.87 (et al).

28 It is interesting to note that the Muslim Commander at the Battle of *Yamama* — the central battle of the Wars of Apostasy — the Companion Khalid bin al-Walid (the only significant general in history, along with Scipio Africanus, never to lose a battle), only won that battle after he re-organized his troops into their own tribal squadrons. He reasoned that troops (all tribal, but not all Bedouins) fighting for religion *and* for tribal honour would be more motivated than troops fighting just for religion. This was very shrewd, since not all believers, even in the early Muslim armies, are saints, and mere believers are not completely 'unanimous' (literally 'with one soul'), so the extra motivation could only help. It is also very instructive as to the potential for positive synthesis between Islam and Tribalism.

29 In addition to man's 'theomorphic' original nature (the Prophet, p.b.u.h., said: *Verily God created Adam in His own image....* [*Sahih Bukhari, Kitab al-Isti'than*, I, et al.]; see also Qur'anic verses 32:9 and 95:4–5 quoted in the text above), Islam recognizes both that man has an individual 'primordial or innate nature' and an individual 'acquired charac-

qualifies its condemnation (9:99) — how to explain the famous saying of the dying Caliph ‘Umar (who knew and followed the Prophet’s [p.b.u.h.] mind as much as any other man in history) to his potential successors: *I commend to you [kindness to] ... the people of the [Arabian] desert, for they are the origin of the Arabs and the basic substance (madah) of Islam.*³⁰ Indeed, how else to explain, a few verses on from the verses just quoted about the Bedouins, their explicit and *general* inclusion with the Prophet’s own community at Madinah (the majority of whom were very pious believers) as regards ‘the good’ waging *Jihad* (Holy War):

It is not for the folk of al-Madinah and for those around them of the nomadic Arabs to stay behind the Messenger of God and prefer their lives to his life. That is because neither thirst nor toil nor hunger afflicteth them in the way of God, nor step they any step that angereth the disbelievers, nor gain they from the enemy a gain, but a good deed is recorded for them therefor. Lo! God loseth not the wages of the good. (9:120)

Furthermore, there were a number of ‘Nomadic Arabs’ amongst the early Muslim community, alongside the *Muhajirun* and the *Ansar* (the emigrants from Mecca and the believers from Madinah), who received the following unequivocal praise in the Holy Qur’an:

Ye are the best community that hath been raised up for mankind. Ye enjoin right conduct and forbid indecency; and ye believe in God.... (3:110)

ter’. In other words, it recognizes the respective roles of both ‘nature’ and ‘nurture’ (and this, quite apart from recognizing both human Free Will and Divine Predestination). Thus, on the one hand, the Holy Prophet (p.b.u.h.) said: *Every infant is born according to the fitrah; it is his (or her) parents that make him a Jew or a Christian or a Magian.* (*Sahih Muslim, Kitab al-Qadr*, Ch. 1157, no. 6428). On the other hand he (p.b.u.h.) also said: *People [have] substances like the substances of silver and gold. The most excellent of them in the Jahiliyyah are the most excellent of them in Islam, if they learn.* (*Musnad Ibn Hanbal, Bab Abu Hurayrah*, no. 3823/1097)

Now ‘the most excellent of them in Jahiliyyah’ has two, opposite meanings both of which are true in the case of the Bedouins, as will shortly be seen.

30 *Sahih Bukhari, Kitab al-Manaqib (Manaqib ‘Uthman)*, no. 3700; Vol.5, p.25.

Thus, despite all the ills of unbridled tribalism, we can fairly surmise that the Bedouins have the greatest potential and capacity for good, as individuals. Herein lies a contradiction; and in this contradiction, a secret. To fully understand this secret, however, it is necessary to note that the Holy Qur'an says that man, as he was created, is the greatest in potential of all of God's other creatures, and for that very reason is sometimes the worst in actuality. The Holy Qur'an says:

*S*urely We created man of the best stature. Then We reduced him to the lowest of the low. (95:4-5)

And:

*T*hen He fashioned him [man] and breathed into him of His Spirit; and appointed for you hearing and sight and hearts. Small thanks give ye! (32: 9)

Already have We carried off into hell many of the jinn and humankind, having hearts wherewith they understand not, and having eyes wherewith they see not, and having ears wherewith they hear not. They are as the cattle — nay, but they are worse! These are the heedless. (7: 179)

If man can be subject to such utter condemnation precisely because he is so great, it follows logically that the Bedouins, who are so close to nature and, as already discussed, to human primordiality (*fitrah*), when falling short of this nature through individual degeneration and/or the tribalism that can lead to it, they are bound to be *more intense in disbelief and hypocrisy, and better suited to be ignorant of the limits which God hath revealed unto His messenger.* (9:97) In other words, *corruptio optimi pessima*. A large jug, whether filled with water or with poison, will always be large; and a tall tree, when its reflection is inverted in a lake will, so to speak, 'reach lower' than a smaller tree. This is the secret of the Bedouins, and, in fact, the very Qur'anic words 'more intense' (*ashadd*) and 'better suited' (*ajdar*) indicate this, for the root of '*ashadd*' comes from the

Arabic word '*shadda*' meaning 'to make firm, solid or strong' (and hence also 'to tighten'),³¹ and the root of the word '*ajdar*' from the Arabic word '*jadara*' meaning 'to make fit, suitable, proper'³² (and hence also 'to enclose') — both of which are evidently *a priori* positive things in themselves. Ibn Khaldun (1332–1407 CE), the great *Maghrebi* historian who perhaps understood the cycles of civilization and the nature of nomads as well as any scholar before or since, summarizes the paradox of the Bedouins and relates it to the drama of their living conditions as follows:

[Bedouins] restrict themselves to the necessary in food, clothing, and mode of dwelling, and to the other necessary conditions and customs. They do not possess conveniences and luxuries. They use tents of hair and wool The food they take is either little prepared or not prepared at all, save that it may have been touched by fire.

[They] make their living by raising camels ... and wander deeper into the desert, because the hilly pastures with their plants do not furnish the right subsistence for camels. They must feed on the desert shrubs and drink the salty desert water. They must move around the desert regions during the winter, in flight from the harmful cold to the warm desert air. In the desert sands, camels can find places to give birth to their young ones. Of all animals, camels have the hardest delivery and the greatest need for warmth in connection with it.

The Bedouins ... live apart from the community. They are alone in the open and remote from [city] militias. They have no walls or gates. Therefore, they provide their own defence and do not entrust it to others or rely upon others

31 *The Hans Wehr Dictionary of Modern Written Arabic*, ed. Cowan, (Spoken Language Services Inc., NY, 1976) p.459

32 *Ibid.*, p.114

for it. They always carry weapons. They watch carefully all sides of the path. They take only hurried naps, when they are together in company or when they are in the saddle. They pay attention to the most distant barking or noise. They go alone into the desert, guided by their fortitude, putting their trust in themselves. Fortitude has become a character quality of theirs, and courage their nature. They use it whenever they are called upon or roused by an alarm.

[T]he Bedouins are people who plunder and cause damage. They plunder whatever they are able to lay their hands on ... without having to expose themselves to danger. They then retreat to their pastures in the desert.

Flat territory ... falls victim to their looting and prey to their appetite whenever they can gain power over it, when there is no [defending] militia, or when their [ruling] dynasty is weak. Then they raid, plunder, and attack that territory repeatedly, because it is easily (accessible) to them. Sooner or later, its inhabitants succumb utterly to the Bedouins and then are pushed around by them in accordance with changes of control and shifts in leadership. Eventually, their civilization is wiped out. God has power over His creatures.

[T]he Bedouins are a savage nation, fully accustomed to savagery and the things that cause it. They enjoy it, because it means freedom from authority and no subservience to leadership. Such a natural disposition is the negation and antithesis of civilization. All the customary activities of the Bedouins lead to wandering and movement. This is also the antithesis and negation of stationariness, which produces civilization. For instance, they need stones to set them as supports for their cooking-pots, so they tear down buildings to get them. Wood, too, is needed by them for props for their tents and tent poles, so they tear down roofs to get it.

The very nature of their existence is the negation of building, which is the basis of civilization. This is the case with them quite generally.³³



All this should shed light on the *hadith* of the Prophet (p.b.u.h.) quoted earlier preferring the mitigated tribalism found generally amongst the 'Semi-Nomadic' tribes to that of its unmitigated form found generally amongst the pure Bedouins, and this despite the great hardness and austerity of the latter. No passage in English expresses the required, ideal spiritual synthesis better than the following:

The fact is that Islam bears within itself and on the spiritual level the synthesis of two human attitudes, that of the sedentary and that of the nomad; the first chooses stability, which restricts him in space but allows him to count on the recurrent terms of time — he sows and reaps, dismantles and constructs — and the second chooses free movement in space, which places him, in a way, outside time and history, for nomadic life is not subject to transformation, remaining always at the point where it began. In the spiritual economy of Islam, the attitude of the sedentary establishes itself at a higher level of spiritual stability, while the attitude of the nomad establishes itself as a non-attachment to ephemeral things. In a certain sense, it is urban life that is favoured by Islam, because the town contains sanctuaries and it is in its midst that doctrinal knowledge and the usages or customs of the Prophet are handed down; in another sense, it [Islam] makes the most of the positive qualities of the nomad, which are combativeness, dignity and hospitality, to mention only the three fundamental virtues. If the sedentary knows the value of things, the nomad, for his part, is acutely conscious

³³ Ibn Khaldun, *The Muqaddimah: An Introduction to History*, trans. Rosenthal, ed. Dawood (Princeton University Press, NJ, 1981), Ch. 2, 2–25; pp. 92, 95, 118.

of their fragility, with an awareness that opens out onto the immediate present. Pushed to its limits, the present transcends the flow of time in such a way that there is a kind of contemplativity of the here-and-now in this spiritual attitude of the nomad, and this agrees very well, should the occasion arise, with the discriminative role of the sword in the holy war.

The synthesis of nomadism and sedentarism is, moreover, prefigured in the role of Mecca as an urban centre encompassed by the fluctuating Arab Tribes...³⁴

Under these conditions — the tribes without their tribalism; the Arabs in the desert, rather than the desert in the Arabs — will personify and manifest the very essence of Islamic virtue, as embodied super-eminently by the Prophet Muhammad (p.b.u.h.) himself, this being the ultimate realization of harmony between Islam and the Arab tribesman, and the fulfilment of the promise under every distant black tent in the deserts of Arabia:

[The moral and spiritual paradigm] of Islam ... consists of an equilibrium — paradoxical from the Christian point of view — between the qualities of the contemplative and the combative, and then between holy poverty and sanctified sexuality. The Arab — and the man Arabized by Islam — has, so to speak, four poles: the desert, the sword, woman and religion. For the contemplative these become inward, the desert, the sword and woman becoming so many states and functions of the soul. God is not only the All-Powerful Lord; the profoundly His Power is understood, the more He reveals Himself as immanent Love.

On the most general and *a priori* outward level, the sword represents death — death dealt out and death courted — so

34 *The Art of Islam* op. cit., pp.105–106.

that its perfume is always present. Woman represents an analogous reciprocity; she is love received and love given, and thus she incarnates all the generous virtues; she compensates for the perfume of death with that of life. The profoundest meaning of the sword is that there is no nobility without renunciation of life.... The symbiosis of love and death within the framework of poverty, and before the face of the Absolute, constitutes all that is essential in Arab nobility, so much so that that we do not hesitate to say that here lies the very basic substance of the ... Muslim soul.³⁵

35 F.Schuon, *Islam and the Perennial Philosophy*, trans. J.Peter Hobson, (World of Islam Festival Publishing Company, 1976), pp. 91–92.

(IV) TRIBAL 'HONOUR CRIMES'

To return now to matters more prosaic, if both villainous and pathetic, I recount a personal experience of my own by way of introduction and background to a topic that has, through international media attention, troubled the hearts of many people all over the world, even if its real causes and true nature are not very well understood.

* * *

Sometime in or around May of 1998, as I was leaving my house in the morning to go to work and just about to get into my car, I was accosted by a short, slim, pleasant-looking middle-aged man, with a trim moustache but no beard, in *Sab'awi* Bedouin dress. He bel-lowed at me (the words, of course, were in Arabic; I am translating as best as I can and well as memory serves me): "Hey! Ghazi! Wait! You're supposed to be a pious man; I want you to get my son out of jail. He is fifteen years old." I answered: "*Al-Salamu 'Alaykum*. What has your son done?" "Well, my daughter wanted to run off with someone without my permission, so he stabbed her in the chest. He is a good boy, he is."

These words were as shocking to me then as they no doubt are to the reader today. What had happened was that the man's seventeen year-old daughter had fallen in love with someone whom her father and tribe did not approve of. She had not, let it be said, committed any indiscretions (except perhaps in meeting with and getting to know the man in question). She only wanted to be decently married. But her father and his male tribesmen were outraged by the prospect of the union without their approval or consent, and so conspired to put an end to her. Her younger brother was made to perform the crime, since, being a minor, he could not be capitally punished and would be out of jail, even if convicted of murder without any mitigating circumstances, in six (with good behaviour)

to twelve years³⁶ in accordance with article 18.1 of Jordanian Constitutional Law ('The Minor's Law' for 15–18 year-olds). He would receive a hero's welcome when he came out, and of course the tribe would see to financial recompense for him, for having 'saved it from dishonour', and for having spent time in jail.

I asked the man to tell me the story again — to make sure my ears had not deceived me — and then told him that he was crazy, and that under no circumstances would I try to help him, because what he had actually done was a heinous and unforgivable crime. He replied that I was the crazy one since she was a daughter disobeying her father, and Islam made obedience to parents a sacred obligation. I told him that this did not in any way give him the right to kill her. In turn, he protested that he had to, for what was she doing with him in the first place? I started shouting at him, and he started shouting back. This

36 Such a sentence presupposes that the court rules that there are no mitigating circumstances, and the youth is convicted for pre-meditated murder (which for adults normally, in Jordan, receives the death sentence, in accordance with *shari'ah*). However, as will later be seen, since the crime was committed in connection with an 'honour crime situation', and the father and the Tribe goaded the boy, he was likely to benefit from mitigating circumstances (in accordance with articles 18.2 and 18.3 of the Jordanian Penal Code) and would be sentenced to either 5–10 years (18.2 J.P.C.) or 2–5 years (18.3 J.P.C.). The boy was fifteen years old; had he been 12–14 years old, the sentences would be reduced even further to 4–10 years, 3–9 years or 1–3 years in accordance with articles 19.1, 19.2 and 19.3 of Jordanian Penal Code, respectively.

Finally, it needs to be said that in wrongful death and murder cases in Jordan there is, legally, a 'public right to justice' (*haqq 'amm*) and the 'aggrieved party's [family's] personal right to justice' (*haqq khass*). The *haqq khas* means that a murder victim's family can either: (a) insist on the execution of the murderer (*i'dam*) such that even if the state declares a general amnesty (as it sometimes does, thereby foregoing all the 'public rights') the murderer would still have to be executed; or (b) accept blood money (*diyah*) and have the death sentence be commuted to life imprisonment instead. Furthermore, blood money (*diyah*) must be paid by the killer or his family to the victim's family in every case where the killer is not executed (obviously, in Jordan, only pre-meditated murder warrants the death penalty). Thus, with killing through 'negligence' (as with a speeding driver, or as with an unarmed scuffle which accidentally turns lethal) *diyah* has to be paid, or the killer cannot leave jail. With 'honour crimes', however, since the victim's murderers are usually her family, there is no *diyah*, even though the murderer is not executed!

went on for a while, getting more and more heated, until finally he said: “Muhammad³⁷ said!” By this time I could not contain myself at all, and shouted, unrestrainedly, something like:

The Prophet (p.b.u.h.) never said any such thing. You are not God! You cannot judge other people! You have no right to kill her! Your daughter is a human being; she is not an animal! Islam does not give any individual the right to kill another, except in self-defense, even for adultery, which your daughter did not even commit. Religion protects children; it forbids you from harming them. Ask anybody ... ASK ANY SHEIKH YOU LIKE!!

At this he screwed up his face inscrutably, and looked me straight in the eyes and cried: *Wal ‘aar?!'*

‘Wal’ means roughly ‘what about’ and *‘aar’* literally means ‘shame’, ‘disgrace’ or ‘something one can be reproached for’. It is obviously a very tribal concept, because it emphasises (tribal) public opinion and regard, rather than inherent right and wrong. I answered that *al-‘aar* was a *Jahiliyyah* concept, and that what did it matter now what the tribe thought? Did he not love his children? He had destroyed one life and ruined another! He was responsible for that and nothing he could do would ever make that right ...

This time, he did not say anything, but just fell silent and stared past me, listlessly, for a few seconds, and if such a thing were possible I would have sworn that he aged twenty years there and then, in that brief interval. He then turned around and slowly walked away, without turning back, and I never saw him or heard from him again.

As he faded away down the road, however, it was clear to me

37 No educated Muslim would ever say the Prophet’s name without saying: “peace and blessings be upon him” immediately after it, as is specifically enjoined in the Qur’an (33:56). In fact, most Muslims (especially non-Arab Muslims, who are 80% of Islam) generally avoid, out of reverence, saying the Prophet’s name, and simply say, “the Messenger of God, peace and blessings be upon him”.

that the man leaving was not the same self-assured and proud tribesman that had accosted me fifteen minutes earlier. In that moment, I also understood that here was not an evil or heartless man, as I had initially assumed. Rather, here was a man who, at some level, incredible as it may seem, believed that he had behaved courageously, if not nobly, and that both religion and tribal honour compelled him to make the poignant sacrifices he did. Ironically, as will soon be seen, neither Islamic Law (*shari'ah*) nor even traditional Bedouin Law (*'urf'asha'iri*) condone or even permit what he had done, and would not *even if his daughter had actually committed adultery* (which anyway she technically could not, being unmarried); but he was obviously ignorant of both legal systems. Had he been better aware of these truths, the whole situation might have been averted, and herein precisely lay the pathos of the old man, and the tragedy of a young girl's life — and her individual and unique inner world³⁸ — now extinguished forever.



Just to be absolutely clear on the morality — or rather, the immorality — of honour crimes in Islam, in Bedouin society, and according to local customs, it is perhaps worthwhile tarrying a while here and examining some of the sexually-related³⁹ sins and/or crimes that could possibly be used as pretexts by which to justify 'honour crimes' (in the minds of those who commit these) according to Islamic Law, Bedouin Law and the Jordanian Penal Code.

First, then, let it be said that according to Islamic Holy Law

38 *For that cause We decreed for the children of Israel that whosoever killeth a human being without it having been for [the sake of] avenging a murder or for working corruption in the earth, it shall be as if he had killed all mankind, and whoso saveth the life of one, it shall be as if he had saved the life of all mankind.... (The Holy Qur'an, 5:32)*

39 With the exception of disobedience and/or betrayal of parents and the Tribe, the majority of sins/crimes which lead to 'honour crimes' (these are actually known, in Arabic, as 'crimes that defend honour' — *jara'im al-difa'a 'an al-sharaf* — which is actually a far more correct description) are, not surprisingly, connected to sexuality, and specifically, to women's sexuality.

(*shari'ah*) whilst (unrelated) men and women may not be alone together in a closed room (*khulwah*),⁴⁰ people seeking marriage have the right to meet. Indeed, the Prophet (p.b.u.h.) insisted that a couple should see each other at least once before agreeing to marriage.⁴¹ Moreover, it need hardly be said that according to the *shari'ah* (unrelated) men and women also have the right to meet in certain other special situations (e.g. commercial dealings, legal dealings, medical dealings, necessary didactic functions and the like⁴²).

As regards consent for marriage in Islam, whilst there are numerous Qur'anic verses and *hadiths* emphasising the almost sacred status⁴³ of parents — and whilst parental approval and blessing is very much to be sought in Muslim marriages, as in all licit things in Islam — neither the father's nor the mother's (nor the legal male guardian if the father is deceased or insane or incarcerated, etc.) approval is a *legal requirement* for marriage,⁴⁴

40 *Whosoever believes in God and the Last Day must never be in privacy with a woman without there being a 'mahram' [a male relation of the 'first degree'] (of hers) with her, for otherwise the devil will be the third person (with them).*

(*Musnad Ibn Hanbal; Bab 'Amir Ibn Rabi'ah*) Quoted from Yusuf Qardawi, *The Lawful and Prohibited in Islam*, trans. Hammad, (American Trust Publications, IN USA) p.150.

41 See: Ahmad Ibn Naqib al-Misri, *The Reliance of the Traveller* ('*Umdat al-Salik wa 'Udda al-Nasik*) ed. and trans. by Nuh Ha Mim Keller (Modern Printing Press, Dubai, 1991), p.511.

42 See: *Ibid.*, p.514.

43 For example:

Thy Lord hath decreed, that ye worship none save Him, and (that ye show) kindness to parents. If one of them or both of them attain old age with thee, say not "Fie" unto them nor repulse them, but speak unto them a gracious word. / And lower unto them the wing of submission through mercy, and say: My Lord! Have mercy on them just as they did care for me when I was little. (The Holy Qur'an, 17:23–24)

However:

We have enjoined on man kindness to parents; but if they strive to make thee join with Me that of which thou hast no knowledge, then obey them not. Unto Me is your return and I shall tell you what ye used to do. (The Holy Qur'an, 29:8)

44 The conditions for marriage between eligible partners in *Sunni* Islam are simply three: that there be a proposal (*ijab*) and acceptance (*qubul*); that there be two trustworthy male witnesses (*shahidayn*) to this; and that a bridal price (*muqaddam*) and a (God forbid) divorce price (*mu'akhar*) from the groom to the bride be agreed upon by

neither for an adult man, nor for an adult woman (except perhaps in the Maliki *madhhab* or school of law⁴⁵). Indeed, any adult male can marry on his own account, without the permission of any parent or guardian; and any adult female can oblige her father or nearest male relative or guardian to marry her⁴⁶ to whichever man she picks,⁴⁷ and this on pain of her appointing another guardian of her own choice⁴⁸ (usually the local Islamic magistrate or *qadi*). A woman can even initiate a marriage proposal in Islam, as several women did to the Prophet Muhammad (p.b.u.h.) himself (including, notably, his first wife, the Lady Khadijah).⁴⁹

As regards the *shari'ah* punishment for adultery, it must first

both parties. To this certain (but not all) *madhhabs* add the condition that there be *kafu* (social, financial, professional and religious 'parity') between the man and the woman (that a man may marry 'below' his station, but that a woman may not, so that a woman must never marry into a situation 'below' that to which she is accustomed). It is worth noting that *madhhabs* which do not recognise this condition, fall back on the fact that in Islam all believers are *essentially equal*, whatever *accidental* religious, social, financial, professional and other disparities there may be. Finally, it must be said that nowadays most, if not all, Muslim countries demand that the *ijab* and *qubul*, the *muqaddam* and the *mu'akhar*, and the testimony of the two witnesses be written (and registered) in order to be officially recognized by the state. See: *The Reliance of the Traveller*, op. cit. pp.515–524.

45 See: 'Abdur Rahman I. Doi, *Shari'ah: The Islamic Law* (Ta Ha Publishers, London, 1984), p.123, for a definition of '*ijbar*' — the power of the father or paternal grandfather to veto the daughter's choice for marriage, and the necessity of their consent for a marriage — in the Maliki *madhhab*.

46 In the Hanafi *madhhab*, a woman can marry on her own account, and needs no guardian, but in the Hanbali and Shafi'i *madhhabs* she needs a guardian to marry her by proxy (although she is free to appoint whomever she wants as a guardian). We have just mentioned, in the previous footnote, the power of *ijbar* in the Maliki *madhhab*; it hardly need be said that in this *madhhab* a young woman cannot appoint herself a new guardian when the father and/or paternal grandfather are still alive and *compos mentis*.

47 It is worth noting, incidentally, that in all the *madhhabs*, even the Maliki *madhhab*, women *must* be consulted by their fathers or guardians before the marriage ceremony, and must give their consent to it — and this because the Prophet himself (p.b.u.h.) repudiated a marriage where the would-be bride was not consulted. See: *Shari'ah: The Islamic Law*, op. cit. p.123.

48 See: *The Reliance of the Traveller*, op. cit. p.521.

49 See: *Sahih Bukhari, Kitab al-Nikah*, no. 5120–1, Vol.7, p.20.

be said that the Holy Qur'an specifically warns people not to do anything that even approaches adultery:

And come not near unto adultery. Lo! it is an abomination and a way of evil. (17:32)

This is because adultery on the individual level does not just involve the physical conjunction of two people who lust for each other, but necessarily entails in the souls of those who succumb to it, the predominance of animal instinct over respect for God's Law and commands; the victory of passion over the virtues of temperance and restraint, if not over virtue in general; and the defeat of the interests of family and community by self-gratification. Moreover, it necessarily involves deception, thereby invariably leading to lying; to a lifestyle of stealing (for its own upkeep); to the heavy use of alcohol and drugs (to keep itself amusing); and, finally, to a whole Pandora's box of other evils because having already transgressed God's Law on such a fundamental and intimate level, there is no longer any moral motivation for restraint in other areas of personal life! Indeed, it is not for nothing that the Qur'anic verse just quoted both condemns it as a single evil act in itself, and warns that it leads to a lifestyle through which a person eventually loses his 'way' entirely in this life, and consequently in the next. Similarly, on the level of society, adultery undermines both Islamic Holy Law (the *shari'ah*) and the Islamic community (the *ummah*) by poisoning both the conjugal and the parental relationship, and thus corroding their common foundation — the family. This in turn ruins the moral education and emotional stability of future generations, which, eventually, ensures the breakdown of both the *ummah* and the *shari'ah* themselves. In short, adultery can destroy both this world and the next for human beings, and therefore opposes the very purpose of creation, and thus of Divine Mercy (*Rahmah*) Itself. It is for this reason regarded as an extremely grave and dangerous sin.

Despite this, Divine Mercy ordained that the punishment for adultery only gradually became capital: the first punishment

was that adulterers be confined to their homes;⁵⁰ then that they be actively punished (the precise nature of the punishment was not specified in the Revelation) until they repent and make amends;⁵¹ and, finally, that they be flogged:

The adulterer and the adulteress, scourge ye each one of them [with] a hundred stripes. And let not pity for the twain withhold you from obedience to God, if ye believe in God and the Last Day. And let a party of believers witness their punishment. (24:2)

However, the Prophet (p.b.u.h.), under Divine inspiration, explained this verse as follows:

Accept it from me, accept it from me, God has now shown the way⁵² for adulterers. For unmarried persons [guilty of fornication], the punishment is one hundred lashes and one year of exile. For married adulterers, it is one hundred lashes and stoning to death.⁵³

Similarly, the Caliph ‘Umar said:

I am afraid that after a long time has passed, people may say: “We do not find the verses of rajm (stoning to death) in the Book of God”, and consequently they may go astray by leaving an obligation that God has revealed. Lo! I confirm that the

50 *As for those of your women who are guilty of lewdness, call to witness four of you against them. And if they testify [to the truth of the allegation] then confine them to the houses until death take them or [until] God appoint for them a way [through a new legislation]. (The Holy Qur’an, 4:15)*

51 *If two persons among you are guilty thereof [of adultery] punish them both. And if they repent and make amends, then let them be. Lo! God is Relenting, Merciful. (The Holy Qur’an, 4:16)*

52 This is an allusion — or rather a clear reference — to the verse already quoted (4:15).

53 *Sahih Muslim, Kitab al-Hudud*, no. 4192, p.911.

It should be noted that there are different versions of this *hadith*, and many scholars say that *it* refers only to a single, isolated incident, and that in normal circumstances there is no exile for unmarried fornicators, and no lashes for married adulterers; the justification of this opinion being that the Prophet (p.b.u.h.) never punished a person twice for a single crime.

*penalty of rajm be imposed on him [or her] who commits illegal sexual intercourse if he [or she] is already married and the crime is proved by witnesses ... or confession.*⁵⁴

It is worth noting, that the Caliph ‘Umar imposed this death penalty on his own son, Abi Shammah, with the heaviest of hearts imaginable, and therefore can hardly be suspected of not feeling the consequence of this penalty.

It is also worth noting, moreover, that the Prophet himself (p.b.u.h.) would always discourage and try to ignore confessions of adultery, by turning away three or four times from people who came to him,⁵⁵ ridden with guilt, demanding to be punished to expiate their sin, and that he absolved anyone of the death penalty that had not freely consented to the act (obviously, if one party is not freely consenting, then that party has been raped or blackmailed) or that was not married, sane, adult, Muslim and free (that is, not a slave). Even if someone at first confessed and then became frightened of the stoning and tried to escape, he recommended letting them go, and forbade the stoning of a pregnant or a breast-feeding mother.⁵⁶

As regards people who do not voluntarily confess to adultery and do not themselves insist on being punished, it is even more difficult, under the *shari’ah*, that they actually receive the death penalty. This requires, in addition to the conditions already mentioned as regards the offenders, the following conditions as regards the circumstances: (a) that there be four upstanding, law-abiding male eye-witnesses to the act (or eight female ones) — the act of witnessing, moreover, should be by accident or by surprise, because no one should be looking out for such things, and it is

54 *Sahih Muslim, Kitab al-Hudud*, no. 4194, p.912.

55 Moreover, the Prophet (p.b.u.h.) said: *Avert capital [or corporal] punishment from Muslims whenever you can. If you can find a way out for a Muslim, then take that path. It is better that a ruler be too lenient than too severe.* (*Sunan al-Tirmidhi*, no. 1344.)

56 For examples of incidents in the Prophet’s (p.b.u.h.) life confirming the above, see *Sahih Muslim, Kitab al-Hudud*.

worth bearing in mind here, for comparison's sake, that even murder requires only two eyewitnesses for a conviction, in the *shari'ah*; (b) that these eye-witnesses see, and attest to seeing, actual sexual penetration (two naked bodies, one on top of the other, will not suffice, nor will any sexual act less than the full conjugal act); and (c) that these eye-witnesses attempt to pass a thread between the two bodies, for only if this does not work can they be certain that intercourse was taking place. Furthermore, if only three witnesses come forward without a fourth, all three are to be flogged with 80 lashes of the whip for calumny!⁵⁷ Even pregnancy, in the case of a woman whose husband has been absent for over a year, is not considered proof of adultery (if no rape complaint is made), and the usual legal procedure under such circumstances is that the judge (if the matter is brought to his attention) assume that the woman has been to the public baths and accidentally sat on the wrong thing (as in fact is documented to have happened, incredibly enough, both in Ottoman times, and recently in Jordan). Finally, let it be said that even with all these conditions being fulfilled, neither the witnesses nor the families, nor anyone else has the right to punish the adulterers; rather, the state (or the legitimate social authority) must organize and carry it out, having checked through all the procedures and all the possible excuses.

From this it should be abundantly clear, to anyone capable of

57 *And those who accuse honourable women but bring not four witnesses, scourge them [with] eighty stripes and never [afterward] accept their testimony — they are indeed evil-doers.* (The Holy Qur'an, 24:4)

Indeed, it is not just calumny that is regarded as a grave sin in the Holy Qur'an; rumour-mongering and spreading gossip are equally evil:

Lo! those who love that slander should be spread concerning those who believe, theirs will be a painful punishment in the world and the Hereafter. God knoweth. Ye know not. (24:19)

Even suspicion and petty spying are loathsome sins in the Qur'an:

O ye who believe! Shun much suspicion; for lo! some suspicion is a sin. And spy not, neither backbite one another. Would one of you love to eat the flesh of his dead brother? Ye abhor that [so abhor the other]! And keep your duty [to God]. Lo! God is Relenting, Merciful. (49:12)

reading between the lines, that the *shari'ah*, whilst condemning adultery in the strongest possible terms (by having *in principle* a death sentence as a penalty) does not *in fact* seek to carry out executions for adultery. This of course is not an accident, but a deliberate mercy foreseen by the Divine Wisdom, given the inevitability that people would keep falling into this sin through weakness. Indeed, the Qur'an Itself mentions that even the Prophet Yusuf (Joseph; p.b.u.h.) might have succumbed to temptation, but for Divine help, through 'spiritual vision':

She verily desired him, and he would have desired her had it not been that he saw the evidence of his Lord. Thus it was, that We might ward off from him evil and lewdness. Lo! he was of Our chosen bondsmen. (12:24)

It should be clear that the real purpose of the *shari'ah* in this domain is to punish people who deliberately commit adultery in public, where they can be seen by all (film evidence not being admissible in the *shari'ah*) or who somehow co-operate in their condemnation, which could only be the result (assuming the offenders are sane, without which there is no case anyway) of a conscious intention to scandalize the public; to undermine public decency and family values, and to challenge both the Law and the Spirit of Islam. In other words, even if the *shari'ah* condemns adultery *de jure*, it *de facto* only punishes sedition, anti-nomianism and the flouting of the basic prescriptions for social harmony.

All this makes it abundantly clear that, according to the *shari'ah*, so-called 'honour crimes' are absolutely unjustified and, indeed, completely reprehensible. Moreover, even if the 'sin' which they seek to avenge were adultery between married people (which it never is, by definition, since married women live with their husbands and not their paternal families in tribal society, and reflect on the husband's 'honour', and not that of the tribe!) no individual or group of individuals can 'take the law into their own hands'. Even if a husband were to catch his

wife in bed with another man, that husband has not the right to kill either party in a fit of rage, according to the *shari'ah*, (this of course then being a case of a 'crime of passion' not an 'honour crime') and would be punishable before the Law for so doing, which is not — let it be noted — the case *de facto* (if not *de jure*) in several European countries and a number of American States! Rather, the husband must restrain himself and take a series of public oaths as to his wife's guilt, which, if she matches with oaths as to her innocence, results only in their being irrevocably divorced:

As for those who accuse their wives but have no witnesses except themselves; let the testimony of one of them be four oaths by God that he is of those who speak the truth; / And yet a fifth invoking the curse of God on him if he is of those who lie. / And it shall avert the punishment from her if she bear witness before God four times that the thing he saith is indeed false, / And a fifth [time] that the wrath of God be upon her if he speaketh truth. / And had it not been for the grace of God and His mercy unto you, and that God is Clement, Wise, [ye would be undone]. (The Holy Qur'an, 24: 6-10)

Turning now to traditional Bedouin Law (*'urf 'asha'iri*), let it first be noted that the nature of Bedouin life — on the one hand living communally (for no individual can survive alone in the desert) with no enclosed spaces of any kind (obviously the desert has none), on the other hand constantly in danger and mobile, and having to cope with all sorts of emergency situations — meant that there could not be too strong a stigma attached to a man and woman being alone (*khulwah*). However, a woman who stayed out by herself or with the flocks *at night* far from any encampment, without an excuse was called a 'strayer after' [all the warriors having returned to camp; in Arabic a *'aqibatul sarh*] and was considered to be flirting or 'inviting men' (all tribal women knew this *a priori* and therefore would carefully avoid the situation), something for which she could have been punished by her family (but not capitally).

From this it should be abundantly clear, to anyone capable of reading between the lines, that the *shari'ah*, whilst condemning adultery in the strongest possible terms (by having *in principle* a death sentence as a penalty) does not *in fact* seek to carry out executions for adultery. This of course is not an accident, but a deliberate mercy foreseen by the Divine Wisdom, given, the inevitability that people would keep falling into this sin through weakness. Indeed, the Qur'an Itself mentions that even the Prophet Yusuf (Joseph; p.b.u.h.) might have succumbed to temptation, but for Divine help, through 'spiritual vision':

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Husbands⁵⁸ had the right to punish their wives capitally (and their wives' lovers) only if they themselves caught their wives *in flagrante delicto*, and cried out and called members of the tribe to witness the situation (since the tribe was itself the 'sovereign state' amongst Bedouins). Moreover, since Bedouin Law — although obviously very practical and wise — was not as sophisticated as traditional scholarly urban Islamic jurisprudence or *fiqh* (in areas where Bedouin Law actually sought to imitate the *shari'ah*, and did not follow its own warrior-raider codes), pregnancy *was* considered proof of fornication or adultery, if the woman concerned had not already declared herself raped.⁵⁹ In this case, the offended husband brought his wife before a recognized tribal *qadi* who specialized in judging such matters,⁶⁰ and, if there were no mitigating circumstances, could well give a death sentence. Thus, in Bedouin Law, punishment for adultery and 'crimes of passion' were essentially the same thing, and could only be carried out if the tribe as

58 Aggrieved wives with philandering husbands had recourse either to their own paternal families; to their husband's father or *Shaykh*; to their husband's paramour's husband; to divorce; or, finally, to their own sons, if these were of age. One way or another, they could get satisfaction or even revenge, if they so chose.

59 Tribal Law distinguished between different types of 'rape complaints': (1) *Saybat al-dahi* ('one who shouts openly') was a woman who cried out for help as best she could whilst being raped — everyone who heard such a cry had the obligation to help the woman, and the rapist could legally be killed there and then. Such women were judged to have behaved impeccably. (2) *al-Shakiyah* ('one who complains') was a woman who complained that she had (recently) been raped. If the rape was proved, the rapist would be executed, and the woman would be considered to have behaved correctly. (3) *al-Mutatarriyah* ('one who tries to soften' [her censure]) was a woman who complained of being raped months after the supposed event because she was pregnant and feared to be found out. The 'rape complaints' of such women were not taken seriously. (4) *al-Daf'ah Karshaha* ('one whose belly protrudes') was a woman who said nothing, but whose pregnancy shows on her despite her trying to hide it. Such a woman was considered to be guilty of fornication (if unmarried) or adultery (if married and her husband were away for all that period, bearing in mind that too prolonged an absence was grounds for divorce in both Tribal Law and *shari'ah*).

60 Indeed, bearing in mind that Tribal Law — except in the three issues already mentioned — ended in the 1970s, it will come as no surprise to note that there are a number of these judges still alive today in Jordan, as well as many other kinds of tribal judges specializing in various kinds of now obsolete Tribal Law.

an entity was assured of the guilt of the adulterer or adulteress. Moreover, the procedures required were usually quite accurately followed because the compensatory 'blood money' (*madd*) for a woman wrongfully or accidentally killed were four times the amount of that for a man — this evidently being a reflection of Bedouin chivalry, and of the association of women with honour in the tribal mentality.

Turning now to Jordanian Law, it should first be said that whilst Personal Status and Family Law (for Muslims) in Jordan are based entirely on the *shari'ah*,⁶¹ Jordanian Criminal Law, like Jordanian Civil Law, is based largely on the *Code Napoléon* (a French legal code adopted and adapted in Egypt in the early Nineteenth Century). Thus, not surprisingly, there is no punishment for men and women being alone together, nor even for fornication. Adultery is punished according to 282/1 of the Jordanian Penal Code as follows:

The adulteress and her companion are punished by being jailed for at least six months and not to exceed two years.

However, article 282/2 of the Jordanian Penal Code states:

The accepted evidence to prove such a crime are: to capture the adulterers committing adultery; or by judicial confession; or by evidential letters; and/or by any other written documents.

This means that in effect no one is punished unless there is an official complaint, and proof is provided by one of the jilted spouses.

As regards 'crimes [in defence] of honour', Jordanian Criminal Law is, *in contrast to Islamic Law and Bedouin Law*, similarly lenient with the perpetrators of these crimes. Articles 96 and 340 together *absolve* any person who catches his wife or any of his 'inviolable relatives' (relatives too close by blood to marry) committing adultery and kills or injures her and her partner. Similarly, articles 97/1 and

⁶¹ Thus, obviously, the question of marriage without parental consent in Jordan follows the *shari'ah* rulings in the manner already described.

340/2 together *reduce the sentence* on any person who catches his wife or any of his ‘inviolable relatives’ in an indecent [sexual] position and kills or injures her and her partner.

As regards ‘crimes of passion’, article 98 of the Jordanian Penal Code states:

Any person who commits a criminal act is privileged to an alleviating excuse if he/she committed the crime under extreme anger as a result of another person’s illegal and dangerous act.

Moreover, article 99 of the Jordanian Penal Code gives criminal courts a certain leeway to reduce sentences if a spouse, through premeditation, captures his/her spouse committing adultery and then harms him/her.⁶²

From all this it will be clearly seen that neither Islamic Law nor Bedouin Law excuse — much less demand — the killing, by any individual, of any of his/her womenfolk, even if these women are married and are caught in the actual act of adultery. It is a bitter irony that although Westerners (and some tribesmen nowadays) imagine that ‘honour crimes’ have their justification in tribal culture and/or in Islam, when in fact the legal loophole that has hitherto facilitated their existence in Jordan is a law of Western origin, *in direct contravention* to both Islamic Law and Traditional Bedouin Law. Fortunately, however, even as these words are being written, the Jordanian Government, under direct instructions from H.M. King Abdullah II, is drafting a bill to present to the Jordanian Parliament that will annul article 340, and put an end to ‘the absolving excuse’ and ‘the mitigating excuse’ for perpetrators of honour crimes. Indeed, by the time this treatise is published, Article 340 will already be a thing of the past, *Insha’Allah*.

* * *

The abrogation of article 340 did not come out of the blue. In fact,

62 Also it should be mentioned that articles 91 and 92 absolve the insane of crimes, but requires them to be psychologically rehabilitated thereafter. Obviously, this can be (under certain circumstances) relevant to ‘crimes of passion’.

it came as the culmination of a long campaign against 'honour crimes' in Jordan, and, indeed, no law or change of law can be successful without being preceded by such a campaign. This campaign was initiated by the late, great King Hussein who invested the full weight of his unquestionable moral and tribal authority in decrying 'honour crimes'. Thus, in November 1997, he made a passionate national appeal during his address from the throne at the opening of the 13th Parliament to all Jordanians to shun and eschew any form of violence against women (and children), no matter what the cause. Thereafter, at his instruction, the religious establishment in Jordan — in particular the Chief Islamic Justice (and Advisor to the King for Religious Affairs), Shaykh Izz al-Din al-Tamimi, and the long-serving Minister of *Awqaf* and Religious Affairs, Dr'Abd al-Salam al-'Abbadi (and with them all the religious departments under them) — waged an aggressive and effective, if unsung, public awareness campaign, explaining the position of Islam (and often Tribal Law) on women's issues, and dissipating the ignorance regarding these questions amongst the lesser educated.

As will shortly be seen, there was a huge drop in 'honour crimes' in 1998, and King Hussein's campaign can be directly credited for this, because the main reason for 'honour crimes' is not maliciousness amongst tribesmen, but rather — as with the case of the old *Sab'awi* related earlier — ignorance of Islam and of true tribal customs and ethics. Indeed, with many tribesmen the changes caused by modernization and the erosion of much of the traditional tribal lifestyle has entrenched all the rigidity and conservatism of the old tribal 'shame culture', while denuding it of its old chivalric instincts. Thus, a better awareness of Islamic Law and virtue, and of the deeper principles ingrained in the authentic tribal heritage, is bound to prove to be an effective remedy against oppression of women because it attacks the phenomenon at its roots.

On the other hand, the abrogation of Article 340, whilst necessary because just, and whilst obviously acting as a further deterrent to potential perpetrators, cannot be expected to eliminate 'honour crimes' altogether, or even reduce them much further. The reason

for this is simple: despite all the condemnation of, and consternation about, the phenomenon in the local and international press in 1998 and 1999, 'honour crimes' had already become — through the efforts of the late King Hussein and the religious establishment, as just mentioned — statistically quite rare. Moreover, with a population of five million, one can obviously never guarantee every human being's behaviour; all that one can do is make every conceivable effort to reduce deviant and immoral behaviour to an absolute minimum. The official figures⁶³ are as follows:

	1996	1997	1998
No. of Murders: (per 100,000 inhabitants)	305	105	92
No. of Honour Crimes: (Murders)	19	20	6
No. of deaths from Road Accidents:	552	577	612

We give the number of road deaths as a point of comparison. As another point of comparison it is worth noting that the rate of murders per 100,000 per year in the U.S.A. over the 1990s held at just under 10%⁶⁴ (5 times that of Jordan's in 1998), and this despite a G.D.P. per capita twenty times that of Jordan's.⁶⁵ Moreover, it is worth bearing in mind that there well over half a million registered firearms in Jordan and at least a million more unregistered (illegal) firearms — perhaps two million — in private hands, which

63 These figures were provided, and in fact published, by the Jordanian Public Security Department. Moreover, of the 92 murders in 1998, 91 were solved and prosecuted, so there can be no doubt as to the accuracy of the number of 'honour crimes' amongst them.

64 The murder rate in the U.S., after rising 32% over the ten years between 1984–1993, began to drop thereafter, as the economy improved. In 1993, it was 9.5 per 100,000 per annum (24,526); in 1994 it was 8.9; in 1995 it was 8.2, and in 1996 it was 7.4 (19,645). However, by 1998 it was back up to 8.2 (22,689).

65 In 1998 the USA's G.D.P. was \$8230.9 billion, which, divided by a population of 270.1 million, makes a G.D.P. per capita of \$30,472; in 1998 Jordan's G.D.P. was \$6.976 million, which, divided by a population of 4.8 million, makes a G.D.P. per capita of only \$1516

translates into one firearm for every male, and perhaps one firearm for every adult, in the country. This, combined with the naturally martial *milieu* and the austere culture of the tribal population of Jordan, with an unemployment rate officially at 15% (but unofficially estimated to be at least 25%), and with the poverty as just mentioned, means that in fact both the murder rate⁶⁶ and even the honour crime rate⁶⁷ are, relatively speaking, extraordinarily low.⁶⁸

Of course, even one 'honour crime' is an egregious and heinous sin, and, as already mentioned, represents the irreversible tragedy of a unique and irreplaceable world senselessly extinguished — let alone six — but if numbers are kept this low,⁶⁹ and everything

66 The murder rate is generally held to be the most reliable indicator of crime, because, unlike the rape, theft or assault rates, it is inevitably reported. It is thought, however, that because of the tribal temperament of the people of Jordan, other crimes are relatively even lower than that of murder.

67 According to Mohammed Ba 'Obeid, the Head of the Women's Studies Department at San'a University, Yemen, with a population of 16 million supposedly had, in 1997, 400 'honour crimes'. Now whilst this figure is no doubt exaggerated, one has to say that if it is even remotely accurate, it must be linked to the poverty and unemployment in Yemen; to the fact that there are 30–40 million firearms in the country (because of the civil war there) and that every male in the country wears a huge dagger by custom; to the fact that almost every Yemeni takes *qat* stimulants on a daily basis (which is not only legal: there is even considerable cultural pressure to take *qat*); and, finally, to the fact that 99% of the population is tribal (*qabayil*) if not Bedouin (*bedu*), with a relatively low rate of literacy for the Arab World. It is also perhaps not irrelevant to note that the Yemeni people are by temperament as tough, fierce and brave as any in the world, and that like the Afghans, historically they have never been militarily conquered.

68 Of course, there are countries like Luxembourg (which admittedly has a population of only 425,000; a G.D.P. per capita of \$39,294, and an unemployment rate of 3.5%) with no murders in 1998. However, Jordan's murder rate in 1998 (1.9 per 100,000) was lower not only than the USA's (8.4) as already mentioned, but also lower than that of countries like Germany (4.2), Switzerland (2.25) and even the U.K. (1.97), and this, despite having much less money and employment (both relatively and absolutely) than these countries and more weapons in private hands relatively and (in the case of the U.K. and Switzerland) absolutely (despite populations 12 times and twice as large, respectively). Indeed, by any standards, Jordan's serious crime is, like most Islamic countries, significantly lower than the world average.

69 It should be noted that these figures include incidents which are not strictly speaking 'honour crimes' at all, so the real rates are even lower: if a husband shoots his wife because she is cheating on him (or *vice versa*) this, whilst obviously a crime, is not an 'honour crime' but a 'crime of passion', and has nothing to do with tribalism and

humanly possible is done to stop 'honour crimes', and if the laws of the land are just, then this is, in itself, a blessing and an achievement the extent of which can be measured by how many lives are saved from such fates, compared with the past, and compared to other countries with circumstances similar to those of Jordan.

Moreover — *and this is essential* — if it be said that tribalism (and, by some ignorant people in the West, Islam) causes 'honour crimes' and/or blood feuds and violence because they are the determining influences on Muslim, tribal societies such as Jordan's, one might well ask: why is it not also recognized that, since crime is so relatively low in Jordan despite its poverty, that Islam (definitely) and even tribalism actually keep violence and crime down? For the truth is — as the statistics have proven, and as our discussion of their relative natures should have indicated — that Islam unquestionably, and tribalism on the whole (notwithstanding infractions caused by its being combined lethally with ignorance) *keep violence and crime down*, and have their own strong moral deterrents and temporal punishments for all violence and injustice.

Yet, despite such self-evident facts, in 1998 (and, indeed, throughout the 1990s) the Western media and feminist lobbies inside Jordan and particularly in the U.S.A. and the U.K. have had a kind of 'feeding frenzy' decrying Jordan⁷⁰ (along with certain

everything to do with jealousy and even love (as is shown by the fact that it occurs the world over). Similarly, if Christian parents shoot their daughter because she wants to marry a Muslim (or Muslim parents shoot their daughter because she wants to marry a Christian, the former, for some reason, being the more common in Jordan) this is not an 'honour crime' but a 'religious crime', and again has nothing to do with tribalism, and everything to do with religious sentiment and/or extremism. However, for some reason both phenomena are counted in the 'honour crime' statistics. Moreover, it should be said that the majority of 'honour crimes' are not committed by the Nomadic or Bedouin Tribes (who generally have a better knowledge of Tribal Law) but by the Settled Tribes, and even by families that are not Tribal at all, but are poor, and live in either the refugee camps or in rural areas, and imitate (or so they believe) the Tribes for reasons of social prestige (as they themselves see it).

70 The other subject for which these same groups will inevitably get around to lambasting Jordan (since they have most other Arab countries) is female circumcision (*khitān*), so let it be said unequivocally from now that: (1) Although in Islam male circumcision is compulsory, Islam does not condone female circumcision, much less

other Arab countries), and in particular their Tribes. Hundreds of newspaper articles have been written (mostly exaggerating the figures involved, despite the Jordanian Public Security Department's acknowledged transparency on the subject; one cannot help suspecting that the exaggerations may be deliberate, in order to keep up what they perceive as 'pressure' on the country); documentaries have been made; speeches have been given, and even studies in prestigious universities such as Georgetown in Washington D.C. (where half an entire semester-long course in Anthropology focuses on putative 'barbarity' to women in Jordan) have been devoted to the topic. H.M. Queen Noor al-Hussein was even interviewed on world-wide television about it more than once,⁷¹ and Jordan and

recommend it, except when female genitalia, grows, abnormally, to the dimensions of male genitalia. (2) Islam categorically forbids full circumcision, since it endangers the lives of those upon whom it is performed. (3) Unlike Christianity, Islam is not prudish, and regards the *conjugal, licit* sexual act as natural, praiseworthy and indeed sacred act (when consecrated by a prayer beforehand and afterwards, according to the *Sunna*), for whose enjoyment both husband and wife receive Divine reward! (It is this precisely that explains Islamic regulations for women's dress etc., for what is valuable should — *for that very reason* — be protected, lest it be desecrated: we see this even in the Arabic language where the word '*haram*' means at once 'woman', 'sacred' and 'forbidden'. There is thus in Islam no prejudice against women having sexual desire, so long as it is licitly channelled. (4) Female circumcision is not an Arab practice, as anybody familiar with traditional Arab love poetry (*ghazal*) will attest, and no Jordanian or even Arabian Tribes — Settled, Semi-Nomadic or Nomadic — practise it. Rather, it is an African practice and if it is practised inside Jordan at all, it is only by a tiny minority of individual families of African or Egyptian ancestry and culture. (5) H.M. King Abdullah II has already ordered the Jordanian religious establishment to undertake a religious campaign — similar to the one against 'honour crimes', if more discreet — against female circumcision, at the end of which no doubt a law will be passed outlawing the practice. In short, Jordan, the Tribes and Islam are unreservedly against female circumcision.

71 For example, on 10 January 1998, by Christiane Amanpour of CNN; and on 5 January 1999, by Dianne Sawyer on 20/20 (ABC), the latter interview being rerun a number of times on American Television.

Now the nature of contemporary world-wide television means that dramatized anecdotes or personal stories are far more effective than reasoning, a sense of proportion, statistics or even truth and reach hundreds of millions of people instantly. This is because television (which is basically a relentless concatenation of rapid performances trying to evoke love, hate, fear, laughter or other emotions in order to keep the viewer 'stimulated') as a medium lends itself to making people *feel* without giving them time

its Tribes were decried by various N.G.O.s in international forums all over the world. And whilst we are the last to defend 'honour crimes' and the faults of tribalism, it does seem to us unfair and a tragic shame that they are now the only thing for which the Arab Tribes are known on the world stage, despite their epic chivalry and despite a panoply of other virtues that do not exist any more amongst sedentary (let alone industrialized) peoples. Indeed, how ironic it is that the same Arab tribes (or their descendents) who at the beginning of the Twentieth Century were known and admired the world over (and even romanticized, as with historical episodes such as that of 'Lawrence of Arabia') for their fierceness, their valour and their spontaneity, should end the century as the objects of the rest of the world's derision and condemnation, for having essentially exactly the same temperament! This is clearly a case of the Modern World's mistaking an oasis for a mirage, as a result of its being estranged from the beauty, dignity and virility of the nomadic lifestyle (and consequently of the tribal temperament) to the point of not only no longer yearning for it, but having forgotten it altogether. The Modern World should learn to fight 'honour crimes' without making honour a crime!

to think.

Since Queen Noor's interviews were accompanied by individual tales of 'honour crimes', it will now be very difficult for anything, even television itself, to remove the dark pall they cast on the Tribes in the minds of hundreds of millions of viewers, for whom the victims — familiarized by being given a name, a face and a tragic tale — will now evermore remain an almost personal loss, and the only thing they know about Jordanian Tribes. In other words, these television programs have presented an unbalanced and distorted picture of Jordanian society and wreaked incalculable damage upon the image of Jordan and its Tribes, and even to that of Arabs in general.

(v) THE PREDICAMENT OF THE TRIBES IN THE MODERN WORLD

We have already adumbrated what has happened extrinsically to the Tribes of Jordan during the Twentieth Century, and it need hardly be said that analogous things have also happened to all the Tribes of the Arab World. What remains to be discussed is the intrinsic predicament faced by the Tribes during this period of time, and the internal dilemmas they are likely to face as the Twenty-first Century proceeds.

Before considering this, however, one important philosophical concept must be clarified: we have already mentioned (in footnote # 29) that Islam recognizes both the roles of 'nature' and 'nurture' in *influencing* people's behaviour — and, on a different plane altogether, the simultaneous roles of Divine Predestination and Free Will in *determining* that behaviour; what remains to be said is that Islam affirms that there is, in addition to physical heredity (nowadays attributed to 'genes'), also a 'heredity of souls' whereby a person inherits character traits and tendencies (as any mother with more than one baby can attest), not necessarily from his/her parents (although obviously most often from these) but from his/her ancestors going back generations. The Prophet (p.b.u.h.) said:

*Choose [carefully their mothers' families] for your offspring,
for verily ancestry is of great influence!*⁷²

Of course, there are schools of 'scientific' thought in the Modern World that acknowledge continuity between the natures of parents and their children, but these mostly do so without acknowledging the existence of a sovereign, immortal soul within the body (until

⁷² Sunan Ibn Majah, *Kitab al-Nikah*, (Hadith 'Aisha) no.42; al-Ghazali, *Ihya' 'Ulum al-Din*, *Kitab Adab al-Nikah* (Vol.12), Ch.2.

death), and attribute ‘congenital character’ only to physical and chemical functions of the body; and thus ‘character continuity’ simply to ‘sharing the same genes’. Moreover, none of these schools of thought acknowledges a ‘collective’ or ‘group nature’ of *souls*, much less one that stays more or less the same, generation after generation. The explanation for this lies partly in political reasons — because acknowledging such a ‘group nature’ would appear to open the door for racism (or snobbism) — and partly in the fact that it seems to fly in the face of the statistical data generated by permutations and combinations of genes in human beings. In other words, these modern schools of thought reject the idea of *qualitative* differences (or similarities) in ‘characters’, attributing individual differences therein only to *quantitative* factors — in much the same way as modern science explains colour differences as due to the *quantitative* frequencies of light-waves⁷³ — basically because the idea of ‘quality’ smacks of being ‘undemocratic’.

Be that as it may, however, it will come as no surprise if we say that Islam (and, in fact, all traditional philosophical thought) views different races, ethnic groups and even tribes as having certain collective and *general* — but by no means uniform⁷⁴ — ‘characteristics’, or rather, *innate natures*:

O mankind! Lo! We have created you male and female, and have made you peoples and tribes that you may know one another. Lo! the noblest of you in the sight of God are the most pious. Lo! God is Relenting, Merciful. (The Holy Qur'an, 49:13)

73 As if this in itself were not the greatest proof of superficiality; of confusion between cause and effect; and of misunderstanding as to what a soul, a colour, or simply a quality, is. And as if, even quantitatively speaking, the greater could come from the less! The Bedouins have a saying: ‘He who lacks something cannot give it’ (*faqid al-shay la ya'tih*); and this is precisely the point.

74 ‘Men are differentiated [*a priori*] by sex, age, temperament [i.e. sanguine, choleric, phlegmatic or melancholy] and zodiacal type, caste, race [and *a posteriori* by experience]’. (F.Schuon, *From the Divine to the Human*, trans. Polit and Lambert, World Wisdom Books, Indiana, USA, p.85.)

Now we have already discussed (in the third section of this treatise) the ‘innate nature’ of Arab tribesman; it suffices here to recall that they are, in general,⁷⁵ wild and fiery ‘People of the Sword’ (*Ahl al-Sayf* in Arabic): what appeals to them, in their heart of hearts, is adventure, excitement, danger, nobility, grand acts, courage, movement, endurance and combat — every one of them is inwardly restless and secretly wants nothing more than to be an epic hero, through feats of arms, and win a fair lady and renown. What they naturally despise, on the other hand, is mundanity, routine, drudgery, stinginess, pettiness, cowardice, mediocrity, security, enclosure and stagnation — and every one of them secretly fears nothing more than being bored or still, and having done nothing of note to tell their children about. They are thus essentially of the ‘chivalric’ or ‘knightly’ caste⁷⁶, and it is for this reason that Ibn Khaldun remarked

75 Generalizations obviously have their exceptions (which, as is often said, only ‘prove the rule’) but are nonetheless valuable, failing which words themselves would lose much of their power to communicate meaning. Moreover, the existence of a coward or two amongst the Bedouins would hardly negate the rule of their being ‘People of the Sword’, and anyway, that coward might be someone whose imagination and instincts make him dream constantly of fighting, but who is just personally too degenerate to act out his desires.

76 Of course by ‘caste’ we do not mean ‘class’ — the two are currently confused and have been so ever since Indira Ghandi abolished the Caste System in India precisely because it had degenerated into a ‘Class System’, and a most oppressive one at that; what we mean is simply the recognition of four or five basic general ‘spiritual types’ in human souls and imaginations:

[T]he system of castes is founded on the very nature of things or, to be more exact, on one aspect of that nature ... this statement is equally valid as regards the opposite aspect, that of the equality of men before God ... [D]oes diversity of qualifications? If it does then the system of castes is both possible and legitimate ... [What are] the fundamental tendencies which divide men into so many hierarchical categories? ... What are the fundamental tendencies of human nature to which castes are more or less related? They could be defined as so many ways of envisaging an empirical reality: in other words the fundamental tendencies in a man *is connected with his feeling or consciousness of what is Real*.

For the *brahmana* — the purely intellectual, contemplative and sacerdotal type — it is the changeless, the transcendent which is ‘Real’; in his innermost heart he does not ‘believe’ either in ‘life’ or in ‘earth’... The *ksatriya* — the ‘knightly’ type — has a keen intelligence, but it is turned towards action and analysis rather than towards contemplation and synthesis; his strength lies especially in his character; he makes

that they only really excelled at fighting or leadership.

Indeed, for the Bedouins, the nomadic lifestyle, with all its harshness and constant danger, was not merely a physical necessity and an *occupation*, but a profound *vocation* which brought out the noblest and purest elements in their natures, and thereby afforded them true self-fulfillment, in the deepest sense of the term. Through the nomadic lifestyle they could be strong, brave, resilient, resourceful, cunning, patient, and so on, in a psychologically positive and socially controlled way, and at the same time maintain themselves and their families. In modern parlance, one would summarize this by saying simply that through the rigours of the nomadic lifestyle (or even the semi-nomadic lifestyle), the Bedouins 'had job satisfaction'.

Today, however, individual strength and nobility counts for almost nothing, because the nomadic lifestyle has given way, nearly all over the world, to settled and even urban life. Moreover, even the profession of arms — the traditional, legitimate (for there is such a thing as legitimate combat in self-defence, not to mention holy war or *jihad*) framework within which man's martial qualities are exercised and refined — has lost much of its allure (and a

up for the aggressiveness of his energy by his generosity and for his passionate nature by his nobility, self-control and greatness of soul. For this human type it is action that is 'Real', for it is by action that things are determined, modified and ordered; without action there is neither virtue nor honour nor glory ... For the *vaisya* — the merchant, the peasant, the artisan, the man whose activities are directly bound with material values not merely *de facto* and accidentally but by virtue of his inner nature — it is riches, security, prosperity and well-being that are 'Real'... The *sudra* is the man who is properly qualified only for manual work of a more or less quantitative kind ... For this human type ... it is bodily things that are 'Real'... The *pariah* ... normally dwells on the fringe of society and exhausts those possibilities which no one else is willing to touch ... he is capable of 'anything and of nothing' — he often appears equivocal, off balance and sometimes simian and Promethean ... [However, anyone can 'escape' from their caste by becoming a *sannyasin*, a 'wandering monk']. (F.Schuon, *Castes and Races*, trans. Pallis and Matheson, Perennial Books, Middlesex, 1982, pp. 10–15.)

Needless to say these 'spiritual castes' are universal ones, and were unanimously recognized, *mutatis mutandis*, all over the ancient world as basic human possibilities, if not as social ones. Indeed, many traditional sacred sciences (including medicine, traditional psychology, traditional sociology and even music) took these basic 'spiritual types' as their starting-points, and addressed themselves variously to their different characteristics.

fortiori its redeeming features), because nowadays transnational wars are determined by 'defence technology', manufactured by vast military-industrial complexes, and organized by huge bureaucracies (albeit in military uniforms) long before a single shot is fired in anger. The individual soldier, or even general, can make, in himself, no difference to the outcome of a major war, no matter how brave, physically strong or cunning he is, and no matter how much pain he can endure or how willing he is to sacrifice his life. Gone is the age when a Hannibal, could, because of an injustice committed by the 'world super-power' of the day (Rome, with a standing army of over half a million and dominion over the whole civilized world), raise and train a mercenary army (with funds acquired from silver mines he personally discovered and dug with no aid from anyone but his father and younger brothers), and invade and conquer that superpower, sheerly through his own determination, physical strength and fighting skills. Gone, even, is the day when a Napoleon, could, because of his prodigious tactical genius, lead a single army and nation to take on many other nations and armies with resources much greater than his. Indeed, there were perhaps hundreds of men no less formidable than Hannibal or clever than Napoleon in the 'million-man' Iraqi army that fought the alliance in the Gulf War of 1991, but they all died, fled or surrendered before they ever saw a foe in person (due to 'carpet-bombing') and all their valour and wits availed them no more than his wits might avail a bear in a pit.⁷⁷ In short, whilst men still die because of wars, men do not live because of wars anymore, and the profession of arms has been depleted of much of its dignity and virility.

For its all modern drawbacks, however, the military is still

⁷⁷ Of course it is still possible for single individuals to make a lot of trouble even for the major powers (witness Osama Bin Laden in the late 1990s), but only through terrorism, and barring that one of these get their hands on a nuclear weapon (and the means to launch it), one individual as such cannot really inflict much damage on an entire nation. Even an individual like Bill Gates — the richest man in history and the leader in the manufacturing of all-important computer software — is only the most efficient 'capitaliser' on a trend that started before him, will continue after him and surely would have happened without him.

perhaps the best remaining option⁷⁸ available today to Bedouins or people of the 'chivalric caste'. For there are no longer any other professions through which the nomadic peoples of the Islamic world can truly fulfil themselves,⁷⁹ or even to which they are drawn, except perhaps ones that place them in government bureaucracies (which, in fact, Arab governments readily make available to them, largely in order to placate them), for the power and authority they derive from these positions appeal to them, particularly in their alienated, settled state.⁸⁰ Unfortunately, for this very reason perhaps, they tend to make rigid, not to say oppressive, bureaucrats,⁸¹ and this is ultimately neither in their most profound interests, nor even in those of the governments that hire them. Thus, ostensible solutions and direct government help in providing gainful employment, even when this employment is called for or desired by the Bedouins themselves, whilst helpful on one level, can, on a deeper level and in the long-term, exacerbate their own inner tensions and replace profound vocational fulfillment with surface gratification and (temporary) ego-inflation.

Nevertheless, this governmental help is obviously still a great

78 It is no accident that much of the leadership of the Jordanian Army has traditionally come from the Bedouin Tribes of *Huwaytat* and *Beni Sakhr*, to say nothing of many of the Army's best troops and bravest martyrs.

79 Of course it could be said that lack of 'spiritually-friendly' employment was a universal problem in the modern world, and this is true, but the situation is bleakest for 'warrior' peoples and desert nomads, as it is still possible for 'merchant' peoples to find gainful employment in business or agriculture; for 'physical' peoples to find gainful employment in manual labour; for scholarly and sacerdotal people to find gainful employment teaching or in the various religious establishments; and even for 'sailing' peoples to find gainful employment at sea, and so on.

80 It has to be said that in this same state they also particularly resent and reject the power and authority of others — these two traits being the degeneration of the potential for excellence in leadership and combat that we mentioned earlier, and which Ibn Khaldun recognized in them — and this explains the new-found bitterness and tenacity evinced nowadays for and against claims of '*shaykh*' status (in cases where these can be doubted, and thus obviously not in the cases of *shuyukh mashayikh* — paramount *Shyukh* of a major Tribe).

81 It is no accident, moreover, that since 1921, Jordan has had Hejazi, Lebanese, Palestinian, Egyptian, Syrian, Circassian, Urban, Peasant, Settled Tribal and Semi-Nomadic Jordanian Prime Ministers, but never a Bedouin one.

blessing for nomadic peoples, because, despite their natural intelligence, they are in general less self-motivated to compete for most modern jobs (excluding the armed forces of course, as already discussed) — particularly ones that impinge on their pride or strike them as inherently servile or mercantile — than indigenous urban dwellers. Thus whenever they leave their nomadic (or even semi-nomadic) lifestyles, they tend to become unemployed, homeless, poor and needy, such that with time they feel frustrated, displaced, depressed and alienated from their own nature and culture, like returning veteran soldiers for whom society no longer has any use. Indeed, few things are sadder than Bedouins who have given up their camels and tents, either because they can no longer cross national borders for their seasonal migrations or because they are lured by the prospects of electricity and running water, and sit around aimlessly and without jobs in shacks made of concrete and corrugated iron, and who lose, within two generations, their knowledge of nature, of the desert, of how to survive in it, of tribal codes, and of oral culture.

This explains the readiness with which the Bedouins — on a large scale but by no means in the main — have taken to certain rather anti-social forms of behaviour in the last half of the Twentieth Century, in particular, smuggling: smuggling has great appeal for the Bedouins because it involves moving across the desert surreptitiously (which no one can do better than them and they know it); because it is adventurous, combative, dangerous and exciting; because it offers tremendous money and booty; because it does not involve regular, steady, grinding work; and because it scorns the *moeurs* of the sedentary — all of which is traditionally and integrally part of the nomadic lifestyle and, more specifically, of tribal raids. Moreover, since national taxes and duties strike them as an unnatural, immoral and oppressive invention, they feel no remorse about helping people avoid them on legal goods; since bearing arms is for them an inalienable right and an intrinsic part of a man's virility, they do not mind making them available to others; and since Bedouins take any plants they please in the desert, they are not naturally predisposed to see the ill in drugs. Thus, smuggling

does not bear the same connotations for the Bedouin ethos as it does for the urban mentality, to the point that in many Arab countries from the 1950s to the 1980s, young Bedouin women would often not marry Bedouin male suitors who had not a smuggling exploit or two to relate as proof of their bravery and masculinity. Indeed, this attitude did not start to change — despite the death penalty for drug smugglers in certain Arab countries — until the 1990s, when Bedouins saw their own children blighted by drugs which they themselves had smuggled into their countries.

As bad as smuggling is, finally, there is a yet worse possibility — nay, likelihood — that could befall the Bedouins if they settle fully and remain impoverished and unemployed, or inherently dissatisfied with their occupations: taking to violent crime, to tribal gangs or to banditry (as in Somalia, and to a lesser extent, Yemen and Iraq), on a large scale, or to Islamic fundamentalism (as in Afghanistan, and Algeria, and to a lesser extent, Saudi Arabia — at least until the Battle of *Sabilah* in 1929 — and Upper Egypt). For it is impossible to imagine the Nomadic Tribes of any Arab country content to sit about at the peripheries of industrial or agricultural projects waiting for handouts, or degenerating into a passive and docile industrial proletariat, especially if irked by their condition.⁸² Either they will fight the Law, or they will use the Law to fight; fighting is in their nature, and in the absence of ‘the good fight’, these are possible forms that ‘the bad fight’ is likely to take, as recent history in the aforementioned countries has shown⁸³ all too clearly.

82 King Abd al-Aziz Ibn Sa‘ud [1876–1953], the founder of modern Saudi Arabia, who knew the Bedouins as well as any man in the Twentieth Century, is reported to have said: ‘The Bedouins cannot be ruled except by the two bronzes’ [meaning gold to ‘pay them off’ and weapons to impel them]. Now this is undoubtably true, if they are recalcitrantly disposed, so the real question for a modern state is, precisely how to prevent them from being recalcitrantly disposed in the first place.

83 Nor should it be imagined that Westernization is likely to solve the problem, for technology cannot alter temperament (witness Serbia); and Western culture, for all its palliatives and niceties, is hardly free of violence (witness television, film and the Western murder rates, as already cited) or shy of wars (witness Twentieth Century history!).

Thus, the predicament facing the Arab Tribes at the beginning of the Twenty-first Century — and *ipso facto*, the challenge facing their governments — is how their choleric energy can be channeled and made to serve socially productive and economically self-sustainable goals, and thereby provide them with honourable employment that allows them their ancient dignity and their virile nobility, whilst sublimating or (better yet) utilizing their martial passions.⁸⁴ The only obvious solution is to attempt to maintain the Bedouins in as nomadic a state as possible, whilst providing necessary modern amenities — such as health care and education — and developing competitive ways to manufacture and market ‘camel-economy’ products such as meat, milk, cheese, rugs, clothing and tents.⁸⁵ Other than that — and than facilitating the continuation of the military tradition amongst the Bedouins, as discussed earlier — there are no obvious solutions to their predicament, at least not to this writer.

Thus the fate of the Tribes presents a challenge that is by no means easily overcome, especially because the nature of the problem has not generally been properly understood, or even well enunciated, particularly by the Bedouins and the Tribes themselves. It is the author’s hope that this short treatise will be a small step towards clarifying this issue, and elucidating the social situation in general in the tribal Arab World.

84 Ibn Khaldun uses the simile of water for the Bedouins and their wrath: when it is cool it is beneficial to drink, and gives life and strength, but when it heats up the very same substance will burn and scald. This is perfectly apposite to the discussion here.

85 Fortunately, several Arab governments have started to explore this option seriously: with correct management, it is commercially viable, culturally desirable, environmentally sustainable, and from the point of view of national security it ensures that at least one segment of the population continues to be independent of modern technology and civilization, and thus immune from potential environmental or technological disasters.

CONCLUSION

The Holy Qur'an relates the story of Cain ('*Qabeel*' in Arabic) the 'tiller of the soil' and Abel ('*Habeel*' in Arabic) the 'nomadic pastoralist' as follows:

But recite unto them with truth the tale of the two sons of Adam, how they each offered a sacrifice, and it was accepted from one of them and it was not accepted from the other. [The one from whom it was not accepted] said: I will surely kill thee. [The other] answered: God accepteth only from those who ward off [evil]. / Even if thou stretch out thy hand against me to kill me, I shall not stretch out my hand against thee to kill thee, lo! I fear God, the Lord of the Worlds. / Lo! I would rather thou shouldst bear the punishment of the sin against me and thine own sin and become one of the denizens of the Fire. That is the reward of evil-doers. / But [the other's] mind imposed on him the killing of his brother, so he slew him and became one of the losers. / Then God sent a raven scratching up the ground to show him how to hide his brother's naked corpse. He said: Woe unto me! Am I not able to be as this raven and so hide my brother's naked corpse? And he became repentant. (5: 27–31)

In this tale lies, allegorically, the whole saga of the fate of the Sedentary and Nomadic lifestyles. In what follows the explanations given of this passage come from some of the traditional Qur'anic commentaries (notably Tabari and Fakhr al-Din al-Razi), albeit that we have added certain interpretations of our own, based on principles expressed in the Qur'an, between the stylized brackets:⁸⁶

86 The verses of the Holy Qur'an are said to be divided into two kinds: *ahkam* and *akhbar*. The *ahkam* (literally 'rulings') are the verses in which Divine Legislations were Revealed, they are the *Umm al-Kitab* (the Archetype or Substance of the Holy Book):

He it is Who hath revealed unto thee [Muhammad] the Scripture wherein are clear

[T]he tale of the two sons of Adam: Cain, the ‘vegetarian tiller of the soil’ was the elder son {there was no killing initially in the Garden of Eden in the primordial state: indeed, the oldest religions, as reflected in Hinduism, forbid killing and make men vegetarians} and was married to Abel’s twin sister, the laws against incest not yet being in effect. Abel, the younger brother {the nomadic lifestyle arose after the ‘epoch’ of the Garden of Eden}, was married to Cain’s sister. Cain was bitter because he coveted Abel’s wife {the sedentary secretly envies the beauty of the nomad}.

[H]ow they each offered a sacrifice: Cain made a crop sacrifice, Abel made a meat sacrifice in accordance with their disparate ways of life.

[I]t was accepted from one of them and it was not accepted from the other: Cain, {the sedentary, being less generous} did not give

revelations — they are the Umm al-Kitab — and others [which are] allegorical. But those in whose hearts is doubt pursue, forsooth, that which is allegorical seeking [to cause] dissension by seeking to explain it. None knoweth its explanation save God and those of sound instruction [who] say: we believe therein; the whole is from our Lord; but only men of understanding really heed. (3:7)

Thus, the *abkam* cannot be interpreted except according to their literal meanings by qualified commentators (*of sound instruction*) who must have fulfilled a number of stringent conditions: that they know the science of the Arabic language properly, and hence also pre-Islamic poetry as a reference for linguistic connotations (*‘ilm al-lughah*); that they know the reasons and occasions for their Revelation (*asbab al-nuzul*); that they know the principles of Islamic Jurisprudence (*fiqh*); that they know the principles of Qur’anic exegesis (i.e. that the Qur’an does not repeat itself; that the Qur’an does not contradict itself [even though a more recent verse may abrogate an earlier one]; that Qur’anic verses explain each other; which verses are *abkam*, which verses are *akhbar*, and so on); that they know the Prophet’s (p.b.u.h.) own commentaries on these verses (i.e. the corpus of *hadith*), as also that of the Companions and of the traditional commentators (i.e. the corpus of *tafsir*); that they know the principles of doctrine (*‘aqidah*); that they know the principles of logic (*‘ilm al-mantiq*), and so on.

The *akhbar* (literally ‘news’), on the other hand, may be interpreted any way which the text *literally* bears out, as long as one does not extrapolate from them something that contradicts the *abkam* (as just made clear in the verse quoted above). Indeed, such interpretation is a sacred duty, very much encouraged by the Qur’an Itself, and in fact it is the basis of all traditional Islamic philosophy and thought:

And verily We have coined in this Qur’an all kinds of similitudes, that haply they may reflect. / A Lecture [Qur’an] in Arabic, containing no crookedness, that haply they may ward off [evil]. (39: 27–28)

his best crops to be sacrificed, whereas Abel, {the nomad, being naturally more generous} offered the best part of his meat as sacrifice, and consequently fire came and consumed Abel's sacrifice whilst leaving Cain's sacrifice untouched.

I will surely kill thee: {the sedentary lifestyle would eventually overcome the nomadic lifestyle, a fact which was not at all obvious, to say the least, as the early Arab-Islamic conquests swept aside Byzantine and Persian civilization in the Middle East, or even as late as the Middle Ages when the Mongol Hordes rode through and subjugated or destroyed most of the great cities of Asia and Eastern Europe}.

I shall not stretch out my hand against thee to kill thee: {indeed, it is amazing with what docility nomads the world over gave in to the Sedentary lifestyle during the Nineteenth and Twentieth Centuries}.

Lo! I would rather thou shouldst bear the punishment of the sin against me and thine own sin: Abel's 'sin' was that of killing animals. {The Nomadic 'sin' lies in its combative nature, and *a fortiori* in unbridled tribalism. Its punishment is borne by the sedentary Cain who, in killing, becomes himself combative, or rather, simply belligerent, and ignobly so at that. Moreover, Abel 'is absolved' because by comparison his 'sin' is a 'virtue'}.

But [the other's] mind imposed on him the killing of his brother: {it is the 'mind' of Cain that 'imposes' on him 'the killing of his brother': that is, it is the fruit of his 'mind's inventions', modern technology, that inexorably destroys the nomadic lifestyle}.

Then God sent a raven scratching up the ground to show him how to hide his brother's naked corpse: God sent two ravens who fought in front of Cain, and the winner buried the loser's corpse. This is the origin of human burial; Abel was the first person to be buried.

He said: Woe unto me! Am I not able to be as this raven and so hide my brother's naked corpse?: Cain realizes that even the loathsome raven is superior to him; at least it grants its fellow a decent burial, and at least it knows how to hide its shame. {Sedentary civilization destroys the nomadic lifestyle but does not know what to do with the nomads themselves, or rather the former nomads, the Tribes —

‘Abel’s corpse’ — and it comes to suffer from them.}

And he became repentant: Cain realizes the real corruption and depravity of his own nature through the odium of his crime, but it is too late.

* * *

Perhaps, then, it can still be hoped that, before it is too late, the Tribes find contentment in the Modern World and do not come back to haunt it; that the Modern World may yet, by considering the virtues of the traditional nomadic lifestyle, take stock of its own true nature, and hence also some of its own faults; and that, finally, the Modern World will yet facilitate the salvaging of something of the nobility and the traditional lifestyle of the Tribes.

* * *

APPENDIX: THE LAND AND HERITAGE OF JORDAN

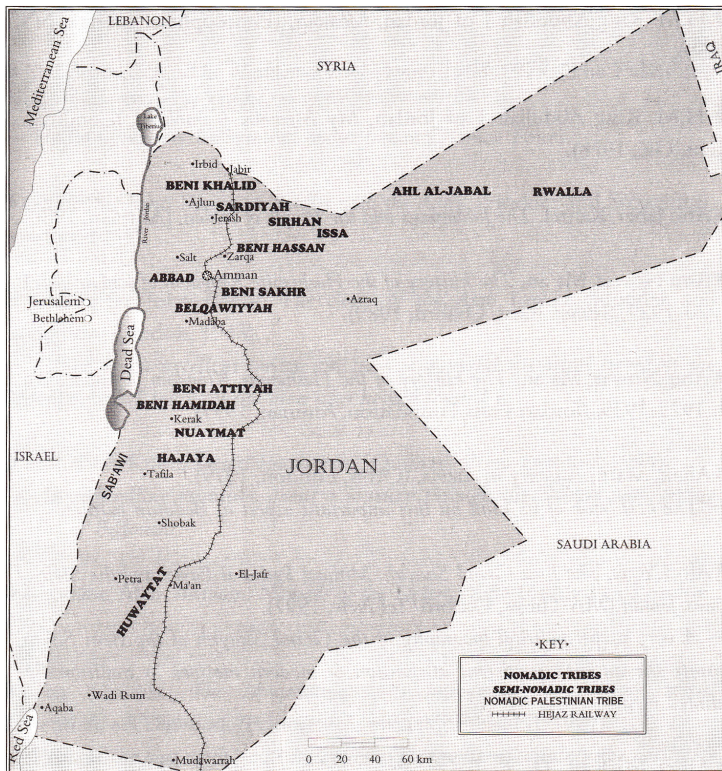
The land of Jordan, despite its relatively small size (approximately 100,000 km²) contains amazing climatic and topographic diversity: it includes mild, rolling and verdant Mediterranean hills in the north-west (Ancient *Gilead*) and stark, black volcanic basalt *Harrah* desert in the north-east; beautiful large-grained pink sand desert in the south-west (in fact, the start of the great *Nefud* desert of Arabia) and desolate brown mud-flat desert in the south-east; the steppes and craggy mountains of *Moab* in the centre-west, and the edge of the Arabian Bedouin heartland, the *Wadi Sarhan*, in the centre-east; on the northern border, Biblical *Gedera*, the breath-taking Golan Heights, and on the southern border the lovely Red Sea port of Aqaba; and finally, on the western border, from north to south, the unique Jordan Valley Rift, containing Biblical *Edom* in the south (in addition to the sites of *Sodom* and *Gomorrhah*), the lowest spot and saltiest sea in the world (the Dead Sea) in the centre, and Mount Nebo, the River Jordan and the Jordan Valley proper (the Biblical ‘Garden of the Lord’) in the north.

Jordan’s historical heritage is no less diverse or wondrous, for the country retains historical and cultural traces of the world’s earliest and perhaps greatest civilizations. Indeed, Jordan has, at one time or another, hosted the great empires and armies of Ancient Iraq, Ancient Egypt, Ancient Persia, Ancient Greece, Rome, Byzantium, Islam (the ‘Rightly-Guided’ Caliphate; the Umayyads; the ‘Abbasids; the Fatimids, and the Mamluks), the Mongols, the Crusaders, the Ottomans and the modern Europeans. Equally, it has seen its own indigenous Nabatean, Ammonite, Edomite, Canaanite, Moabite, Phoenician, Ghassanid empires, among others; and has seen excursions by everyone from the Hittites to the Himyarites, and from the Hebrews to the Hamites. All of these elements, along

with the spiritual legacy of the host of Prophets and saints — including Abraham, Moses, Jesus and the Prophet Muhammad (Peace and Blessings be upon them all) — who have personally graced the land of Jordan with their presences at one time or another, make up the essence of the Jordanian heritage and give it its tremendous diversity and originality.

This heritage is reflected in the marked contrasts in Jordan's social, ethnic and religious make-up: socially, Jordan indigenously contains Bedouins, Semi-nomadic tribes and Settled clans; it hosts peasants, farmers, villagers and old urban families. Racially, there are Arab Jordanians (actually these make up about 95% of the population) and ethnic Circassian and Chechen Jordanians; blond ethnic Jordanians (of Syrian and mixed European blood), Turkic Jordanians (of oriental and Central Asian blood) and black, ethnic African Jordanians. Finally, on the plane of religion, Jordan consists of Muslims and Christians of both the Eastern and Western Churches.

A MAP OF JORDAN AND ITS TRIBES



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H.R.H. Prince Ghazi bin Muhammad bin Talal (born in Amman on the 15th of October 1966) is the nephew of the late King Al-Hussein bin Talal of Jordan. He received his BA from Princeton University in 1988 *Summa cum laude*; his first PhD from Cambridge University, U.K., in 1993, and his second PhD from Al-Azhar University in Cairo 2010.

Prince Ghazi has held many official positions in Jordan including: Cultural Secretary to H.M. King Hussein; Advisor for Tribal Affairs to H.M. King Hussein; Personal Envoy of and Special Advisor to H.M. King Abdullah II, and Chief Advisor for Religious and Cultural Affairs to H.M. King Abdullah II.

In 1996 Prince Ghazi founded the Al-Balqa Applied University, and in 2008 he founded the World Islamic Sciences and Education University. In 1997 he founded the National Park of the Site of the Baptism of Jesus Christ , and in 2000 he established the Great Tafsir Project (www.Altafsir.com), the largest online project for exegesis of the Holy Qur'an. He was the author of 'Three Articles of the Amman Message' in 2005; the author of the historic open letter 'A Common Word Between Us and You' in 2007, and the author of the World Interfaith Harmony Week United Nations General Assembly Resolution in October 2010. In 2012 he established the Al-Ghazali Integral Professorial Chair in Al-Aqsa Mosque and Al-Quds University, and the Al-Razi Integral Professorial Chair in the King Hussein Mosque and Jordan University. Prince Ghazi is also Chairman of the Board of Trustees of The Royal Aal al-Bayt Institute for Islamic Thought.

Prince Ghazi is the author of a number of books and articles—including the widely-acclaimed work *Love in the Holy Qur'an*—as well as the recipient of a number of awards and decorations including the Eugen Biser Prize (2008) and the St. Augustine Award for Interfaith Dialogue (2012).

* * *

The above text represents strictly his own private views and opinions.

* * *

Who are the Tribes of Jordan?
What makes them Tribes?
What are 'honour crimes'?
What is 'Tribal honour' and how does it relate to Islam?

* * *

In this original and unusual treatise *Ghazi bin Muhammad* looks at all these questions and more with a view to shedding light upon the predicament of the *Tribes of Jordan at the Beginning of the Twenty-first Century*.

* * *

This is a fine and intelligent study. It deals with some sensitive and living issues relevant to tribalism, not usually studied, like the relationship between tribal concepts and Islam. It is generally analytical and uses literary sources as well as personal experience. It is instructive when it deals with points like 'What makes them Tribes?' It is also highly learned and detailed when it deals with 'Tribal Honour Crimes', looking into their roots, and discusses both Islamic and Tribal (*wrf*) points of views. This issue is widely debated now. Finally, 'The Predicament of the Tribes' tackles a significant issue and is very interesting and useful for comparison with other tribes in Arab countries.

—Prof. Abd Al-Aziz Al-Douri

[T]his work is more than a descriptive and analytical study. The personal sensitivity of the author to the subject becomes quite clear and demonstrates a depth of appreciation and understanding that adds further depth to its scholarly nature. This combination of scholarship, added to the caring, even loving, style with which the subject is treated makes this work unique. The author hides nothing in treating the very thorny points he raises. Who, and what, makes up a tribe, tribal values and Islam, crimes of honor, and the cultural estrangement of the tribes in modernity are treated forthrightly and honestly. Where a spade is needed to be called one, it is done.

In this work we also see as well as feel the presence of the anthropologist, the historian, the political scientist and the literateur all at work at once lamenting and yet explaining the passing of a noble culture. The philosophical musings ... add to the gentleness with which the subject is treated. It is a work that should be read slowly to understand the dilemma of the process of transition and also to relish the often very sophisticated thought and the hidden nuances between the lines.

His sources are quite extensive adding to his personal knowledge and position as the Advisor for Tribal Affairs to the late H.M. King Hussein and now H.M. King Abdullah II. His footnotes add further dimensions of understanding demonstrating not only his obvious knowledge of the literature, but more importantly, the nature and the style of Bedouin life.

In reading it I felt a sense of sadness for the loss of a rich, chivalrous and hardy culture that had to adjust to the imperatives of modernity.

—Prof. Kamel Abu Jaber

This is an illuminating study, well researched and documented. The author was able to penetrate deep into his subject, first by presenting the facts about the Bedu of Jordan and the challenges facing them with the advent of the 21st Century, and second by presenting the prevailing tribal traditional code of honour and the teachings of Islam. Here the author excels in supporting his theme by various classical sources, both in the text and in the footnotes.

This refined literary treatise, in my opinion should be of value and interest to the public in general, and the sociology expert in particular.

—Suleiman Mousa