BOOK REVIEWS


In 1980 a team of Tunisian and French anthropologists, sociologists, and historians undertook a major project of evaluating and analyzing a corpus of material resulting from the abolition in 1957 of the family *hubus* (*waqf*) system in Tunisia. The main body of this archival material contained two types of document: the deed establishing the endowment, and the documentation needed to redistribute the property rights among the living beneficiaries at the time the *hubus* was dissolved. Both types of document contain substantial amounts of additional information, particularly on marriages, inheritance, and property transactions. The information relates to a period extending from approximately 1700 to the date of dissolution, with more complete information for the recent period.

The research team, which included the Tunisian anthropologist, Sophie Ferchiou, analyzed these documents and entered much of the data onto computers to facilitate quantitative analysis. To make best use of this interrelated data, they focused on documents relating to about twenty families of the Tunis bourgeoisie. Researchers also interviewed descendants of these families to identify the individuals mentioned in the documents and the links between them.

The main goal of this book is to reconstruct the strategies by which well-established Tunisian families attempted to maintain family continuity. These families, all of whom lived in Tunis, were variously involved in religious professions, in crafts and commerce, in activities at the court, and in agriculture. Much of the property involved is urban or in the urban zone (such as gardens).

Ferchiou and her colleagues demonstrate how marriage and inheritance are linked to maintaining family property, in a context in which many contend that allowing women to marry out of the family leads to the dissipation of familial property. The authors analyzed 1,341 marriages, and concluded that there is a strong tendency to marry allies. Patrilateral parallel cousin marriages were a special case of this more general phenomenon. Married couples who came from families already linked by marriage comprised 39 percent of the cases while 9 percent were marriages of patrilineal cousins. Working within the paradigm of Levi Strauss, the researchers also demonstrate that while families did not exchange women, there was a tendency toward marriage cycles: the women of A marry into B, whose women marry into C, whose women marry back into A. The effect of all this on maintaining family property through inheritance is less clear. Abdelhamid Henia points out, for instance, that families prefer that their sons marry out of the family precisely because such marriages result in the transfer of property into the family, with the result that an exchange of resources occurs. Henia and Ferchiou argue
that female heirs had a modest but significant effect on the transfer of property from their family of origin to their family of marriage.

Another technique for preserving both genealogical continuity and the continuity of family property was to counteract the effects of inheritance by sequestering property in the form of *hubus* and thus entailing it for the descendants of the founder. The data base of 1,293 cases of *hubus* included 328 different founders, 30 percent of whom were women. Although the documents at hand do not tell us how frequently this strategy was followed, Mohamed Ben Achour indicates that there was internal variation. An overwhelming number of *hubus* were established following Abu Yusuf’s interpretation of Hanafi legal doctrine, although many of the families were linked to the Maliki school. In Tunisia, the Maliki school has been historically predominant, although members of the ruling elite were more likely to follow the Hanafi school, reflecting the Turkish origin of the Hussaini dynasty. The Hanafi practice was preferred because it allowed the founder of a *hubus* to enjoy the status of a beneficiary during his or her lifetime and offered more flexible provisions regarding female beneficiaries. At the same time, this school stressed the irrevocability of the deed.

Despite these efforts to establish family continuity through property and genealogy (*hasab wa-nasab*) there were many examples of families rising and falling. Khedja Cherif shows that the status of many families has declined during the twentieth century, not because the strategies failed, but rather because of major changes in the occupational structure in the aftermath of the colonial and and post-colonial periods. In this context putting one’s property into a *hubus* to prevent splintering due to inheritance did not provide families with the permanent status and stability they sought. The authors also show that the best strategy for a family that wanted to increase its position was to arrange judicious intermarriages with well-established families, so that wealth and power could be transformed into status.

One might have wished for more. The book would have been more useful had it contained a breakdown of the 1,293 cases of *hubus*, showing how many were houses, shops, agricultural properties, etc. A map delineating the distribution of this property also would have been helpful. What quantity of urban and agricultural property was subject to the *hubus* regime, and with what consequences? It would have been interesting to read translations of typical documents, which are themselves cultural products; an analysis of their conventional features would have been welcome. Additional case studies also would have been useful. Except for the contribution by Leila Bili, the last in the book, there are no case studies. It should be noted, in this regard, that the research team has published other studies that deal with the same data from other perspectives, and that future publications resulting from this project surely will present additional data that may answer some of these questions.

The statistical material is carefully and judiciously presented. Norms and goals of human behavior are inferred from the statistical outcome of that behavior rather than being based on the views of the actors, as was perhaps inevitable, given the historical nature of the material. Some goals are taken for granted: the need to ensure family continuity both through judicious marriage