A CAIRENE WAY OF RECONCILING

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Abstract

Egyptians frequently solve conflicts without referring to state law. The scholarly examination of customary law and reconciliation has focused primarily on rural Upper Egypt, where the mechanisms of reconciliation (*ṣulḥ*) display a formal character. My aim here is to highlight the special features of reconciliation in an urban context by analyzing a conflict between two families in a suburb of Cairo. I argue that although the diputants talk about *ṣulḥ* as a formal and established system, this 'tradition' is shaped in the interaction between the two parties and adapted to the particular urban context in which the dispute occured. Second, in public and in a situation of conflict, the disputants portray honor, identity and tradition as static and essential qualities. However, the contingent nature of their understanding of notions such as state-law, revenge, reconciliation and the proper way to behave emerges from our analysis of the discussions that took place between and among the members of one family involved in the dispute.

THE PURPOSE OF THIS ESSAY is to describe a case of informal conflict resolution in Cairo. This form of legal interaction is not controlled by the state and is also quite different from more formal modes of customary conflict resolution that are common in Upper Egypt. I will argue here that the way the conflict was resolved is immediately related to the context in which it took place and that even though the different actors involved referred to rules and procedures for *ṣulḥ* (reconciliation)[1] and presented them as a formalized and established system, it was through their interaction that this 'tradition' was shaped and adapted to the particular context of suburban Cairo. Through an analysis of the different solutions that were proposed and the

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[1] See Khadduri (1998), Ben Nefissa (1999), Nielsen (1998), Black-Michaud (1975) and Chelhod (1971).

different interpretations that were given to what they referred to as customary law (*al-ʿurf*), I will show that 'custom' in a Cairene context is dynamic, contingent and bound to the interaction of the encounter rather than to a well-established set of rules. In contrast to what Ben Nefissa (1999) describes in an Upper Egyptian context, reconciliation in Cairo is informal; every step has to be negotiated while maintaing a careful balance between a vague ideal of 'Arab justice' (*ḥaqq al-ʿarab*),[2] the constraints of the situation and the particular needs of the different persons involved.

Studies such as Stewart's analysis of the legal system among the Arab tribes of the Sinai (2003) give a clear picture of what the notion *ḥaqq al-ʿarab* refers to in a Bedouin context. Any kind of agreement or reconciliation appears within a formal system. The Cairene families involved in this conflict presented the *ḥaqq al-ʿarab* as an ideal in order to enforce their argument. For them the content of this notion was, however, very vague and changed according to the point they wanted to make. They incorporated elements from films and stories about Bedouin law, but did not have any real acquaintance with the actual practice of the Bedouin Arabs.

What they referred to as *al-ʿurf* (custom) was closest to the formal system of customary justice as it still prevails in Upper Egypt, where in cases of serious conflict an assembly, *maglis al-ʿarab* or *maglis al-ʿurfi,* is established to negotiate and mediate between the parties. The election of a third mediating party, the interrogation of the parties involved and subsequent judgment are all formal procedures. It is a form of justice without individual guilt; responsibility is borne collectively by the whole family (Ben Nefissa, 1999: 149). Offenses are evaluated in monetary terms. The assembly draws up a list of the errors and wrongdoings of both parties, and the final decision always involves the payment of a sum of money by the party judged to be most at fault. Nielsen (1998: 163) shows how the system is further formalized by the establishment of a written record of the decision of the assembly.

In their references to customary law the families involved presented

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[2] Although *ḥaqq al-ʿarab* is usually translated as 'Bedouin law', I prefer to translate it as 'Arab justice,' since the Cairenes who use this term present this ideal as true justice. They consider this form of justice as typical of Arabs and therefore also as applicable to conflicts among Cairenes of Arab origin. They do not view it as restricted to a Bedouin context.

al-ʿurf as an established system with continuity from the nomadic Arab tribes in the time of the prophet Mohammed down to the present day, when descendants of these Arabs live in Cairo. My aim here is to show the dynamics of custom in a rapidly changing setting and to point out how different elements from the real and imagined practice of *al-ʿurf* are incorporated in a Cairene form of reconciliation. Due to the rather amorphous, contextual and contingent character of these forms of reconciliation, I will not focus on the functioning of reconciliation in Cairo in general, nor on the formal aspects of the procedure. A close examination of this particular case shows how the interpretations of customary law vary between the different actors involved and how the resolution takes form throughout the interaction, shaped by the context and the negotiations between the different persons involved. Cairene customary law is therefore not a fixed set of rules and norms but a constantly changing construction which shifts between ideals and practical aims. This case is not a typical case of Cairene *ṣulḥ*, since no such thing exists; it shows rather the variation and changing of custom even throughout one interaction.

The course of the action and the ongoing negotiations constantly reshape and redefine the content of notions such as *ṣulḥ* (reconciliation), *ḥaqq al-ʿarab* (Bedouin law or Arab justice) and *al-ʿurf* (custom). These notions, however, usually appear in ordinary discourse as essential constituents of an Arab tradition which constitutes an Arab identity. They are presented as static and proper to a certain group of people (of Arab descent); this case shows however that these aspects are essentially bound to the interaction and its particular context and therefore constitute a face rather than an identity.

This essay focuses on a dispute that occurred in 1997, at the very beginning of my fieldwork in Cairo. My doctoral research dealt with the ways in which lower-middle class Cairenes understood and dealt with djinns. I did not focus on law, but while living with and studying various families, I had the chance to observe the emergence of conflicts, their negotiation, solution and consequences. My own position as the wife of a member of one of the families involved in this case made it possible for me to observe the negotiations as one of the family, and not as an outsider who constituted a danger for the family's reputation. The concern felt by the family about its reputation and the respect that it should enjoy produced a great difference between what was said in discussions among family members and what was said in negotiations with the opposing party. As long as no outsider

was present, men and women of the family voiced very different and indeed conflicting opinions on how the conflict should be resolved; but as soon as the family had to present itself to an outsider or an opponent, it presented itself as a monolithic unit in a static opposition between "them and us". In a situation of opposition, the discourse about identity, honor, respect and tradition becomes rigid and these things are presented as static and essential characteristics of all the individuals included in the group. In this essay I will try to account for the contingence and contextuality of the multiple voices within one family, which were covered by the temporary face of one unified position in the encounter with an opposing party.

What Happened?

There was a fight in Bashtil. There are always fights in Bashtil, only in the summer of 1997 Mohsen's family was involved. Mohsen owned a small shop in one of the crowded streets of this lower-class neighborhood in Cairo. Like many Cairenes, he held two jobs in order to provide for his family. In the morning he worked as a civil servant in one of the central offices of the telephone company and in the afternoon he looked after a shop that belonged to his brother. He was the oldest of four brothers.[3] His youngest brother, Hamdi, had recently graduated from the police college; he was not married yet and still lived at home. Another brother, Sayyid, lived nearby in the same neighborhood and shared the income of the shop with Mohsen. The shop was owned by Ahmed, who worked in tourism and earned more than his brothers. Even though he was only the second oldest of the four brothers, they respected him as if he were the eldest; he had paid the college fees for the youngest one and had bought the shop to help the others. Their only sister was married and lived with her husband.

The shop was successful, mostly because it was the only one in the neighborhood that had an international phone line. The shop had just been repainted and was filled with merchandise and customers. This success stirred up a lot of jealousy in the neighborhood, and

[3] The four brothers and their one sister were brought up in one of the central, more middle-class, neighborhoods of Abdin. At the time of the conflict Mohsen was 40, Ahmed 34, Rania 33, Sayyid 30 and Hamdi 24.

Mohsen's mother suggested that this was the real reason behind the fight: "It was certainly because of an evil eye[4] that things started to go wrong and that a small conflict turned into something very serious." When Mohsen was resting or when things were very busy, his wife's brother looked after the shop. Many members of the family blamed him for the fight, since it started when he had a dispute with one of the men of the Bani Mohammed.

The Bani Mohammed are a family from Upper Egypt, Saʿīdīs and proud of it. The term 'Saʿīdī' refers to the people from Upper Egypt[5] and they are the butt of jokes and stories in which they appear as stubborn, slow of understanding and narrow minded. The Saʿīdīs are nevertheless proud of their background and the term also implies honor, straightforwardness and adherence to tradition. Mohsen's family was also originally from the south and it was their great-grandfather who first came to the capital. The Bani Mohammed, on the other hand, had just moved into town. One of them had arrived some years before. He started a coffeehouse in Bashtil and became rich and successful. Many of his brothers and cousins followed him, and they grew into a powerful and influential family in the neighborhood. People in the area said that part of their success was due to their collaboration with the police in their struggle against fundamentalists. Be that as it may, they were not the right people to pick a fight with.

The fight began as a small disagreement about a price and about the way to address a client, but the exchange of words soon grew harsh and loud. It is not clear who raised his hand first as if to hit the other, but the risk of violence was real and Mohsen's brother-in-law was still young and not very strong. Mohsen, who was serving another client, intervened and tried to calm both men. He ordered his brother-in-law to be silent and was trying to soothe the other man with some conciliatory words and an arm around his shoulder, when something hit him on the head from behind, knocking him to

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[4] The Arabic word for evil eye, *ḥasad*, literally means 'envy'. Cairenes believe that an envious glance can harm persons and destroy objects.

[5] Ireton (2000) analyses the attribution "Saʿīdī" as a stereotyped label that qualifies behavior and classifies people. The notion of a Saʿīdī identity, however, not only is a stereotype which is part of a discourse but also is established in actions and shaped through the actual behavior of people. When in this case Mansi, for example, argues that the family, because they are Saʿīdīs, should opt for customary reconciliation (*ṣulḥ*) rather than for state law, this is not a stereotypical attribution but experienced as a very concrete constraint of their 'Saʿīdī identity'.

the ground. He touched his head and his fingers became stained with blood. The men of the Bani Mohammed disappeared, and Mohsen was taken to the hospital, where his wound needed ten stitches. The doctor told him that he was lucky, because if the blow had been just a bit higher he probably would have died.

Arab Honor and the Family

Families in the Suburbs

Bashtil is a relatively new neighborhood of the Egyptian capital; it developed out from Imbaba, northwest and west from the city and is still expanding, incorporating villages from the surrounding countryside like Badrashin and Saft al-Labn. In these neighborhoods buildings rise so fast that the provision of water, electricity and pavement can hardly keep up with demand. Most buildings are four or five stories high, and are divided into two- or three-room flats.[6]

Bashtil has a colorful mix of inhabitants. Many young people who live here were born in Cairo and grew up in central neighborhoods like Abdin and Abbasiya, but were not able to find suitable housing for their families in these areas. Rents are very high in the older central quarters of the city and space is limited. There is the paradox of the overpopulation in Cairo, on the one hand, and the problem of unoc-cupied flats on the other. The Egyptian government is trying to solve the problem through reform of the rent law. More and more flats are now available, but many buildings are still unoccupied and living space remains hard to come by and expensive. This is why many families have been scattered over different neighborhoods in Cairo. Twenty-five years ago families usually lived together in one quarter, where cousins, aunts and other relatives formed a close

[6] This neighborhood is often qualified as "informal" (Hoodfar, 1997: 24; Denis and Bayat, 1998: 12), but the distinction between formal and informal according to geographic criteria is inadequate in the Cairene context. Hoodfar points out that most of the housing in these suburbs is only partly illegal, since most owners have legal title to the land but lack the permission to build and most tenants have official tenancy agreements. Furthermore the "informal", suburban style of housing pervades the whole city: throughout the city one finds families living underneath staircases, on roofs and in unfinished buildings. As Deboulet (1995: 72) observes, "Le Caire, y compris dans la rencontre entre la 'ville légale' et la 'ville d'émanation populaire', est une aglomération plurielle, non duale."

network. Nowadays the physical distance loosens these family ties, even if they have not disappeared entirely. Mohsen was born in Abdin, but as a government employee he could not afford the key money (*khilaw*)[7] for a flat in Abdin. He therefore moved out to Bashtil where prices are lower and the flats bigger.

In the Egyptian media these suburban neighborhoods are often described as being choked by overpopulation as a result of the influx of rural migrants. But in fact, as Denis and Bayat (1998) point out, these are mostly mixed neighborhoods. In them originally urban Cairene families, like Mohsen's, live next to families that recently moved in from the countryside, such as the Bani Mohammed. On the one hand, families are scattered over different neighborhoods of Cairo, but on the other hand the harsh living conditions in the suburbs, caused by economic problems and the close proximity and intermingling of people of different origin and class, necessitate the regrouping of families and the development of strong networks of kinship, security and protection. Singerman (1995) describes the importance of these networks in older, commercial areas of Cairo. The precarious socio-economic circumstances of a suburb such as Bashtil increase the need of the inhabitants to organize themselves in families and groups that support each other, but make the social organization of the inhabitants much more complex and fragile and mainly based on blood ties. This need for support was the main reason that Mohsen's brother, Sayyid, came to live in the same area. Both lived close by to their uncle, 'Amm Mansi.[8] The same holds true for the other party: the success of the Bani Mohammed in the area had encouraged further immigration by relatives from the countryside, all of whom settled within an area of a few streets.

Many families in the neighborhood complained about the bad manners and the rough, intimidating behavior of the Bani Mo-

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[7] Various systems of rent currently coexist in Cairo. The old system demands that the tenant pay a large sum of money at the beginning of the lease, the so-called key money or *khilaw*. The rent is then usually very low and the period of the lease is open. In reaction to the problem of too many unoccupied flats in Cairo, the government developed a new rent system in which leases must be limited in time and key money is replaced either by a deposit or by a payment in advance of part of the rent. On the background and consequences of these problems see Wikan (1996, 306-12).

[8] The word '*Amm* literally means 'paternal uncle', but it is also used as a term of respect in addressing an older man.

hammed, whose position in Bashtil was strongly established. Their reputation combined all the stereotypes of the Upper Egyptian migrant (stubborn, quick-tempered and yet honorable) with a successful integration into urban sources of authority (they own thriving businesses and maintain close relations with the state authorities). Furthermore, in case of conflict, the Bani Mohammed could count upon the support of a large number of men. Most of them were family members, but they also included protegés from the same village and people from the neighborhood, who relied on them for their income.

Prior to the conflict I did not know that Mohsen's family was from the south, but now this identity became central. They were from a village only eighty kilometers south of Cairo but definitely from the south and therefore, according to their own interpretation of the word, 'Saʿīdī'. [9] They were also Arab, an aspect of their identity mentioned above, but which had never had such importance as at this moment of crisis. Cairene Arabs consider themselves to be the descendants of nomadic tribes. Such tribes are considered to be more noble than the peasants, *fallāḥīn*, because the term *ʿarab* implies a link with the prophet Mohammed and his tribe.[10] The members of Mohsen's family were very proud of their relationship to the Huwaytāt, an *ʿarab* tribe said to have its roots in Yemen.

The term *fallāḥ* is ambiguous in Cairo. *Fallāh* is the opposite of *ʿarab,* denoting the original, sedentary population of Egypt; it is also used as a geographic term referring to the inhabitants of the Delta as opposed to the Saʿīdī*s* of Upper Egypt; and the *fallāḥ* is anyone who toils the land, irrespective of his descent and place of birth. In this third sense Mohsen and his family referred to the Bani Mohammed

[9] Ireton (2000) explains how the attribution "from the south" (*min al-Saʿīd*) can mean different things to different people. "From al-Saʿīd" meant for Mohsen's family of Saʿīdī origin and not living in al-Saʿīd or born there. They considered Kuraimat (the family's village of origin) to be part of the region of al-Saʿīd, but they were also aware that others placed the southern border of the region further south, upstream of Beni Suef. The Bani Mohammed were much closer to the indisputable core of what is considered Saʿīdī. They were all born, and lived most of their lives, in the area of Asyut, of which every Egyptian will agree that it is in al-Saʿīd. This fact meant that the affirmation of Mohsen's Saʿīdī identity was much more questionable and therefore much more an issue for him and his family than was the assertion of that same identity for the Bani Mohammed.

[10] I am using the word 'tribe' here simply as a translation of the Arabic word *qabīla*, and not in the sense that is usually attributed in the ethnographic literature (cf. Eickelman 1981).

as *fallāḥīn*, primitive peasants, suggesting that they were ill-mannered and ignorant, even though the Bani Mohammed themselves insisted on their *ʿarab* origin. The authority and respect that Mohsen's family enjoyed was based mainly on their positions as civil servants and police officers within institutional, urban structures; but they also referred to their village of origin (*balad*) and their Arab descent to emphasize that they adhered to traditions and values such as honor and respect.

The Weight of the Conflict

Mohsen was deeply hurt, both physically and emotionally, and he was touched in his honor (*sharaf*).[11] As Saʿīdīs, honor and traditions meant a lot to him and his family. The physical wound was serious and he had to stay in the hospital for several days. The whole family gathered and talked about what happened. Three things were central to their discussions and they rose like a dangerous accusation: "blood", "attacked from behind" and "ten stitches"—and all this when Mohsen's intentions had been nothing but good.

Honor or *sharaf* is a notion that is strongly connected with blood.[12] It is something that is shared with those who share your blood, the family. The family structure in Egypt connects people from far-flung places in a rather unstructured and random way through blood or marriage.[13] Mohsen's brothers appealed to their male relatives on their father's side for help and advice and claimed that this was because honor is mostly related to and through men. Crises of honor are usually caused by an injury or an insult directed at the "blood," here both a physical substance and a social bond. Physical harm, verbal insults as well as an insulting or disrespectful attitude towards the

[11] For an extensive bibliography and detailed analysis of the concept of honor see Stewart (1994).

[12] Many researchers (Bibars 2001, 159; Botman 1999, 108; Mernissi 1985, 183) have related the notion of honor to the general concept of patriarchy, thus condemning the practices and beliefs related to honor as forms and instruments of gender discrimination. Such authors are situating their description within an ideological debate rather than providing a scientific analysis of how the notion is locally constructed and applied.

[13] Cf. Rugh, 1984, 56: "Egyptians tend to draw on family relations in an ad hoc way, making do with the conditions and arrangements of people that exist and flexibly adjusting relationships to suit what seems appropriate in the given context."

women related to a man can impugn his honor. If a man accepts a beating without a firm and just response, he loses respect.

The fight and the subsequent wound not only created indignation but also threatened the safety of the two brothers living in the neighborhood. In these neighborhoods, where people of different social and geographical backgrounds live in close proximity, respect is of vital importance. Family members warned that when a man loses respect, people treat him with contempt and other men would no longer be afraid to stare at his wife or even to touch her. They suspected that merchants would now cheat Mohsen and that people would whisper about him or even scorn him. The situation was clearly threatening.

When the honor of the family is seriously tarnished only blood can cleanse the insult. Egyptian state law does not acknowledge the practice of *tha'r,*[14] but especially in the south of Egypt, or among the Saʿīdīs in Cairo, the logic of an eye-for-an-eye is still followed. Upper Egypt is known for its violent feuds, and in Cairo too blood revenge is still considered a valid option. The conflict in Bashtil and the insult caused by the Bani Mohammed demanded a serious response in order to wipe out the stain on the family reputation. There were in principle three options: retaliation, reconciliation or appealing to the state for justice.

An official complaint to the police would not suffice, even though Mohsen's family was in a good position to make such a complaint, since his late father had been a police officer and his brother, though still low in rank, was an officer too. There were several reasons why the family did not go to the police: First, they expected that the state apparatus would be slow to take action; it is generally known in Cairo that it can take years before a case comes to court, and the situation needed a fast and resolute reaction. Furthermore, whatever action the police and the courts might take would not be enough to preserve the family honor and re-establish their respect in the neighborhood. Arab blood had been shed. It was not only that the physical integrity and the honor of the victim had been affected, but also that the honor of the family and the tribe was at stake. Several of Mohsen's family members mentioned that others might be afraid to complain of the Bani Mohammed because the Bani Mohammed acted as police infor-

[14] *Tha'r* is the practice of blood revenge which exists among Arab villagers and Bedouin (Stewart 2002).

mants in operations against fundamentalists in the neighborhood.[15] Mohsen insisted, however, that in their case it was not fear but honor that guided his family's decision not to make an official complaint.

Ahmed, Mohsen's brother, had himself been involved in a fight several years earlier, while working as a tour leader. The bartender of a hotel had attacked him from behind with a broken bottle and the wound had been similar to the one suffered by Mohsen. That fight had also been a very unfair one, but the circumstances were different. The fight took place in a bar where Ahmed had been drinking alcohol and it had started over one of the girls who was traveling with Ahmed. In these circumstances, associated with modern life and Western manners, an appeal to traditions of honor, revenge or reconciliation was not considered to be appropriate and he had, therefore, appealed to state law for justice. Seven years later, at the time of the conflict in Bashtil, Ahmed's case had still not been heard in court. Mohsen's family mentioned this as an additional reason why they chose not to appeal to state justice and looked rather for a faster and more honorable solution, either by taking justice into their own hands (retaliation) or by negotiating a settlement with the other party (reconciliation). They considered it their duty to force the Bani Mohammed to respect them, but considering the influence of the Bani Mohammed in Bashtil, this would not be an easy task.

Different Family Logics, Multiple Voices

The first thing that happened was that all those involved and all those who could help were brought together. It was Mohsen's mother (and not one of the men) who spread the news of the fight via the telephone. She did not need to ask for help because everybody knew what should be done in such circumstances; she just told the story of what had happened. The people of Kuraimat (their village of origin) sent a cousin to stand by their side and to symbolize the involvement of the villagers and their readiness to help.

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[15] At the time of the conflict there were few Islamists active in the neighborhood and their activities were closely watched by the police. The people in the neighborhood lived, however, with the fresh memory of the late eighties, when informers were paid to denounce anyone with Islamist sympathies. Such informers often abused their power in order to settle accounts with their personal enemies. See Bozarslan and Jolly (1997) on the role of Muslim Brothers in Egyptian politics and the reaction to, and repression of, these Islamic groups by the government.

Meetings in the Mother's Home

As soon as Mohsen had left the hospital, all the brothers gathered at their mother's house in Abdin, a central area of Cairo. Her apartment had only two rooms: her bedroom, where all informal meetings took place, and her sons' room, which was used for more formal gatherings and to receive guests. It was in this second room that the men gathered, while their wives (including myself) and their sister stayed with their mother in her room, discussing the same matter, but in a more pragmatic way. More than the issue of honor, the women were concerned with the practical consequences of the possible choices.

'Amm Mansi also came. Mansi was a relative on their father's side, but his closest tie with the family was through his daughter, who was married to Sayyid, Mohsen's brother. Mansi had been trying in recent years to increase his influence in family matters, but Mohsen's family in particular had resisted his interference. The cousin who came from Kuraimat supported Mansi both in his taking the lead in the family and in his choice of customary reconciliation. Mansi was the only one from the Cairene branch of the family who still had close contacts with the village. His older brother was a respected and influential man in Kuraimat and he was the one who asked the cousin to travel to Cairo for assistance.

The youngest of Mohsen's brothers, a policeman, was present, but everybody agreed that he should not be involved. Since they had chosen not to deal with the police but rather to resolve the problem themselves, he had to stay out of the matter. They justified their position in the following way: "As an officer he possesses a gun and this could be dangerous for him and for the others. If someone insulted his brothers in front of him, he might get angry and not be able to restrain himself from using his weapon. If he killed someone, then this would mean execution or life imprisonment for him." The fact that he was the youngest brother and still unmarried also limited his role. He was present during the family discussions and he could express his opinion like anybody else, but he was not a key figure in the negotiations. Neither was Sayyid, the second youngest brother, who was married to Mansi's daughter and lived very close to Mohsen. His position was a difficult one, because though his heart was with Mohsen and Ahmed, he had to show loyalty to Mansi, his father-in-law.

Ahmed was the brother who most insisted on honor, respect and self-respect, and he was the one who most favored retaliation. He

considered that the Bani Mohammed had to be put in their place. In his view, they needed to understand that the neighborhood was not theirs and that they could not act freely and neglect all the rules of custom and tradition. He insisted on revenge and, therefore, was opposed to Mansi, who was in favor of reconciliation, *ṣulḥ*. The extremism of his words and the radical nature of his position were probably influenced by his relationship with Mansi. Reconciliation would mean that Mansi would take charge and would approach the Bani Mohammed for negotiations, while retaliation would be in Ahmed's hands. He would be the one who would carry out the task of wounding one of the men of the Bani Mohammed in the same way that Mohsen had been wounded.

Various arguments were brought forward in the discussions. The honor of the family was a central theme: the honor of the family at large, but also the respect that Mohsen and his brother enjoyed in the neighborhood. A suitable response was therefore necessary. Ahmed argued that retaliation was the only suitable response because it would show everybody that their Arab family was not afraid of the Bani Mohammed. This would mean that one member of the offender's family, preferably a man whose position was comparable to Mohsen's, had to receive a similar blow on the back of his head. Some members of Mohsen's family feared that the man might die if the blow were a little too hard, and then the logic of *tha'r* would demand its price from their side, and a never ending succession of retaliations would follow.

The alternative to revenge was reconciliation *(ṣulḥ),* which Mohsen's brothers equated with the payment of a sum of money as compensation. The interpretation Mohsen's family gave to *ṣulḥ*, reconciliation, was that the offender's family should pay money to compensate for the injury and that they should ask for forgiveness. They considered that *ṣulḥ,* because of its association with fear and greed, was less honorable and therefore less satisfactory than retaliation.[16] Mansi,

[16] Stewart (2002: 443) mentions that among the Bedouin tribes of the Mashriq most homicide disputes, in principle, can be settled by blood revenge. "The desire to take revenge on one side, and the fear of such revenge on the other, are often very real; but in most communities only a small minority of cases actually are settled in this way. Law and custom, while ready in the proper circumstances to countenance blood revenge, do not generally encourage it and instead offer a variety of institutions whose effect is to produce a peaceful settlement, such as blood money."

in contrast, insisted on following the customary law, *al-ʿurf*, and presented this form of composition as an honorable and peaceful solution, and one that was in accord with Arab tradition. His main argument was: "Let's keep to custom and do what one is supposed to do (*al-maʿrūf)*."

Mohsen himself was of two minds. On the one hand, he preferred the money because it was safer, but on the other hand, he felt that revenge would be more satisfying to his honor and self-respect. This situation also raised the question of whether Mohsen had the option and the desire to remain in Bashtil. If he choose revenge, he would probably have to move elsewhere to avoid further hostilities, but if he accepted reconciliation he would need to enforce respect on the Bani Mohammed and the other men of the neighborhood. And then there was all the ambivalence of his attitude to this neighborhood. He had a nice flat there, but the area was not very pleasant, with garbage in the streets, crowded alleys and many social problems. He was tempted to leave the place anyhow, because it was the confusion of Bashtil that had put him in such a predicament. If he left, it would be better to leave the place honorably, following an act of revenge, rather than to accept some money and leave like a coward. The discussion lasted for five days and Mohsen talked less than the others. He listened to the arguments because it was he who would eventually make the decision. A mistake would not only affect his honor and increase the risk of violence, but would also threaten the unity and reputation of the family.

The Role of the Women

At first it seemed as if the women were not involved in the case. They were not present at the discussions and sat apart in the other room. They let the men do the talking, though they kept a close eye on what was happening. No decision was taken for some time, and each wife therefore had the possibility of discussing the matter in private with her husband at home. The women's arguments were taken into consideration. The most powerful and influential of the women was Mohsen's mother. Each of her sons consulted with her and asked her for her opinion; Mansi too called her on the phone at night. Officially he called her on another matter, asking her about something else, but it was quite clear that he wanted to know her position on the conflict.

During the discussions the women had their ways of inserting themselves in the talks whenever they considered it opportune. While the men were talking, the women brought in a constant supply of tea, cold water and food. When they brought in the plates or took away the glasses, they listened for details of the discussion. These were reported back to the mother, who, if necessary, brought in the tea herself, at which time she would make some short remarks. Otherwise she would send her daughter or one of her daughters-in-law to take in something and to deliver a message. When the men talked of revenge, the women were the ones who pointed out the dangers of retaliation and warned of the possible escalation of violence. When the men seemingly had agreed that the best thing would be for Mohsen and his brother to leave the area, the women mentioned the problems of moving or warned the men not to endanger the career of their youngest brother, Hamdi the police officer, by doing things that were against state law. The women's function was not so much to formulate a position for themselves as to soften the men's arguments, to help them nuance their positions. They tried to balance the influences of the different men and to help them to reach a position that suited all concerned.

Different logics were interwoven in the discussion: there was the logic of honor, respect and self-respect, on the one hand, and the logic of safety and continuity, on the other. To state that the women stood on the side of safety and continuity would be an over-simplification and would reduce the complexity of their motives. In the choice between violence and money, these different logics were intermingled. Violence would be a good choice because it would lead to self-respect and respect in the neighborhood. It would therefore enhance continuity, since it is only possible to live in Bashtil when one is respected. Money would lead to safety, because this would avoid the risk of ending up in a spiral of violence, whereas lack of respect would endanger the family's position in the area and lead to troubles in the long term, by which time the money would be gone while the lack of respect remained.

Not only gender but also the generational differences played an important role in the choices of the family members. Mohsen's mother, who was of the same generation as Mansi, talked about honor, but wanted reconciliation, just as he did. The degree of involvement also played a role. Mohsen's sister, who had her own life with her husband away from Bashtil, stood side-by-side with Ahmed, who traveled a

lot, and insisted on the importance of respect and self-respect. When Mohsen seemed to accept Mansi's position on reconciliation, she argued in favor of revenge. She warned her brothers not to neglect the psychological consequences of their choice for Mohsen. These effects might only become apparent much later, but she warned that the loss of self-respect could seriously damage Mohsen's happiness in later years. In her opinion only retaliation would really restore Mohsen's self-respect.

Their proximity to the scene of the incident united the wives of Mohsen and Sayyid, who were in favor of reconciliation. Mohsen's wife did not want to move out of her flat, which she and her husband had recently repainted. She also considered that they could use the money which they would receive from the Bani Mohammed if they agreed to a *ṣulḥ*. Sayyid's wife also wanted to stay in the neighborhood, since her father lived there. She supported her father's position and tried to persuade her husband to do the same. The disagreements and the discussions between the women were almost as vehement as those between the men.

Faces

The Elder

'Amm Mansi was closely involved in this case because he lived in the same area as Mohsen and Sayyid and was well respected there. He was what Cairenes call *al-kabīr*, the elder (literally "the big one" or "the old one"), but not because he was rich or had a powerful position. His name and influence derived from the role he played in local conflicts. Whenever there was a serious conflict between spouses, within the family or between families, people came to him for advice and assistance. He was believed to be very knowledgeable about the rules of tradition and custom, *al-'urf*. He therefore considered himself to be the best man to mediate in this conflict and to try to bring the parties to a reasonable solution. His attempt to assume a mediating position did not fit well with his ambition to play the role of elder in Mohsen's family and their representative in this conflict.

The elder in Egyptian families and Cairene neighborhoods is not necessarily the oldest or the most powerful man, but rather the one whose judgment has most authority, the wise one. His position is not always based on knowledge alone. Frequently he combines

knowledge with economic power, or with a large network of social relations that permit him to mobilize other men to back up his position. In Mansi's case this network mainly existed through his close ties with the village. For a Cairene who has ties with a village, the support of men from that village is very important in conflicts. Even though he lives in Cairo, such a man can expect a group of about forty villagers to come to the city to support him and even to fight for him if necessary. The fact that these supporters come from the village rather than from Cairo gives them anonymity, as well as an aura of authority and strength. The elder of the neighborhood is the one who participates in the negotiations as a third party, although only when he is not personally involved in the conflict and has no personal interest in the outcome of the case. The elder of the family is the one who represents the family in conflicts and his position is based on age, knowledge, wealth and the respect of others.

Mohsen and his brothers resisted Mansi's influence because he had tried to take the place of their father after his death. The position of elder of the family had originally belonged to their father, who had been a police officer and came from a better and more influential part of the family than did Mansi. Mansi had been an assistant to their father, who had brought him from the village to Cairo. Ahmed, Mohsen's second brother, was now almost old enough to take his father's place as elder and possessed the knowledge necessary to do so. There were, however, two obstacles: first, he had no children, which diminished his authority; and second, Mansi was trying to assume this position.

During the negotiations within the family everybody had his or her opinion about whether revenge or reconciliation was more suitable, whether they should go and talk to the other family or just wait, and who should be the spokesman for the family. But in confrontations with outsiders they always appeared as one person, one face, without pity and without doubts.

The Face of the Family

In Cairene society the idea of having a face is very important.[17] It

[17] The importance of the concept of face became clear during my fieldwork, directly from the Cairene context (Drieskens, 2003: 237 ff.). I was also inspired by the concept of faciality introduced by Deleuze and Guattari (1987, 167-191).

is the face of a person or a family that confronts others in an encounter, *muwāgaha*. The term *muwāgaha* can refer to an encounter such as that between a vendor and a customer in the market as well as to a violent physical confrontation. It implies always the appropriation of a clear-cut position in facing the other. More than an identity, which is proper to a person, the face belongs to the in-between of an encounter. It is not just the physical part of the human body but that which interacts with others, and it often covers more than one individual. When a man and his wife encounter a stranger, for example, it is the man who confronts him, and in conflicts between families, it is one of the older men who meets his opposite number and talks with one face for the whole family, both literally and figuratively.

In confrontations with others the position of the group often appears as rigid and blunt, and there is little space for negotiation, nuance and critique. This unified and clear-cut stance gives the group its strength, especially in situations of conflict. It is important to understand that a face does not necessarily cover or represent a consensus. As we have seen from the discussions within Mohsen's family, almost everyone had his or her opinion about the right way to resolve the conflict and each person also easily changed his or her opinion during the discussions. Initially Sayyid was very much in favor of retaliation, but after he had talked to his wife at home, he changed his position and supported Mansi, pretending that he had no choice but to respect his father-in-law. Others changed their position depending on the person they were speaking to. Mohsen's mother, for example, talked to her sons about the importance of honor and she criticized Mansi for being too compliant. She managed, however, to unite them all behind her own position in favor of reconciliation, which was the one that Mansi eventually presented to the opposing party.

This face therefore is a temporary position limited to a distinct circumstance in which it is important to appear united. Internal diversity and conflicting opinions are covered up in order to strengthen the position of the group. The face is an impermanent display towards an outsider or an opponent. In the absence of an other, the multiple

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These authors present a perspective that focuses on differences and processes of change. These form the material that constitutes the unified appearance of the face. The importance of having a face in Cairo also recalls the Bedouin practice of "blackening someone's face" (Stewart 2003).

voices and different points of view are openly voiced and taken into account.

The fact that in Cairo the 'face' of a family or group is usually embodied in a man may give the impression that women are less important than men as decision-makers, especially in conflict situations. The present case demonstrates, on the contrary, the important role of the mother in the outcome of the conflict as well as the influence of the wives of her sons. Mohsen's mother favored reconciliation and, despite the differing opinions of Mohsen and Ahmed, they accepted it when in the end it was her position that Mansi represented.

Mohsen's family presented an Arab face with Saʿīdī origin, bound by traditions and holding on to what they called the typical Arab custom of *ṣulḥ*, while trying to appear as honorable, fearless and generous as they could. In the analysis of this case one could easily mistake this face for an identity proper to a group and therefore relatively homogeneous and continuous. Here I have tried to show that this 'Arab-ness' is only a temporary stance, bound to the confrontation with the other, neither homogeneous nor continuous, but also not merely an actor's role to play. It is not an interiorized form of behavior and self-presentation, but one that is consciously negotiated and constructed in constant adaptation and adjustment to the specific context. The focus on the way this face is constructed shows us how the multiple voices and differing opinions shaped and directed the position that the family adopted. The role of the women in this process indicates that a description focusing only on gender would show only one of the factors that determined the positions of those involved. Other elements shaping the different opinions were age, geographic distance, knowledge, reputation and respect, as well as the particular context of the moment.

The Absence of a Third Party

In this conflict Mansi played an ambiguous role, being both representative (elder) and mediator. This role was based both on his authority in the family and on his knowledge of customary law. His position distorted one of the basic principles of reconciliation. In Nielsen's description (1998) of customary law in the region of Edfou, we see that conflicts are mediated by a third party of influential and impartial men who constitute *al-maglis al-ʿurfī*, the assembly that imposes a decision on the conflicting parties. In this Cairene case there was

no impartial third party. One of the reasons for the absence of such a third party was that neither Mansi's family nor the Bani Mohammed was ready to endow any outsider with the authority to mediate between them.

Negotiations therefore took place directly between the conflicting parties, and for this reason the procedure used in this case differs fundamentally from the formal method of negotiation and reconciliation in Upper Egypt (Ben Nefissa, 1999). We could speak here of a more informal variety of customary law. The people involved in the dispute referred to the way they resolved it as *ʿurf*, custom, but they were conscious of the differences between their situation and the more formal customary practices in the countryside. The informal nature of negotiations and reconciliation in Cairo, and the absence of a third, mediating party, can be attributed to the fact that in neighborhoods like Bashtil the hierarchical relations between families and groups are unstable and change quickly. Often there are no relations previous to—or independent of—the conflict situation. In such a situation it becomes almost impossible to convene an assembly (*maglis*) with elders (*kubār*) recognized by both parties as impartial and knowledgeable.

Opposing Families

The Threat of Revenge

Three days after the fight, when Mohsen was still recovering from his wound, five men of the Bani Mohammed came to visit him at his mother's home. They came to ask for reconciliation, and Mohsen considered it to be a great honor that the Bani Mohammed had sent five older men. This showed their respect for Mohsen's family. Ahmed hopefully suggested that the request for reconciliation meant that the Bani Mohammed were afraid that Mohsen would call on the people of his village for support. Mohsen and his brothers asked for a few days in which to think over the proposal and to "discuss the matter with the elders, *al-kubār*, of the family". They strategically used this response as a way to increase the tension and to maintain the threat of retaliation, indicating that they might accept reconciliation, but that if so, it would not be out of weakness. Even when they were talking about *ṣulḥ*, they kept threatening revenge, as if they wanted to keep this option open.

After another two days it was important that Mohsen's family should be able to show one face and to appear as united when faced with the Bani Mohammed. The question was whether it would be the dark face of Ahmed, who refused to agree to a *ṣulḥ*, or the reconciling smile of Mansi. Sometimes it appeared as if the decision had been made from the beginning: Of course it would be reconciliation, and all this talk of revenge was only a threat whose purpose was to increase the tension and to induce fear and respect. At other moments this threat seemed very real and not merely part of a strategy. Mohsen's family discussed the measures that needed to be taken: Ahmed would leave the city, or even the country, for a while, and Mohsen and Sayyid would move to a different neighborhood.

In the end Mansi went to the Bani Mohammed with the message that his family was ready to accept reconciliation, but only on certain conditions. The meeting would have to take place in a public area, and the man who attacked Mohsen would have to offer his apologies in front of everybody and kiss Mohsen's head.

Compensation

Not a word was said about money. This was another difference between *ṣulḥ* in Cairo and *ṣulḥ* in the village, one that Mohsen's family referred to during the discussions.

In the city it is considered shameful to talk about money; in the village too the victim would not mention money, but there it is because a third party decides how much is to be paid. Mohsen presented his acceptance of reconciliation as an act of generosity and said that if he had wanted money, he would have gone to the village and waited there until the Bani Mohammed came to see him and ask for reconciliation. Mohsen asserted that in such cases the elders (*al-kubār*) of the village would arrange the payment and follow strict and formal rules to determine the amount. It is interesting to note here that Ben Nefissa (1999) describes how, in the more formal settings of *ṣulḥ* in Upper Egypt, the family of the party that is recognized as having been wronged never agrees actually to receive the money. Either it refuses the money or it gives it away, generally to a charitable or religious institution: "Accepting the money would be a disgrace and a dishonour. It would imply that the family measures its dignity, prestige and honour in financial terms." So too in this Cairene case, the protagonists publicly proclaimed that an honorable family does not

mention money; it is only as a result of its generosity that it decides to accept *ṣulḥ*. Everybody in Mohsen's family, however, appeared to be convinced that there would be some money involved. They considered it to be the unspoken duty of the offender to hand over a sum of money; but this had to be done discreetly, in an envelope slipped into the pocket of the victim.

A time and a place were set for the reconciliation. Blood conflicts are capable of uniting people in large groups, all standing behind one face. More than ten men came from the village (*balad*) of Kuraimat on the day that the conflict was publicly settled. The Bani Mohammed also showed up in large numbers for this very short ceremony, where the threat of physical violence united the two parties. The women were sent home because everybody knew the risk of such gatherings. Each group stood as one unit behind its spokesman (*al-kabīr*). One wrong word could turn the meeting into a bloody spectacle. For a short while the street was blocked, and no traffic passed while the two families approached each other. The man who had attacked Mohsen announced loudly and clearly that he had made a mistake and that he apologized for it. He walked towards Mohsen and kissed his head, while at the same time slipping some money into Mohsen's hands. Until that very morning the men of Mohsen's family had been talking about the possibility of retaliation. They had announced that they were prepared to fight if the Bani Mohammed did not show enough respect. The performance seemed satisfactory and the crowd quickly dispersed. Once the victim accepts the reconciliation, the conflict is considered to be over and he renounces any right to make an official complaint or to take revenge.

In retrospect, however, Mohsen's family was not satisfied with the outcome of the conflict. The sum of money that they received was less than they had expected and barely covered the medical expenses. They complained that a similar conflict in the village, with a traditional *ṣulḥ*, would have brought them more than double the amount. It also soon became clear that they had lost a lot of respect in the neighborhood. They felt that they were not treated in the same way as before, and the business in the shop did not run as well as it used to. They blamed this on the unsatisfactory *ṣulḥ* and said that Mansi was the cause of it. When he went to confront the Bani Mohammed, his task was to represent Mohsen's family. He should have presented their demands in a manner that induced respect and fear. He carried a double face, however, and this weakened the strength of Mohsen's

demand. The Bani Mohammed did not expect that the representative of the other family would be sympathetic to their arguments, that he would try to soften the positions of both antagonists as if he was the mediator. Mansi was the one who mobilized the men from the village and in this way made it possible for the two families to meet as equals. By trying to be a mediator as well as the representative of one of the parties, he lost, nevertheless, the opportunity to emerge from the conflict with enhanced honor and respect for the family.

Conclusion

We have presented here a case-study of a conflict between two families in suburban Cairo. It illustrates the origin and resolution of conflicts between people from different backgrounds and of different geographical origins. In neighborhoods like Bashtil conflicts of this kind are very common and can have serious consequences. In the settlement of a specific case Cairenes creatively construct a tradition, *'urf*, and adapt elements from more formal structures of customary law to the Cairene context. We have described how the family of the victim came to choose customary reconciliation and have illustrated this choice in the light of the alternatives of state law and retaliation.

Through long-term research and close involvement with one of the families in conflict, I was able to document the negotiations within one party, paying specific attention to the position of the head of the family, *al-kabīr*, and his role as their face in the confrontation (*muwāgaha*) with the opposing party. This illustrated the concept of face and showed that a strict, unified and rigid position of the group is limited in time and not necessarily based on a general consensus. The multiple voices of both men and women are temporarily muffled and unified behind one face, which confronts the other as one (collective) person.

Finally I have investigated the relation of this particular case to the tradition of customary law in Egypt, *al-'urf*. For this purpose I relied on studies of reconciliation in Upper Egypt written by Nielsen (1998) and Ben Nefissa (1999). In comparison to the Upper Egyptian context, Cairene custom appears as a dynamic, unstable and contextual form of conflict resolution. Although the Cairenes involved in this case insisted on the customary (*'urfī*) nature of their solution and presented it as based on a long-established, formal tradition, they

were in fact constructing a very different and contextual form of *ṣulḥ*, one adapted to the peculiarities of suburban life.

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