

Kenneth M. Cuno

JOINT FAMILY HOUSEHOLDS AND RURAL NOTABLES IN 19TH-CENTURY EGYPT

During the past thirty years, the study of the family in European history has developed with a strong comparative emphasis.¹ In contrast, the study of the family in Middle East history has hardly begun, even though the family is assumed to have had a major role in “the structuring of economic, political, and social relations,” as Judith Tucker has noted.² This article takes up the theme of the family in the economic, political, and social context of 19th-century rural Egypt. Its purpose is, first of all, to explicate the prevailing joint household formation system in relation to the system of landholding, drawing upon fatwas and supporting evidence. Second, it argues that rural notable families in particular had a tendency to form large joint households and that this was related to the reproduction and enhancement of their economic and political status. Specifically, the maintenance of a joint household appears to have been a way of avoiding the fragmentation of land through inheritance. After the middle of the 19th century, when it appeared that the coherence and durability of the joint family household were threatened, the notables sought to strengthen it through legislation. Their involvement in the law reform process contradicts the progressive, linear model of social and legal change that is often applied in 19th-century Egyptian history.

THE JOINT HOUSEHOLD SYSTEM AND THE NOTABLES

John Hajnal defined a household as a group of persons eating and living together, under the same roof or in the same compound.³ Following E. A. Hammel and Peter Laslett, a *simple family household* is one that contains no more than a single conjugal pair, with or without children. Two or more related conjugal pairs make a *multiple family household*, also often called a *joint family household*. Its variations include a stem-type household containing a couple and a married son, and a household of brothers, also called a *frèreche*. Societies have a propensity to form one or another type of household. In premodern Europe, a simple household system prevailed in the northwest, and joint household systems were characteristic of Mediterranean and eastern Europe. In the 20th century, India and China also have had joint household systems.⁴ According to Hajnal, the distinguishing feature of a joint

Kenneth M. Cuno is Assistant Professor in the Department of History, University of Illinois at Urbana-Champaign, Urbana, Ill. 61801, U.S.A.

household system is that “the majority of people [are] members of a joint household at some stage in their lives,” although usually the majority of households are not joint.⁵

In any society, then, the mean household size is less meaningful than whether, in the course of the domestic cycle, a significant number of simple households evolve into joint households. In the Middle East, for example, simple households have predominated in this century and probably did so in earlier times.⁶ Yet, as Alan Duben found in Turkey,⁷ there appears to have been a joint household system in Egypt in the early 20th century. In 1917, the first year for which nationwide data on households are available, the mean household size among Egyptian subjects was 6.33, but a majority of Egyptians (about 58%) lived in households consisting of seven or more members.⁸ Although the size of a household is not certain proof of its structure, those of seven and more members are more likely to have been joint than simple, even allowing for polygyny.⁹

Around the turn of the century, the urban elite in Egypt formed large joint households.¹⁰ The subsequent obsolescence of the joint household in this class may be related to the end of the harem system, the use of “Western” domestic architecture, and perhaps a tendency to identify the independent simple family household with modernity—subjects that deserve study but are beyond the bounds of this essay. In the countryside, joint household formation has persisted among landholding families engaged primarily in agriculture.¹¹ My earlier research suggested in particular a tendency on the part of the 19th-century rural notables to form joint households. Notable families were distinguished from other village families by their possession of wealth together with power. Often they held the most land and maintained a semi-hereditary hold on the positions of village shaykh and *ʿumda* (headman). Beginning in the middle of the century, many of these families rose in wealth and prestige, established urban branches, and moved into the political and cultural elite.¹²

We have some descriptions of notable households that clearly were joint. In 1846 in the village of Kafr al-Mandara in al-Daqahliyya province, Joseph Hekekyan described a village shaykh as living together with his mother, his wives, and their married children in a large compound, which was entered through a single gate. Within it there were separate quarters for each of the conjugal pairs.¹³ In the early 1880s, D. MacKenzie Wallace described an *ʿumda* in Lower Egypt, the wealthiest man in the village, as presiding over a household of fifty-five persons, including his four married sons and their families. The “paternal inheritance,” he wrote, “is kept undivided, and all the moveable property . . . are possessed in common.”¹⁴

Other reports described the houses of the notables as larger (and more luxurious) than those of the other villagers. A joint household might reside in a traditional-style compound of the sort described by Hekekyan, but from about the middle of the century many notables built large houses in the new *rūmī* style associated with the ruling elite.¹⁵ One such house was built by the *ʿumda* of Kafr Ghannam in al-Daqahliyya in the 1850s:

Two stories high with a veranda, it towered over the village huts. This symbol of distinction was reinforced by erection of an immense wall approximately ten feet high, one hundred yards

long, and seventy-five yards wide which enclosed the family property. Two other houses for family members were built within the compound. The rear portion was taken up by stables and storage houses for the processing and holding of grain and other supplies.¹⁶

The new architectural style may have influenced household size, but even so there appears to have been a correlation between notable status and joint household formation.

The 19th-century evidence is consistent, moreover, with what has been observed in other agrarian societies and in the modern Middle East itself. Robert Wheaton has noted that "the size and complexity of households is, in pre-industrial societies, closely related to the amount of property which they have at their disposal."¹⁷ Similarly, Daniel Bates and Amal Rassam have observed that in the modern Middle East joint households have been characteristic of powerful rural families controlling large amounts of land. A recent study found in Upper Egypt a "significant positive correlation between land owned, large animal production, and household size." Thus, despite such factors as the growing labor-to-land ratio, the spread of waged and nonagricultural work, and rural-to-urban migration, joint family households have not disappeared from the rural scene. Large households are still able to organize labor efficiently, and their size is an advantage when competing for local resources.¹⁸

FATWAS AS A SOURCE FOR FAMILY HISTORY

The following sections discuss the characteristics of rural joint households as they appear in the fatwas of Muhammad al-Abbasi al-Mahdi, the supreme mufti of Egypt from 1847 to 1897.¹⁹ I have chosen this source in part because my earlier research in the shari^ca court records of al-Mansura, a provincial market town, did not yield adequate information on rural household formation,²⁰ whereas al-Mahdi's fatwa collection contains many pertinent cases. As it is published, it is, moreover, easily accessible. As a source it has certain limitations (discussed later) due to which the present study should be regarded as the opening of a discussion of Egyptian family history and not as the final word. A full treatment of the subject will require extensive use of additional shari^ca court record series and population registers from the mid and late 19th century, sources that have been cataloged and made available to researchers only recently.²¹

Fatwas are authoritative legal rulings issued by a mufti (jurisconsult). The standard form is a question followed by an answer. Beyond that simple definition, the role of muftis, the questions they have addressed, and hence the nature of fatwas have varied greatly.²² Shaykh al-Mahdi stood at the apex of the judicial system at a time when the state was asserting steadily greater authority over Egyptian society, hence most of his fatwas deal with questions raised in real litigation. As for their "representativeness," the fatwas appear to have come from all of Lower Egypt and al-Jiza province. Internal evidence does not indicate an "upper-class" bias, in spite of the fees required of litigants, since many of the plaintiffs were socially weak persons such as peasants, women, and orphans. However, this collection is not a

statistically representative sample of the cases the mufti heard, but rather a selection intended to illustrate a variety of legal situations. For this reason the fatwas will bear no quantitative use, although they are a good source of qualitative evidence.²³

In order to investigate rural households, I defined a family as “rural” only if *miri* land was held or claimed. *Miri* land, in Egypt also called *athar* and *kharāj* land, was state revenue land until it began to be converted to private ownership in the last quarter of the 19th century, and it was held in usufruct predominantly by village families.²⁴ Although the fatwas date from 1847 to the early 1880s, this method yielded evidence for roughly the middle third of the century, since many cases originated before the appointment of the mufti, and after the mid-1860s there were fewer suitable fatwas because the land law of 1858 removed most land questions from the jurisdiction of the religious law.

Fatwas that deal with inheritance issues are the most suitable for reconstructing family histories and household structures. This study is based on evidence found in the chapters on the land tax (*al-kharāj*), partnerships (*al-sharika*), and gifts (*al-hiba*). The first contains numerous cases describing the devolution of land through successive generations within a family. The chapter on partnerships also deals with joint family households, due to their practice of not dividing a member's property and land at his/her death. An example was mentioned earlier: the *ʿumda*'s household, in which the “paternal inheritance” was “kept undivided.” Hanafi jurists including al-Mahdi regarded the undivided property of a joint household as being held in a “proprietary partnership” (*sharikat milk*) by the legal heirs.²⁵ Because the splitting of a joint household entailed the division of its land and property, the ensuing disputes were often treated according to the law of partnerships. The third chapter is pertinent because inter vivos gifts were a means of avoiding the division of one's property in Qurʾanic shares, and so it contains fatwas in which the legal heirs sought to establish their rights.

These cases must be used with caution, because they often do not provide complete accounts of the families involved. In cases concerned solely with establishing inheritance rights, it was necessary to mention only those family members through whom rights to property and land allegedly were transmitted. Non-kin within the household, such as servants and slaves, are hardly ever mentioned, nor are family members who died young, before inheriting.

Among adults, women are often not mentioned due to the patrilineal devolution of land and virilocal marriage. *Miri* land was usually transmitted to male heirs, and in a case involving land that passed through an unbroken male line the female members of the family might not be mentioned at all. An aspect of virilocal marriage was the tendency for out-marrying women to leave their inheritance shares in the custody of the head of their natal household.²⁶ Those who failed to claim a share (and thus to transmit part of the estate to the next generation) might thereby be omitted from the account of their natal family as rendered in a fatwa. Uxorilocal marriages occurred when women inherited land (or expected to, in the absence of male heirs),²⁷ and in such cases a fatwa could omit mention of an in-marrying man since he was not one of the members of the household through whom its property and land were transmitted. An estimated 20 percent of conjugal pairs had only female heirs.²⁸

THE CONCEPT OF THE HOUSEHOLD

The Egyptian concept of the household was similar to that found in many other cultures, in which it has been understood “as consisting of those depending on one head and sharing the same stock of food.”²⁹ The term most often used in the fatwas for household in this sense is *ma^ʿisha*: a family living as a household were usually described as being “in a single household” (*fī ma^ʿisha wāḥida*). *Ma^ʿisha* also means “subsistence,” and there are some additional references to joint subsistence. A man who remained in his father’s household was described as “eating and drinking” in it, a blind man who joined his brother’s household as a dependent was said to have begun “to eat and drink” there, and when a household of two brothers split it was said that “they separated from one another in food and drink.”³⁰

A word used less often was *ʿāʾila*, a rather elastic term that can mean “family” in different senses as well as “household.” Two brothers who continued working together without dividing the property and land of their father were described redundantly as in a single household (*ma^ʿisha wāḥida*) and a single family/household (*ʿāʾila wāḥida*), and three brothers who joined their four nephews to form a household were described as working “as a single family/household” (*ʿāʾila wāḥida*).³¹

The term *ʿāʾila* was employed more often to connote dependence. Children, including adult sons, who lived in their father’s household, were described as being “in his family/household” (*fī ʿāʾilatihi*), the expression signaling their status as dependents of the household head. A redundantly worded fatwa shows this quite clearly by describing a man in the question as having been “in the household (*ma^ʿi-sha*) of his father and [among] his dependents” and referring to him in the answer as “in the family/household (*ʿāʾila*) of his father.”³² The same expression was used for other dependents, such as younger brothers, nephews, or an invalid or “retired” father or grandfather. Regardless of the kin relationship, all dependents were “in the *ʿāʾila*”³³ of the household head.

Although the fatwas used language referring to shared subsistence and the dependence of members on the head, there were no references to the household as a unit of production. Indeed, not every household was a productive unit. The members of some households had property or land of their own outside of what was held and managed jointly, which they had acquired through inheritance or by working on their own. In still other households, one or more members worked independently and did not contribute all of their earnings to a common fund. Moreover, not all parcels of land were farmed by single households, as some were managed jointly by separate households.³⁴

SUCCESSION OF THE HEAD AND INHERITANCE

The fatwas show that in rural Egypt the head of a household was usually the oldest capable male, and that he was usually succeeded by the next oldest, excluding non-relations. Succession was also closely related to the inheritance of land—that is, the inheritance of landholding rights, since *mīrī* land legally was not the property of its cultivators. Prior to the Egyptian land law of 1858, this distinction justified the

exemption of *mīrī* land from the Qurʾānic law of inheritance,³⁵ which requires the division of property in fixed shares among several heirs of both sexes.

The pre-1858 law gave sons priority in the inheritance of *mīrī* land rights.³⁶ Two or more sons could divide the land into equal shares, and sometimes this was done. In Egyptian joint households, however, the principle of seniority governed inheritance and succession, the land remaining undivided while successive heads controlled it. An illustration is provided by a fatwa issued in 1852 that reveals the history of a household beginning with two brothers in a *frèreche*. The older brother was survived at his death by three wives, four daughters, and a son, who were adults, and four minor daughters. The younger brother married one of the widows and took control of all of the land, livestock, and capital, while his nephew (the son of the older brother) remained in the household. When the younger brother died, he was survived by two wives and an adult daughter, and eight minor sons and daughters. At that point, his nephew took control of all of the family's land and other assets.³⁷

Recognition of the oldest capable male as head was the consistent pattern found in households of brothers,³⁸ cousins,³⁹ and uncles and nephews, regardless of whether the oldest was an uncle⁴⁰ or a nephew.⁴¹ Exceptions to the principle of seniority apparently involved the incapacity of the eldest and/or his retirement. Thus, there were households containing a father and sons in which the father designated his oldest son as the head,⁴² and others consisting of an uncle and nephews in which a younger nephew was put in charge.⁴³

The term *kabīr al-ʿāʾila*—meaning head of household, though literally “the oldest (male) in the family/household”—was current in the 19th century, as evidenced by its use in a fatwa in 1866.⁴⁴ More often, the head was identified in terms of his role as the “manager” (*al-mutaṣarrif*) of the household's affairs. The link between seniority and the managerial role is apparent in the following description of the operation of a household that appeared in a fatwa issued in 1851, concerning:

two brothers whose father died and left them a legal inheritance of goods, immovables, land, livestock, and so on; and no division [of that estate] between them occurred, and they continued in a single household (*maʿisha*) and a single family (*ʿāʾila*), and all of their income in the household (*maḥall*) was shared between them; and they began to acquire new goods and properties, while one of them entrusted the management (*al-taṣarruf*) to the other because he was older than he. . . .⁴⁵

In another case, the oldest brother in a *frèreche* was described as “the leader” (*al-mutaqaddim*).⁴⁶

Some fatwas corroborate this observable pattern by stating that customarily the oldest male succeeded the head of a household and all of the family's land was registered in his name. The land registers were important in proving one's right to land, since plots had begun to be recorded in the names of individual holders in the cadaster of 1813–14.⁴⁷ Registration of the land of a family in the name of its head merely reflected his control of its resources. In a case already cited it was stated that the land of a *frèreche* was registered in the name of “the oldest (*kabīr al-ʿāʾila*) . . . in accordance with the practice of minor and adult children,” although the brothers were adults by then. In 1880, another fatwa noted that this was done “according to the custom.”⁴⁸ The fatwas contain additional references to households

of brothers, uncles and nephews, and cousins, the land of which was registered in the name of one of them.⁴⁹

Women also inherited land rights and headed households, although in every case found this was due to the absence of a capable male within the household. In Ottoman law and Egyptian practice, the substitution of a female in the absence of a male heir to land was permitted, and this meant in effect that she became the household head. To judge from the fatwas and other evidence, the female successors were usually adult daughters or widows with minor children and nearly always in simple households.⁵⁰ An example occurred in a fatwa issued in 1854 involving the household of a man who died leaving a house, a mill and other property, and some *mīrī* land, and who was survived by his wife, a son, and two daughters, all of the children being minors. The estate of the deceased remained undivided, and his widow kept possession of the land, using the profit from the estate to build a waterwheel. After her death, her son, now an adult, took over the management role, succeeding his mother as the household head.⁵¹ Women as landholding household heads appeared often in the fatwas, perhaps because their rights were often challenged by male relatives. Since a fifth of conjugal pairs may have had only female heirs, female-headed households cannot have been extremely rare.⁵²

THE JOINT HOUSEHOLD CYCLE AND ECONOMIC STRATEGIES

James Lee and Jon Gjerde have devised a model joint household cycle consisting of six stages. It begins with a simple family household consisting of a married couple and children. In stage 2, the sons bring wives into the household, transforming it into a joint household. In stage 3, the household is a *frèreche*, consisting of brothers, after the father dies. In stage 4, the household consists of uncles and nephews after the death of one or more of the brothers. Stage 5 is a household of cousins, and in stage 6 it splits into simple family households.⁵³

Some Egyptian households passed through all of the stages described by Lee and Gjerde. A fatwa issued in 1855 concerned a household that had begun, years earlier, with a man and two sons. The sons remained together after the death of their father. The first of the brothers to die was survived by a minor son who remained in the household with his uncle. When the uncle (the second brother) died, he was survived by two sons, who remained for a time in the same household with their older cousin, until he sought to separate.⁵⁴ If all three cousins were married, the result was one simple family household and one *frèreche*.

To be sure, not all joint households were formed in conformity with Lee and Gjerde's model. Some were formed when related but previously separate simple households pooled their resources and began to eat from the same pot. A decision in 1866 involved the equivalent of a fourth-stage joint household, formed when three brothers and their paternal uncle "combined in one household and one work effort." None of them owned any property beforehand, but together they eventually acquired a house, two-thirds of a mill, and a piece of *mīrī* land.⁵⁵ In 1859 the mufti decided another case involving a joint household that was formed after a man married the widow of his cousin. The woman brought with her a minor son from her previous marriage, and bore three more sons to her new husband. He also took a

second wife and had a fourth son by her. After his death, his sons remained with their cousin for some years in the equivalent of a fifth-stage joint household (assuming they were married), working together, and accumulating additional land, livestock, and buildings until deciding to separate.⁵⁶

The cases just mentioned suggest that differing economic circumstances promoted the formation of joint households in rural Egypt—or to put it differently, that joint household formation served certain economic “strategies,” the purpose of which was to insure the continuity of a lineage and the preservation or improvement of its status.⁵⁷ The second and third cases are suggestive of the labor economy that could be achieved within larger households, as noted by Bates and Rassam. A similar advantage could be gained by combining relatively small amounts of land and capital. Hence, the persistence of the *frèrèche* in al-Sharqiyya province in the 1930s was explained in terms of the brothers’ desire not to divide the land of their father but to keep it as a single unit.⁵⁸

The third case also suggests that in some situations the need to provide for relatives who were young, old, infirm, or simply needy resulted in the formation of “extended”⁵⁹ as well as joint households. In it a widow with a minor child was left a legacy of only a small house. Marriage was a way to include her and her son in the household of her late husband’s cousin. Earlier, several other cases were cited in which a man took in his aged father, a brother, or other relatives as dependents.

In all three of these cases, the maintenance of a joint household from one generation to the next also seems to have involved a “strategy of heirship,” to borrow Jack Goody’s term.⁶⁰ This strategy appears to have stemmed from two realities. One was the system of devolution of land rights in which only sons were assured of inheritance, and the other was the probability of a family not having male heirs.

Miri land, it will be recalled, was not owned by its cultivators until its conversion into property during the last quarter of the nineteenth century. Before 1858, in law and Egyptian custom, sons alone had an unquestioned right to inherit land rights. Although female heirs could and did inherit in the absence of sons, there was no guarantee of that in law or in practice.⁶¹ In the absence of male heirs, and regardless of whether there were female heirs or none at all, the land was reassigned by a local official (a village shaykh or a provincial official). The recipient was usually from the same village, and perhaps a relative of the former holder, but not always a close relation. Even when the official allowed a daughter to inherit land, eventually she would pass it on to her and her husband’s children, and it would be lost to the male lineage of her natal family. This seems to be the reason why many suits challenging the rights of women to land came from male agnatic relatives.⁶²

Because an estimated one-fifth of conjugal pairs had only female heirs, while another fifth had no heirs at all,⁶³ simple family households ran a higher risk of not having male heirs than joint family households. In a household containing more than one conjugal pair of child-bearing age, as in a *frèrèche*, the risk was progressively reduced with each additional pair. If one of the pairs had no male heirs, no land was lost to the lineage. Since there was no division of land and property within the household, a single male heir would suffice for its perpetuation and the preservation of its land. To judge from recent studies, households of brothers, uncles and nephews, and cousins were more likely to split after two or more of the conjugal pairs

had mature sons.⁶⁴ Indeed, it seems that in most of the cases found, joint households such as these split after a period of time together, which suggests that the maturation of sons was an important factor in the timing.

Duben found a different pattern in rural Turkey, where it appeared that households of brothers split “upon, or soon after, the death of the patriarch.” He attributed this to a relative abundance of land—the brothers could enlarge their holdings “by plowing under pasturage . . . adjacent to their villages.”⁶⁵ Egyptian villagers could not enlarge their holdings that easily. Whereas most agriculture in Turkey is irrigated by rain and snow, in Egypt it is entirely dependent on artificial irrigation. To be made productive, uncultivated land in Egypt either had to have water brought to it or, in the northern Delta, drained from it. The erection of dikes, the excavation of canals and wells, and the building of waterwheels were beyond the means of all but the wealthiest, and, of course, the state. Although the cultivated area expanded in the 19th century, most of the new lands became estates of the elite. In the second half of the century, the overall land-to-population ratio declined due to demographic growth, and the amount of *miri* land declined absolutely due to the conversion of some of it into estates.⁶⁶ In Egypt, unlike Turkey, land for villagers was scarce and became more so during the 19th century.

THE AUTHORITY OF THE HOUSEHOLD HEAD

In his memoirs, Ahmad Shafiq recalled the father–son relationship in his natal home, an end-of-the-century upper-class urban household:

The respect of children for their parents was great, for in the morning I used to go to my father and kiss his hand, and I would not sit until he gave me permission. My older brother did not smoke in his father’s presence up to his death, even though he was an adult. A son would reside in the family house even though he was married, or an official [i.e., earning an independent income], without paying anything of the expenses; that was the responsibility of the master of the family (*rabb al-usra*). As for the salary of the son, it was left to him to spend on his personal needs, and the expense of supporting his wife was like that. Every son had his own wing of the house in which to reside along with his wife, among the [larger] family.⁶⁷

The retrospective tone indicates that by the 1930s, when Shafiq wrote this, large joint family households were no longer typical of his class. The other remarkable thing about this passage is the way it illustrates how the authority of a household head was related to the wealth and structure of the household.

Wealthy families tended to form joint households in part because they possessed sufficient resources to support a large number of people. Similarly, the authority of the head derived in part from control of those resources. In contrast, the poorest families had too few resources to permit the formation of joint households. In the 1880s, for example, Wallace depicted a typical poor villager as a landless sharecropper who owned neither livestock nor any of the larger agricultural implements, and who presided over a simple household consisting of only his mother, his wife, and their children. This tallies with Wendell Cleland’s conclusion, based on the 1927 census, that the “average” peasant family, who did not own enough land to support

themselves, numbered five and consisted of a conjugal pair with either three children or two children and a dependent adult.⁶⁸

As for the effect of structure on authority, in the fatwas there is a strong contrast between joint households consisting of fathers and sons, on the one hand, and of brothers, uncles and nephews, or cousins, on the other. In the former type, the patriarch's control of all or nearly all resources and his sons' dependence is as evident as it is in Shafiq's memoirs, whereas in the latter there is greater equality among the adult male members of the household. A dependent son in his father's house owed him obedience (*ṭāʿa*).⁶⁹ If he lived in his father's household, worked with him, and had no land or capital of his own, legally he was regarded as "assisting" his father (*muʿīn la-hu*): he had no claim to the land and property of the household or to the fruits of his labor.⁷⁰

Three kinds of cases illustrated that relationship. First, there were suits raised by the widows of men who were survived by their fathers, in which the women claimed that they were owed something as an inheritance and/or for the remainder of the bridal gift.⁷¹ If the deceased had no property of his own and had been "assisting" his father, then legally he left no estate. Everything belonged to his father, who was not obliged to compensate the widow of his son.⁷² The same principle applied to other dependents such as brothers, "retired" fathers, and other relations.⁷³ The second kind of case concerned the departure of a son from his natal household. Sometimes these were amicable separations in which the father ceded land to his son or gave him a draft animal or other property.⁷⁴ At other times an independent son (or one desiring to be) demanded some of the property and land of his natal household and was opposed by his father. These claims were always ruled invalid.⁷⁵ The third kind of case illustrates the ability of a patriarch to control the marriage of his dependents. There are references to household heads as the ones who "married" (*zawwaja*) a son or a dependent brother to a wife, and one case reveals the frustration of a man who could not marry because his father would not pay for his bridal gift and wedding banquet.⁷⁶ Having no assets of their own, dependent males needed the agreement of the household head, who controlled the family's resources, to marry.

Power was potentially less concentrated when brothers remained together after their father's death, since each was due an equal share in the family's land and property. Legally, if adults, any of the brothers could leave and take his share. The same was true of households consisting of uncles and nephews, or cousins, provided that each was an adult and had rights to the jointly held land and property.

This difference is illustrated well in fatwas concerning disputes that arose when households of the latter type split. In one case, it was established that after the death of their father three brothers "began to work and earn together while in a single household." What they accumulated was theirs jointly, and when the eldest, acting as their agent, bought a portion of a house with these funds, the contract was written in the names of all of them.⁷⁷ In other examples, a man in a household together with his sons and nephews were described as being "one hand" in income and expenses, and three brothers who joined their uncle in a single household also combined in "a single work effort" (*ʿamal wāḥid*).⁷⁸ The members of such households were said to have "a single income" (*kasb wāḥid* or *iktisāb wāḥid*).⁷⁹ For them, marriage decisions were subject to the agreement of the others who had rights to the jointly held

capital, since a portion of it would have to be spent for the bridal gift and ceremony.⁸⁰ Nevertheless, in households such as these, the oldest male was usually the head, and this gave him a degree of authority that he could abuse. He might utilize the family's joint capital for his own benefit,⁸¹ or when the household split, he might demand most of the land simply on the basis that he was the oldest.⁸²

Since the other members of the household could protect their rights by recourse to the law, as the fatwas show, the law and the extent of its enforcement must be counted as also affecting the authority of household heads. Beginning in the 1850s, the law affecting inheritance and household formation was reformed. The notables, who had every interest in protecting their positions as the heads of large joint households, played a role in the reform process.

THE JOINT HOUSEHOLD AND THE LAND LAWS OF 1858 AND 1869

The participation of the notables in the law reform process was a consequence of their recruitment into the agrarian administration since the beginning of the 19th century. There also was a tradition of consulting with them on matters affecting agriculture and the rural society. Hence, it is not surprising that the interests of the notables were reflected in the laws of 1858 and 1869 insofar as they sought to strengthen the joint household and to increase the authority of its head.

The influence of the notables on the drafting of the 1858 law may be inferred from the preamble, which states that it was drawn up by the judicial-administrative council *Majlis al-Aḥkām*, and that the provincial governors, among others, were consulted. *Majlis al-Aḥkām* was comprised of notables as well as high government officials,⁸³ and some of the provincial governors were also leading notables, like al-Sayyid Abaza Bey and Hasan al-Sharīci Bey.⁸⁴ The role of the notables in the writing of the 1869 law requires no inference at all, for it was proposed by the Assembly of Delegates (*Majlis Shūrā al-Nuwwāb*), a body comprised nearly entirely of notables.⁸⁵

A famous provision of the 1858 law was the application of the Qurʾānic inheritance law to *mīrī* land (Article I),⁸⁶ whereas previously sons had been given priority in inheritance. This was not as revolutionary as it might seem, since Article II endorsed the custom of nondivision associated with the joint household. Families that did not divide their land after the death of the household head but continued to live together under the direction of the oldest male were permitted to continue to do so. They were to record the shares of land due each member in a notarized document, and all of the land would continue to be registered in the name of the head.

This was the first time that the joint household was mentioned in Egyptian law, and the purpose was to strengthen it and to reinforce the authority of its head, especially when it consisted of brothers, uncles and nephews, and cousins. It did so by forbidding the younger men to separate without a "clear, blameless excuse," which had to be verified. This was "in order not to break up the family (*ʿāʾila*), and not to have the prosperity of the household (*ʿumariyyat al-maḥall*) decline, out of fear of the division of the rest of the family and the ruin of the house (*bayt*)."

Why, it may be asked, was the joint household in need of strengthening? The answer appears to lie in the economic and demographic trends of the mid-century.

This was a time of prosperity, especially for the notables, and of demographic growth.⁸⁷ The decline in mortality meant that more male children survived to adulthood, although in a joint household only one, the oldest, would be the head. This may have increased tensions and the likelihood of early splits in households of brothers, uncles and nephews, or cousins. The upward trend in agricultural prices would have encouraged this by making smaller landholdings economically more viable. This period has been seen as one in which the notables flourished, beginning to consolidate themselves as a class,⁸⁸ yet paradoxically it seems that the conditions favoring that also threatened the coherence of the large joint households through which the notables reproduced their economic and political status. They responded by attempting to impede the splitting of households and to enhance the authority of household heads—that is, of themselves.

Article II of the 1858 law proved inadequate, and so in 1869 the Assembly of Delegates decided to forbid the division of land in inheritance, to bestow formally upon the household head the right to manage the family's jointly held land and property, and in the system of succession to abandon the principle of seniority for primogeniture.⁸⁹ The resulting law stated that it was issued to solve the problem of "the continuation of the establishment of [separate] houses by the members of [existing] households,"⁹⁰ and it contained the three provisions mentioned earlier. It deleted the section of Article II of the 1858 law that had restricted the ability of younger males to leave a household, thereby leaving no legal means by which that could be done, and in effect imposing a regime of impartible inheritance in *mīrī* land. Second, it gave the head of household responsibility for the comportment of the other members and granted him absolute authority over the other men in farming. Third, it specified the oldest son as the successor of the head instead of the oldest male.

Yacoub Artin, an Ottoman-Egyptian official and no admirer of the notables, noted in this context that the division of the land of a household was "contrary . . . above all to the interests of the *shaykhs al-balad* and *ʿumdas*, whose power lay in their landed wealth, and who dreaded above all the fragmentation of their lands, for fear of losing part of their influence."⁹¹ This, indeed, seems to have been the motive behind Article II of the 1858 law as well as the 1869 law.

It is at present impossible to tell whether or not this attempt to modify the prevailing system of inheritance, authority, and succession in rural households met with any success. If it did, its effect may have been attenuated by a decree in 1881 that required the separate registration of the Qurʾānic shares of land due each family member.⁹² Subsequently, the land settlement under British rule, in which *mīrī* holdings were declared to be privately owned property, subjected agricultural land once and for all to partible inheritance in accordance with Qurʾānic law.

CONCLUSION

This essay has described the household formation system in 19th-century rural Egypt. As in other agrarian societies, households in Egypt were understood in terms of joint subsistence and dependence. Patrilineal succession of household heads and inheritance of land was the norm. Due to their small size, simple family households ran a greater risk than joint family households of not having male heirs and, thus,

of the loss of their land to the lineage. This seems to have provided an incentive for households of brothers, uncles and nephews, and cousins to remain together at least until they had mature sons.

Egypt's rural notables appear to have reproduced their political and economic status in part through the maintenance of large joint households, which among other things enabled them to avoid the fragmentation of land through inheritance. Although this is consistent with a correlation observed in other societies between wealth or resources controlled and joint household formation, it does not mean that only the notables (or only the wealthiest families) formed joint households.

Presumably a less wealthy landholding family would be just as concerned with reproducing or improving its status and would also resort to a strategy of keeping a household of brothers, uncles and nephews, or cousins together until there were mature sons. In addition, and as was mentioned earlier, joint household formation served other economic "strategies" of interest to the less well-off, such as the achievement of labor economy.

The behavior of the wealthier strata may also have affected cultural preferences generally, as Wheaton has suggested for Europe:

Since the social preferences of persons with property are often emulated by those beneath them, they have a disproportionate influence throughout the society. If the wealthier members of a society show a preference for a complex type of household structure, this household type acquires a certain prestige, and we can argue that the society has a bias toward it, although its numerical incidence may be relatively slight.⁹³

Thus, it is likely that a joint household formation system prevailed in 19th-century rural Egypt. That is not to say that a majority of households was joint, which is unlikely, but that most persons were members of a joint household at some point in their lives.⁹⁴

If there was a societywide tendency to form joint households, the households formed by the rural notables appear to have been among the largest and most enduring, and after the middle of the century they influenced the legislative process to protect and strengthen the household against the effects of economic and demographic change. This response contradicts the linear models of social change that scholars have often applied to Egypt, according to which market forces dissolved traditional, communal forms of social organization and landholding.

Once partible inheritance was established in law, there were still various means by which rural families could avoid the fragmentation of their holdings. At least some notable families continued the practice of not dividing their land, albeit in modified form. Hawa Idris told Eric Davis that in the early 20th century, in families such as hers (the Sultan-Sha^crawi family), the land of deceased members was not immediately divided among their heirs. "Instead the [entire extended] family met, usually after a period of . . . as long as twenty years, and distributed all of the land of the deceased."⁹⁵ This was perfectly legal, provided that all the heirs consented. Female heirs now received land. However, marriage strategies were adjusted accordingly, so that "pressures were exerted upon all members of the family to marry within the extended family network as opposed to marrying into other large landowning families."⁹⁶

There is no reason to presume that patterns of marriage, including the incidence of first-cousin marriage, were unchanging before 1900—no more so than for presuming that patterns of household formation were immutable. These and other behaviors are likely to have been adjusted as the economic, demographic, and legal circumstances changed. What seems to have been a consistent factor was the ingenuity of many families in avoiding the fragmentation of their lands.

NOTES

Author's note: A very early version of this essay was presented at the Middle East Studies Association annual meeting at Research Triangle Park, N.C., 1993. I am grateful to Beshara Doumani, the Social History Group of UIUC, and the anonymous readers for *IJMES* for their comments on successive drafts, although I alone am responsible for the content of this essay.

¹Two influential works published under the aegis of the Cambridge Group for the History of Population and Social Structure are by Peter Laslett and Richard Wall, ed., *Household and Family in Past Time* (Cambridge: Cambridge University Press, 1972), and Richard Wall, Jean Robin, and Peter Laslett, ed., *Family Forms in Historic Europe* (Cambridge: Cambridge University Press, 1983). An important volume that examines European family forms in relation to inheritance is by Jack Goody, Joan Thirsk, and E. P. Thompson, ed., *Family and Inheritance: Rural Society in Western Europe 1200–1800* (Cambridge: Cambridge University Press, 1976). The *Journal of Interdisciplinary History* devoted two issues to the family: 2, 2 (1971) and 5, 4 (1975). Since its inception in 1976, the *Journal of Family History* has become the main forum for this field, although not the only one. Some recent assessments of trends and issues are by Lawrence Stone, “Family History in the 1980s: Past Achievements and Future Trends,” *Journal of Interdisciplinary History* 12, 1 (1981): 51–87; Tamara K. Hareven, “The History of the Family and the Complexity of Social Change,” *American Historical Review* 96, 1 (1991): 95–124; and Richard L. Rudolph, “The European Family and Economy: Central Themes and Issues,” *Journal of Family History* 17, 2 (1992): 119–38. A concise introduction is Michael Anderson, *Approaches to the History of the Western Family, 1500–1914* (London: Macmillan, 1980).

²Judith Tucker, “The Arab Family in History: ‘Otherness’ and the Study of the Family,” in *Arab Women: Old Boundaries, New Frontiers*, ed. Judith Tucker (Bloomington: Indiana University Press, 1993), 195. Other recent studies of family history in the Middle East include Tucker, “Marriage and the Family in Nabulus, 1720–1856: Toward a History of Arab Marriage,” *Journal of Family History* 13, 2 (1988): 165–79; Alan Duben, “Turkish Families and Households in Historical Perspective,” *Journal of Family History* 10, 1 (1985): 75–97; idem, “Understanding Muslim Households and Families in Late Ottoman Istanbul,” *Journal of Family History* 15, 1 (1990): 71–86; Haim Gerber, “Anthropology and Family History: The Ottoman and Turkish Families,” *Journal of Family History* 14, 4 (1989): 409–21; and Alan Duben and Cem Behar, *Istanbul Households: Marriage, Family and Fertility, 1880–1940* (Cambridge: Cambridge University Press, 1991).

³John Hajnal, “Two Kinds of Pre-Industrial Household Formation System,” in Wall et al., *Family Forms*, 68; see also E. A. Hammel and Peter Laslett, “Comparing Household Structure Over Time and Between Cultures,” *Comparative Studies in Society and History* 16, 1 (1974): 75–78.

⁴Hajnal, “Two Kinds,” passim; and Peter Laslett, “Family and Household as Work Group and Kin Group: Areas of Traditional Europe Compared,” in Wall et al., *Family Forms*, 513–63.

⁵Hajnal, “Two Kinds,” 69.

⁶See William J. Goode, *World Revolution and Family Patterns* (New York: The Free Press, 1963), 123 ff.; Karen Kay Petersen, “Demographic Conditions and Extended Family Households: Egyptian Data,” *Social Forces* 46, 4 (1968): 531–37; Daniel Bates and Amal Rassam, *Peoples and Cultures of the Middle East* (Englewood Cliffs, N.J.: Prentice-Hall, 1983), 147, 196; Haim Gerber, “Anthropology and Family History,” passim; and Kapur S. Ahlawat and Ali S. Zaghaf, “Nuclear and Extended Family Attitudes of Jordanian Arabs,” *Marriage and Family Review* 14, 1–2 (1989), 252.

⁷Duben, “Turkish Families and Households,” 81.

⁸*The Census of Egypt Taken in 1917*, 2 vols. (Cairo: Government Press, 1920–21), 2:Table 28, 670–71.

⁹A joint household can contain no less than four members, and the incidence of joint households is expected to have increased along with household size. A polygynous household *with no more than one married male* is not a joint household in the definition accepted herein. Such households may have been among the larger ones, although polygyny does not appear to have been widespread in the 19th century and has declined since 1900. In 1917, up to 4.8 percent of Egyptian husbands may have been polygynous, although Goode regards this as a “dubious” estimate because it is based on “the number of ‘surplus’ wives in the census—that is, the number of married women reported in the census as against the number of married men” (Goode, *World Revolution*, 104).

¹⁰See Afaf Lutfi al-Sayyid Marsot, “The Revolutionary Gentlewomen in Egypt,” in *Women in the Muslim World*, ed. Lois Beck and Nikki Keddie (Cambridge, Mass.: Harvard University Press, 1978), 265, 275 n. 5; also Aḥmad Shafiq, *Mudhakkirātī fī niṣf qarn*, 2 vols. (Cairo: Maṭbaʿat Miṣr, 1934), 1:49–50. Nowadays urban extended families may reside in adjacent or nearby apartments, often within the same building, which they may own. Although a discussion of this is also beyond the scope of this essay, it illustrates the point that the members of a household live within a set of familial and other social relations extending well beyond formal household boundaries.

¹¹Judy Brink, “Changing Extended Family Relationships in an Egyptian Village,” *Urban Anthropology* 16, 2 (1987), 137.

¹²Kenneth M. Cuno, *The Pasha's Peasants: Land, Society, and Economy in Lower Egypt, 1740–1858* (Cambridge: Cambridge University Press, 1992), 85–99, 166–78.

¹³Hekekyan Papers, 3, British Museum add. mss. 37450, 195.

¹⁴D. MacKenzie Wallace, *Egypt and the Egyptian Question* (London, 1883), 187–92.

¹⁵Cuno, *The Pasha's Peasants*, 176–77.

¹⁶Charles D. Smith, *Islam and the Search for Social Order in Modern Egypt: A Biography of Muḥammad Husayn Haykal* (Albany: State University of New York Press, 1983), 33–34.

¹⁷Robert Wheaton, “Family and Kinship in Western Europe: The Problem of the Joint Family Household,” *Journal of Interdisciplinary History* 5, 4 (1975): 610.

¹⁸Bates and Rassam, *Peoples and Cultures*, 147–58; quote 151.

¹⁹*Al-Fatāwā al-mahdiyya fī al-waqāʿ al-miṣriyya*, 7 vols. (Cairo: al-Maṭbaʿat al-Azhariyya, 1883–86) (hereafter cited as FM, followed by vol. no.:page, and date of the fatwa. On al-Mahdi, see Cuno, *The Pasha's Peasants*, 8. On fatwas generally, see Wael B. Hallaq, “From *Fatwās* to *Furūʿ*: Growth and Change in Islamic Substantive Law,” *Islamic Law and Society* 1, 1 (1994): 1–33.

²⁰For a description of this source, see Cuno, *The Pasha's Peasants*, 6–7.

²¹A note on the population registers is in preparation with Michael Reimer.

²²See Stephen Humphreys, *Islamic History: A Framework for Inquiry* (Princeton, N.J.: Princeton University Press, 1991), 217–18; also Haim Gerber, *State, Society, and Law in Islam: Ottoman Law in Perspective* (Albany: State University of New York Press, 1994), chap. 3.

²³See Cuno, *The Pasha's Peasants*, 8–9.

²⁴*Ibid.*, 149, 157–65.

²⁵FM 2:439, 13 Muharram 1295; also Muḥammad Amin Ibn ʿĀbidīn, *Radd al-muhtār ʿalā al-durr al-mukhtār ʿalā maṣn tanwīr al-abṣār*, 3d ed., 5 vols. (Bulaq: al-Maṭbaʿat al-Kubrā al-Amiriyya, 1881–82), 3:467. On the proprietary partnership, see Abraham L. Udovitch, *Partnership and Profit in Medieval Islam* (Princeton, N.J.: Princeton University Press, 1970), 23–25.

²⁶FM 2:322, 4 Dhu al-Qaʿda 1267; 390, 25 Rabiʿ I 1274; 397, 23 Dhu al-Qaʿda 1274, and 4:581–82, 13 Rabiʿ I, 1270. Only the last of these cases involved land, which was not subject to Qurʾānic inheritance law until the late 19th century. Modern village women “may turn over their shares [of land] to their brothers. They do so as a means of social insurance against their husbands’ maltreatment, divorce, or old age” (Soheir Morsy, “Sex Differences and Folk Illness in an Egyptian Village,” in Beck and Keddie, *Women in the Muslim World*, 606).

²⁷An example occurs in FM 2:301, 16 Rabiʿ I 1266.

²⁸Jack Goody, “Strategies of Heirship,” *Comparative Studies in Society and History* 16 (1973): 16.

²⁹Hajnal, “Two Kinds,” 67, 99–100.

³⁰FM 2:303, 27 Rabiʿ II 1266; 303, 25 Rabiʿ II 1266; 69, 10 Jumada II 1266.

³¹FM 2:322–23, 15 Dhu al-Qaʿda 1267; 388, 15 Dhu al-Hijja, 1273. Other examples of this usage are FM 2:400, 13 Ramadan 1275; and 401–2, 18 Shawwal 1275.

³²FM 2:302, 4 Rabi^c II 1266. Also see 301, 16 Rabi^c I 1266; 303, 27 Rabi^c II 1266; 304, 14 Rajab 1266; 316, 2 Rabi^c II 1267; and 320, 20 Sha^cban 1267.

³³Brothers: FM 2:303, 21 Jumada I 1266; 312, 7 Safar 1267; 344–45, 1 Sha^cban 1270; 381, 16 Jumada II 1273; 389, 9 Rabi^c I 1274. Nephews: FM 2:309, 6 Dhu al-Hijja, 1266; and 401, 18 Shawwal 1275. Fathers: FM 2:303, 25 Rabi^c II 1266; 342, 23 Muharram 1270; 343, 6 Rabi^c I 1270; 413–14, 21 Jumada I 1281; 420, 14 Jumada I 1282; and FM 4:550, 18 Rabi^c II 1265. Grandfather: FM 2:440–41, 22 Safar 1295.

³⁴Outside property or work: FM 2:316, 2 Rabi^c II 1267; 338, 16 Sha^cban 1269; 374, 30 Dhu al-Hijja 1272; 394, 20 Shawwal 1274; 385, 17 Shawwal 1277. Joint management: FM 2:82, 14 Muharram 1267; 120, 13 Rajab 1268; 129, 26 Shawwal 1268; 140, 19 Muharram, 1269; and 440, 15 Muharram 1295. See also Hajnal, “Two Kinds,” 67.

³⁵On the history of this legal distinction see Kenneth M. Cuno, “Was the Land of Ottoman Syria *Miri* or *Milk*? An Examination of Juridical Differences within the Hanafi School,” *Studia Islamica* 81 (1995): 5–36.

³⁶I have found some exceptions in which *mīrī* land was divided in Qur²anic shares: for an extensive discussion of peasant land tenure up to the 1850s, see Cuno, *The Pasha's Peasants*, chaps. 4 and 8.

³⁷FM 2:123–24, 29 Sha^cban 1268.

³⁸FM 2:220–21, 27 Rabi^c I 1272; 287, 7 Jumada I 1265; 315–16, 30 Rabi^c I 1267; 322–23, 15 Dhu al-Qa^cda 1267; 402, 7 Dhu al-Qa^cda 1275; 416–17, 28 Muharram 1281; 421, 4 Ramadan 1282; 423, 15 Muharram 1283; 439–40, 13 Muharram 1295; 442–43, 15 Ramadan 1297.

³⁹FM 2:123–24, 29 Sha^cban 1268; 4:589, 6 Rabi^c I 1271.

⁴⁰FM 2:123–24, 29 Sha^cban 1268; 190–91, 19 Dhu al-Qa^cda 1270; 281–82, 20 Dhu al-Qa^cda 1264.

⁴¹FM 2:331, 25 Sha^cban 1268; 421–22, 6 Shawwal 1282.

⁴²FM 2:333, 29 Shawwal 1268; 344, 6 Jumada I 1270; 379–80, 6 Rabi^c II 1273.

⁴³FM 2:282, 20 Dhu al-Qa^cda 1264.

⁴⁴FM 2:421, 4 Ramadan 1282.

⁴⁵FM 2:322–23, 15 Dhu al-Qa^cda 1267.

⁴⁶FM 2:315–16, 30 Rabi^c I 1267.

⁴⁷Cuno, *The Pasha's Peasants*, 67.

⁴⁸FM 2:421, 4 Ramadan 1282; 442–43, 15 Ramadan 1297. A third example is FM 2:402, 7 Dhu al-Qa^cda 1275.

⁴⁹FM 2:43, 5 Jumada II 1265; 123–24, 29 Sha^cban 1268; 190–91, 19 Dhu al-Qa^cda, 1270; 218–19, 3 Rabi^c I 1272; 225, 8 Dhu al-Qa^cda 1272; 234–35, 9 Rabi^c I 1273; 236, 16 Rabi^c I 1273; 247–48, 20 Shawwal 1273; 421–22, 6 Shawwal 1282.

⁵⁰Cuno, *The Pasha's Peasants*, 75–76.

⁵¹FM 2:350–52, 1 Rabi^c I 1271.

⁵²Goody, “Strategies,” 16. The number of female-headed households would also have been affected by such factors as divorce, the return of divorcees and widows to the household of a male relative, and the maintenance of joint households.

⁵³James Lee and Jon Gjerde, “Comparative household morphology of Stem, Joint and Nuclear Household Systems: Norway, China, and the United States,” *Continuity and Change* 1, 1 (1986): 92–95.

⁵⁴FM 2:207, 24 Ramadan 1271. For similar cases, see FM 2:400–401, 6 Shawwal 1275 and 420, 20 Rajab 1282.

⁵⁵FM 2:421–22, 6 Shawwal 1282.

⁵⁶FM 2:403–4, 21 Rabi^c I, 1276.

⁵⁷Anderson, *Approaches*, 65 ff.; and Goody, “Strategies,” 4.

⁵⁸Abbas Ammar, *A Demographic Study of an Egyptian Province (Sharqiya)* (London: London School of Economics, 1942), 49.

⁵⁹In the terminology of Hammel and Laslett, one conjugal unit plus unmarried relatives other than children.

⁶⁰See note 28.

⁶¹One indication of this is the greater care taken to document how women acquired their land.

⁶²Cuno, *The Pasha's Peasants*, 76. Some suits were raised many years after a woman inherited, probably due to the maturation of a son.

⁶³Goody, “Strategies,” 16.

⁶⁴Brink, "Changing Extended Family Relationships," 136.

⁶⁵Duben, "Turkish Families and Households," 83–84.

⁶⁶Cuno, *The Pasha's Peasants*, 157–65. For data on land and estimates of population, see Gabriel Baer, *A History of Landownership in Modern Egypt 1800–1950* (Oxford: Oxford University Press, 1962), 20 (Table 1); and Justin McCarthy, "Nineteenth-Century Egyptian Population," *Middle Eastern Studies* 12, 3 (1976): 20, 25 (Tables 12 and 20).

⁶⁷Shafiq, *Mudhakkirātī*, 1:49–50.

⁶⁸Wallace, *Egypt and the Egyptian Question*, 176–87; Wendell Cleland, *The Population Problem in Egypt: A Study of Population Trends and Conditions in Modern Egypt* (Lancaster, Pa.: Columbia University, 1936), 74 n. 5, 94.

⁶⁹FM 2:424–25, 4 Dhu al-Qa^cda 1283.

⁷⁰A son might inherit or acquire property of his own, however (FM 2:302, 4 Rabi^c II 1266; 304, 14 Rajab 1266; and 316, 2 Rabi^c II 1267).

⁷¹Customarily, a man would pay part of the bridal gift to his wife when they married and owe her the remainder, which would be paid from his estate along with any other debts before its division (Judith Tucker, *Women in Nineteenth-Century Egypt* [Cambridge: Cambridge University Press, 1985], 45).

⁷²FM 2:303, 27 Rabi^c II 1266; 307, 27 Shawwal 1266; 313, 10 Safar 1267; and 324, 9 Muharram 1268. See also Tucker, *Women*, 46–47.

⁷³Brothers: FM 2:312, 7 Safar 1267; 344–45, 1 Sha^cban 1270; 381, 16 Jumada II 1273. Fathers: FM 2:341–42, 23 Muharram 1270; and 343, 6 Rabi^c I 1270. Relatives: FM 2:325, 19 Muharram 1268.

⁷⁴FM 4:559, 13 Rabi^c I 1266; 565, 17 Safar 1267; 595, 25 Safar 1272; 595–96, 5 Rabi^c I 1272.

⁷⁵FM 2:320, 20 Sha^cban 1267; 346, 7 Shawwal 1270.

⁷⁶FM 2:331, 11 Sha^cban 1268; 344–45, 1 Shawwal 1270; FM 4:601, 21 Muharram 1273.

⁷⁷FM 2:323, 15 Safar 1283.

⁷⁸FM 2:282, 20 Dhu al-Qa^cda 1264; 421–22, 6 Shawwal, 1282. See also the example immediately above and FM 2:304, 5 Rajab 1266; 399, 17 Jumada I 1275; and 424, 22 Sha^cban 1283.

⁷⁹FM 2:147–48, 22 Safar 1269; 155, 18 Rabi^c II 1269; 218–19, 3 Rabi^c II 1272; 355, 25 Jumada I 1271; 387–88, 4 Dhu al-Hijja 1273; and 400–401, 6 Shawwal 1275.

⁸⁰FM 2:334, 10 Dhu al-Qa^cda 1268; 359, 11 Shawwal 1271.

⁸¹FM 2:339–40, 13 Shawwal 1269; 340, 5 Dhu al-Qa^cda 1269; 353, 1 Jumada I 1271; 362, 28 Dhu al-Hijja 1271.

⁸²FM 2:323, 1 Dhu al-Hijja 1267; 335–36, 3 Rabi^c I 1269; 339, 10 Shawwal 1269; 346, 11 Shawwal 1270; 346, 4 Dhu al-Qa^cda 1270; 386, 4 Dhu al-Qa^cda 1273; 391–92, 9 Jumada I 1274.

⁸³During 1856–60 it was composed of eleven notables (a^cyān) and nine high officials (dhawāt), although the latter may also have included some men from notable families (ʿAbd al-Raḥmān al-Rāfi^cī, *ʿAṣr Ismāʿīl*, 2d ed., 2 vols. [Cairo: Maṭbaʿat al-Nahḍa al-Miṣriyya, 1948], 1:46–47).

⁸⁴Respectively, the governor of al-Buhayra province during 1856–58, and the governor of al-Daqahl-iyya province in 1858 and then of al-Jiza province during 1858–63 (Amīn Sāmī, *Taqwīm al-nīl*, 3 vols. [Cairo: Dar al-Kutub, 1915–36], 1, part 3:234. On these and other notable families, see F. Robert Hunter, *Egypt under the Khedives, 1805–1879* (Pittsburgh: University of Pittsburgh Press, 1984), chap. 5.

⁸⁵On the membership of the Assembly during 1866–82, see al-Rāfi^cī, *ʿAṣr Ismāʿīl*, 2:97–99, 130–41, 174–79; and idem, *al-Thawra al-ʿurābiyya wa al-iḥtilāl al-injlīzī* (Cairo: Maṭbaʿat al-Nahḍa, 1937), 173–74.

⁸⁶The original and complete text of the 1858 law can be found in two printed sources, Muḥammad Kāmīl Mursī, *Al-Milkiyya al-ʿaḳāriyya fī Miṣr wa taṭawwuruhā al-tārikhī min ʿahd al-farāʿina ḥatta al-ʿān* (Cairo: Maṭbaʿat Nūri, 1936), 125–46, and Jirjis Ḥunayn, *Al-Aṭyān wa al-ḍarāʿib fī al-quṭr al-miṣri* (Bulaq: al-Maṭbaʿa al-Amīriyya, 1904), 388–412.

⁸⁷Cuno, *The Pasha's Peasants*, 172–78.

⁸⁸Gabriel Baer, "The Village Shaykh," in idem, *Studies in the Social History of Modern Egypt* (Chicago: University of Chicago Press, 1969), 50–51; Eric Davis, *Challenging Colonialism: Bank Misr and Egyptian Industrialization, 1920–1941* (Princeton, N.J.: Princeton University Press, 1983), 12, 39–40; Cuno, *The Pasha's Peasants*, chap. 9.

⁸⁹Al-Rāfi^cī, *ʿAṣr Ismāʿīl*, 2:122.

⁹⁰*Al-Qawānīn al-ʿaḳāriyya fī al-diyār al-miṣriyya* (Bulaq, 1893), 17; Baer, *Landownership*, 38.

⁹¹Artin, *La Propriété foncière en Egypte* (Bulaq: Government Press, 1883), 108.

⁹²Ibid., 111.

⁹³Wheaton, "Family and Kinship in Western Europe," 610–11.

⁹⁴Hajnal, "Two Kinds," 69. Goode also sees it as "likely that many Arabs have lived at *some time* in an extended [i.e., joint] family," but notes that "a survey of a given region would probably show that a minority of the families were joint" (Goode, *World Revolution*, 124; emphasis in the original).

⁹⁵Davis, *Challenging Colonialism*, 64.

⁹⁶Ibid. Also see Cuno, *The Pasha's Peasants*, 88–89.