

# A Pact of Brotherhood from Sufyân

## (Northern Yemen)

*Paul Dresch*

In earlier work I have tried to present verbatim documents from the tribal areas of Upper Yemen.<sup>1</sup> In the absence of centralised archives it seems important to make available primary source material of a kind relevant to historians, anthropologists, and sometimes linguists – for otherwise the study of Yemen's vernacular traditions cannot be made cumulative. (Learned tradition is a separate matter; a wealth of manuscript material is coming into circulation). Unfortunately we still find divisions among academic subjects such that people concerned with political events assume anthropologists study something like “folklore”, quite marginal to their own concerns, and treat evidence from the tribes or from villages as more relevant to linguists than to themselves. In fact, the seemingly marginal events recorded in tribal documents are part of mainstream political history. For instance, an account of a dispute over farm-land between Khârîf and ‘Iyâl Suray/h, published for the light that it throws on “custom” (*‘urf*) and state-centred Islamic law, connects with the imminent absence from Yemen of Imam A/hmad in 1959 and attempts to make a Yemeni revolution.<sup>2</sup>

The document presented here is of a type referred to as *qâ'idat al-/sa/hb*, a “pact of fellowship” or of brotherhood (*makhwa*), and dates to the late 1960s. It commits the two major sections of Sufyân, named Ruhm and /Subâra, to a common understanding. The members of Sufyân were already “brothers” by virtue simply of belonging to the tribe, but pacts of this kind, which pull together a tribe in the face of shared problems (or at least which try to do so), are not unusual.<sup>3</sup>

---

<sup>1</sup>. e.g. Dresch 1987a, 1989a, 1990. I am grateful to CEFAS for the chance to work on the present document in January 2003.

<sup>2</sup>. Dresch 1989a, cf. Abû La/hûm 2000: i.129.

<sup>3</sup>. Cf. al-Sudumî 1993: 90



In the case at hand Sufyân were under threat during the civil war between republicans and royalists. From the start of the war in 1962 most of Sufyân had been royalist (the one consistent exception in Ruhm were Dhû Rab/dân; there were more in /Subâra), and despite an important meeting of tribes at /Harf Sufyân near the time of Mu/hammad al-Zubayrî's murder in 1965 to declare general loyalty to the Republic<sup>4</sup>, much of Sufyân tended to the royalists even in the war's final years. /Subâra's territory around al-/Harf was dominated by republican forces. Ruhm were less constrained, though several fairly major battles had been fought on their land, and people from both main groups were elsewhere, of course, with one or other faction in their national struggle. The document is dated Sha'bân 1388 AH, that is, November 1968. By this date Egyptian troops, first deployed in 1962 to defend the Republic, had been withdrawn, the siege of /San'â' had long been lifted and in retrospect we know that the war was all but over. That seems not to have been everywhere apparent in the northern countryside. As we shall see, although "the government" was recognised as being the Republic with its capital in /San'â', Sufyân still felt themselves caught between warring powers. The royalists at this date were again advancing and had reached the north of Ruhm's territory; some months after the document was signed, they besieged the fort of al-Maqalqal, just outside al-/Harf, and took al-Jabal al-Aswad

The circumstances in which the document was drafted are thus fairly clear. As we shall see, the text itself contains several hints of disagreement within Sufyân. It is less like a treaty or pact, indeed, than like a set of committee minutes in which different claims are made and the outcome is a rough compromise whose exact significance can be disputed. The tribe in fact has never been all that unified politically, before or since.

---

<sup>4</sup>. The meeting at al-/Harf in February 1965 seems to have comprised representatives from /Hâshid, Dhû Mu/hammad, Dhû /Husayn, Âl Sâlim and Murhiba. 'Abd Allâh Mu/hsin /Hubaysh signed on behalf of Sufyân. See al-Yâzilî 2002: 331-2, citing al-/Tayyib 1991: 63-5. The latter work, together with al-/Tayyib 1995 and Abû La/hûm 2000, gives quite a detailed insight into tribal affairs at the time of the civil war.



Extracts from and comments on the document have been published elsewhere,<sup>5</sup> but here the whole text is given with an English translation, explanatory notes and the list of signatories. The text has been divided into numbered sections for ease of reference. I hope it may be of interest not only to linguists and students of law, but equally to those concerned with Yemen's political history and those, such as myself, concerned primarily with cultural history. Such agreements are still made nowadays. Some are considered a sensitive issue politically, as this once was; but with the passage of time and the changes undergone by Yemen in recent years (not least with Unification in 1990 and the fighting in 1994) the pact among Sufyân of more than thirty years ago is now "history" in the minor sense of something uncontested.<sup>6</sup> It throws light, nonetheless, not only on tribal conduct in a distant civil war, but also on what might be called a tribal "style" whose relevance persists. When I copied the text in 1983 I was asked not to publish it in full and not to publish the names of its signatories. Now no-one cares, and many young men in the tribe never knew that a pact existed. Many of the signatories are dead. The immediate issues in the politics of Yemen have changed considerably.

For several points of explanation, and for his long-term help and friendship, I owe a huge debt of thanks to Shaykh 'Abdullâh /Husayn Dhaybân of Ruhm, squalidly killed some years ago in a feud that was not of his making. *Allâh yar/ham-hu*. He was a man of great good sense and kindness, and keen that people understand how his country worked. Among the many kind and wise Yemenis I have known through the years, 'Abdullâh Dhaybân and Alî Nâ/sir Shawî/t (both, in their way, heroes of the 26 September revolution) were the kindest and wisest .

---

<sup>5</sup>. Dresch 1989b: 127-8, 258-61, 350-1. Some detail on Sufyân's sub-divisions and ecology is also given.

<sup>6</sup>. Al-/Tayyib 1995, Ab- La/hûm 2000 and al-Yâzilî 2002 are only a few cases of post revolutionary memoirs and histories. It is not just that people grow older and events become less sensitive with time. In the last few years there has been a real, and quite sudden, shift in what can and cannot be discussed publically.



In what follows I give the Arabic text as I first copied it (some names of signatories, unfortunately, are not recoverable) with an English gloss. But a few introductory points may be worth repeating for those who do not know the area.<sup>7</sup> Briefly, Sufyân comprises two great halves, Ruhm and /Subâra, whose territory between them reaches from al-Jabal al-Aswad, just north of /Hûth, to Âl ‘Ammâr’s borders (on the road to /Sa‘da) and al-‘Amashiyya. Further east and south, Sufyân extends to Harân and Shawâba, where Wâdî Dhîbîn joins the Upper Jawf. The tribe is part of Bakîl, of course, and mentioned by al-Hamdânî. Internally Sufyân divides as follows:

		Âl Râwa‘
	al-Shumaylât	Âl Khuray/s
/Subâra		Âl /Sâli/h
	Abnâ’ Marzûq	Âl Hudhayl
		Âl A/hmad b. Hudhayl
		Dhû A/hmad
	Bal‘akî	Dhû Rab/dân
		Dhû Ja‘rân
Ruhm		
		Dhû A/hsan
	Nu/sfî	Dhû /Sumaym
		(Dhû Ibrâhîm)

---

<sup>7</sup> . See al-/Hajrî 1984: 424-6, Dresch 1989b: 339-40. There seems to be no rule as to which prefix is used of which group, Dhû or Âl. Alternative forms are used of the same group even in the present document. Note, however, that it seems be Râwa‘, not Rawa‘ as appeared in Dresch 1989b. Note also that, despite the claim the whole tribe met, not everyone is represented in the list of signatories.



These divisions themselves subdivide. Dhû A/hmad, for instance, (formally a third of Bal‘akî in Ruhm) includes Dhû Qâsim, Dhû Ra‘dân, Dhû Abû Dukhna, and Dhû ‘Ayshân. Dhû Rab/dân (A/hmad’s structural equivalent in Bal‘akî) comprises Dhû Dughaysh, Dhû Ya/hyâ, and Dhû Dâyl. Dhû Dughaysh in turn – a total of only about 70 arms-bearing men in the early 1980s – is made up of Dhû Jamîla (pronounced Gamîla, oddly), Dhû l-Mawj, Dhû Ghaylân and Dhû Dijrân. Among the guarantors, who are listed at the end of the document examined here, are people signing on behalf of perhaps just a dozen or two dozen households.

There is ambiguity in some cases about how the sub-divisions should align politically. Dhû Ibrâhîm, for instance, may originally have been part of Dhû A/hsan and as of the early 1980s there was doubt whether they were answerable with Dhû A/hsan in disputes involving Dhû /Sumaym or whether they were equidistant structurally from the two other parts of Nu/sfî. Most other structural alignments in Sufyân are clearer. But one can always opt out of a dispute, and readers should envisage a congeries of really very small groups each of which can make its own decisions. At the start of the civil war Sufyân, including the outlying area of al-Marâna (separated from the rest by a strip of Dhû Mu/hammad’s territory), mustered about 2,800 armed men.<sup>8</sup> That would still be approximately right for the time this document was drawn up.

The various sub-divisions or *la/hâm* tend to form geographic clusters but they do not each have a contiguous, exclusive territory. Âl A/hmad bin Hudhayl seem mostly to be around Khaywân, for instance, except for a group mixed in with Âl Hudhayl at al-‘Abala in the mountains east of al-/Harf. Most of Dhû /Sumaym are near the border with Âl ‘Ammâr, but one village, at al-‘Utfâ, is flanked by A/hmadî and Ja‘rânî settlements.

---

<sup>8</sup>. The lists for *ghurm wa-jurm* (that is, for raising and dispensing collective payments) are among the most difficult tribal documents to get sight of. They may also not be accurate, particularly in such circumstances as the start of civil war. But, since non-tribal authors show a tendency to speak of tribes as great solidary blocs of people, it may be worth giving Ruhm’s estimate of their own fighting men as of early 1963: Ja‘rânî 250, A/hmadî 80, Rab/dânî 140, A/hsanî 70, /Sumaymî 400, Ibrâhîmî 60.



Al-Ghuthayma of Dhû /Sumaym at ‘Anamî are surrounded, it seems, by settlements of Dhû Ja‘rân. And so on. In each particular place each *la/hma* (section or sub-division) has its own *muqa/s/sarât* or *maqâ/sîr*. These are usually quite small areas of arable land and grazing “off-limits” to others than resident members of the *la/hma*. Some are held jointly by parts of two *la/hâm*, others are held by a few households of a single *la/hma* whose other members live miles away and do not have access. The two main divisions of the tribe, however, are geographically discrete: roughly speaking, Ruhm is the north-western part of Sufyân, and /Subâra the south-eastern. In each of these great divisions most of the land is empty grazing held in common by the whole of Ruhm or /Subâra. Al-/Harf, the main market and the administrative centre in the Imam’s day as it is now, lies within /Subâra’s territory.

Near the border between Ruhm and /Subâra lies ‘Iyân, a *hijra* or protected place and home to certain *sayyid* families who figure in the document as witnesses and scribes. It is here that the meeting itself was held in November 1968. To the south and south-east of Sufyân lie the tribes of /Hâshid (most immediately al-‘U/saymât), to the north on the road to /Sa‘da lies Âl ‘Ammâr of Bakîl, and to the north-east Dhû Mu/hammad (also Bakîl, of course), whose leading shaykh at the time, Amîn Abû Ra’s, was a prominent figure in the new Republic. At Sufyân’s main market-town, al-/Harf, as we shall see, was a republican garrison under another Mu/hammadî. Throughout the civil war Sufyân’s position with respect to conflicts and disagreements at national level was complicated by disputes with Dhû Mu/hammad over borders and grazing-rights.

## SUFYÂN

Qâ‘idat al-/Sa/hb  
(‘Iyân, 13 Sha‘bân 1388 AH)

بسم الله الرحمن الرحيم

### section one

اجتمعوا قبيلة سفيان مشايخ وأفراد واعيان وقرروا ما يلي أولاً بأن يتأخوا أخوة وصحب ومخوة شريف نظيف لا برا يبيري من يبتري بعد هذا فكانوا أخوة متتابعة على من عظمهم وخارج بقشة



تخسر وبقشة تقود في كل ما بدا في جميع النوايب في قتل وتتصيب على بلادهم ومعوّراتهم  
وعرضهم واحد والعرض ماضي في كل البلاد وبلادهم واحدة خارج المقصّرات

The tribe of Sufyân came together – their shaykhs, individuals and notables – and decided on what follows. First, that they are (or become) brothers, fellows, a brotherhood honour-bright.<sup>1</sup> No excuse makes a man quit of this hereafter. They are brothers who stand together (in what concerns them) internally and externally, a *buqsha* lost or a *buqsha* gained,<sup>2</sup> in whatever call arises for killing and revenge (for offences) against their territory and that which might shame them.<sup>3</sup> Their honour is one and holds good throughout the territory.<sup>4</sup> Their territory is one outside the parts off-limits.<sup>5</sup>

1. This is fairly standard wording for brotherhood pacts (see Dresch 1989b: 330, 335, al-Sudumî 1993: 95-6). Similar phrases occur in the 1965 al-/Harf agreement (al-/Tayyib 1991: 63-4) which relates more directly to national politics.

2. A *buqsha* was a small coin used in the Imam's day. There were 40 *buqshas* to one riyâl. “Internally and externally,” *min ‘a/zmi-him wa-khârij*. “Stand together”, *mutatâbi ‘a*, more literally “following up” together, pursuing amends in common.

3. “that which might shame them”, *mu‘awarrât-hum*. As explained elsewhere (Dresch 1989b: 57, 81, 121), this can in practice be almost anything, but the stereotypical cases might be women, guests, and domestic property.

“killing and revenge”, *qatl wa-tan/sîb*. The latter term is said to refer to the stones set up on a grave, cf. Landberg 1920-42: 2775.

4. “their honour is one...” *‘ar/d-hum wâ/hid wa-l-‘ar/d mâ/dî*. The term *‘ar/d* here refers to the ability or right to give refuge or act as escort. If any Sufyânî provides escort through the tribe's territory, all of Sufyân must recognise his right to do so anywhere within Sufyân's borders and back him up if he is somehow wronged.

5. “the parts off-limits,” *muqa/s/sarât*, areas whose use for grazing, farming or gathering wood is restricted to particular sections of the tribe. Examples are given in the introduction. Others occur in section seven, below.

## section two



وكانوا جميعاً في تبع المنقوص وكان من قُتل أصل ومن قُتل نصَّب على من عظمهم وخارج وكانوا أخوة على الحدود والمعورات وكان البعيد له نابي وعلى القريب لا يراعي للبعيد ومن تحيّر بعد النابي فله جذن من دون داعي وگرامتهم عليه وگرامتهم واحدة مجابة من كل ما بدا في جميع الحدود من جميع الأربع الجهات

-

They all stand together in pursuing torts. Whoever kills make quit, and whoever is killed is to be avenged,<sup>1</sup> whether (in matters) internal or external. They are brothers (in what concerns) the borders and that which might shame them. The one distant has (the right to) call (on the one nearby for help),<sup>2</sup> and the one nearby must not wait around<sup>3</sup> (before answering) the one distant. Whoever delays after the call is due a *jidhn* without (further) summons<sup>4</sup> and is subject to their fine.<sup>5</sup> Their fine is one, due for whatever befalls within all the borders in all four directions.

1. “whoever kills makes quit...”, *man qatala a/sal wa-man qutila nu/s/sib*. There are several version of this jingle (cf. Dresch 1989b: 85, 113) but the meaning is always that signatories should act as a coherent group.
2. “(the right to) call”, *nâbî*, pl. *nawâbî* as in section one, above. Further east the word used is */sâyi/h*, again with this active participle form.
3. “must not wait around”, *lâ yurâ‘î*, quite a common Yemeni usage, cf Landberg 1920-42: 1312-3. An earlier translation (Dresch 1989b: 350) was wrong here.
4. The *jidhn* is a scarecrow set up to shame and thus coerce someone who defaults on an undertaking (for the details see Dresch 1987b). Normally one must formally summonse the defaulter, and only if he then fails to discharge his obligation can one move on to the next step, which is placing the *jidhn*. Here the formal summons (*dâ‘î*) seems to be dispensed with.
5. “fine”, *gharâma*. The term also means “costs”, and presumably the miscreant would be forced to pay the costs incurred by arbitrators or guarantors in writing the specific wrong.

### section three



هذا ما فعلوا صبارة واملى على الجميع من رهم وصبارة في الموقف وبعد ان سمعوا جميعاً قرروا ورحبوا به وزد لحق فوق ذلك ما يلي حضروا رهم وصبارة سفيان جميعاً وتأخوا أخوة متتابعة في حدود وبلاد وسوق وبادية ومعورات وعرض وقتل وتنصيب على من عظمهم وخارج من قتل أصل ومن قتل نصّب وغرمهم واحد على غريم وغارم بقشة تخسر وبقشة تفود ومن دخل مخرجي بغير رضا صبارة ورهم فاذا اليوم وما اسرع وحريقه وشداده من البلاد والذي ما يفرع فليس له عرض والقبيلة تغرم عليه وما حصل من غرامة فهي بنظر العدول

This is what /Subâra did and commended to all of them from Ruhm and /Subâra at the meeting.<sup>1</sup> After they had all heard it, they decided to do this and welcomed it. There was added to it the following attachment. Ruhm and /Subâra were present, all Sufyân, and they formed a brotherhood, standing together on (what concerns) borders, territory, the market and countryside, that which might shame them, honour ('ar/d , i.e. questions of escort or protection), and killing and revenge, whether inside the tribe or outside. Whoever kills makes quit, and whoever is killed is to be avenged. Their responsibility<sup>2</sup> is one for the person owed or the person oweing, a *buqsha* lost or a *buqsha* gained. And whoever brings in an outsider (i.e. to our territory) without the agreement of /Subâra and Ruhm and one day ... (this outsider does harm) and he fails to act promptly (to make amends?), he must be burned out and driven out from (our) territory.<sup>3</sup> Whoever does not respond<sup>4</sup> has no honour (e.g. no right to provide escort) and the tribe will seek amends from him. The amends (or costs) that arise are to be judged by honest men.<sup>5</sup>

1. Finding details of this sort in tribal documents is unusual. Normally a brotherhood pact would be a uniform declaration of solidarity. In this case however, it is clear from the document itself what the stages of argument may have been. Briefly, /Subâra at this date, whatever the inclinations of particular persons or small groups, tended as a whole to the Republic, which effectively controlled most of /Subâra's territory. With the royalists again advancing, /Subâra felt particularly exposed. They, therefore, took the initiative and Ruhm were invited to join them.

2. "responsibility", *ghurm*. More exactly this is the division of expenses, damages and fines incurred in a dispute. Whether a Sufyânî is the one owed (*gharîm*) or the one oweing (*ghârim*), they all stand together against outsiders.



3. This passage is obscure. Something seemed to be missing at the time I copied the text but I could not determine what. It may be, perhaps, that *wa-idha l-yawm* should be *wa-adâ l-lawm* (i.e. commit a blameworthy, shameful act). But that does not solve the problem. In any case, /Subâra are being confronted with a problem politically. Although the phrasing is neutral, those “outsiders” most immediately to hand are republicans in /Subâra’s part of Sufyân.

4. “respond”, *yafza*‘, a rather weak translation of a strong term. Various related terms can be found in Landberg (1920-42: 2417). North of /San‘â’, however, *faza*‘ means not only the “panic” produced by a serious offence, as for instance against the tribe’s market-peace, but the proper response to it: the tribe should “respond” as one man, each tribesman abandoning his own concerns to turn out and right the wrong.

5. “honest men” *‘udûl*, pl. of *‘adl*. These would be shaykhs or other respected persons called on to judge damages. The term *na/zar* suggests not only that they would decide on costs or damages but they would be responsible for seeing these costs were paid.

#### section four

وكان السوق مضمّن من رهم وصبارة حسب ما سنذكرهم اهل الوجيه من كل لحمة وقد رضيو (sic) وجعلوا وأختاروا لهم ردماء من حسين وعمارة فوق الضمناء على الجميع وتراضوا أن الضمناء والردماء جميعاً هم على من خالف هذا وقرروا ان اذا اهد (sic) اهتد في السوق من القبيلة اثنين وحضرهم الثالث فالثالث يفارع واذا هد الثالث عيّب الضمناء والردماء ولازم الهدا مئة ريال فرانصي هجر بنظر القبيلة وبقري وغنمي كذلك والدم مثل لازم الدم حسب العرف ومن حضر عند القتل سوا من رهم او صبارة فله ان ينقا في القتل واذا قُتل القاتل فقد وصل سوا من رهم او صبارة والقاتل ليس عاد له مخوة ولا حد يزي ومن ازاه فقد عيّب وتحدود السوق من رهم وصبارة على اللحام

The market is under guaranty from Ruhm and /Subâra, in accordance with the (list of) those responsible from each section we shall mention.<sup>1</sup> They agreed, confirmed (this) and chose for themselves secondary guarantors from /Husayn and ‘Amâra over the guarantors of all.<sup>2</sup> They agreed among themselves that the guarantors and secondary guarantors are responsible for (pursuing) whomever breaks this (agreement). They resolved that if two men from the tribe commit violence in the market and a third is present then the third should intervene to separate them.<sup>3</sup> If the third man commits violence (i.e. if he joins in, taking sides) he insults the guarantors and secondary guarantors. The due for violence is



one hundred French riyâls as *hajar*, (to be paid) under the tribe's supervision, and cattle and sheep likewise.<sup>4</sup> The (extra) due for the offence is like the due for blood, in accordance with custom.<sup>5</sup> Whoever is present when a man is killed, whether from Ruhm or /Subâra, can (or should?) avenge him. If the killer is killed, that is an end of it, whether from Ruhm or /Subâra. The killer no longer has brotherhood (in the tribe) and no-one shall aid him.<sup>6</sup> Whoever aids him shall have done a shameful act. Protection of the market by Ruhm and /Subâra is according to their sections.<sup>7</sup>

1. “those responsible”, *ahl al-wajîh*, more literally those who give or commit their “faces”, or in other words commit their honour to upholding the agreement. Here a synonym for /*dumanâ*’ or “guarantors”.

2. Dhû /Husayn and Âl ‘Ammâr are neighbouring Bakîl tribes. Within Sufyân the guarantors (/dumanâ’) are each responsible for the members of their section obeying the rules of the brotherhood pact. If the guarantors should fail to act, they are individually answerable to the secondary guarantors (*rudamâ*’) from Dhû /Husayn and Âl ‘Ammâr, cf. Dresch 1987a: 70, 76, 1989a: 86, 1990: 68, 73-4, 81.

3. There is a general principle in tribal custom that a third party should intervene to separate people at odds, and that some one who takes sides bears part of the responsibility for what happens next (al-Sudumî 1993: 81, 91, 132). But in pacts to uphold a market-peace the principle is often formalised and fines agreed if someone breaks it.

In the previous line I suspect the scribe has been confused and written *ahadd* for *a/had*, meaning “someone”, although the subject of *ihtadda* comes later. Reading and copying such documents, one comes to expect sentences of the form “if someone does something, then ...”

4. The term *hajar* to describe amends for an offence against some protected place or person is common (cf. Dresch 1989b: 58, 80, 124, 1990: 77, 80). The “French” riyâls mentioned are of course Maria Theresa thalers.

“the (extra) due for the offence ...”, *al-dhamm mithla lâzim al-damm*. A common phrase, expressing the “doubling” of amends so typical of tribal custom (cf. al-Sudumî 1993: 55, 57 and *passim* on the term /*hashm*).

5. “aid”, *yuzî*, more specifically protect or take in. Even in classical Arabic the verbs *azâ* and *wazâ* seem to overlap. In tribal documents one often finds what seem to be forms I and II of the same verb with the same meaning, or even *yuwazzî* acting as the imperfect of *azâ*.

6. “according to their sections”, *‘alâ l-la/hâm*. The meaning seems to be that all



the sections are equally responsible, rather than, for instance, that they take turns.

“protection”, *ta/hdûd*. This can hardly mean “delimitation” of the boundaries as in section five, below, but the translation here is not certain.

#### section five

والأيام في ضمان السوق ثلاثة أيام الربوع والخميس والجمعة إلا إذا كان القاتل مخرجي فلو في عرض الوعد والحدود برأي العاصي وتحدود السوق من الجهات الأربع هو من شرق الطور الذي شرق الصفاة بما قابله يمن وقبله ومن يمن ما قابل طرف القشلة يمن لغرب على قبال المجش بمقابل الى مطرح المصري غربي وقبله ما قابله الى حال الويصي من قبلة

The days on which the market is under guaranty are three – Wednesday, Thursday, and Friday – unless the killer is an outsider, when (guaranty) extends all week.<sup>1</sup> The borders (of the market) are under the eye of the vigilant man.<sup>2</sup> The boundaries of the market in the four directions are: east of the hill which (itself) is east of the rocks to what adjoins it south and north; on the south, what adjoins the south side of the fort, westward toward al-Majjash as far as the Egyptian camp, and northward from there to al-Way/sî's land.<sup>3</sup>

1. “all week”, *‘ar/d al-wa’d*, cf. Landberg 1920-42: 2928. Sufyânîs can dispute with each other in the market on the other four days of the week and face no fine. But the market-peace applies to outsiders at all times. If at any time they commit an offence or suffer an offence, the market guarantors are due amends.

2. “the vigilant man”, *al-‘â/sî*. This does not refer to a particular person or position. It simply urges people to do the right thing. *Al-‘â/sî* – someone attentive to honour – is the opposite of *al-safih* or *qabîlî ‘âthir*, a useless character.

3. Although this sounds confusing, the bounds of the protected space are rather clear in practice, or were even twenty years ago. The traces of the Egyptian camp were still visible. The area included in the market-peace was about 1 kilometer square.

#### section six

وقررروا ايضاً ان من قطر قطير اجنبي فكان المدرّك بما فعله قطيره سوا بدوي او قروي ومدة القطار له حسب العرف من سابق وغرامة الحدود بنظر امناء في وقت شجارها والاجنبي الذي هو الآن برأي صبارة سوا في القشلة او غيرها في البلاد وبعد سمعوا صبارة هذه القرارات ووافقوا عليه فوق



ما قد فعلوه أولاً واجابوا صبارة في الاجنبي هو اخراج المحمدي من بلادهم نهائياً والآن المحمدي بيدعي أنه باسم الحكومة فان الصباري والرهامي قد هم أخوة عليهم جميعاً بان يفعلوا مندوبين من الطرفين يراجع الحكومة برفعه واخراجه من البلاد الجميع ان تسعدهم الحكومة وترفعه من البلاد والا فقد الجميع أخوة عليهم اخراجه ولو كررها وبعد عليهم حفظ البلاد الجميع فوافقوا على هذا الجميع صباري ورهامي على ما قرروه صبارة واستعدوا

They also decided that whoever takes in a foreign protégé is responsible for what the protégé does, whether a badawi or settled person.<sup>1</sup> The period of protection is that prescribed by previous custom. The fine for borders is to be decided by trustworthy persons at the time they (i.e. borders) are disputed.<sup>2</sup> (As for) the foreigner who is now /Subâra's concern,<sup>3</sup> whether in the fort or elsewhere in (our) territory, after /Subâra had heard these decisions and agreed to them in addition to what they had first done, /Subâra answered in (regard to) the foreigner that the Mu/hammadî be expelled from their territory altogether.<sup>4</sup> At the moment the Mu/hammadî claims that he is (there) in the name of the government. The /Subârî and the Ruhmî are brothers. They must appoint delegates from the two parties and ask the government to remove (the Mu/hammadî) and expel him from all their territory. If the government help them and remove him from the territory (then well and good); if not, all of them are brothers and they must expel him (themselves) even (if it means) attacking (the fort).<sup>5</sup> After that, they must guard the whole territory. And they all agreed on this, /Subârî and Ruhmî, according to what /Subâra had decided, and stood ready (to act together).

1. “protégé”, *qa/tîr*. In many areas this can equally be someone fleeing his own tribe because of a wrong or someone who has moved in simply to enjoy good grazing. Elsewhere the meaning may be more restricted (al-Sudumî 1993: 140). Here the more general meaning seems to apply, and the customary period of refuge, referred to below, was probably one month.

“responsible”, *mudarrak*. The verb can mean to intervene in a dispute and thus take responsibility. Here the protector would be held responsible by his fellows for the actions of his protégé.



2. This passage seems out of place, so much so that one wonders if */hudûd* might mean not “borders” but “offences” committed by the protégé in the preceding sentence. That, however, is certainly not common usage.

3. The “foreigner” (*ajnabî*), as soon becomes clear, is not a non-Yemeni but a non-Sufyânî, someone from Dhû Mu/hammad. This was A/hmad ‘Alî Fâ/dil of al-Dumayna, commander of the republican garrison at al-/Harf.

/Subâra, having moved that Sufyân take a common position, now find themselves manoeuvred by certain people in Ruhm to agree that A/hmad Fâ/dil and his men be asked to leave. A compromise is then suggested by the smaller republican faction within Ruhm that delegates be sent to /San’â’ and the government be asked to remove A/hmad Fâ/dil, but the general position is adopted that, one way or another, he has to go. For the broader setting, royalist against republican, at the time see particularly Abû La/hûm 2000: ii, 291 ff.

4. In an earlier attempt at this passage I read *karihan* (“even if they dislike it”, Dresch 1989b: 260). Since then a number of Sufyânîs have read it *karru-hâ*, an “attack” on the fort. Either seems to me possible.

#### section seven

وزد لحق من ذو صميم في المقصّرات باننا أخوه وأصحاب على الحدود والوثين على ارباع البلاد  
وعضد وساعد واما في بلاد لم قد جاء فيها نزاع من الوثين لنا او لصبارة فلا يدخل في الرقم فهي  
بلاد أهلها وزد لحق من الشميلات في المقصّرات الذي يمنعوا عليها وملكهم خاصة هي أولاً من  
محضيان وغرب في جهة سنام ما قلب عليه الماء وما قلب عليه الماء على صلصل والوادي المسمما  
الطارف ولهم أيضاً أودية فيها مال وعلوب مملوكة للحام مخصوصة

An attachment was added from Dhû /Sumaym about the off-limits areas to (the effect) that we are brothers and fellows as regards the borders and those who threaten parts of the territory, <sup>1</sup> (acting together like) the lower and upper arm. <sup>2</sup> As for territory where there has not been a struggle with any outside aggressor against us or /Subâra, that does not come into (this) document. It is the territory of the people it belongs to. An attachment was added from al-Shumaylât about the off-limits areas they control (protect). Their private property is, first, from Ma/h/dyân and westward toward Sinâm where the water runs, and where the water runs to /Sal/sal and the wadi called al-/Târif. They also have wadis with (arable) land there and acacia trees belonging specifically to the sections. <sup>3</sup>



1. “the parts of the territory”, *arbâ‘ al-bilâd*. The same word is used further east of tribes related to or neighbouring one’s own (*arbâ‘ al-qubul*), and in North Arabia the *rabâ‘a* are one’s fellow tribesmen (*yâ rabâ‘a* = *yâ jamâ‘a*). There may be the sense here specifically of those parts of our territory adjoining other tribes.

*al-wathîn* means an outsider who faces or threatens our borders. The etymology is unclear, although Landberg mentions related terms used of stones marking tribal borders.

2. “the upper arm and the lower arm”, *‘a/dud wa-sâ‘id*, a rather nice phrase that also appears in the 1965 al-/Harf agreement (al-/Tayyib 1991: 64).

3. The trees at issue here (*‘ilb*, pl. *‘ulûb*) are, I think, *dawm* trees. Some of these would belong collectively to villages, some to individual households. But the terms *milk* and *mamlûk* in this passage should not be taken in the bookish legal sense. The term *mâl*, of course, means farm-land, and that is owned privately in a way that any scholar of Islamic Law would recognise.

#### section eight

ويلحق في هذا ان من فزع من القبيلة كما به صوت وعليه دم للقبيلة فانه آمن لحتى يرجع بيته وما وقع فيه فعيب الوجيه والردماء وزد لحق بتوقيع الربضان انا لا ندخل في الحكومة ولا في من هو مرتب باسم الحكومة سوا حاشدي او محمدي او غيره وصحبنا على عرضنا ومعوزاتنا وحدودنا ليس على الحكومة ومن كان في بلادنا في الحرف فهو آمن سوا حاشدي او محمدي وهو مرتب باسم الحكومة والتوقيع (من) ذو جعران والربضان ولحق في هذا أن اذا به احد غائب ووصلت الملكية وليس هو في بيته فان القبيلة عليها حفظ بيته وعائلته وما معه واذا وصلت الجمهورية وهو غائب فهو كذلك هذا ما قرره رجال سفيان بعد أن اجتمعوا جميعاً وبعد هذا عيّنوا اهل الوجيه من كل لحمة كما سنذكرهم

Added to that is that whoever of the tribe responds to a summons (affecting the whole tribe) and owes (someone else in) the tribe blood shall be secure until he returns home.<sup>1</sup> Whatever happened to him would insult the guarantors and secondary guarantors. An attachment was added by Rab/dân that we do not enter (an agreement concerning) the government or whomever is posted in the government's name, be they /Hâshidî or Mu/hammadi or otherwise.<sup>2</sup> We formed a fellowship (regarding) our honour (*‘ar/d* , e.g. rights of escort), those things which might shame us and our borders, not about the government. Whoever is in



our territory at al-/Harf is secure whether /Hâshidî or Mu/hammadî (if) he is posted there in the government's name. This is on the part of Dhû Ja'rân and Rab/dân. It was added to this that if someone should be away and the royalists come and he is not at home, then the tribe must guard his house, family and belongings; and likewise if the republicans come and he is away.<sup>3</sup> This is what the men of Sufyân decided when all had met. After this they chose guarantors from each section as we list them (here):

1. “respond, *faza*’, see section three, note 4, above. Someone “oweing blood” to a fellow tribesman might usually be at risk of vengeance and could, for instance, be trapped at home unable to move freely in the tribe’s territory. If he answers a summons (/sawt) affecting the whole tribe, he is safe and protected. If the people to whom he owes blood act against him, they insult the guarantors of the agreement. Once the emergency is over and the man returns home, perhaps with a formal escort, the earlier dispute over blood and vengeance takes up where it left off.

2. Dhû Rab/dân, we remember, were perhaps the only consistently republican faction in Ruhm. Ruhm as a whole have manoeuvred /Subâra into a position where /Subâra might equally be denounced to the royalists or republicans (section six). Rab/dân, who are part of Ruhm, now opt out. While willing as a group to stand with all Sufyân against “tribal” aggression, they are not going to be drawn into fighting the Republic.

3. Here, at last, we get the compromise one might have guessed at from the start. The tides of war and national politics may ebb and flow across Sufyânî territory, but that is no reason to fragment Sufyân itself further. The republicans and royalists can fight in non-tribal terms. Men in Sufyân can resist or support them. But if a Sufyânî steps aside and simply leaves in advance of royalists or republicans arriving, then his fellows must defend his property.

This is largely what happened, in fact. And it continued happening when the war was over and other disputes came to haunt the politics of Yemen. Disputes in tribal territory are seldom, if ever, fought *à outrance*.

#### Guarantors for /Subâra

أولاً من صبارة هو (sic) من ذو هذيل النقيب عبد الله محسن الثممي والنقيب عبده ابن حسين حبيش وقايد محمد الثممي ويحي محمد ذبيان الثممي ويحي أحسن الحاج ومن آل أحمد هذيل الشيخ يحي مزلم غلثان والحاج أحمد يحي ... وصالح بن قايد ابن الشيخ وهادي مطلق ... ويحي صالح دروان ومن ذو صالح الحاج أحمد راشد الجثام والحاج ناجي سليمان فرثان والحاج سالم ابو مخبل والحاج حزام ابو شمس ومن ذو راوع الشيخ هادي محسن معقل والشيخ يحي مرشد سعيد والشيخ احمد ابن صالح ضاوي والحاج عبد الله بن يحي ضاوي والحاج حمود علي اهدل ضاوي ومن ذو خريص



الشيخ احسن مسعود بن قبول وأحمد محمد صيدة ومسعود جثمان وأحسن مسعود ابو اعلام والحاج أحمد محمد بن حاصل والشيخ طالع صميم وعلي صالح كندش هولاء من صابرة

#### Guarantors for Ruhm

ومن بني رهم من ذو صميم الشيخ باقي هادي مخبل والشيخ محسن علي عزيز وأحمد علي حيران ومحمد صالح عزيز ولطف الله بن صالح وحملان بن حسن مكفح والشيخ حسين ابن حسن بن ناوية ومحسن قايد بن ناوية ومسعود مثنى بن جور وعبد الله ابن علي كزمه والحاج يحي علي القعود وأحمد هادي الشهبواني ومن ذو أحمد الشيخ أحمد ابن قايد حيدر وعبد الله بن حسن عيشان ومسعود شتوي وهادي مسعود بن عدان ومن الرضوان الشيخ مصلح ذبيان والشيخ عبد الله بن حسين ذبيان والحاج محمد القلاداني والحاج أحمد محسن ذبيان والحاج هادي بن علي ورّاد وهادي محمد شيبان والحاج سالم جميلة والحاج علي الموج وقايد غيلان ومن ذو جعران هرمل محسن الذويبي ومحمد قايد هباش ومقبل أحمد العسيلي وحمود بن يحي طالع وعلي حسن طالع ومحمد صالح طالع ومحمد علي التوبة ومقبل علي أبو سعيد وأحمد علي وقاز ودليل ابن هادي أبو شمس وعلي دهل وعبد بن عبده مسفر وسعيد مسفر وسالم فيش وقايد دكم

#### Colophon

هولاء من صباري ورهمي أهل الوجيه فقد وضعوا وجيههم كل واحد للأخر جميعاً وكانوا شبك وعند الأبيض في جميع ما تحرر ورقم في هذا المخوة والصحب فوق ما زد ورضيوا (sic) به من الرقم المذكورين من حسيني وعماري فوق الجميع واذا طلبوا أهل الرقم صون فكان عليهم صونهم من المذكورين الجميع ومن ذكر من الضمنا كلاً دخل وجيههم على قبيلته حسب عده وذكره ووقع هذا في حضور الشهود شهد على هذا السادة الآتي اسمائهم السيد صالح علي ابو سنان العياني والسيد مطهر يحي العياني والسيد هادي بن صالح العياني والسيد محسن لطف الأشقص الحوثي والسيد ابراهيم بن عبد الله ساري الحوثي والله خير الشاهدين بتاريخه 13 شعبان سنة 1388 هـ كتب بأمر المذكورين الحقير الى الله السيد علي محسن الأشقص الحوثي

These are the guarantors from /Subâra and Ruhm. They committed their honour, each to the other and all together. They are a coalition, entirely open, in all that is issued and written here, over all that is added.<sup>1</sup> They agreed to those parties mentioned, /Husaynî and ‘Ammârî, being over all. If the people of the document (i.e. those bound by the agreement) seek support, they shall have that support from all those mentioned.<sup>2</sup> And



each of the guarantors mentioned commits their honour for his tribe (i.e. for his particular section), according to how they are enumerated and mentioned (here). This was signed in the presence of witnesses, of the *sayyids* named Sayyid /Sâli/h ‘Alî Abû Sinân al-‘Iyânî, Sayyid Mu/tahhar Ya/hyâ al-‘Iyânî, Sayyid Hâdî /Sâli/h al-‘Iyânî, Sayyid Mu/hsin Lu/tf al-Ashqa/s al-/Hûthî and Sayyid Ibrâhîm ‘Abdullâh Sârî al-/Hûthî, and God is the best of witnesses. Dated 13 Sha‘bân 1388 (5 November 1968). It was written by Sayyid ‘Ali Mu/hsin al-Ashqa/s al-/Hûthî, one wretched in (the sight of) God, on the order of those mentioned.

1. “entirely open”, *‘ind al-abya/d*. The same phrase appears in the more famous “*wafqa*”, drawn up at al-/Harf in 1965 (al-/Tayyib 1991: 64). It also appears in documents from further east, applied to offenders against the market-peace, where it means open to whatever action the guarantors may take. The phrase has obvious connections with ideas of honour and right action, but here I think it means each guarantor is open to whatever demands the others make in upholding the agreement.

“coalition”, *shabk*, more literally perhaps a network. Rather than each guarantor being answerable solely for his own people, all act together against any miscreant (cf. Dresch 1987 a: 70, 1990: 74).

2. “support”, */sawn* with the sense perhaps of guarding or preserving something (cf. Dresch 1990: 74, 81). In many tribal documents it implies limitless liability. The signatories here make themselves answerable to the secondary guarantors (*rudamâ*) from Dhû /Husayn and Âl ‘Ammâr. Whatever these ask of them they must do.

### References cited

Abû La/hûm, Sinân 2002 *al-Yaman: wathâ’iq wa-/haqâ’iq ‘ashtu-hâ* (2<sup>nd</sup> edition, 2 vols.), /San‘â’: Mu’assasat al-‘Afîf al-Thaqâfiyya

Dresch, P. 1987a Episodes in a Dispute between Yemeni Tribes; text and translation of a colloquial Arabic document, *Der Islam* vol. 64/1, pp. 68-86

— 1987b Placing the Blame: a means of enforcing obligations in Upper Yemen, *Anthropos* vol. 82 4/6, pp. 427-443



- 1989a Keeping the Imam's Peace: a response to tribal disorder in the late 1950s, *Peuples Méditerranéens*, special issue on “Yemen-Sanaa”, vol. 46, pp. 77-95
- 1989b *Tribes, Government and History in Yemen*, Oxford and London: Clarendon Press
- 1990 Guaranty of the Market at /Hûth, *Arabian Studies* vol. VIII, pp. 63-91

al-/Hajrî, Mûhammad A/hmad 1984 *Majmû‘ buldân al-yaman wa-qabâ’il-hâ* (Ismâ‘îl ‘Alî al-Akwa‘ ed., 2 vols.), /San‘â’: Wizârat al-I‘lâm

Landberg, C. Comte de, 1920-42 *Glossaire Daïinois* (3 vols.), Leiden: Brill

al-Sudumî, Mu/hammad Ya/hyâ 1993 *Na/zariyya al-‘uqûba fî l-sharî‘a wa-l-a‘râf al-qabaliyya fî a/hkâm al-qabâ’il al-yamâniyya*, /San‘â’: al-Âfâq li-l-/Tabâ‘a

al-/Tayyib, ‘Abd al-Malik 1991 *al-Târîkh yatakallam* (printed privately, no place of publication given)

- 1995 *Thawrat al-yaman: al-nafaq al-mu/zlim* (printed privately, no place of publication given)

al-Yâzilî, Mu/hammad 2002 *Min al-thawra al-bakr ilâ al-thawra al-umm: /haqâ’iq wa-wathâ’iq tunshar li-awwal marra*, no place given: Mu’assasat al-Thawra