

ledge System to the Template of Urdu and English. *The Annual of Urdu Studies* 18: 45–65. <www.urdustudies.com/pdf/18/08AsaduddinPersianate.pdf> [20.06.2008]

Aziz, Khursheed Kamal

1967 *The Making of Pakistan. A Study in Nationalism.* London: Chatto & Windus.

Desai, Akshayakumar Ramanlal

1959 *Social Background of Indian Nationalism.* Bombay: Popular Book Depot. [3rd ed.]

Hay, Stephen (ed.)

1992 *Sources of Indian Tradition. Vol. 2: Modern India and Pakistan.* London: Penguin Books. [2nd ed.]

Karandikar, M. A.

1968 *Islam in India's Transition to Modernity.* Karachi: Eastern Publishers.

Khan, Ghazanfar Ali

2004 Educational Conditions of Indian Muslims during 19th Century. *Journal of the Pakistan Historical Society* 52/1: 41–76.

Malik, Hafeez

1980 *Sir Sayyid Ahmad Khan and Muslim Modernization in India and Pakistan.* New York: Columbia University Press. (Studies in Oriental Culture, 15)

Muhammad, Shun (ed.)

1978 *The Aligarh Movement. Basic Documents, 1864–1898.* 3 Vols. Meerut: Meenakshi Prakashan.

al-Mujahid, Sharif

2006 Sir Syed Ahmad Khan and the Muslim Renaissance. *Dawn – The Review*: December 30, 2006. <<http://www.dawn.com/events/pml/review39.htm>> [20.06.2008]

Report of the Members

1978 Report of the Members of the Select Committee for the Better Diffusion and Advancement of Learning among the Muhammadans of India. In: S. Muhammad (ed.), Vol. 2; pp. 337–380.

Row, B. G.

1987 *Hinduism and Other World Religions.* Tirupati: Tirumala Tirupati Devasthanams.

Ruswan

1997 *Colonial Experience and Muslim Educational Reforms. A Comparison of the Aligarh and the Muhammadiya Movements.* Montreal. [Unpublished M.A. Thesis, McGill University, Institute of Islamic Studies]

Seth, Sanjay

2006 Governmentality, Pedagogy, Identity. The Problem of the Backward Muslim in Colonial India. In: C. Bates (ed.), *Beyond Representation. Colonial and Postcolonial Constructions of Indian Identity*; pp. 55–76. New Delhi: Oxford University Press.

Shabir, Ghulam, and Baber Khakan

2005 Growth and Development of the Muslim Press in the Sub-Continent. *Journal of Research* (Faculty of Languages & Islamic Studies) 7: 69–75.

Symonds, Richard

1949 *The Making of Pakistan.* London: Faber and Faber.

Shi'i Institution of Temporary Marriage in Tehran

State Ideology and Practice

Paulina Niechcial

Introduction

During my stay in Iran in 2005, I carried out a fieldwork on Shi'i temporary marriage. The only anthropological book on the topic is “Law of Desire. Temporary Marriage in Shi'i Iran,” which is based on a field research made by Shahla Haeri, an Iranian anthropologist, at the turn of the 1970s and 1980s, mostly in pilgrimage centers of Mashhad and Qom. In 1981, Haeri foresaw a rapid comeback of temporary marriage, not only in the pilgrimage centers but in other cities as well (1989: 9). I was curious what happened to the institution of temporary marriage during the regime of the Islamic Republic, and how it currently exists in Tehran, the capital and the most modern of Iranian cities.

The main data-gathering technique I used was a qualitative interviews, and all of them were held in Persian.¹ The topic of temporary marriage is very controversial and there is no community of temporarily married people, so as Shahla Haeri did, I also relied mostly on a network of friends and acquaintances to find my informants. It was not easy because I am not Iranian and that is why the fieldwork I made in Tehran in summer 2005 was just a preliminary one. However, I believe, it helps to understand the place of temporary marriage and its significance in modern Iranian society.

Rules of Temporary Marriage

One of the most fundamental bases of social relations, rules of social organization, and social control in Islam is the *mahram/nāmahram*² paradigm. A *mahram* relation between a man and a woman is a lawful relation, which means that the rules

1 The Polish transcription of the interviews is enclosed in my Master's thesis “Temporary Marriage in Contemporary Iran. Theory and Practice” (2006: 125–153) defended in 2006 at the Department of Ethnology and Anthropology of Culture, Jagiellonian University, Cracow, Poland. It is also stored at the archives of the above-mentioned department.

2 *Mahram/nāmahram* is the Persian equivalent of the Arabic term.

of keeping distance and veiling are relaxed. This kind of relationship is formed either through birth or marriage:

Consanguineously, it involves ego's immediate family, paternal ancestors, maternal and paternal siblings, and siblings' children. Outside this limited circle of consanguineal *mahram* relationships, the only legitimate medium for establishing cross-sex relationships is marriage (Haeri 1989: 76).

The Shi'i Islam accepts two kinds of marriage, permanent and temporary. In Persian language the permanent marriage is called *ezdevāġ-e dā'em* or *nekāh-e dā'em*, and for the contemporary one the terms *ezdevāġ-e movaqqat*, *nekāh-e monqate'*, *mot'e*,³ and *sige*⁴ are also in use.

Marriage in Islam is a contract, and to conclude/confirm it a bride and a groom express a specified formula. A woman declares her will and a man accepts it. If they do not know Arabic, it is sufficient to say the formula using another language, for example Persian (Xu'i 2004: 165 f.). According to the official regulations of registry offices in Iran (Qānun-e sabb-e ahvāl), every marriage and its divorce or dissolution must be registered (Bāxtar 2004: 78–82). More specified regulations (Nezāmnāme-ye daftar-e ezdevāġ-o-talāq) say that during every registration it must be mentioned if the marriage is permanent or not. If it is a temporary one, the period of time must be predetermined (Bāxtar 2004: 99 f.). However, according to the Shi'i scholars, to conclude a marriage contract no witness is needed, and the contract may be even concluded by the couple in secret because “the God knows better” (Bāxtar 2004: 176). It means that according to the Sharia a correctly formulated contract does not need to be registered in any office. If a couple knows the rules, a contract may be even made by telephone, for example, in order to talk freely to each other (Xu'i 2004: 197–199).

The fundamental characteristic of the temporary marriage is the time of its duration, *moddat* in Persian, which has to be preordained in the contract. The chapter six of the Civil Code of the Islamic Republic of Iran (Qānun-e madani) refers to temporary marriage and defines that “marriage is called temporary when it is for a limited period

of time” (Bāxtar 2004: 33 f.). However, there are no limits of time. *Moddat* may be as short or as long as the couple wishes:

It makes no difference if the period is extremely long, so that one doubts whether the parties will survive its duration; or if it is extremely short, so that there is no possibility of consummation. In other words, any time period is permissible, so long as both sides are aware of the situation and are satisfied (Murata 1974: II).

The second component that has to be described precisely in a temporary contract is the amount of *mahr* (*mehr*). *Mahr* (*mehr*) or *mahriye* (*mehriye*) is a marriage present, a gift given to the bride by the groom. It is money or other valuable things (Murata 1974: II). In Islam a woman does not bring dowry to her husband. The religion puts men in the privileged position by giving them the initiative in case of divorce, but at the same time protects the woman giving her the whole amount of *mahr* as a source of financial support after the divorce (Danecki 1997: 231). According to the article 1095 of the Civil Code of Iran “absence of marriage gift in the act of a temporary marriage will render the contract void” (Bāxtar 2004: 36).

A contract of temporary marriage does not require divorce because it expires after the term fixed in the contract. This is stated in the article 1139 of the Civil Code:

Divorce is specially defined for cases of permanent marriage: a temporary wife is relieved from marriage by the expiry of the period of marriage or by waiver of the remaining period by her husband (Bāxtar 2004: 141).

After that a contract may be freely postponed on some new conditions (Xu'i 2004: 185 f.). When a marriage is terminated, the woman must keep *edde*, i.e., a period of sexual abstinence, although this period is shorter than in case of divorce or the permanent husband's death. The aim of this practice is to check whether the woman is pregnant or not. A pregnant one is not allowed to contract any new marriage until the delivery of the child (Coulson 1971: 14).

Temporary Marriage in Iran before the Islamic Revolution

It is not clear if temporary marriages have any connections with Iranian pre-Islamic institutions. According to some researchers, like the German Christian Bartholomae, Sasanian marriages made for a period of time can be interpreted as a form

³ *Mot'e* is the Persian equivalent of the Arabic term *mut'a* which has the same root as *istamta'* – pleasure (Tabātabā'i 1975: 228).

⁴ The basic meaning of the term *sige* is “contract,” and it is not clear when it became the equivalent of *mot'e* (Haeri 1989: 75).

of the contemporary temporary marriage. Mansour Shaki, in his article “The Sasanian Matrimonial Relations,” made an opposite statement, saying that this institution has nothing in common with the temporary marriage (1971: 333–335).

Anyway, it is probable that the marital relations in pre-Islamic Persia influenced the status of Islamic temporary marriage. Maria Macuch, a German researcher of pre-Islamic Persia, analyzed the Middle Persian text *Mādīgān-i-Hazār Dādīstān* and found some remarks considering an institution similar to Shi’i temporary marriage (1985). Drawing on her own research, she presented a lecture at the Fifth European Conference of Iranian Studies in Ravenna, 2003.⁵ She stated that temporary marriage is not based on an ancient Arabian custom, but it is an old Iranian institution which played an important part in the Sasanian family law.

The existence of Iranian temporary marriage during the last few centuries is corroborated in the memoirs of Western travelers, such as Jean Chardin in the 17th century (1996), professor Edward Granville Browne (1950), and Eustache de Lorey and D.B. Wheelton Sladen in the 19th century (1907). After the Constitutional Revolution of 1906, temporary marriage appeared in Persian novels such as “Tehrān-e maxūf” by Morteżā Mošveq Kāzēmi (1961), “Ma’sume Širāzi” by Mohammad Ali Ġamālzāde (1954), or “Sang-e sabur” by Sādek Čubak (1966).

Until the 1930s, Iranian family law was based on un-codified but well-developed principles of Ja’fari law. Reform of the judiciary began with the Constitutional Revolution. Between 1927 and 1935 a Civil Code of more than 1.300 articles was enacted. Its sources were authoritative Shi’i legal texts and its models were the Belgian, French, and Swiss Codes. The second of its three volumes consisted of 301 articles devoted to personal status and the family. It was approved by the Iranian Parliament in 1935. In 1931, a Marriage Law (Qānun-e ezdevāġ) that consisted of twenty articles and two notes was passed. A major reform in the sphere of family law occurred in June 1967, when the Family Protection Law (Qānun-e hemāyat-e xānevāde), consisting of twenty-three articles and one note, was enacted. In 1975, it was replaced by its new version of twenty-eight articles and nineteen notes, which extended the reforms (Mir-Hosseini 1999: 192 f.). Unfortunately, the Family

Protection Law was never fully accepted by religious traditionalists who associated it with the shah’s unpopular regime (Keddie 2003: 167).

The Marriage Law and the subsequent legislation did not address the formalities of temporary marriage registration until the Islamic Revolution:

The FPL, by both omission and commission, excluded disputes involving *mot’a* from adjudication on the basis that they were not registered and were thus devoid of legal validity. The aim was to discourage and even to prevent this type of marriage without directly banning it (Mir-Hosseini 1999: 193).

Temporary Marriage in the Islamic Republic of Iran

After the victory of the Islamic Revolution, steps towards the application of the Sharia in the sphere of family were taken. The Family Protection Law was declared to be non-Islamic and suspended by the Ayatollah Khomeini’s office (Mir-Hosseini 1999: 193). In December 1979, the new Constitution of the Islamic Republic of Iran, corresponding with the idea of *velāyat-e faqih*, the Guardianship of the Islamic Jurists, was drafted:

Family matters become the central focus of laws on women. Women are highly praised for their roles as mothers. Article 10 of the Constitution states: “Since the family is the most basic unit of Islamic society, all rules and regulations regarding family should serve the purpose of preservation of family and its relations based on Islamic rights and morals” (Gheytanchi 2000: 439 f.).

In April 1983, Khomeini issued a fatwa legalizing temporary marriages. Nowadays the rules of temporary marriage in Iran are regulated by the Civil Code (Qānun-e madani), the regulations for registry offices (Qānun-e sabt-e ahvāl), and the regulations for marriage registry offices (Nezāmnāme-ye daftar-e ezdevāġ-o-talāq).

Since the middle of the 1980s, laws regarding family matters has been gradually restoring the aspects of the annulled Family Protection Law. Women’s political mobilization and struggle for their rights brought social and political changes and modification of the law. The new women’s press developed (Keddie 2003: 292–294). Despite many theological discussions on family topics like marriage, divorce, or custody of children, the issue of female’s sexuality and desire was not raised. However, the gradual modernization of society and

⁵ The abstract of her lecture is found at the official page of Societas Iranica Europea. <www.societasiranologicaeu.org/Sito%20Conferenza/pap&part.html> [24.11.2008].

interest in women's issues finally forced Islamic clergy to deal with it (Haeri 1994: 104).

Soon after the victory of the Revolution, the Islamic regime took steps to restore the meaning of temporary marriages. In the official nomenclature the term *sige*, having negative connotations, was replaced by the neutral *ezdevāġ-e movaqqat*. The aim of such activity was to purify the institution of temporary marriage of its negative undertones and to show it in a completely new perspective:

The Islamic regime has shifted its strategy from defending *sigheh* as a legitimate form of marriage to that of upholding it as a progressive institution, and as "one of the brilliant laws of Islam" especially suited to the needs of a modern society (Haeri 1989: 96).

Islam has been presented as an advanced and farsighted religion that understands the nature of human sexuality and fulfils human needs better than the "decadent" Western life style promoting immoral sexual freedom (Haeri 1989: 96). The first new interpretation of temporary marriage as a trial marriage was introduced by Ayatollah Mottahari, one of the most influential revolutionary theoreticians. Actually, the idea has been known since the late 1960s:

In principle it is possible that a man and a woman who want to marry permanently, but have not had the opportunity to get to know each other well enough, may marry temporarily for a specified period as an experiment. If they are fully confident and satisfied with each other, they may give permanence to this marriage, otherwise they can separate (Mutahhari 1980: II).

Subsequently, the idea was reintroduced by Iranian Prime Minister Mohammad Javad Bahonar and the Parliament Representative Golzadeh Ghafari in a book for Iranian high school students. Their interpretation of temporary marriage put stress on the importance of virginity in Iranian culture and limited the sexual intercourse during the trial marriage (Haeri 1989: 97 f.).

One of the key events considering temporary marriage after the Revolution was a sermon of Iranian President Hashemi Rafsanjani at the Friday prayer in November 1990. The rostrum at the Tehran University is probably the most influential public forum in the country. The president openly discussed the sexual needs of women. He said that a woman widowed after the Iran-Iraq war has a right to fulfill her needs in the lawful way, and she can initiate a sexual intercourse by proposing temporary marriage to a man. He also mentioned that a period of temporary asceticism for mature but young people, waiting for an occasion for

permanent marriage, is not recommended and may cause physical problems. So they can also use temporary marriage as a solution and even keep it secret to feel more convenient. The president's pronouncement initiated a discussion both in public and private spheres. A copy of the speech appeared in local and foreign press (Haeri 1994: 98–100).

In 2000, another public discussion on temporary marriage took place, this time in the Iranian Parliament, when one of the members of the Cultural Commission (Komisyun-e Farhangi) informed that at some of the registry offices in Tehran temporary marriages are registered, and the documents are used by couples in hotels and other places to show that their relation is *mahram*. The discussion pointed both to the negatives and positives of a temporary contract. The Committee for Women and Family Affairs (Komite-ye Zanāno-Xānevāde-ye Komisyun-e Farhangi) considered a temporary marriage as breaking women's rights, but the head of the Center for Women's Participation (Markaz-e Mošārekāt-e Zanān) mentioned that it could replace the period of engagement which let young people get to know each other better before marriage. However, she also mentioned that it still requires many better regulations (Ebrāhimi 2001).

According to the strain theory, which is one of the two main approaches to the study of social determinants of ideology, ideological pronouncements "are seen against the background of a chronic effort to correct sociopsychological disequilibrium" (Geertz 2005: 232). This theory is based on the idea of a chronic malintegration of society. Every social arrangement faces the functional problems and insoluble antinomies, for example, between liberty and political order, stability and change, or precision and flexibility (Geertz 2005: 234 f.). Furthermore, "ideology is a response to strain" – ideological activity is created by a loss of orientation, by "an inability, for lack of usable models, to comprehend the universe of civic rights and responsibilities in which one finds oneself located" (Geertz 2005: 249). After the victory of the Islamic Revolution in Iran, the new political system generated the new arrangement in the sphere of relations between man and woman. The relation is lawful only when it is *mahram* in the religious sense. This idea has become one of the central principles organizing social life. The medium for establishing such a relation was a marriage contract, but it was not enough to use only this model to provide a sort of guidance demanded by the new political system. Consequently, the Islamic regime redefined the practice of temporary marriage. The

aim here was not only to restore the idea of temporary marriage but also to give a new meaning to the modern Islamic society and to prevent social dislocation and psychological tension.

Findings

The ideology of the Islamic regime gave new symbolic frames to the institution of temporary marriage. This activity had started earlier, but was developed by the President Rafsanjani at the beginning of 1990s, when he publicly introduced temporary marriage as a progressive institution and a response of Islam that catered not only to men's but also to women's sexual needs. As a result of that ideological activity, temporary marriage regained a place in Iranian social life. It is present in political debates, law regulations, media, or feministic discourse where women deal with social and legal issues from the point of view of their own interests. My informants agreed that the idea of temporary marriage is also present at schools, and that it is necessary to have some knowledge about this concept.

There are no accurate figures concerning temporary marriages, firstly because official statistics include only one part of the phenomenon, and secondly, because statistics still remain a tool of the official propaganda.⁶ However, during my observations and interviews, I have come to a conclusion that in these days temporary marriage is not only widely discussed but also more often practiced than in the 1980s or in the beginning of the 1990s. Most of my informants agreed that in spite of keeping the practice in secret, it has become more popular among their friends and family. One of my informants, a mullah who works at a registry office, observed two main factors that contributed to the increasing number of temporary marriages: a bad economic situation that makes a permanent contract difficult, and the growth of divorce rate which leaves divorced women on their own (Niechciał 2006: 83).

The other sphere I analyzed during my research was the Internet, which is a very powerful medium of communication in Iran. Despite a very repressive Internet censorship by the regime, the Internet enjoys huge popularity among Iranians,

mostly young people. I found two kinds of Internet pages. The first group are fora to discuss the topic of temporary marriage (<www.cloob.com>). It is clear that the arguments used in the discussions on those websites are directly derived from the official ideology mentioned above. A second group of the web pages provides the place where Iranians can discreetly find a partner for temporary marriage (<www.sighe.com>).

My fieldwork included not only interviews with people who contracted a temporary marriage but also with registrars and Shi'i clerics, which helped me identify three most important variations of a temporary marriage contract. One of them is an officially registered marriage, which actually is just a marginal aspect of the phenomenon. Although, as I mentioned before, there are rules requiring official registration of every temporary marriage, only some of the offices in Teheran observe them. Usually a couple visits a clergyman to contract their temporary marriage, which is the second variation of the temporary marriage. I found out that some of the offices directly propose this solution. At one of them I was said that there were people interested in official procedures, but usually "there was a cleric who visited our office sometimes and we send him the interested couple" (Niechciał 2006: 79). Usually it is a clergyman, but it may be also any other competent person. At another registry office, I was informed that officers were "on friendly terms with a man educated in law who was asked to draw a contract" (Niechciał 2006: 80). This half-official contract is legitimate for the authorities, but it is not recorded in official statistics.

The third kind of the temporary marriage is the one made by a couple in secret, with no witness or documents, just for their own needs. From theological point of view such a contract is lawful. However, it is contrary to the Iranian law according to which such a relation does not have the *mahram* status.

Since the time of Haeri's research, the fact remains that most of the women concluding temporary contract are *bives*, which in Persian means either a widow or a divorcée. That is a conclusion both of my fieldwork and the Internet research. The situation of a *bive* woman is still very difficult in modern Iran, and they can hardly earn a living. They look for a man to support them financially and psychologically, and offer a relationship in return. I talked to a young mullah who was unofficially specialized in finding temporary husbands for *bives* who were looking for a financial support or just felt lonely. In the area of the city where he works, he

6 However, the statistics show how a marginal group includes officially registered temporary marriages: the number of such contracts in the country for 1382 (21st of March 2003 – 19th of March 2004) came to 344 (*Āmār-ez-devāḡ-e ...* 2003: 4).

became quite famous. People meet him or call his mobile and want him to find for them a temporary partner (Niechciał 2006: 78). This kind of relationship has a close association with prostitution and has shaped the stereotype of *sique* women as prostitutes. It is because, in the first place, a man is usually looking for a sexual intercourse, and he is not willing to provide material support. Secondly, a *sique* woman, usually divorced or widowed, has in Iranian culture an ambivalent reputation:

Personally, she might be more mature and experienced than other women (because she has married at least once and divorced), and legally, she is freer than married or virgin women to negotiate on her own behalf, choose her male partner(s), and exercise her own decision-making power . . . Autonomy, however, is not a trait socially approved of for women in Iran (Haeri 1989: 200).

Despite the ideological attempts of Iranian authorities, the moral ambivalence toward temporary marriage has not disappeared, and the practice is still kept in secret. More open discussions appear in anonymity – including Internet fora – but in real life it is common that a couple keeps its temporary contract secret.

This ambivalence still concerns a temporary marriage of a virgin, even if it is a nonsexual arrangement popularized by Islamic authorities. A girl who wants to contract a temporary marriage risks her reputation and chances for a satisfactory permanent marriage:

In a culture where virginity is treasured, no woman can afford to gamble with her “symbolic capital” without running the risk of tarnishing her reputation and greatly diminishing her chances for a desirable permanent marriage (Haeri 1989: 201).

Temporary marriage is used for establishing *mahram* relationships for different reasons. Usually it is a response to needs of a Shi’i couple who wants their relation or sexual intercourse to be lawful. As I mentioned before, this usually refers to *bives*. Temporary marriage may also be used as a trial marriage. In religious families, it replaces what we understand as an institution of engagement. It is usually a *sique-ye mahramiyat* which excludes sexual intercourse. This kind of contract described by Haeri also exists nowadays, mostly among religious couples. I talked to a young Shi’i clergyman who made a temporary contract excluding sexual intercourse with his wife-to-be: “We met thanks to one of our relatives. We wanted to marry. So firstly, we made a ‘sique’ to see each other and to get know each other . . . We made it for the period of

the so-called engagement, and we planned to marry after those six months” (Niechciał 2006: 75).

As I mentioned before, in some cases a temporary marriage is made only because of private needs of the couple and is kept in secret. Three years ago, one of my informants, a single 24-year-old man, made a contract of temporary marriage secretly with his older girlfriend, a divorcée. The contract was concluded only for the duration of the religious month of Ramadan. They explained their motives as religious ones: “We wanted to pray and feast. We believe that by making a temporary contract we do not commit a sin. According to our religion, closer relation with woman who is not your wife, is a sin” (Niechciał 2006: 69). It is interesting that sexual intercourse was perceived more as a sin during the Ramadan month. He gave her a crystal set as a *mehriye*, and they did not register their contract because for them it was “a response to the needs of their hearths and not to commit a sin” (Niechciał 2006: 69). This kind of relationship was not mentioned by Haeri, so it is hard to say if it has been formed during the Islamic Republic regime, but the Islamic propaganda might have instilled this way of thinking.

Another interesting issue is a new motive for concluding a temporary contract that appeared after the Islamic Revolution. A couple needs to establish a *mahram* relation only because Iranian law demands it, and the corresponding document may be checked by officers. For example, travelling with a *nāmahram* woman may result even in being jailed. The official or half-official document of a temporary contract may be requested during a police inspection. A couple may not accept fully the idea of temporary marriage as a religious institution, but they use it in order not to contravene the Iranian rules and avoid punishment.

One of my informants made such a contract about three years ago, when he was 27. His partner was a divorced woman and four years older than him. For both of them it was the first experience with the temporary marriage. It lasted one month because in those days they planned to go together for a trip to the Caspian Sea and needed a document in case of a police control. They kept their activity secret. My informant belongs to the Tehran upper-class singles, and he had many girlfriends, travelled abroad, and describes himself as a nonreligious person. He used a temporary contract as a tool that legalized his situation. He admits that if he needs it again, he will make another contract (Niechciał 2006: 72 f.).

I do not argue that many less religious people in Tehran use a temporary marriage to avoid conflict

with the law because usually they try to omit the rules otherwise. But this phenomenon exists and concerns also non-Muslim foreigners who have relations with Iranians. They accept the fact that a temporary marriage is less dangerous than a free relationship and more convenient than a permanent marriage contract. I held my fieldwork during the last months of Khatami's second presidency. He had liberalized his social policy, but there was still a need for such solutions. It might be a very interesting research topic to compare how the more restrictive presidency of Ahmadi Nejad (since autumn 2005) has influenced that behavior pattern.

Conclusion

As I mentioned before, my fieldwork was a preliminary one, but it demonstrates how the institution of temporary marriage functions in contemporary Tehran. It is in most cases still kept secret, but the ideology of Islamic regime in Iran found new symbolic frames for it and made it much more present in public life. The phenomenon marginalized during the Pahlavi regime has now been authenticated and reinterpreted. The deep tension between religious conformity and its cultural disapproval, described by Haeri in the 1980s, has not disappeared (1989: 199), but the practice is even more popular than before the Islamic Revolution and it has gained its new forms in private life, and a new place and meaning in public debates.

References Cited

- Āmār-e ezdevāḡ-e movāqqat bist-o-hašt darsad afzāyeš yāft*
2003 *Āmār-e ezdevāḡ-e movāqqat bist-o-hašt darsad afzāyeš yāft. Irān* 18 (ordibehest/May 8): 4. [1382]
- Bāxtar, Sayid Ahmad**
2004 *Ezdevāḡ -e movāqqat. Maḡmu'e-ye kāmel-e qavānin-o-moqarrarāt. Tehrān: Xatt-e Sevvom.* [1384]
- Browne, Edward Granville**
1950 *A Year amongst the Persians. Impressions as to the Life, Character, and Thought of the People of Persia, Received during Twelve Months' Residence in that Country in the Years 1887–1888.* London: Black.
- Chardin, Jean**
1996 *A Journey to Persia. Jean Chardin's Portrait of a Seventeenth-Century Empire.* (Transl. and ed. by R. W. Ferrier.) London: I. B. Tauris Publishers.
- Coulson, Noel James**
1971 *Succession in the Muslim Family.* Cambridge: Cambridge University Press.

- Čubak, Sādek**
1966 *Sang-e sabur. Tehrān: Ġāvidān.* [1345]
- Danecki, Janusz**
1997 *Podstawowe wiadomości o islamie. Vol. 1.* Warszawa: Wydawnictwo Akademickie Dialog.
- Ebrāhimi, Zahrā**
2001 *Bahs-e siq̄e dar maḡles. Zanān* 5: 20–22. [1380]
- Ġamālzāde, Mohammad Ali**
1954 *Ma'sume Širāzi. Tehrān: Kānun-e Ma'refat.* [1333]
- Geertz, Clifford**
2005 *Interpretacja kultur. Wybrane eseje.* Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego.
- Gheytanchi, Elham**
2000 *Appendix. Chronology of Events Regarding Women in Iran since the Revolution of 1979. Social Research Journal* 67/2: 439–452.
- Haeri, Shahla**
1989 *Law of Desire. Temporary Marriage in Shi'i Iran.* Syracuse: Syracuse University Press.
1994 *Temporary Marriage. An Islamic Discourse on Female Sexuality in Iran.* In: M. Afkhami and E. Friedl (eds.), *In the Eye of the Storm. Women in Post-Revolutionary Iran*; pp. 98–114. London: Tauris.
- Kāzemi, Morteżā Mošveq**
1961 *Tehrān-e maxuf. Tehrān: Ebn-e Sinā.* [1340]
- Keddie, Nikki R.**
2003 *Modern Iran. Roots and Results of Revolution.* New Haven: Yale University Press.
- Lorey, Eustache de, and Douglas Brooke Wheelton Sladen**
1907 *Queer Things about Persia.* London: Eveleigh Nash.
- Macuch, Maria**
1985 *Die Zeitehe im sasanidischen Recht. Ein Vorläufer der Šī'itischen Mut'a-Ehe in Iran? Archäologische Mitteilungen aus Iran und Turan* 18: 187–203.
2003 *The Function of Temporary Marriage in the Context of Sasanian Family Law. (Abstract of the Lecture.)* <www.societasiranologicaeu.org/Sito%20Conferenza/pdf/abstract/tuesday/mi_kotwal%20macuch%20mehrkan.pdf> [15.05.2008]
- Mir-Hosseini, Ziba**
1999 *Family Law in Modern Persia.* In: E. Yarshater (ed.), *Encyclopaedia Iranica. Vol 9: Ethé–Fish*; pp. 192–196. New York: Bibliotheca Persica.
- Murata, Sachiko**
1974 *Temporary Marriage in Islamic Law. Al-Serat* 13/1. <www.al-islam.org/al-serat/muta/> [24.11.2008]
- Mutahhari, Murtada**
1980 *The Rights of Women in Islam.* <www.al-islam.org/rightsofwomeninislam/> [24.11.2008] [1400]
- Niechciał, Paulina**
2006 *Małżeństwa czasowe we współczesnym Iranie. Teoria i praktyka.* Kraków. [Unpubl. master's thesis, Department of Ethnology and Anthropology of Culture, Jagiellonian University, Poland]
- Shaki, Mansour**
1971 *The Sasanian Matrimonial Relations. Archiv Orientalni* 39: 322–345.

Tabātabā'ī, 'Allāmah Sayyid Muhammad Husayn

1975 Shi'ite Islam. Albany: State University of New York Press.

Xu'i, Hoḡḡat Musavi (ed.)

2004 Ahkām-e ezdevāḡ-e dā'em-o-movaqqat motābeq bā fatāvā-ye āyāt-e o'zām-o-marāḡe'e taqlid. Tehrān: Dārol-feyz. [1383]

Coffee, Gender, and Tobacco

Observations on the History of the Bedouin Tent

Benjamin A. Saidel

Introduction

The black tents inhabited by pastoral nomads have been and continue to be a subject of interest to anthropologists and ethnoarchaeologists.¹ For anthropologists this shelter and the activities conducted inside of it provide insights into the social life of mobile pastoralists, such as the Bedouin (Lancaster 1997: 61):

One of the most striking features of Bedu life is the division into public and private spheres, symbolized by the division of the tent into public and private spheres, symbolized by the division of the tent into the men's side, which is public, and the women's side, which is private.

The significance accorded to the Bedouin black tent (*beit sha'ar*) by some authors is demonstrated by the fact that the first chapter in a number of publications is devoted to a description of this shelter (for instance, Weir 1976: 1–6; Kay 1978: 11–32).

In contrast, ethnoarchaeologists have identified and documented the physical remains and artifacts found at abandoned Bedouin tent camps (Simms 1988; Banning and Köhler-Rollefson 1986, 1992). The purpose behind this ethnoarchaeological research is threefold: first, to demonstrate that the site structure of pastoral campsites differs from the habitation sites of hunter-gatherers (e.g., Simms 1988); second, to demonstrate that “pastoral camps” can be identified through archaeological fieldwork (Avni 1992: 242; Banning and

Köhler-Rollefson 1986; 1992: 182, 201); third, to determine “whether there is any basis to compare recent remains to those of ancient cultures found in the same area” (Avni 1992: 242). Absent in the research mentioned above, however, are detailed discussions on the history of the Bedouin tent and some of the customs carried out inside of this structure.

In this article I use various lines of evidence to propose two possible dates for the age of the Bedouin black tent. The first is based on the organization of space within this structure, the second is based on some of the material culture found inside it. By dating the material culture, we can also provide relative dates for some of the social customs carried out inside this tent. It is acknowledged that the consumption of coffee and tobacco occurred later in time than the separation of public from private space. This study does not investigate the origins of tensile architecture in the southern Levant or in the Old World. Rather, its purpose is to ascertain the age of a specific type of tent, namely the Bedouin Black tent,² and some of the activities carried inside it. The geographical focus of this study is primarily the southern Levant, northern Arabia, and the Sinai Peninsula, with data also drawn from other parts of the Near East. This research relates to Bedouin black tent dwellers who have been defined by others as Bedouin.³

It is acknowledged, however, that some Bedouin, such as the Jebaliya in southern Sinai, use tents that are not rectilinear in shape and that during the summer they do not use the *beit sha'ar* at all because it is too hot (Bar-Yosef 1984: 155; Goren-Inbar 1993: 418). Aside from tents, the Bedouin use a variety of other types of spaces for shelter, such as caves and rock shelters.⁴

The House of Hair

The Bedouin black tent, the *beit sha'ar* or “house of hair,” is defined as a rectangular structure that varies in length and width (Table 1) (Weir 1976: 1). This type of shelter was found throughout the Levant, northern Arabia, and the Sinai as well as in other parts of the Near East and North Africa (e.g.,

1 E. g., Feilberg (1944), Musil (1928: 61–85), Simms (1988).

2 For example, Musil (1928: 61–76), Dickson (1951: 66–80), Simms (1988).

3 Burckhardt (1967: 3), Musil (1928: xiii, 44), Kirk (1941: 60, zone 2), el-Aref (1974), Simms (1988).

4 Bienkowski (1985), LaBianca (1990: 83, 87, 222, 232), Simms and Russell (1997).