Gesänge des "Toré"-Rituals zu umreißen. Zwar gibt er keine Textproben oder Musikbeispiele, verweist aber in einer Fußnote auf seine ausgedehnte Feldforschung von 1998–2002 und die dabei gemachten Tonaufzeichnungen.

Als Anhang werden sechs administrative Dokumente aus den Jahren 1700 bis 1928 abgedruckt, deren Relevanz für die vorangehenden Studien nicht deutlich wird, da die Studien selbst nicht auf sie Bezug nehmen.

Zum Schluss sei der Eindruck eines fernab von Brasilien lebenden und wirkenden Ethnologen gegeben: Die vorliegende Sammlung von Aufsätzen bietet viele interessante Aspekte des Lebens und der Lebensprobleme eines kleinen, modernen Eingeborenenvolkes, ist aber durchweg so wenig konkret, systematisch und detailliert, dass man kein umfassendes Bild von den Fulni-ô gewinnt. Ich frage mich daher, ob das Buch nicht mehr für den internen Diskurs brasilianischer Forscher der Region geschrieben ist, die all das schon wissen. Darauf weist auch die fast ausschließliche Verwendung und Zitierung portugiesischsprachiger, in Brasilien verlegter Fachliteratur hin.

Berthold Riese

Sindawi, Khalid: Temporary Marriage in Sunni and Shiʿite Islam. A Comparative Study. Wiesbaden: Harrassowitz Verlag, 2013. 134 pp. ISBN 978-3-447-06987-8. (Arabisch-Islamische Welt in Tradition und Moderne, 9) Price: € 29.80

Modern times have confronted the Muslim world with serious moral dilemmas and social conundrums, including what Khalid Sindawi, author of "Temporary Marriage in Sunni and Shiʿite Islam. A Comparative Study" calls the "juridical predicament in modern times" (121). Social changes and structural transformations in much of the Muslim world have brought about fundamental alterations in the nature and forms, sensibilities and sensitivities of gender relations, sexuality, marriage and divorce – as it has in much of the world. But the unbending legal restrictions and medieval rules and regulations have created on the ground personal angst and existential hardship for many Muslims. Jurists, on their part, have been called upon directly or indirectly to address the changing gender relations and sexual needs of the multitude of Muslims – in their own homeland or abroad in Western countries. Yet even before the onslaught of modernity, the religiously ideological divide between Sunnis and Shiʿites had fortified the Sunni legists' resistance to temporary marriage as it has been sanctioned by the Shiʿites all along. Sunnis and Shiʿis have not ceased to argue with and against each other since. This is the broader topic of Khalid Sindawi's comprehensive and well-argued book. The stated objective of the author is to "analyze the issue of temporary marriage in Islamic canonical law (sharʿ) in light of contemporary positive and civil law in a number of Muslim countries." And to "discuss the social aspects of temporary marriage, as well as the influence that social sentiments may have had on the way in which this institution has been appraised in Islamic law" (13). The author delivers on the first premise.

Sindawi's comparative approach is a welcome addition to the gradually increasing books and articles about variations on the theme of temporary marriage in Islamic societies. In addition to an introductory chapter, the book includes six chapters in which the author lays out in detail the religiously contested positions of Muslim jurists and legists regarding marriages other than the "permanent," *nikāḥ*, marriage. His discussion of the "social aspects of temporary marriage," however, and his quick foray into the social history of the diversity of pre-Islamic and contemporary variations of marriages are less scholarly and more journalistic.

Starting with the canonical definition of marriage, Sindawi gives a rather uniform definition of Islamic marriage; thereby collapsing the Shiʿi definition of marriage with that of the Sunnis' (18–24). The Shiʿite jurisprudence has historically made a distinction between "permanent" and "temporary" marriage and has almost unanimously endorsed temporary marriage. Whereas the officially stated objective of the latter is sexual enjoyment for men and financial security for divorced and widowed women, the objective of the former is procreation, though of course the legists and legal exegetes are not unaware of the sexual dimension of permanent marriage. Sunnis, on the other hand, have consistently and persistently disputed the legality, the legitimacy, and the propriety of temporary marriage and have banned its practice all together, however, not without ambivalence, as Sindawi discusses it in chapter two. From the Sunni point of view only one form of marriage, namely *nikāḥ*, is legally valid, religiously permissible, and socially commendable. But then modern times and the rapidly changing gender relations have prompted a few Sunni legal scholars to have a change of mind.

Seeking to find "solutions" for the sexual needs of the multitude of young Arabs and Muslims who find permanent marriage beyond their reach or undesirable for men already married, some Sunni scholars and legists have attempted to bridge the lagging gap between the law and social practices, between the public demands for change and legal restrictions. Some contemporary Sunni scholars, Sindawi argues, have sought to validate the already existing "travel" or *misyār* marriage that has become a somewhat popular alternative form of marriage in Saudi Arabia, the Persian Gulf states, and in Egypt (see also Hasso 2011). Others have tried to propose a more novel yet modern form of marriage, one of which is that of "friend" or "husband friend" marriage. Sidawi's book offers a detailed and well-argued comparative discussion of the three major variations of temporary marriages mentioned above.

Of the three types of variations of marriages, temporary or usufruct marriage, *mutʿa*, is the longest lasting and the most dominant form, practiced predominantly among the Twelver Shiʿites. Whether temporary marriage is religiously recommended and thus legally permissible has been the subject of intense conflict and animosity between the Sunnis and the Shiʿites. Sunnis unlike Shiʿites, the author argues, have at times expressed ambivalence regarding the religious propriety and legality of temporary marriage and have not exhibited uniformity of views. But

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the Sunnis' long-standing public feud with the Shiʿites on this issue has essentially prevented them from endorsing any alternative forms of marriage for contemporary consumption, lest it may bear slight resemblance to temporary marriage, or that they may be accused of having entertained a Shiʿi position. For that matter, contemporary Sunni jurists and legists are divided among themselves as to the propriety of *misyār* marriage – subject of chapter five. "This type of marriage," Sindawi writes, "has no basis in Islamic canonical law. Its origin lies in the practical necessities of life, and it is therefore not mentioned by the early legists" (87). In a travel marriage the husband comes to live with his wife and is not obliged to support her financially, or rather the wife forgoes her claim to joint residence and financial maintenance (87). True to the form, however, while some Sunni sages have endorsed it and in fact issued fatwas in support of it, others have rejected its practice and condemned its supporters. But given "the practical necessities of life" religious leaders such as Shaykh Yusuf al-Qardawi, while validating this form of marriage have viewed it as "repugnant" (100). Shaykh al-Qardawi has been taken to task by other Sunni sages to clarify his position, and so he has written copiously on the subject all the while trying to distinguish it from the Shiʿite's *mutʿa* marriage (87 f.). But as Sindawi correctly claims, "the form and logic of this type of marriage show very clearly that the only thing that it has in common with permanent marriage is the name 'marriage,' and that in fact in its essence and the way it is implemented it is nothing but a Sunnī version of usufruct marriage (*mutʿa*) under a novel name" (88 – parenthesis original). The author highlights that which the Sunnis have been reluctant to admit: "those who deny the connection between travel and temporary marriage merely attempt to hide their intentions in order to make them concordant with the legal and social interests which the Sunnī scholars aspire to realize" (102).

The last variation and the most recent is that of "friend" marriage, or more accurately "husband friend," as proposed by the Yemenite religious figure, Shaykh ʿAbd al-Majid b. ʿAziz al-Zindani in 2003, topic of the sixth and last chapter. Al-Zindani's proposal was, as stated by Sindawi, "to facilitate marriage for young Muslim of both sexes who live in the West" (104). Whether it was the Shaykh's choice of terminology, or the very nature of his proposal, it created such uproar that compelled the Shaykh to clarify his position. "This kind of marriage," the Shaykh states, "is similar to the terms 'boy friend' and 'husband friend' (*zawj friend*), the latter of which has been distorted by the media to *zawāj friend* ('friend marriage'), as if this were a new type of marriage. But I do not call for introducing terms that are contrary to Islamic canonical law; I therefore propose to replace the term 'friend marriage' with 'facilitated marriage for Muslims in the West'" (107; parenthesis and inside quotations original).

This book is more than a comparative analysis of the jurists and legists discussions and disputes regarding variations of temporary marriage from ancient to modern times. Sindawi devotes two chapters to a wide range of ancient and contemporary "temporary marriages." In chapter one, for example, Sindawi delves into the diversity of pre-Islamic sexual unions that were "abolished by Islam." This chapter, though at times amusing, suffers from unwarranted generalizations and paucity of sources. In seven pages (25–31), the author covers marriages ranging from "impregnation marriage" to "group marriage," to "paramour" and "spousal exchange" marriages, and a few more. At one point he claims "Wife swapping was so common in Persia that there those in that [sic] country who taught [sic] that possessions and wives should be held in common" (28). Or again, in his brief discussion of "Marriage to the wife of one's father," he asserts "This kind of marriage was common in Persia, whence it spread to the Arabs, who considered it reprehensible" (30). Neither claim is supported by any references.

Chapter three is devoted to contemporary marriages and includes brief descriptions of "marriage of preference" ("contracted in order to satisfy one's instinctive drive in a way that is considered licit according to religious law" [42]) to "day marriage and night marriage," (42 f.) to "tourism marriage" (… "first appeared in Yemen, where underage girls are wed to Yemenis and foreigners for a few weeks or during the summer vacation" [50]; source?); to "soap opera marriage" (the legal and moral dilemmas of what to do "with respect to a woman who marries in a soap opera although she is also married in real life" [51]); to "internet marriage"; to "tattoo marriage" (referred to in Egypt as "marriage by tattoo and divorce by acid" [56], Source?); to "stamp/postal marriage" (58) to "cassette," "summer," and "take away" marriages (58 f.) and many more, some 23 variations in total! In the face of it, I found this chapter interesting – even at times entertaining – but then again often the assertion is journalistic, based on hearsay and gossip. Organizationally the book would have held greater scholarly cohesion had these two chapters been added as an appendix.

There are also a few glaring mistakes that given the care the author has taken to discuss the differences in the Sunni and Shiʿite juridical positions, leave the reader wondering. For example, Sindawi asserts that the usufruct marriage "is bereft of … waiting period" (117). Or, that temporary marriage is different from "marriage with the intention to divorce," in that in the former "marriage ends when the time period stipulated in the contract expires, over which neither party has any control" (40). Regarding the waiting period, Shiʿite jurisprudence stresses the necessity of maintaining a waiting period, though the length of the abstinence is two menstrual cycles as opposed to three in the case of permanent marriage. As for ending the marriage, either man or woman can legally and practically end a temporary marriage. If it is initiated by the wife, she has to give back certain amount of the bride-price she has received at the beginning of the marriage. As far as men are concerned, divorce being their unilateral right, they can always make a "gift of the remaining time" and end the temporary marriage partnership. Or, should they choose to extend their marriage, they can renew their contract just before its expiration and continue living together.

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All in all, I found Khaild Sidawi's book informative, well-argued, and comprehensive in its treatment of Islamic variations on the theme of temporary marriage and their significance in the present-day Muslim world.

Shahla Haeri

Speiser, Sabine (ed.): ¿Quién habla por quién? Representatividad y legitimidad de organizaciones y representantes indígenas. Un debate abierto. Eschborn: Deutsche Gesellschaft für Internationale Zusammenarbeit, 2013. 259 pp. ISBN 978-9942-13-540-5.

En el año 2013, Sabine Speiser – la editora del libro –, coordinó por encargo del programa PROINDIGENA de la GIZ y en cooperación con la Universidad de Bonn, la realización del taller denominado "¿Quién habla por quién? Representatividad y legitimidad de organizaciones y representantes indígenas". (PROINDIGENA [Programa Fortalecimiento de Organizaciones Indígenas en América Latina] está presente en seis países: Bolivia, Colombia, Ecuador, Guatemala, Paraguay y Perú, con una serie de actividades, tales como: apoyar en la consulta previa, promover el diálogo en situaciones de conflictos sobre recursos naturales y tierras, apoyar en el fortalecimiento organizativo o en programas de educación y capacitación.) Este taller contó con la participación de profesionales tanto de las ciencias sociales como de la cooperación internacional, además de la presencia de un miembro del pueblo shuar de Ecuador.

El presente libro recoge, en su primera parte, las ponencias del taller. Aborda en la segunda parte el debate de las ponencias y además, las experiencias de trabajo de organizaciones que trabajan proyectos vinculados a la "temática indígena". En los anexos se encuentran la propuesta del taller, la invitación, el programa del taller y los resúmenes de las contribuciones en español, inglés y alemán. Además cuenta con la presentación de Sylvia Reinhardt, de la GIZ y una introducción elaborada por Sabine Speiser, como editora.

Las ponencias del taller constituyen el corazón del libro. Esta parte inicia con un texto de Ampam Karakras, quien esboza el contexto en el cual se debería manejar la cooperación internacional en relación a los pueblos indígenas. Es el único texto que se orienta de manera estricta en el tema del libro ¿Quién habla por quién? En su análisis, el autor no busca focalizar este cuestionamiento hacia los pueblos indígenas; más bien propone plantear las mismas preguntas – respecto a la legitimidad y la representatividad e intereses – a funcionarios de los Estados, de la cooperación internacional y las ONG. Señala de manera enfática que no es apropiado seguir utilizando el término "indígena" y que es mejor referirse a la identidad de cada uno de los pueblos existentes, antes de la era de la dominación europea en Las Américas. Sin embargo, él mismo sigue utilizando el concepto "indígena" a lo largo de su texto. Analizaremos más adelante este problema.

En las siguientes contribuciones el enfoque en el tema del taller generalmente se restringe a los pueblos indígenas y/o sus representantes. En el caso de Theodor Rathgeber sobre Colombia, se esboza la historia de la representatividad política de los pueblos indígenas, que descansaba en la institución del "cabildo", introducido en la época colonial. Paulatinamente, el cabildo se convirtió en la entidad aceptada por la población indígena como su plataforma política hasta que en la Constitución de 1991 se transformó en una entidad pública. Esta misma Constitución establece una serie de otros derechos para los pueblos indígenas, aunque Rathgeber señala también la complejidad de los procesos de representación entre estos pueblos.

Volker von Bremen analiza los principios que permiten a los dirigentes de los pueblos del Chaco representar a sus pueblos, en función a las exigencias del mundo exterior. En este proceso, quien fue el "matador" (el hombre valiente, que destaca en la lucha) se transformó en "el pastor" (religioso) y ahora es el "presidente".

La contribución de Philipp Altmann gira en el análisis de la historia y la complejidad de uno de los movimientos indígenas nacionales más exitosos, el de Ecuador. Muestra, de manera ejemplar, la lucha por la representatividad y los peligros, pero también la enorme dinámica que puede desatar esta lucha. Esta lucha por la representatividad, también es abordada por Pablo Ortiz-T., analizando la crisis organizacional entre los shuar, quienes han desarrollado varios grupos y subgrupos que compiten por representatividad. Subraya además que esta competencia no es exclusiva del pueblo shuar sino que – desde el inicio de la conquista europea hasta la actualidad – las estructuras de representatividad autóctonas, en cada momento histórico, tienen que adaptarse y readaptarse a las exigencias que provienen del mundo externo.

El tercer artículo sobre Ecuador, de Anita Krainer, analiza el concepto "interculturalidad" y su vigencia en el país, después de que la nueva constitución ha establecido el "buen vivir" como uno de los principios para el pacto social en Ecuador. Poco sorprende la afirmación que no se ha logrado aún niveles adecuados de interculturalidad; la autora hace un llamado al papel que juega la educación – entre otros, en relación a los propios valores culturales y su historia – para poder lograr una interculturalidad más igualitaria, lo que repercute también en la representatividad.

El problema con la representatividad salta nuevamente en la contribución de Teresa Valiente-Catter sobre procesos en el Perú. En el año 2011, se promulgó la Ley de Consulta Previa en la localidad de Bagua (Amazonas), lugar de enfrentamientos sangrientos en el año 2009. Sin embargo, en la práctica resulta complejo, difícil y complicado la implementación de esta ley y la definición legal de quién es indígena (y, por ende, tiene que ser consultado) y quién no. A ello se suman las dificultades para establecer quién representa a quién a nivel de Gobierno, de empresas, de otros actores, de pueblos indígenas, etc. El segundo tema de la autora, el proceso de revocatoria de la alcaldesa de Lima Metropolitana en el año 2013, muestra la dificultad en la definición de quién podría ser subsumido bajo el término "indígena" en un entorno de gran metrópoli, en este caso, Lima. Según la autora, fue la población migrante (término que sustituye muchas veces a "indígena") quién rechazó a la alcaldesa. Se evidencia

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