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**PATRILINY AND THE MODERN STATE IN THE MIDDLE EAST**

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## Abstract

“Patriliny” is a set of ideas and practices in which only one parent, the father, bequeaths certain identity categories, social roles, and goods to his children. Patriliny fosters particular understandings of ancestry and individual and group ontology. Drawing on anthropological theories of patrilineal kinship, I argue that patriliny is integral to conceptions of citizenship and group membership in the Middle East, and that it strongly influences ideas and practices pertaining to the state and nation there. The *modern* state was supposed to offer a new understanding of the body politic not drawn from concepts of autochthony or familial relationships. I will argue, however, that since the founding of the modern Middle Eastern states by European powers and local elites following WWI, Middle Eastern leaders have often drawn on, rather than turned away from, such concepts in their promotion of the modern. Despite doing so in diverse ways, patriliny is a thread through many of their narratives. I will also show how European colonizers worked to uphold patriliny even as they decried some of its concomitants, helping to produce ironic citizenship regimes that are today facing protest and dissent. I will conclude with the contention that productive links can be made between the institution of the patrilineage and the institution of the state generally, including the modern state as it is now found across the world.

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“Patriliney<sup>1</sup>” is a set of ideas and practices in which only one parent, the father, bequeaths certain identity categories, social roles, and goods to his children. Patriliney fosters particular understandings of ancestry and individual and group ontology. I draw on theories of patrilineal kinship to argue that patriliney is integral to conceptions of citizenship and group membership in the Middle East, and that it strongly influences ideas and practices pertaining to the state and nation there. This is an innovative assertion. First, patriliney is often associated with the primordial and the early modern state, or with governance at a highly local level in the absence of a central state (Evans-Pritchard 1940) but I am identifying it as integral to thoroughly modern settings and states. Second, I argue that patriliney is highly influential in state-formation and in political and social relations and structures even though it has not been recognized as such. I see patriliney as strongly influencing ideas and practices pertaining to the state and nation in the Middle East<sup>2</sup>. Finally, some would assign those features in law and civil practice that I identify as patrilineal to Islam and Islamic law. I do not so much disagree as flip the model on its head: I regard patriliney as more fundamental, and see Islam and Islamic law as following patriliney, rather than the other way around. Other religious traditions, such as Orthodox Christianity, have in Middle Eastern (and other) settings upheld patriliney just as strongly as Islam, and the record clearly shows that patriliney existed well before Islam.

The area of the Middle East and North Africa is likely the largest contiguous area in the world in which patriliney is the chief way of organizing kin groups (King and Stone 2010), with only two exceptions, the Tuareg and many Israeli Jews, who are matrilineal. Kinship and descent categories and relationships are, despite the strong critique anthropological theories of them have

received in recent years<sup>3</sup>, still strongly relevant in people's everyday experience in the region (King 2014). For some people, having a patriline carries little meaning, but some others are members of patrilineages that extend back centuries and confer great prestige. The basic idea of patrilineality, however, is pervasive and affects everyone at some level. In the idealized concept, everyone belongs to a corporate group that traces its origin through males to an apical ancestor who lived at least two generations prior. The dynastic principle is applied not only to a few elite groups, as is common to many parts of the world, but in theory is applied to everyone. Patrilineality is one kind of unilineal descent reckoning; matrilineality is the other<sup>4</sup>. A "patrilineage" is a group of people who trace their ancestry through males to a common apical ancestor. Members may be male or female, but one key difference between males and females is that male members pass on lineage membership, while females do not. A "patriline" is a single line of male ancestors, usually rendered as extending back in time. As I have argued elsewhere, "When patrilineal logic is allowed to trump other logics that would encourage fluidity in identity claims, identity is never halved. It is never made complex and hybrid through *two*. This is patrilineality, a concept that gives rise to a diverse and complex set of practices and logics, at its simplest. Patrilineality begets ethnic difference, and ethnic difference is a convenient way of organizing people for contests over resources" (King 2014: 196).

In this work I draw on three sources of information: my own ethnographic fieldwork in the Kurdistan Region of Iraq and observations in Lebanon, Syria and Turkey; the writings of early state-makers including local elites, European colonizers and missionaries, and the work of other scholars on citizenship, culture, and political community in the Middle East. My purview mainly consists of those states whose territories overlap partially or mainly with the Fertile Crescent. I have been working as an ethnographer in the Kurdistan Region of Iraq since 1995.

There, most of the social categories that animate daily social relations are patrilineal. A key argument of this paper is that indigenous practices in the Middle Eastern state have found support in and are reflected in the practices of the modern state, even though the state was colonial and in many cases occupied and is now post-colonial and may be fragile. In my field site of Iraqi Kurdistan, each and every person is expected to belong to a patrilineage (*'a'ila, mal*). Most people also belong to a tribe (*eshiret*), and tribes are patrilineal and territory-based except in the case of a few now-settled nomadic tribes. Most of the tribes spread across non-contiguous territory are those that were formerly nomadic. Becoming a full member of a tribe is not possible in one generation; in the first generation, the male founder of a new patrilineage that comes to be a part of a tribe is in a liminal state and unlikely to be seen as a full member. His status as a resident within the tribal lands is contingent on his acceptance by the tribe's chief or chiefs. If he stays and has sons, and they have sons, a new tribal patrilineage has formed. At any given time, many people may find themselves in an insecure state vis-à-vis a patrilineal and tribal ideal. A person who is living away from "their" (their patrilineage's) territory due to violence or another compelling reason to move is usually in a vulnerable state and may be classified as an "Internally Displaced Person."

Kurdish social life was once almost wholly centered around a village located within the territory controlled by and identified with a tribal chief (agha). The territorial aspect of a tribe usually consists of a group of villages in a given territory. As is typical throughout the Middle East, a village is simply a delineated spread of land. Residences are clustered somewhere on that land. The village is comprised of the residences and the land together. The land has borders, but the residential portion of the village does not. When villages are destroyed – and villages in the area have had, for thousands of years, a high rate of destruction by enemies from the local to the

state level – they are often rebuilt on a different site, but on the same tract of land. The rebuilt houses are thus considered to comprise the same village even though they may be positioned differently. Despite the rebuilding of thousands of village houses in the 1990s, a viable mountain economy has yet to be re-established following the widespread attacks by the Iraqi Government prior to 1991, in which over 4,000 villages were destroyed, many multiple times. The mountains are the site of an ongoing conflict between the Turkish military and the PKK, among other difficulties. Most mountain villages are not fully occupied, at least not year-round. However, people continue to adhere to identity claims developed patrilineally in mountain villages. Rebuilding a village after its destruction can constitute a powerful statement about identity. Identity is re-affirmed through the reconstruction of a village house, even if its occupants may retain their homes in the city and spend very little time in it as is often the case.

### Patrilineality and Individual Gendered Relations

An emphasis on patrilineages leads to particular kinds of social relations, and to gender systems in which women and men's expected roles can be quite specific. Patrilineages police their membership by controlling reproduction (King 2014: 122-125). They control reproduction by limiting female autonomy. A "seed and soil" metaphor may be used, in which a woman's womb is imagined as nurturing soil into which a man plants a seed (Delaney 1991; King 2010) and a new member of his group later emerges. A society that places a very strong emphasis on patrilineal identities must keep women of childbearing age under control, or risk losing the assurance of paternity, which would then call into question infants' patrilineal membership and therefore a host of features pertaining to their identity and social roles. In patrilineality, men make descendants; women merely bear them. Women receive identity categories from their fathers, but

they do not pass them on. Only men pass on identity, and a man can put a great deal of energy into making a life that will someday be remembered by his lineal descendants (King and Stone 2010). Identity is ideally kept pure from one generation to the next. A child of an “Arab” father and a “Kurdish” mother is an “Arab.” Such a person does not typically say, “I am half Arab and half Kurdish,” although he or she might very well say, as I have heard from such individuals, “I am Arab, but I feel close to the Kurds because my mother is Kurdish.” Based on her work in the Balkans, Bette Denich identified a “patrilineal paradox” in which “the structure denies the formal existence of women, while at the same time group survival depends upon them. The structure requires women’s submission to group interests, but women are not by nature submissive - if they were elaborate control mechanisms would not be necessary” (Denich 1974: 260). Many of the women I know in Kurdistan embody this tension. They are called upon to produce offspring (especially sons) for their husbands’ lineages, and they chafe under a clear regime of female control.

In my view, the social fact that only men pass on many of the identity categories by which the society is ordered contributes strongly to female subjugation in the Middle East. In the patrilineal logic found across the region, the male parentage of each child must be known with certainty. Male parentage is, in every human setting, less easy to prove than female parentage, and this can lead to intrigue, court cases, and so on. But in a patrilineal system, knowing with certainty which men fathered which children is of absolute, paramount importance. Fathers (and mothers) who curtail their daughters’ freedom, and brothers who assist their fathers in it, are increasing the marriageability of their daughter/sister. A potential groom may seek to know with confidence that a potential bride will bear his children, and only his. He can be reassured of this when he observes (and later sees to it as a husband) that her autonomy is restricted.

As Marshall Sahlins puts it in a discussion of social constructivism and kin relationships, “A whole series of persons may be bodily instantiated in the newborn child, including lineage and clan ancestors, while the woman who gave birth is excluded.” (Sahlins 2013: 3) Sahlins goes on in the same section to describe a phenomenon sometimes called, “patrogenesis,” an idea that can accompany patriliney and that heavily privileges the male role in biological reproduction. In the furthest logical extension of this idea, a woman simply carries an infant that has been placed in her womb by a man. Conversely, the child can be seen as belonging to a rich and longstanding set of male forbears, a patrilineage. If male, that child can be seen as a possible extender of that lineage, and if female, the child can be seen as someone who will grow up and help to extend another lineage (or her own, if she reproduces with a cousin in her own lineage).

Patriliney and patrogenesis may have played a key role in the rise of urban civilization and the state, and the Middle Eastern case has given rise to several theories of the rise of the state, such as Marx’s idea of an Asiatic mode of production (1986) and Wittfogel’s hydraulic theory (1963). My analysis operates at a finer level of grain, and addresses the recent past and present while offering a challenge for the future of Middle Eastern states that are presently in crisis or working to avert crisis. At the same time, some of the components of this grander theoretical vein can be deployed at my preferred level of everyday social relations. “[C]lassness is involved with stateness... the development of classes implies a movement toward some kind of center that could control this relationship,” said Eric Wolf in an interview in which he shared his views on the rise of the state as a political form (Ghani 1987: 361). Sherry Ortner (1978), in a review of the literature on female virginity and purity that follows the same theoretical tradition, posits that strict control of female sexuality is concomitant with the rise of state societies. In her schema, the state is a “totality,” and the answer to the question of the origin of virginity requirements for



unmarried females is to be found in “the dynamics of the process in the *interaction* between elites and the lower strata” (31). In state societies, marriage is no longer “an essentially lateral transaction, between essentially equal groups,” but “at least a potentially vertical transaction, where one's sister or daughter is potentially a wife or consort of a king or nobleman” (31).

Ortner's schema seems to apply well to contemporary Kurdistan, a heavily stratified society that has long been a part of state-level societies, even if it has also long had a contentious relationship with representatives of state power centers. Stratification in Kurdistan can be readily observed at the individual level. In order to learn how people rank each other, one time I asked to serve the tea to about fifteen female guests sitting on floor cushions against the walls in the guest room of a home to which all of us had come to celebrate a wedding. As I entered the room with a tray heavy with steaming glasses of tea, I tried to guess which woman should be served first. Everyone looked up at me, smiling with anticipation. Since the middle of the room is the place for those of higher status, I headed there. I started to hand the tea to an old woman who seemed to give off an air of importance, and everyone nodded in affirmation. The next one was more difficult. There were two women who appeared to be about the same age. I looked around for hints, and people subtly nodded at the right one. I handed her the tea and continued around the room, receiving little prompts along the way whenever I appeared stumped. In the minds of the women sitting in that room, all fifteen individuals could be rank ordered. While I did not delve further into the factors affecting the rankings of those particular women, from other experiences I could gather that the factors that comprised their status were both collective and individual, having to do with both the woman's patrilineage and its associations such as tribe or political party, and individual, having to do with any achieved status that she may have, her age, whether she is a mother (and particularly of sons) and other factors.

## Patriliney, Tribal Leaders, and Everyday Community Relations

The patrilineage is frequently invoked in everyday social connections in the socially-stratified Kurdistan Region of Iraq. During the course of my interactions with people in and from there, I have seen many people display impressive amounts of knowledge of names, reputations, histories, and other bits of information about other people, especially those in their immediate community but often extending over a wide area. Much of this knowledge about others is not individualized, but organized according to patrilineal membership. The person with the impressive amounts of social knowledge may have learned lineage names to a much greater degree than individual names. I have observed that, just as in any society, there can be great variation from individual to individual. A person who is a member of a large, influential lineage may know hundreds of names of individuals in their lineage, and hundreds more names of people in other lineages that have married into their own lineage or that have a client relationship. Someone from a smaller lineage might know far fewer of those types of names, but might know more friends and neighbors. In their evening visits to homes and coffeehouses, the person from the large lineage may be more likely to spend time with lineagemates and affines, and the person from a smaller lineage might spend time with non-kin neighbors. In each case, however, the individual may have a familiarity with an impressively large number of people, categorized most basically by lineage.

In an introductory conversation a person only need to mention the name of his or her lineage founder and the place from which he came (and where many of the lineage members are likely to still live). This would probably be enough for the hearer to position the lineage in historical and reputational context, and the individual within that lineage. The lineage's identity would already be familiar, even though the individual himself or herself may be a stranger.

Members of the Sorchi tribe, whose territory is near the regional capital Hewler, have a reputation as expert herders, farmers, and warriors, and for long opposing the Kurdistan Democratic Party, one of the two main nationalist groups in Kurdistan (which once functioned as rebel groups against Baghdad, but now function as political parties). Sorchi men of fighting age refused to join the peshmerga in their fight against the Iraqi government prior to 1991, and among other clashes, an affine of its chiefly lineage told me in an interview, the KDP allegedly killed two of its most prominent members in 1996. C. J. Edmonds (1957: 438) cites data from the 1947 census noting that there were 7,300 people in the Sorchi area. If about half were males, and if they belonged to lineages with founders in the nineteenth century or earlier, then it is possible to see how a person well-versed in the Sorchi in the present could be able to name all of the existing Sorchi lineages, and to make a connection between those lineages and certain reputed historical events.

For Kurdish Iraqis rural and urban, leadership by members of notable lineages continues to be connected to particular spaces, and the individual aghas such as the leaders of the Sorchi are members of lineages that define, and are defined by, those spaces and remembered deeds that took place there. These spaces are in most cases rural, and have salience even in the modernizing, urbanizing twenty-first century. There is no such thing as an agha who does not have a “home” village, and there is no such thing as an agha who cannot make a claim of membership in a known patriline. Patriline, tribal leadership, space, and identity claims are conflated in the person of the agha, and in the corporate group of the agha lineage. A serious consideration of the state in the Middle East must take into account local-level leaders such as Kurdish aghas, and ask what gives them their legitimacy. In my observation during fieldwork, agha legitimacy is based to a great degree on claims of prestigious patrilineal descent, and on the

maintenance of behavior that ensures legitimate paternity claims in the form of the control of girls and women.

Although tribal structures are historically contingent and highly variable, the ideal-type Kurdish tribe has one paramount agha<sup>5</sup>, an individual who is recognized as the leader and who is the son or agnate (member of the same patrilineage, usually a patrilineal nephew) of the previous paramount agha. An agha is, with very few exceptions, male (and if female, cannot pass on the role to her child). He is locally powerful, wielding political, economic, religious, and social influence. He serves as a broker between tribal clients below him in social status and with state and/or international patrons above, and he may serve in an official role in the state such as as a Member of Parliament or other government functionary. He is respected by the members of his own tribe as well as by other aghas, among whom he likely has enemies. He has *'esil*, pedigree. His tribe is linked to a particular territory; especially if that territory is on the plains where farmland is abundant, he and his lineagemates are landlords.

By the end of the twentieth century, most aghas had moved to the city. Some went abroad, and some returned with skills. I am aware of several cases in which an elderly agha died, and his successor was a young man who returned from abroad to take up the role of tribal leader. Whether or not they have spent time abroad, the chiefs of most tribes have more than one residence. An agha must have a house in his village, the seat of his tribe. He must have a house in the nearest major city, as well. He is likely to spend most of his time in the city house, but to regularly visit the village house. In both places, he receives copious numbers of guests, and solves disputes and manages his land and business holdings. He may have a job in the government sector, and his guests will come to see him in both capacities, as leader of a tribe, but also as, say, holder of a high-level position in the Kurdistan Regional Government. While the

political roles of aghas are changing dramatically, the idea of the agha, the symbolic niche of the agha concept, lives on in Kurdish communities both in the Kurdish homeland and in the diaspora. An agha connects his tribe to the state and to other tribes. An agha's guest room, diwan, is typically a place of tremendous social energy, in which guests spend the evening hours visiting with each other and the agha. Aghas solve disputes and weigh in on big decisions. They grant refuge to individuals or groups fleeing threats of violence. They still carry out feuds, although not as often as in the past. An agha, or someone playing the role, is a tremendously important bridge between people in Kurdistan, just as he can be elsewhere in the Middle East. Mary Hegland describes competition between kinship-based factions, called "*taifeh*" (as they also are in Kurdistan), that she observed during her work in an Iranian village in the 1970s: "...informants presented taifeh as the most significant political unit... Belonging to a taifeh often meant reacting against any incursion or violence against the group, to demonstrate power. An outrageous act mobilized the taifeh, and violence prompted anger and determination for revenge... The strongest group, the faction that won the fight, would gain access to village resources" (Hegland 2013: 6).

Aghas continue to lend their identity to the people who come under them in the social hierarchy. The role of aghas persists tangibly, in collective memory, and in notions of class and status hierarchies despite decades of circumstances that might have been expected to erode away the tribe. These circumstances have included colonialism, state-building by both Iraq and the Kurdistan Regional Government, and tremendous political upheaval resulting in the displacement of nearly the entire population at one time or another, and a high rate of out-migration. In this fragile environment aghas, whether revered or reviled, once served as a Kurdish identity marker, a symbol of Kurdishness and localness against the backdrop of the

cosmopolitan (Hannerz 1990). In modern Kurdistan, to be modern is in part to be educated, urban and detached from the villager's world of subsistence activities, and to travel abroad and/or interact with foreigners. It is, in the conception of most people, to move away from being "tribal" and toward something people might call "modern." Aghas, however, are by definition "tribal," and yet most of them are educated, urban, interact with foreigners and are virtually without exception of high social status.

People from agha lineages often spoke to me of their members' roles in the past, and it was clear that perceptions of the past shaped descendants' experiences and roles in the present. One young woman, Zozan<sup>6</sup>, proudly noted to me that her grandfather was an officer paid and decorated by the British in the mid-1940s. By 1958, as Iraq lurched toward revolution, he had resigned from this role despite British offers of a higher salary. She spoke with pride of both his initial association with the British, who she seemed to regard as high-status, and of his resolve in ultimately resisting them. Another woman, Xanum, spoke of the memories passed down to her by her parents of their early years, in which their agha family was very wealthy and respected. To illustrate this, she cited the servants they had, and the seclusion of the women. Today, the family has no household servants, and she must do errands such as visiting the market herself. She spoke wistfully of how the seclusion that was once a marker of their high social status had become economically unfeasible. (On other occasions, I heard Xanum speak disparagingly of the restrictions her society and husband imposed on her, such as wearing a face veil when shopping in the bazaar.) While she still does not have household employees, some of her relatives do; they are women brought by employment agencies from places such as Ethiopia, the Philippines, and Indonesia.

Some descendants of the aghas' peasant clients, *fellahin*, also spoke favorably of aghas, who were in some cases their former landlords. One of the regular visitors to an agha household that has periodically hosted me is an Armenian whose patrilineal ancestor was harbored by the agha ancestors during the 1915 Armenian genocide. He told me that he felt close to the aghas because of this history. (Many other Kurdish leaders, primarily those to the north in what is today Turkey, were perpetrators of the genocide[Klein 2011].)

People seemed to sort aghas into “bad” and “good” based on their behavior and reputation, but in my fieldwork I have not heard anyone questioning a need for the idea itself of local leaders from honorable lineages. I have also heard tales of rampant abuse by aghas of their *fellahin* and people in the towns where they kept urban households. One agha who lived in the first half of the twentieth century reputedly walked the streets of the small town of Zakho looking for young women, who he later summoned and raped, leaving their families with the awful choice of living with the dishonor or killing them in an “honor killing,” a possibility that looms in such cases. His successor, however, was known for promoting education and technological advances such as irrigation. On more than one occasion I witnessed debates about the “good” successor's motives: did he do these things out of genuine good will, or to mollify his *fellahin* so that they would not revolt against him? Despite criticism, the memory of this agha by tribal members from non-gha lineages was, on balance, affectionate. In a household in Zakho comprised of town-dwellers without tribal affiliation, I spent delightful evenings listening to guests and household members recall the past. On numerous occasions the conversation turned to aghas, and the judgment handed them was often harsh. They saw aghas as exploitive and ruthless, but at the same time seemed to envy them and praised certain individual aghas who had used their power in relatively benign or even helpful ways. In my observation some of the men

present were attempting to play similar roles as urban leaders, even though their lineage claims were not based on descent from previous generations of leaders.

### Patriliney and Modernizing States

In the 20<sup>th</sup> century, as the modern state developed in the Middle East, patriliney became the basis for citizenship. In Arab-majority states, the vast majority of states in the area, with very few exceptions only fathers can pass on citizenship (Parolin 2009: 96-100). This is the case with Iran as well. Turkey has allowed mothers to pass on citizenship since 2001. The first male citizens to register in their respective new countries after their founding in the wake of WWI, went on to have the power to create another generation of citizens by siring children. This was a power their wives and sisters did not have, since women were not allowed to pass on citizenship (nor to vote or exercise some other rights that they later acquired in all but Saudi Arabia). Patrilineal citizenship was by no means unique to the Middle East in the first half of the 20<sup>th</sup> century; indeed, it was very common in Europe and throughout the world. British mothers, for example were only allowed to pass on citizenship starting in 1985. However, it has lasted longer in the Middle East region than elsewhere. Moreover, the Middle Eastern states recognized patrilineal succession in far more specific categories than citizenship: religion, sect (religious sub-category), ethnicity, and even residence itself. Since the citizenship records in the Arab-majority states can be traced to Ottoman record-keeping before WWI, the citizenry in each country effectively comprises a national patrilineage of descendants from the originally-registered male citizens. This has a host of social and political ramifications that I will explore in this book.



Moreover, patriliney has served as a basis for legitimacy that is deployed in a wide variety of ways by state leaders. Many of the leaders of the Middle East whose leadership has been challenged by the “Arab Spring” have used patriliney to forge a narrative about themselves and their relationship to the nation. Every ruling dynasty in the Middle East and North Africa is a patrilineage, some with claims of patrilineal descent from the family of the Prophet Mohammed. Other leaders such as Saddam Hussein have invented narratives about their patriline (Dawod 2012), and many have made a claim to be their nation’s “father” (King 2005), as some European colonizers did before them (Thompson 2000). In Ottoman Turkey, a nationalist concept of “fatherland” was promoted in the late 19<sup>th</sup> century (Findley 2010). Invocations of fatherhood, a key component of patriliney, can therefore be an important tool in the construction of a body politic.

The late modern state was supposed to offer a new understanding of the body politic not drawn from concepts of autochthony or familial relationships, but emphasizing individual identity and rights. The idea of individual rights has been prevalent in Middle Eastern visions of modernity just as it has been in many settings. However, since the founding of the modern Middle Eastern states by European powers and local elites following WWI, Middle Eastern leaders have often drawn on, rather than turned away from, patrilineal collectivist concepts in their promotion of the modern. Despite doing so in diverse ways, patriliney is a thread through many of their practices and narratives. The 20th-century modern Middle Eastern state fused patriliney, an idea thousands of years old and that had already been adopted by the state in the form of the *millet* system and in other ways, and modern conceptions of citizenship to arrive at the present system in which each person is assigned to the religious and ethnic category of his or her father.

Citing the use of Ottoman genealogical lineage in the state almanacs (*salname*) of the late nineteenth century, Deringil (1998: 27) notes that while “[s]uch manifest official fiction was an ancient tradition in Islamic court panegyrics... what is interesting here is that it should be featured in a state almanac which is a creation of bureaucratic modernization and features such mundane data as the names of various ministers, agricultural produce, and main geographical features of the area.”

All citizens of the new post-Ottoman states were expected to have nationality documents and an identity card. In a modern state, ideally every individual is “made legible” (Scott 1998) or “calculable” (Mitchell 2002, following Simmel 1939) through documents such as a birth certificate, nationality document, or identity card. Newborn citizens were assigned the same confessional identity as their father. Patriliney has been shored up in the Middle East during the past century, when, because of its association with the “primordial” and “indigenous,” its erosion might have been expected instead. The Ottoman Nationality Law of 1869, which was promulgated 30 years after the initiation of the Tanzimat reforms, codified Ottoman citizenship in patrilineal terms. In Lebanon, Syria, Palestine and Jordan the 1917 Ottoman Law of Family Rights, formed the basis of Personal Status Law through the first half of the 20<sup>th</sup> century (Anderson 1951: 39), and further changes to the laws in each country left many of the old features in place. Confessional membership as codified patrilineally had a long history in the form of the Ottoman millet system and that came to be known as “sectarianism” or “confessionalism.” This was part of a broader process of modernization: “[T]he modern state as it is understood today - meaning mass schooling, a postal service, railways, lighthouses, clock towers, lifeboats, museums, censuses and birth certificates, passports, as well as parliaments, bureaucracies and armies - was only constituted in the Ottoman Empire after the Tanzimat

reforms of 1839... the state was permeating levels of society it had never reached before, making unprecedented demands on its people” (Deringil 1998: 9).

I see the state appropriation of categories derived from patrilineal memory, which was instated throughout the Middle East region, as deeply ironic. It categorizes individuals through documentation and law, which are both associated with modernity, but it also denies individual choice in religious identity, which challenges a modern ideal, individualism. When applied to ethnicity, it denies hybrid identities, insisting instead that people claim a unitary identity.

The literature on the state and state-formation in the Middle East is vast and varied. It includes works on very recent periods and developments, such as that by Juan Cole (2009) on post-Ba’thist Iraq. A larger literature deals with nationalism in the 20<sup>th</sup> century and prior, for example those works by Salame (1987), Khalidi et. al. (1991), and Hourani (1962). Each of these contains plenty of analysis of Middle Eastern bodies politic, mainly in the form of histories of nationalism and statebuilding. However, in none of these works is the role of patriliney as a conceptual frame acknowledged. Ancestry and descent may be mentioned, but there is no acknowledgement that descent is traced backward in time (and forward) through males only. In these works I have cited, there is no acknowledgement that people are regarded as belonging to religious categories, “Muslim, “Christian,” and so on, by virtue of the category their father belonged to and not on the basis of any personal affirmation or decision. I find the absence of mention of this basic fact of social life in Middle Eastern sectarianism, nationalism and statebuilding to be striking. Of the authors who analyze the rise of the development of the modern state and its imperial past, Michael Meeker (2002) at least acknowledges the role of agnatic kinship at a local level, mentioning a number of different patrilineal groups in Turkey and acknowledging them as such. Even Meeker, however, does not acknowledge that a key principle

of patriliney, identity and group membership through males alone, was applied to Turkish citizenship until women gained the right to pass on their citizenship in 2001.

Brinkley Messick writes, “In the process, the social basis of the polity is shifting from reckonings by status and kinship (including such manifestations of the latter as tribes, intellectual genealogies of shari'a scholars, and the descent lines of the imama) to the imagined simultaneity and homogeneity of a national citizenry. Whereas distinguished lives once became text in a manner that recalls Emerson's dictum that "properly there is no history, only biography," recent histories of the "people" mark the birth of a new "descending" individualism” (Messick 1993: 254). Messick captures the irony of a shift from a lineage-based society to one based on a more generic "citizenship" the latter has long been called "collectivist." But actually, a lineage-based society can be better at highlighting certain individuals. Once everyone is an equal citizen, the primacy of individuals in lineages, whether biological or symbolic or both, "descends."

#### Colonial and Post-Colonial States Upholding Patriliney

If the builders of Middle Eastern states in the 20<sup>th</sup> century had done away with patriliney as an organizing feature, those states might today be sites of the “descending individualism” that Messick describes. But instead, they built a new social order using the same materials. European colonizers worked to uphold patriliney even as they decried some of its concomitants, helping to produce ironic citizenship regimes that are today facing protest and dissent. As in India (Chatterjee 1993), the production of the communalist system found in the postcolonial states of the Middle East can be traced both to local patrilineal values and practices and to European interventions and decisions made by early nationalist elites. Sarah D. Shields (2011: 7) notes that the League of Nations promoted “a radical new ethnolinguistic definition of political identity” in

which “the language of a territory’s population indicated a distinct ethnic identity that defined its political affiliation... a marked departure from previous notions of belonging” in both the former Ottoman lands as well as in Europe; “[c]ensuses taken by the newly defeated Ottoman Empire had reflected only religious groups; linguistic groups like Turks, Kurds, and Arabs never made sense under Ottoman imperial ideology.”

I do not disagree that the new categories marked a departure in some ways, but as time went on, it became apparent that states regarded the new categories as rightfully passing down patrilineal structures, which represented a kind of continuity amid departure. In Iraq, British colonizers codified and lent the power of the state to the land elements of a patrilineal order of things. The British saw land as lending identity to rural people. “At the center of the British conception of Iraq and its social structures as Toby Dodge argues, “was an unsustainable dichotomy between town dwellers and rural society built on a misinterpretation of both” (2003: 71). Dodge goes on to argue on the same page that the British overlooked recent patterns of migration from the rural “tribal” areas to the city and the ongoing connection that many people in urban areas had to rural tribal social structures. In other words, they took patrilineal structures that might otherwise have been in flux, and made them more permanent through bureaucracy. Marion Farouk-Sluglett and Peter Sluglett make a similar point: “[W]hile presumably intending to promote the formation of an integrated nation-state, the governments under the mandate and monarchy (1920-1958) in fact helped to reconstruct and perpetuate pre-capitalist and tribal relations through their tribal and land tenure policies” (1991: 1411).

For Sudan, Mahmood Mamdani (2010: 168) describes a similar process: “the very definition of dar changed from one that had been both multifaceted and nuanced to one that was narrow and restrictive. Hitherto dar had meant ‘home’ in a variety of senses: a location, an

administrative unit, the specific territory of an ethnic group, the whole sultanate, or simply part of it. It is only with colonial rule that the definition of dar became identified with a single place... the exclusive marker of the tribe's political identity. It is in this sense that the tribe became the master identity.” For another setting, that of colonial Kenya, J. Teresa Holmes writes that “colonial agents... privileged genealogical relations of agnation” in a social setting that was actually “often confusing” (2013: 56). Patriliney offers an elegantly simple idea, and when imposed by a statebuilder or maintained by a state, it can mask more fluid and less straightforward processes and categories.

#### Sectarianism/Confessionalism as Patrilineal

As the Middle Eastern states started to codify citizenship after their founding in the early 20<sup>th</sup> century, each citizen was assigned membership in a confessional group, a practice that built on the Ottoman millet system and that was a mutual construction of colonizers and local elites. The new states were formed in an atmosphere of crisis following WWI. An excerpt from the correspondence of Gertrude Bell, one of the British architects of the modern Middle East, especially Iraq, illustrates this state of crisis that was both European and Middle Eastern. Here is her account of a conversation with General Sir Louis Bowes in October 1919:

“General Bowes believes that when the French take over the Syrian coast and we move out of the Arab province there will be a massacre of the Christians in the latter district. The Arab leaders have warned him that they cannot control the Moslem population if the French rouse its animosity by showing favour to the Christians. They have also said that under no circumstances will Arab troops fire on British troops if the latter are ordered to repress disturbances. This will make it very difficult for our troops to

fire on theirs, with the result that the French will accuse us of not playing the game. Picot has returned today to Beyrout [Beyrouth (Beirut)] as plenipotentiary for Syria, news which is of bad omen and shows that Clemenceau is not prepared to take the advice which Lord Allenby offered him. Picot is a protégé of Pichon. General Bowes says that Faisal is much preoccupied by the prospect of the ejection of the Turks from C'ple [Istanbul (Constantinople)] and is against it. Faisal appears to reckon on the Khalifate remaining with the Sultan of Turkey. He says that it is impossible to distribute the holy towns of Islam between different mandatories, and he counts Damascus [Dimashq (Esh Sham, Damas)] and C'ple as among the holy towns. Hence it is clear that he would prefer the nominal suzerainty of Turkey, excercised [sic] from C'ple, over the new independent Arab states. It seems unlikely that he can achieve this object.”

During the next several decades, the French were the colonial power in the new states of Syria and Lebanon. They and local elites crafted what is today a complex and highly specific sectarian system, in which each citizen belongs first to a sectarian/confessional group, and secondly to the nation. Leadership is, by law, shared between the sects. After the first men were registered as citizens and in their sectarian categories, all of their patrilineal descendants were placed, by default, in the same categories. In two important books on sectarianism in Lebanon, those by Ussama Makdisi (2000) and Max Weiss (2010), I can find no explanation for or reference to this most basic fact of the sectarian system as it is upheld by the modern state, that sectarian identities are assigned at birth, and follow the infant's father's category. Perhaps this fact is so simple that it does not seem to need any mention. Yet I argue in this book that not only does the fact that co-sectarians are made by fathers need mention, but it gives rise to a host of sociocultural and political values and practices that are of great significance.

In a later piece, Makdisi writes that sectarianism is “Instead of trying to come up with some universal theory of sectarianism, we should historicize and trace the evolution of specific sectarian arrangements, laws, institutions, and structures in the modern Middle East.

Sectarianism, as I understand it, refers to a process—not an object, not an event, and certainly not a primordial trait. It is a process through which a kind of religious identity is politicized, even secularized, as part of an obvious struggle for power” (Makdisi 2008: 559). While I agree that we should certainly work to historicize sectarianism, this book dares to offer a universal theory after which we can start our historicization: without unilineal descent, sectarianism would lose much of its power.

In Iraq, by law, everyone belongs to one of the religions recognized by the state, which Islam, Christianity, Yezidism, and some other faiths with smaller numbers of adherents. Recent changes to the Iraqi Constitution, which took place in a context of occupation and war, have rendered the role of religious sect such as Shi’i, Sunni, Assyrian in personal status vague and inconclusive in terms of the law<sup>7</sup>, but no legislation has overridden the assumption that has existed in the law since the 1920s: that all citizens belong to one of Iraq’s recognized religions.

The Iraqi state issues several required citizenship documents to its citizens. Following the birth certificate, an Iraqi citizen is required to obtain a nationality certificate, civil status identity card, and a residence card. In addition, in the 1990s the United Nations performed the basic functions of a census agency when it registered (in theory) all Iraqis in the Oil-for-Food program, which was part of the international sanctions regime against Iraq. Each registrant was issued a food ration card, and this has come to constitute a fourth state identity document. Patriliney is ratified in several ways by these documents. Iraq’s Guide to Consular Affairs Abroad states flatly, “The Civil Status information for the child will reflect the Civil Status identity of the



father” (Institute for International Law and Human Rights 2013: 41). In other words, the state assigns a religion (and sect in some cases) to the child based on the father’s documentation, just as a patrilineage does. In those cases in which the state gathers ethnic information, as it does in some cases and not others, the child is assigned to the same category as the father. The documentation of the Iraqi population is still incomplete. Many people I have met in Kurdistan who are middle-aged and older do not know their exact birth date, since they did not receive state documentation until they were older (or may not yet have received it). Most younger people, however, do have full state documentation.

Ethnicity, “perceived common ancestry, the perception of a shared history of some sort, and shared symbols of peoplehood” (Cornell and Hartmann 2007: 33) is important to many people in Iraq. Iraq’s ethnicities include Arab, Kurdish, Turcoman, Chaldean, Assyrian, and other categories. To make an ethnic claim involves not only claiming a particular ethnolinguistic identity, but at least implicitly making a territorial claim, a claim of patrilineal origin in a particular location. At the moment, Iraq is the scene of conflict over which members of which ethnic groups can and should live in a set of officially-identified “disputed” territories. Article 140 of the Iraqi Constitution calls for a referendum to determine their futures, but it is currently in a state of suspension. Iraqi citizenship is tied to territory through the official residence card. In order to obtain a change in the residence card and thus change one’s official residence, it is necessary to present both the original card as well as one’s father’s original card (Immigration and Refugee Board of Canada 2013). Patriarchy, a more generalized male dominance, is upheld in addition to patriliney: The same report notes, and my fieldwork in Iraq I have heard women complain about the fact, that a woman can only receive a new card and thus officially change her place of residence if a male relative vouches for her.

In his book, *Sectarianism in Iraq*, Fanar Haddad asks against a backdrop of the torturous sectarian violence of the past several years, "Whether in Iraq, Pakistan, Lebanon, or indeed on cyberspace, can we speak of distinct Sunni and Shi'a identities that are condemned to incompatibility? Indeed how useful are the terms 'Sunni' and 'Shi'a' in social and political contexts? ...'Shi'a' and 'Sunni' are not monolithic groups.... Unfortunately one often finds commentaries on Arab Iraqi society reducing Arab Iraqis to Shi'as and Sunnis whose political and social behaviour is presumed to be dictated by these designations. It is this line of logic that facilitates notions of ancient or primordial hatreds; in fact, the same logic dictates any notional 'clash of civilizations' as it does not allow for significant plurality within any one group" (Haddad 2011: 8). When patriliney provides the main architecture of sectarianism, it denies the basic fact that people vary. It declares them to constitute a monolithic whole even though they do not. Patriliney offers a set of ideas that can deny variability, especially when the modern state uses its power to make categories more fixed through law and policy. *People* may resist reduction; patriliney makes reductionistic arguments. Plurality within a group is denied by patriliney, which insists on oneness because it takes descent to be the main creator of identity categories, and it allows only one parent to pass on those categories.

### Conclusion

Many people in the Middle East now live out or seek new sets of values that challenge patriliney (King 2014). The age of Middle Eastern citizenries engaging in what Charles Butterworth (1987: 110) called "quietistic acceptance of non-democratic government" can be said to have ended with the 2005 Lebanese rebellion against Syrian occupation, the largest peaceful protest event in the region in at least several decades (and possibly ever), as well as the

advent of the “Arab Spring” in 2011. Patrilineal legal structures are being questioned and overturned, whether by some demonstrators, by people making everyday choices, or by decisions taken by government actors.

Middle Eastern publics and policymakers can make decisions about retaining, altering, or doing away with practices and values related to patrilineality if patrilineality itself is acknowledged and better understood. The patrilineal conferral of identity categories and the ways in which such conferral is invoked, manipulated, and used within the modern state are at the heart of some of the issues being vigorously debated in the contemporary Middle East. Some political leaders and citizens are seeking to institute changes that move the society away from past abuses by the state, some of which were so severe as to be labeled “genocide.” Some seek to move in a secular direction, and others toward Islamism. Debates about patrilineal ideas and practices touch on both ideals, such as a society that is more just, and the practicalities involved with reaching ideals. In the Kurdistan Region of Iraq, I observe that Kurdistanis are well aware of global discourses on “human rights,” “good governance,” and the like, and are struggling with how best to implement such ideals locally.

Unilineal descent privileges only one parent in the bequeathing of identity and, in many cases, goods. It offers a way of defining and interpreting social relationships, especially reproductive and kin relationships, that has a host of ramifications for social and political organization.

Patrilineality, the most common kind of unilineal descent, offers a lens for looking at the production of the social order in states. Patrilineal ideas and practices are invoked in, speak to, and help produce state practices. Patrilineality is found in diverse parts of the globe (e.g. Harrell 2001; Shapiro 1987), and wherever it is found, it has a bearing on social outcomes. By analyzing patrilineality in the context of the states of the Middle East, therefore, we can get at some features of the state in

general. States have founding moments, their citizenries are comprised mainly of descendants, and they (to varying degrees and in a variety of ways) encompass self-conscious nations. In patriliney, groups form and grow over time as individuals are born to males descended from an apical ancestor whose memory is kept alive through oral tradition, and in some cases shrines or written records. Important categories, such as ethnic and religious identity, and important goods, such as land, are passed from generation to generation through lines of male descendants. I think productive links can be made between the institution of the patrilineage and the institution of the state. Curiously, few scholars have tried to bring the two together. By problematizing Middle Eastern patriliney in particular, we can get at the heart of some of the most urgent questions asked by publics and scholars alike as people build and wrestle with the modern state, and as global cultural flows and new economic forms transform everyday life. We can make links between the institution of the patrilineage and the institution of the state generally, including the modern state as it is now found across the world.

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<sup>1</sup> “Patrilineality” and “agnatic kinship” are synonyms.

<sup>2</sup> To a great extent, I think the model I present here could also be applied to neighboring areas, such as the Caucasus, Central Asia and North Africa.

<sup>3</sup> Following a century of vigorous scholarship on kinship and descent beginning, in the Middle East and North Africa, with Robertson Smith (1885), David Schneider (1984) questioned whether “kinship” was a useful category of analysis. Schneider wrote that researchers had failed to answer the question, “What value does biological relatedness have for the particular people concerned?” (1984: 123). I try to answer Schneider’s question for the setting in which I work. In Middle Eastern state values and practices I see a strong emphasis being placed on male biological reproduction, and I see in the historical record that European colonizers and local elites invoked symbolic reproductive roles such as “father” and “mother” in the process of nation-building.

<sup>4</sup> In many cultural settings, neither of these is found. The third most prevalent form of kinship is bilaterality, which is found in many parts of Southeast Asia, mainstream American culture, and elsewhere. In bilateral kinship, both parents are seen as conferring identity, and individuals may thus identify with a variety of different identity categories. Corporate groups based on descent generally do not form.

<sup>5</sup> The title of *beg* is very similar to that of *agha*. *Beg* can imply higher status. Since the differences are slight, I collapse the two into the single category of “*agha*.”

<sup>6</sup> A pseudonym. All names of individuals to whom I assign only one name are pseudonyms.

<sup>7</sup> Huda Ahmed writes (2010: 167-168), “In December 2003, the governing council established by the CPA proposed Resolution 137, which would have fully repealed the 1959 code and placed decisions about family matters in hands of religious authorities. Though this measure was canceled after women’s rights advocates raised objections, a similar provision appeared in the 2005 constitution as Article 41, which gives Iraqis the right to choose what personal status rules they want to follow based on their “religions, sects, beliefs, or choices.” Article 41, however, is currently suspended after women’s advocates, NGOs, members of parliament, legal professionals, and the judiciary protested against the provision, viewing it as a way to increase sectarian divisions and impose undue restrictions on women. Until the dispute over Article 41 is resolved, the unified system based on the 1959 code remains in effect. In practice, a woman’s ability to defend her rights often depends on decisions by her family, tribal authorities, or the officials of her religious sect, as personal status disputes are commonly settled without recourse to a civil court.”