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LAND SHORTAGE AND INHERITANCE IN A LEBOWA VILLAGE

Deborah James

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While ethnographers document rules of inheritance as favouring the oldest son in both Pedi and Ndebele tradition, the inhabitants of this Trust village – of both language groups – claim to practice last-born inheritance. The paper explains this change as resulting from the extreme shortage of land in the village, due to the area's rapid population by ex-labour tenants from the white farms of the southeastern Transvaal. The 'rule' of ultimogeniture is, however, flexibly interpreted. A married son may be favoured above the youngest, since the role of women in tending the inherited plot, and in caring for aged in-laws, is crucial. A couple wishing to transfer land to an unmarried daughter, in the absence of a married son, is hamstrung by the rule – 'traditional' but enshrined in Homeland bureaucracy – that only men may inherit land. Another divergence from the norm can be seen in the case of many Ndebele families, whose extended and soldary structure prompts an indefinite deferment of the transfer of land to one single heir so that it may continue to be used by the whole household.

In recent seminar paper describing agricultural production in a Lebowa village, Molepo (1983) gives an account of the transfer of property from parents to their youngest sons. Evidence from his case-study 'points to the last-born as the heir...' and this, he says, is 'contrary to ethnographic literature which suggests that it is the first son of a first wife who takes his father's property...' In the following pages, I will examine the question of inheritance in Morotse, attempting to show that this 'seemingly contradictory' (Molepo, 1983: 5) change from primo- to ultimogeniture is not so much a complete reversal of customary procedure as a response to a situation of extreme pressure on land, in which certain aspects of custom have been intensified while other have lapsed altogether.

The story behind the scarcity of land in this village is tied up with its history as a refuge and place of resettlement for ex-labour tenants expelled from white farms. The village is situated on the peripheries of Lebowa, on one group of 'Trust farms' which were bought from white owners after 1936 to add to the existing reserve area. Its inhabitants – both Pedi- and Ndebele-speaking - have since the late 1930s been moving to Lebowa from the nearby white farms where they once lived and worked. Those who moved at the beginning of this period, roughly one-third of the population, arrived on the Trust early enough to establish their rights to land for ploughing, while the remainder, arriving since the late 1960s, were able to acquire only residential stands.

The area has been subjected to agricultural 'Betterment planning', the ostensible purpose of which was to improve productivity for those with access to ploughing plots. Its effect, however, like that of similar planning in other reserve areas, has been to reduce the size and viability of these plots. In attempting to provide land for the waves of more recent settlers, the planners took land away from earlier settlers, rendering them unable to produce more than a supplement to migrant wages.

This supplement is, nonetheless, an important factor in tempering a family's reliance on migrant labour for a living. But almost the only way, nowadays, to acquire the land necessary for agricultural production is through inheritance; and a residential stand,

too, is virtually impossible for a young man to acquire unless it is passed on to him by his parents. In this contemporary situation of land shortage, inheritance comes to play a new role, and one fundamentally different from that which it performed in the past. Whereas previously it provided one of the bases for the unity of a family group, it now functions mainly to divide. In setting up new and different linkages, between fewer households than before, it excludes households that would previously have been incorporated in a wider set of relationships. The first part of this paper will be devoted to a discussion of inheritance rules and practices in the Pedi section of the village, and the Ndebele case will be discussed further on.

In order to demonstrate the role of inheritance in altering the shape of the local community, it is necessary first to show how settlement used to occur before land became so scarce. Previous patterns of residence are still discernable if one looks at areas in the village occupied by older families. Here, households – although they are discrete units – are linked and situated in close proximity by virtue of the fact that their heads are related in the male line. Many, too, have been linked by marriage, and in the oldest parts of the village there are traditions of cousin marriage creating inter-family connections for several generations back.

The Madihlaba family serves as a good example. Firstly, Figure 1 shows the way in which their residential arrangements were structured by descent. The founder of this agnatically structured neighbourhood was Sekgeti, who moved to the area from the farm Buffelsvallei with his first wife Nkwetuna and their sons, and with the widow and children of his elder deceased brother Manaas, whom he, as levir, was caring for. His sons from both marriages settled in a cluster of homesteads around his own. The heart of the cluster consists of a few diverging lines of fathers and their last-born inheriting sons, who set up house on their parents' stands.

Thus, Sekgeti and his first wife lived in house (B), where their youngest son Karel and his wife later built their house (J). Rapoto, who as the widow of Manaas had her own residential plot and lands, lives in house (A), and her heir Johannes built his house (E) on the same plot, and brought his wife to live there. In turn, Sekgeti's oldest son Masele, who had acquired an adjacent plot to his father (F), then called his younger son Tholo to build on his plot (K); and, in similar vein, Sekgeti's second son Jacobs, living in house (G), now has his only son Moses' house (M) on his plot, and Klaas, in (I), has Eskia's house (N). Sons who were not heirs, like Masele and Jacobs, nevertheless, acquired stands very close to the parental home, and this can be seen, too, in the cases of Jonas (H), Elias (C), Lekgowa (D), and Tautona (L).

Some of the other old families in the village manifest a similar pattern of residence, with agnates occupying contiguous residential plots and raising crops on contiguous fields. In the Pedi part of the village, two other families – besides the Madihlabas – which show this tendency particularly are the Chegog and the Lerobanes: all three in fact moved together from Buffelsvallei in the early 1930s. Since well before the move, these families had been intermarrying, and they continued to do so after arriving in the area. Figure 2 shows the extent of this intermarriage in my sample of households belonging to those three families, demonstrating, in particular, the range of types of cousin marriage involved, including matrilineal cross cousin marriage and patrilineal parallel cousin marriage. This ongoing pattern of marriage means that family members have a large range of closely related kin, both consanguineal and affinal, to call

on for assistance, support and general solidarity. Such a network is valued by all those who have access to it, but is especially important for people lacking a reliable income, or for members of small, poor, female-headed households of the type I have described in a previous paper (James 1985a).

The pattern of settlement and interrelation illustrated here begins to change considerably as the next generation of children – and especially sons – moves out of home to marry and start their own families. Most have grown up close to the core homestead founded by their paternal grandparents, and with fathers' brothers' families as neighbours. Because of the connections established by cousin marriage, many, in addition, have resided close to their mothers' parents' homes. When sons of this new generation reach the age when they wish to build their own house, the stand adjacent to the original family cluster of homes have already been taken, mostly by people newly arrived in the area who are unrelated to the family. The addition, the rigid standardisation and alignment of residential stands imposed by the Betterment planning of the 1950s has acted as a brake on the natural and gradual expansion of a family group's living area to accommodate the homes of its sons and its grandsons. In the present circumstances, then, all save one son must move away from the family home to the outskirts of the village, or – as happens more often – to other villages altogether.

This change immediately lessens the likelihood of marriages between cousins occurring in succeeding generations, since sons who move to other places will probably find wives away from their birthplace. Figure 2 bears this out, revealing that cousin marriages between members of the youngest marrying generation – four – are far less frequent than those in the ascending generation – ten. It can be seen, then, that the implications of land shortage for the general shape of this oldest core of the community are far-reaching. Instead of being surrounded by its sons, a family now has local continuity only through its single heir – the youngest son – who inherits his parents' stand and their three morgen field.

Land shortage and last-born inheritance

There was a pattern of first-born inheritance, not only among the Pedi, but in other southern African societies such as the Tswana and Zulu as well. What these societies all had in common was the institution of the house-property complex, which enabled the wealth belonging to a wife's house to be retained by that house and eventually to be transferred to its heir. This wealth consisted mostly of cattle, and although it devolved upon the first-born son of the house, the transfer should not be seen as the passing of privately-owned resources from a man to one particular child who was singled out for the privilege. Rather, the son who received the cattle was, in theory at least, burdened thereby with the responsibility of administering this joint stock of resources for the benefit of the woman who founded the house and of all other sons born to it. Since, by this process, the eldest son would become controller rather than owner of the group's joint resources, the word 'inheritance' might, indeed, be though almost inappropriate to describe this transfer of property (Monning, 1967: 336-67; Harries, 1929: 40)¹.

¹For details on the Tswana, see Schapera (1955: 230-2), *A Handbook of Tswana Law and Custom*, and on the Zulu, see Reader (1966: 66), *Zulu Tribe in Transition*. Where a man had more than one wife, it

While cattle were communally held and so could not be ‘inherited’ in the strict sense of the word, it might be thought even less fruitful to seek in the ethnographies for evidence of the transfer from one person to another of land – a resource which most certainly could never be privately owned in traditional southern African society. Schapera, however, provides clarity on this point, stating that although a man could hold only usufructary rights in a piece of land, he was entitled to transfer these rights to his children, other relatives, or friends. It is suggested by Goody that the term ‘inheritance’ be defined sufficiently broadly as to include the transfer of such rights (Schapera, 1955: 205; Goody, 1962: 305).

Even given this broader definition, the Pedi ethnographers, Monnig and Harries, have little documentation on land inheritance. Schapera’s more detailed and substantial writings on the law and customs of the neighbouring Tswana, on the other hand, tell us that the transfer of land from one generation to another usually happened, not on the occasion of a father’s death, but on that of a son’s marriage. After finding a wife, a young man would be given fields either from the family’s allotment, by the household head, or from the ward’s allotment, by its headman. In theory there was no limit to the amount of land a man could be given, but the area of his cultivation was determined, in practice, by the amount of labour he could mobilise. This depended on the size and number of his houses, and in turn, on the number of his wives – a particular field was usually thought of as ‘belonging to the married woman who worked it (Schapera, 1955: 202-3).

The acquisition of land, then, was something associated with marriage rather than with death, and so was remote from the practice of inheritance as the word is usually understood. In a situation where land was still a plentiful resource, and where it could be readily acquired for use at the most appropriate time – that is, on setting up an independent household – there would be no need to await the retirement or decease of a relative who held usufructary rights in a particular portion of it.

The importance of this system of land acquisition for my argument becomes clearer when looking at the one case in which land *was* directly transferred from parents to children – that of a woman’s youngest son, that is, the last-born son of a particular ‘house’ (Schapera, 1955: 235).² This was not because the son was being favoured over his brothers, or singled out for special attention. It was simply because all the older brothers of that house would probably already have procured allotments of land in the way described above. To restate the point in Goody’s words, the application of the rule of ultimogeniture in such a context does not imply the ‘exclusion of elder siblings from inheritance’, but rather involves the transfer of residual parental rights ‘after other members of the sibling group have received a share in (the parent’s) lifetime’. Far from amounting to preferential treatment for the youngest, this type of inheritance involves a substantial burden of responsibility upon the heir, whose duty it then becomes to care for

was customary for the eldest son of each house to inherit its property, while any general property not owned by a particular house would be inherited by the eldest son of the principal house.

² The youngest son inherited his mother’s homestead as well. Hunter (1961: 119-20), *Reaction to Conquest*, reports a similar custom for the Mpondo, and Monnig, *op. cit.*, says that a Pedi youngest son inherited his mother’s homestead and domestic effects, but he omits any mention of what happened to the mother’s fields.

his ageing mother, or for both parents in the case of a monogamous marriage. The property he receives is conditional upon his performing this duty, and might be seen as incentive persuading him to fulfil it (Goody, 1962: 326-27).

One might think of these different means by which elder and youngest sons acquired land as quite distinct and unrelated. In an article on Nyuswa-Zulu descent groups and land, for example, Preston-Whyte and Sibisi conceive of them as entirely separate processes. They describe the inheritance of land rights as ‘completely different’ from the situation that arises ‘when a man... wishes to establish an independent homestead’ and is, with the endorsement of the headman, allocated land for this purpose by his father or another senior agnate (Preston-Whyte and Sibisi, 1975: 301).

An alternative and more comprehensive view, however, is outlined by Goody. Using his approach, one would include both those transfers of property which happen after a certain person’s death, and those occurring during his/her lifetime, under the general heading of ‘devolution’ (Goody, 1962: 311-120).

Perhaps, then, one could describe as ‘devolution’ the process whereby a young Nyuswa male was given land by his father or another agnate from the area over which his local descent group had control. Even the aforementioned Tswana – and the Pedi – system of land allocation can be seen in this light. Although Preston-Whyte and Sibisi claim that in most Sotho-Tswana groups land allocation was done by chiefs or headmen rather than through the mechanism of a descent group, in practice a man usually got a piece of land from his family holding, and it was only if none was available from this area that the headman needed to be approached (Preston-Whyte and Sibisi, 1975: 281; Schapera, 1955: 198; Monning, 1967:339).

The usefulness of seeing these means by which different sons acquired land as aspects of the same broad processes will become clear when looking at the changes that have led to the current situation in a village like Morotse. Formerly, these two different means catered, in combination, for all eventualities involved in land allocation within a family group. But as land became scarcer the role played by inheritance – that is, by the direct transfer of land from parent to child – gradually expanded, edging out all other means of gaining access to land. In present-day Morotse, as in many other parts of contemporary Southern Africa, land has become such a scarce resource that inheritance, previously one of the least important means of intergenerational devolution, is now almost the only means.³

When land is in short supply, then, the lineal principle becomes crucial in determining access to it. In trying to understand the historical process whereby inheritance has come to assume this central role in the devolution of usufructory rights, a number of tangential sources are helpful. Both Preston-Whyte and Sibisi and Shipton examine the relationship between land scarcity and descent used as an organizing device. From their Nyuswa-Zulu case study, Preston-Whyte and Sibisi deduce that there has been a change from ‘traditional times’, when cattle provided the material basis for a local descent group’s unity, to the present day, when land – the scarcest resource – is the main focus for ‘corporate descent group action’. The land shortage has the effect of

³ See also B Sansom, (1970: 128-30) ‘Leadership and authority in a Pedi chiefdom’, Ph.D. thesis, Manchester University, for an account of a similar process in a Pedi heartland community.

consolidating and strengthening such groups by uniting their members in competition with others (Preston-Whyte and Sibisi, 1975: 310-11).

There is an even more striking example of the same kind of change furnished by Shipton, in his analysis of material from East Africa. He finds that, in societies with ready access to land, its allocation – and other aspects of social life – are organised via formal political systems rather than through ‘informal links of agnation and affinity’. This is because after people marry, they are likely to move away from their natal homes in search of fresh ground which is freely available for cultivation. Because couples move beyond the bounds of influence of their local kin groups, it is to a territorially- rather than kin-based authority that the allocation of land is entrusted. In contrast, he says, in areas with high population pressure on land the life of the society – and its system of land tenure – are structured by the patrilineage. ‘Staying on and inheriting part of a paternal holding is an easier way of obtaining land than asking the headman of a crowded village or neighbourhood’ (Shipton, 1984: 620).

Shipton cites case in which a rapid increase of population pressure on land has resulted in a startling sudden change from a territorial of ‘locality-based’ policy to a ‘descent-based’ system of organization. Examples are cited too in which the opposite change has occurred (Shipton, 1984: 618, 620-23).

This correlation, and the insights into its processual workings through time provided by the case studies cited above, allow for a more precise and detailed picture of the recent change in southern African land inheritance that I have been trying to outline. To restate my argument so far: the reason why so little information is available concerning the inheritance of land in traditional southern African societies is precisely because land did not usually devolve through this mechanism. Where land inheritance did occur, it coexisted with other systems of land allocation which were usually organized along the lines of descent or at least via a family group, but which happened before the death of the family head. The fact that kinship played some role in determining this allocation would be seen by Shipton as an indication that land, while not necessarily scarce in these societies, was already having to be husbanded with some care. Between his two types, ‘the locality-based and descent-based configurations’, which he sees as poles on a continuum, one could place the Tswana of the 1920s and 30s, with the family head giving land to his sons from the family head giving his land to his sons from the family holding, subject to the jurisdiction of a territorially defined authority. Close to the descent-based/land shortage pole would be the Nyuswa of the 1970s, with a lineage segment exercising effective control over a particular area of land, and with the head of this lineage segment deciding on the siting of new fields for one of its members (Shipton, 1984: 618; Schapera, 1955: 202-4; Preston-Whyte and Sibisi, 1975: 299-301).

The case of Morotse, with its recent waves of relocated people, manifests an even more extreme shortage of land than the Nyuswa case, and it belongs logically, therefore, closest to the ‘descent-based’ pole in this model. But Shipton point out that ‘the broad relationship between population pressures and the residential cohesion of lineages can obtain only up to a point’: where population pressure becomes too great and subdivision of land is no longer feasible, there is no option other than ‘the migration of...married men and their conjugal families away from paternal homesteads’ (Shipton, 1984: 628). Had the original families in Morotse expanded by a natural process of population increase, there might have been a gradually intensifying reliance on a descent-

based organization of land tenure. By any potential 'natural' development along these lines was leap-frogged because of the extremely rapid, non-organic populating of the village and surrounding villages by labour-tenants expelled from the white farms.

As it is, descent has acquired an exaggerated importance out of all proportion to its former role. But there is no possibility, now, of a descent-based group having control over, or an ongoing relationship to, an area of land. It is an individual household that has rights of access to a particular field which may not be subdivided, and these rights are transferred by inheritance to a single heir – the youngest son. The inheritance may be *post mortem*, or it may precede the death of the heir's father or of his widowed mother. In this situation, the use of descent in transferring land has been narrowed down to favour a single person only. It has come to resemble most closely the system in some Mediterranean and other European peasant communities: a plot passed down from a father to a son whose eligibility as heir is defined in terms of his place in the birth sequence of siblings.

The correlation of this style of inheritance with extreme land shortage is noted by several writers. Goody, identifying it as a peculiarly Eurasian phenomenon, states its underlying logic:

the scarcer productive resources become and the more intensively they are used, then the greater the tendency towards the retention of these resources within the basic productive and reproductive unit, which in the large majority of cases is the nuclear family (1976: 20)

Wolf (1966: 75-6), using mid-nineteenth century Ireland as his case study, shows how single-heir, impartible inheritance took over from earlier, partible forms 'under pressures of severe over-population'. The implication of such an inheritance system, he says, is the separation of a small group of landholders from a large mass of disinherited people, who may form a reservoir of rural or urban labour.

It would seem, then, that a land-shortage such as exists in present-day Morotse militates against the retention of broadly based agnatic groups. If, as several authors claim, the solidarity and perpetuation of a local descent group is predicted upon its connection to and control over land,⁴ then the converse relationship, in this village, between lack of land and lack of descent groups, or even loosely structured agnatic clusters like that of the Madihlabas – seems inevitable. I have suggested above that the nature of community life in Morotse during the present generation has been considerably affected by the movement of non-inheriting sons away from the village because of the lack of access to land and residential stands. While this indicates the accuracy of the idea that the formation or perpetuation of descent-based groups is inhibited by the contemporary demographic situation, the converse idea, expressed by Goody, that single-heir inheritance favours the nuclear family form, requires some qualification in the case of this village. As has been demonstrated in a previous paper, Morotse has a wide range of household and family types, and each copes with the problem of inheritance slightly differently (James, 1985a).

⁴ According to Reader (1966: 71) *op. cit.*, 'land is necessarily the basis of decent group cohesion. Without it the descent group must be new or dwindling and in either case of little standing'.

The accompanying table shows that, in contrast to a time when very few men became plottolders through inheritance, land can now be acquired only by heirs. This can be seen from the fact that in the 20-35 age group almost the only plottolders are last-born sons, that is, heirs. The only exception is a young man from an old and influential family, who acquired a field as a direct result of his family's connections with the chief and the authorities. This pattern is in sharp contrast to that which can be seen in the 35-50, and especially the over-50, age groups: most of these men, when young, did not inherit land, but were allocated it by the Trust authorities. Together the 'other' sons over 35 constitute 70% of the total number of plottolders in the sample, and this shows that most village land is still held and farmed by people to whom it was originally allotted, rather than having been transferred to their heirs. It would seem, then, that the full effects of the changeover to impartible inheritance have yet to be felt. On the other hand, the bland statistics are qualified by the knowledge that a number of these older plottolders have already started to rely on the last-born son – or more accurately on his wife – to help them farm on these fields, and in some cases the land may effectively have been transferred to the heir in all but name.

A strong commitment to the idea of last-born inheritance is demonstrated not only by this table, but also by the statements made by villagers about the practice. Like Goody, they see its logic in terms of a kind of bargain in which the provision of land is exchanged for the security of filial care for aged parents. David Mthimunya, for instance, claims that his parents passed their field on to him because he had for years ploughed it with them, and later for them, and because he had looked after them in their old age. The practice of ultimogeniture is, however, not a rigidly defined one, and the observing of it allowed for exceptions: if the last-born does not want the land, one offers it to one's other son or sons. In a number of cases, circumstances have caused the rule to be interpreted in this more flexible sense. Of the Masilo family's two sons, for example, the younger, Daniel, has proved a disappointment to his parents: far from contributing to their welfare, he has often needed their financial help. It is the older brother, Rudolf, who has shown his commitment to his parents and to their country home by helping them to build their house and by sending them monthly remittances from his job in Kempton Park. When he eventually inherits their house, stand and fields, it will not only be because of this concern for and assistance to them, but also because they know that Daniel has no interest in living in the country – 'he likes it in town'.

This example further demonstrates the accuracy of Goody's claim that last-born inheritance does have something of the quality of a bribe or a bargain, and it prompts me to look at the transactional nature of the arrangement in greater detail, and to examine whether the kinds of rewards gained by both parties have changed over time.

A number of studies in different parts of rural southern Africa have noted that the mutual dependency which binds elders to their young relatives, and parents to their children, has undergone radical transformations with the entrenchment of migrant labour. From very early on the independent earning power of young male migrants has represented a threat to their senior male relatives' authority, previously based in large part on the control exercised by these elders over material and social resources (Delius, 1983: 76)

Murray (1980: 109), writing of a later period, suggest that this economic independence of young migrants, which was established 'for example through the purchase rather than the inheritance of livestock ... subverted the traditional balance of authority between the senior and junior generations, in favour of the latter'. A similar process is described by McAllister for the Gcaleka of the Transkei. He, like Delius, writes about the attempts made by elders to counter or control this independence. In the Gcaleka example, this control is exerted by means of ritual belief and invocation which stresses the social and ritual dependence of a migrant on his seniors, 'as if to counter the economic independence that migratory earnings give to the young' (McAllister, 1985: 124, 128).

Returning to the question of last-born inheritance, it may be that this practice, too, represents a form of attempted control over the earnings of a son – here, the son who will in any case stay on with his parents for longest. The custom of offering at least this one child the security of an agricultural supplement to his income, and a rural home for his eventual retirement, may help to ensure that he will remain based at his parents' home, and will continue to remit to them the cash essential for their livelihood.

It is improbable that migrancy has other implications for, and effects on, the institution of last-born inheritance. According to David Webster, ultimogeniture is the norm even in his fieldwork area of Kwa Dapha where there is no shortage of land. He suggests that, because last-born sons are the last to leave the family home when all their older brothers have been migrants for several years, it is logical that they should be the ones to live with and care for their parents.⁵ In the case of Morotse, this explanation appears to complement the one I have offered.

Looking specifically at Morotse once again, one can see that there has been a change in the kinds of benefits that inheritance implies. For a last-born son and heir from the over-50 age group, for instance, the issues that were involved in deciding to support his aged parents were quite different from those facing a young man about to make a similar decision in recent times.

John Masilo, Rudolph's father, is a good example of an inheriting son in the over-50 age group. He tells the story of his father's funeral, an event which seems to represent for him the culmination of his sustained efforts in providing his parents with many years of financial and other support. It is a matter of some pride to John that his father's sister, who came to the funeral from her distant home, was so deeply impressed with the lavishness of the coffin, the ceremony, and other arrangements. She praised him for being better than those children who 'just take their parents' money and then wrap them up in a sack and throw them away after they die'. But John says he got very little from his parents: there was no money or stock, only their house on its stand and their field. These, he says, he would prefer not to have taken, since they carried with them the arduous task of caring for the old people – 'even if you try your hardest they still will not be satisfied'. Whatever his misgivings, however, he had accepted the responsibility – especially great since he was not merely the youngest, but also the only son – of performing this filial duty. Although his decision was, no doubt, prompted partly by moral obligation, it did have a rational component as well. His house in the village and the land he was given by his parents are important components of the package of

⁵ D Webster, personal communication, September 1987.

resources he manages on behalf of the large household he heads. Not only did he find it convenient to retire here, paying no rent, and leaving his son Rudolph to live in the family's Tembisa house while earning money for the family's upkeep, but he has also become a very active farmer. He places great importance on the contribution made by his fields to the household finances, and he acts as a vociferous village commentator and critic on the question of the Co-op, a local agricultural scheme.

It should, of course, be remembered that men in the same age group as John Masilo who wanted a stand or land in the village did not need to rely on inheritance to procure these resources, since they were still freely available at the time. It has been mentioned earlier how the Madihlaba brothers, all now well into their 50s, built their houses on stands close to that of their parents, and were allotted fields. For a man of this generation to have undertaken the task of caring for his parents does not, then, indicate a calculated decision made purely in terms of material benefits, since these benefits were readily available even to non-inheriting sons. Conversely, the fact that it was possible – and probable – for sons of this generation to settle close to their parents also meant that several or all of them could, and frequently did, contribute towards their aged parents' upkeep, thus lessening the burden on the heir himself.

For young men of the present generation the situation has changed. The only ones who can acquire fields in the area, and residence close to the parental home, are those who acquiesce in the duty of parental support that inheritance implies, and there is less likelihood of help from their siblings since these often settle in other villages, even other areas. Here the question of whether the rewards are worth the sacrifice, or whether the filial ideology is sufficiently strong to overcome such considerations, becomes more crucial. As Table 1 and its accompanying commentary indicates, there are a number of youngest sons who *have* settled for the role of heir and provider. Certainly, most parents still expect their youngest son – or another son defined as heir for some reason – to live with them, and most are busy beginning to make provision for this projected situation. Miccah Khubedu and his wife Betty, for example, are helping their last-born son Paulus to build a house next door to their own on their residential stand; they are relieved that at least one of their sons will be based close by, but saddened by the fact that the older son, Moses, has moved to a village 50 kms away. Similarly, Monnamoodi Mokoana and his wife are watching and assisting with the gradual progress of building their youngest son Samuel's house in their yard, but they worry that, because he remits money to them so irregularly, this may indicate that he is losing interest in coming to live there. An old woman like Mamulopu Kgwete, in contrast, cannot cherish even a slight hope of the return of her youngest son, who left home without trace six years ago. Her first born son, she says, will probably not return to live with her either, as he has been lured away to the city by the charms of his second wife.

The issue appears in a different light when seen from the point of view, not of these anxious parents, but of their sons. Whether or not they intend to play the role of heir depends partly on whether the advantages of living close to transport and town are outweighed by the benefits of access to agricultural land, and of rootedness in a long established rural network of relatives and friends. In either case, it will be primarily the man's wife, and his children, who will experience these things as beneficial or otherwise. And even though he may shoulder the full burden of providing his parents with their cash

needs, it is his wife who must take over responsibility for farming after her parents-in-law have grown too old to work on their own fields.

Women and inheritance

Ironically, it is women, outsiders to the family, whose role in inheritance and in the use of the land transferred by it is most central. This role was already a crucial one before the drastic transformation of rural societies: a man acquired fields when marrying, and these were associated with, and worked by, his wives. But in the contemporary situation, women's role in this regard has been greatly intensified. For both parties in the inheritance transaction – the parents and the heir – it is crucial that the daughter-in-law play her role as expected. From the parents' point of view the daughter-in-law who lives next door or with them provides general help in the household and, especially importantly, in the fields. From his point of view, her fulfilling these functions lessens the burden placed on him in caring for his parents.

The importance of having a daughter-in-law to work one's land is shown by a case such as that of Rapoto Madihlaba. When she became too old to tend her fields, she favoured her married, middle son over her single, youngest son as her heir (see Figure 1). Like a previous example, this demonstrates the flexibility of last-born inheritance: it is often the most suitable son, rather than the youngest, who inherits from his parents, and suitability is measured especially in terms of marital status.

The importance of the dutiful daughter-in-law is illustrated still more vividly by the 'abnormal' examples of defaulters who fail to perform their expected role. The wife of Sara Nthobeng's youngest son is one such defaulter. She was unwilling to do any work in the fields or in the house, and the tension between her and her in-laws finally culminated in a court case following a bitter quarrel during which she swore at them. As a result, the son now lives with his wife in a different part of the village; his parents are voluble in their disapproval of this situation and in their concern that they have no one to help them in the house and on their fields. Some villagers attribute this kind of tension between parents- and daughters-in-law to the fact that youths nowadays no longer marry their cousins. In-laws in the previous generation were often related, which, it is believed, made it likely that not only the two individuals but also the two families would get along well together.

It is not only daughters-in-law who default but, of course, sons as well. There are numerous cases in which the cash remittance sent home by a migrant to his wife and parents dwindles in size, or becomes infrequent or even non-existent. Very often this development coincides with the virtual desertion of the man from the village, and from his familial involvements. If he is a youngest son, this means abandoning the obligation to care for his parents, and if he has a wife, she is also left to fend for herself. Where this deserted wife stays in the village, however, her access to the land inherited by her husband may become crucial, for her and for her parents-in-law. Even though her husband's desertion may mean that she has little or no cash to put into farming, and therefore is forced to harvest and thresh with only those family members that are available, and who work for a share of the harvest rather than for pay, she may still be able to glean a meager amount of grain from her fields. Bafedi Ralebetse is one such woman. Her husband Karel, a last-born son in the 35-50 age bracket, has been living with

another woman in Tembisa for years, and send no money back to his wife and two daughters in the reserve. He did, however, inherit his father's field and stand, and Bafedi's use of this land provides the household with its only reliable source of food. In her case, there are no extra mouths to feed, as her parents-in-law died some years ago. Nonetheless, the case of Bafedi and others in a similar position – or with the added responsibility of caring for ageing affines – points to the central role played by women in inheritance, agriculture and the care of older people.

The role is important not only in the case of the women who marry into a family, but also in that of its own daughters. Morotse has a number of large families – especially Pedi-speaking ones – in which uterine links predominate, and in which an ageing couple is supported and kept company, not by sons and their wives, but by unmarried daughters. There is, in fact, a homily repeated by many of the village's inhabitants: that 'a daughter will care for you better than a son'. Ironically, however, whereas a man may bequeath a field to his son as a safeguard ensuring filial support and commitment, he is in no position to do the same for a daughter, since this would be contrary to tribal custom as perpetuated by the local governmental bureaucracy in charge of agricultural matters. In other words, a woman who marries into a family may acquire land from that family through its inheritance by her husband – even if, as in the case of Bafedi, her husband later abandons her. But the unmarried daughter of a family may not be given land – even if there are no other claimants to it. This means that the person who, in many cases, is thought to be most reliable in supporting her parents, and who would therefore by the most suitable heir, is denied the full privileges of this status due to the anachronistic survival – and purposeful conservation – of an inappropriate customary law. As in so many other aspects of contemporary life in the South African reserve areas, the perpetuation of tradition under the rubric of the Homeland system of government is completely out of kilter with the reality of changing needs, circumstances, and family structures.

Different households and strategies of inheritance

In Morotse, plottolders have gradually come to rely more and more on the input of cash in order to make a reasonable success of farming. This is an important factor influencing changes in inheritance, and I will show in this section the varying strategies of heirship adopted by people occupying different levels of the income hierarchy, and living in different types of household.

I have outlined above a recent tendency in Morotse's style of residential settlement for youngest sons to settle with their parents while other sons must leave to live elsewhere. The logic of this tendency derives from a situation of land shortage. I have intimated, however, that there are certain cases which do not fit the stereotype. The households which do conform most starkly to my description are those I call 'simple three-generational'; that is, small households extended only to incorporate certain members of the ascending generation – the heir's parents (James, 1985a). These households do possess the requirements necessary for a small male-headed household to survive: a reasonable supply of cash earned in town, which in turn makes the expenditure of effort and resources on agriculture a viable economic proposition. True to the stereotype, the non-inheriting sons from such families do set up house either elsewhere in

the village or, more frequently, in other areas altogether. Indeed, the almost nuclear appearance of the heir's household derives not only from its relatively comfortable economic position, but also from the fact that these other sons are wholly absent.

I have already mentioned Goody's view that it is when productive resources, such as land, are scarce that they tend to become concentrated within the nuclear family of other small household types. Wolf's corollary to this is that the non-inheriting sons, excluded from the small landholding family, become dispossessed and move away, often to the urban areas. Several writers on southern Africa have noted a similar process. Beinart (1982: 137) writes of certain Pondo households in the early twentieth century which, due to their large size and number of cattle, were able to withstand the pressures to migrate, but he shows that 'as these families broke up, usually only one branch, based around the eldest son of the great house, would be able to survive in a similar way'. Tracing the process of disposition from the urban perspective, Pauw (1963: 9-11) shows that, among the fathers of the men in his East Bank location sample, those who became most completely and quickly urbanized were those who – because of their place in the sequence of birth – had no prospect of acquiring land.

The simple three-generational household in Morotse thus seems to represent a more general pattern associated with the impartible inheritance and land shortage. But it is by no means the only pattern found in the village. Although the cases outlined below in which the last-born rule is not followed might be thought to disprove my overall argument, it should be emphasized that whatever strategies people are forced to adopt in reality they always state their adherence to the ideal of ultimogeniture. Like the nuclear family described in my earlier paper (James, 1985a), the transfer of property and land to a youngest son is an ideal which all villagers aspire to even if it is unattainable.

When looking at the households extended on agnatic lines – households found more commonly among the Ndebele – it was extraordinarily difficult to identify the heir in the various cases, and it gradually became clear that, most often there *was* none. The explanation of this apparently nonsensical claim lies in the way in which such households are structured, which is described in some detail in a previous paper. I show that the conditions under which Ndebele people lived during their lengthy period of indenture intensified both the interdependence between family members, and the authority of the male head, creating an extended family that was distinctly agnatic in character, and whose structure has been retained for a period well beyond the arrival of these people in the Trust. In addition, many of these Ndebele households are extremely poor. This poverty has two linked causes: firstly, a large proportion of the village's Ndebele inhabitants came from remote and far-flung farms, where their entry into the wage labour market – if it happened at all – was relatively late and on unfavourable terms; and secondly, their late arrival from these farms meant that few were able to acquire fields in the area when they came. I have suggested that this financial insecurity prompts a continuing interdependence between people who might, in different circumstances, have moved away to form independent households. Seen from the perspective of inheritance, this extended household form implies a reluctance to allow one of its important joint resources – its land – to pass from the hands of the household as a whole into the possession of only one of its constituent nuclear families. There is a commitment, rather, to continuing to farm this land for the benefit of the entire unit, and to drawing on its joint kitty for any expenses incurred in the process. (James 1985a: 166, 173, 183-4)

Inheritance in such households can thus be seen to be congruent with the strong commitment to a large, patrilineally structured family. Indeed, the system of inheritance – or rather, the reluctance to allow inheritance to occur – and the household type contribute to each other's continuation. Interestingly, this pattern departs from the typical or logical programme of impartible inheritance and land shortage outlined by Goody and Wolf. It is, nevertheless, a pattern rooted in the practical necessity of sharing scarce goods.

There is another consideration, as well, which reinforces this trend. It has become customary among the village's Ndebele community for a young woman to spend a period of time working as a domestic servant in Pretoria. This may start when she is still living at her parents' home, but continues into her life as a married woman and as a mother. During this period, she is a *de jure*, but mostly absent, member of her husband's natal household, and her mother-in-law takes care of the children, who may be well into their teens before their mother finally returns to 'build a house' of her own – frequently on the same stand as that of her in-laws.

A claim made earlier – that a man can inherit only if he has a wife to work the field – must here be qualified, then. The wife must also be *available* to do such work. In many of the Ndebele agnatically extended households, the sons' wives are at work in Pretoria, leaving the father-in-law or more frequently his wife or widow to continue as manager of the household's agricultural endeavors. The absence of young to middle-aged women from such a domestic unit militates against the transfer of its land from the older generation to a specific heir in the younger one, and this factor combines with the general tendency for these households to remain as large agglomerates of kin rather than splitting into separate families with separate property. As a result, though Ndebele informants claim to follow the system of ultimogeniture, in many of their households there seems to be a reluctance to acknowledge the necessity for any kind of inheritance, or at least a tendency to delay the transferring of land for as long as possible.⁶ One of the implications of all this is that the task of caring for parents is also shared out between family members, rather than devolving upon one in particular.

It may be thought that this tendency to delay the process of inheritance, and to leave the land in the possession of the wider family, contradicts my earlier contention that a severe shortage of land inhibits the development or perpetuation of groups based on descent. But an extended family of parents, their sons and spouses, and grandchildren cannot, however large, be thought of as a descent group of the kind referred to by Shipton, and by Preston Whyte and Sibisi. And the strategy adopted by these households does not represent a solution to the problem of land shortage, so much as a temporary stalling, an attempt to counteract or deny the inevitable. Ultimately, the fact remains that plots and fields are unavailable locally, and if a household grows beyond a certain size its members will have to face this fact, and some of them will have to move. One would have to observe such a household over time to see how it dealt with this kind of crisis.

In the household type extended along uterine lines, which I have identified as more characteristically Pedi – though uterine extension may be found in both groups and may, indeed, coexist with agnatic extension – a similar inhibition to the early devolution of land is found. The case of Magdalena Mokoana is a good example. She is an old

⁶ A similar pattern is discernable even among Ndebele families who have no land, though in these the property is limited to a residential stand, a house, and domestic equipment.

widow, none of whose three sons has taken a wife. Lacking a married heir, she thus continues to work on the fields herself, with the help of her daughters.

The married daughters are paid in kind, and the remainder of the produce goes to feed her household which includes an unmarried daughter and several grandchildren. Since there is no male who can feasibly take over the fields as heir, the question of inheritance is delayed for the time being. Should a widow like Magdalena finally die without a willing heir, her land would revert to the chief, who would then reallocate it to some other married man.

Families in this situation complain about the fact that land may not be transferred to unmarried daughters. A daughter – as mentioned earlier in this paper – is thought to be the child who ‘will care for you better’ than a son will, and her support should be able to be safeguarded by a bequeathing of land. Daughters who have remained as members of their parental households are well placed to use farming land to good effect, since they often have small children, experience difficulty migrating to industrial centres to work, and so are in a position to provide the frequent but non-intensive attention required in working on the fields.

It might be supposed that the inheritance of land by daughters is a possibility so remote in both customary and contemporary tribal law that people would hardly bother to discuss or complain about the issue. On the contrary, however, it is a matter of great concern, and can sometimes result in fierce conflict in the village.

The case of Anna Ralebetse’s land demonstrates this very well. Although Anna was once married, the union lasted for such a short time that there was no land allocated to her as a wife – the normal means whereby a woman may legitimately acquire fields. On returning to Morotse after a long working life on the Reef she felt confident, however, that she would not lack the means to grow her own food. This was because her father Jacobs, the founder of a small Christian peasant family, had a piece of land for her. This he had originally procured for his son Moses, thinking that there would be at least one other son to take over his land at a later stage. But Moses, as it turned out, was the only son, and it was he who came to inherit Jacob’s land as custom dictates. Jacobs then told Anna that she could take the fields that had been set aside for her brother; because she had produced a son whom Jacobs came to regard as almost his own and therefore as a deserving heir, but also because she had worked hard to support her parents’ household and so had behaved ‘as a son should’.

During Anna’s long absence in Johannesburg, however, the piece of land in question had been ‘borrowed’ by her older sister Makgethwa for use by her newly married son Thomas and his wife, on the understanding that it would later be given back to Anna on her return to the village. They later showed that they had no intention of letting her take possession of the land again, and bitter arguments and conflict ensued. The headman enjoined the family members to try to work things out between themselves, but when the quarrel was taken to the chief, and to the administrators of the Co-op to whose authority he always bows, they failed to adjudicate in favour of Anna. The plot, effectively, was reallocated to her sister’s son. This outcome to the quarrel made it clear that customary law in its present bureaucratised form was not to be moved on this issue – no woman may own land except through her husband.

Conclusion

Perhaps the most important theme running through this paper has been that of dependence and interdependence. In the present day, one generation is linked to its successor by its reliance on that succeeding generation for the resource of migrant remittances. It, in turn, has control over a crucial resource for agricultural production – land – and by means of a ‘bargain’ the promise of this land is exchanged for continuing support of a financial kind. Depending on the circumstances and the particular type of household concerned, the bargain may be struck between parents and a single son. This pattern, whose genesis I have tried to demonstrate, is the ‘customary’ one for both Pedi and Ndebele speakers, and the one to which most informants claim to adhere. There may, alternatively, be a transaction between parents and a wider group of sons, or daughters, or both. In such cases the household appears to withstand or resist the pressures promoting impartible inheritance.

I have tried to look at some of the factors which influence children in their decision to take on the responsibility of supporting their parents, in return for a place at their parents’ home and for the opportunity of farming there. Pursuing the metaphor of a bargain, it has been suggested that this commitment may be partly prompted by rational considerations: by an awareness of the benefits of access to agricultural land, and of rootedness in a long established rural network of relatives and friends. Farming provides real returns only to those who invest money in it, so it is those sons earning the highest wages in town who will really appreciate their – and their wives’ – access to fields as most beneficial in material terms. These are also the men whose households conform most often to the ‘simple three-generational’ type characteristic of slightly better-off people.

There are, however, heirs, or wives of heirs whose farming of the parental land is not propped up by a sufficient input of cash. In such a case, strictly material considerations may not necessarily explain why people continue to regard possession of land as important, as their returns on agriculture may be minimal. Murray (1981:77) suggests, after Spiegel, that migrants ‘continue to invest in agriculture and livestock, even when they cannot ensure a worthwhile return in the short term, in order to demonstrate a long-term commitment to the rural social system’. There is a more generalized rationality in this kind of commitment, since a migrant must always return to the reserve when he reaches retirement age, and he therefore relies, in the last instance, on the continuation of some kind of agricultural enterprise.

There are other important considerations determining whether or not a son decides to accept the responsibility of heirship. It is recounted in another paper (James, 1985b) how the viability of agriculture – objectively and as perceived by the villagers – has been affected by recent changes in the techniques and social relationships of production, especially since the introduction of a so-called ‘Co-op’. The intrusion of wider forces beyond local control in their farming has caused uncertainty and resentment in the village, and one can only speculate at this stage whether plottolders might voluntarily begin to withdraw from this unpredictable enterprise, or whether these political and market forces might gradually act to exclude most of them from it. These factors will have a bearing on whether, in future years, last-born – or any – sons continue to accept the filial duty implied by heirship.

All the considerations outlined above are based more or less on calculations of long or short term material benefit. But it may be that an overemphasis on this aspect leads to a neglect of other, less tangible factors contributing to intergenerational continuity. Although I have illustrated broad patterns followed by richer and poorer people, there is, in the end, no narrowly economic explanation why the son of one household should return to live with his parents and do his duty by his family while another, from a similar background, should fail to do so. I suggest that there is, then, as with McAllister's account of the Gcaleka, an ideological dimension to the institution of heirship, to which some people submit more readily than do others. My study of Morotse did not include an in-depth investigation into concepts, cosmologies or ritual beliefs, but I certainly gained an impression from talking to informants that there was a strong morality attached to the idea of behaving as a good son should, including – in the case of a youngest son – an acceptance and willing performance of the duties of an heir. This morality, expressed in terms of ethnic tradition – ‘in Sotho (or Ndebele) custom, a last-born must care for his parents’ – appears to have a role similar to that of the ritual invocations pronounced by Gcaleka elders in their attempts to conceal the true direction of dependency between their sons and themselves.

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HISTORY WORKSHOP

THE MAKING OF CLASS

9 - 13 FEBRUARY, 1987

AUTHOR: DEBORAH JAMES

TITLE: LAND SHORTAGE AND INHERITANCE
IN A LEBOWA VILLAGE

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Land Shortage and Inheritance in a Lebowa village

Introduction

In a recent seminar paper describing agricultural production in a Lebowa village the author notes with interest that there has been an apparent change in the practice of inheritance. Evidence from his case-study "points to the last-born as the heir..." and this, he says, is "contrary to ethnographic literature which suggests that it is the first son of a first wife who takes his father's property..." (Molepo 1983:5). In my study of a village in a nearby district I was puzzled by a similar contrast between the ethnographic record and the insistence of informants - in this case, both Pedi- and Ndebele-speaking - that it is youngest sons who inherit from their parents. In the following pages, I will try to answer the question of this "seemingly contradictory" (*ibid*) change from primo- to ultimogeniture, attempting to show that it is not so much a complete reversal of customary procedure as a response to a situation of extreme pressure on land, in which certain aspects of custom have been intensified while others have lapsed altogether.

The story behind the scarcity of land in this village is tied up with its history as a refuge and place of resettlement for ex-labour tenants expelled from white farms. The village is situated on the peripheries of Lebowa, on one of a group of "Trust farms" which were bought from White owners after 1936 to add to the existing reserve area. Its inhabitants - both Pedi- and Ndebele-speaking - have since the late 1930s been moving to Lebowa from the nearby White farms where they once lived and worked. Those who moved at the beginning of this period - roughly 30 per cent

of the population - arrived on the "Trust" early enough to establish their rights to land for ploughing, while the remainder, arriving since the late 1960s, were able only to acquire residential stands.

The area has been subjected to agricultural "betterment planning", the ostensible purpose of which was to improve productivity for those with access to ploughing plots. Its effect, however, like that of similar planning in other reserve areas, has been to reduce the size and viability of these plots. In attempting to provide land for the waves of more recent settlers who came to the area from white farms during the 1950s and 1960s, the planners took land away from earlier settlers, rendering them unable to produce more than a supplement to migrant wages.

This supplement is, nonetheless, an important factor in tempering a family's reliance on migrant labour for a living. But almost the only way, nowadays, to acquire the land necessary for agricultural production is through inheritance; and a residential stand, too, is virtually impossible for a young man to procure unless it is passed on to him by his parents. In this contemporary situation of land shortage, inheritance comes to play a new role, and one fundamentally different from that which it performed in the past. Whereas previously it provided one of the bases for the unity of a family group, it now functions mainly to divide. In setting up new and different linkages, between fewer households than before, it excludes households that would previously have been incorporated in a wider set of relationships.

In order to demonstrate the role of inheritance in altering the shape of the local community, it is necessary first to show how settlement used to occur before land became so scarce. Previous patterns of residence are still discernible if one looks at areas in the village occupied by older families. Here, households - although they are discrete units - are linked and situated in close proximity to each other by virtue of the fact that their heads are related in the male line; many, too, have

been linked by marriage, and in the oldest parts of the village there are traditions of cousin marriage creating inter-family connections for several generations back.

The Madihlaba family serves as a good example. Firstly, Figure 1 shows the way in which their residential arrangements were structured by descent. The founder of this agnatically structured neighbourhood was Sekgeti, who moved to the area with his first wife Nkwetuna and their sons - and with the widow and children of his elder deceased brother Manaas, whom he, as levir, was caring for - from the farm Buffelsvallei. It can be seen how his sons from both marriages settled in a cluster of homesteads around his own. The heart of the cluster consists of a few diverging lines of fathers and their last-born inheriting sons, who set up house on their parents' stands.

Thus, Sekgeti and his first wife lived in house (B), where their youngest son Karel and his wife later built their house (J). Rapoto, who as the widow of Manaas had her own residential plot and lands, lives in house (A), and her heir Johannes built his house (E) on the same plot, and brought his wife to live there. In turn, Sekgeti's oldest son Masele, who had acquired an adjacent plot to his father (F), then called his younger son Tholo to build on his plot (K); and, in similar vein, Sekgeti's second son Jacobs, living in house (G), now has his only son Moses' house (M) on his plot, and Klaas, in (I), has Eskia's house (N). Sons who were not heirs, like Masele and Jacobs, nevertheless acquired stands very close to the parental home, and this can be seen, too, in the cases of Jonas (H), Elias (C), Lekgowa (D), and Tautona (L).

Some of the other old families in the village manifest a similar pattern of residence, with agnates occupying contiguous residential plots and raising crops on contiguous fields. In the Pedi part of the village, two other families - besides the Madihlabas - which show this tendency particularly are the Chegos and the Lerobanes: all three in fact moved

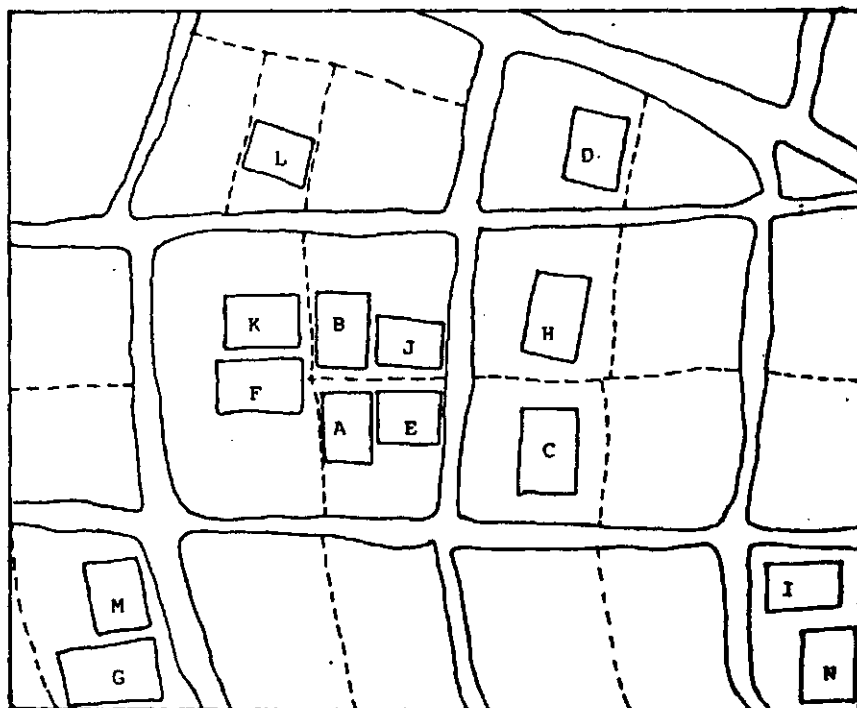
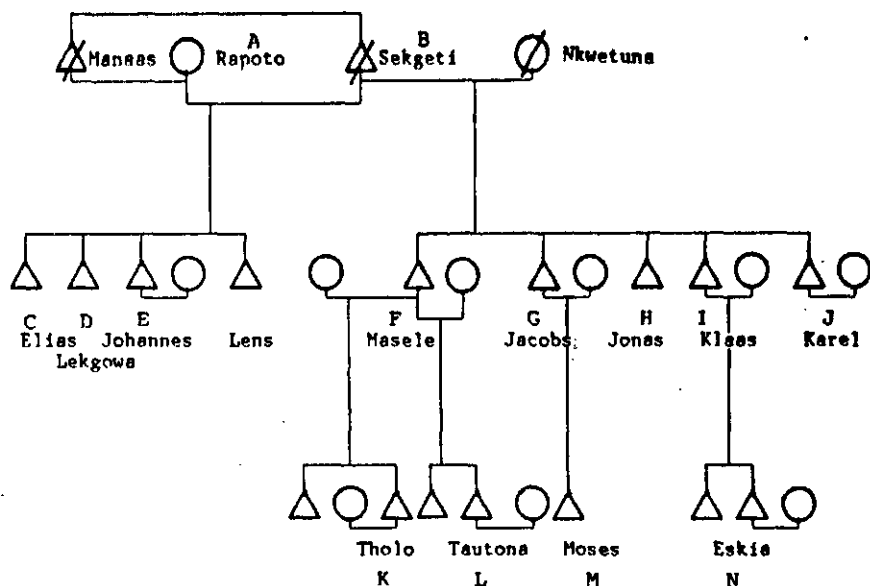


Figure 1: The Madihlaba family - kinship and locality

together from Buffelsvallei in the early 1930s. Since well before the move, these families had been intermarrying, and they continued to do so after arriving in the area. Figure 2 shows the extent of this intermarriage in my sample of households belonging to these three families, demonstrating, in particular, the range of types of cousin marriage involved, including matrilineal cross cousin marriage and patrilineal parallel cousin marriage. The local network of interrelations created by this ongoing pattern of marriage means that family members have a large range of closely related kin, both consanguineal and affinal, to call on for assistance, support and general solidarity. Such a network is valued by all those who have access to it, but is especially important for people lacking a reliable income, or for members of small, poor, female-headed households of the type I have described in a previous paper (1985b).

The pattern of settlement and interrelation illustrated here begins to change considerably as the next generation of children - and especially sons - moves out of home to marry and start their own families. Most have grown up close to the core homestead founded by their paternal grandparents, and with fathers' brothers' families as neighbours. Because of the connections established by cousin marriage, many, in addition, have resided close to their mothers' parents' homes. When sons of this new generation reach the age when they wish to build their own houses, the stands adjacent to the original family cluster of homes have already been taken, mostly by people newly arrived in the area who are unrelated to the family. In addition, the rigid standardisation and alignment of residential stands imposed by the betterment planning of the 1950s has acted as a brake on the natural and gradual expansion of a family group's living area to accommodate the homes of its sons and its grandsons. In the present circumstances, then, all save one son must move away from the family home to the outskirts of the village, or - as happens more often - to other villages altogether.

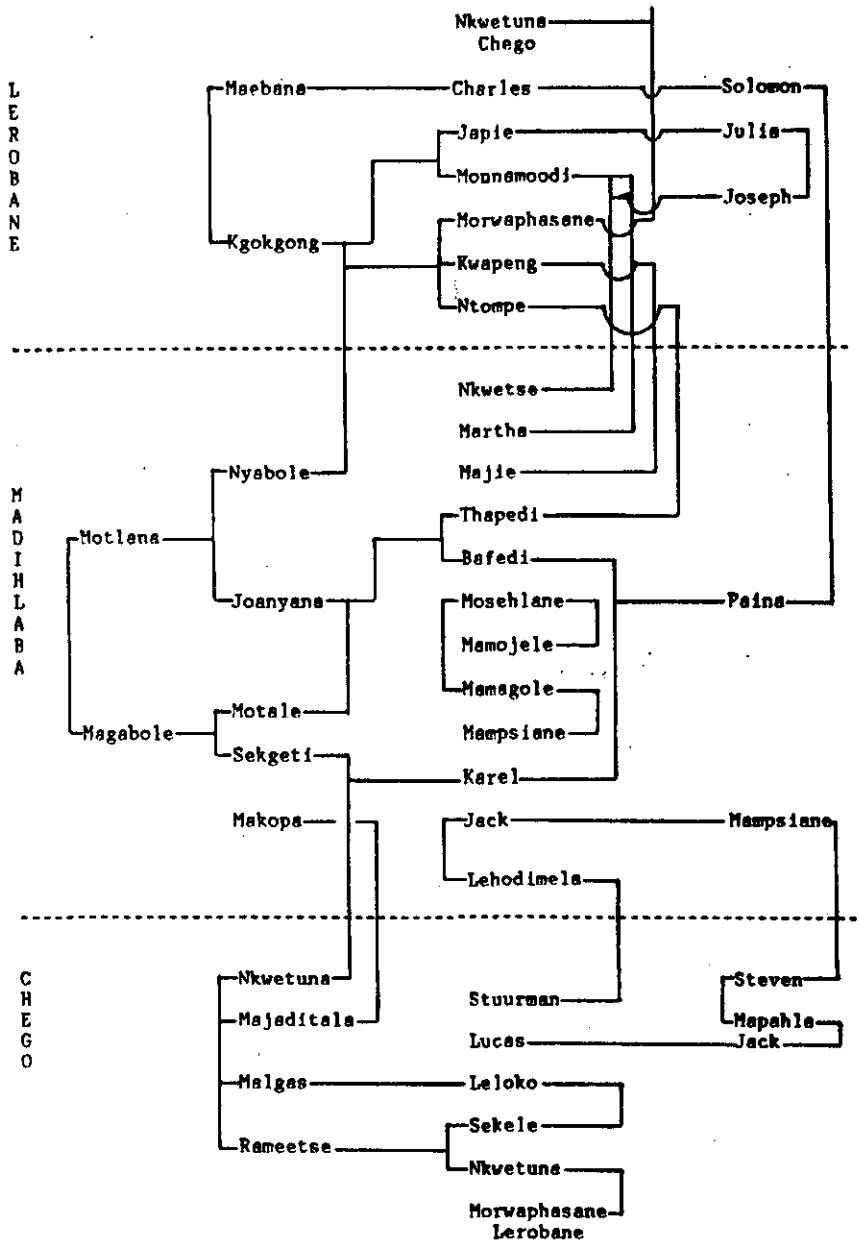


Figure 2: Cousin Marriage in Three Old Families

This change immediately lessens the likelihood of marriages between cousins occurring in succeeding generations, since sons who move to other places will probably find wives away from their birthplace. Figure 2 bears this out, revealing that cousin marriages between members of the youngest marrying generation - four - are far less frequent than those in the ascending generation - ten. It can be seen, then, that the implications of land shortage for the general shape of this oldest core of the community are far-reaching. Instead of being surrounded by its sons, a family now has local continuity only through its single heir - the youngest son - who inherits his parents' stand and their three morgen field.

Land Shortage and Last born Inheritance

As I have already mentioned, there is an apparent contradiction between this fact of last-born inheritance, and the traditional practice of primogeniture, which is reported not only by Monnig (1967:336) and Harries (1927:40) for the Pedi, but also by ethnographers working further afield in Southern Africa - amongst the Tswana (Schapera 1955:230-2), Zulu (Reader 1966:66) and others.¹ An examination of exactly what was inherited, however, reveals that the property transferred to the heir consisted primarily of cattle. And although this property devolved upon the first born son of the house, the transfer should not be seen as the passing of privately-owned resources from a man to one particular child who was singled out for the privilege. Rather, the son who received the cattle was, in theory at least, burdened thereby with the responsibility of administering this joint stock of resources for the benefit of the woman who founded the house and of all other sons born to it (Schapera 1955:232; Monnig 1967:337; Reader 1966:66). Since, by this process, the

¹ Where a man had more than one wife, it was customary for the eldest son of each house to inherit its property, while any general property not owned by a particular house would be inherited by the eldest son of the principal house (Monnig *op. cit.*, Schapera *op. cit.*)

eldest son would become controller rather than owner of the group's joint resources, the word "inheritance" might, indeed, be thought almost inappropriate to describe this transfer of property.

The question of livestock inheritance will be discussed in more detail further on, but this paper's immediate concern is with the inheritance of land. Cattle, I deduce from the literature, were communally held and so could not be "inherited" in the strict sense of the word. It might be thought even less fruitful to seek in the ethnographies for evidence of the transfer from one person to another of land - a resource which most certainly could never be privately owned in traditional Southern African society. Schapera, however, provides clarity on this point, stating that although a man could hold only usufructary rights in a piece of land, he was entitled to transfer these rights to his children, other relatives, or friends (*ibid*:205). It is suggested by Goody (1962:305) that the term "inheritance" be defined sufficiently broadly as to include the transfer of such rights.

The investigation continues to seem fruitless if we look to the Pedi ethnographers, Monnig and Harries, for documentation of land inheritance. But if we supplement the Pedi material by looking at Schapera's more detailed and substantial writings on the law and customs of the neighbouring Tswana (1955), we find the relevant information in a section not specifically on inheritance but dealing rather with the general law of property and land tenure. This is because the transfer of land from one generation to another usually happened, not on the occasion of a father's death, but on that of a son's marriage. After finding a wife, a young man would be given fields either from the family's allotment, by the household head, or from the ward's allotment, by its headman (*ibid*:202-3). In theory there was no limit to the amount of land a man could be given, but the area of his cultivation was determined, in practice, by the amount of labour he could mobilise, and this depended on the size and number of his houses, and, in turn, on the number of his

wives - a particular field was usually thought of as "belonging" to the married woman who worked it.

This means, then, that the acquisition of land was something associated with marriage rather than with death, and was therefore remote from the practice of inheritance as the word is usually understood. In a situation where land was still a plentiful resource, and where it could be readily acquired for use at the most appropriate time - that is, on setting up an independent household - there would be no need to await the retirement or decease of a relative who held usufructary rights in a particular portion of it.

The importance of this system of land acquisition for my argument becomes clearer when looking at the one case for which inheritance of land *was* a clearly established practice - that of a widow's youngest son, that is, the last-born son of a particular "house" (*ibid*:235).² In the light of the above account of land acquisition, it can be seen that this was not because the son was being favoured over his brothers, or singled out for special attention. It was simply because all the older brothers of that house would probably already have procured allotments of land in the way described above. To restate the point in Goody's words, the application of the rule of ultimogeniture in such a context does not imply the "exclusion of elder siblings from inheritance", but rather involves the transfer of residual parental rights "after other members of the sibling group have received a share in (the parent's) lifetime" (1962:326). Far from amounting to preferential treatment for the youngest, this type of inheritance involves a substantial burden of responsibility upon the heir, whose duty it then becomes to care for his ageing mother, or for both parents in the case of a monogamous marriage.

² He inherited his mother's homestead as well. Hunter (1961:119-120) reports a similar custom for the Mpondo; Monnig (1967:337) says that a Pedi youngest son inherited his mother's homestead and domestic effects, but he omits any mention of what happened to the mother's fields.

The property he receives is conditional upon his performing this duty, and might be seen as a kind of bribe persuading him to fulfil it. "The special obligations of the youngest son to his parents are buttressed by additional rewards out of the inheritance ... " (*ibid*:327). This point will be further discussed in the next section of the paper.

The various means by which different sons in a family acquired land might well be thought of as quite distinct and unrelated. In an article on Nynzwa-Zulu descent groups and land, for example, Preston-Whyte and Sibisi conceive of them as entirely separate processes. They describe the inheritance of land rights as "completely different" from the situation that arises "when a man ... wishes to establish an independent homestead" (1975:301) and is, with the endorsement of the headman, allocated land for this purpose by his father or another senior agnate.

An alternative and more comprehensive view is outlined by Goody in his broad overview of inheritance practices (1962). He suggests that instead of looking only at those transfers of property which happen after a person's death, one should include also those occurring during the person's lifetime. Since these two are aspects of the same process, he suggests, they should be grouped together under the general heading of "devolution" (*ibid*:311-2).

While this suggestion has obvious relevance for placing an institution such as the European dowry in the same category as inheritance, its pertinence might seem less apparent in a case like that described by Preston-Whyte and Sibisi, or in the case of Tswana land allocation. Goody makes it clear, however, that he includes in his discussion the intergenerational transmission of corporate resources as well as of individually held ones. It is perhaps not inadmissible, therefore, to subsume under the broad category of "devolution" the process whereby a young Nynzwa male was given land by his father or another agnate, from the area over which his local descent group had control. Even the

aforementioned Tswana - and the Pedi - system of land allocation can be seen in this light. Although Preston-Whyte and Sibisi claim that in most Sotho-Tswana groups land allocation was done by chiefs or headmen rather than through the mechanism of a descent group (1975:281), in practice a man usually got a piece of land from his family holding, and it is only if none was available from this area that the headman need be approached (Schapera 1955:198; Nonnig 1967:339).

The usefulness of seeing these two systems of land acquisition as part of the same general category will become clear when looking at the changes that have led to the current situation in a village like Morotse. Formerly, the two processes described by Preston-Whyte and Sibisi catered, in combination, for all eventualities involved in land allocation within a family group. But as land became scarcer the role played by inheritance gradually expanded, edging out all other means of gaining access to land. In present-day Morotse, as in many other parts of contemporary Southern Africa, land has become such a scarce resource that inheritance, previously one of the least important means of intergenerational devolution, is now almost the only means.

It is when land is in short supply, then, that the lineal principle becomes crucial in determining access to it. In trying to understand the historical process whereby inheritance has come to assume this central role in the devolution of usufructary rights, a number of tangential sources are helpful. Both Preston-Whyte and Sibisi (1975) and Shipton (1984) examine the relationship between land scarcity and descent used as an organising device. From their Nyuzwa-Zulu case study, Preston-Whyte and Sibisi deduce that there has been a change from "traditional times", when cattle provided the material basis for a local descent group's unity, to the present day, when land - the scarcest resource - is the main focus for "corporate descent group action". The land shortage has the effect of consolidating and strengthening such groups by uniting their members in competition with others (*ibid*:310-1).

There is an even more striking example of the same kind of change furnished by Shipton, in his analysis of material from East Africa. He finds that in societies with ready access to land its allocation - and other aspects of social life - are organised via formal political systems rather than through "informal links of agnation and affinity". This is because after people marry, they are likely to move away from their natal homes in search of fresh ground which is freely available for cultivation. Because couples move beyond the bounds of influence of their local kin groups, it is to a territorially- rather than kin-based authority that the allocation of land is entrusted. In contrast, he says, in areas with high population pressure on land the life of the society - and its system of land tenure - are structured by the "... territorially defined patrilineage ... Staying on and inheriting part of a paternal holding is an easier way of obtaining land than asking the headman of a crowded village or neighbourhood" (1984:620).

Shipton shows the dynamic potential of the model by citing cases in which a rapid increase of population pressure on land has resulted in a startlingly sudden change from a territorial or "locality-based" polity to a "descent-based" (*ibid*:618) system of organisation. Examples are cited, too, in which the opposite change has occurred (*ibid*:620-3). He thus attempts to substantiate the accuracy of his perceived correlation: between land shortage, and the use of descent in organising its distribution.

This correlation, and the insights into its processual workings through time provided by the case studies cited above, allow for a more precise and detailed picture of the recent change in Southern African land inheritance that I have been trying to outline. To restate my argument so far: the reason why so little information is available concerning the inheritance of land in traditional Southern African societies is precisely because land did not usually devolve through this mechanism. Where land inheritance did occur, it coexisted with other systems of land al-

location which were usually organised along the lines of descent or at least via a family group, but which happened before the death of the family head. The fact that kinship played some role in determining this allocation would be seen by Shipton as an indication that land, while not necessarily scarce in these societies, was already having to be husbanded with some care. Between his two types, "the locality-based and descent-based configurations", which he sees as poles on a continuum (1984:618), one could place the Tswana of the 1940s and 50s, with the family head giving land to his sons from the family holding, subject to the jurisdiction of a territorially defined authority (Schapera 1955:202-4). Closer to the descent-based/land shortage pole would be the Nyuzwa of the 1970s, with a lineage segment exercising effective control over a particular area of land, and with the head of this lineage segment deciding on the siting of new fields for one of its members (Preston-Whyte and Sibisi 1975: 299-301).

The case of Morotse manifests an even more extreme shortage of land than the Nyuzwa case, and it belongs logically, therefore, closest to the "descent-based" pole in this model. But Shipton points out that "the broad relationship between population pressures and the residential cohesion of lineages can obtain only up to a point": where population pressure becomes too great and subdivision of land is no longer feasible, there is no option other than "the migration of ... married men and their conjugal families away from paternal homesteads" (*ibid*:628). One might speculate that, had the original families in Morotse expanded by a natural process of population increase, thus putting more gradual pressure on the land resources, there might have been a gradually intensifying reliance on a descent-based organisation of land tenure. But any potential "natural" development along these lines was leapfrogged because of the extremely rapid, non-organic populating of the village and surrounding villages by labour-tenants expelled from the white farms.

As it is, descent has acquired an exaggerated importance out of all proportion to its former role. But there is no possibility, now, of a descent-based group having control over, or an ongoing relationship to, an area of land. It is an individual household that has rights of access to a particular field which may not be subdivided, and these rights are transferred by inheritance to a single heir - the youngest son. The inheritance may be *post mortem*, or it may precede the death of the heir's father or of his widowed mother. In this situation, the use of descent in transferring land has been narrowed down to favour a single person only. It has come to resemble most closely the system in some Mediterranean and other European peasant communities: a system of impartible inheritance, with one plot passed down from a father to a son whose eligibility as heir is defined in terms of his place in the birth sequence of siblings.

The correlation of this style of inheritance with extreme land shortage is noted by several writers. Goody, identifying it as a peculiarly Eurasian phenomenon, states its underlying logic:

the scarcer productive resources become and the more intensively they are used, then the greater the tendency towards the retention of these resources within the basic productive and reproductive unit, which in the large majority of cases is the nuclear family (1976:20).

Wolf, using mid-nineteenth century Ireland as his case study, shows how single-heir, impartible inheritance took over from earlier, partible forms "under pressures of severe over-population" (1966:75). The implication of such an inheritance system, he says, is the separation of a small group of landholders from a large mass of disinherited people, who may form a reservoir of rural or urban labour (*ibid*:76).

It would seem, then, that a land shortage such as exists in present-day Morotse militates against the retention of broadly based agnatic groups. If, as several authors claim, the solidarity and perpetuation of a local

descent group is predicated upon its connection to and control over land,¹ then the converse relationship, in this village, between lack of land and lack of descent groups seems inevitable. I have suggested above that the nature of community life in Morotse during the present generation has been considerably affected by the movement of non-inheriting sons away from the village because of the lack of access to land and residential stands. While this indicates the accuracy of the idea that the formation or perpetuation of descent-based family groups is inhibited by the contemporary demographic situation, the converse idea, expressed by Goody, that single-heir inheritance favours the nuclear family form, requires some qualification in the case of this village. As I have demonstrated in a previous paper (1985b), Morotse has a wide range of household and family types, and each copes with the problem of inheritance slightly differently.

In the following section, then, after an examination of the applicability of my general argument on inheritance to the case of Morotse, there will be a detailed analysis of the effects of impartible inheritance on these varying household structures. First, however, I wish to return to the point with which this general argument began. I proposed to explain the apparently illogical switch from first born to last-born inheritance noted by Molepo (1983) and other observers. It has been demonstrated that both systems of devolution were present in precapitalist traditional society: one ensuring the transfer of a family group's cattle to the person who was to take over the management of these resources on behalf of the group, and the other securing the care of the aged in return for a particular family plot. The question of cattle, previously the most important form of property, and customarily transferred by primogeniture, has not been examined in this paper, and this is because the significance

¹ "Land is necessarily the basis of descent group cohesion. Without it the descent group must be new or dwindling, and in either case of little standing." (Reader 1966:71). Also see Preston-Whyte and Sibisi (1975:311).

of cattle in Morotse has, for a number of reasons, declined considerably in recent times,^a and its ownership and transfer are consequently no longer of crucial importance in providing a group's basis of material support. Land, in contrast, has been shown to have increased in importance and its extreme scarcity has been shown to narrow the chances for the perpetuation of local groups based on descent or on wide family linkages.

Last born inheritance in Morotse

My claim is that a shortage of land, and the resulting reliance on inheritance as the only way of transmitting it, are causing gradual changes in residential and land-tenure patterns, and in the entire shape of the community, in Morotse. The accompanying table shows that land, now, can be acquired only by heirs, although there was a time when very few men became plottolders through inheritance.

^a In the case of latecomers to Morotse this decline in the importance of stock dated from the time of their arrival in the area, since they were unable to bring their cattle with them from the far-flung White farms where they had lived. Many of the original settlers, who moved from farms close by, did arrive with good-sized herds, and although some of them managed to improve and replenish these herds despite their depletion by the effects of the poisonous plant *mogau*, gradual changes in the techniques and social relationships of production began to affect the usefulness of these cattle. Beginning with the changeover to hiring the services of a ploughman and tractor by those families suffering the absence of able-bodied males, this culminated in the establishment of a so-called "co-op" which ploughed with its tractors even the fields of those unwilling people who had still been using their own cattle and manpower for the purpose. Throughout this period, but especially when the co-op was founded, people were selling their cattle, or failing to replace those animals which died (see James 1985a). The other important factor significantly altering the feasibility of cattle-keeping was, and is, the difficulty of caring for them in the present circumstances. Most young boys attend school and are therefore unavailable for herding, and women have no time to take cattle to pasture, especially since the specific designation of grazing camps - many of them far from the village - by the planners of the 1950s. The few people who do still keep cattle often rely on old men to look after them.

Table 1: Youngest Sons and Land Allocation

| Age | Youngest Sons | Other |
|-----------------------------------|---------------|-----------|
| over 50 | 3 (5%) | 29 (47%) |
| 35-50 | 6 (10%) | 14 (23%) |
| 20-34 | 8 (13%) | 1 (2%) |
| Total | 17 (28%) | 44 (72%) |
| Total landholders in sample | | 61 (100%) |

That inheritance has recently become the only means of acquiring land is shown by the fact that in the 20-35 age group almost the only plotholders are last-born sons, that is, heirs. The only exception is a young man from an old and influential family, whose acquisition of a field was a direct result of his family's connections with the chief and the authorities. This pattern is in sharp contrast to that which can be seen in the 35-50, and especially the over-50, age groups: most of these men, when young, did not inherit land, but were allocated it by the Trust authorities. Together the "other" sons over 35 constitute 70% of the total number of plotholders in the sample, and this shows that most village land is still held and farmed by people to whom it was originally allotted, rather than having been transferred to their heirs. It would seem, then, that the full effects of the changeover to impartible inheritance have yet to be felt. On the other hand, the bland statistics are qualified somewhat by the knowledge that a number of these older plotholders have already started to rely on the last-born son - or more accurately on his wife - to help them farm on these fields, and in some cases the land may, effectively, have been transferred to the heir in all but name.

A strong commitment to the idea of last-born inheritance is demonstrated not only by this table, but also by the statements made by villagers about the practice. Like Goody (1962:327) they see its logic in terms of a

kind of bargain in which the provision of land is exchanged for the security of filial care for aged parents. David Mthimunya, for instance, claims that his parents passed their field on to him because he had for years ploughed it with them, and later for them, and because he had looked after them in their old age. The practice of ultimogeniture is, however, not a rigidly defined one, and people's statement of it allows for exceptions: if the last-born does not want the land, one offers it to one's other son or sons. In a number of cases, circumstances have caused the rule to be interpreted in this more flexible sense. Of the Masilo family's two sons, for example, the younger, Daniel, has proved a disappointment to his parents: far from contributing to their welfare, he has often needed their financial help. It is the older brother, Rudolph, who has shown his commitment to his parents and to their country home by helping them to build their house and by sending them monthly remittances from his job in Kempton Park. When he eventually inherits their house, stand and fields, it will not be only because of this concern for and assistance to them, but also because they know that Daniel has no interest in living in the country - "he likes it in town".

This example further demonstrates the accuracy of Goody's claim, mentioned earlier, that last-born inheritance does have something of the quality of a bribe or a bargain (*ibid*:327), and it prompts me to look at the transactional nature of the arrangement in greater detail, and to examine whether the kinds of the rewards gained by both parties have changed over time.

It is noted in a number of studies in different parts of rural Southern Africa that the mutual dependency which binds elders to their young relatives, and parents to their children, has undergone radical transformations with the entrenchment of the system of migrant labour. From very early on the independent earning power afforded to young men by their involvement in migrancy has represented a threat to their senior male relatives' authority, previously based in large part on the control ex-

exercised by these elders over material and social resources (Delius 1983:76). Murray, writing of a later period, suggests that this economic independence of young migrants, which was established "for example through the purchase rather than the inheritance of livestock ... subverted the traditional balance of authority between the senior and junior generations, in favour of the latter" (1980:109). A similar process is described by McAllister for the Gcaleka of the Transkei (1985:128) and he, like Delius, writes about the attempts made by elders to counter or control this independence. In the Gcaleka example, this control is exerted by means of ritual belief and invocation, during which the social and ritual dependence of a migrant on his seniors is stressed, "as if to counter the economic independence that migratory earnings give to the young" (*ibid*:124).

Returning to the question of last-born inheritance, and to the idea that it involves some kind of bargain, it may be that this practice, too, represents a form of attempted control over the earnings of a son - here, the son who will in any case stay on with his parents for longest. The custom of offering at least this one child the security of an agricultural supplement to his income, and a rural home for his eventual retirement, may help to ensure that he will remain based at his parents' home, and will continue to remit to them the cash essential for their livelihood.

Looking specifically at Morotse once again, one can see that there has been a change in the kinds of benefits involved in entering into the bargain that inheritance implies. For a last-born son and heir from the over-50 age group, for instance, the issues that were involved in deciding to support his aged parents were quite different from those facing a young man about to make a similar decision in recent times.

John Masilo, Rudolph's father, is a good example of an inheriting son in the over-50 age group. He tells the story of his father's funeral, an event which seems to represent for him the culmination of his sustained

efforts in providing his parents with many years of financial and other support. It is a matter of some pride to John that his father's sister, who came to the funeral from her distant home, was so deeply impressed with the lavishness of the coffin, the ceremony, and other arrangements. She praised him for being better than those children who "just take their parents' money and then wrap them up in a sack and throw them away after they die". But John says he got very little from his parents: there was no money or stock, only their house on its stand and their field. These, he says, he would prefer not to have taken, since they carried with them the arduous task of caring for the old people - "even if you try your hardest they still will not be satisfied". Whatever his misgivings, however, he had accepted the responsibility - especially great since he was not merely the youngest, but also the only son - of performing this filial duty. Although his decision was, no doubt, prompted partly by moral obligation, it did have a rational component as well. Of the package of resources managed by this man on behalf of the large household of which he is the head, his house in the village and the land he was given by his parents are important components. Not only did he find it convenient to retire here, paying no rent, and leaving his son Rudolph to live in the family's Tembisa house while earning money for the family's upkeep, but he has also become a very active farmer, who places great importance on the contribution made by his fields to the household finances, and who acts as a vociferous village commentator and critic on the question of the co-op.

It should, of course, be remembered that men in the same age group as John Masilo who wanted a stand or land in the village did not need to rely on inheritance to procure these resources, since they were still available to all at the time. It has been mentioned earlier how all the Madihlaba brothers, all now well into their 50s, built their houses on stands close to that of their parents, and were allotted fields. For a man of this generation to have undertaken the task of caring for his parents does not, then, indicate a calculated decision made purely in

terms of material benefits, since these benefits were readily available even to non-inheriting sons. Conversely, the fact that it was possible - and probable - for sons of this generation to settle close to their parents also meant that several or all of them could, and frequently did, contribute towards their aged parents' upkeep, thus lessening the burden on the heir himself.

For young men of the present generation the situation has changed. The only ones who can acquire fields in the area, and residence close to the parental home, are those who acquiesce in the duty of parental support that inheritance implies, and there is less likelihood of help from their siblings since these often settle - from necessity or choice - in other villages, even other areas. Here the question of whether the rewards are worth the sacrifice, or whether the filial ideology is sufficiently strong to overcome such considerations, becomes more crucial. As Table 1 and its accompanying commentary indicates, there are a number of youngest sons who have settled for the role of heir and provider, and who are helping their parents financially, and with farming, in anticipation of eventually assuming the role of head in the parents' households, and holder of their fields. Certainly, most parents still expect their youngest son - or another son defined as heir for some reason - to live with them, and most are busy beginning to make provision for this projected situation. Niccah Khubedu and his wife Betty, for example, are helping their son Paulus to build a house next door to their own on their residential stand; they are relieved that at least one of their sons will be based close by, but saddened by the fact that the older son, Moses, has moved to a village 50 kms away. Similarly, Monnamoodi Mokoana and his wife are watching and assisting with the gradual progress in the building of their youngest son Samuel's house in their yard, but they worry that, because he remits money to them so irregularly, this may indicate that he is losing interest in coming to live there. An old woman like Mamulopu Kgwete, in contrast, can not cherish even a slight hope of the return of her youngest son, who left home without trace six years

ago, nor even of having her first born son ^{who}, she says, has been lured away to the city by the charms of his second wife - come back to live with her.

The issue appears in a different light when seen from the point of view, not of these anxious parents, but of their sons. Whether or not they intend to play the role of heir depends partly on whether the advantages of living closer to transport and town are outweighed by the benefits of access to agricultural land, and of rootedness in a long established rural network of relatives and friends. In either case, it will be primarily the man's wife, and his children, who will experience these things as beneficial or otherwise. And even though he may shoulder the full burden of providing his parents with their cash needs, it is his wife who must take over responsibility for farming after her parents-in-law have grown too old to work on their own fields.

Women and Inheritance

It is ironic that it should be women, outsiders to the family, whose role in inheritance and in the use of the land transferred by it is so central. This role was already a crucial one before the drastic transformation of rural societies: it was demonstrated earlier that a man acquired fields when marrying, and that these were associated with, and worked by, his wives. But in the contemporary situation, women's role in this regard has been greatly intensified. For both parties in the inheritance transaction - the parents and the heir - it is crucial that the daughter-in-law play her role as expected. From the parents' point of view the daughter-in-law who lives next door, or with them, provides general help in the household and, especially importantly, in the fields, thus ensuring that food is produced to supplement her husband's earnings. From his point of view, her fulfilling these functions lessens the burden placed on him in caring for his parents.

The importance of having a daughter-in-law to work one's land is shown by a case such as that of Rapoto Madihlaba who, when she became too old to tend her fields, favoured her married, middle son over her single, youngest son as her heir (see Figure 1). Like a previous example, this demonstrates the flexibility of last-born inheritance: it is often the most suitable son, rather than the youngest, who inherits from his parents, and suitability is measured especially in terms of marital status.

The importance of the dutiful daughter-in-law is illustrated still more vividly by the "abnormal" examples of defaulters who fail to perform their expected role. The wife of Sara Nthoheng's youngest son is one such defaulter. She was unwilling to do any work in the fields or in the house, and the tension between her and her in-laws finally culminated in a court case following a bitter quarrel during which she swore at them. As a result, the son now lives with his wife in a different part of the village; his parents are voluble in their disapproval of this situation, and in their concern that they have no one to help them in the house and on their fields. This kind of tension between parents- and daughters-in-law is attributed by some villagers to the fact that youths nowadays no longer marry their cousins. In-laws in the previous generation were often related, which, it is believed, made it likely that not only the two individuals but also the two families would get along well together.

It is not only daughters-in-law who default but, of course, sons as well. There are numerous cases in which the cash remittance sent home by a migrant to his wife and parents dwindles in size, or becomes infrequent, or even non-existent. Very often this development coincides with the virtual desertion of the man from the village, and from his familial involvements. If he is a youngest son, this means an abandoning of the obligation to care for his parents, and if he has a wife, she is also left to fend for herself. Where this deserted wife stays in the village, however, her access to the land inherited by her husband may become

crucial, for her and for her parents-in-law. Even though her husband's desertion may mean that she has little or no cash to put into farming, and therefore is forced to harvest and thresh with only those family members that are available, and who work for a share of the harvest rather than for pay, she may still be able to glean a meagre amount of grain from her fields. Bafedi Ralebetse is one such woman. Her husband Karel, a last-born son in the 35-50 age bracket, has been living with another woman in Tembisa for years, and sends no money back to his wife and two daughters in the reserve. He did, however, inherit his father's field and stand, and Bafedi's use of this land provides the household with its only reliable source of food. In her case, there are no extra mouths to feed, as her parents-in-law died some years ago. Nonetheless, the case of Bafedi and others in a similar position - or with the added responsibility of caring for ageing affines - points to the central role played by women in inheritance, agriculture and the care of older people.

This role is important not only in the case of the women who marry into a family, but also in that of its own daughters. I have noted elsewhere that Morotse has a number of large families - especially Pedi-speaking ones - in which uterine links predominate, and in which an ageing couple is supported and kept company, not by sons and their wives, but by unmarried daughters (1985b). There is, in fact, a homily repeated by many of the village's inhabitants: that "a daughter will care for you better than a son". Ironically, however, whereas a man may bequeath a field to his son as a safeguard ensuring filial support and commitment, he is in no position to do the same for a daughter, since this would be contrary to tribal custom as perpetuated in the present day by the local government bureaucracy in charge of agricultural matters. In other words, a woman who marries into a family may acquire land from that family through its inheritance by her husband - even if, as in the case of Bafedi, her husband later abandons her. But the unmarried daughter of a family may not be given land - even if there are no other claimants to it. This means that the person who, in many cases, is thought to be most reliable

in supporting her parents, and who would therefore be the most suitable heir, is denied the full privileges of this status due to the anachronistic survival - and purposeful conservation - of an inappropriate customary law. As in so many other aspects of contemporary life in the South African reserve areas, the perpetuation of tradition under the rubric of the Bantustan system of government is completely out of kilter with the reality of changing needs, circumstances, and family structures.

This paradoxical situation confronted by families who have only daughters to provide intergenerational continuity will be elaborated in the following section.

Different Households and Strategies of Inheritance

In Morotse, plottolders have gradually come to rely more and more on the input of cash in order to make a reasonable success of farming (see James 1985a). This is an important factor influencing changes in inheritance, and I will show in this section the varying strategies of heirship adopted by people occupying different levels of the income hierarchy, and living in different types of household.

I have outlined above a recent tendency in Morotse's style of residential settlement for youngest sons to settle with their parents while other sons must leave to live elsewhere. By means of a general argument drawing on comparative literature, I demonstrated the logic of this tendency, showing that it derives from a situation of land shortage. While this account is accurate in certain cases, I have intimated that there are other cases which do not fit the stereotype. The households which do conform most starkly to my description are those I call "simple three-generational" (James 1985b): that is, nuclear households - mostly of people from the older Pedi families - extended only to incorporate certain members of the ascending generation - the heir's parents. These

households do possess the requirements I identified in the same paper as necessary for a small male-headed household to survive: a reasonable supply of cash earned in town, which in turn makes the expenditure of effort and resources on agriculture a viable economic proposition. True to the stereotype, the non-inheriting sons from such families do set up house either elsewhere in the village or, more frequently, in other areas altogether. Indeed, the almost nuclear appearance of the heir's household derives not only from its relatively comfortable economic position, but also from the fact that these other sons are wholly absent.

I have already mentioned Goody's view that it is when productive resources, such as land, are scarce that they tend to become concentrated within "the basic productive and reproductive unit, ... the nuclear family" (1976:20) or other small household types. I also cited Wolf's corollary to this, which is that the non-inheriting sons, excluded from the small landholding family, become dispossessed and move away, often to the urban areas. Several writers on Southern Africa have noted a similar process. Beinart writes of certain Pondo households in the early twentieth century which, due to their large size and number of cattle, were able to withstand the pressures to migrate, but he shows that "as these families broke up, usually only one branch, based around the eldest son of the great house, would be able to survive in a similar way" (1982:137).⁵ Tracing the process of dispossession from the urban perspective, Pauw shows that, among the fathers of the men in his East Bank location sample, those who became most completely and quickly urbanised were those who - because of their place in the sequence of birth - had no prospect of acquiring land (1963:9-11)

⁵ The fact that the *eldest* son was at the core of this small family branch suggests that, in this case, it was the livestock inherited by him, rather than agricultural land, which provided the basis of the household economy.

The simple three-generational household in Morotse thus seems to represent a more general pattern associated with impartible inheritance and land shortage. But it is by no means the only pattern found in the village.

When looking at the households extended on agnatic lines - households I have described as being found more commonly among Ndebele-speakers in Morotse (1985b:173) - it was extraordinarily difficult to identify the heir in the various cases, and it gradually became clear that, most often, there *was* none. The explanation of this apparently nonsensical claim lies in the way in which such households are structured, which is described in some detail in a previous paper (*ibid*). I have shown that the conditions under which Ndebele people lived during their lengthy period of indenture intensified both the interdependence between family members, and the authority of the male family head, creating an extended family that was distinctly agnatic in character, and whose structure has been retained for a period well beyond the arrival of these people in the "Trust" (*ibid*:183-4). In addition, many of these Ndebele households are extremely poor. This poverty has two linked causes: firstly, a large proportion of the village's Ndebele inhabitants came from remote and far-flung farms, where their entry into the wage labour market - if it happened at all - was relatively late and on unfavourable terms; and secondly, their late arrival from these farms meant that few were able to acquire fields in the area when they came. I have suggested that this financial insecurity prompts a continuing interdependence between people who might, in different circumstances, have moved away to form independent units (*ibid*:166). Seen from the perspective of inheritance, this extended household form implies a reluctance to allow one of its important joint resources - its land - to pass from the hands of the household as a whole into the possession of only one of its constituent nuclear families. There is a commitment, rather, to continuing to farm this land

for the benefit of the entire unit, and to drawing on its joint kitty for any expenses incurred in the process.⁶

Inheritance in such households can thus be seen to be congruent with a strong commitment to a large, patrilineally structured family. Indeed, the system of inheritance - or rather, the reluctance to allow inheritance to occur - and the household type contribute to each other's continuation. This pattern departs from the typical or logical programme of impartible inheritance and land shortage outlined by Goody and Wolf (*op. cit.*). It is, nevertheless, a pattern rooted in the practical necessity of sharing scarce goods.

There is another consideration, as well, which reinforces this trend. It has become customary among the village's Ndebele community for a young woman to spend a period of time working as a domestic servant in Pretoria. This may start when she is still living at her parents' home, but continues into her life as a married woman and as a mother. During this period, she is *a de jure*, but mostly absent, member of her husband's natal household, and her mother-in-law takes care of the children, who may be well into their teens before their mother finally returns to "build a house" of her own - frequently on the same stand as that of her in-laws.⁷

⁶ A similar delay in the transfer of property occurs in parts of peasant Europe, but in such cases the land is always finally parcelled out on the death of the father (Friedl 1963), whereas in the households under discussion the land will continue to be managed by his widow.

⁷ This lengthy period of absence from home is probably dictated by economic necessity, but certain details - like the fact that the employment is always in Pretoria, and always procured via a well-established network of quasi-fendal ties with Afrikaans families there, and the fact that it is considered appropriate, even essential, for every woman to do this - give it something of the quality of a tradition, almost a rite of passage. This is borne out by the disparaging comments of Pedis who say of this custom that Ndebele girls think they are properly grown up only when they have left school as soon as possible to go and work in the kitchens in Pretoria.

A claim made earlier - that a man can inherit only if he has a wife to work the field - must here be qualified, then. The wife must also be *available* to do such work. In many of the Ndebele agnatically extended households, the sons' wives are at work in Pretoria, leaving the father-in-law or more frequently his wife or widow to continue as manager of the household's agricultural endeavours. The absence of young to middle-aged women from such a domestic unit thus militates against the transferal of its land from the older generation to a specific heir in the younger one, and this factor combines with the general tendency for these households to remain as large agglomerates of kin rather than splitting into separate families with separate property. As a result, though Ndebele informants claim to follow the system of ultimogeniture, in many of their households there seems to be a reluctance to acknowledge the necessity for any kind of inheritance, or at least a tendency to delay the transferring of land for as long as possible.* One of the implications of all this is that the task of caring for parents is also shared out between family members, rather than devolving upon one in particular.

It may be thought that this tendency to delay the process of inheritance, and to leave the land in the possession of the wider family, contradicts my earlier contention that a severe shortage of land inhibits the development or perpetuation of groups based on descent. But an extended family of parents, their sons and spouses, and grandchildren cannot, however large, be thought of as a descent group of the kind referred to by Shipton, and by Preston Whyte and Sibisi. And the strategy adopted by these households does not represent a solution to the problem of land shortage, so much as a temporary stalling, an attempt to counteract or deny the inevitable. Ultimately, the fact remains that plots and fields are unavailable locally, and if a household grows beyond a certain size its members will have to face this fact, and some of them will have to

* A similar pattern is discernible even among Ndebele families who have no land, though in these the property is limited to a residential stand, a house, and domestic equipment.

move. One would have to observe such a household over time to see how it dealt with this kind of crisis.

In the household type extended along uterine lines, which I have identified as more characteristically Pedi - though uterine extension may be found in both groups and may, indeed, coexist with agnatic extension - a similar inhibition to the early devolution of land is found. The case of Magdalena Mokoana is a good example. She is an old widow, none of whose three sons has taken a wife. Lacking a married heir, she thus continues to work on the fields herself, with the help of her daughters. The married daughters are paid in kind, and the remainder of the produce goes to feed her household which includes an unmarried daughter and several grandchildren. Since there is no male who can feasibly take over the fields as heir, the question of inheritance is delayed for the time being. Should a widow like Magdalena finally die without a willing heir, her land would revert to the chief, who would then reallocate it to some other married man.

Families in this situation complain about the fact that land may not be transferred to unmarried daughters. A daughter - as mentioned earlier in this paper - is thought to be the child who "will care for you better" than a son will, and her support should be able to be safeguarded by a bequeathing of land. Daughters who have remained as members of their parental households are well placed to use farming land to good effect, since they often have small children, experience difficulty migrating to industrial centres to work, and so are in a position to provide the frequent but non-intensive attention required in working on the fields.

It might be supposed that the inheritance of land by daughters is a possibility so remote in both customary and contemporary tribal law that people would hardly bother to discuss or complain about the issue. On the contrary, however, it is a matter of great concern, and can sometimes result in fierce conflict in the village.

The case of Anna Ralebetse's land demonstrates this very well. Although Anna was once married, the union lasted for such a short time that there was no land allocated to her as a wife - the normal means whereby a woman may legitimately acquire fields. On returning to Morotse after a long working life on the Reef she felt confident, however, that she would not lack the means to grow her own food. This was because her father Jacobs had a piece of land for her. This he had originally procured for his son Moses, thinking that there would be at least one other son to take over his land at a later stage. But Moses, as it turned out, was the only son, and it was he who came to inherit Jacobs' land as custom dictates. Jacobs then told Anna that she could take the fields that had been set aside for her brother; because she had produced a son whom Jacobs came to regard as almost his own and therefore as a deserving heir, but also because she had worked hard to support her parents' household and so had behaved "as a son should".

During Anna's long absence in Johannesburg, however, the piece of land in question had been "borrowed" by her older sister Nakgethwa for use by her newly married son Thomas and his wife, on the understanding that it would later be given back to Anna on her return to the village. They later showed that they had no intention of letting her take possession of the land again, and bitter arguments and conflict ensued. The headman enjoined the family members to try to work things out between themselves, but when the quarrel was taken to the chief, and to the administrators of the co-op to whose authority he always bows, they failed to adjudicate in favour of Anna. The plot, effectively, was reallocated to her sister's son. This outcome to the quarrel made it clear that customary law in its present bureaucratised form was not to be moved on this issue - no woman may own land except through her husband.

Conclusion

Perhaps the most important theme running through this paper has been that of dependence and interdependence. In the present day, one generation is linked to its successor by its reliance on that succeeding generation for the resource of migrant remittances. It, in turn, has control over a crucial resource for agricultural production - land - and by means of a "bargain" the promise of this land is exchanged for continuing support of a financial kind. Depending on the circumstances and the particular type of household concerned, the bargain may be struck between parents and a single son. This pattern, whose genesis I have tried to demonstrate, is the "customary" one for both Pedi and Ndebele speakers, and the one to which most informants claim to adhere. There may, alternatively, be a transaction between parents and a wider group of sons, or daughters, or both. In such cases the household appears to withstand or resist the pressures promoting impartible inheritance.

I have tried to look at some of the factors which influence children in their decision to take on the responsibility of supporting their parents, in return for a place at their parents' home and for the opportunity of farming there. Pursuing the metaphor of a bargain, it has been suggested that this commitment may be partly prompted by rational considerations: by an awareness of the benefits of access to agricultural land, and of rootedness in a long established rural network of relatives and friends. I have suggested that farming provides real returns only to those who invest money in it, so it is those sons earning the highest wages in town who will really experience their - and their wives' - access to fields as most beneficial in material terms. These are also the men whose households conform most often to the "simple three-generational" type described elsewhere as characteristic of slightly better-off people.

There are, however, heirs, or wives of heirs, whose farming of the parental land is not propped up by a sufficient input of cash. In such a

case, strictly material considerations may not necessarily explain why people continue to regard possession of land as important, as their returns on agriculture may be minimal. Murray suggests, after Spiegel, that migrants "continue to invest in agriculture and livestock, even when they cannot ensure a worthwhile return in the short term, in order to demonstrate a long-term commitment to the rural social system" (1981:77). There is a more generalised rationality in this kind of commitment, since a migrant must always return to the reserve when he reaches retirement age, and he therefore relies, in the last instance, on the continuation of some kind of agricultural enterprise.

There are other important considerations determining whether or not a son decides to accept the responsibility of heirship. It is recounted in another paper how the viability of agriculture - objectively and as perceived by the villagers - has been affected by recent changes in the techniques and social relationships of production, especially since the introduction of a so-called "co-op" (1985a). The involvement in their farming of wider forces beyond local control has caused uncertainty and resentment in the village, and one can only speculate at this stage whether plottolders might voluntarily begin to withdraw from this unpredictable enterprise, or whether these political and market forces might gradually act to exclude most of them from it. These factors will have a bearing on whether, in future years, last-born - or any - sons continue to accept the filial duty implied by heirship.

All the considerations outlined above are based more or less on calculations of long or short term material benefit. But it may be that an overemphasis on this aspect leads to a neglect of other, less tangible factors contributing to intergenerational continuity. Although I have illustrated broad patterns followed by richer and poorer people, there is, in the end, no narrowly economic explanation why the son of one household should return to live with his parents and do his duty by his family while another, from a similar background, should fail to do so.

I suggest that there is, then, as with McAllister's account of the Gcaleka, an ideological dimension to the institution of heirship, to which some people submit more readily than do others. My study of Morotse did not include an in-depth investigation into concepts, cosmologies or ritual beliefs, but I certainly gained an impression from talking to informants that there was a strong morality attached to the idea of behaving as a good son should, including - in the case of a youngest son - an acceptance and willing performance of the duties of an heir. This morality, expressed in terms of ethnic tradition - "in Sotho (or Ndebele) custom, a last-born must care for his parents" - appears to have a role similar to that of the ritual invocations pronounced by Gcaleka elders in their attempts to conceal the true direction of dependency between their sons and themselves.

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February 1987

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UNIVERSITY OF THE WITWATERSRAND

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THE MAKING OF CLASS

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AUTHOR: DEBORAH JAMES

TITLE: LAND SHORTAGE AND INHERITANCE
IN A LEBOWA VILLAGE

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Land Shortage and Inheritance in a Lebowa village

Introduction

In a recent seminar paper describing agricultural production in a Lebowa village the author notes with interest that there has been an apparent change in the practice of inheritance. Evidence from his case-study "points to the last-born as the heir..." and this, he says, is "contrary to ethnographic literature which suggests that it is the first son of a first wife who takes his father's property..." (Molepo 1983:5). In my study of a village in a nearby district I was puzzled by a similar contrast between the ethnographic record and the insistence of informants - in this case, both Pedi- and Ndebele-speaking - that it is youngest sons who inherit from their parents. In the following pages, I will try to answer the question of this "seemingly contradictory" (*ibid*) change from primo- to ultimogeniture, attempting to show that it is not so much a complete reversal of customary procedure as a response to a situation of extreme pressure on land, in which certain aspects of custom have been intensified while others have lapsed altogether.

The story behind the scarcity of land in this village is tied up with its history as a refuge and place of resettlement for ex-labour tenants expelled from white farms. The village is situated on the peripheries of Lebowa, on one of a group of "Trust farms" which were bought from White owners after 1936 to add to the existing reserve area. Its inhabitants - both Pedi- and Ndebele-speaking - have since the late 1930s been moving to Lebowa from the nearby White farms where they once lived and worked. Those who moved at the beginning of this period - roughly 30 per cent

of the population - arrived on the "Trust" early enough to establish their rights to land for ploughing, while the remainder, arriving since the late 1960s, were able only to acquire residential stands.

The area has been subjected to agricultural "betterment planning", the ostensible purpose of which was to improve productivity for those with access to ploughing plots. Its effect, however, like that of similar planning in other reserve areas, has been to reduce the size and viability of these plots. In attempting to provide land for the waves of more recent settlers who came to the area from white farms during the 1950s and 1960s, the planners took land away from earlier settlers, rendering them unable to produce more than a supplement to migrant wages.

This supplement is, nonetheless, an important factor in tempering a family's reliance on migrant labour for a living. But almost the only way, nowadays, to acquire the land necessary for agricultural production is through inheritance; and a residential stand, too, is virtually impossible for a young man to procure unless it is passed on to him by his parents. In this contemporary situation of land shortage, inheritance comes to play a new role, and one fundamentally different from that which it performed in the past. Whereas previously it provided one of the bases for the unity of a family group, it now functions mainly to divide. In setting up new and different linkages, between fewer households than before, it excludes households that would previously have been incorporated in a wider set of relationships.

In order to demonstrate the role of inheritance in altering the shape of the local community, it is necessary first to show how settlement used to occur before land became so scarce. Previous patterns of residence are still discernible if one looks at areas in the village occupied by older families. Here, households - although they are discrete units - are linked and situated in close proximity to each other by virtue of the fact that their heads are related in the male line; many, too, have

been linked by marriage, and in the oldest parts of the village there are traditions of cousin marriage creating inter-family connections for several generations back.

The Madihlaba family serves as a good example. Firstly, Figure 1 shows the way in which their residential arrangements were structured by descent. The founder of this agnatically structured neighbourhood was Sekgeti, who moved to the area with his first wife Nkwetuna and their sons - and with the widow and children of his elder deceased brother Manaas, whom he, as levir, was caring for - from the farm Buffelsvallei. It can be seen how his sons from both marriages settled in a cluster of homesteads around his own. The heart of the cluster consists of a few diverging lines of fathers and their last-born inheriting sons, who set up house on their parents' stands.

Thus, Sekgeti and his first wife lived in house (B), where their youngest son Karel and his wife later built their house (J). Rapoto, who as the widow of Manaas had her own residential plot and lands, lives in house (A), and her heir Johannes built his house (E) on the same plot, and brought his wife to live there. In turn, Sekgeti's oldest son Masele, who had acquired an adjacent plot to his father (F), then called his younger son Tholo to build on his plot (K); and, in similar vein, Sekgeti's second son Jacobs, living in house (G), now has his only son Moses' house (M) on his plot, and Klaas, in (I), has Eskia's house (N). Sons who were not heirs, like Masele and Jacobs, nevertheless acquired stands very close to the parental home, and this can be seen, too, in the cases of Jonas (H), Elias (C), Lekgowa (D), and Tautona (L).

Some of the other old families in the village manifest a similar pattern of residence, with agnates occupying contiguous residential plots and raising crops on contiguous fields. In the Pedi part of the village, two other families - besides the Madihlabas - which show this tendency particularly are the Chegos and the Lerobanes: all three in fact moved

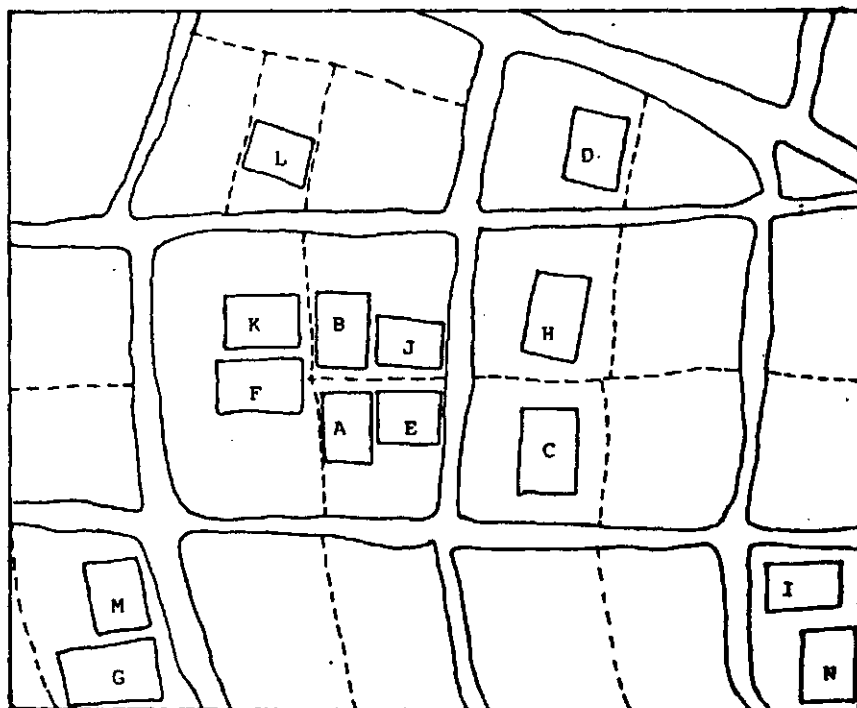
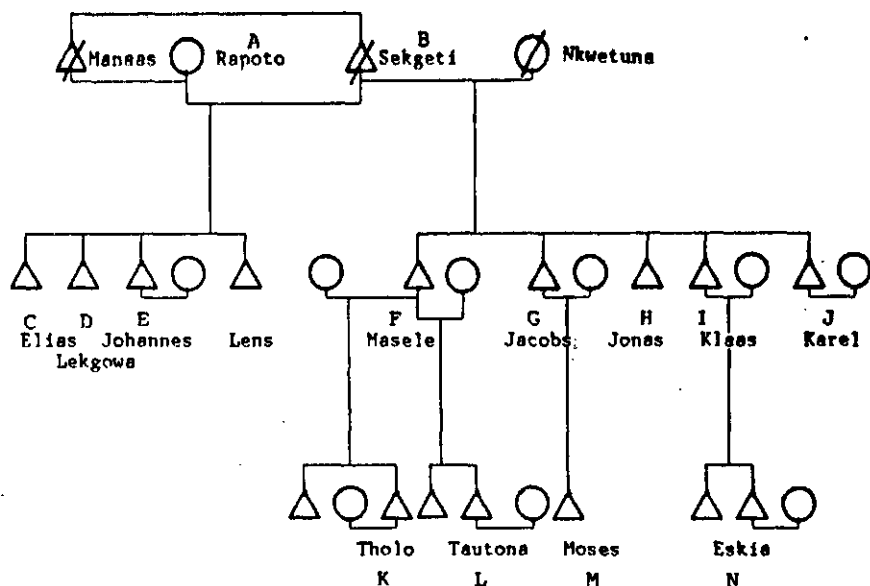


Figure 1: The Madihlaba family - kinship and locality

together from Buffelsvallei in the early 1930s. Since well before the move, these families had been intermarrying, and they continued to do so after arriving in the area. Figure 2 shows the extent of this intermarriage in my sample of households belonging to these three families, demonstrating, in particular, the range of types of cousin marriage involved, including matrilineal cross cousin marriage and patrilineal parallel cousin marriage. The local network of interrelations created by this ongoing pattern of marriage means that family members have a large range of closely related kin, both consanguineal and affinal, to call on for assistance, support and general solidarity. Such a network is valued by all those who have access to it, but is especially important for people lacking a reliable income, or for members of small, poor, female-headed households of the type I have described in a previous paper (1985b).

The pattern of settlement and interrelation illustrated here begins to change considerably as the next generation of children - and especially sons - moves out of home to marry and start their own families. Most have grown up close to the core homestead founded by their paternal grandparents, and with fathers' brothers' families as neighbours. Because of the connections established by cousin marriage, many, in addition, have resided close to their mothers' parents' homes. When sons of this new generation reach the age when they wish to build their own houses, the stands adjacent to the original family cluster of homes have already been taken, mostly by people newly arrived in the area who are unrelated to the family. In addition, the rigid standardisation and alignment of residential stands imposed by the betterment planning of the 1950s has acted as a brake on the natural and gradual expansion of a family group's living area to accommodate the homes of its sons and its grandsons. In the present circumstances, then, all save one son must move away from the family home to the outskirts of the village, or - as happens more often - to other villages altogether.

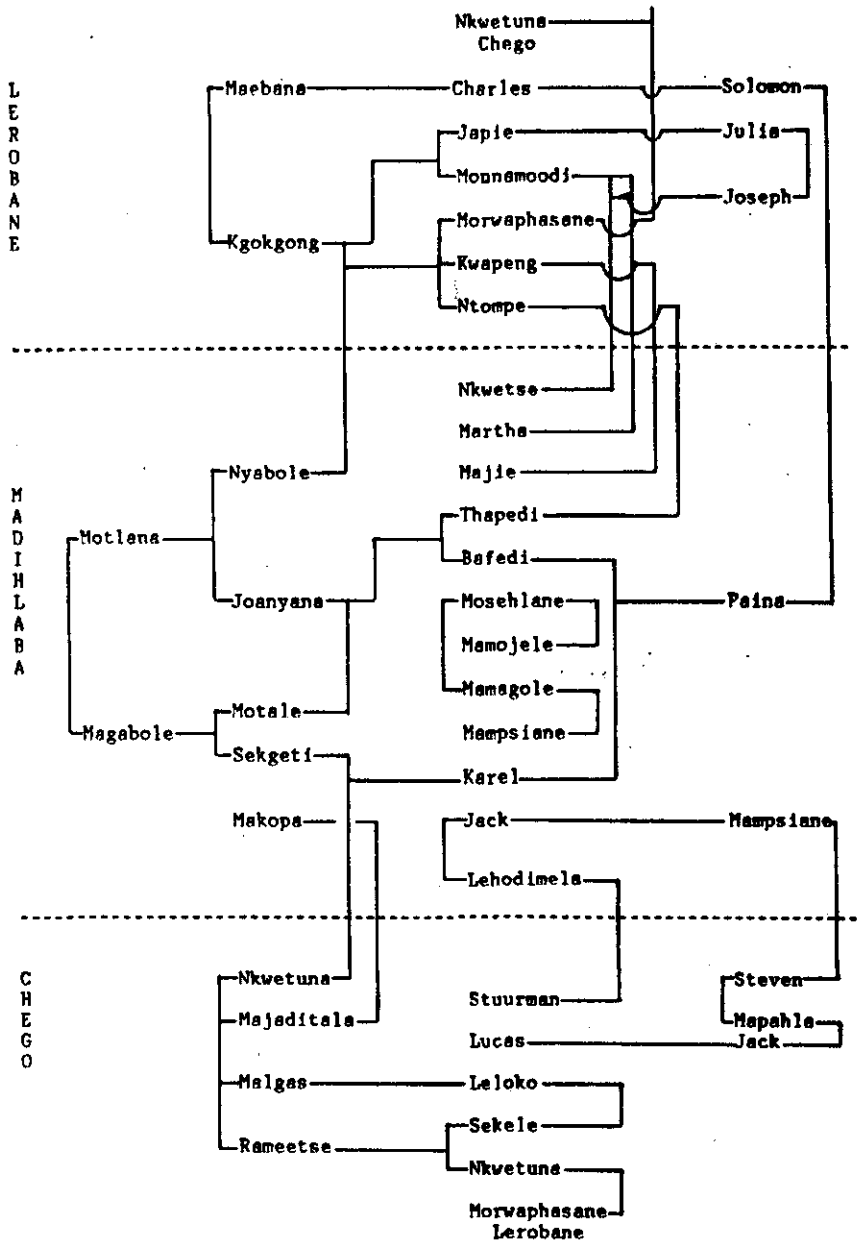


Figure 2: Cousin Marriage in Three Old Families

This change immediately lessens the likelihood of marriages between cousins occurring in succeeding generations, since sons who move to other places will probably find wives away from their birthplace. Figure 2 bears this out, revealing that cousin marriages between members of the youngest marrying generation - four - are far less frequent than those in the ascending generation - ten. It can be seen, then, that the implications of land shortage for the general shape of this oldest core of the community are far-reaching. Instead of being surrounded by its sons, a family now has local continuity only through its single heir - the youngest son - who inherits his parents' stand and their three morgen field.

Land Shortage and Last born Inheritance

As I have already mentioned, there is an apparent contradiction between this fact of last-born inheritance, and the traditional practice of primogeniture, which is reported not only by Monnig (1967:336) and Harries (1927:40) for the Pedi, but also by ethnographers working further afield in Southern Africa - amongst the Tswana (Schapera 1955:230-2), Zulu (Reader 1966:66) and others.¹ An examination of exactly what was inherited, however, reveals that the property transferred to the heir consisted primarily of cattle. And although this property devolved upon the first born son of the house, the transfer should not be seen as the passing of privately-owned resources from a man to one particular child who was singled out for the privilege. Rather, the son who received the cattle was, in theory at least, burdened thereby with the responsibility of administering this joint stock of resources for the benefit of the woman who founded the house and of all other sons born to it (Schapera 1955:232; Monnig 1967:337; Reader 1966:66). Since, by this process, the

¹ Where a man had more than one wife, it was customary for the eldest son of each house to inherit its property, while any general property not owned by a particular house would be inherited by the eldest son of the principal house (Monnig *op. cit.*, Schapera *op. cit.*)

eldest son would become controller rather than owner of the group's joint resources, the word "inheritance" might, indeed, be thought almost inappropriate to describe this transfer of property.

The question of livestock inheritance will be discussed in more detail further on, but this paper's immediate concern is with the inheritance of land. Cattle, I deduce from the literature, were communally held and so could not be "inherited" in the strict sense of the word. It might be thought even less fruitful to seek in the ethnographies for evidence of the transfer from one person to another of land - a resource which most certainly could never be privately owned in traditional Southern African society. Schapera, however, provides clarity on this point, stating that although a man could hold only usufructary rights in a piece of land, he was entitled to transfer these rights to his children, other relatives, or friends (*ibid*:205). It is suggested by Goody (1962:305) that the term "inheritance" be defined sufficiently broadly as to include the transfer of such rights.

The investigation continues to seem fruitless if we look to the Pedi ethnographers, Monnig and Harries, for documentation of land inheritance. But if we supplement the Pedi material by looking at Schapera's more detailed and substantial writings on the law and customs of the neighbouring Tswana (1955), we find the relevant information in a section not specifically on inheritance but dealing rather with the general law of property and land tenure. This is because the transfer of land from one generation to another usually happened, not on the occasion of a father's death, but on that of a son's marriage. After finding a wife, a young man would be given fields either from the family's allotment, by the household head, or from the ward's allotment, by its headman (*ibid*:202-3). In theory there was no limit to the amount of land a man could be given, but the area of his cultivation was determined, in practice, by the amount of labour he could mobilise, and this depended on the size and number of his houses, and, in turn, on the number of his

wives - a particular field was usually thought of as "belonging" to the married woman who worked it.

This means, then, that the acquisition of land was something associated with marriage rather than with death, and was therefore remote from the practice of inheritance as the word is usually understood. In a situation where land was still a plentiful resource, and where it could be readily acquired for use at the most appropriate time - that is, on setting up an independent household - there would be no need to await the retirement or decease of a relative who held usufructary rights in a particular portion of it.

The importance of this system of land acquisition for my argument becomes clearer when looking at the one case for which inheritance of land *was* a clearly established practice - that of a widow's youngest son, that is, the last-born son of a particular "house" (*ibid*:235).² In the light of the above account of land acquisition, it can be seen that this was not because the son was being favoured over his brothers, or singled out for special attention. It was simply because all the older brothers of that house would probably already have procured allotments of land in the way described above. To restate the point in Goody's words, the application of the rule of ultimogeniture in such a context does not imply the "exclusion of elder siblings from inheritance", but rather involves the transfer of residual parental rights "after other members of the sibling group have received a share in (the parent's) lifetime" (1962:326). Far from amounting to preferential treatment for the youngest, this type of inheritance involves a substantial burden of responsibility upon the heir, whose duty it then becomes to care for his ageing mother, or for both parents in the case of a monogamous marriage.

² He inherited his mother's homestead as well. Hunter (1961:119-120) reports a similar custom for the Mpondo; Monnig (1967:337) says that a Pedi youngest son inherited his mother's homestead and domestic effects, but he omits any mention of what happened to the mother's fields.

The property he receives is conditional upon his performing this duty, and might be seen as a kind of bribe persuading him to fulfil it. "The special obligations of the youngest son to his parents are buttressed by additional rewards out of the inheritance ... " (*ibid*:327). This point will be further discussed in the next section of the paper.

The various means by which different sons in a family acquired land might well be thought of as quite distinct and unrelated. In an article on Nynzwa-Zulu descent groups and land, for example, Preston-Whyte and Sibisi conceive of them as entirely separate processes. They describe the inheritance of land rights as "completely different" from the situation that arises "when a man ... wishes to establish an independent homestead" (1975:301) and is, with the endorsement of the headman, allocated land for this purpose by his father or another senior agnate.

An alternative and more comprehensive view is outlined by Goody in his broad overview of inheritance practices (1962). He suggests that instead of looking only at those transfers of property which happen after a person's death, one should include also those occurring during the person's lifetime. Since these two are aspects of the same process, he suggests, they should be grouped together under the general heading of "devolution" (*ibid*:311-2).

While this suggestion has obvious relevance for placing an institution such as the European dowry in the same category as inheritance, its pertinence might seem less apparent in a case like that described by Preston-Whyte and Sibisi, or in the case of Tswana land allocation. Goody makes it clear, however, that he includes in his discussion the intergenerational transmission of corporate resources as well as of individually held ones. It is perhaps not inadmissible, therefore, to subsume under the broad category of "devolution" the process whereby a young Nynzwa male was given land by his father or another agnate, from the area over which his local descent group had control. Even the

aforementioned Tswana - and the Pedi - system of land allocation can be seen in this light. Although Preston-Whyte and Sibisi claim that in most Sotho-Tswana groups land allocation was done by chiefs or headmen rather than through the mechanism of a descent group (1975:281), in practice a man usually got a piece of land from his family holding, and it is only if none was available from this area that the headman need be approached (Schapera 1955:198; Nonnig 1967:339).

The usefulness of seeing these two systems of land acquisition as part of the same general category will become clear when looking at the changes that have led to the current situation in a village like Morotse. Formerly, the two processes described by Preston-Whyte and Sibisi catered, in combination, for all eventualities involved in land allocation within a family group. But as land became scarcer the role played by inheritance gradually expanded, edging out all other means of gaining access to land. In present-day Morotse, as in many other parts of contemporary Southern Africa, land has become such a scarce resource that inheritance, previously one of the least important means of intergenerational devolution, is now almost the only means.

It is when land is in short supply, then, that the lineal principle becomes crucial in determining access to it. In trying to understand the historical process whereby inheritance has come to assume this central role in the devolution of usufructary rights, a number of tangential sources are helpful. Both Preston-Whyte and Sibisi (1975) and Shipton (1984) examine the relationship between land scarcity and descent used as an organising device. From their Nyuzwa-Zulu case study, Preston-Whyte and Sibisi deduce that there has been a change from "traditional times", when cattle provided the material basis for a local descent group's unity, to the present day, when land - the scarcest resource - is the main focus for "corporate descent group action". The land shortage has the effect of consolidating and strengthening such groups by uniting their members in competition with others (*ibid*:310-1).

There is an even more striking example of the same kind of change furnished by Shipton, in his analysis of material from East Africa. He finds that in societies with ready access to land its allocation - and other aspects of social life - are organised via formal political systems rather than through "informal links of agnation and affinity". This is because after people marry, they are likely to move away from their natal homes in search of fresh ground which is freely available for cultivation. Because couples move beyond the bounds of influence of their local kin groups, it is to a territorially- rather than kin-based authority that the allocation of land is entrusted. In contrast, he says, in areas with high population pressure on land the life of the society - and its system of land tenure - are structured by the "... territorially defined patrilineage ... Staying on and inheriting part of a paternal holding is an easier way of obtaining land than asking the headman of a crowded village or neighbourhood" (1984:620).

Shipton shows the dynamic potential of the model by citing cases in which a rapid increase of population pressure on land has resulted in a startlingly sudden change from a territorial or "locality-based" polity to a "descent-based" (*ibid*:618) system of organisation. Examples are cited, too, in which the opposite change has occurred (*ibid*:620-3). He thus attempts to substantiate the accuracy of his perceived correlation: between land shortage, and the use of descent in organising its distribution.

This correlation, and the insights into its processual workings through time provided by the case studies cited above, allow for a more precise and detailed picture of the recent change in Southern African land inheritance that I have been trying to outline. To restate my argument so far: the reason why so little information is available concerning the inheritance of land in traditional Southern African societies is precisely because land did not usually devolve through this mechanism. Where land inheritance did occur, it coexisted with other systems of land al-

location which were usually organised along the lines of descent or at least via a family group, but which happened before the death of the family head. The fact that kinship played some role in determining this allocation would be seen by Shipton as an indication that land, while not necessarily scarce in these societies, was already having to be husbanded with some care. Between his two types, "the locality-based and descent-based configurations", which he sees as poles on a continuum (1984:618), one could place the Tswana of the 1940s and 50s, with the family head giving land to his sons from the family holding, subject to the jurisdiction of a territorially defined authority (Schapera 1955:202-4). Closer to the descent-based/land shortage pole would be the Nyuzwa of the 1970s, with a lineage segment exercising effective control over a particular area of land, and with the head of this lineage segment deciding on the siting of new fields for one of its members (Preston-Whyte and Sibisi 1975: 299-301).

The case of Morotse manifests an even more extreme shortage of land than the Nyuzwa case, and it belongs logically, therefore, closest to the "descent-based" pole in this model. But Shipton points out that "the broad relationship between population pressures and the residential cohesion of lineages can obtain only up to a point": where population pressure becomes too great and subdivision of land is no longer feasible, there is no option other than "the migration of ... married men and their conjugal families away from paternal homesteads" (*ibid*:628). One might speculate that, had the original families in Morotse expanded by a natural process of population increase, thus putting more gradual pressure on the land resources, there might have been a gradually intensifying reliance on a descent-based organisation of land tenure. But any potential "natural" development along these lines was leapfrogged because of the extremely rapid, non-organic populating of the village and surrounding villages by labour-tenants expelled from the white farms.

As it is, descent has acquired an exaggerated importance out of all proportion to its former role. But there is no possibility, now, of a descent-based group having control over, or an ongoing relationship to, an area of land. It is an individual household that has rights of access to a particular field which may not be subdivided, and these rights are transferred by inheritance to a single heir - the youngest son. The inheritance may be *post mortem*, or it may precede the death of the heir's father or of his widowed mother. In this situation, the use of descent in transferring land has been narrowed down to favour a single person only. It has come to resemble most closely the system in some Mediterranean and other European peasant communities: a system of impartible inheritance, with one plot passed down from a father to a son whose eligibility as heir is defined in terms of his place in the birth sequence of siblings.

The correlation of this style of inheritance with extreme land shortage is noted by several writers. Goody, identifying it as a peculiarly Eurasian phenomenon, states its underlying logic:

the scarcer productive resources become and the more intensively they are used, then the greater the tendency towards the retention of these resources within the basic productive and reproductive unit, which in the large majority of cases is the nuclear family (1976:20).

Wolf, using mid-nineteenth century Ireland as his case study, shows how single-heir, impartible inheritance took over from earlier, partible forms "under pressures of severe over-population" (1966:75). The implication of such an inheritance system, he says, is the separation of a small group of landholders from a large mass of disinherited people, who may form a reservoir of rural or urban labour (*ibid*:76).

It would seem, then, that a land shortage such as exists in present-day Morotse militates against the retention of broadly based agnatic groups. If, as several authors claim, the solidarity and perpetuation of a local

descent group is predicated upon its connection to and control over land,¹ then the converse relationship, in this village, between lack of land and lack of descent groups seems inevitable. I have suggested above that the nature of community life in Morotse during the present generation has been considerably affected by the movement of non-inheriting sons away from the village because of the lack of access to land and residential stands. While this indicates the accuracy of the idea that the formation or perpetuation of descent-based family groups is inhibited by the contemporary demographic situation, the converse idea, expressed by Goody, that single-heir inheritance favours the nuclear family form, requires some qualification in the case of this village. As I have demonstrated in a previous paper (1985b), Morotse has a wide range of household and family types, and each copes with the problem of inheritance slightly differently.

In the following section, then, after an examination of the applicability of my general argument on inheritance to the case of Morotse, there will be a detailed analysis of the effects of impartible inheritance on these varying household structures. First, however, I wish to return to the point with which this general argument began. I proposed to explain the apparently illogical switch from first born to last-born inheritance noted by Molepo (1983) and other observers. It has been demonstrated that both systems of devolution were present in precapitalist traditional society: one ensuring the transfer of a family group's cattle to the person who was to take over the management of these resources on behalf of the group, and the other securing the care of the aged in return for a particular family plot. The question of cattle, previously the most important form of property, and customarily transferred by primogeniture, has not been examined in this paper, and this is because the significance

¹ "Land is necessarily the basis of descent group cohesion. Without it the descent group must be new or dwindling, and in either case of little standing." (Reader 1966:71). Also see Preston-Whyte and Sibisi (1975:311).

of cattle in Morotse has, for a number of reasons, declined considerably in recent times,^a and its ownership and transfer are consequently no longer of crucial importance in providing a group's basis of material support. Land, in contrast, has been shown to have increased in importance and its extreme scarcity has been shown to narrow the chances for the perpetuation of local groups based on descent or on wide family linkages.

Last born inheritance in Morotse

My claim is that a shortage of land, and the resulting reliance on inheritance as the only way of transmitting it, are causing gradual changes in residential and land-tenure patterns, and in the entire shape of the community, in Morotse. The accompanying table shows that land, now, can be acquired only by heirs, although there was a time when very few men became plottolders through inheritance.

^a In the case of latecomers to Morotse this decline in the importance of stock dated from the time of their arrival in the area, since they were unable to bring their cattle with them from the far-flung White farms where they had lived. Many of the original settlers, who moved from farms close by, did arrive with good-sized herds, and although some of them managed to improve and replenish these herds despite their depletion by the effects of the poisonous plant *mogau*, gradual changes in the techniques and social relationships of production began to affect the usefulness of these cattle. Beginning with the changeover to hiring the services of a ploughman and tractor by those families suffering the absence of able-bodied males, this culminated in the establishment of a so-called "co-op" which ploughed with its tractors even the fields of those unwilling people who had still been using their own cattle and manpower for the purpose. Throughout this period, but especially when the co-op was founded, people were selling their cattle, or failing to replace those animals which died (see James 1985a). The other important factor significantly altering the feasibility of cattle-keeping was, and is, the difficulty of caring for them in the present circumstances. Most young boys attend school and are therefore unavailable for herding, and women have no time to take cattle to pasture, especially since the specific designation of grazing camps - many of them far from the village - by the planners of the 1950s. The few people who do still keep cattle often rely on old men to look after them.

Table 1: Youngest Sons and Land Allocation

| Age | Youngest Sons | Other |
|-----------------------------------|---------------|-----------|
| over 50 | 3 (5%) | 29 (47%) |
| 35-50 | 6 (10%) | 14 (23%) |
| 20-34 | 8 (13%) | 1 (2%) |
| Total | 17 (28%) | 44 (72%) |
| Total landholders in sample | | 61 (100%) |

That inheritance has recently become the only means of acquiring land is shown by the fact that in the 20-35 age group almost the only plotholders are last-born sons, that is, heirs. The only exception is a young man from an old and influential family, whose acquisition of a field was a direct result of his family's connections with the chief and the authorities. This pattern is in sharp contrast to that which can be seen in the 35-50, and especially the over-50, age groups: most of these men, when young, did not inherit land, but were allocated it by the Trust authorities. Together the "other" sons over 35 constitute 70% of the total number of plotholders in the sample, and this shows that most village land is still held and farmed by people to whom it was originally allotted, rather than having been transferred to their heirs. It would seem, then, that the full effects of the changeover to impartible inheritance have yet to be felt. On the other hand, the bland statistics are qualified somewhat by the knowledge that a number of these older plotholders have already started to rely on the last-born son - or more accurately on his wife - to help them farm on these fields, and in some cases the land may, effectively, have been transferred to the heir in all but name.

A strong commitment to the idea of last-born inheritance is demonstrated not only by this table, but also by the statements made by villagers about the practice. Like Goody (1962:327) they see its logic in terms of a

kind of bargain in which the provision of land is exchanged for the security of filial care for aged parents. David Mthimunya, for instance, claims that his parents passed their field on to him because he had for years ploughed it with them, and later for them, and because he had looked after them in their old age. The practice of ultimogeniture is, however, not a rigidly defined one, and people's statement of it allows for exceptions: if the last-born does not want the land, one offers it to one's other son or sons. In a number of cases, circumstances have caused the rule to be interpreted in this more flexible sense. Of the Masilo family's two sons, for example, the younger, Daniel, has proved a disappointment to his parents: far from contributing to their welfare, he has often needed their financial help. It is the older brother, Rudolph, who has shown his commitment to his parents and to their country home by helping them to build their house and by sending them monthly remittances from his job in Kempton Park. When he eventually inherits their house, stand and fields, it will not be only because of this concern for and assistance to them, but also because they know that Daniel has no interest in living in the country - "he likes it in town".

This example further demonstrates the accuracy of Goody's claim, mentioned earlier, that last-born inheritance does have something of the quality of a bribe or a bargain (*ibid*:327), and it prompts me to look at the transactional nature of the arrangement in greater detail, and to examine whether the kinds of the rewards gained by both parties have changed over time.

It is noted in a number of studies in different parts of rural Southern Africa that the mutual dependency which binds elders to their young relatives, and parents to their children, has undergone radical transformations with the entrenchment of the system of migrant labour. From very early on the independent earning power afforded to young men by their involvement in migrancy has represented a threat to their senior male relatives' authority, previously based in large part on the control ex-

exercised by these elders over material and social resources (Delius 1983:76). Murray, writing of a later period, suggests that this economic independence of young migrants, which was established "for example through the purchase rather than the inheritance of livestock ... subverted the traditional balance of authority between the senior and junior generations, in favour of the latter" (1980:109). A similar process is described by McAllister for the Gcaleka of the Transkei (1985:128) and he, like Delius, writes about the attempts made by elders to counter or control this independence. In the Gcaleka example, this control is exerted by means of ritual belief and invocation, during which the social and ritual dependence of a migrant on his seniors is stressed, "as if to counter the economic independence that migratory earnings give to the young" (*ibid*:124).

Returning to the question of last-born inheritance, and to the idea that it involves some kind of bargain, it may be that this practice, too, represents a form of attempted control over the earnings of a son - here, the son who will in any case stay on with his parents for longest. The custom of offering at least this one child the security of an agricultural supplement to his income, and a rural home for his eventual retirement, may help to ensure that he will remain based at his parents' home, and will continue to remit to them the cash essential for their livelihood.

Looking specifically at Morotse once again, one can see that there has been a change in the kinds of benefits involved in entering into the bargain that inheritance implies. For a last-born son and heir from the over-50 age group, for instance, the issues that were involved in deciding to support his aged parents were quite different from those facing a young man about to make a similar decision in recent times.

John Masilo, Rudolph's father, is a good example of an inheriting son in the over-50 age group. He tells the story of his father's funeral, an event which seems to represent for him the culmination of his sustained

efforts in providing his parents with many years of financial and other support. It is a matter of some pride to John that his father's sister, who came to the funeral from her distant home, was so deeply impressed with the lavishness of the coffin, the ceremony, and other arrangements. She praised him for being better than those children who "just take their parents' money and then wrap them up in a sack and throw them away after they die". But John says he got very little from his parents: there was no money or stock, only their house on its stand and their field. These, he says, he would prefer not to have taken, since they carried with them the arduous task of caring for the old people - "even if you try your hardest they still will not be satisfied". Whatever his misgivings, however, he had accepted the responsibility - especially great since he was not merely the youngest, but also the only son - of performing this filial duty. Although his decision was, no doubt, prompted partly by moral obligation, it did have a rational component as well. Of the package of resources managed by this man on behalf of the large household of which he is the head, his house in the village and the land he was given by his parents are important components. Not only did he find it convenient to retire here, paying no rent, and leaving his son Rudolph to live in the family's Tembisa house while earning money for the family's upkeep, but he has also become a very active farmer, who places great importance on the contribution made by his fields to the household finances, and who acts as a vociferous village commentator and critic on the question of the co-op.

It should, of course, be remembered that men in the same age group as John Masilo who wanted a stand or land in the village did not need to rely on inheritance to procure these resources, since they were still available to all at the time. It has been mentioned earlier how all the Madihlaba brothers, all now well into their 50s, built their houses on stands close to that of their parents, and were allotted fields. For a man of this generation to have undertaken the task of caring for his parents does not, then, indicate a calculated decision made purely in

terms of material benefits, since these benefits were readily available even to non-inheriting sons. Conversely, the fact that it was possible - and probable - for sons of this generation to settle close to their parents also meant that several or all of them could, and frequently did, contribute towards their aged parents' upkeep, thus lessening the burden on the heir himself.

For young men of the present generation the situation has changed. The only ones who can acquire fields in the area, and residence close to the parental home, are those who acquiesce in the duty of parental support that inheritance implies, and there is less likelihood of help from their siblings since these often settle - from necessity or choice - in other villages, even other areas. Here the question of whether the rewards are worth the sacrifice, or whether the filial ideology is sufficiently strong to overcome such considerations, becomes more crucial. As Table 1 and its accompanying commentary indicates, there are a number of youngest sons who have settled for the role of heir and provider, and who are helping their parents financially, and with farming, in anticipation of eventually assuming the role of head in the parents' households, and holder of their fields. Certainly, most parents still expect their youngest son - or another son defined as heir for some reason - to live with them, and most are busy beginning to make provision for this projected situation. Niccah Khubedu and his wife Betty, for example, are helping their son Paulus to build a house next door to their own on their residential stand; they are relieved that at least one of their sons will be based close by, but saddened by the fact that the older son, Moses, has moved to a village 50 kms away. Similarly, Monnamoodi Mokoana and his wife are watching and assisting with the gradual progress in the building of their youngest son Samuel's house in their yard, but they worry that, because he remits money to them so irregularly, this may indicate that he is losing interest in coming to live there. An old woman like Mamulopu Kgwete, in contrast, can not cherish even a slight hope of the return of her youngest son, who left home without trace six years

ago, nor even of having her first born son ^{who}, she says, has been lured away to the city by the charms of his second wife - come back to live with her.

The issue appears in a different light when seen from the point of view, not of these anxious parents, but of their sons. Whether or not they intend to play the role of heir depends partly on whether the advantages of living closer to transport and town are outweighed by the benefits of access to agricultural land, and of rootedness in a long established rural network of relatives and friends. In either case, it will be primarily the man's wife, and his children, who will experience these things as beneficial or otherwise. And even though he may shoulder the full burden of providing his parents with their cash needs, it is his wife who must take over responsibility for farming after her parents-in-law have grown too old to work on their own fields.

Women and Inheritance

It is ironic that it should be women, outsiders to the family, whose role in inheritance and in the use of the land transferred by it is so central. This role was already a crucial one before the drastic transformation of rural societies: it was demonstrated earlier that a man acquired fields when marrying, and that these were associated with, and worked by, his wives. But in the contemporary situation, women's role in this regard has been greatly intensified. For both parties in the inheritance transaction - the parents and the heir - it is crucial that the daughter-in-law play her role as expected. From the parents' point of view the daughter-in-law who lives next door, or with them, provides general help in the household and, especially importantly, in the fields, thus ensuring that food is produced to supplement her husband's earnings. From his point of view, her fulfilling these functions lessens the burden placed on him in caring for his parents.

The importance of having a daughter-in-law to work one's land is shown by a case such as that of Rapoto Madihlaba who, when she became too old to tend her fields, favoured her married, middle son over her single, youngest son as her heir (see Figure 1). Like a previous example, this demonstrates the flexibility of last-born inheritance: it is often the most suitable son, rather than the youngest, who inherits from his parents, and suitability is measured especially in terms of marital status.

The importance of the dutiful daughter-in-law is illustrated still more vividly by the "abnormal" examples of defaulters who fail to perform their expected role. The wife of Sara Nthoheng's youngest son is one such defaulter. She was unwilling to do any work in the fields or in the house, and the tension between her and her in-laws finally culminated in a court case following a bitter quarrel during which she swore at them. As a result, the son now lives with his wife in a different part of the village; his parents are voluble in their disapproval of this situation, and in their concern that they have no one to help them in the house and on their fields. This kind of tension between parents- and daughters-in-law is attributed by some villagers to the fact that youths nowadays no longer marry their cousins. In-laws in the previous generation were often related, which, it is believed, made it likely that not only the two individuals but also the two families would get along well together.

It is not only daughters-in-law who default but, of course, sons as well. There are numerous cases in which the cash remittance sent home by a migrant to his wife and parents dwindles in size, or becomes infrequent, or even non-existent. Very often this development coincides with the virtual desertion of the man from the village, and from his familial involvements. If he is a youngest son, this means an abandoning of the obligation to care for his parents, and if he has a wife, she is also left to fend for herself. Where this deserted wife stays in the village, however, her access to the land inherited by her husband may become

crucial, for her and for her parents-in-law. Even though her husband's desertion may mean that she has little or no cash to put into farming, and therefore is forced to harvest and thresh with only those family members that are available, and who work for a share of the harvest rather than for pay, she may still be able to glean a meagre amount of grain from her fields. Bafedi Ralebetse is one such woman. Her husband Karel, a last-born son in the 35-50 age bracket, has been living with another woman in Tembisa for years, and sends no money back to his wife and two daughters in the reserve. He did, however, inherit his father's field and stand, and Bafedi's use of this land provides the household with its only reliable source of food. In her case, there are no extra mouths to feed, as her parents-in-law died some years ago. Nonetheless, the case of Bafedi and others in a similar position - or with the added responsibility of caring for ageing affines - points to the central role played by women in inheritance, agriculture and the care of older people.

This role is important not only in the case of the women who marry into a family, but also in that of its own daughters. I have noted elsewhere that Morotse has a number of large families - especially Pedi-speaking ones - in which uterine links predominate, and in which an ageing couple is supported and kept company, not by sons and their wives, but by unmarried daughters (1985b). There is, in fact, a homily repeated by many of the village's inhabitants: that "a daughter will care for you better than a son". Ironically, however, whereas a man may bequeath a field to his son as a safeguard ensuring filial support and commitment, he is in no position to do the same for a daughter, since this would be contrary to tribal custom as perpetuated in the present day by the local government bureaucracy in charge of agricultural matters. In other words, a woman who marries into a family may acquire land from that family through its inheritance by her husband - even if, as in the case of Bafedi, her husband later abandons her. But the unmarried daughter of a family may not be given land - even if there are no other claimants to it. This means that the person who, in many cases, is thought to be most reliable

in supporting her parents, and who would therefore be the most suitable heir, is denied the full privileges of this status due to the anachronistic survival - and purposeful conservation - of an inappropriate customary law. As in so many other aspects of contemporary life in the South African reserve areas, the perpetuation of tradition under the rubric of the Bantustan system of government is completely out of kilter with the reality of changing needs, circumstances, and family structures.

This paradoxical situation confronted by families who have only daughters to provide intergenerational continuity will be elaborated in the following section.

Different Households and Strategies of Inheritance

In Morotse, plottolders have gradually come to rely more and more on the input of cash in order to make a reasonable success of farming (see James 1985a). This is an important factor influencing changes in inheritance, and I will show in this section the varying strategies of heirship adopted by people occupying different levels of the income hierarchy, and living in different types of household.

I have outlined above a recent tendency in Morotse's style of residential settlement for youngest sons to settle with their parents while other sons must leave to live elsewhere. By means of a general argument drawing on comparative literature, I demonstrated the logic of this tendency, showing that it derives from a situation of land shortage. While this account is accurate in certain cases, I have intimated that there are other cases which do not fit the stereotype. The households which do conform most starkly to my description are those I call "simple three-generational" (James 1985b): that is, nuclear households - mostly of people from the older Pedi families - extended only to incorporate certain members of the ascending generation - the heir's parents. These

households do possess the requirements I identified in the same paper as necessary for a small male-headed household to survive: a reasonable supply of cash earned in town, which in turn makes the expenditure of effort and resources on agriculture a viable economic proposition. True to the stereotype, the non-inheriting sons from such families do set up house either elsewhere in the village or, more frequently, in other areas altogether. Indeed, the almost nuclear appearance of the heir's household derives not only from its relatively comfortable economic position, but also from the fact that these other sons are wholly absent.

I have already mentioned Goody's view that it is when productive resources, such as land, are scarce that they tend to become concentrated within "the basic productive and reproductive unit, ... the nuclear family" (1976:20) or other small household types. I also cited Wolf's corollary to this, which is that the non-inheriting sons, excluded from the small landholding family, become dispossessed and move away, often to the urban areas. Several writers on Southern Africa have noted a similar process. Beinart writes of certain Pondo households in the early twentieth century which, due to their large size and number of cattle, were able to withstand the pressures to migrate, but he shows that "as these families broke up, usually only one branch, based around the eldest son of the great house, would be able to survive in a similar way" (1982:137).⁵ Tracing the process of dispossession from the urban perspective, Pauw shows that, among the fathers of the men in his East Bank location sample, those who became most completely and quickly urbanised were those who - because of their place in the sequence of birth - had no prospect of acquiring land (1963:9-11)

⁵ The fact that the *eldest* son was at the core of this small family branch suggests that, in this case, it was the livestock inherited by him, rather than agricultural land, which provided the basis of the household economy.

The simple three-generational household in Morotse thus seems to represent a more general pattern associated with impartible inheritance and land shortage. But it is by no means the only pattern found in the village.

When looking at the households extended on agnatic lines - households I have described as being found more commonly among Ndebele-speakers in Morotse (1985b:173) - it was extraordinarily difficult to identify the heir in the various cases, and it gradually became clear that, most often, there *was* none. The explanation of this apparently nonsensical claim lies in the way in which such households are structured, which is described in some detail in a previous paper (*ibid*). I have shown that the conditions under which Ndebele people lived during their lengthy period of indenture intensified both the interdependence between family members, and the authority of the male family head, creating an extended family that was distinctly agnatic in character, and whose structure has been retained for a period well beyond the arrival of these people in the "Trust" (*ibid*:183-4). In addition, many of these Ndebele households are extremely poor. This poverty has two linked causes: firstly, a large proportion of the village's Ndebele inhabitants came from remote and far-flung farms, where their entry into the wage labour market - if it happened at all - was relatively late and on unfavourable terms; and secondly, their late arrival from these farms meant that few were able to acquire fields in the area when they came. I have suggested that this financial insecurity prompts a continuing interdependence between people who might, in different circumstances, have moved away to form independent units (*ibid*:166). Seen from the perspective of inheritance, this extended household form implies a reluctance to allow one of its important joint resources - its land - to pass from the hands of the household as a whole into the possession of only one of its constituent nuclear families. There is a commitment, rather, to continuing to farm this land

for the benefit of the entire unit, and to drawing on its joint kitty for any expenses incurred in the process.⁶

Inheritance in such households can thus be seen to be congruent with a strong commitment to a large, patrilineally structured family. Indeed, the system of inheritance - or rather, the reluctance to allow inheritance to occur - and the household type contribute to each other's continuation. This pattern departs from the typical or logical programme of impartible inheritance and land shortage outlined by Goody and Wolf (*op. cit.*). It is, nevertheless, a pattern rooted in the practical necessity of sharing scarce goods.

There is another consideration, as well, which reinforces this trend. It has become customary among the village's Ndebele community for a young woman to spend a period of time working as a domestic servant in Pretoria. This may start when she is still living at her parents' home, but continues into her life as a married woman and as a mother. During this period, she is *a de jure*, but mostly absent, member of her husband's natal household, and her mother-in-law takes care of the children, who may be well into their teens before their mother finally returns to "build a house" of her own - frequently on the same stand as that of her in-laws.⁷

⁶ A similar delay in the transfer of property occurs in parts of peasant Europe, but in such cases the land is always finally parcelled out on the death of the father (Friedl 1963), whereas in the households under discussion the land will continue to be managed by his widow.

⁷ This lengthy period of absence from home is probably dictated by economic necessity, but certain details - like the fact that the employment is always in Pretoria, and always procured via a well-established network of quasi-fendal ties with Afrikaans families there, and the fact that it is considered appropriate, even essential, for every woman to do this - give it something of the quality of a tradition, almost a rite of passage. This is borne out by the disparaging comments of Pedis who say of this custom that Ndebele girls think they are properly grown up only when they have left school as soon as possible to go and work in the kitchens in Pretoria.

A claim made earlier - that a man can inherit only if he has a wife to work the field - must here be qualified, then. The wife must also be *available* to do such work. In many of the Ndebele agnatically extended households, the sons' wives are at work in Pretoria, leaving the father-in-law or more frequently his wife or widow to continue as manager of the household's agricultural endeavours. The absence of young to middle-aged women from such a domestic unit thus militates against the transferal of its land from the older generation to a specific heir in the younger one, and this factor combines with the general tendency for these households to remain as large agglomerates of kin rather than splitting into separate families with separate property. As a result, though Ndebele informants claim to follow the system of ultimogeniture, in many of their households there seems to be a reluctance to acknowledge the necessity for any kind of inheritance, or at least a tendency to delay the transferring of land for as long as possible.* One of the implications of all this is that the task of caring for parents is also shared out between family members, rather than devolving upon one in particular.

It may be thought that this tendency to delay the process of inheritance, and to leave the land in the possession of the wider family, contradicts my earlier contention that a severe shortage of land inhibits the development or perpetuation of groups based on descent. But an extended family of parents, their sons and spouses, and grandchildren cannot, however large, be thought of as a descent group of the kind referred to by Shipton, and by Preston Whyte and Sibisi. And the strategy adopted by these households does not represent a solution to the problem of land shortage, so much as a temporary stalling, an attempt to counteract or deny the inevitable. Ultimately, the fact remains that plots and fields are unavailable locally, and if a household grows beyond a certain size its members will have to face this fact, and some of them will have to

* A similar pattern is discernible even among Ndebele families who have no land, though in these the property is limited to a residential stand, a house, and domestic equipment.

move. One would have to observe such a household over time to see how it dealt with this kind of crisis.

In the household type extended along uterine lines, which I have identified as more characteristically Pedi - though uterine extension may be found in both groups and may, indeed, coexist with agnatic extension - a similar inhibition to the early devolution of land is found. The case of Magdalena Mokoana is a good example. She is an old widow, none of whose three sons has taken a wife. Lacking a married heir, she thus continues to work on the fields herself, with the help of her daughters. The married daughters are paid in kind, and the remainder of the produce goes to feed her household which includes an unmarried daughter and several grandchildren. Since there is no male who can feasibly take over the fields as heir, the question of inheritance is delayed for the time being. Should a widow like Magdalena finally die without a willing heir, her land would revert to the chief, who would then reallocate it to some other married man.

Families in this situation complain about the fact that land may not be transferred to unmarried daughters. A daughter - as mentioned earlier in this paper - is thought to be the child who "will care for you better" than a son will, and her support should be able to be safeguarded by a bequeathing of land. Daughters who have remained as members of their parental households are well placed to use farming land to good effect, since they often have small children, experience difficulty migrating to industrial centres to work, and so are in a position to provide the frequent but non-intensive attention required in working on the fields.

It might be supposed that the inheritance of land by daughters is a possibility so remote in both customary and contemporary tribal law that people would hardly bother to discuss or complain about the issue. On the contrary, however, it is a matter of great concern, and can sometimes result in fierce conflict in the village.

The case of Anna Ralebetse's land demonstrates this very well. Although Anna was once married, the union lasted for such a short time that there was no land allocated to her as a wife - the normal means whereby a woman may legitimately acquire fields. On returning to Morotse after a long working life on the Reef she felt confident, however, that she would not lack the means to grow her own food. This was because her father Jacobs had a piece of land for her. This he had originally procured for his son Moses, thinking that there would be at least one other son to take over his land at a later stage. But Moses, as it turned out, was the only son, and it was he who came to inherit Jacobs' land as custom dictates. Jacobs then told Anna that she could take the fields that had been set aside for her brother; because she had produced a son whom Jacobs came to regard as almost his own and therefore as a deserving heir, but also because she had worked hard to support her parents' household and so had behaved "as a son should".

During Anna's long absence in Johannesburg, however, the piece of land in question had been "borrowed" by her older sister Nakgethwa for use by her newly married son Thomas and his wife, on the understanding that it would later be given back to Anna on her return to the village. They later showed that they had no intention of letting her take possession of the land again, and bitter arguments and conflict ensued. The headman enjoined the family members to try to work things out between themselves, but when the quarrel was taken to the chief, and to the administrators of the co-op to whose authority he always bows, they failed to adjudicate in favour of Anna. The plot, effectively, was reallocated to her sister's son. This outcome to the quarrel made it clear that customary law in its present bureaucratised form was not to be moved on this issue - no woman may own land except through her husband.

Conclusion

Perhaps the most important theme running through this paper has been that of dependence and interdependence. In the present day, one generation is linked to its successor by its reliance on that succeeding generation for the resource of migrant remittances. It, in turn, has control over a crucial resource for agricultural production - land - and by means of a "bargain" the promise of this land is exchanged for continuing support of a financial kind. Depending on the circumstances and the particular type of household concerned, the bargain may be struck between parents and a single son. This pattern, whose genesis I have tried to demonstrate, is the "customary" one for both Pedi and Ndebele speakers, and the one to which most informants claim to adhere. There may, alternatively, be a transaction between parents and a wider group of sons, or daughters, or both. In such cases the household appears to withstand or resist the pressures promoting impartible inheritance.

I have tried to look at some of the factors which influence children in their decision to take on the responsibility of supporting their parents, in return for a place at their parents' home and for the opportunity of farming there. Pursuing the metaphor of a bargain, it has been suggested that this commitment may be partly prompted by rational considerations: by an awareness of the benefits of access to agricultural land, and of rootedness in a long established rural network of relatives and friends. I have suggested that farming provides real returns only to those who invest money in it, so it is those sons earning the highest wages in town who will really experience their - and their wives' - access to fields as most beneficial in material terms. These are also the men whose households conform most often to the "simple three-generational" type described elsewhere as characteristic of slightly better-off people.

There are, however, heirs, or wives of heirs, whose farming of the parental land is not propped up by a sufficient input of cash. In such a

case, strictly material considerations may not necessarily explain why people continue to regard possession of land as important, as their returns on agriculture may be minimal. Murray suggests, after Spiegel, that migrants "continue to invest in agriculture and livestock, even when they cannot ensure a worthwhile return in the short term, in order to demonstrate a long-term commitment to the rural social system" (1981:77). There is a more generalised rationality in this kind of commitment, since a migrant must always return to the reserve when he reaches retirement age, and he therefore relies, in the last instance, on the continuation of some kind of agricultural enterprise.

There are other important considerations determining whether or not a son decides to accept the responsibility of heirship. It is recounted in another paper how the viability of agriculture - objectively and as perceived by the villagers - has been affected by recent changes in the techniques and social relationships of production, especially since the introduction of a so-called "co-op" (1985a). The involvement in their farming of wider forces beyond local control has caused uncertainty and resentment in the village, and one can only speculate at this stage whether plottolders might voluntarily begin to withdraw from this unpredictable enterprise, or whether these political and market forces might gradually act to exclude most of them from it. These factors will have a bearing on whether, in future years, last-born - or any - sons continue to accept the filial duty implied by heirship.

All the considerations outlined above are based more or less on calculations of long or short term material benefit. But it may be that an overemphasis on this aspect leads to a neglect of other, less tangible factors contributing to intergenerational continuity. Although I have illustrated broad patterns followed by richer and poorer people, there is, in the end, no narrowly economic explanation why the son of one household should return to live with his parents and do his duty by his family while another, from a similar background, should fail to do so.

I suggest that there is, then, as with McAllister's account of the Gcaleka, an ideological dimension to the institution of heirship, to which some people submit more readily than do others. My study of Morotse did not include an in-depth investigation into concepts, cosmologies or ritual beliefs, but I certainly gained an impression from talking to informants that there was a strong morality attached to the idea of behaving as a good son should, including - in the case of a youngest son - an acceptance and willing performance of the duties of an heir. This morality, expressed in terms of ethnic tradition - "in Sotho (or Ndebele) custom, a last-born must care for his parents" - appears to have a role similar to that of the ritual invocations pronounced by Gcaleka elders in their attempts to conceal the true direction of dependency between their sons and themselves.

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