Disobedient Daughters:

Debating Culture and Rights in Rural KwaZulu-Natal

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Introduction

In a recent article on abandoned babies in South Africa, ANC MP and president of the Congress of Traditional Leaders Patekile Holomisa stated that, "The time has come for us to put an end to this unnecessary tension between human rights and good morals" (Business Day 2003). Talk of human rights has proliferated in South Africa in the decade following the transition from apartheid and opposition to the universalism of human rights often finds expression in the assertion of cultural difference and the linking of culture with morality. In rural KwaZulu-Natal, this discursive opposition between culture and rights has emerged with particular strength in domestic struggles over the behavior of young women. As communities grapple with the effects of high levels of unemployment, the decline in marriage, and the spread of HIV/AIDS, rural households are again coming into focus as sites where issues of gender and generational inequality are shifting and being renegotiated.

These themes of gender and generation, particularly the concern over controlling the labor and reproductive power of women, have been central to struggles over political power in KwaZulu-Natal. The consolidation of colonial power, the rise of nationalism, and the power of the chiefs are all linked to struggles over gender and generational inequality, and these struggles are frequently couched in terms of tradition and modernity, and as a concern over the loss of or lack of morality within Zulu communities. These struggles have also taken place in the context of rapid economic changes that have imposed their own changes on the structures of households and the distribution of power within them. Conceptualizing rapid social changes in terms of tradition and modernity has generally been seen as confined to nationalist, elite or academic discourses. Chanock recently wrote that, "those rights discourses in which culture is invoked as an argument against universalism now largely belong to rulers, not to those who may need their

rights protected, those who talk in terms of wrongs and needs, not rights and culture" (Chanock 2002:38). However, over the last decade, in many rural communities, this discourse of rights and culture has disseminated to the majority of the population in part due to its connection with party politics and the legal system. The debate has occurred particularly around the issue of the rights of the youth and in the context of changes in the nature of parental authority.

Culture and Rights in South Africa

A considerable amount of attention has been given recently to the term culture and its widespread use in popular and political discourse. While anthropologists have come to regard cultural identities as constantly negotiated and changing, the use of culture in popular discourse has tended towards older anthropological understandings of it as bounded, unchanging and homogenous (Wright 1998). Wright suggests that during the 1990s, the term 'culture' became politicized as "[d]ecision-makers and media commentators often claim legitimacy for their discourses by referring to 'culture, in an anthropological sense' – a phrase which closes off further explanation by claiming that there is *one* (their) meaning of culture which is at once too self-evident to warrant explanation and too deep to be delved into by non-anthropologists" (7). This depiction of culture has been utilized by both the powerful and the marginalized as, "a primordial alibi for *naturally* different identities, each of which warrants respect, recognition, room for self-expression, [and] entitlement" (Comaroff and Comaroff 2004:188). It is this characterization of culture, as an unchanging natural or authentic identity, that is generally used in the context of challenges to the universalism of human rights and their embeddedness in Western ideas of liberalism.

As noted by the Comaroffs (2004), this challenge of culture to liberalism is particularly germane in South Africa, where the ANC's version of nationalism has attempted to embrace both a modern nation-state with a long history of liberalism in political and legal structures and to separate itself from the legacies of colonialism and racism first introduced hand in hand Western notions of liberalism. South Africa has been celebrated recently as having one of the most liberal constitutions in the world with its application of universal rights for as many possible minority groups as the writers could reasonably conceive of at the time of its drafting. Human rights, particularly children's rights and women's rights, are central to the ANC's project of building a unifying nationalism. ANC spokesman Smuts Ngonyama recently said, "[w]e want to make sure that South Africans begin to respect human rights and begin to understand that freedom brings with it responsibilities like respecting the rights of others" (Business Day 2002). The news report went on to paraphrase Ngonyama that the "key to this campaign was the moral regeneration of society, and chief among the issues to be targeted were the rights of children" (Business Day 2002).

Despite this emphasis on rights, however, national leaders are reluctant to challenge aspects of customary law and authority that conflict with the tenets of liberalism and frequently respond to any ambiguity in this context by reiterating their respect not only for culture but also for traditional leaders as guardians of culture. In a governmental draft white paper, a traditional leader was described not only as, "a link between [his people] and their ancestors but also as a spiritual, cultural and judicial leader, and the custodian of the values of his community" (Department of Provincial and Local Government 2000:10). President Mbeki has also reassured traditional leaders that he would not challenge their authority as there "cannot be two bulls in one kraal" (quoted in Oomen 2000:1). This 'two bulls in one kraal' metaphor is suggestive also of

the gendered and rural components of the representation of culture. In KwaZulu-Natal, where this study takes place, there has been considerable talk about the need to balance human rights with a respect for and accommodation of Zulu culture, particularly in the context of a strong history of Zulu nationalism in the region. Culture is frequently used interchangeably with concepts such as tradition and custom and is associated with traditional leaders, of whom the government states that, "traditional leadership is one of the oldest institutions of government, both in Africa and the rest of the world. It predates colonialism and apartheid, and it represents early forms of societal organization" (Department of Provincial and Local Government 2000; 4). Zulu culture, and the traditional leaders as representatives of that culture, is presented here not only as authentic and unchanging but also as outside of or predating colonialism and liberalism. It is in this domain of cultural nationalism where, as Chatterjee (1993) suggests, postcolonial states seek to assert their independence from the West through the creation of an "essential" expression of cultural identity (6).

The Colonial State and the Creation of Citizens and Subjects

The opposition between culture and rights in nationalist discourse, however, does not just arise from an ambivalence towards liberalism in postcolonial states dealing with legacies of racism and colonialism, but it also arises from the very nature of the colonial state itself. Mamdani (1998) suggests that there are "two moments of colonial ideology, defense of custom at the point of its consolidation and the promise of development at its point of crisis" (170). These two moments of colonial ideology, Mamdani suggests, evolved from different strategies of control by the state that resulted in the creation either of citizens or subjects out of colonial peoples and their corresponding emphasis on rights or culture. Comaroff (1998) takes a similar

perspective, although he suggests that rather than occurring at different historical moments, the colonial state was simultaneously attempting to create both citizens and subjects as part of the pragmatics of colonial rule. The creation of citizens was tied to the need for legal jurisdiction over colonial subjects that were interacting with the state as workers, traders and taxpayers. In order to enforce contracts and taxation, it was necessary to create differentiated, rights-bearing citizens out of colonial peoples. For Comaroff, these colonial citizens were created, with varying degrees of success, through a Foucauldian-style oversight by the state into the details of people's lives, such as the registration of births, deaths and marriages, and the regulation of domestic life particularly around the construction and reproduction of the family. Mamdani, on the other hand, focuses on the connection between the creation of citizens and the promise of modernization. He writes, "[i]n its postwar reform phase, colonial strategy cast the customary as antithetical to development. If tradition was backwardness, then development would have to be induced from without, or at least from above" (170).

Colonial subjects, on the other hand, were created primarily through the processes of indirect rule. Indirect rule has been posited as emerging either from the pragmatics of ruling with as little expense as possible (Berry 1993; Marks 1989) or as a strategy to contain the rising black middle class (Mamdani 1998). It involved the incorporation of local African authorities into the colonial administration and the creation of a legal system based on customary law that legislated and defined tradition. This form of colonial political control was based on labeling and classifying territorially and linguistically bounded social groups in ways that presented them as 'unmarked ethnic subjects' (Comaroff 1998). The colonial state selectively reinforced some aspects of tradition and rejected others through the institutions of indirect rule in ways that

maintained political control and restricted the rights that were otherwise associated with citizens. As expressed by Mamdani,

> "The dualism in legal theory was actually a description of two distinct, though related, forms of power: the centrally located modern state and the locally organized Native Authority…The justification for power [in the modern state] was in the language of rights, for citizen rights guaranteed by civil law were at the same time said to constitute a limit on civil power…Customary law was not about guaranteeing rights; it was about enforcing custom. Its point was not to limit power, but to enable it. The justification of power was that it was a custodian of custom in the wider context of alien domination." (Mamdani 1998:109-110)

This process of treating people primarily as members of ethnic groups put new pressure on definitions of culture and tradition. Mamdani notes that, "[b]etween culture and territory, the former must define the parameters of decentralized rule: the boundaries of culture would mark the parameters of territorial administration" (Mamdani 1996; 79). As a result, these policies served to create instability as access to resources was based on membership of ethnic or tribal communities and therefore defining the membership of a community and defining tradition became the primary sites where struggles over political authority and access to scarce resources were fought out (Berry 1993).

Gender and Indirect Rule in KwaZulu-Natal

Colonial rule in Natal took the form of the Shepstone system of land reserves and the creation of separate political and legal systems for Africans and settlers. The Shepstone system is often considered a template not only for indirect rule, but also for the policies of the segregation and apartheid periods, during which the separation of political and legal systems was further entrenched (Welsh 1971; Mamdani 1998; Hart 2002). The colonial administration in Natal had few resources and had the mandate of governing a large region, and therefore the system that emerged was not reliant solely on the use of force, but was also based on an accommodation or collaboration between the colonial state and African leaders (Marks 1986;

Etherington 1989; Guy 1997; Hart 2002). Central to this accommodation, as suggested by Guy, was the maintenance of patriarchal structures in African society through the continued control over land and the labor and reproductive power of African women. Guy writes,

> "For at the very centre of this compromise between colonizer and colonized was the perpetuation or the resuscitation of the homestead, its polygamous households, its agricultural and grazing lands – and with this came the domestic dominance of married men, their control over women, their labour and reproductive power, and their movement from the control of fathers as daughters, to the control of husbands as wives" (9).

It is this control over the labor and reproductive power of women that Guy argues was the cornerstone of political power in Southern African precapitalist societies (1990) and it was the colonial administration's support for the continuation of these structures that enabled the accommodation central to the Shepstonian system of indirect rule.

The Shepstone system was of major economic benefit to the colonial state, as the chiefs, or *amakhosi* as they are known locally, enforced order and collected taxes on behalf of the state. Etherington (1989) calculated that Africans contributed approximately 75 percent of the government revenue in taxes and customs, while about three percent of the budget was spent on them, suggesting that "Africans suffered taxation without representation, while settlers enjoyed representation virtually without taxation" (175). The *amakhosi* also implemented systems of forced labor to build state infrastructure and helped supply reliable laborers for the coastal sugar plantations (Etherington 1989). Absentee landowners also gained rent money from those willing to pay in order to farm better land than that found in the reserves. In return, the colonial state's defense of the existence of reserves meant that Africans in Natal were able to develop commercial agriculture during this period and, for a longer period than elsewhere in South Africa, Africans had alternatives to wage labor as they, "retained a hold on the basic means of production, land and cattle…and could earn the colonial taxation or rent through cash-crop production" (Marks 1986:26).

This retention of the basic means of production by Africans in KwaZulu-Natal, however, was not in the interests of many white settlers, particularly the farmers, who wanted cheap laborers for their farms. The settlers fought against the continuation of Shepstone's policies of indirect rule and, once again, this battle was fought out over the issue of controlling African women's labor and reproductive power. The settlers argued for a form of rule that reflected the second tendency within colonial states, namely the creation of modern rights-bearing citizens. As Hamilton wrote, "[t]he Shepstone system annoyed the colonists precisely because it inhibited the imposition of a work ethic, monogamy, a need for clothing, commodities, and civilization" (Hamilton 1998:99). In this, the settlers found willing allies in the missionaries, who also brought issues of morality to the fore. In particular, settlers and missionaries attempted to label polygamy as immoral and fought to have it abolished. McClintock (1995) quotes one writer of that time period that, "here in Natal are nearly 400,000 natives…They are allowed as much land as they want for their locations. They are polygamists and treat their women as slaves, while they themselves are idle or worse" (254). Welsh (1971) also cites an 1852 Commission on colonist opinion that Africans "are rapidly becoming rich and independent, in a great degree owing to the polygamy and female slavery which prevails" (34). Colonists and missionaries spoke against polygamy in language that was couched in terms of morality and the oppression of women, and yet the underlying concern of the colonists was their inability to procure cheap labor for their farms and their recognition of the importance of the reproduction of the household and the control over women's labor in the ability of Africans in KwaZulu-Natal to resist proletarianization. As expressed by McClintock, "black women in Natal became the ground over which white men fought black men for control of their land and labor" (254).

Male Migration and Zulu Nationalism

Towards the turn of the century in colonial Natal, a massive influx of white settlers put tremendous pressure on the land, a process which began to erode the consent within the Shepstonian system of indirect rule, and resulted in both an increase in the use of force by the colonial state and a decline in the ability of African communities to resist proletarianization. However, proletarianization in the twentieth century did not mean the complete re-ordering of African societies but rather took the specific form of male migration into urban areas with women largely remaining behind to look after rural households and maintain social structures. The system of male migration developed, Wolpe (1972) suggests, because it served the needs of capital for cheap labor. No longer was it necessary to pay workers sufficient wages to support their entire families because women in rural areas were subsidizing the household through their agricultural and domestic labor, ensuring the reproduction of the workforce at no cost to capitalist industries. However, others such as Marks (1989) and Bozzoli (1983) suggest that the development of a system of male migration must also be understood in terms of the continued strength of precapitalist social systems.

> "In nineteenth-century Natal to an even greater extent than in twentieth-century South Africa, colonists were forced to come to terms with the strength of precapitalist social formations and then attempt to utilize elements within them for their own purposes of surplus extraction and control. In Natal in the nineteenth century this was received in the form of rent, tribute, and some labor tax; in South Africa in the twentieth century more directly in the form of labor power" (Marks 1986:26).

In a similar vein, Bozzoli points out that while Wolpe's functionalist explanation may explain the perpetuation of the system of male migration, it doesn't clarify how that particular form evolved in the first place, or why non-capitalist social systems in rural areas continued to exist despite the pressures put upon them. For this, Bozzoli, suggests, we must turn again to the issue of gender, in particular the role of women in pre-capitalist systems. She writes,

> "the sudden imposition upon *women*, not 'the family' of full responsibility for the maintenance of a social system under increasing and devastating attack, must surely have involved some conflict, some vast social, moral and ideological reorganization…the capacity of the precapitalist system to impose these tasks *upon its women*, was quite possibly one of its most potent weapons against the onslaught of capitalism…these issues are central to the explanation of the fact that South Africa's labour force remained partially proletarianised for so long" (146).

Therefore it is the 'struggle' within the domestic economy over the subordination of women's labor that we must look to in order to understand the evolution and sustenance of a system of male migration and the resilience of African social systems during this period. One of the often cited earlier examples of these struggles over women's labor is the lengths went to by African elites and the colonial state to prevent female migration (Bozzoli 1983; Marks 1989). One of the arenas during the first half of the twentieth century in which this struggle over female migration is reflected is the development of Zulu cultural and nationalist movements in the 1920s and 30s. These movements were based on an alliance between Christian elites and the *amakhosi*, an alliance that was based in part on access to land (Marks 1989; Cope 1993). The Christian elite, or *amakholwa* as they are known locally, had previously aligned themselves with the modernizing tendencies within the state. Allied with missionaries, they used the discourse of rights in order to access land and the privileges of citizenship under the state. However, the Land Act of 1913 and the tightening of political and legal segregation during the first half of the twentieth century closed down these avenues of power and the *amakholwa* found themselves turning instead to those African elites such as the *amakhosi* who were more closely aligned with the segregationists within the state and the accompanying ideology that stressed tradition and custom. For the state, this alliance with *amakholwa* and *amakhosi* was also a way of fragmenting class-based resistance (Marks 1989). And, of course, central to this alliance were the issues of gender and generation, and a concern over female migration.

Between 1921 and 1946, the urban female population in Natal increased from just over 8,400 to 69,700 reflecting a dramatic increase in female migration and urban residence, while the

urban male population also quadrupled during the same period (Marks 1989). These figures give some sense of the immense social dislocation and change that must have occurred during this period, change that was often attributed to the break down of discipline in the home and the decline in the authority of the heads of households over women and young men. Movements such as Inkatha and the Zulu Cultural Society that were founded during this period focused in on the widespread concern of household heads that they were losing control within the domestic space over the wages and labor of women and young men. For example, the charter of the Zulu Society stated explicitly that,

> "there was a fear that the 'departure from wholesome Zulu traditions' meant a lack of discipline in the home. Particularly 'alarming' was the loss of control over women, as 'mothers' of 'our leading men, chiefs and counsellors', and over the young, who 'by force of circumstances, leave their homes at an early age to work in towns and to attend schools'" (paraphrased by Marks 1989:225).

These concerns were also reflected by elements of settler society during this period. Among missionaries, the concern over 'morality' shifted as the previous focus on bride wealth and polygamy gave way to new concerns over the morality of young women living in urban areas. Administrators such as James Stuart responded to the 'growth of individualism and lawlessness' will a call for, " 'moderate corporal punishment' for the youth and a return to traditional mores in relation to women, whose 'universal immorality' was regarded as largely responsible for the current wave of lawlessness" (paraphrased by Marks 1989:219). The state also followed up with legislation under the Urban Areas Act of 1923 and its 1930 amendment that required women to have permission from the state and her husband or father before entering an urban area. Even this, however, was not enough for John Dube and other African elites, who, at a meeting in 1937, appealed to the government to take even more drastic steps to prevent the migration of women to the towns (Marks 1989).

These early Zulu cultural and nationalist movements presented themselves as preserving both tradition and the institutions, such as the *ubukhosi*, that were associated with it, and this feature would continue to mark Zulu nationalist movements up until the current period. Despite the rhetoric, however, these early Zulu nationalist and cultural movements cannot be seen simply as representing culture and tradition but must rather be understood as refashioning or renegotiating it. The tentative nature of the alliance with the *amakholwa* further complicates the issue as many of the Christian elites, in particular, expressed elements of both modernist and traditionalist ideologies. Furthermore, movements such as Inkatha were strongly interested in the issue of development and later formed strong ties with capitalist industries. More abstractly, several writers have also noted that elements of liberalism, such as ideas about progress and individual accumulation were also incorporated into these 'traditionalist' cultural and nationalist movements (Cope 1990; Marks 1989; Hart 2002). Hart, in particular, takes aim at Mamdani's characterization of indirect rule as 'decentralized despotism' when she states that,

> "Zulu ethnic identity and nationalism emerged in the early decades of the twentieth century as a distinctly modern, multifaceted, and multiply-contested set of political forces…these forms and practices of modernity…compel us to rethink categories like 'decentralized despotism' that seek to read politics off institutional structures" (Hart 2002).

Nonetheless, however, I would argue that Mamdani's categories of citizen and subject remain useful in understanding these early forms of Zulu nationalism. While recognizing the complexities within these movements it is also necessary to see how they represent the efforts of African elites to tap into the only form of political and economic power they saw open to them in KwaZulu-Natal, a form of power intertwined with the structures and institutions of indirect rule. The form of Zulu nationalism that emerged during the last century reflects the dominance, particularly here in KwaZulu-Natal, of the ideologies associated with indirect rule and explains why the alliance between *amakholwa* and *amakhosi* took the form that it did with its outward

emphasis on tradition and ethnic mobilization, despite its underlying complexities and ambiguities. As expressed by John Dube when asked about the 'tribal' system, "well, it is the only thing we have…and I cannot get away from it. It is under the tribal system that land is hel[d] by our Natives and, if I want land, I cannot get away from it" (quoted in Marks 1989:221). While Inkatha drew on the ideologies associated with indirect rule, other nationalist movements such as the ANC did not, drawing instead more heavily on the language of citizenship and rights. Both Comaroff and Mamdani suggest that anticolonial struggles must be understood as diverging into those that used the language of liberalism, such as equality and human rights versus those that spoke of the rights of tradition, emphasizing cultural autonomy and collective, culturally-defined identities.

> "In sum, these two discourses of rights arose, dialectically and in complementary opposition, out of the contradictory manner in which the colonial state sought to construct its subject/citizens. Each fashioned its own vision of the present and future. Each essayed its own idea of modernity. Each spoke its own version of legalese. And each aspired to its own political culture, its own form of postcolonial governance (Comaroff 1998)."

Ethnographic Fieldwork in EMbo

Issues of gender and generation continue to have salience in the post-apartheid period, as high levels of unemployment over the last few decades have imposed new changes on the structures of households. With the end of apartheid, talk of rights has proliferated through the medium of the radio and school curriculums. No longer the discourse only of elites, talk about rights and concern over the preservation of cultural autonomy has spread even to rural women in KwaZulu-Natal with some of the lowest levels of access to information and education in the country. The remainder of this paper will examine the nature of this discourse and what it indicates about changes in the structures and power dynamics of rural households. The information is based on a year of ethnographic fieldwork in a rural community known as eMbo.

All quotes are taken from residents of this area and pseudonyms will be used when the information is deemed of a sensitive nature.

EMbo is a large rural area just south of Durban that was formerly a part of the KwaZulu homeland and is now divided into three 'traditional authority' areas that stretch across three municipalities. Most of the residents have had family living in the region for just over a century and a half. Their ancestors were a part of the large Mkhize chiefdom that migrated south and settled here sometime in the 1830s after Dingane's succession to the Zulu throne (Bryant 1929). Land is currently held by the Ingonyama Trust, a system of communal tenure where land is under the authority of the *ubukhosi* or traditional leaders. The people are also under the jurisdiction of several local *amakhosi* in additional to provincial government councilors. The research for this paper was conducted primarily in the places known as oGagwini and eZimwini, which, due to their spread out settlement patterns, are not easily described by terms such as 'village' or 'town.' There are a few shops located on the land of the shop owners, but other than that, the area is entirely residential with no central gathering points, except outside of the dispersed shops or along the main road.

Kinship appears to remain an important organizing principle as the majority of people still live in close proximity to their extended family. Names for the region such as KwaMahleka are commonly used and indicate that the region is the 'place of *induna* Mahleka,' a previous well-known community leader. However, the close proximity of these places to the main road has meant the arrival of many families from other areas of eMbo and from outside the traditional authority area. Most are fleeing isolation due to a lack of roads, insecurity due to violent conflicts, or they were dispossessed from one of the large commercial farms in the wider region. This has broken up residential kinship patterns somewhat and most people claim to have no

loyalty to the region due to its historical links with their ancestors, but rather attribute their residence in this area to their familiarity with the place and their ability to acquire land by calling on the obligations of kinship. Despite this stated indifference, most people conceptualize the region according to apartheid's homeland boundaries or those of the eMbo chiefdom rather than state municipal and ward boundaries.

Economically, the region has been dependent for most of its history on a combination of subsistence farming and migrant wages. However, rising unemployment over the last few decades has dramatically decreased the dependence of households on a single male wage earner. Most households now depend on a variety of strategies to survive, including lower levels of subsistence farming than in the past, the receipt of government pensions, temporary jobs, small commercial farming, and engagement with the informal economy. Most residents in oGagwini and eZimwini have limited access to cash and little saved income, but they nonetheless manage to meet the basic needs of all the family members living in the household. There is little economic differentiation in the communities, although those families with wage earners or those involved in the taxi business are somewhat wealthier. Also eZimwini has a small section of about five related Mkhize families who are considered *izifundiswa*, or 'educated.' These families are historically wealthier and have access to larger amounts of land and live in Western-style residences. Since the end of apartheid, phone service has been installed in these two communities but is only utilized by a few families who can afford the monthly rates. The infrastructure to provide electricity and water is still awaited by residents.

The Changing Structures of Households

Households in eZimwini and oGagwini have undergone numerous changes in response to shifting economic conditions. Despite this, however, certain underlying principles remain clearly evident in family structures today, principles that have been present since the pre-colonial period (see Gluckman 1950 for a detailed description of earlier Zulu family structures). The most important of these principles for understanding current household structures are patrilineal descent and patrilocal residence. In addition, the developmental cycle of a household generally hinges around the issue of marriage. It is at the point of marriage where a new household is set up or the previous one is perpetuated. A household generally consists of anywhere from 2 to 4 generations, with the oldest man considered the head of the household. Adult sons are expected to bring their wives home after marriage while daughters of the household, on the other hand, leave the home upon marriage and live with their in-laws. The adult married sons will then eventually either leave the household of their parents to set up a new household, or remain and inherit that of their parents. Whether or not married sons stay in the household or leave to set up their own depends on factors such as the amount of land available at home and the number of sons. Parents may require their sons to stay at home if they need the domestic and agricultural labor of their daughters-in-law. Frequently, upon the death of their father, married sons will divide the land among themselves, setting up several new households in close proximity. Often the eldest son will remain in the original household and take care of any remaining members, such as a mother or unmarried sisters.

Marriage is characterized by an elaborate series of negotiations and the eventual exchange of money, gifts and livestock between the families of those to be wed. This, as many scholars have suggested, sets up a long term relationship between the families of those wed.

Ilobolo, or bride wealth, refers to the largest payment, which is made by the groom's family, and is usually understood as an acknowledgement of the role of the woman's parents in raising her up to this point. However, *ilobolo* is as much about children and the perpetuation of the lineage as it is about the women. *Ilobolo* essentially establishes all subsequent issue of the woman being married as members of the groom's lineage. The payment is also received by the men of the bride's lineage, usually her father, one of his brothers, or her older brother. Illegitimate children are considered members of the woman's lineage unless *inhlawulo* is paid for them. *Inhlawulo*, however, is essentially a part of *ilobolo*, as it is subsequently subtracted from *ilobolo* payments. Therefore *ilobolo* may be spread out among several men over time who have rights to different children. Upon wedlock, if a woman has children from another man, those children are either claimed by their fathers, or they are claimed by the woman's father or elder brother and remain in the household of her birth. *Ilobolo* was officially set by the colonial state in Natal at 11 cattle, and remains at that rate today. However, cattle today are generally paid as cash rather than animals and the amount of each cow is negotiated by the families allowing for considerable variation in the final sums exchanged. One of the 11 cows is for the mother of the bride and is paid only once, either at marriage or when *inhlawulo* is paid for the first child.

The most frequently cited issue impacting rural households in South Africa has been the development of a system of migrant labor. Early migration during the 1800s was limited to smaller numbers of young men earning money for taxes and weapons, but during the 1900s, high proportions of men and smaller numbers of women migrated for employment and rural households became dependent on migrant wages for their very subsistence (Guy 1990). The recollections of older informants from eMbo suggest that this region had a well developed system of migrant labor from the time of their earliest recollections in the 1920s until around the

early 1970s. Both eZimwini and oGagwini are close to Isipingo and Durban, and most of the men worked in these urban centers, and less frequently traveled to Johannesburg for employment. Women remember both their fathers and husbands working as migrant laborers and employment opportunities during their youth as relatively easy to obtain. Women, on the other hand, were actively discouraged from traveling to or working in urban areas by their fathers and husbands. One woman recollects that the first time she went into town was when her boyfriend took her as a young adult. Once they were married, however, he prevented her from traveling to town. She added, though, that now he was no longer with her, she went to town frequently, because she enjoyed going there after being prevented for so long. While it is undoubtedly true that some women from this region escaped these restrictions and migrated to urban areas, most of them probably moved permanently. Current older residents, unlike Bozzoli's (1991) informants in Phokeng, do not tell of a time in their youth when they lived and worked in urban areas. Instead they speak occasionally of female relatives still living in urban areas or of restrictions on their own movements from husbands or in-laws. In general, the only wage labor open to women living in the region during this earlier period was in the sugarcane fields of nearby white farmers, where they were paid extremely low wages. Women also remember working long hours in the fields of their own homes when they were younger. Population levels were less, fields larger, and rainfall greater, resulting in larger harvests of subsistence crops. Despite this, however, families were still heavily dependent on migrant wages. One woman told of her father dying when she was 11 years old resulting in her mother, herself and all her siblings going to work for the local farmers planting sugarcane in order to earn enough money to survive.

Control over women's labor and movement during this earlier period seems to have occurred mostly through the practice of living with in-laws after marriage. Even if the husband was not present for much of the time, married women lived under the jurisdiction of their in-laws in rural households and performed a considerably amount of heavy labor in the household and in the fields. For those women who stayed in the rural areas, they often look back on this time as a time characterized by the predominance of ideal households where the breadwinner husband supported his wife and children and perpetuated his lineage and traditions. Young wives did have some independence in terms of controlling their husband's income and the expectation of some day establishing a separate household on her in-laws' land, or even just a separate kitchen within the household and the financial independence signified by the separate kitchen. One informant told me that after marriage her mother-in-law gave her a purse that she said was the purse for her husband's wages, and that now she would take over from her mother-in-law in controlling her husband's wages. While it has been well-documented that male migrants were often unreliable in sending home income or abandoning their rural families, nonetheless this image of the male breadwinner sustaining his traditional family in the rural areas was a powerful one for many of the women who did stay in rural locations and attempt to create families within this model.

The heavy burden of domestic and agricultural labor put upon women in rural areas to maintain rural social systems, Bozzoli (1983) suggested, must have involved "some conflict, some vast social, moral and ideological reorganization." However, it seems that during this period of intensive male migration, the primary struggle, as is also seen in the concerns of Zulu nationalists, was to control younger women and prevent female migration. Once women were married and established in the homes of their in-laws, there were few opportunities for them to

renegotiate the terms of their labor within the household of their residence, at least while their husband was still living and contributing to the family. This was due to several factors including control by fathers and in-laws of children, state laws restricting female migration, and the restrictions of customary law. Another less frequently mentioned measure of patriarchal control, however, was through education. Most older women in eZimwini and oGagwini have only a Standard 1 education because, as they phrased it, their fathers were afraid that they would become *isifebe*, or loose women, if they remained at school after this point. Withdrawing young girls from school at an early age limited their opportunities for employment in the formal economy.

This system of migrant labor, however, has been breaking down over the last three decades and it is in the very breakdown of this system that we must turn to to understand issues such as the reported increase in female mobility today and the change in power dynamics within households as emerge in current conflicts between generations. Over the last three decades, unemployment has been rising and temporary employment becoming more common. No longer are male household heads able to find permanent employment and act as the sole breadwinners supporting their families in rural areas. Also, young men are increasingly unable to earn money for *ilobolo* payments resulting in a dramatic decrease in marriage. With the loosening of restrictions for participation in the informal economy after 1994 and the sudden rash of farm evictions in the early 1990s, places such as eZimwini, located on the border of eMbo close to the main road, have seen population booms. The shortage of land and the decrease in marriage has meant that few new households are being established. Of the 113 households interviewed in this study, 87 had at least three generations present, suggesting that the large majority of households in this region are at later stages in their developmental cycle.

Households in eMbo are also characterized by the absence of older men and a high number of households that are headed by older women. The term 'head of household' is used somewhat loosely here since women are never heads of household in the context of patrilineal descent, such as when ceremonies honoring the ancestors are required. However, in terms of the presence of senior women and the day to day running of the household, there are many female-headed households. Households that consist of a widowed, separated or unmarried woman as the primary caregiver for minor or adult unmarried children I have labeled as female-headed households. The presence of a developmental cycle within households can also make it difficult to determine whether or not to characterize a household as female-headed. For example, should a household with a widow and her unmarried children, including one son who has just brought home his fiancée to live as an *umakoti*, be classified as a female-headed household with unmarried children or as a young couple living together with their paternal mother as a pensioner and the unmarried paternal siblings? In cases such as these, it is necessary to make a judgment call. For the most part, I have classified such households according to the number of people from each generation. If a woman is living with only one or two of her adult children, and one of these children is a son with a wife and children, the household will be seen as having moved on to this adult child as the head of household. However, if most of the woman's children are still at home, but one or two or her sons have brought home young wives or fiancées, these households are classified as female-headed. Under this scheme, out of 113 households in this study, 54 are female-headed, 53 have a man and a woman in a domestic partnership at the head of the household, two are headed by men with no wives, and four have other arrangements. Of the 54 female-headed households, 40 of the women are widowed, while the other 14 are either separated from their husbands, never married, or their marital status is unknown.

The 53 households headed by a man and a woman in a domestic partnership tend to be younger households on average, with a lower percentage of three generational families and fewer married children. However, it remains the case that 38 of these families had grandchildren present, while only three of the families had married children living elsewhere and two had married sons living in the household with their wives. This shows a dramatic decline in marriage, particularly since only nine of the households had unmarried paternal sisters or their children present, which often signifies women of the previous generation who were not married and remained living in the region. The patrilineal nature of these households is also evident in the prevalence of paternal grandparents and siblings over maternal ones and the fact that most of these households are situated on the land of the husband's father. In addition, while many women looked after and counted as their children those born to their husband by another women, there were no cases of children that were acknowledged to be from a different father. The head of the household had a permanent job in only 15 of these households, suggesting that the previous ideal of the male breadwinner as head of household is no longer relevant. Overall, within these households, the principles of patrilineal descent and patrilocal residence remain strong, but the decline in marriage has threatened the establishment of new households and led to the dominance of households at later stages in the developmental cycle.

The 54 female-headed households show considerably less inclination to follow the strict lines of patrilineal descent. Many widowed women have returned to the households of their birth and requested land from their male siblings to set up independent households. While much has been written about the inability of women to access land under customary tenure, or to inherit property, in practice, widows seem to command considerable ability to claim a part of their father's land. Informants usually justify this, according to 'tradition,' as claiming land on behalf

of their male sons. Female-headed households tend to be older, with 49 of them containing three generations. Also 15 of these families had one or more married children living elsewhere and 13 had one or more married or engaged sons living with their wives or girlfriends in the household. Besides being older families, these figures also suggest that sons are more likely to remain at home to care for their mothers when their fathers are deceased. Younger women living alone with very young children rarely constituted an entire household. In one such case, the deceased husband's brother moved into the household. As older widowed women return to their father's land or become the head of their households with the death of their in-laws and spouses, there is an increase in the presence of maternal siblings living together. Eight of the female-headed households had maternal brothers or sisters and/or their children while only one contained the children of a paternal brother.

Of the remaining six households, two consisted of widowers living with their children and grandchildren, one consisted of a woman pensioner and her unmarried older son, another of a woman with no children in a polygamous relationship with a husband who spent only a portion of his time in the household, and the final two consisted of young unmarried siblings whose parents had died and who continued to live together with their own children. In the cases of young sibling households, the extended family will often send a paternal uncle to look after the siblings temporarily or permanently, depending on the age of the eldest. Out of the various configurations of households in this study, there are two issues that arise that reflect both the rise and decline of migrant labor and shifts in the nature of domestic struggles. Firstly, the prevalence of female-headed households, particularly those headed by widows, has corresponded, I would argue, with both the beginnings of a shift in the patrilineal nature of rural households and with shifts in the power of women in the household. Secondly, the decline in

marriage has led to a huge increase in the number of young people between the ages of 15 and 35 who have children themselves and yet are forced to remain in or affiliated with their parents' household. This, along with the decline in the role of the male breadwinner, has broken down the sanctions on female migration over the last three decades and dramatically increased the general mobility of the youth. In this paper I use the term 'youth' loosely as a catch phrase for these men and women between 15 and 35 who are unmarried and remain affiliated with the households of their parents. This usage corresponds with general perceptions in the region under study that accords full adult status to young people only when they marry or set up an independent household.

Gender and Mobility in the Household

While it is relatively easy to label households as female headed in terms of women's position as the oldest members of the household, it is harder to determine whether or not this position has increased their power within the household with respect to their adult sons, or their power to defend the household against outside forces, such as in the context of accessing or holding onto land. Murray's (1981) study of labor reserves in Lesotho found that a considerable number of households had a permanently resident senior wife or widow that formed the anchor of the household and that these widows were seen as entitled to land. However, he also suggested that these women were highly dependent on their sons to be able to hold onto their land. In eMbo, households varied in terms of how much control a mother has over the land compared to her adult sons. However, many widowed women seem to have complete control over their land and claimed that they may or may not give it to their sons upon marriage depending on availability and the level of interest expressed by their sons. Most women do not

speak of conflict with their sons over land, but rather speak in terms of wanting to give land to their sons but being prevented either by land scarcity or lack of interest on the part of young men to settle in rural areas. In addition, the high numbers of widows returning to their birth homes and claiming their father's land also suggests that women who are senior within a household are gaining recognition within the community of their role as heads of households. However, the fact that women's access to land is still spoken of as through her sons disadvantages those women without children, or those who have never been married. Also, widowed women rarely speak in terms of giving land to their daughters, married or not, and vary considerably in their answers if pressed on this point. There is evidence of change even here, however, as is seen in the story of Bhekekile in eZimwini. Never married, without any living children, and with only one grandchild living elsewhere, Bhekekile's attempts to claim a part of her father's land upon his death were denied by her brother. Her appeals to the *induna*, however, resulted in the division of the land between all of the siblings, male and female, and the *induna's* stated claim that all children have a right to inherit their father's property. Unfortunately this ruling did not go so far as to divide the land equally, but it did allow Bhekekile to claim a separate residence and fields from her brother. This may also suggest a recognition on the part of the *induna* of changes at the national level, and traditional leaders may be more likely to back up women's claims of inheritance over the property of their fathers under the new dispensation. Most unmarried women, however, continue to live within the household of either their father or brother and do not have their own residences.

Urban studies of female-headed households in South Africa have also led to considerable debate as to whether or not women's position of seniority actually confers decision-making powers upon them (Niehaus 1994). While there is no doubt that widowed women in eMbo

frequently see their status within the household as emerging from their role as mothers, there nonetheless seems to be an increase in the de facto power of these women that corresponds, I would argue, with the breakdown of the migrant labor system. With few men holding permanent employment, and the high levels of mobility among younger people seeking jobs, older women have become central in sustaining the household through a combination of subsistence agriculture, their own income from pensions and engagement in the informal economy, and through their co-ordination of the bits and pieces contributed irregularly by their highly mobile children. Although subsistence agriculture does not have the importance that it used to, it is nonetheless a crucial piece of the survival strategies of rural households without which many households would find themselves unable to meet the basic survival needs of its members. In many female-headed households, older women are the only ones earning a reliable income in the form of government pensions. While small, pensions are nonetheless considered valuable due to their consistency, as shown in the occasional accusations that young women are only looking after their mothers-in-law in order to gain her pension for the household. In addition, the lessening of government restrictions over informal activities has meant an increase in women's engagement with the informal economy. Essentially, rising unemployment has meant the erosion of male control over wealth, first through control over cattle, and then through control over migrant wages. While permanently resident widows or older women have been a feature of rural households throughout the height of rural reliance on migrant labor, I would suggest that these women have gained in power within their households over recent decades. The income brought in by women engaged in the informal economy, subsistence agriculture, and through the significantly higher governmental pensions means that women now contribute a higher proportion of a rural family's total income. In addition, this income is seen as more reliable that

that of male household heads. Most women report that the pensions and income of mothers and grandmothers is more likely to be used to sustain the household than the income generated by male heads of households or adult sons.

High death rates among older men has also led to young women, on rare occasions, finding themselves in positions of authority within households. In the case of Bongekile, for example, her parents died just under a decade ago leaving her the eldest sibling of four. While the second eldest sibling Xolani is understood as the head of the household for events such as speaking to the ancestors, it is clearly Bongekile who runs the household on a day to day basis and has been responsible for initiating a majority of the income generating activities upon which the household depends. This includes negotiating with her younger siblings to ensure that a portion of their income generated is contributed to the household, negotiations that have at times become acrimonious. Bongekile's role as major contributor and supporter of the household is publicly acknowledged by her younger female sibling and also by the extended family elders, who raise no objections to her inclusion in negotiations over issues such as *inhlawulo* payments that affect her younger siblings, negotiations which are usually conducted by the elders and involved parties. Bongekile herself observes, however, that in eZimwini there is considerable variation in the extent to which elders will allow younger women to be involved in decision-making processes on issues affecting the lineage.

The other striking feature of present day households is the decline in marriage and the corresponding decline in the establishment of new households in rural areas. Statistics on marriage are somewhat tricky to relate, due to the many informal relationships and long-term engagements among young people today. Due to the strong social sanctions against having children out of wedlock, it is perhaps useful to compare how many members of the second or

third generation (therefore not including paternal or maternal unmarried siblings of the parents' generation) are reported as having children out of wedlock compared with how many are either married or living in a domestic unit with their partner. Under these definitions, 206 second or third generation household members have children outside of marriage while 75 are married or reported as living with their fiancée or boyfriend. It is likely that a few of the 206 are living with partners in urban areas but not reported as such by their parents. Most of these second and third generation household members are between 15 and 35 and have high levels of mobility. Some live permanently in town, others move between households, and the remainder live full time with their extended family in the rural areas. Young women are more likely to be living with family in the rural areas, but female mobility has nonetheless increased considerably according to most residents. Of the 113 households in this study, 20 reported female children living in urban areas while 29 reported male children in the same circumstances, suggesting that the proportion of male to female mobility has changed significantly in the current generation.

While few of the unmarried young adults in eZimwini and oGagwini are employed, large numbers of them have held temporary jobs and one point or another. Many also find employment in the informal economy, most frequently through hawking. Without permanent employment, young job seekers are unable to afford rent and services in urban areas, leading to a renewed commitment to rural households, particularly in areas such as eMbo with their easy access to urban areas. Rural households have always been seen as a form of security in the context of the apartheid state's laws on urban migration. Now, however, mobile youth see rural households as important protection against economic insecurity and periods of unemployment while rural households depend on the occasional and intermittent contributions from far-flung members. Niehaus (1994) notes the presence in urban areas of sibling households, which he

suggests are more harmonious and allow for more flexibility in gender roles than households focused around conjugal unions. From the perspective of rural areas, however, these sibling households are mostly seen as subsidiary to the rural household, and relationships between the members can only be understood by referencing the patrilineal rural household.

One example of a highly mobile household in oGagwini is that of Nokuthula and Pius Nxele. This household claims 16 children and 11 grandchildren as members of the household. Nokuthula is the birth mother of seven of the children, while six are born by three other mothers that have married elsewhere. Three children are born by Pius' unmarried sister, now deceased, and two grandchildren are born by Pius' unmarried brother's unmarried son, both of whom are now deceased. These two grandchildren live in Isipingo where they go to school and are cared for by Pius and Nokuthula's daughter Thobile. Also living in Isipingo are Malusi and Zenzele, full and half siblings of Thobile, and four additional grandchildren belonging to two other siblings of Thobile's. Zenzele, the only formally employed member of the family, is responsible for supporting the household in Isipingo. The six grandchildren only live in Isipingo while school is in session and other members come and go while looking for employment. The family also maintains another subsidiary household in Folweni. The rural household was previously supported by a taxi business owned by Pius, but he has pulled out of this business after a series of accidents and incidents of violence. The household is now supported by Nokuthula's hawking activities and the new business venture of one son who is buying and selling cows. In addition, the other children occasionally contribute income from temporary jobs and five of the daughters receive child support grants.

Controlling the wages of young men has always been a point of contention within households. However, with young women the concern has usually been control over their

domestic labor and mobility. As we have seen in eZimwini and oGagwini, women's mobility has increased over the last few decades. Most unmarried women today have considerably more education than their mothers and with this has come a change in expectations over the type of labor they should engage in. Senior women often complain of young women's dislike of working in the fields, and younger women spend considerably less time in the fields than their mothers. Despite the complaints, however, this change is accepted by senior women as they comment that younger women are now educated, and their labor should correspond with this fact. At the same time, fathers are beginning to see their daughters as potential sources of income. Young women say that their fathers do not mind if they travel to urban areas to work, but the women are concerned that once they are married, their husbands and in-laws may try to prevent them from working. Female-headed households also rely on the income from daughters as they are more likely to contribute to the household than sons. The income generated by sons has a wider spectrum of demands upon it, and a high proportion goes to girlfriends and children or their own consumption. Daughters, however, never forget their mothers even after they are married, as the saying goes, and will even 'steal' money behind their husband's back to send home to the mother. As daughters become educated and engage in income-generating activities while remaining at home unmarried, it is accessing their income that becomes a new point of struggle with households.

Disobedient Daughters and the Idiom of Culture and Rights

> "Things were much better when we were younger because people were having respect and they knew their culture. People were not getting children while they were still young and the women were not wearing pants. The young people did not drink as much and there was no hard alcohol. The new government gives the children freedoms and rights. So the young ones are allowed to wear pants; they are allowed to do whatever they want. The government allows them to do whatever they want.

> When I was young my father would not let girls go to school because he said that they would get boyfriends there. Now the young people all go to school and come back with AIDS from there and then they all die and leave the older generation to take care of their children." – D. Mkhize

> "[Aids] could be a God-given opportunity for moral and spiritual growth, a time to review our assumption about sin and morality." – Health Minister Manto Tshabalala-Msimang

Senior women frequently complain about the disobedience of their daughters, and these complaints are phrased as a disrespect for culture within the younger generation because they have been given rights either by the courts or the government. Of particular concern to parents is the pregnancies of their unmarried daughters. As one mother stated,

> "What I can see now is only pregnant women. They get pregnant but they don't get married. It is the negligence of us as women, the mothers, that the girls are not getting married. Our mothers beat us a lot but we don't do that with our daughters. They even go anywhere and come back at any time. We don't beat our daughters because the whites say it is not good for parents to beat a child. They say that children have rights so if you beat them they are supposed to arrest you. I am saying 'whites' because it is the magistrate's court which says this. Our children are beating the teachers now." – J. Ndlovu

Parents often feel that their daughters' pregnancies are evidence of disrespect towards parental authority and the decline in cultural ideas of morality. Senior women frequently cite the dating behavior of the youth as evidence of the decline of *inhlonipho*, the Zulu code of respect within families. In addition, these children born outside of marriage add additional burdens on the household and decrease the likelihood that these young mothers are going to be contributing monetarily to the household as their time is taken up by care of their young children. Rather than a solitary breadwinner, parents are increasingly relying on small contributions from numerous sources for household maintenance and daughters are seen as potentially more reliable contributors. Senior women point out that when they were younger, women worked in the sugarcane farms and gave all of their wages to their parents because there was nothing to buy, while daughters today are tempted by the availability of consumer goods. Concerns over unemployment are also now directed at female unemployment. Women frequently express

sadness that their daughters will not be able to buy them clothes because the government is not giving them jobs.

While elders speak of rights with a negative connotation, younger women speak of rights in a positive way. As one young woman told me, “before 1994 we didn’t know about our rights, we were just oppressed.” Definitions of rights vary considerably but tend to have at their center the freedom of youth from forms of authority, most frequently that of their parents. Rights, as defined in eMbo, have included standard issues such as the right to an education and the right not to be beaten, to more unusual descriptions such as the right to go to a concert, or the right to beat up other people. Beyond the rhetoric, there are two areas in which this discussion of rights has had practical implications. Young women are clear on their right to an education and see this as crucial in their aspirations to be employed in the formal sector so that they don’t have to work in the fields as their mothers did. This working in the fields includes both subsistence farming and working as farm workers in the sugarcane farms. Secondly, young women are beginning to see themselves as having the right to set up independent households outside of the jurisdiction of their fathers, husbands or brothers. Facing few marriage prospects, women talk of claiming land from their brothers in the household of their birth or of setting up households in urban areas if they are employed. This reflects a recognition that changing legal circumstances have made it easier for women to independently own land. Apart from the oft cited reasons for women to remain single such as the unreliability of male financial contributions and the submissive gender roles within marriage (see Niehaus 1994), women in eMbo also talk frequently about their desire to care for the children they already have and concern that after marriage they will be unable to care for these children by different fathers due to the emphasis on patrilineal descent.

Rights are also understood to be backed up by the government and the courts. Elders often complain that if they discipline their daughters, they will be arrested, a complaint that appears to be a legitimate fear as young people speak easily of going to the magistrate if their rights are violated. One 30 year old woman named Nosipho told me of an incident where she took her father to court. After the death of her mother five years earlier, her father, who is employed, requested that she take over buying the groceries. Nosipho's father would give her money and she was supposed to keep receipts on all expenditures. However, as she noted to me, keeping receipts was not feasible as some were inevitably lost. After the totals did not add up one day when he was at home, her father beat her with a whip. The next day Nosipho went to the Magistrate's Court and a month or so later she and her father were summoned to court. She might not have taken him to court, she said, if he had beaten her with a stick, but the whip was unacceptable. While being questioned in court, it emerged that her father was angry at her primarily because she had recently been pregnant without being married or even engaged, a topic which her father had not previously discussed with her. The father told the judge that his daughter did not respect him and he was going to throw her out of the house. The judge, however, told him that he could not kick out his daughter or whip her again and informed Nosipho that if he threatened her further, she should return to the court. As a result of this case, Nosipho's brother now buys the family groceries and her father has not beaten her again. Those community members who heard of this case were angry at Nosipho, both because she was threatening the breadwinner of the family and because of the precedent set for wives and daughters to rebel against their husbands and fathers.

While younger women, facing few marriage prospects, turn to the issue of rights to claim independence from parental authority, elders have responded through a revival of tradition that

emphasizes their roles as fathers and mothers or as widows. Newly instituted virginity testing ceremonies in eMbo have been initiated primarily by senior women, who are attempting to reestablish their role as the guardians of young women's virginity. Men have at times turned to issues such as *ilobolo* to assert power over the wages of their daughters. One father attempted to include a payment within *ilobolo* negotiations for his daughter that would compensate him for the money he spent on educating his daughter as a teacher. In response the prospective groom threatened to ensure that once married, the daughter would no longer send any money to her parents, resulting in the father dropping his original request.

This concept of rights has been picked up readily in rural areas such as eMbo as a means of conceptualizing local domestic struggles in part because of its connection with the legal system and politics. Historically, the law has often been the space where domestic disputes are played out. Civil court cases throughout the last century and a half are overwhelming focused on disputes over parental authority and marriage. With the codification of customary law during the colonial period under indirect rule, tradition and culture were defined and fought out within the legal system. As the Comaroffs (2004) have recently noted, this trend of debating and defining culture and tradition within the courts has continued within postcolonial states. The degree to which culture should be allowed to trump rights has also been debated extensively within national politics. While both the ANC and IFP speak of cultural nationalism, their approach to culture is fundamentally different. The ANC speaks of culture as a means of building a unifying or universalistic nationalism, claiming ancestors of all ethnicities, while the IFP speaks more often of the recognition of the rights of ethnic groups and cultural autonomy. These emphases are reflected in the generational gap between the supporters of both parties as younger people more readily champion the ANC while elders frequently turn to the IFP to

protect Zulu culture against the rapid changes they see as threatening the morality of their communities.

Conclusion

The concept of human rights is a new one to many rural communities. Despite this, however, talk of rights has spread rapidly over the last decade as a means of conceptualizing struggles within households over the behavior of daughters. With the decline in the migrant labor system, rural households now rely on a variety of sources of income and subsistence for their survival, and the income of the now increasingly educated daughters is seen as one of the most reliable of these sources. Daughters, however, faced with few marriage prospects and high numbers of children under their care, are beginning to think in terms of establishing their own households, independent of fathers, husbands or brothers. In order to claim the social space and economic resources to assert independence, daughters turn to the concept of rights and the protections offered by the state and the courts of women's inheritance and ownership. Senior women and men frequently respond to this threat of independence through an emphasis on their traditional roles as parents and upholders of the morality of the community. This evocation of culture against the universalism of rights reflects the historical bifurcation of the state that began with the colonial policies of indirect rule and continues within the different forms of nationalism in the post-apartheid state. This bifurcation consisted of two tendencies with the state, one which emphasized the individual rights of citizens, and the other the rights of culturally autonomous ethnic groups. These two conceptualizations of the state remain visible in national politics today, and are both reflected by and reinforced by local debates on the relative merits of culture and rights.

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