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*'Keeping Land for Their Children': Generation, Migration and Land in South Africa's Transkei**

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Even as they cultivate less land, residents of Hobeni, in the former Transkei homeland, describe increasing concerns over land shortage, explaining that disused land has its owners who 'are keeping that land for their children'. This paper examines the social practices that shape rural land tenure, in a setting where traditional authorities bear little relevance to customary tenure. Land in this context holds value not only for agricultural and residential use; it is a resource for rural residents to persuade migrants to maintain their rural ties, in a political-economic context in which migration has become more unstable and insecure. Attention to the attractive value of land as a resource situated in relations between migrants and rural kin also highlights the limits of a narrowly economic perspective on apparently 'underutilised' land: land may be materially 'unproductive' but socially valuable.

Introduction

In Hobeni, in the coastal district of Xhora in the former Transkei homeland, fewer households were cultivating fields in 2009 than in 1998, but residents described an increasing anxiety over land shortage. Fields might look fallow, with acacia trees sprouting from the disturbed soils, but, they would explain, those fields 'have owners who are keeping that land for their children'.¹ The article examines this concern to set aside land in advance for one's children, even as use of agricultural land is decreasing, as a way to understand how landholding is 'socially embedded'² in the relationships between rural residents and migrants. Enduring claims to land allow rural parents to assure their sons that they will have a place to which they can return, in a context of rapid change in established patterns of migration and household formation.

If, as Beinart has argued of the former Bantustans, 'it is time to discuss the history of these rural areas partly through analytic lenses that are not necessarily dominated by a critique of "homeland" policy',³ I would argue that it is also useful to think about land in these areas in more open-ended terms. The connections between landholding and social relations in contemporary South Africa have been recognised in recent scholarship and activism around contested notions of 'custom' and the roles of traditional authorities,⁴ in the context of conflicts over the Communal Land Rights Act (CLaRA) of 2004 and related legislation, and

* Fieldwork was supported by the University of California, Riverside (2009–2011), an S.V. Ciriacy-Wantrup Postdoctoral Fellowship at the University of California, Berkeley (2005), and grants from the Wenner-Gren Foundation (Grant #6329), in 1999, and the Research Institute for the Study of Man, in 1998. Thanks are due to residents of Hobeni and Cwebe, especially those who participated in the 1998 and 2009 household surveys.

¹ Interview with Buyiswa Ciske, 22 January 1999. All interviews for this article were conducted by the author, and took place in Hobeni.

² B. Cousins, 'More than Socially Embedded: The Distinctive Character of Communal Tenure Regimes in South Africa and its Implications for Land Policy', *Journal of Agrarian Change*, 7, 3 (2007), p. 281.

³ W. Beinart, 'Beyond "Homelands": Some Ideas about the History of African Rural Areas in South Africa', *South African Historical Journal*, 64, 1 (2012), p. 5.

⁴ For example, S. Mathis, 'The Politics of Land Reform: Tenure and Political Authority in Rural KwaZulu-Natal', *Journal of Agrarian Change*, 7, 1 (2007), pp. 99–120; L. Ntsebeza, *Democracy Compromised: Chiefs and the Politics of the Land in South Africa* (Leiden, Brill, 2005); B. Oomen, *Chiefs in South Africa: Law, Power and Culture in the Post-Apartheid Era* (London, James Currey, 2005).

emerging jurisprudence around ‘living customary law’.⁵ This central concern with traditional authorities echoes the concerns of apartheid-era scholarship, which focused on the state’s efforts to co-opt chiefs and headmen in order to control land and rural populations and prop up the apartheid regime.⁶ While I have aimed to contribute to debates over the CLaRA elsewhere,⁷ I move here from an analysis focused on the end of transforming law and policy to a more ethnographic consideration of how socially embedded land rights operate in practice.

Paradoxically, an emergent finding of recent work on traditional authorities has been that few communal area residents actually rely upon them for access to land.⁸ Nor do rural dwellers necessarily see land allocation as an important role of traditional authorities.⁹ Rather, land rights frequently derive from membership in a community, administered by neighbourhood councils, households, and/or family structures. This point has been used effectively to critique the CLaRA and related legislation that threatens to recreate apartheid-era institutions and geographies, but the dynamics of these structures and their post-apartheid transformations remain under-explored. I focus here on the content of these decentralised systems, examining the intergenerational relationships around labour migration, and the place of land in the relations between migrants – or potential migrants – and their rural kin.

Work on the connections between labour migration and rural landholding has likewise been shaped by inherited questions and approaches.¹⁰ A generation of scholars concerned with understanding apartheid as a system of racial capitalism demonstrated how rural areas absorbed the costs of reproducing the labour force and enabled payment of sub-subsistence wages. The counterpart of this attention to migrant labour was a tendency to view the migrants themselves as the key actors in rural landholding, seeing land in the light of a migrant’s career trajectory, reflecting an earlier popular wisdom that migrants from rural South Africa aim to preserve land rights in order to retire to rural areas.¹¹ Similarly, the literature on agricultural and livestock investment focuses on migrant men as the sources of income and key decision makers – deciding how and when to migrate and to retire, how and what to invest in rural land, and so on – and as the ones who hold the initiative in the social investment necessary to preserve land rights.¹²

Rather than focus on a migrant aiming to retain rural land rights, I invert the question, and ask how rural land rights are used to retain migrants. The view that migrants maintain rural land rights in order to have a place to retire may misread the balance of power between

⁵ See A. Claassens and B. Cousins, *Land, Power and Custom: Controversies Generated by South Africa’s Communal Land Rights Act* (Cape Town, UCT Press, 2008); A. Claassens and S. Mnisi, ‘Rural Women Redefining Land Rights in the Context of Living Customary Law’, *South African Journal on Human Rights*, 25, 3 (2009), pp. 491–516.

⁶ For example, F. Hendricks, *The Pillars of Apartheid: Land Tenure, Rural Planning and the Chieftancy* (Uppsala, Almqvist & Wiksell International, 1990).

⁷ D. Fay, ‘Kinship and Access to Land in the Eastern Cape: Implications for Land Reform’, *Social Dynamics*, 31, 1 (2005), pp. 182–207.

⁸ Oomen, *Chiefs in South Africa*; Mathis, ‘The Politics of Land Reform’; Fay, ‘Kinship and Access to Land’.

⁹ J.M. Williams, *Chieftaincy, the State, and Democracy: Political Legitimacy in Post-Apartheid South Africa* (Bloomington, Indiana University Press, 2010), p. 26.

¹⁰ For a recent critical review, see D. Potts, *Circular Migration in Zimbabwe and Contemporary Sub-Saharan Africa* (Oxford, James Currey, 2010).

¹¹ See A.S. MacKinnon, ‘Africans and the Myth of Rural Retirement in South Africa, ca 1900–1950’, *Journal of Cross-Cultural Gerontology*, 23, 2 (2008), p. 162.

¹² For example, C. Murray, *Families Divided: The Impact of Migrant Labour in Lesotho* (Cambridge, Cambridge University Press, 1981); D. Potts, ‘Worker-Peasants and Farmer-Housewives in Africa: The Debate about “Committed” Farmers, Access to Land and Agricultural Production’, *Journal of Southern African Studies*, 26, 4 (2000), pp. 807–32.

generations in the current context of shifting and uncertain patterns of urban migration, which make migrants' trajectories less predictable.

In this respect, the article complements important recent work by Neves and du Toit, on the networks linking migrants in the Eastern and Western Cape provinces, which emphasises the importance of reciprocity in the relations between migrants and their rural home,¹³ and more recent work by Ferguson on the cultivation of social relations in a context of increasing unemployment.¹⁴ I aim here to extend this analytic attention to land tenure in rural migrant-sending areas: land cannot be understood through a narrow focus on traditional authorities or migrants, but must be recognised as a resource used by rural dwellers to attract and maintain the often uncertain loyalties of migrants.

I draw attention to ways in which land is valuable beyond its utility as a factor of production or a site of social reproduction. Rural residents use land to make rural areas attractive to their migrant children – they aim to keep rights to old fields with the promise that migrants may cultivate there, or return there eventually to settle and establish new homesteads. This 'attractive value' is forward-looking – it aims to induce future actions and maintain connections, by assuring migrants that they have a place to return and settle.¹⁵ The concept points to the emotional, affective and ritual work that is necessary to maintain and activate relationships. Claims to land are as much about displaying – and evoking – the idea that one's children belong in and to their rural homes as they are about any intentions to cultivate or occupy a plot. They are becoming increasingly important, I argue here, as migration has become more unstable and insecure, and changes in culture and political economy have threatened the older institutions of 'encapsulation' that worked to tie migrants to their homes in the rural Transkei.¹⁶

Longstanding ethnographic evidence points to the ritual and material work that is done to convince migrants to maintain ties to their rural homesteads. In the contemporary context, land tenure practices are partly a response to anxieties about the problem of young men absconding (*ukutshipa*) in town, similar to past practices of 'encapsulation' of urban migrants and rituals of labour migration.¹⁷ Here land is a (limited) means of discouraging absconding by migrants and making their rural homes more attractive as a place to return to. Land represents a commitment to an absent migrant that a plot will be available for reproduction or production in the future: its value is created through credible statements by

¹³ A. du Toit and D. Neves, *Informal Social Protection in Post-Apartheid Migrant Networks: Vulnerability, Social Networks and Reciprocal Exchange in the Eastern and Western Cape, South Africa* (Manchester, Brooks World Poverty Institute, 2009).

¹⁴ J. Ferguson, 'Declarations of Dependence: Labour, Personhood, and Welfare in Southern Africa', *Journal of the Royal Anthropological Institute*, 19, 2 (2013), pp. 223–42.

¹⁵ I considered several alternative terms: 'prospective value' would capture the forward-looking element of holding on to land, but not the interpersonal implications; 'promissory value' captures the attempt to build trust, but it has rather more contractual implications. The idea of attractive value draws some inspiration from Anna Tsing's account of the efforts of Indonesian uplanders and NGO staff to attract appropriate partners: A. Tsing, 'Becoming a Tribal Elder, and Other Fantasies of Green Development', in Tanya Murray Li (ed.), *Transforming the Indonesian Uplands: Marginality, Power and Production* (Amsterdam, Harwood Academic, 1999), pp. 159–202. I also draw upon David Graeber's analysis of value 'as the importance of actions'. D. Graeber, *Toward an Anthropological Theory of Value: The False Coin of Our Own Dreams* (Basingstoke, Palgrave, 2001), p. 49. Graeber argues that an object's value is related to its ability to signify and enable capacities for action in relation to an 'audience one would like to impress', p. 78.

¹⁶ P. Mayer, *Townsmen or Tribesmen: Conservatism and the Process of Urbanization in a South African City* (Cape Town, Oxford University Press, 1971).

¹⁷ *Ibid.*; P. Mayer, 'The Origin and Decline of Two Rural Resistance Ideologies', in Philip Mayer (ed.), *Black Villagers in an Industrial Society: Anthropological Perspectives on Labour Migration in South Africa* (Oxford, Oxford University Press, 1980), pp. 1–80.

family members (typically fathers), to sons and others of their generation, that a piece of land will be available.

Research Methods

My analysis is grounded in long-term ethnographic fieldwork, beginning with extended participant observation research in Hobeni between April 1998 and October 1999, incorporating a household survey of 80 households in 1998, and a range of participatory methods. Throughout this fieldwork, all of my interviews and conversations were logged, with the gender, approximate age, and location, in order to ensure a cross-section of perspectives. I worked with five different local research assistants (four female and one male). I had studied Xhosa and Zulu for three years before my fieldwork. After my first months in the field, nearly all my everyday interaction and interviews were in Xhosa; in formal settings, I worked with a research assistant to clarify and explain points, and to translate when my language skills fell short. I returned to the field in 2005 for several weeks, and in 2009 returned for a longer stay of about seven weeks, in which I surveyed 64 of the 80 households from the 1998 survey, and 16 new ones drawn from the same sampling frame,¹⁸ followed by shorter visits in 2010, 2011, and 2012.

My overall approach to land tenure focused on developing an account from a series of cases, through individual biographies and the histories of particular land parcels, rather than collecting a set of rules. In follow-up interviews with the 80 households in the survey, I asked about landholding, the availability of land in the area, procedures for gaining access to land, and so on. My understanding of the social institutions shaping landholding derived as much from mapping the kin ties between households, and collecting genealogies, settlement histories, life histories and plot histories, as from asking directly about access or use of land.

The argument I make here comes more from informal conversations than from formal survey or interview data. The survey questions were oriented primarily towards issues around production; they concerned how people actively used land and why they might not be using it, but not why they maintained claims to land that they were not using. An answer to this question came up in conversation with NoKhaya Ndulukane, one of my research assistants, as we walked before an interview; she made the comment (switching from Xhosa to English), ‘*abazali* [parents] there are saving that land for their children’, as she pointed out an area of uncultivated fields. This comment highlighted a point that was emerging over the course of many interviews: a landscape that might appear to be unused was in fact laced with latent claims, dependent upon histories of prior allocation and occupation, and the genealogical ties between past landholders and living residents.

Migration and Land in Hobeni

Hobeni is situated near the coast of Xhosa district, in what was the Transkei homeland. The Transkei is an area of South Africa’s south-eastern coast inhabited by Xhosa-speaking peoples, and never subject to large-scale white settlement. Key institutions shaping migration and land in Hobeni – the migrant labour system, customary (albeit modified) land tenure, and betterment and its consequences – were clearly shaped by its situation within a homeland, and in many ways these ‘loose ends’ (see the Introduction to this special issue) persist to the present in transformed but recognisable ways. At the same time, as this special issue makes clear, the experience of different sites within the homelands varies considerably.

Since its annexation by the Cape Colony in the 19th century, the Transkei was treated primarily as a labour reserve, ruled through village headmen under district magistrates and later chiefs (after the Bantu Authorities Act of 1951). In some important respects, then, Hobeni is atypical of the former homelands. Hobeni (and most of the Transkei) was not a site

¹⁸ Sixteen households no longer existed for various reasons.

for relocation of Africans from outside the homelands; many current residents' ancestors settled in the area in the mid 19th century. It was also in a culturally conservative district, politically and economically unimportant to successive administrations, which did not commit much in the way of resources or effort into monitoring or controlling land; they enlisted chiefs and headmen in administration but left much scope for local innovation and control over land tenure practices.¹⁹

Labour migration was well established here by the first decade of the 20th century, and it came to take distinctive forms. Xhora district was a stronghold of the culturally conservative 'Red' Xhosa ideology (or *ubuqaba*, a reference to the practice of smearing one's body with red clay) through at least the first two-thirds of the 20th century. This entailed various measures to encourage migrants to remain loyal to their rural kin: disciplinary practices that Mayer called 'encapsulation', aimed at orienting migrants' social networks towards their rural homes; these included co-residence of migrants in single-sex labour hostels, which both avoided temptation and curtailed expenditures, rituals of labour migration at a migrant's departure and return, and incorporation of admonitions and advice about migration into male initiation.²⁰ Migrant labour was associated with the transition to full manhood; as one older ex-mineworker put it, 'after you are *ikrwala* [a youth who has completed initiation], when you go *eGoli*, you change to be *umfana* [a young man] – after a year'.²¹ This cultural incorporation of migration was partly compatible with apartheid-era influx control policies that aimed to restrict urban areas to employed Africans, and wages that effectively required rural areas to subsidise the reproduction of labour, and which limited the opportunities associated with urban life.²²

In Xhora, the Red ideology appeared to be thriving through the first two-thirds of the 20th century.²³ Despite ongoing changes, at the time of my initial fieldwork in Hobeni in the late 1990s, these categories retained their salience; older people regularly used the categories of *amaqaba* (Red) and *amaqqoboka* (school) to refer to one another and outsiders, and characteristic patterns of social interaction, ceremony, housing, and dress described in the literature were still evident. The past decade has seen some Red practices on the wane with respect to dress, ancestral religion, work parties, and architecture;²⁴ however, the multifaceted notion of 'building the homestead' remains ideologically important,²⁵ and the idiom is commonly used by local residents.

Changes in Livelihoods since the 1990s

Since the 1990s, livelihoods in coastal Xhora have shifted in ways that make uncertain the viability of older patterns of migration and social reproduction: formal employment has

¹⁹ Contrast, for example, Ntsebeza, *Democracy Compromised*; S. Turner, *Land Rights and Land Administration in Herschel and Maluti Districts, Eastern Cape* (Bellville, University of the Western Cape, 1999); Hendricks, *The Pillars of Apartheid*.

²⁰ Mayer, *Townsmen or Tribesmen*; P.A. McAllister, *Building the Homestead: Agriculture, Labour and Beer in South Africa's Transkei* (Aldershot, Ashgate, 2001); T.D. Moodie, *Going for Gold: Men, Mines and Migration* (Berkeley, University of California Press, 1994); P.A. McAllister, 'Work, Homestead and the Shades: The Ritual Interpretation of Labour Migration among the Gcaleka', in Mayer (ed.), *Black Villagers*, pp. 205–51.

²¹ Interview with Mngunyathe Mzingo, 23 October 1998.

²² Mayer, 'Origin and Decline'.

²³ P.A.W. Cook, *The Education of a South African Tribe* (Cape Town, Juta, 1934). G. Jansen, *The Doctor–Patient Relationship in an African Society* (Assen, Van Gorcum & Comp. B.V., 1973).

²⁴ D. Fay, 'Migrants, Forests and Houses: The Political Ecology of Architectural Change in Hobeni and Cwebe, South Africa', *Human Organization*, 70, 3 (2011), pp. 310–21; D. Fay, 'Cultivators in Action, Siyazondla Inaction? Trends and Potential in Homestead Cultivation in Rural Mbhashe Municipality', in Paul Hebinck and Ben Cousins (eds), *In the Shadow of Policy: Everyday Practices in South Africa's Land and Agrarian Reform* (Johannesburg, Wits University Press, 2013), pp. 247–62.

²⁵ McAllister, *Building the Homestead*.

declined with the restructuring of the mining industry; dependence on social grants has increased with increasing structural unemployment; migration has diversified; and field cultivation has declined while garden cultivation has intensified.

Older men recall the operations of the mining recruiting system, and the stability and control over migrants that it offered.

People used to get work *KwaTeba*. [A migrant] would store say R180 of R200, and would use the other R20 to buy soap and essentials; when he went home he would go with his father to Elliotdale to collect the money Now without work they can't support their families If a boy here got a girl pregnant, he would rush off to Elliotdale and get work, and send money back. Now it's impossible to get permanent work; only short-term contracts are available. You used to be able to go to town when you wanted, return when you wanted. There were fewer disputes because everyone could get work – fights are because people are hungry. It would be better if the mines would go back to their old practices.²⁶

Many older men in Hobeni thus take a mixed view of the end of influx control and the increased ease of movement since 1986; they associate restrictions on movement and single-sex hostels with a time of more plentiful employment and more reliable remittances, and complain that the threat of absconding has increased with the end of apartheid.

Families in Hobeni have suffered from the problem of absconding. In a sample of 38 households in 1999, nine had had a family member *tshipa* in town. The regional literature may suggest that this term is all-or-nothing, for example in Mayer's characterisation: 'the special nightmare of Xhosa peasant families ... is *ukutshipa*, "absconding" – the "vanishing" of a man in town, leaving his kin at home without money remittances and without news of him'.²⁷ But in local usage and experience, *ukutshipa* is not necessarily a permanent state: occasionally, missing migrants reappear and re-integrate successfully into rural society. As Potts argues, this kind of medium-term migration, where migrants stay away for years before returning, is probably under-recognised in South African research, with its focus on circular migration and frequent reliance on survey methods.²⁸ One sub-headman in southern Hobeni (in 1998) had spent 10 years in Randfontein without returning or contacting his family, before he returned to remarry and establish his homestead.²⁹ Similarly, a man described as *itshipa* to me in 1999 had returned to care for his elderly father in 2005, and by 2009 was a recognised community leader. Most importantly, *ukutshipa* is uncertain: whether a medium-term migrant will come back or has really absconded is not always clear to rural kin. The possibility of *ukutshipa* is thus a concern for people in Hobeni, and a source of the anxiety and concerns that animate the efforts to retain the loyalties of migrants.

It is particularly problematic now that work on the mines no longer offers predictable or secure employment. At the time of my fieldwork in 1998–99, in the wake of the South-East Asian economic crisis, the gold price was at a 20-year low, provoking a wave of retrenchments. Since then, threatened by post-apartheid labour activism and volatility in metals prices, the mining industry has both shed jobs and shifted to subcontracted labour for many jobs.³⁰ By 2002, mining employment was about 55 per cent of its 1990 level,³¹ and it dropped a further 20 per cent between 2003 and 2008, 'largely on account of job losses in the

²⁶ Interview with David Gongqose, 14 June 1999.

²⁷ Mayer, *Townsmen or Tribesmen*, p. 179.

²⁸ Potts, *Circular Migration*, pp. 60–62.

²⁹ Interview with Tshevelani Gxikemani, 21 April 1998. He passed away later that year.

³⁰ S. Buhlungu and A. Bezuidenhout, 'Union Solidarity Under Stress: The Case of the National Union of Mineworkers in South Africa', *Labour Studies Journal*, 33, 3 (2008), pp. 262–87.

³¹ J. Seekings, M. Leibbrandt and N. Nattrass, 'Income Inequality After Apartheid', SALDRU/CSSR Working Paper, University of Cape Town, 2004.

gold industry'.³² In Cwebe (adjacent to Hobeni), the number of households receiving remittances dropped from over 40 per cent in 1998 to 13 per cent in 2003.³³

In addition to absolute job losses, the shift to subcontracting on the mines has made mining employment much less attractive. The Rustenburg-based platinum industry, a common destination for migrants from Hobeni and Cwebe, led the way in the shift, accounting in 2005 'for by far the most subcontracted workers ... a staggering 36 per cent of employment in the sector'.³⁴ Men in Hobeni describe a set of frustrations with contract labour, citing wage cuts, job insecurity and non-payment, and unsafe working conditions.

You would make R5000 per month as a machine operator; now a mine subcontractor will pay R900 per month Just yesterday [...] came back from the Free State – he used to work at a mine; now he's working through a contractor and he didn't get paid If you're injured, the contractor won't pay disability They have no safety – the mines would do safety because they knew they'd have to pay – now people are getting injured a lot.³⁵

These kinds of conditions have increasingly led prospective migrants to seek alternatives to mine work.

This shift is reflected in changes in the pattern of migration. More people are leaving, and they are seeking jobs in more diverse locales and economic sectors, including largely unprecedented migration to the Western Cape (see also Leslie Bank, elsewhere in this issue), and increasingly working in part-time or temporary and contract positions. In a context of the restructuring of mining, the old pattern of male, mining-focused migration is being replaced by a more diversified pursuit of employment by more household members. Notably, female migrants make up much of this increase in migration. The ratio of male:female absentees decreased, from nearly two men for every absent woman in 1998, to about 6:5 in 2009. Oral evidence suggests that female migration is a fairly new phenomenon in Hobeni, beginning only in the early 1980s.³⁶

<PLEASE PLACE TABLE 1 NEAR HERE>

The loss of jobs has been partly offset by the increase in access to state grants. The distribution of income sources in 1998 and 2009 illustrates their growing importance (see Table 1); while inequality between households in access to full-time employment has increased, inequality in access to grants has decreased. The child support grant, not available in 1998, accounts for much of the increase, expanding eventually to include children under 14 years of age in 2005.³⁷ By 2009, 62.5 per cent of households in Hobeni were receiving child-support grants, increasing women's bargaining power and autonomy, while the proportion of households receiving old age or disability pensions had increased from 45 to 55 per cent.

³² Statistics South Africa, 'National and Provincial Labour Market Trends over the Last Decade, 2003–2013' (Pretoria, Statistics South Africa, 2013), pp. 9–10.

³³ Robin Palmer and Herman Timmermans, unpublished data.

³⁴ Buhlungu and Bezuidenhout, 'Union Solidarity', p. 276.

³⁵ Interview with David Gongqose, 18 July 2009. See also J. Crush, T. Ulicki, T. Tseane and E.J. van Veuren, 'Undermining Labour: The Rise of Sub-Contracting in South African Gold Mines', *Journal of Southern African Studies*, 27, 1 (2001), pp. 5–31.

³⁶ Female migration is still lower than in nearby Ntubeni, where women were the majority of migrants in 1998. See D. Fay and R. Palmer, 'Poverty and Differentiation at Dwesa-Cwebe', in R. Palmer, H. Timmermans and D. Fay (eds), *From Conflict to Negotiation: Nature-Based Development on South Africa's Wild Coast* (Pretoria, HSRC Press, 2002), p. 151.

³⁷ J. Ferguson, 'Formalities of Poverty: Thinking about Social Assistance in Neoliberal South Africa', *African Studies Review*, 50, 2 (2007), pp. 71–86.

These transformations have created uncertainties about marriage – and hence the trajectory that would lead a couple to establish a rural homestead, for a number of reasons.³⁸ First, it is now possible for a married man to take his wife to town, attenuating the couple's ties to their rural base. Second, the prevalence of the child-support grant gives women increased access to independent income, and many expressed uncertainty about their desire or need to marry. Third, single men are also uncertain about whether they will marry; they are anxious about their employment prospects, their ability to pay bridewealth, and their ability to keep their wives, when young women increasingly expect and demand more control of household income, and expensive, new-style houses.³⁹ These concerns reflect an overall situation where less predictable employment, and increased out-migration, contribute to conditions where the departure of a migrant is less likely to lead to reliable remittances or a predictable return, and where the established model of household reproduction is threatened.

Land in Livelihoods

These changes, I argue, have been accompanied by concurrent changes in the value of land. As migration and marriage have become less predictable, land – including land that has not been cultivated for a generation – has gained salience as a way to assure migrants that they have a place to which they may return and 'build their homestead'.

This section gives an overview of practices around landholding, and shifts in land use in recent years. In general, people in Hobeni use land for residential sites, adjoining gardens, and, for some – depending on family history and genealogical position – fields distant from the homestead. Cultivation of maize and a range of secondary crops, almost exclusively for home consumption, remains important, and livestock provide traction for cultivation, an important means of saving, and a vital resource for ritual and ceremonial events.⁴⁰

Traditional authorities' role with respect to land is limited in practice; if asked in the abstract about how one gets access to land, people in Hobeni may say that the headman administers (*ukulawula*) land, and that land is available upon request from the headman. Such statements express a respect for, and acknowledgment of, the headman's authority and role in adjudicating disputes, but, in practice, decisions regarding requests for land in Hobeni are generally made within neighbourhoods, clusters of 25–50 homesteads with customary ties to a particular sub-headman, or through intra-familial land allocation. Sub-headmen and the headman are expected to endorse decisions taken by families and neighbours, giving rise to local variations in the importance of agnatic kinship as opposed to other ties (for example, friendship, church membership, common employment, and so on).⁴¹

Land use in Hobeni, as in much of the former Transkei, was also shaped by 'betterment', a programme of soil conservation and resettlement into dense residential areas, implemented across the region from the 1940s. In Hobeni, betterment arrived only in the 1980s, creating both discontinuities and continuities in land tenure practices. Previously, homesteads were clustered in neighbourhoods affiliated to sub-headmen, situated on the ridges above the streams and rivers that incise the landscape, with gardens adjoining homesteads, and fields and grazing land more distant. Betterment affected the area unevenly:

³⁸ These concerns are consistent with national trends. See G. Kumchulesi, 'An Investigation of Declining Marriages in Post-Apartheid South Africa, 1995–2006' (September 2009), available at <http://www.poppovresearchnetwork.org/Portals/1/documents/papers/50.Kumchulesi.pdf>, [AQ1] retrieved 13 July 2013, and literature reviewed in A. Claassens, 'Recent Changes in Women's Land Rights and Contested Customary Law in South Africa', *Journal of Agrarian Change*, 13, 1 (2013), pp. 71–92.

³⁹ Fay, 'Migrants, Forests and Houses'.

⁴⁰ Nearly all cultivation in Hobeni is done with ox-drawn ploughs, primarily through genealogically organised ploughing companies, with a slight increase in the hiring of teams from 1998 to 2009. Over the same period, livestock owners reported declines in their animals' numbers and health.

⁴¹ Fay, 'Kinship and Access', p. 182.

some neighbourhoods resisted altogether, some renegotiated the terms of their removals, and others were combined into a single residential area. Throughout this process, people who were removed retained control over their former residential sites, generally converting them to fields; even sites that were left uncultivated were typically marked by graves. Since the mid 1990s, many of those removed under betterment have moved back to their former sites, returning settlement patterns to a more dense version of the older pattern.⁴²

This end of betterment has contributed to flexibility in land use and the convertibility of land from fields to residential sites. Prior to betterment, people would modify the location and scale of their houses, kraals and gardens to take advantage of localised soil fertility and to allow cultivated land to lie fallow, by moving within their homestead sites, shifting the location of their homesteads, and, in some cases, converting agricultural areas to residential and vice versa. In the neighbourhoods where people successfully resisted betterment, they continued these practices, converting residential sites to fields and vice versa. Twenty of the twenty-six homesteads in these areas in the 1999 survey were on sites that were formerly fields; here people frequently reported that they used to live on their current field or garden, and used to plough at their homestead site. One man of about 70 years of age was living at his third residential site, having moved twice in order to convert residential to agricultural land and vice versa. In practice, the distinction between residential and agricultural land has not been rigid, but open to change upon negotiation with neighbours and the sub-headman.⁴³ With the end of betterment, residential sites that had been converted to fields have been converted back, and some longer-standing areas of fields have also been converted to residential sites, primarily to accommodate newly established homesteads.

Through the late 1990s, Hobeni defied a region-wide decline in the cultivation of fields, but this situation has shifted since 1998. While the proportion of households cultivating in gardens has held steady, at around 80 per cent, the proportion cultivating in fields distant from their homesteads has dropped from 65 per cent in 1998 to 22 per cent in 2009. A number of reasons can be identified: conversion of fields to residential sites, less labour due to out-migration and more children going to school (directly attributed to the impact of child-welfare grants), and problems with lack of fencing and livestock damage to crops.⁴⁴ Garden cultivation has concurrently become more intensive, with more diverse crops and fruit trees, more inputs, and manually irrigated winter cropping.⁴⁵

Merely walking through the landscape, it might appear that there are large areas of unoccupied and uncultivated land. By the late 2000s, however, residents insisted that hardly any land in Hobeni was available for allocation of new sites. Suitable sites were either in use, or had graves and/or a history of use and occupation, with attendant claims. Most sites established since 1998 have been on land previously been used by some member of the applicant's family as a residential site or field, or both, or a subdivision of one of these. Over the same period, burial practices have changed in ways consistent with more enduring claims to land, with cement-capped graves and engraved tombstones replacing graves of earthen mounds overgrown with vegetation, making a more permanent and visible association between kin and land.

⁴² D. Fay, "'The Trust is Over! We Want to Plough!': Social Differentiation and the Reversal of Resettlement in South Africa', *Human Ecology*, 40, 1 (2012), pp. 59–68. Contrast accounts of areas in the Transkei where betterment was implemented earlier and more forcefully: for example, Ntsebeza, *Democracy Compromised*; Hendricks, *The Pillars of Apartheid*.

⁴³ The exception here is the large areas of fields on the Mbashe floodplain, in a deep valley several hundred metres below the residential areas.

⁴⁴ See the discussion of field abandonment in D. Fay, 'Land Tenure, Land Use and Land Reform at Dwesa-Cwebe, South Africa: Local Transformations and the Limits of the State', *World Development*, 37, 8 (August 2009), pp. 1427–8.

⁴⁵ Fay, 'Cultivators in Action'. Note the contrast with Bank, elsewhere in this issue.

The idea that land is inherited only by sons or widows, otherwise reverting to the headman for re-allocation upon the death of an occupant, is an administrative fiction from which local practice had diverged by at least the 1980s, and probably much earlier. In Hobeni, land has continued to be claimed and controlled by extended families, and re-allocated within them, rather than going back to the headman to be re-allocated, contrary to the old administrative regulations.⁴⁶ Describing an area that had been out of cultivation for at least 30 years, with acacia karoo filling in, one young man, only just born when the fields were last cultivated, readily identified the owners of the fields, explaining that they could still plough there if they chose.⁴⁷

These practices give rise to the concern that ‘there will be a land shortage in the future’,⁴⁸ because all residential and agricultural plots are already claimed. These concerns about scarcity were evident in a conversation in 1998 with Nowanise Mbedle, the wife of a former mineworker who had left work due to illnesses 13 years before. Nowanise’s husband had acquired their residential site through kin ties; he had received it when a classificatory older brother agreed to subdivide a piece of land for him. In addition, they had been borrowing a field on the floodplain of the Mbhashe river for six years from a household that lacked the resources to cultivate, but this was not a permanent solution: ‘[the lender] is not ploughing now [but] when his children are grown, they will take the field’. She expected that she could not get another field: ‘nobody is going to the chief for fields because every place is owned’. When I asked whether her children would get fields, she explained that they wouldn’t, and my research assistant, Nokhaya Ndulukane, added, ‘if you have a big field and you’re not cultivating it, you keep it for your child’.⁴⁹

Similarly, people with land that they are not using justify it by explaining that they are setting aside land for sons who have not yet married or occupied their own sites. One retired migrant explained that his unoccupied residential site was not being used because ‘the owner [hadn’t] married yet’.⁵⁰ He had three sons: only the eldest would inherit his father’s homestead, so he had to ensure that the other two had sites available for them.

These statements may be only a public explanation for preserving land rights or excluding others, a claim to a ‘prior and greater need’,⁵¹ whereby it is considered legitimate to refuse access to land to a landless outsider or newcomer if there is a potential local claimant. I would argue, though, that this is not only a justification, but a way of investing in relationships. Land tenure is situated in a context in which the loyalties, aspirations, and capabilities of young migrants are increasingly uncertain. Because people lay claim to disused sites of deceased family members, they can keep them as a potential source of future security, rather than make them available for re-allocation or common use, aiming to maintain the loyalties and provide for the uncertain futures of their children.

This is evident in a range of ethnographic examples. The case of Jackson Ngxeke illustrates the way in which setting aside land is forward-looking – anticipating sons’ later

⁴⁶ Similar past practices are described in B. Holt, ‘The Tshezi of the Transkei: An Ethnographic Study’, PhD thesis, University of the Witwatersrand, 1969, p. 208; and M. Hunter, *Reaction to Conquest* (London, Oxford University Press, 1936), p. 118. A recent study in Gatyana reported that among households with uncultivated fields, ‘only 1.2 % stated that they lose the ownership or usufruct of their fields if they do not cultivate them’, R. Shackleton, C. Shackleton, S. Shackleton and J. Gambiza, ‘Deagrarianisation and Forest Revegetation in a Biodiversity Hotspot on the Wild Coast, South Africa’, *PLoS ONE*, 8, 10 (October 2013), p. 7.

⁴⁷ Interview with Kuzile Juza, 4 December 1998.

⁴⁸ Conversation with Kuzile Juza, 13 August 1998.

⁴⁹ Interview with Nowanise Mbedle, 22 January 1999.

⁵⁰ Interview with Gabukile Magqazolo, 1 November 1998.

⁵¹ C. Cross, ‘On Migration and the Country of the Mind: Conceptualising Urban–Rural Space in KwaZulu-Natal, South Africa’, in C.J. de Wet and R.C. Fox (eds), *Transforming Settlement in Southern Africa* (New York, Columbia University Press, 2002), p. 122.

actions – and promissory, offering a place for them to settle. In 1998–99, Jackson was staying in a homestead with his wife and their son, and two teenage sons, Patrick and Nini, from his deceased first wife. At the time, he was hoping to subdivide his garden to create a plot for his sons. His plot was situated in the area designated under betterment as a residential area, and had been carved into four smaller plots; as people who had been removed under betterment returned, he planned to re-occupy his full plot.

Jackson's family history led to concerns about absconding. Years before, he had migrated to Cape Town, along with a younger brother who had never returned. His oldest son had also lived in Cape Town for a decade, with no contact with rural kin; he died there in 1999, and his body was returned to Hobeni and buried in the kraal at Jackson's homestead. In conversations at the funeral, Jackson recalled how, in the apartheid era, he had been arrested while looking for work. His interpretation, though, was positive: 'if you weren't working you couldn't stay in town because you'd be caught'. He continued, 'the children of today, they leave here and go to town, they don't work there, they just eat the money of people from here who are working'.⁵² Other speakers praised the practice of circular migration, and lamented examples of people who had absconded.

By 2005, Jackson had changed his plan for Patrick and Nini. His wife had successfully requested a small site from her brother, and they were busy moving to the new site. He had fenced off a demarcating line in the site he was leaving, to divide it between Patrick and Nini. At this point, Patrick and Nini were away looking for work, while Patrick's young wife and baby were living at Jackson's homestead. As Jackson explained, he wanted to provide for Patrick and Nini by making sure they knew that they would have a place to which they could return and settle.⁵³ By 2009, Jackson and his wife and their son had moved to the new site, while Patrick and his growing family remained at the old site.

This example illustrates the importance of refocusing attention on rural networks of kin rather than migrants. In contrast to a migrant-focused narrative of a supplicant son requesting land from his father, it reveals a father – who had suffered from family members' absconding in the past – going out of his way to move to a much smaller site, and bearing the associated costs of rebuilding, in order to make a suitable site available to assure his sons that they would have a place to build. While other men of Jackson's generation generally did not go to such lengths, they frequently expressed similar concerns, describing how they reserved land for unmarried sons.

Similarly, while parents emphasise keeping land for their children, men a generation younger emphasise the ways in which their fathers 'opened the way' for them, by assuring them of a place that they would call their own. Jomo Kuselo, a man in his mid 20s, explained, as we walked to the funeral of his younger brother, who had been shot and killed in Cape Town, how his father had set aside sites for his sons. The land his father had allocated came from two generations. His father was returning to the site where they had lived before betterment. Jomo, in turn, had been told that he would build at another site, where his paternal grandparents, and after them his father's deceased younger brother, had been buried. This plot was not re-allocated when his uncle died without a male heir – instead it was saved for Jomo. After the funeral, Jomo's younger brother was also buried at this site: his body was placed alongside two generations of agnatic kin, at the site designated for Jomo. Though he hadn't married, and hadn't yet left the area to seek work, Jomo had been assured that he would have a site available for him when the time came for him to build his homestead.⁵⁴

Jomo's case is one of many that reveal retention of land by families for allocation to unmarried sons, and the practice of setting aside such land in advance. Kholisile Mlungu's

⁵² Fieldnotes, 20 June 1999.

⁵³ Interview with Jackson Ngxeke, 6 October 2005.

⁵⁴ Interview with Jomo Kuselo, 19 July 2009.

family revealed a similar pattern, where returning from the betterment village was also an occasion to allocate family land among sons. Kholisile and his wife and family had returned from the betterment village to land that had been his grandfather's site, while his younger brother Dalikwezi had settled at their father's site.⁵⁵ Jomo also pointed out the fields of Waphi Siyaleko on a nearby ridge. At the time of betterment, Siyaleko moved the homesteads of all four of his wives into the new residential area, and converted the old sites to fields. With the end of betterment, none of them moved back. Pointing to Siyaleko's old fields across the ridge, Jomo commented that Siyaleko probably hadn't moved back to those sites because he was keeping that land available for his children to build their homesteads there.⁵⁶ Implicit in this comment was the expectation that the fields would eventually be converted to homesteads, with attached gardens.

Keeping land for their children has become an accepted, common practice in Hobeni, reflecting both longstanding familial and neighbourhood control of land, often at odds with administrative regulations and assertions of control by traditional authorities, and increasing uncertainty about the stability and reliability of older patterns of migration. The value of land is not exclusively productive, nor reproductive, but attractive, aimed at keeping children attached to their rural homes.

Gender and Access to Land

Southern Hobeni is a setting where women have increasingly secured their own sites.⁵⁷ Despite an increase in unmarried women's access to land, though, references to preserving land for children reflect patrilineal, virilocal norms. In my 1998–99 fieldwork, for a woman to establish an independent homestead on her own site was frequently described as something unusual (despite cases several decades old), but it has gained acceptance and become more common. Women's access to their own sites depends in part on the patterns described above, whereby people retain control of disused land. Women who receive their own sites generally do so through the subdivision of an existing plot (used or disused) by a relative (as in the case of MamCirha, the wife of Jackson Ngxeke, mentioned above).

Despite this, daughters are not mentioned generally in discussions of saving land for one's children. This reflects the persistence of a set of gendered expectations. While norms around landholding are changing and contested, the overall patterns reflect the primacy of men in positions of authority around land (within families and in the offices of sub-headmen and headmen), and the norm of patri-virilocal marriage, where it is expected that a woman will marry and move to her husband's homestead, rather than require a site to be set aside for her. For women who receive their own sites, however, a common public justification is they need a site in order to have a place for their son(s) to inherit; in this sense, while the practice of saving land for children does not typically benefit women directly, in the sense of having land set aside for them, it does offer a potential legitimation for efforts to acquire their own sites.

Attractive Value and Apparently 'Under-Utilised' Land

Attention to the attractive value of land offers some insight into the significance of uncultivated land in Hobeni and similar areas. In 1998, just over a quarter of homesteads

⁵⁵ Interview with Kholisile Mlungu, 21 July 2009.

⁵⁶ Interview with Jomo Kuselo, 30 July 2009.

⁵⁷ This appears to be the case in much of rural South Africa's areas under customary tenure. As Claassens argues, the political transition and discourses of equality have strengthened women's negotiating position, but these practices also reflect continuities with under-recognised or suppressed past practices. In Hobeni, while women's acquisition of their own sites has increased, some cases predate the political transition by decades: see Claassens, 'Recent Changes'.

reported having land that was not in use. In 2009, 50 out of 80 households reported having disused land, consistent with the decline in field cultivation over the same period.⁵⁸

A body of work in agricultural economics would see this situation as evidence of the failure of local institutions to allocate land efficiently and thereby maximise productive cultivation. Dengu and Lyne, working in KwaZulu-Natal, see uncultivated land as the consequence of the scarcity and uneven distribution of factors of production, arguing that this situation suggests the need for ‘an efficient rental market to transfer underutilised cropland to households that are willing and able to farm it’.⁵⁹ Such markets (or market-like institutions that allow such transactions) have been found elsewhere in southern Africa where agricultural production is more commercialised and lucrative. Potts, for example, reported in 2010 that, in her Zimbabwean samples, 47 per cent of interviewees reported that their households were not using their arable land in 1988, but that 85 per cent of land parcels were in use, with at least one-third used by unrelated persons through sharecropping and similar arrangements. Agricultural production was equivalent to one-third–one-quarter of annual income in her samples, contrasted with about one-sixth–one-twelfth of annual income in Hobeni, in both 1998 and 2009.⁶⁰

Borrowing and lending land is very rare in Hobeni, despite the presence of disused land. Similarly, the Xhosa term *isahlulo*, used for sharecropping arrangements in the Ciskei, and the practice that the term denotes, were unfamiliar.⁶¹ Respondents mentioned only one case of borrowing land in both the 1998 and 2009 household surveys, and only a few more came out in further interviewing. In a 2005 paper, I argued, drawing on one of Lyne’s earlier papers, that a mechanism whereby borrowing and lending might be ‘witnessed or approved by a subheadman, neighbourhood members’ or some other structure might allow for more land to be brought under cultivation.⁶² At this point I would qualify these recommendations. The transactions that exist are primarily limited to close kin, again suggesting the relative security of land rights embedded in agnatic networks. Local residents generally attribute the absence of borrowing to a concern that the owner’s rights will take precedence (as in the case of Nowanise, above). They worry that, after investing in clearing, ploughing, and fencing a disused field, the owner will reclaim it, and their work will have been in vain. Several people quoted a proverb regarding the borrowing and lending of cattle in discussing the borrowing of land: ‘*inkomo yenqoma yintsengebheka*’ – loosely translated as ‘when you borrow a cow and milk it, you must look around for the owner because he’ll want it back’.

This emphasis on the rights of the lender is consistent with other features of local land tenure – long-term claims to land, and the absence of re-allocation of disused agricultural land.⁶³ But it does not account for why lenders – who are perceived as having stronger land rights – would be reluctant to lend. Here again it is important to attend to the broader networks of kin around land. The practice of setting land aside for children draws attention to the fact that land may be disused but still hold value. In retrospect, Lyne’s proposals envisage

⁵⁸ Fay, ‘Cultivators in Action’.

⁵⁹ T. Dengu and M.C. Lyne, ‘Secure Land Rental Contracts and Agricultural Investment in Two Communal Areas of KwaZulu-Natal’, *Agrekon*, 46, 3 (2007), p. 407.

⁶⁰ Potts, *Circular Migration*, pp. 145–6, 150. See also S. Lawry, ‘Transactions in Cropland Held Under Customary Tenure in Lesotho’, in T. Bassett and D. Crummey (eds), *Land in African Agrarian Systems* (Madison, University of Wisconsin Press, 1993), p. 63.

⁶¹ Thanks to Chris de Wet for bringing this term to my attention. M.E. Mills and M. Wilson, *The Keiskammahoe Rural Survey, Volume Four: Land Tenure* (Pietermaritzburg, Shuter and Shooter, 1952) describe lending and sharecropping arrangements in the region in detail.

⁶² Fay, ‘Kinship and Access to Land’, p. 199.

⁶³ This situation contrasts with Lyne’s research site in KwaZulu-Natal, where ‘some forty per cent of respondents ... claimed that they would lose their land if they rented it to other households’; see Dengu and Lyne, ‘Secure Land Rental’, p. 401.

the borrowing and lending of land primarily as a contract between two individuals, whereas to let someone use land is simultaneously to make it unavailable to others, in relationships that may be more significant in the longer term. A migrant who sees that the site where he might have expected to build has been lent to another family might be less likely to return, or to invest in his rural home in the longer term. Where people are 'holding those sites for their children', they are (in effect) letting their children know that they have a place to which to return. Disused land cannot be understood exclusively as a product of imperfect markets, because rural residents do not think of land only in terms of its productive value; rather, it needs to be examined in the light of the long-term perspective and attention to social relations that rural people bring to questions of subsistence.

Conclusion

Migrant labour and customary land tenure are, in many ways, among the most significant 'loose ends' of the apartheid era, remaining for diverse reasons, ranging from the persistence of poverty and structural unemployment to the constitutional challenge to the 2004 CLaRA. Similarly, the analysis of land in the former homelands reveals the persistence of categories and concepts inherited from the homeland era: land has been examined primarily in relation to questions about control by traditional authorities, while the relationship between land and migration has been seen primarily in terms of the aspirations of a migrant for a rural retirement.

I have argued instead that, to understand land in the former Transkei homeland, changing circumstances are well-served by shifts in analytic attention. My approach draws upon attention to the 'social embeddedness' of land,⁶⁴ elaborating some of its implications beyond its immediate policy importance in the challenge to CLaRA. I have shown how land is part of the making and maintenance of social ties, a material index of obligations to kin and community, not an asset of an individual migrant.

I do not aim to suggest that setting aside land is necessarily going to be prominent at all times and in all places. The factors shaping migration, and the attractiveness or unattractiveness, and viability and unviability, of maintaining ties to rural kin, are variable across time and space. The practices described here depend upon demographic and spatial contingencies and particular relations between traditional authorities and the social institutions in which landholding is embedded. As I have written elsewhere, control of land by kin depends on situations where, 1) 'administrative intervention and forced removals have not removed control over land from local people', 2) kin ties remain strong, relative to 'countervailing justifications for granting access to land', and 3) 'demand for land is moderate enough that it actually is feasible to exclude outsiders and/or to prevent them from subdividing land they have received'.⁶⁵

The degree of local control in Hobeni contrasts most sharply with areas where traditional authorities are able to assert claims to disused land. For example, writing recently of Mpuzini, a seSwati-speaking community in Mpumalanga, Mnisi Weeks describes a situation where traditional authorities cited overcrowding as a justification to '(re)claim ... fields which they said were not being used productively by the people to whom they had been assigned, and even burial areas, which they said had long lain dormant'. In this context, according to Mnisi Weeks, it was 'accepted that the traditional authorities could interfere

⁶⁴ Cousins, 'More Than Socially Embedded'.

⁶⁵ Fay, 'Kinship and Access to Land', pp. 195–6; see also E. Preston-Whyte and H. Sibisi, 'Ethnographic Oddity or Ecological Sense? Nyuswa-Zulu Descent Groups and Land Allocation', *African Studies*, 34, 4 (1975), pp. 283–316.

with and redistribute agricultural plots provided they notify the people in advance'.⁶⁶ Such practices would undermine the possibility of saving disused land for the next generation.

In contrast, Thebe describes an Ndebele community in Zimbabwe with less evident demand for land, which has a set of practices around disused land and migration resembling that in Hobeni. Neither traditional authorities nor village and ward development committees were in a position to challenge these long-term claims.

All households would hold on to land they abandoned (*amafusi*), and protect such land against any form of encroachment by other community members. Evidence suggests that the land was reserved for people, some working in the cities and even outside the country. Interestingly, some of these people working outside the community were educated, had no need for rural land and had their own city homes [O]ver half the households owned *amafusi* at the time of research, and other households recognised such ownership.⁶⁷

Here, as in the contemporary coastal Transkei, long-term claims to disused land form a potential resource for rural residents to persuade migrants to maintain their rural ties. Whether 'keeping land for their children' will prove effective is uncertain, but it gives rural dwellers another measure to preserve the social relations upon which they rely, in a political-economic context in which migration has become less predictable or reliable.

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⁶⁶ S.M. Weeks, 'Securing Women's Property Inheritance in the Context of Plurality: Negotiations of Law and Authority in Mbuzini Customary Courts and Beyond', *Acta Juridica* (2011), p. 168; see also Dengu and Lyne, 'Secure Land Rental', p. 401.

⁶⁷ V. Thebe, "'New Realities' and Tenure Reforms: Land Use in Worker-Peasant Communities of South-Western Zimbabwe (1940s-2006)", *Journal of Contemporary African Studies*, 30, 1 (2012), pp. 109-10. Thebe also describes women justifying landholding in terms similar to those in Hobeni: given 'the old Ndebele tradition where only sons inherited land ... widows would often refer to the home (and the land) as belonging to an absent son or sons'; p. 110.