

INDIAN FAMILY BUSINESSES IN DURBAN

Dissertation

*Submitted in Partial Fulfilment of the
Requirements for the Degree of
DOCTOR OF PHILOSOPHY
of Rhodes University*

by

SABITA JITHOO

B.A., B.A.(Hons.), M.A.(Natal)

JANUARY 1983

DECLARATION

I declare that the fieldwork and the writing of the dissertation was done entirely by me and has not been submitted for a degree in any other university.


.....
SABITA JITHOO

*To my dear husband Jay and
children Rondhir and Anamika*

The lady who is the wife in charge of the house, is a friend, a counsellor, a companion and an adviser in secret matters. Besides, she is a loyal, an obedient and agreeable disciple, pleasing in her performance, and that noble, beloved and amorous lady always conquers everyone's heart because she is a paragon of lustre, dignity, virtue and excellence.

Kalidasa (Canto 8. V. 67)

गृहिणी सचीवः सखी मिथः
प्रिय शिष्या ललिते कलाविधौ ।
महिमां गरिमां धारिणी,
जयति महिला वनिता रमा ॥
महाकवि कालीदासकृत रघुवंश ८-६७

ACKNOWLEDGEMENTS

Although there were no research assistants employed in the accumulation of fieldwork data which was collected by me entirely, I am nevertheless indebted to the following for their cooperation in different ways.

I acknowledge Professor W J Argyle's (of the African Studies Department, University of Natal) supervision of the fieldwork on which this thesis is based. The grant of six hundred rand from the Human Science Research Council was useful for fieldwork expenses.

For the supervision of the writing of the thesis I am grateful to Professor M G Whisson (Professor and Head of Department of Anthropology at Rhodes University). I shall remember, not only the spontaneity with which he agreed to supervise the thesis, but also his promptness and constructive comments. I also value his punctiliousness and proven scholarship, and above all I appreciate the trips he made to Durban, at times, at the expense of his holiday with his family. I am also grateful to the R.K. Khan Indian Hospital authorities for allowing me access to the suicide reports.

The thesis could not have been possible without the cooperation of the heads of the family firms and their families, particularly their sons and wives. My gratitude also extends to every member of the firms who gave his precious time for me.

Finally and most importantly I wish to express my loving gratitude to my husband Jaychand from whom came the first enthusiasm and inspiration to carry out the research. I appreciate the hours he spent proof-reading, despite his heavily daily programme as a medical practitioner. I am grateful to my children Rondhir and Anamika for their patience and understanding.

A very special thank you to Miss S Singh who typed the thesis.

CONTENTS

Page

Acknowledgements

(i)

CHAPTER 1 :	INTRODUCTION	1
CHAPTER 2 :	HISTORICAL AND CULTURAL BACKGROUND OF INDIANS IN DURBAN	58
CHAPTER 3 :	DEVELOPMENT OF INDIAN BUSINESS	91
CHAPTER 4 :	THE INDIAN BUSINESS : A JOINT CONCERN	158
CHAPTER 5 :	ROLE RELATIONSHIPS AND DECISION-MAKING IN THE BUSINESS	201
CHAPTER 6 :	THE ROLE OF WOMEN AND KIN IN THE FAMILY BUSINESS	246
CHAPTER 7 :	THE PART PLAYED BY RELIGION IN THE FAMILY BUSINESS	323
CHAPTER 8 :	CONCLUSION	348
APPENDICES		386
BIBLIOGRAPHY		418

TABLES

TABLE		Page
1.1	BUSINESS DISPLACEMENT BY RACE AND PROVINCE (1975 FIGURES)	10
1.2	PLANNED BUSINESS DISPLACEMENT BY RACE AND PROVINCE	10
1.3	PERCENTAGE DISTRIBUTION OF THE WORKFORCE BY ECONOMIC SECTOR, FOR THE STRATA AND THE TOTAL SAMPLE	19
1.4	THE ECONOMIC GROWTH OF THE INDIAN POPULATION THE OLD BOROUGH OF DURBAN 1870-1896	21
1.5	AREAS OF ORIGIN OF FOUNDERS OF BUSINESS	26
1.6	TYPES OF INDIAN BUSINESSES IN THE CENTRAL BUSINESS DISTRICT IN DURBAN	27
2.1	FIGURES OF INDENTURED IMMIGRANTS ARRIVING IN NATAL 1860-1911	61
2.2	LANGUAGE AFFILIATION OF SOUTH AFRICAN INDIANS (1970)	62
2.3	THE NUMBER OF ECONOMICALLY ACTIVE POPULATION OF SOUTH AFRICA EMPLOYED IN AGRICULTURE 1921-1946	69
2.4	NUMBER OF INDENTURED AND PASSENGER INDIANS ENTERED AND LEFT THE COLONY OF NATAL BETWEEN 1900-1903	71
2.5	RELIGIOUS AFFILIATION OF INDIANS IN SOUTH AFRICA, 1970 POPULATION CENSUS	73
2.6	SOME EARLY POPULATION FIGURES OF NATAL AND SOUTH AFRICA	78
2.7	POPULATION OF NATAL (excluding Kwa Zulu)	78
2.8	KWA ZULU POPULATION (Population Census 1980)	79
3.1	EDUCATIONAL ATTAINMENTS OF CONTROL GROUP IN BUSINESS	92
3.2	TYPES OF BUSINESS	102
3.3	SPOUSE SELECTION IN CONTROL GROUP	152
3.4	APPROXIMATE INCOME ASSESSMENT	153
4.1	ORGANIZATION OF BUSINESS	188
6.1	THE ADVANTAGES AND DISADVANTAGES OF THE DIFFERENT TYPES OF MARRIAGE TO THE BUSINESS AND THE FAMILY	293
6.2	DISTRIBUTION OF SUICIDE BY RACE AND SEX ABSTRACTED FROM COURT RECORDS - DURBAN, 1940-1960	310
6.3	ATTEMPTED SUICIDE ADMISSIONS TO R.K. KHAN HOSPITAL (INDIAN) IN THE YEAR 1980 (DURBAN)	310

MAPS AND DIAGRAMS

FIGURE		Page
1.1	LOCATION OF STUDY AREA (DURBAN)	2
1.2	LOCATION OF CASE STUDIES IN GREATER DURBAN	3
2.1	STRUCTURE OF INDIANS IN DURBAN	61
3.1	GENEALOGY OF FAMILY A	104
3.2	GENEALOGY OF FAMILY B	112
3.3	GENEALOGY OF FAMILY C	117
3.4	GENEALOGY OF FAMILY D	123
3.5	GENEALOGY OF FAMILY E	128
3.6	GENEALOGY OF FAMILY F	133
3.7	GENEALOGY OF FAMILY G	140
3.8	GENEALOGY OF FAMILY H	144
4.1	DEVELOPMENTAL CYCLE SHOWING "NORMAL" PROCESS OF GROWTH AND FISSION AND MODERN CHANGES	168
5.1	CHARTER OF NORMS AND VALUES IN THE FAMILY AND BUSINESS	209
6.1	TYPES OF MARRIAGES	294
6.2	FLOOR PLAN OF DWELLING (The house of Ramchuran)	297

PHOTOGRAPHIC ILLUSTRATIONS

PLATE

Page

1	(a) Old : Durban Central Trading Area (1870) (b) Old : Durban West Street (1870) (c) New : Grey Street Indian Trading Area (1982)	17
2	(a) Indian Family of Indentured Origin (b) Husband and Wife worked together in the Sugar Fields and later in Trade	67
3	(a) Early Indentured Cane-Cutters (1860) (b) Market Gardeners in Springfield Flats	70
4	(a) Grey Street Mosque (1929) (b) Indian Hawkers Displaying their Goods on Roadway in Durban (1920's)	74
5	(a) Successful Trader's Business Premises (Exterior) (b) Office of Owner of above business	135
6	(a) House of Indentured Indian in Early Days (b) House of Indian of Indentured Origin Today	155
7	(a) Indian Indentured woman with her children (b) Women Market Gardeners Selling Their Produce	250
8	(a) "Sapta Mundir", Hindu Temple in the Grey Street Complex (b) "Jumma Musjid", Mosque in the Grey Street Complex	328

APPENDICES

APPENDIX		Page
A	MAJOR LEGISLATION AFFECTING THE SETTLEMENT, LAND AND TRADING RIGHTS OF INDIANS IN SOUTH AFRICA	386
B	LEGISLATION AFFECTING INDIAN LAND TENURE, TRADING AND LABOUR IN NATAL AND OTHER PROVINCES IN SOUTH AFRICA	388
C	LEGISLATION AFFECTING INDIAN LAND TENURE, TRADING AND LABOUR IN THE TRANSVAAL	391
D	LAWS AFFECTING THE INDIANS IN THE ORANGE FREE STATE AND THE CAPE	393
E	LEGISLATION RELATING TO INDIAN FRANCHISE AND OTHER POLITICAL RIGHTS	394
F	LEGISLATION AFFECTING EDUCATION	396
G	LEGISLATION AFFECTING WELFARE	397
H	TABLE SHOWING ANALYSIS OF WHITE, COLOURED AND INDIAN INCOME IN ECONOMIC AND SUB- ECONOMIC AREAS IN DURBAN	398
I	MEMORANDUM TO THE HONOURABLE MINISTER OF COMMUNITY DEVELOPMENT ON THE QUESTION OF REMOVAL OF THE RESTRICTION OF RESIDENTIAL DEVELOPMENT IN GREY STREET	399
J	EXCERPT FROM THE ADDENDUM TO THE MINISTER OF COMMUNITY DEVELOPMENT ON THE QUESTION OF REMOVAL OF THE RESTRICTION OF RESIDENTIAL DEVELOPMENT IN GREY STREET COMPLEX	404
K	THE HINDU SUCCESSION ACT, 1956 (APPLICABLE IN INDIA)	406
L	PRINCIPLES OF INHERITANCE IN ISLAMIC LAW	409
M	NEWSPAPER ARTICLE - FINANCIAL MAIL, 12 JUNE 1981	411
N	DAILY NEWS - NATAL - (1981)	412
O	HINDU AND MUSLIM ORGANISATIONS IN DURBAN	413
P	MARITAL POWER	415

CHAPTER 1

INTRODUCTION

This is a study of Indian family businesses in the central business district of Durban, a sea port on the coast of Natal, in South Africa (See Figs. 1.1, 1.2). The city of Durban lies on the south eastern coast of Southern Africa in latitude 29⁰50' South. The south coast line is interrupted by the seaward-jutting land spits of the Bluff and the Point which enclose the expansive bay of Durban. The city has grown around the bay. The port has played a major part in the growth of the city and continues to be an important factor in its economy. The port has great beauty as a centre for ocean liners, whalers, tankers and yachts. Durban attracts tourists and is known for its beautiful beaches, hotels, restaurants and curio shops with arts and crafts which are a manifestation of the many cultures it represents, viz., that of the three continents, Africa, Europe and India. The churches, mosques, temples and curio markets add to its cultural variations. Durban has a sub-tropical climate and its mild dry winter climate is one of the city's greatest assets as a holiday resort providing comfortable physical conditions.

Durban is the third main industrial centre in South Africa with industry being the most important sector of the economy. It depends to a large extent on the plentiful supply of cheap African labour. The racial composition in Durban is unique when compared to the

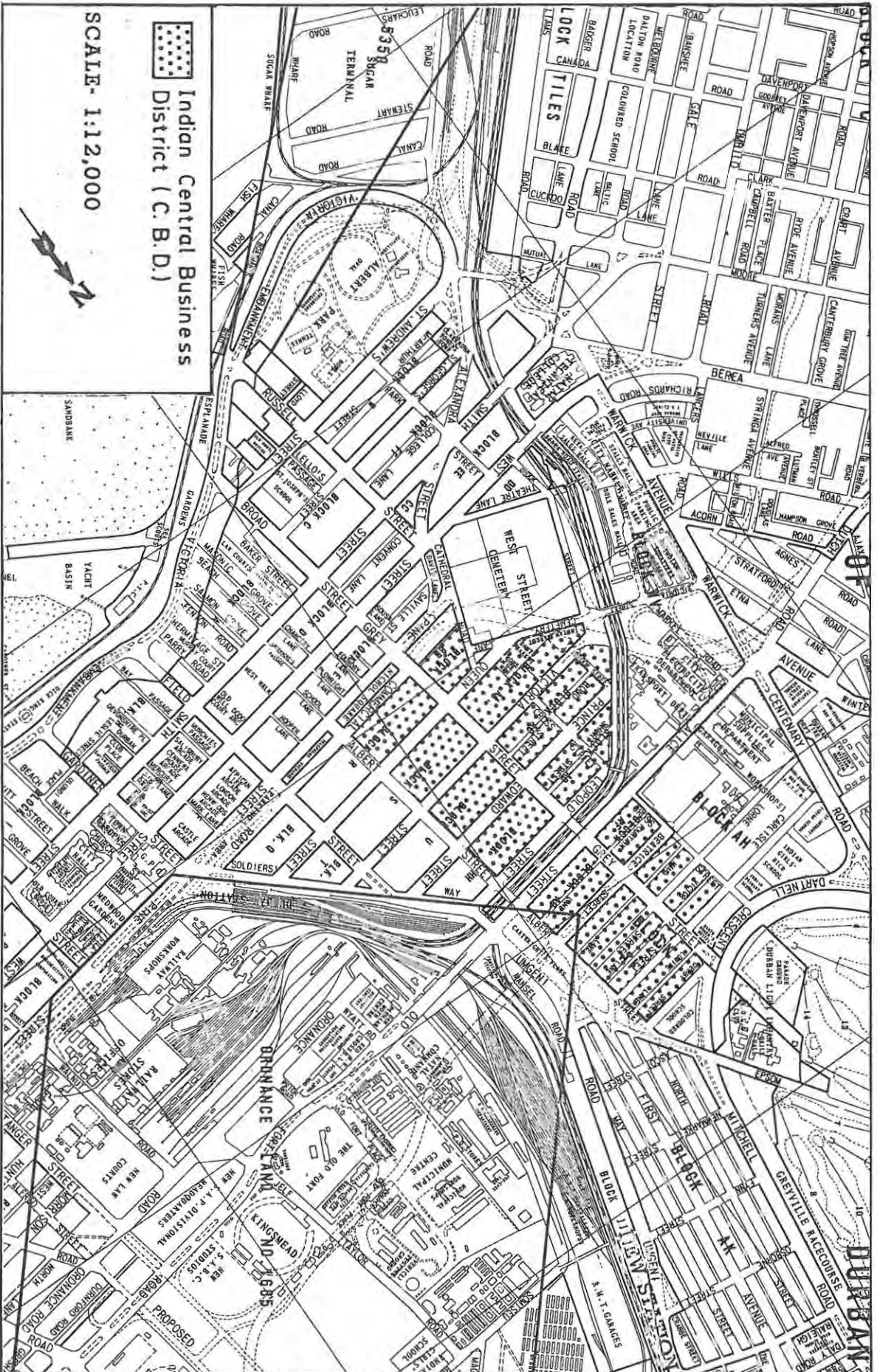


FIG.1.1 : LOCATION OF STUDY AREA (DURBAN)

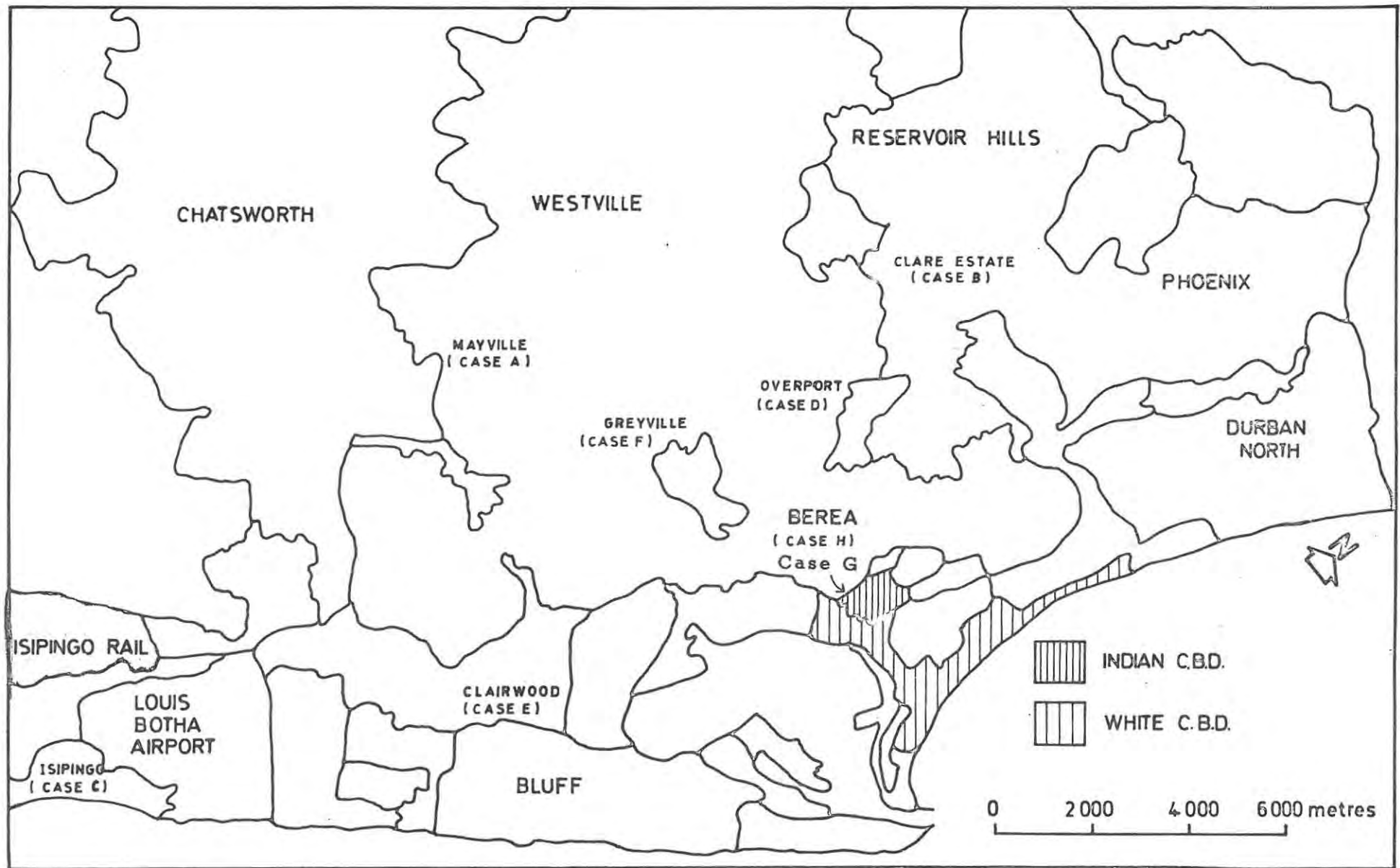


FIG. 1.2 LOCATION OF CASE STUDIES IN GREATER DURBAN

other cities in South Africa as it has the largest concentration of Indians in South Africa. The population growth of the Indian in the city of Durban was restricted in the early days by their settlement in peri-urban areas which were suitable for agricultural pursuits. Durban, through its City Council, has shown the greatest enthusiasm for compulsory segregation and has indeed contributed to the planning of Group Areas legislation for the country as a whole (Kuper, Watts and Davies (1958: 34). It was in the late stage of the history of Durban that Indians began to acquire properties in the more desirable European areas. This led to European agitation and the appointment of commissions and interim 'pegging' legislation (See Appendix B).

In South Africa the Indian businesses were started by families, for instance husbands and wives in the early days, after the expiry of their contract as "indentured" labourers, or by "passenger" Indians. I chose to study Indian family firms for several reasons. First of all because this field has not been studied by any anthropologist in South Africa, although there are articles written on the subject by economists and sociologists in other parts of the world. Then too, the approach in the latter studies was not anthropological and did not cover the relationship between the family business and family life. The part women play in the family business was not explored. I felt therefore, that there was a need to study this field, although the chief problem was the paucity of theoretical material available on the subject.

In Durban, an immigrant group, most of whom were indigent labourers, when they came, and which had been subjected to a wide range of

discriminatory laws and practice, has established a large and successful business district, largely on the basis of family firms. (See Fig. 1.1). We ask, how was this possible, and what part has the joint family played in this major economic development?

Having been reared very close to the central business district, I was able to make unsystematic observations from childhood, and established a wide network of personal, kin and affinal ties in the community. As a trained anthropologist, attempting to step back from this experience and to order my observations systematically, it was necessary to study a representative group and to seek understanding in a more comprehensive way, lest my perspective as an "insider" limit my perceptions to my own idiosyncratic network.

The operation and function of family firms are today exposed to various urban and western influences which are militating against their survival. In addition the 'joint family' itself is not as common as it was a decade ago. The breakup of the traditional joint family is due to various external factors, such as government legislation which gave rise to housing schemes in keeping with the spatial segregation of the Indian population and other reasons for expropriation of homes, building of roads and highways. Internal factors such as widening professional opportunities for Indians via education, and western values of individuality also contribute towards the breakdown of the joint family and development of the nuclear family.

Although in the majority of cases the 'group areas' legislation had an adverse effect in breaking up joint living, in some cases it compelled it. In the cases of wealthy businessmen it was possible to reconstitute the joint-family, even though the 'group areas' proclamation necessitated the removal of the Indian families into specific areas especially designed for their occupation (such as Chatsworth and Phoenix). The overall effect of the 'group areas' in the study was to force the families into a reconsideration of their way of living. Since I deal with an elite group there were those for whom the 'Group Areas' was an opportunity as well as a constraint. While in some cases (such as Cases B and E) large plots were available to build houses that accommodated all the married sons, in other cases (such as H) brothers bought small plots in close proximity. Our evidence confirms that wealthy families are likely to remain joint, though these families may not be joint in all respects.

The son's desire for professional qualification may be a factor that inhibits his participation in the family business, as not all the sons in the family are absorbed in the family business, some pursuing medical and legal careers. In a number of cases there were sufficient hands in the business, and it was not necessary to employ more sons. Moreover some sons wish to pursue their desire for self-fulfilment to seek a professional qualification, instead of joining the family firm. In the early days the lack of educational facilities for Indians encouraged the sons to join the family firm, as there was little opportunity for careers. There are opportunities which sons can take advantage of, besides finding self fulfilment in filial piety and loyalty in the business.

As businesses developed, it was more profitable for the family to employ low paid workers and educate its own members for professional careers, than for it to use its own members to do everything. But sons who have chosen professional careers for the sake of independence, prestige and in some cases higher incomes, retain their interest in the family business by attending meetings and contributing towards the making of decisions, since the sons are shareholders. In other cases, however, sons submit to paternal authority and accept a lower wage optimistically, in the knowledge that they will eventually inherit the family business.

This study investigates the strength and weaknesses of the family business. It shows that as income rises and the family business flourishes, this does not necessarily lead to the breakdown of the joint family. If it does the sons in the nuclear families are still seen as constituent coparcenary members.

The study deals with an economic elite and their success as part of the rest of the Indian community. The study covers a small number not characteristic as far as their prosperity goes, of the total Indian community. The vast majority of Indians are employees and not employers. The joint family business can only be the norm if it does not employ a substantial number of Indians, who, if employed outside clearly cannot be in their own family business. Nevertheless this small number has been successful despite impediments.

Central Business District (or CBD) comprises of properties in Central Durban bounded from the points where the middle of Grey Street intersects the middle of Derby Street, north east along the middle of the said Derby Street, Albert Street, Commercial Road, Grey Street,

Pine Street, Cathedral Road, Queen Street, Cemetery Lane and Victoria Street to the point where it intersects the south eastern boundary of the railway reserve; thence generally north-east along the south-eastern boundary of the railway reserve to the point where it intersects the middle of Cross Street; thence north-west in a straight line to the point where the middle of Alice Street, thence north-west along the middle of the said Cross Street, Carlisle Street and Grey Street (See Fig. 1.1). The Indian central business district comprises of a net area, (excluding roads) of 22.23 hectares.

The family firms in the central business district in Durban must be seen as a community that has wider networks outside the community. (See Fig. 1.2). Besides economic ties with other groups, there are also those of a socio-cultural and political nature. Although there are bonds of a cultural (kinship and caste) and spatial (occupation and residence) nature, these are merely categories of identity in the community, and do not hamper the networks outside the community which have proved to be important economically and politically. In the early days the business community was small but today it has become a large community.

As the families expanded and sons married, many could no longer live above the business premises, as was customary, especially the married sons. In addition to the expropriation of properties brought about by the Group Areas Act for road construction, highways and for residential segregation of the different race groups, the families

would have fragmented due to the natural developmental cycle, with the death of the head, accommodation problems or family dissension. Besides looking at the family firms against the background of its networks with the wider community, it is important to see the family businesses against the background of a set of values traditionally held for generations. The family is hierarchically organized and the head has undisputed power and authority in the family and business. The members of the family owe their allegiance not only to the head, but to the family as a whole.

In looking at the Indian central business district one is looking at a fortunate community compared with Indian communities in other parts of South Africa. For example Johannesburg has a smaller population of Indians but a large number of Indians have been displaced as a result of the Group Areas Act. Natal Indian businessmen, as Tables 1.1 and 1.2 show, are more fortunate than Indian businessmen in the Transvaal. (John Western 1981: 82).

TABLE 1.1 : BUSINESS DISPLACEMENT BY RACE AND PROVINCE
(1975 FIGURES)

RACE	CAPE	TRANSVAAL	NATAL	TOTAL
White	3	8	10	21
Coloured	38	33	11	82
Indian	139	668	470	1 277
Chinese	3	-	-	3

TABLE 1.2 : PLANNED BUSINESS DISPLACEMENT BY RACE AND PROVINCE

RACE	CAPE	TRANSVAAL	NATAL	TOTAL
White	48	-	12	60
Coloured	195	48	4	247
Indian	897	2 332	552	3 781
Chinese	617	-	-	617

Tables from John Western (1981, 82)

THE NATURE OF THE PROBLEM

A characteristic feature of many Indian businesses in South Africa is that they begin as family concerns and often remain so, even when they become relatively large. It is therefore, likely that there

are important connections between the growth of such businesses, and the developmental cycle of the so-called 'joint' family. A business goes through a period of growth which may be followed by proliferation, as new businesses are opened, which prepares the way for fragmentation when the patriarch dies, and the sons decide to divide the estate. In the first phase there is one business complex with the patriarch, his wife and perhaps young sons. In the second phase there is one business complex with the patriarch, his wife and adult sons with several shops, hotel or factory. In the third phase, the patriarch dies, his widow and sons are left to manage the business. In the fourth phase the widow dies, the sons and grandsons are very likely to fragment the business. Each son with his family, takes his portion. This is the ideal model which assumes that the sons and the business multiply at the same rate (or the business more rapidly). Where businesses grow more slowly than sons, they have to hive off to labour to become independent entrepreneurs or professionals. A limited amount of work on such connections has been done in India, but so far nothing specific in South Africa. It is likely that there are both similarities and differences, so that the research would be of comparative, as well as local significance. Among the topics to be investigated would be: on the one hand, the types of businesses, division of labour, conflicts, decision-making and management styles, and on the other hand, the inter-connections of all these with the coresidential, commensal, and coparcenary aspects of the 'joint' family. The research would therefore contribute to the study of entrepreneurship and to the anthropological study of family and kinship.

I argue that there is a relationship between the 'joint' family and economic (business) development and that contrary to the general belief that the joint (or extended) family is an inhibition to development, it has been in Durban, a positive element. There are many forms of family business and relationships between kin groups and business which are not always clearly defined. The joint family business, far from being a hindrance to economic growth is an excellent institution for the concentration of capital, which is a precondition for growth. In Durban, where Indians have had problems in competing for capital and other resources in the open market, the value of the joint family business may be even greater.

The evidence casts doubt on the traditional arguments of economists, who contend that, any inhibition on the free movement of factors of production through market mechanisms is bad for growth, and also, the socialist economic models which distrust commercial activity for profit, and the accumulation of privately owned capital.

If the joint family concern survived the vicissitudes during its initial period of development over the last century such as low capital, restricted access to a ready and profitable market, lack of trained and available family and kin, then it may be logical to conclude that it was culturally and economically appropriate. It is still flourishing to a large extent and its viability is indicated in part by its durability over the past century, and its adaptability to changing circumstances.

The joint family firms in Durban also refute the many unfounded assertions against them, such as nepotism, for example, which is

looked upon as a disadvantage in that it is morally unfair and also that it is inefficient. Nepotistic systems can compete effectively in the open market, even when hampered by bias and prejudice.

In the Durban situation the joint family firms are in a sense unique, because of their historical background and development, but can be compared to family firms in other parts of the world. The reasons why the Indians have achieved their relatively high level of prosperity, are the advantages of the joint family system, for instance the pooling of resources which are ploughed back into the business, and loyalty of the sons. Also, there is the ability of the large joint family firms to improve the professional skill and expertise of their sons, by sending them to obtain diplomas in business management and administration, so that their newly acquired skills can be of advantage to the progress of the family business. In this case the sons are obliged to return to the family business because the father draws finances from the business to improve the skills, with the expectation that the sons will be an asset to the business.

Two distinct scales of joint family concerns have developed in Durban. The small scale joint family business has relied heavily on sons and kin to run the business, while trying to improve their skill by education. The large scale joint family concerns have incorporated outsiders as highly trained personnel, in addition to the family members in the management of their business such as engineers and accountants. In this case considerable growth and expansion was noted. A linear process which can be arrested at

any point, develops with the family business, which provides all its own labour, to the managerial family, which hires its labour, and to the controlling family which employs its managers and professional specialists.

While this study does not overlook the limitations which a family business places on a son, in his own personal advancement, at times stifling his initiative, and preventing him from taking risks to develop his own business, and show his own drive and initiative, it argues, that in the long run the advantages of running a family firm far outweighs the disadvantages. It is generally a case of share in the family business or have no business of your own - so be employed. Under certain circumstances, the joint family business has advantages over other forms of organization, particularly when there is difficulty in raising capital in the open market due to legal and customary discrimination by the dominant group. In the long run sons tend to gain, since they stand in line to inherit as coparceners, and also gain social prestige as the business flourishes and capital accumulates. Some of the businessmen serve on the local political bodies, by virtue of their wealth and influence in the community.

THE BUSINESS COMMUNITY : THE INDIAN ELITE

The area of study, Durban, was chosen not only because of its proximity to the writer but because Indians are dominant in Durban in terms of numbers, and the Indian central business district represents the largest Indian trading area in South Africa. This is due to the fact that most of the indentured labourers were employed on the sugar estates immediately to the north and south of Durban. The indentured Indians who left agriculture for other

occupations, turned to their own people for their markets in trade, hence their concentration in Durban. The unwillingness on the part of the other provinces to share the Indian population has contributed to the concentration of Indians in Natal and more particularly Durban, which as a port and latterly the major industrial and commercial centre for the region, offered better employment opportunities for the working class Indian, and better trade facilities for the Indian businessman than any other town in Natal. Perhaps a brief look at the historical background of Durban will enable us to see the development of Indian family businesses in correct perspective.

HISTORICAL BACKGROUND OF DURBAN

The functional evolution of Durban dates from 1824 when whites settled on the shores of the Bay of Natal and established a primitive ivory trading post. Set in territory occupied by African tribes, lacking a material exchange economy and without an urban tradition, the trading post phase persisted until after 1838.

Durban underwent a functional transition after the arrival of the Boer trekkers in Natal. This process was stimulated by the trade that had developed with Pietermaritzburg and with those Boer settlers who remained in the interior. Wholesale and retail firms and financial institutions were established while small scale manufacturing enterprises processed local agricultural produce, increasingly dominated by sugar cane from 1850.

The cultural and social development was particularly apparent by the publication of the first newspaper in 1851, a library in 1853 and a philharmonic society in 1854. Schools and churches were also created. In 1854, Durban had a total white population of 1 024 and it assumed the status of a municipality. For more than fifty years following the formative phase, the economy was geared to the forwarding and distributing trade, together with a marketing and retail trade, which formed the basis of the economic functions of the town.

In 1910, when the Union of South Africa came into existence, and more particularly during the period of the first world war, there was a gradual transition in the economic function of Durban. By 1911 the total population composition had undergone a radical change and had assumed a multi-ethnic character. There was a population of 115 023 of whom 34 per cent were European, 47 per cent Indian and 19 per cent African. This reflects in particular the growth of the Indian population in Durban during the immigration period between 1860 and 1911. (See Plate 1, (a), (b) and (c)).

Briefly the functional evolution of central Durban spanning nearly 143 years since 1824 has been marked by four major phases of economic growth, namely the trading post phase, the formative phase, the post formative phase and the modern phase. It was during the post formative phase that permanent Indian settlement emerged in Durban, a factor which gave rise to marked changes in the urban ecology of the city in later years. These changes include the evolution of Indian trade within central Durban and a commercial core characterised by a racial dichotomy in the form of a White and Indian trading sector.



(a) Old : Durban Central Trading Area (1870)

(b) Old : Durban West Street (1870)



(c) New : Grey Street Indian Trading Area
(1982)



The Business Community : The Indian Elite

Hilda Kuper (1956) developed the concept of the Indian elite in politics, intellect, business, sport, recreation and entertainment. In her discussion of political elite, she used membership of the Natal Indian Congress as criteria. This political body is not recognised by the government and is voiceless. The various bodies dealing with political and civic matters of the Indian community are the South African Indian Council, local affairs committees and the ratepayers associations. (A significant point to bear in mind is that not all members of the Indian community recognise the South African Indian Council.)

The political Indian elite today in Durban is monopolised by the trader class as stated by Kuper: 1956. Almost the entire membership of the government appointed South African Indian Council is drawn from the business elite. There are very few from the professional class in the South African Indian Council or those employed by employers.

A survey of the distribution of workforce by economic sector of Indians in the CBD, which was carried out by the Institute for Social and Economic Research at the University of Durban-Westville found that 31% of their sample (1 753) were commerce orientated and 43% in manufacturing. The data was collected in 1978 and compiled in 1982. (See Table 1.3).

Hilda Kuper's (1956: 133-136) statement that the core of the wealthy elite in business and professions emerges from the ex-indentured, applies today. The business elite in Durban is not restricted to Gujerati Hindus and Muslims, the other Hindu groups have made greater strides in the business world. In the early days, however, the wealthy elite was drawn from the 'passenger' group.

TABLE 1.3 : PERCENTAGE DISTRIBUTION OF THE WORKFORCE BY ECONOMIC SECTOR, FOR THE STRATA AND THE TOTAL SAMPLE¹

Economic Sector	Housing Scheme		Private Development		Informal Areas	Total Sample
	Flats	Houses	Flats	Houses		
	%	%	%	%	%	%
Manufacturing	60	49	15	34	59	43
Commerce ²	19	24	61	38	18	31
Services ³	11	14	13	13	7	13
Transport and Communications ⁴	4	8	4	5	7	7
Building and Construction	4	3	3	6	6	4
Finance ⁵	1	6	3	3	0	1
Other	1	1	1	2	3	1
N	151	770	151	495	186	1 753
Missing Data	%	7	3	3	2	3

1. The term 'Workforce' includes both workers and the unemployed.
2. Including catering, accommodation, wholesale, retail and the motor trade.
3. Including educational, medical, welfare, local authority, provincial and government services.
4. S.A.R.&H., Post-Office, transport and storage.
5. Separate figures were not available for women.

Source: Butler-Adams J (1982): Institute for Social & Economic Research. University of Durban-Westville.

The business elite are mainly the wholesale and retail merchants, manufacturing agents and landowners. They form a significant part of the membership of the political bodies. All the business heads earning R200 000+ in the study belong to bodies such as the local affairs committee and ratepayers association and also compete for membership of the South African Indian Council. (See Table 3.4). It is this wealthy elite group which donates large sums of money to academic, technical and religious institutions which bear their family name in appreciation. The only channel to elite status is through the family business.

The businessman in the middle category (R100 000 - R200 000) contributes towards the cultural, religious and welfare organizations more than to the political bodies. The third category (R50 000 - R100 000) involves itself almost entirely to cultural, religious and welfare matters to the exclusion of politics. According to officials of the Grey Street Local Affairs Committee, the small trader realises the need for political change and supports the political leaders. (See Appendix 0 for list of Indian organizations.)

The professional group form an elite group as distinct from the commercial and as an intellectual elite they enjoy the admiration of the community. Pierre Van Den Berghe (1964) in his study of Indians in a suburb of Durban which he called Canelands, describes the merchants and professionals as "mildly antagonistic groups". My contention is that they are not so much antagonistic as competitive for symbols of opulence.

The growth of Indian trade in Central Durban gave rise to a structural and racial dichotomy not found to the same degree in any other major city in South Africa. Table 1.4 illustrates the economic growth of the Indian population in the old borough of Durban in the early years of settlement.

TABLE 1.4 : THE ECONOMIC GROWTH OF THE INDIAN POPULATION IN THE OLD BOROUGH OF DURBAN 1870-1896

Year	Indian Population Old Borough	No. of Indian Stores	Property	Valuation £
1870	668	2	2	500
1875	698	11	9	3 000
1880	3 309	37	50	15 000
1884	3 711	64	118	28 000
1889	4 853	85	131	31 590
1896	+ 8 000	251	200	80 000

Source: Mayors' Minutes, Durban

The growth of the city in this phase of development was focused on the white central business district which expanded along central West Street. The influx of Indians into Durban from 1870 gave rise to an Indian trading class within the city and more particularly within the central area. The economic status of Indians at that stage largely precluded them from acquiring ownership of property in the established white business district. They were obliged to choose cheaper land on the periphery of the established business district and mainly in the north western swamp girt fringes where they developed shops and shacks. As a result of political and legal

factors (the relevant ones are discussed in chapter 2) the Indian business sector has remained in the north western quadrant of the central area. In the process of development, residence was pushed outward into the more peripheral areas. Due to the shortage of land, flats had evolved on the upper floors of buildings occupied by Indians. The northern sector of the central area of the city became associated with scattered Indian settlements and the commencement of Indian commercial and residential developments.

Indians engaged in trade in the central business district, are juxtaposed to the White community which trades in a segregated area nearby. While Indian trading areas exist in other towns and cities in the Republic of South Africa, the central business district is the largest and most complex Indian business quarter in the country and contains the greatest concentration of Indian retail, wholesale, light industrial and office establishments. It represents the outcome of a process of economic development within the Indian population over a period of one hundred and twenty-one years.

The buildings in the central business district, a decade ago did not exceed five storeys. Today there are higher buildings which are in keeping with the growing economic stature of the Indian businessmen.

Although there is a conspicuous absence of many public companies, there are, however, private companies. The demand for floor space is still increasing with the growth of the Indian business.

An increasing proportion of businessmen live above their place of work. This is a reflection of a cultural tradition which was prevalent in the early days to a large extent. It is also common today. This type of residential accommodation is particularly prevalent among the Gujerati-Hindu section of traders. Restrictions have been imposed by the Durban local authorities to prevent residential development. This matter has not been resolved as representations are being made by Indian leaders to set aside the restrictions. For decades the businessmen not only lived in the flats above their business premises, but also occupied flats in other streets in the central business district. Others too, who do not have businesses in the area and commute to work in other areas live in flats. The number of residential flats have increased over the years. But, however, not all the needs of the Indian community living in the area are catered for. There are no recreational facilities such as playgrounds for children, parks, or sufficient creches and nursery schools. Despite the lack of facilities the Indian youth population has managed to build clubs and indoor recreations for themselves, such as squash courts, badminton and table tennis facilities.

While some wealthy businessmen have homes in the suburbs in addition to their flats, others occupy homes in the suburbs only, and do not have to support flat dwelling.

The Indian central business district does not only have business premises, but is a meeting place for Hindu and Muslim cultural needs. One hears the loud blaring of records, to attract the attention of potential customers, who come out of the cinemas which are next to the record shops. The cinemas attract large crowds and show mostly Hindi, Tamil and English films. Shops specialising in Indian wear such as saris, Indian sandals, groceries, Indian spices and condiments, abound. Indian schools which cater for vernacular education in the afternoons are also situated in the central business district. Other cultural and religious centres are also situated in the central area such as the famous Grey Street Mosque, which is extremely large, and temples where *satsangs* (religious meetings) are held weekly. Community halls in schools are also used for concerts, religious meetings and eistedfods.

It is the presence of the aged father with stick in hand, balding pate, and pipe that adds strength and character not only to the particular business but to the whole central business district. The patriarch is the backbone of the business, which, in all cases in the study, had changed premises several times, from a humble one room set up where the business was conducted, to the present, often large, air conditioned, modern business premises, with the latest fixtures and fittings such as intercommunication systems, xerox machines and computers.

FIELD WORK METHODS

The Indian central business district in Durban, commonly known as the Grey Street Complex comprises of approximately six hundred small and large scale retail and wholesale outlets. They are run by traders of the following cultural groups: Hindi, Gujerati, Tamil, Telegu Hindus and Muslims. See Table 1.5.

A study of every fifth business in the Indian Central business district (i.e., 120) showed that they were joint, run by either father and son (sons) or brothers. The majority of the Muslims were mainly in the retail drapery business in addition to other retail outlets such as footwear, spices, grocery, butchery, cosmetics and furniture. The Gujerati-Hindus are mainly sari merchants, jewellers and wholesale grocers, in addition to other types such as curio, and drapery outlets. These two 'passenger' groups found an economic niche in these trade outlets from the early days and therefore had a headstart. The Hindi and Tamil and Telegu Hindus went into a variety of types of occupations from hoteliers to funeral undertakers. See Table 1.6, cultural and ethnic groups which lists of types of occupation. Note that the list on Table 1.6 shows the main types of occupations.

A representative grouping of fifty businesses out of one hundred and twenty, were interviewed in depth to provide an example of different types of businesses. The fifty businesses were chosen because:-

- (1) They represented the Muslim and Hindu groups.
- (2) They were of indentured and passenger origin.
- (3) They represented the small and large retail and wholesale outlets.

TABLE 1.5. : AREAS OF ORIGIN OF FOUNDERS OF BUSINESS

Indian Group	Language Group	Origin of Forefathers	TOTAL
Hindus	Hindi	North India	19
	Gujerati	North West India	39
	Tamil	South India	11
	Telegu	South India	1
Muslims	Surtee	North West India	35
	Hydrabadi	South West to Central India	10
	Meman	North West India	5
TOTAL			120

TABLE 1.6 : TYPES OF INDIAN BUSINESSES IN THE
CENTRAL BUSINESS DISTRICT IN DURBAN

Type of Business	Hindi- Hindu	Tamil- Telegu- Hindu	Gujerati- Hindu	Muslim	TOTAL
Draper	-	-	2	19	21
Jeweller	1	2	8	-	11
Sari Merchant	-	1	11	-	12
Grocery Retail/ Wholesale	2	1	8	1	12
General Dealer	-	-	1	8	9
Furniture Manufacturer Retailer	-	-	-	1	1
Clothing Manufacturer	-	-	-	2	2
Curio	1	1	2	4	8
Tailor	1	-	4	1	6
Footwear	-	-	-	2	2
Cinema	-	-	-	2	2
Chemist	-	-	1	1	2
Photographer	2	-	-	-	2
Printer	3	1	-	-	4
Stationers	3	-	-	-	3
Hotelier	1	2	-	-	3
Restaurant	-	2	2	7	11
Undertaker	-	2	-	-	2
Radio/Television And Music	3	-	-	-	3
Travel Agent	-	-	-	1	1
Electrical Motor	-	-	-	1	1
Motor Trimmers	2	-	-	-	2
	19	12	39	50	120

- (4) They represented a diversity of types of businesses such as drapery, jewellery, footwear, curios, furniture dealers, hoteliers, printing and record firms.
- (5) They were accessible and willing to be interviewed.

Out of the 120 businesses 88% were joint and 12% nuclear. The 12% which were nuclear could be seen as a phase in the developmental cycle of the joint family. Further, the 88% were joint family businesses in the coparcenary sense even though a substantial proportion were not joint in the coresident sense.

The study area is the Indian central business district (or Grey Street Complex). In so far as the work refers to individuals outside the Grey Street this is because they are residing outside the area and have businesses in the central business district.

Where examples are cited, these are from case histories extracted from the 50 cases explored in depth to provide examples of different types of businesses. A small number of family firms from the suburbs was also interviewed because of their large scale nature, joint living and unique type of business when compared to other Indian ethnic groups. Examples are, the metal industry, which is the only one of its kind run by a Hindu in Natal, and a hotel business run by

a Hindu which neither Gujerati-Hindus who are commonly vegetarians nor Muslims who customarily do not take alcohol, can run. Information from my M.A. thesis on the developmental cycle of the joint family in Durban was also used, in addition, knowledge and observation of the Indian family and culture accumulated for over thirty years, provided a useful background.

Interviews were conducted personally with the managers, their sons, daughters and where possible, with workers. Interviews were made by appointments in advance. Often they took place at odd hours, on numerous occasions, at night. Timing was extremely difficult as many managers and heads of businesses were busy, almost perpetually. In some cases I had to wait for weeks until the head of the business was available. My own extensive contacts and those of my deceased father often eased the difficulties in obtaining an appointment. There was always the problem of suspicion on the part of the informant that I would use the information against him, either to his economic disadvantage or to assist a business rival or enhance my own status at his expense.

The interviews were repeated several times on different topics with the same individual, for instance, father or son, with an interim period in between, to avoid harrasing the informant. The businessmen

at first showed great reluctance to be interviewed particularly because of the personal and confidential nature of the information I was seeking. It was due to a lot of persistence and the use of other contacts that interviews were possible. Sons were fearful of giving information, and in fact answering the simplest question without their father's permission. Fathers were on the whole most formidable. However, confidence was gained very gradually. At first there was obvious fear that the information given might jeopardise the informant's income tax situation. Some thought that I was interrogating them for political ends. On countless occasions, appointments were cancelled without prior notice. Rebuff, discourtesy and rudeness was encountered on many occasions.

Eight cases were chosen for intensive interviewing and by this time one would have thought that contact would be easier. With some it was, while others regarded me as a permanent part of the fixtures and fittings and ignored my presence.

The interviews with wives, daughters-in-law and daughters in the household were less formal, with the atmosphere more relaxed. The topics discussed concerned commensality rules, rights, duties, residence arrangements, conflicts and religious activities. Traditional Indian hospitality at times was forthcoming and welcome. Some women, however, refused to be interviewed until the evenings, in the presence of their husbands.

I planned a questionnaire which I did not conspicuously use, but which I constantly referred to during the interview. I noticed that questionnaires tended to make the informants impatient and their answers short and hasty. Open end questions tended to be most advantageous as one question led to another and the informants were then inclined to talk freely. The questionnaires were augmented with in-depth interviews which were only possible after the initial introductory interview which was short and took place to make contact. The interviews were conducted over a period of two years on a part-time basis.

Participant observation was most difficult. Although participant observation did take place it varied with the different businesses, as it depended on the degree of acceptance of the interviewer who was generally looked upon as a nuisance. I sometimes had to wait for hours before I was noticed and spoken to. A few businessmen allowed me to serve behind the counter (without handling the till!) while others felt extremely uncomfortable when I persisted.

I checked certain statements made by the father about his sons with the sons, in a disguised manner, often alluding to the question, and *vice versa*. I found senior 'outside' workers who had a long service history very reliable. Documentation in the form of wills and historical material was obtained from the Supreme Court, and the archives in Pietermaritzburg and libraries in Durban, which collect material on the history of Indians. The historical background of individual families, was obtained from the most senior member of the particular family in question. Data could not be successfully

checked with female members of the family as they were often guarded or made it clear that they were ignorant about the question. At times some business rivals were helpful in providing general information, but were guarded when it came to specific information.

It was not always possible to use network techniques to meet up with people in the Grey Street area, as most people are in competition with each other and secretive. As this thesis shows, the Indian families are hierarchical and authoritarian, but at the same time driven by conflicts based on sex and an orientation towards values of individualism. In order to obtain the viewpoint of a junior member, he had to be interviewed privately, and not in the presence of a senior person to whom he owes deference and respect. Indian businesses in the central business district are open from dawn till late, six days a week, which mean that proprietors and employees have very little time for interviews and are also not keen to be interviewed on matters which may be used to their detriment.

The greatest difficulty was encountered in the area of financial information. There were problems with exact dates of death and spelling of names of deceased relatives, which had to correspond with those in government offices in order to obtain documentation. On the whole informants tended to present very ideal pictures particularly in the area of intra-family problems. Muslims were inclined to present a picture of a society living by the tenets of Islam. They were concerned that I being a Hindu, would write critically about Islam, or make derogatory statements against Islam, which would not help Islamic propaganda.

Within the community, there are cleavages in different axes and the religious cleavage is the most pronounced. It is cross cut by language, caste and class, and people are very sensitive about the social enclaves in which they are set. For example a Gujerati-Hindu marrying anybody who is not a Gujerati is bad, but marrying anybody who is not a Hindu is worse. A Muslim on the other hand, will accept converts.

People reacted to me in a particular way because I am a female (discrimination was obvious), Hindi-speaking, doctor's wife, head of department at a university and public speaker on Indian cultural affairs. However, the advantages I have had are that (a) the study is a culmination of thirty years of living with the community, (b) the study provides some quantification and a corrective agent against a natural inclination to generalise from one's own experience to the group as a whole. A value of the study is that the Hindu community is divided into many different structures. Since the Indian community is highly fragmented, an educated Hindi-speaking female has different types of rapport on the basis of age, sex and ethnic group. An anthropologist stands in a position in the community as an outsider, which simplifies the problems to some extent. To some I am their daughter, to others I am an alien creature. Thus with this background of the central business district and the fieldwork methods we should now look at the theoretical framework of the study.

THEORETICAL FRAMEWORK OF STUDY

The assertion that family firms are detrimental to economic development, because they are based on nepotism and paternalism which foster inefficiency, is challenged by the following people. Burton Benedict (1968), whose data was drawn from two family firms from East Africa, also uses material from Europe, India, Lebanon and Pakistan. Raymond Owens (1968), carried out his research in the industrial city of Howrah, West Bengal, India. Wayne Nafziger (1969), challenges the contention of development economists that the institution of the extended family is a major barrier to entrepreneurial activity. Robert Kerton (1970), in his study of the extended family in the West Indies also challenges the assertion that the extended family breaks down as income rises, and that such a breakdown is desirable from the point of view of economic development. His paper is based on the fact that the extended family can be a source of entrepreneurial strength. He asserts that the family is an effective decision-making unit and the principal sharing unit. He disagrees with Bauer and Yamey (1957: 64, 67), and Lewis (1955: 113-120), who assert that the growth of income has a disintegrating effect on the extended family, and the extended family by acting on incentives has a retarding effect on the rate of economic growth. This is true only to some extent, as the growth of income does lead to better education and therefore a more professional choice, particularly where there are sufficient number of sons in the business.

Lewis (1955: 114) argues, on the whole, that the extended family system has tremendous advantage in societies living at a subsistence

level, and not appropriate where economic growth is occurring. He asserts that in such societies it is a "drag on effort". For growth depends on initiative and is likely to be stifled, if the individual who makes the effort is required to share the reward with others, i.e., the demands for support from a large number of distant relations. This acts as a deterrent to making superior effort, the system he says, is a drag on initiative because it provides everyone with automatic insurance against want, thereby diminishing mobility, thrift and enterprise. Lewis states that even a strong sense of family obligation can be a bar on success when a man appoints relatives to jobs for which they are unsuited. It is not always possible that a member of one's family is the most talented and appropriate person to appoint in one's business. One might have confidence in him because of his upbringing. Lewis argues, furthermore, that where several members of a family are involved in a business, if each pulls his weight, then the family sentiment may be a source of strength. But he asserts that it is frequently a source of weakness "...the most enterprising and successful individuals are those who have no family obligations and who are therefore able to stand by themselves." (Lewis 1955: 115). Lewis fails to draw the important distinction between the unambiguously bounded joint family and the extended family or kin network. In the former the productive and consuming group is small and highly disciplined, and recognises no claim by outsiders to its resources such as Lewis implies.

In his concluding remarks on the family he makes some concession on family sentiment in business, which, he says is its strength. In

societies where men cannot rely on strangers to give faithful service, the family may be the most appropriate unit for large scale enterprise, for example, brothers or cousins running a chain store type of retail trade. He says, even if there is dishonesty, the money will remain in the family. He concedes that a talented family may be greatly advantaged by sticking together. He stresses that the advantage is lessened as administrative techniques improve and it is easy to appoint strangers to managerial positions, with the hope that they will not embezzle the funds.

Our evidence in Durban refutes some of the arguments that Lewis postulates above, the joint family has shown its strength in running family firms in a community (South African Indians) which is not at a 'subsistence' level, as he states that the extended family can only have strength in societies at a subsistence level. In Durban the family firm has not proved to be a "drag on initiative" as Lewis puts it, (although he says that it is mainly a 'drag' when it has to meet claims of distant relatives) in fact it has proved successful and has contributed in no small way to the economic development of the country.

The joint family does not stifle enterprise or mobility. Our evidence shows that where the family firms are organised, and each member pulls his weight adequately and also improves his qualification, the family firm grows in stature. Lewis's statement that the family may be the most appropriate unit for large scale enterprises where a society cannot rely on strangers is contrary to our evidence. In Durban the Indian businessman can employ strangers in their firm but choose to employ the family members who have proved competent. The joint

family has proved an efficient organization for capital accumulation and that its success is reflected in its durability.

Lewis also states that it is arguable whether family continuity is good or bad for economic growth. Family tradition has certain advantages such as inheritance of a special skill: it can give one a certain confidence, but there are disadvantages. Lewis states that too much looking backwards upon history is bad for a community which has new challenges. The traditional patterns may have been excellent for their times, but may be unsuitable for the present with its different problems. He goes on to say that occupational mobility also is diminished if tradition insists that sons must follow in their father's footsteps. Evidence from the Durban study shows that there is diversification when the business prospers, as this makes it possible for the head to try other ways of extending his business interest.

In agreement with some of the above is Cohen (1974) whose central postulate is that family systems and business systems in modern India frequently place conflicting demands on family businesses. Cohen states that an important way of understanding behaviour in both family and business systems is to identify the existing role expectations, the beliefs members have about the ways in which they should behave towards one another with the actual behaviour of the members.

Cohen points out that in the mutual expectations of members of a system is a very important category of sentiments, which contributes to the stability of the system and the sustaining of relationships

between them. These sentiments appeared in the Durban study to be in the minds of family members in business, the mutual respect for the common goal of success for the business. Also, there prevailed the acceptance of the patriarch as head and respect for him and acceptance of roles and duties to be performed by each member of the business. Although these sentiments promoted business solidarity, they did not at the same time provide family solidarity as often there were underlying conflicts between father and son or among brothers, which produced tension in the business and were perceived in the family.

The conflict situations in the business and family is an extremely delicate matter, and it was difficult to elicit honest opinions from informants who often wished to give a picture of an ideal, harmonious situation, filial piety and paternal authority. The family is sensitive about its reputation in the community and fears villification by business rivals. Family tolerance and harmony is frequently exhorted by fathers. Sons will be patient, if the alternative is too ghastly to contemplate. Sons emphasized their loyalty, deference and respect for their father as well as a certain amount of fear for him. There were times when father and sons were at loggerheads with one another and there was dissension in the one sphere (business) which affected the other sphere (family). The family gives the impression to the outsider that there is harmony and the family is united against outsiders. But there are underlying conflicts as will be shown in the chapter on relationship and decision-making. Disputes relate to a variety

of matters such as the allocation of finances for the families, expenditure, the household budget, the children's education, the buying of furniture and overseas vacations.

Studies of industrialization have shown that economic development everywhere takes the same general form. Parsons (1951: 182-191) suggests that with the increasing economic rationality come changes in the social system including an increasing percentage of nuclear families. Others such as Fursterburg (1960: 337) and Goode (1963: 239) have suggested that nuclear families are an important precondition to industrialization or that they develop rapidly as industrialization occurs.

Our evidence shows that this is not always true. Those families which do split into nuclear family units do so because of the various external factors mentioned earlier on. Although these factors lead to the establishment of nuclear families, the sons remain coparceners though they are not commensal or coresident. The term coparcener which may be defined as sharing common property might also imply tacit agreement of sharing as this sharing is often not stipulated in a legal document. When father dies, sons will inherit. In some cases because of housing shortage where there were flat dwellers, the family took adjoining flats with interleading doors, so that the families could have access to one another.

At this stage, perhaps we should look briefly at the family business in the industrial world which will show that the prevalence of family firms is not an ethnic peculiarity confined to Indians but are found in other parts of the world.

THE FAMILY BUSINESS IN THE INDUSTRIAL WORLD

Raymond Owens (1968) asserts that studies of the family and industrialization in India, have not consistently shown the same correlation between industrialization and an increasing incidence of nuclear families. He states that the reason Indian studies present a confusing array of contradictory results is because there are a variety of definitions of 'family' and industrialization. His work in the city of Howrah, West Bengal as well as that of Ames (1970), Singer (1968) and Kolenda (1968), have suggested that the cause for the confusion may be the presumption, that industrialization is a uniform process which affects all the individuals and groups in society in the same way. Owens contends that individual and group self-interest vary widely, consequently, the economic value to an individual of living within a joint family, or of making use of

the authority structure and role relationships of a joining family also varies widely. Our evidence shows that the success of family firms depends largely on the relations between fathers and sons and between brothers, the ability to maintain an *esprit de corps* in the work situation as well as in the house, as the relationship in the one sphere affects the other. The research findings of the above authors Ames, Singer and Kolenda tend to share similarities with the Durban situation.

Owens (1968: 229) stresses the importance of trust and loyalty between family members, especially the skill of the *Karta* (head) in resolving disputes and building relationships of trust. Where trust is lacking the family business usually divides. He also contends that the most stable of commensal joint arrangements is the lineal joint family which he found in his work in Howrah. The conflicts were more common in the joint households of brothers than in lineal joint households. The Durban situation is in agreement with this assertion as lineal families are sustained by paternal authority and collateral families fragment by fraternal rivalry.

Khalaf and Shawyri (1966) in a Lebanese study state that the relationship between traditions and industrial development or economic growth has always been subject to some moot and controversial considerations. Ever since Max Weber made the distinction between rationality and tradition, as the prime variable in differentiating technologically advanced economics from underdeveloped societies, this debate does not seem to have lost any of its polemical fervour.

The extended kinship system, and its associated attitudes seems to be most widely decried by students of economic development. In fact, many failures and shortcomings of the industrial system are frequently attributed to the continuing dominance of the family firms or family dominated enterprises. The "patrimonial manager" is often depicted as being nepotistic and paternalistic and a conservative who resists change and is autocratic. All these factors, it is said, render the family firms incompatible with the logic of industrialization as a rational process. Khalaf and Shawyri (1966) support the contrary point of view, that traditional norms in general and family firms in particular may exert a supportive rather than a subversive influence on industrial growth. This is particularly so of a society in transition, such as Lebanon where family firms have performed some vital functions. They combine the virtues of the two worlds - the tested tradition of the past along with the rational and secular requirements of a contemporary society. Khalaf and Shawyri's central thesis is that family firms may have reinforcing rather than retarding effects on industrial development. The bulk of the evidence is derived from extensive case studies of family firms, and answering the assertions made against family firms, mainly by economic development students, that patrimonial enterprises act as deterrents to industrialization. Being rooted in the community, the family firm may play a key stabilising role in development (as opposed to simply growth and modernization) as unlike the multinational "rational" corporation it is in the area to stay, not to raid the environment and the market only for as long as its profit level cannot be exceeded elsewhere in the world.

Khalaf and Shawyri argue the contention that extended family's control of an enterprise enables less competent members of the family to hold managerial positions, for which their training and ability would not otherwise qualify them. They argue that the patrimonial manager should not be depicted as an autocratic despot, jealously guarding his authority and decision-making prerogatives. Paternalism is apparent in many employer-employee relationships. Many business managers are averse to innovation and change and fear taking risks.

Khalaf and Shawyri contend that the traditional norms of the Lebanese culture have not been swept aside by industrialization. The culture has reinforced and assimilated a good part of the demands of industrialization. The assertions made against family firms in Lebanon do not apply. In the final analysis, in a plural economy, the family business survives only for as long as it competes effectively against bureaucratized business, which in Durban it has done.

Singer, in Singer & Cohn (1968: 431), discusses the application of the genealogical method to a study of the relations of the Indian joint family to developing industrialization, which he states, is a method which offers a good prospect of avoiding sterile assumptions which have beset the study of modernization in India and elsewhere. One of these is the assumption that modernization is an abstract force, in the form of industry or urbanism, confronting the force of traditionalism in the form of traditional societies and traditional cultures. Another assumption is that such confrontation must lead to the breakup of the traditional social and cultural forms, and

if this breakup does not occur, then the forces of traditionalism must have been too strong, and we should expect a failure of modernization and a persistence of the traditional forms. My research shows that the joint family has proved an efficient organization for capital formation and that its success is reflected in its durability. The cultural values of authority and loyalty contribute positively to the process.

Singer's study (1968) in Madras bears similarity in some aspects to the Durban study. The move to the city has not destroyed large family households but at the same time Singer concedes that the trend to the nuclear family is unmistakable and is functionally associated with the move to the city and industrial entrepreneurship. But this does not necessarily lead to the loosening of kin ties which may even be strengthened. For every item of evidence indicating structural change, there is a complementary item of evidence indicating structural continuity and persistence. The families in nuclear households in Madras maintain joint family obligations, and continue to subscribe to the norms of that system such as worshipping, having meals, visiting and other family obligations as in the Durban study.

Singer discusses the 'compartmentalization' of the business and the home, symbolising separate spheres of conduct and norms in Madras. The domestic sphere is traditional and religious and the individual sphere, modern and secular. The home is the sphere of religion and traditional values and the office the sphere of business and modern values. It is not quite the same in Durban. The Muslim businessman in Durban does not depart from the traditional patterns as far as

religious obligations are concerned; for instance he closes shop at noon on Fridays and assembles in the mosque to pray. In some businesses there are prayer rooms for the staff to enable them to pray five times a day. The Hindu is less overt in maintaining traditional observances and is satisfied in the knowledge that the women are carrying out their religious observances. The religious observances are not elaborate but rather contracted among Hindus in Durban. In this respect there is similarity with the Madras Hindus which Singer refers to as 'vicarious ritualization' (1968: 443). Singer's Madras study on the whole, suggests that the traditional joint family system and many of the practices associated with it, offer some distinct advantages for organising an industrial enterprise. An advantage of nepotism in family firms is that financial resources can be ploughed back into the family firm, rather than invested outside (as seen in the Durban study). Although this might appear to inhibit the large scale accumulation of capital necessary to develop industry on a modern scale, it was nevertheless shown that finances invested back in the large family business led to expansion in the form of branches. This necessitated the recruitment of outsiders, who, however, were not given rights of control as this responsibility was reserved strictly for family members. Managerial rights were at times extended to outsiders in large firms. Trust and confidence appear to be vital virtues which the head of the business seeks, and finds in his own sons or brothers rather than from outsiders. The fact that a father can leave his son in charge of the family business, with all its financial responsibilities and go on an overseas visit for six months, reflects his trust in his son.

Wayne Nafziger (1969) who studied the effect of the Nigerian extended family on entrepreneurial activity, also refutes the claim of development economists, who contend that the institution of the extended family is a major barrier to entrepreneurial activity. An economic analysis of the extended family in the West Indies made by Robert Kerton (1970) questions the assertion that the extended family breaks down as income rises, on theoretical and empirical grounds. Kerton contends that the breakdown of the extended family is not desirable, from the point of view of economic development. He points out that the participants in an extended family find the arrangements mutually valuable and that the extended family can be a source of entrepreneurial strength.

Along with the views that defend the family firm's development is the popular opinion that when family and business are interrelated, a less efficient business enterprise generally results. But Donnelley (1960) states that a close examination of the subject suggests that this belief may be unfounded. It ignores the fact that effective administrative practice is founded on an understanding of all human relationships, as they affect an organization and not on a denial of them. Where such understanding is present the family firm has generally evolved organizational procedures and traditions that have capitalized on those aspects of the interrelationships, which are of direct value to the long term interests of the firm and family. The success of many family companies indicates that ignorance of the relationships involved and not family participation *per se* is a key factor in the success or failure of such firms. (Donnelley 1960: 105).

A number of authors writing on family firms have used the term "extended family" or "family". Some have defined the terms while others have not. One really does not know what kind of "family" the author is referring to. The following authors have not defined the term extended family: Benedict (1968) in his East African study, Barth (1963) in his study in Eastfjord, Thomas Smith (1961) in his study of landlords' sons in the business in Japan, Comhaire (1953) in his study of the economic change and the extended family in Belgium, and Khalaf and Shawyri (1966) in their study of family firms in Lebanon.

Though the above articles are relevant from the point of view of analogies to the Durban situation, one experiences a sense of frustration by not knowing whether the authors are in fact referring to an extended family which bears resemblance to the joint family in Durban. One can only assume that the type of extended family they are talking about is similar to the traditional Indian joint family in some respects and not in others. I wish to highlight therefore, some of the views on the extended family. Murdock (1961: 37-51) states that an extended family consists of two or more nuclear families affiliated through an extension of the parent-child relation, rather than of the husband-wife relation, i.e., by joining the nuclear family of a married adult to that of his parents. He gives as an example, a patriarchal family which embraces an older man, his wife, his unmarried children and his married sons and their wives and children. They live under a single roof or in a cluster of dwellings. There is confusion created by descriptive accounts of family structure wherein terms are used rather loosely. Hence, if

one were to study the characteristic family structure in a particular society, conceptual clarification and operational specification of the varieties of existing family structure are indispensable.

In the United States and Britain it is evident from the authors Raymond Firth (1964) and Robin Williams (1956) that the 'typical' meaning of family seems to be the conjugal, immediate or nuclear family, hence Firth's term extra-familial kin. But Dube (1963: 177-178) states that the size and actual composition of a family often denotes only a particular stage in its developmental cycle. Simple families grow into extended families and then break up into simple families again. Most empirical studies which include family variables use the household as a most functional unit of analysis. Sol Tax (1963) observes that in the Guatemalan Indian village, the household is not only the primary social unit, it is also an economic unit since it includes those who live under one roof, or in one compound, and a common kitchen. Each member of the family tends to own property and to keep track of his own earnings and contributions for common needs. A similar observation was made by Geertz (1965: 3) in Java where each household is seen by the members of other households as a social unit, in terms of borrowing, lending of labour and the attribution of general social status.

Fortes in Goody (1958: 18) sets a paradigm distinguishing three main stages or phases in the developmental cycle of the domestic group. There is first the phase of expansion, that lasts from the marriage of two people to the completion of their family of procreation, then there is the phase of dispersion or fission - this

begins with the marriage of the oldest child and continues until all the children are married. When the youngest child remains to take over the family estate, this commonly marks the beginning of the final phase, this is the phase of replacement. Fortes makes it clear that phases in the developmental cycle of families vary in different societies. In the Durban study, the nuclear family in which the son, a coparcener, is living separately, can be looked upon as a transitional family, geographically dispersed. The family unites during life cycle ceremonies and other exigencies, performing all the rights and duties expected of them.

The nuclear family is a conjugal unit consisting of only two generations, husband, wife and unmarried children. If the sons are married it ceases to be a nuclear family; a nuclear family can be looked upon as a phase in a developmental cycle, if one considers the point that families go through developmental cycles just as individuals who compose them go through their life cycles.

There are numerous variations in views on the extended family. Raymond Owens (1968) distinguishes between commensal and coparcenary family and the term family refers to the hearth group, the group that budgets and eats together. He calls a family that contains one married couple a nuclear family - two married couples, related to each other is joint. In a lineal joint family, the husbands are related as father and son. In a collateral joint family the couples

are related through a brother - brother tie. Owen emphasizes that in a coparcenary family, members are owners of joint property it is clear who the head or *Karta* is and that certain role relations are expected among coparceners. His definition is clear and related to the Durban situation.

Wayne Nafziger in his Nigerian study, asserts that the joint or extended family involves a system of shared rights and obligations encompassing a large number of near and distant relatives. The individual receives the right security and support from the group in return for the obligations to share his wealth and provide support and security for the members of the group. His definition is not quite specific as "near and distant" relatives could mean a large number of agnatic and other relatives. He also uses the term joint and extended as similar terms. Extended kin might incorporate the wider kinship group.

Robert Kerton on the other hand, in his analysis of the extended family in the West Indies asserts that the "family" is usually an effective decision-making unit, the principal sharing unit. Murdock (1961) in his study of the Japanese village, used shared residence or membership in the same household as the basic frame for anchoring the extended family.

So far Raymond Owen's explanation of the joint family is clear as he discusses the coparcenary commensal and coresidential aspects. Although Cohen (1974) gives a lucid explanation of the extended family, in his study in India, he asserts that the extended family

includes a large number of parents, children, grandchildren, uncles, aunts and nephews, interrelated by many mutual obligations of support and help. Cohen, however, does not discuss the coparcenary, co-resident and commensal aspects, nor the distinction between lineal and collateral relatives in an extended family. He illustrates an additional dimension to the problem of defining the extended or joint family and its business. There may be different degrees of involvement in the production side (business) and different sorts of rights involved ranging from the legal/moral right to a defined share in the estate, to a vague moral obligation on the part of coparceners to assist indigent kinsfolk who request help, in essence, the difference between "full time involvement" and responsibility for mutual aid only when asked. The boundary of the family then becomes somewhat arbitrary.

It is important to consider Tambiah's views as he quotes the *Mitakshara* law, the source of Indian customary law. Tambiah in Goody and Tambiah (1973: 75), highlights the distinction between the social demarcation of the joint family, as a collection of kin maintaining a common household (e.g., residence and common cooking) with the legal definition of the Indian joint family as a collection or group of coparceners in landed property. Tambiah asserts that the notion of joint family in a classical emic sense (formulated in *Mitakshara* law) as a group of coparceners can minimally include two persons (father and son or two brothers) and maximally, some four generations of males who have joint rights to corporate property but need not be coresident. Thus the legal concept of the 'joint family' need not coincide with the sociological conception in terms of a collection of coresident families enjoying some sort of household economy.

Tambiah quotes Mayne (1883: 230):

When we speak of a Hindu joint family as constituting a coparcenary, we refer not to the entire number of persons who can trace from a common ancestor... only those persons who have a right to enjoy and hold the joint property, to restrain the acts of each other in respect of it to partition. Outside this body there is a fringe of persons who possess inferior rights such as that of maintenance or who may, under certain contingencies, hope to enter the coparcenary.

Tambiah adds that the Hindu joint family consists of a collection of persons who have interests in a common estate but that the membership is highly differentiated in terms of the rights enjoyed. Although the backbone consists of coparceners there are other subordinate members who have rights of claim over the estate (Goody and Tambiah 1973: 75).

On the notion of coparcenary Tambiah states that it is the coparceners who are the sharers at partition, they can alienate and partition the property, membership is confined to the male descendants in the male line from a common ancestor. A coparcener is one whose membership is acquired by legitimate birth or by valid adoption. Coparceners enjoy the benefit of survivorship (i.e.,

inherit the property of deceased coparceners). The Durban situation recorded the *putrikaputra* - the daughter treated as a son, the fact that in the absence of a son, the daughter becomes the link in the chain of continuity. But it should be remembered that this situation is not common.

Shah (1974), Karve (1953: 10-11) and Bose (1963) all agree that the joint family is a group of people who generally live under one roof, who eat food cooked at one hearth, who hold property in common, who participate in common family worship and who are related to each other. The commonality of the kitchen as the hearth seems to be a crucial determinant in identifying a joint family. Apart from emphasizing the genealogical, coresidential and commensal aspects Shah (1974: 113) uses the term coparcenary to refer to the implicit parts or shares which certain members (usually the males) of the family have in property that is jointly owned. I do not wholly go along with the "commonality of the kitchen as the crucial determinant, as the study showed sons and their families coresident not commensal but still coparceners, and an integral part of the joint family.

The authors cited above assert that the urban family at present is in transition towards the natural family (sic) comprising the couple and their unmarried children. But the transition is in no way complete, and many families still exhibit features of a joint family - with several generations living together. The Indian nuclear family is not the same as the western nuclear family as it is bound by traditional values and obligations. Not only is the Durban situation in agreement with Shah (1974), Karve (1953) and Bose (1963), but it shows that there can be a preponderance of joint families where there is a strong family business and also that sons after the demise of the patriarch do not cease to be coparceners though they may be living separately. Thus the concept of the 'joint family' has been used in varying and even conflicting ways by different writers leading to confusion and making comparisons difficult, if not impossible. Attempts have been made recently to reduce confusion and foster comparisons by specifying more precisely what is meant by 'joint family' (e.g., Madan 1963; Kolenda 1968, Shah 1964, 1974). Although no agreed single definition of the concept has resulted from these attempts, what has emerged from them is that at least four aspects need to be distinguished. These are the genealogical, the coresidential, the commensal, and the coparcenary aspects which I am going to use as the criteria for the family business, more particularly as an ideal type since not all the joint families have all these characteristics which make up an ideal joint family. When I use the term 'family' I mean the joint family, unless otherwise qualified.

The above discussion on the 'joint family' shows that the overall concept of the 'joint family' is a compound and flexible one.

The term joint could then refer to a jural social unit of a patrilineage group descended from one man (or a group of brothers) which is partly coparcenary at least, and which is a corporate group against other joint families. The group is coresidential, but not commensal, nor coparcenary; or a group that is coresidential and commensal but not coparcenary; or a group that is coresidential coparcenary, but not commensal; or even a dispersed group that is still coparcenary, but not coresidential and therefore not commensal (Jithoo 1978: 89).

In the Durban study the coparcenary aspect was a common and prominent factor in the joint families, but there were variations in the degree to which each family was commensal and coresident. Key characteristics common to the joint families are that the head is either the father in a lineal joint family or the senior brother in a collateral joint family, and that these heads have undisputed authority, which is accepted and respected by all the members of the household. Though consultations and discussions take place between father and son, and among brothers, the ultimate power lies in the hands of the head.

The extended family appears to recognize kin relations, beyond that of husband and wife and unmarried children, shared responsibilities and maintenance of expressive relations beyond the nuclear family. If these three elements are not present to any degree then the extended family is non-existent. It seems that while the above characteristics are not mutually exclusive, empirically, extended families might actually distribute themselves in a continuum, based on the number of such elements present and the degree to which these

"ideal type" characteristics manifest themselves. When I use the term nuclear family I mean the family of husband, wife and unmarried children, a coresident and commensal unit. A joint family can be a coresident and commensal unit made up of three lineal generations or a collateral unit of siblings and their children. The extended family in the study consists of members not lineally descended from the founding patriarch or a group of brothers. The distinction between joint and extended is that members of a joint family are shareholders and coparceners but the kin employed in the family business form the extended family and do not have the same rights. The joint family in Durban is bounded and ideologically distinct, and which perceives accretions as such, but not as rightholders in the family estate.

The term conflict is often used and needs clarification. In the context of this study the term conflict is used to mean quarrels, or clashing of opposed principles, which at times can lead to insults and mutual vituperation, but they do not necessarily lead to fission of the family. When a conflict becomes very serious and irreversable, then this can lead to a rift, and segment the family, the sons are then likely to set up separate households.

Modernization refers to aspects of organization techniques and technology developed in the last generation or two.

Westernization refers to cultural values such as agnostic individualism and emancipation from traditional values.

Urbanization refers to a concentration of people who reside and generate their energies in the cities.

Industrialization is the process of greater dependence of the community on large scale production enterprises.

The term Indian, incorporates both Hindus and Muslims in South Africa therefore when I refer to 'Indians' I mean both Hindus and Muslims. (The Muslims are not known as Pakistanis in South Africa as they are referred to in other areas where the Indians have emigrated). When I use the term Hindus I mean all the Hindu language groups, i.e., Hindi, Tamil, Telegu and Gujerati. Care should be taken not to confuse the Gujerati speaking Hindu with the Gujerati speaking Muslim. Both speak Gujerati because they come from the province of Gujerat (North West India), but belong to two different religions (Hinduism and Islam).

Karta means head of the business usually the father, one who owns the business, therefore he has power over the sons, other members of the family and workers in the firm. A son, or the *Karta's* wife when the *Karta* dies can have power and authority vested in them and therefore take the place of the *Karta*. The eldest brother in a group of brothers running a business can be *Karta*.

I have presented the thesis in eight chapters including the following aspects: introduction, which deals with the area of study, field methods and conceptual framework; historical background of Indians; development after the period of indenture; the family business - a joint concern, relationships in the family firm; the part played by women in the family business; religion and the family business and conclusion.

CHAPTER 2

HISTORICAL AND CULTURAL BACKGROUND OF INDIANS IN DURBAN

Indian immigration into Natal has been investigated by many authors among whom are Kuper (1960), Meer (1969), Palmer (1957), Pachai (1971) and Calpin (1949). Therefore, I do not consider the historical background in detail, but only the salient points relevant to this study, which are primarily the distinctions between indentured and passenger Indians. Even these distinctions have been transcended to a considerable degree in the present generation.

The development of the sugar industry in Natal stimulated the immigration of indentured Indian labourers to South Africa in the nineteenth century. During the 1860's the white farmers depended upon African labour, but the Zulu, a "proud military people were not yet prepared to sell their labour for long stretches of time to the white man whose economy and whose values were alien to their own" (Kuper 1960: 2). For various reasons Africans were unwilling to work in large numbers for long periods on the sugar estates.

A study of Indians by Pierre Van Den Berghe in an area along the North Coast which he called 'Caneville' was grown out of a sugar belt. The 'indentured' Indians who came to Durban from 'Caneville' came earlier to trade than those who could have come but remained in 'Caneville'. The Durban Indian community is similar to that in Caneville, but the experience has been substantially more urbanised. There were more opportunities to trade in Durban, while in 'Caneville' there were opportunities for agriculture.

Opinions differ on the white attitude to manual labour. Mabel Palmer states that it was unreasonable to expect the European to undertake manual labour in the semi-tropical conditions of Natal and in the psychological climate of South Africa (Palmer 1957: 10). Some writers state that there just weren't enough whites to work in the sugar plantations as manual labourers even if they were willing to. The problem of labour became so acute that assistance was sought from outside the colonial borders. The British government in South Africa began negotiations with the Indian government to import labourers, after efforts to import labour from Europe had failed. (Ferguson-Davie 1951).

AREAS OF ORIGIN

The Indians in South Africa (apart from the small but growing proportion of Christians, (originally Hindus who converted to Christianity) are mainly divided into Hindus and Muslims.

The Indians came from different regions in India and represent a diversity in culture. The Hindus are divided into four language groups viz., Hindi and Gujerati from North India, Tamil and Telegu from South India. The Tamil, numerically the largest of the Hindu groups in South Africa came mainly from the districts of Madras, Tanjore, Chidambaram and allied areas. The Telegus, smallest of the Hindu groups came from the state of Andhra. The Hindi were drawn largely from the northern areas Bihar, United Province, Lucknow, Jaipur, Cawnpore and Calcutta. The Gujerati Hindu came from the province of Gujerat, in the areas known as Kathiawad, Surat and Porbander.

(See Figure 2.1), (table 1.5).

Table 2.1 shows the steady rise in Indian immigration from 1860 to 1905 and a drop in 1911 when the repatriation scheme was introduced. Note the percentage of women immigrants which was half that of the men.

The Muslims also came from the same area as the Gujerati Hindu. Among the many sects are Surti, Sunni Vohras, Memans, Pathans, Khans, Shaikhs, Miabhais and Hyderabadis. The languages spoken are Gujerati, Urdu and Meman, of which Gujerati and Urdu are most popular.

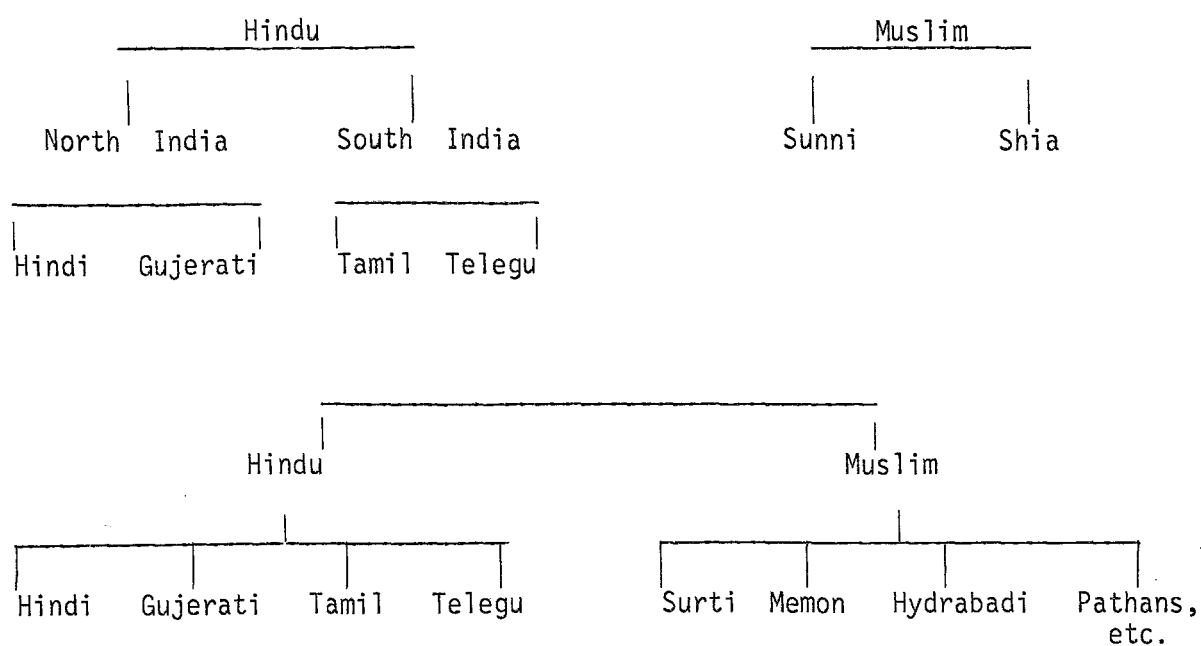
LANGUAGE TIES

The Muslims who came from the same province (Gujerat) as the Gujerati Hindus speak the same language. Several Gujerati Hindu and Muslim informants spoke of common home villages, that of Kator and Porbander. Contact is still maintained by many who make bi-annual visits and send funds to maintain poor relatives.

While some of my informants remembered the exact villages of origin of their forebears, others were very vague and could only state the region. There were several forebears of passenger origin who came from Mauritius, having gone there to investigate business prospects and commuted for a year or two before eventually choosing to settle in South Africa. Table 2.2 shows the language affiliation of the South African Indians. Although Tamil and Hindi appear to preponderate numerically, it is Gujerati and Urdu which are being perpetuated by the Gujerati Hindu and the Muslim.

Although there is a paucity of research data available on language affiliation of Indians, Table 2.2 is a fairly reasonable representation of the language affiliation of Indians in Durban. It also shows the tendency for Indians to communicate more in English (28.5%) in Natal, than Afrikaans, which is commonly spoken in the Transvaal.

Fig. 2.1 : Structure of Indians in Durban

Note:

Indian Christians consist of Hindu converts mainly of Tamil origin.

TABLE 2.1 : FIGURES OF INDENTURED IMMIGRANTS ARRIVING IN NATAL
1860-1911

Year	Men	Women	Children	Total
1860	572	242	99	913
1865	793	238	97	1 128
1884	1 927	703	333	2 963
1890	2 639	1 061	707	4 407
1900	3 168	1 305	962	5 435
1905	4 797	1 948	1 172	7 917
1911	3 196	1 366	513	5 075

Source: Adapted from Choonoo A.G. (unpublished M.A. thesis, University of Natal)

TABLE 2.2 : LANGUAGE AFFILIATION OF SOUTH AFRICAN INDIANS (1970)

(Adapted from D. Dughwan in Pachai (1979:469).

<u>LANGUAGE</u>	<u>NUMBER</u>	<u>PERCENTAGE OF ASIANS</u>
Afrikaans	4 638	0.7
English	180 040	23.5
Afrikaans & English	33 419	8.3
Tamil	153 669	24.4
Hindi	116 510	18.5
Gujerati	46 037	7.3
Telegu	30 690	4.9
Urdu	38 846	6.2
Other Indian	15 375	2.4
Chinese	3 877	0.6
Other	5 073	0.8
Unspecified	2 291	0.4

Although the Gujerati Hindu and the Gujerati-speaking Muslim share a common linguistic tie, the two groups are different in other cultural respects because of their different religions, that of Hinduism and Islam respectively. The two groups functioned separately socially from their early days in South Africa. There are separate socio-cultural clubs and organizations to which the two groups belong. Although each functions as a separate ethnic group, they nevertheless have close economic ties as there are private and public business companies, members of which belong to both groups.

DRESS AND DIET

As far as other aspects of culture are concerned there is much overlapping in dress, diet and general way of life of the Hindus and Muslims. Although many Hindus and Muslims wear western dress, the traditional costumes have not been abandoned altogether, particularly among the older generation.

The Hindu males do not wear the traditional *Kurta* (dress-like shirt). They wear the western trousers, jacket and shirt. The Hindu females have retained the traditional six-metre *long sari*, which is worn mainly by married women on religious and social occasions, more than at any other time. Muslim males also wear western dress. One commonly sees Muslims wearing the traditional fez (hat) and orthodox men wearing *Kurta* (traditional shirt) on festive and religious occasions. It is customary for Muslim women to wear *Kurta* and *ijar* (trousers) and *downee* (scarf) which is used to cover the head (often in the presence of men) as a mark of respect. The average Muslim college student, however, like her Hindu counterpart have taken to wearing 'jeans' and sweaters.

From my observations there are more Muslims than Hindus who cling tenaciously to food taboos. The Muslims are more conscious of this, and are staunch believers in the orthodox rules and regulations laid down in their scriptures and follow them scrupulously. They think of themselves as an ethnic group apart from the Hindus, despite the prevalence of social and economic integration. Their religious life is extremely well organised. All business premises are closed between 12 noon to 1.00 p.m. on Fridays, when men congregate at the nearest

mosque to offer their prayers. One of the customary rules rarely violated is the taboo on pork and also the insistence on eating '*halal*' (meat slaughtered in a Muslim butchery). In this respect the Hindus are more flexible and westernized, eating meat, and at times abstaining from it for religious reasons, for instance during fasts, feasts and festivals. There is, however, a tendency for many Hindus to say that they are vegetarians for health reasons.

It is, however, common to see Hindus violating the taboo on pork and beef. Gujarati Hindus in this study, whose forebears were strict vegetarians, did not adhere to strict vegetarian diets.

The younger generation violate food taboos outside their homes, though they observe their diet in their homes, for fear of criticism from the older generation.

The dietary rules have the effect of compelling caste endogamy and hence associating within the commensal group. A Gujarati Hindu of high caste will prefer to marry within the same caste, because of his vegetarian custom.

At this stage, since the discussion centres on the cultural background of the Indian, it is pertinent to discuss briefly the caste system. A more detailed discussion will be relevant in relation to the study in the next chapter.

The caste system together with the joint family formed the social structure of the Hindus in India where it persisted almost unhampered

for generations. In South Africa the caste-system prevails in a somewhat restricted manner among the different Hindu language groups.

The indentured labourers were prevented from observing all the caste restrictions from the outset, as they came out together on board the same ship, worked together on the same plantations and lived in the same barracks. They also ate and drank together, thereby violating the commensality restrictions. Therefore, no consideration was given to caste differences. Furthermore there was no *panchayat* (caste council) which in India dealt with misdemeanours. Caste members were no longer restricted to follow their traditional occupation. They were relatively free from social stigmas which were traditionally attached to the low castes.

Caste as a cultural institution emphasises caste endogamy and the trust between co-ethnics of the same caste in business. The ethnic values are the values of caste, e.g., endogamy, and sharing the same region of origin in India. Caste in the Gujarati Hindu community establishes their ideological distinction which is good for the business. There are cultural organizations in the Gujarati community in Durban which aims at providing education, Hindu culture and the Gujarati language (See Appendix D). While promoting Hindu religion and the Gujarati language the organizations are indirectly encouraging caste endogamy.

The above characteristics pertaining to areas of origin, language and religion corresponds to a large extent to the Indian population in South Africa. Thus, the bulk of the Indians were of indentured origin, but were united with those of passenger origin through linguistic,

religious and cultural ties. With this diversity in culture, but many common problems, the Indians with an adventurous and competitive spirit began life in a totally alien environment.

HISTORICAL BACKGROUND OF INDIANS IN SOUTH AFRICA

The Indians entered into a contract with the government of South Africa, to work on the sugar plantations in the northern and southern areas of Natal. A total of 152 184 indentured Indians were brought to Natal between 1860-1911. They were mainly Hindus, Tamil and Telegu from South India, and Hindi from North India. There was a sprinkling of Christians and Muslims who were also indentured. The main purpose of their immigration was agriculture, though many were predisposed for this, there were others such as potters, clerks, herdsmen, policemen, laundry-men, oil pressers, traders, undertakers, barbers, jewellers and priests. Though many followed the white drift into town there was a substantial proportion who continued with agriculture in the rural areas. Many of the immigrants belonged to castes which specialised in a wide range of artisanal trades in which a large number started themselves as soon as the indenture period expired, as a basis for one man or family business. (See Plate 2 : (a) and (b).)

As early as 1863 a number of indentured Indians had paid their five pound (R10) commutation fee, and had thus released themselves from any obligation to the government or the country. Although the original contract was for three years, the immigrants were required at the expiry of the term of contract, to enter into a new contract of service with the same or some other employer for a further period of not less than twelve months, and not more than two years. Such

Plate 2:

(a) Indian Family of Indentured Origin



(b) Husband and Wife worked together in the Sugar Fields and later in Trade

additional service could be commuted or redeemed on payment to the government of a sum of fifty shillings (R5), for each year remaining to complete a total industrial service of five years.

The immigrants who had arrived in the first five ship-loads, were entitled to a return passage to India. At the discretion of the governor, this could be commuted to the equivalent in land. Neither alternative appealed to the sugar planters, who wanted the Indians in Natal as labourers and not as independent landowners.

It was said that in contracting to go to Natal, Indian workers had unwittingly chosen one of the worst conditions of labour under the indenture system. According to Meer (1969: 11), there were no written contracts and verbal promises rarely coincided with actual practice. The men were paid ten shillings (R1) per month, the women five shillings, the wage of the former rising to fourteen shillings in the fifth and final year, of the latter to ten shillings.

Historians, sociologists and other writers have highlighted the deplorable conditions, under which the Indians worked on the sugar plantations. Medical treatment was either inadequate or absent. There were cases of ill-treatment and flogging recorded. Law 25 of 1891 (See Appendix B) obliged the employers to provide adequately for the immigrants with comfortable lodgings, wholesome and suitable food and medical attention. There were employers who conformed reasonably to the demands of the contract, but there were many who violated it.

TABLE 2.3 : THE NUMBER OF ECONOMICALLY ACTIVE POPULATION OF
SOUTH AFRICA EMPLOYED IN AGRICULTURE 1921-1946

Population Group	Number of Economically Active People in Agriculture			The Percentage of Economically Active People in Agriculture		
	1921	1936	1946	1921	1936	1946
White	170 394	181 409	167 822	31,6	24,5	18,9
Coloured	77 886	96 262	97 453	36,5	34,2	27,9
Indian	21 731	18 056	13 691	34,9	27,2	17,3
Black	2 750 399	3 100 846	1 633 973	78,6	74,4	50,0
	3 020 410	3 396 573	1 912 939	69,6	64,0	41,7

Source: Brand S.S.: Unpublished D.Sc. in Agriculture (University of Pretoria 1969).

Union Statistics for Fifty years: Bureau of Census and Statistics, Government Printer, Pretoria, 1960.

There were several alternatives open to the indentured Indians after the contract had expired. They could re-indenture and continue with work on the sugar plantations, they could begin independent work of their own, or they could return to India. (Brookes & Webb 1965; Palmer, 1957; Calpin, 1949). (See Plate 3: (a) and (b).)

A number decided to settle in Natal and turn their attention to market gardening, handicrafts and other occupations to which they had been accustomed at home. Table 2.3 shows the number of Indians

Plate 3:



(a) Early Indentured Cane-Cutters (1860)

(b) Market Gardeners in Springfield Flats



actively employed in agriculture in relation to the rest of the population between 1921-1946. Note the steady decrease by 1946.

The second category of Indian immigrants were 'passenger' or 'free' Indians who had come from 1874 onwards. They came at their own expense and without recruitment, mainly for the purpose of engaging in trade or serving in commerce. They were mainly Muslims, belonging to a number of different sects, Gujerati-speaking Hindus and also a few Hindi-speaking Hindus.

Between 1900 and 1903 of the 24 273 indentured Indians who had arrived in the Colony of Natal 3 141 left, therefore 21 132 remained. Of the 5 990 passenger Indians 4 464 left therefore 1 526 remained in the Colony of Natal. (See Table 2.4).

TABLE 2.4 : NUMBER OF INDENTURED AND PASSENGER INDIANS ENTERED AND LEFT THE COLONY OF NATAL BETWEEN 1900-1903

Year	Indentured Indians Entered	Indentured Indians Left	Passenger Indians Entered	Passenger Indians Left
1900	5 435	451	906	807
1901	7 345	629	1 279	848
1902	6 528	1 425	1 277	1 168
1903	4 965	636	2 528	1 641
TOTAL	24 273	3 141	5 990	4 464

Source: Statistical Year Book, Colony of Natal, 1903.

The study contains a smaller number of families of indentured origin, although the majority of Indians who arrived in South Africa were of indentured origin. This indicates that a large number of businesses which are flourishing in the central business district of Durban have been established by Muslims and Gujerati Hindus, who came out to South Africa as 'passenger' Indians.

Table 1.6 shows 50 Muslims and 39 Gujerati Hindus compared to 19 + 12 Hindi and Tamil-Telegu Hindus in businesses respectively. A small preponderance of Hindi and Tamil suggests that the Muslims and Gujerati Hindus obtained an economic niche earlier than the former. But it should be noted that businesses owned by those Indians of indentured stock are increasing in number and success to such an extent, that often one can see comparable social and economic progress noted of both 'indentured' and 'passenger' Indians.

A significant point to be borne in mind is, that the Indian business community and the joint family is a minority group within the Indian population, albeit a conspicuous and reference group, much in demand in social, political and cultural matters. Most Indians do not have their own independent business and commute to work daily, employed in Indian and White firms. It is difficult to state with accuracy that most Indians are wedded to the joint family, since there is a definite trend towards the establishment of nuclear households. This is a result of the break-up of the joint family, which is due to the opportunities which are available as a result of increased education and industrialization. But it is a noteworthy fact that there are joint families functioning seemingly successfully, although there is no flourishing family business and the sons have independent jobs. This is prevalent in the suburbs and rural areas and not, naturally, in the cities with its high rise flats which cannot accommodate joint families.

In terms of the overall population figures in South Africa, the Tamil-Hindus are the largest in number, then come the Hindi, Telegu, Gujerati and Muslim. In the Indian population as a whole most are of indentured stock. This is because, whereas nearly all passenger families went into business, a relatively small proportion of indentured families got into business in the central business district in the early days. The central business district in Durban thus does not reflect the overall Indian population. The Muslims and the Gujerati Hindus came as passenger Indians and are the smaller group. (See Table 2.5, Religious affiliation of Indians in South Africa).

TABLE 2.5 : RELIGIOUS AFFILIATION OF INDIANS IN SOUTH AFRICA,
1970 POPULATION CENSUS

	Number	%
Hindu	430 318	68
Muslim	125 987	20
Christian	53 851	8,5
Confucian	874	0,1
Other (no religion)	19 342	3,4
TOTAL	630 372	100

Market gardening was looked upon as the best available option by the indentured labourer, since there were no funds to plunge into business. The pattern elicited from informants was that many had gone into a number of trades, saved capital over the years, and then established independent businesses. (See Plate 4, (a) and (b).)

Plate 4:

(a) Grey Street Mosque (1929)



(b) Indian Hawkers Displaying their Goods on Roadway in Durban (1920's)



The present stage in the development of the business is the result of toil, and accumulation of the capital over the years. There are many historical records of how the traders had to overcome economic and political obstacles in the business. When the original founder of the business had died, the business in many instances continued in the hands of the sons who are today running it. Where there were no sons the business would have taken a different turn.

The following is an excerpt from a memorandum presented to the South African government by the Indian Chamber of Commerce which represented the Indian merchants and traders in 1932 (Moosa 1932: 9, 10).

It is not difficult to visualize the communal life of these early settlers, few in numbers and feeble in influence, but rich in character and determination, banded together as friends and fellow-traders, and sharing the common hardships and adversities of life inseparable from early colonization and settlement. The large Indian commercial interests and enterprises within the Union to-day, therefore, stand as an abiding monument to the honesty and integrity of the founders of Indian mercantile community and can justly claim to have attained to their existing commercial status as the natural outcome of the honourable foundations laid down by their respected and revered ancestors.

In our review of this history, one important fact comes uppermost upon which we would lay the greatest emphasis. It will be seen how Indian trade and commerce have grown, not side by side with European commerce as a separate and independent foreign entity, as many suppose, but as part and parcel of the whole commerce of the Union.

Why then, has the Indian branch of this commercial tree been subjected to endless legal and social disabilities, obstructions and hindrances which have made, and are still making, the peaceful and contented pursuit of Indian commercial life a matter of difficulty? We look around us and see our fellow-merchants and business men of other races following their business life with all smoothness and quiet contentment. Has it not been for years past the painful fact that while other sections of the mercantile community have been peacefully and uninterruptedly pursuing their commercial life, devoting their whole time, thought and attention to their businesses, the Indian section alone has spent quite half its corporate life in presenting to the authorities prayers, petitions, protests, memorials, statements, representations and the like, in a vain endeavour to safeguard and protect their lawful rights and interests? And what of the large sums of money expended by the Indian mercantile community in the preparation of and presentation to the authorities of such prayers, petitions and protests which, by reason of their being wholly unrepresented and politically voiceless in the Legislature, was their only alternative? Such money might well have been devoted to charitable, religious and educational causes for the general welfare of the community.

Other merchants and traders, not having to contend with all manner of obstructions, hindrances and impediments to their commercial progress and advancement, but enjoying complete freedom and liberty in their business life, have been enabled to contribute to their communal welfare by subscribing to charitable, educational and religious institutions, and, because of their unfettered opportunities, they were ever ready, in national calamities, to subscribe to public funds. Would not Indian merchants be equally ready and willing to contribute in like measure if their path were not beset with hindrances and obstacles.

The statistics on Table 1.6 reflect reasonably accurately, the position of Indian businesses in Natal where Indians of 'passenger' origin predominate. However, there are also leading Indian industrialists in Durban today whose forebears are of indentured origin.

On the other hand, the 'passenger' Indians had a 'generation start' to start business. They were ahead of the indentured immigrants though not in time, as they came later, but in intention and ability, material and vocation. According to the Durban informants some of the 'passenger' Indians brought capital to start a branch of an already existing business in India, while others came with capital to make a fresh start as they had 'heard' that there were better material comforts and opportunities in South Africa.

Although, however, most of the successful businesses are run by people of 'passenger' origin it would not be true to conclude that they alone had the skill, although they might have had the capital. But they made a substantial impact on the community and region as a whole. The indentured immigrants proved to be industrious, skilful, adaptable to a completely alien environment, where they had to seek out a living out of approximately ten shillings (R1) a month and often harsh treatment by overseers. The difference between the two groups of immigrants might be a difference in capital, skill, and knowledge and perhaps in the case of 'passenger' Indians, experience in having run a business in India.

SETTLEMENT OF INDIANS AND LEGISLATION AFFECTING THEIR DEVELOPMENT

It was obvious that the Indians were indispensable as a labour force in Natal, but they were not welcome as free Indians as they were looked upon as a serious threat to White traders in Natal. The fact that Indian labour was required was given priority as it was one of urgency. What the Natal government did not realise was that this was the beginning of a permanent settlement of Indians in South Africa, more particularly in Natal.

At this stage (1890's) various changes in the laws were implemented relating to indentured immigrants (See Appendix B). The Binns-Mason delegation was sent to India in 1893 to work out an arrangement with the Indian government for the time-expired labourers to return to India. The memorandum of the Binns-Mason delegation included the following statement: "In a country where the native population is in number so far in excess of the European, the unlimited settlement of Indians is not considered desirable and there is a general wish that when they have completed their last period of indenture they should return to India." The estimated Indian population in Natal in 1893 was approximately 46 000, while that of Whites 45 000 and African 470 000. The report said that if there had been no African population there would not have existed any reasonable ground for opposition to the presence of the Indians. Cooppan and Lazarus (1956: 57) stated that the white man's dilemma in his relations with the Indians concerns the repatriation of the Indians. The Indian government was opposed to the repatriation of the Indian labourers and was not prepared to be a party to the 'sucked orange' policy of the labour importing countries. (See Table 2.6 for early population figures and compare these figures with the 1980 figures for Natal. (Tables 2.7 and 2.8).

TABLE 2.6 : SOME EARLY POPULATION FIGURES OF NATAL AND SOUTH AFRICA

	YEAR	WHITES	INDIANS	BLACKS	COLOURED	TOTAL	
1	1866	16 369	6 445	175 220	-	198 034	N
2	1874	18 646	6 787	281 797	-	307 230	A
3	1885	36 701	29 357	377 581		443 639	T
4	1891	42 759	43 070	469 747		555 576	A
5	1893	45 000	46 000	470 000		561 000	L
6	1911	98 115	133 417	953 398	9 121	1 194 051	South
7	1921	136 887	141 600	1 139 804			Africa

Source: (i) Natal Almanac 1863-1869, Pietermaritzburg.
(ii) Report of the Protector of Immigrants, 1876-1893, 1894-1904.
(iii) Blue Book of the Colony of the Colony of Natal, 1892/3 thereafter Statistical Year book to 1910, Pietermaritzburg.
(iv) Natal Census 1891.
(v) Union Census 1911.

TABLE 2.7 : POPULATION OF NATAL (excluding Kwa Zulu)
(Population Census 1980)

Group	Number
Blacks	1 240 669
Coloureds	87 753
Whites	557 044
Indians	646 927
Other	1 841

TABLE 2.8 : KWA ZULU POPULATION (Population Census 1980)

Group	Number
Blacks	3 177 569
Indians	6 057
Coloureds	1 888
Whites	2 370
Other	97

The Government appointed a commission known as the Wragg Commission to enquire into their complaints. There were many such commissions which led to the passing of anti-Indian laws. From the Indian point given, the main purpose of such commissions was to give recognition to White complaints, rather than to evaluate their validity. The Wragg Commission was the first to note formally, anti-Indianism in Natal. In 1895 a law was passed in terms of which every (See Appendix B) ex-indentured Indian who failed, neglected or refused to return to India, or to become reindentured in Natal was forced to pay a fine. (Brookes & Webb 1965).

The Binns-Mason Report culminated in the Immigration Law Amendment Act of 1897 (See Appendix B). In moving the second reading of the Bill the Attorney General, Harry Escombe, summed up the colonial European point of view by saying that the Indians were appreciated as labourers only and were not welcomed as settlers and competitors. Since Natal was the colonial unit, rather than South Africa as a whole, the

views of the small number of Whites in Natal are explicable since they had to contend with Zulu wars and obviously were not anticipating another war with the Indians. (Pachai 1971).

The Act imposed a residential tax of £3 (R6). It offered three options to Indian immigrant labourers: to return to India on the expiry of the contract of service, to re-indenture for a further period; or finally to pay an annual licence of £3 for the right to remain in the Colony. At first the tax was payable by adults only but in 1903 it was extended to apply to girls aged 13 and over and boys aged 16 years and over.

The options offered the 'indentured' immigrants led to their settlement in Natal, which meant not leaving the area they were indentured in and therefore were accustomed to and also because Natal had the total Indian population at that time. Unlike the 'passenger' Indians who had to return to India to marry women of the 'right' caste, the indentured immigrant chose his wife from among the contingent that arrived from India. Gujerati Hindus in particular in the early days insisted on marrying within the caste group. Marrying within the caste group was an accepted norm and anyone violating this was ostracised. Added to this was the fact that the population of men outnumbered that of women. For instance, among the 342 persons which arrived in the first batch in 1860 there were 83 children under the age of 14, and 75 women between 16 and 46 years of age. Later in the same year (1860) 135 men arrived with exactly the same number of children and 63 adult women. Going to India to seek a bride of the 'right' caste would indeed have proved

very expensive if not impossible for the indentured immigrant whose salary at most times was 10 shillings per month.

However, those 'passenger' Indians who could afford to visit their ancestral homes did so, thereby maintaining contact either through correspondence or periodic visits. They preserved their sectional and religious exclusiveness by the importation of wives from their own villages and castes.

In 1895 Natal's Indian population was almost 50 000. In 1896 about 800 'free passenger' Indians arrived in Durban in the '*Courland*' and the '*Naderi*' among them being Mohandas Karamchand Gandhi. He laid the foundation of Indian political action and 'passive resistance' in South Africa as a whole. Gandhi came to fight a legal case and stayed twenty years to improve Indian living conditions. His fight for equality in the political sphere also encompassed the rights of the Indians in their economic and social life in South Africa which were filled with restrictions. The conditions of Indians in South Africa during the last century might have deteriorated and their cause might have been forgotten, had it not been for the efforts of the 'passenger' Indians. At this stage an influx of passenger Indians arrived. They were the forerunners of Indian deputation and memorandum type of leadership which dominated Indian political life for a considerable period. Steps were then taken to tighten up the immigration laws and the result was the passing of the Immigration Restriction Act of 1897. (See Appendix B).

The Dealer's Licences Amendment Bill (Natal) empowered the municipalities in Durban, Pietermaritzburg and Newcastle to control the issuing of licences. There was no hesitation in admitting that the object of the act was to prevent the Indians coming into the country to compete with Europeans on equal terms by denying them the licences to trade in certain areas. (See Appendix B).

There was little doubt that Indians did offer keen competition to the small White traders and farmers, who as a result formed themselves into an anti-Indian movement (Meer 1969: 26). By now (1890's) 'free Indians' had been in Natal either as ex-indentured Indians or as 'passenger' for 37 years, during which time some had become small gardeners carrying on a lucrative trade in the sale of vegetables and tobacco. They had secured the monopoly of supplying the Durban and Pietermaritzburg markets with vegetables, while all along the coast from Verulam in the North to Ifafa in the south, they had set themselves up as small farmers. Legislation was enacted to restrict the Indian traders as there was competition between White and Indian traders. Legislation was perhaps directed less at the ex-indentured labourer because they were market gardeners, and they were supplying the Europeans with fresh produce and therefore they supplied a definite need as they filled an economic niche. The vegetable business involves hard work for hazardous or lower returns and was not attractive to a White as the chance of a monopoly trading store in an area. Fishing was another industry which some Indians in Durban pursued, but none of our informants began their own business this way.

Of the 3 711 Indians (including men, women and children), resident within the borough of Durban, about 2 000 had bought or rented land. By this time the small free Indian farmers had begun to compete with European coastal farmers in the production of maize and garden produce. The Indian farmers industriously persevered and survived in spite of legal restrictions on their economic activity and were making a positive contribution to the general prosperity of the Colony.

Indian merchants branched out from Durban in various directions, and business concerns were established by them in Pietermaritzburg, Ladysmith, Newcastle, Dundee, Greytown, Harrismith, Johannesburg, Pretoria, Port Elizabeth, Cape Town and other centres. Warehouses were built in Durban and elsewhere to store their merchandise. Goods were imported from the east and west and catered for the needs of the community, especially the importation of spices, lentils and condiments for the needs of the Indian community. One early Indian business pioneer established a business in West Street (Central business district of Durban, now exclusively a White trading area) which he, in the 1930's, staffed wholly with European assistants. This same Indian merchant had a branch in Pretoria in the Transvaal. But it was in Durban that Indian business developed more than in any other area in the Republic, where the ex-indentured immigrant and the 'passenger' immigrant established their trading roots. The ex-indentured immigrant evolved from the work on the cane fields to hawking and market gardening, green grocery, and general dealing. Durban seemed to be the focal point for development not only for the 'ex-indentured' Indian but also for the 'passenger' Indian, the majority of whom settled there. Most

started in a small but progressive manner, and gradually flourished in the last decade into large industrial enterprises.

Kuper, Watts and Davies (1958: 32, 33) make the following statements with regard to problems encountered by Indians in the early years of their settlement in Durban.

There was a maze of laws, judicial decision, and commission reports, which gives the impression of a continuous conflict between Europeans and Indians for land and trade, and of European solution by way of segregation and repatriation. In Durban, the City Council was preoccupied with the problem of their segregation from the earliest days. In 1871 the mayor in his Minutes reports complaints about the building of "Coolie dwelling houses" in the town. The following year he mentions "the further erection and habitation of Coolie shops in our very midst, with their belongings of dirt and other objectionable things, which to be realised, can be seen at present at the West End parts of the town". In 1875, he begins to feel that "legislation will doubtless have to be resorted to, to prevent these people thus locating themselves in our very midst, their habits and customs being, as is well known, so totally at variance with and repugnant to those of Europeans". The Superintendent of the Borough Police, in 1889, reports on the increasing number of Indian retail stores in the town, and recommends that no licence be given to Indians for any building in the three main streets. In 1897, the Council requires the power to refuse licences to applicants, and in 1903 the mayor urges that prompt steps be taken to introduce legislation for the registration of Asiatics in Durban and for the laying out of bazaars or locations, and that no new licences of any description should be issued to Asiatics except for premises in such locations. Control over trading licences was sufficiently effective to ensure that Indian trading areas to-day are largely separate from European. As for residential segregation, whatever barrack accommodation and housing the Council provided was on a segregation basis. An Ordinance in 1922 (No. 14) gave the Council power when selling or leasing land to reserve occupation or ownership for a particular racial group. This power was invariably used to establish racially exclusive suburbs for Europeans, but not for Indians who persistently refused to accept segregatory restrictions. Indians had to rely largely on their own resources. They settled in the low lying areas of the city, the relatively swampy areas and outside the boundaries.

INTER-PROVINCIAL MIGRATION

While Durban was by far the largest Indian centre, and point of dispersal for Indian businessmen in the nineteenth century, their interests soon spread into other provinces. Relatives of some of

our informants settled in the Transvaal where a substantial community existed by 1884. While Durban remains the centre of Indian business to-day, the relationship between Transvaal and Natal Indians is one of equality with joint businesses and entrepreneurs from both provinces engaged in development and speculation in both regions. Transvaal businessmen commute to Natal regularly for business and financial investment. Many flats for office and residential outlet in Durban are owned by Johannesburg Indians.

Laws were passed to curb Indian expansion in Southern Africa. In 1897 restrictions were placed on the entry of free Indians to the country, and marriages between Indians and Whites were forbidden by law. In 1903, the first provincial barriers were erected against Indians who could no longer enter the Transvaal without special permit. Land tenure rights in the Transvaal have been most unsatisfactory and insecure. There are areas grouped for Indian occupation in the Transvaal. In terms of the Group Areas legislation the Indians in the Transvaal have suffered losses accompanied by inadequate compensation. Until recently Indians had to apply for a permit to live in the Transvaal or Cape province. For this reason the majority of Indians are concentrated in Natal and have restricted their labour market to two metropolitan areas, those of Durban and Pietermaritzburg.

In 1885 Law 3 (See Appendix C) was framed and passed by the Volksraad which was important as it stated that those people belonging to any aboriginal race of Asia (a) shall not acquire the rights of citizenship

in the South African Republic (b) shall not be owners of landed property in the Republic (c) shall, as far as those who settled in the Republic with the object of trading are concerned have to be inscribed in a register to be specially kept for that purpose by the landdrosts of the respective districts. This act inhibited the expansion of Indian business in the Transvaal and hence forced the Indians back to Durban if they wanted to secure a base on which to develop their business especially as far as land rights were concerned. In the early years there was no land tenure for the Indians in the Transvaal. Even inter-provincial migration was prohibited until recently. This made development very difficult for the Indian. At present there is no land tenure for Indians in the Orange Free State.

Law 3 furthermore declared that Indians could be owners of fixed property in the Republic, only in such streets, wards and locations as the government assigned them to live in. While restrictions were placed on the acquisition of property, the right of the Indian trader to remain and trade in the Transvaal was recognised in certain areas set aside for Indian occupation.

By legislative enactment, free Indians were made unwelcome. In Natal, in 1896 a new bill was passed which excluded from the voters roll all persons not of European origin. Though the political disabilities hurt the susceptibilities of the Indians, they did not affect the purses of those who were already engaged in commercial pursuits and the trading activities of these Indians became the real target of the Natal government (See Appendix E).

Despite legislation the 'passenger' Indians continued their trading, and the indentured labourers also continued with their market gardening. The Indians were settled in their own areas, and also supplied their own community, the Africans as well as the Whites with fresh produce. They were segregated in residential areas set aside for their exclusive occupation, and this was the only alternative to expatriation. They were excluded from taking up residence in White areas.

The market gardeners found suitable land in what is now Springfield, Riverside, Sea Cow Lake, Tongaat and in other areas, all peripheral to the centre of the city. The reason for this spatial distribution was obvious - a ready market was available in the White population of Durban, which was bigger than any other found elsewhere in Natal. Added to this was the legislation enacted in 1913 which restricted inter-provincial migration. The unwillingness on the part of the other provinces to share the Indian population contributed to the concentration of Indians in Natal, more particularly in Durban. (See Appendix C and D).

At this stage the Indians were a settled community, businesswise and residentially. Many successful 'passenger' Indian businessmen were looking for better prospects in other provinces. Restrictions on inter-provincial migration prevented not only the establishment of businesses or branches but also acquiring tenure rights.

A memorandum presented by the Indian Chamber of Commerce in 1932 to the government contained the following excerpt:

"Apart from the injury to the existing trade and commerce of the country, the compulsory restriction of Indian merchants and traders to their respective Provinces, prevents the interchange of visits in the interest of the expansion and furtherance of commerce and commercial enterprises. The serious inconvenience and hindrances resulting from the maintenance of these Provincial barriers can be more easily imagined than described. A merchant desires to travel from one Province to another upon urgent business, by the time he has completed the necessary legal formalities for his departure, the very need for his immediate presence in the other province may have ceased to exist, resulting perhaps in serious loss." (Moosa 1932: 41)

The Transvaal Land Tenure Asiatic Act of 1932 (See Appendix C) and its subsequent amendments up to 1937, established statutory segregation of Indians in the Transvaal, and ended the state of uncertainty about their status in the province, that had obtained since the passing of Law 3, 1885. In 1939 special ministerial permission made all licence applications for the hiring and occupying of premises possible. Of all the legislation enacted to affect the Indian adversely, the Group Areas Act has the most deleterious effect on Indian trading rights and housing.

The implementation of the provisions of the Group Areas Act No. 41 of 1950 (See Appendix B and E) and its numerous amendments, has disadvantaged the development of Indian tertiary activity in several respects.

Briefly, these are:

1. The removal of about 25 000 Indians resident in the inner city of Durban has dislocated the functional relationship between the Indian CBD and its natural market. The residue of the inner city Indians (+6 500) at present living in the Indian CBD remain under threat of removal in terms of the 1973 proclamation. (See Appendix I.).

It should be remembered that mixed land use (i.e. residential and commercial) has been an integral feature of the functional composition of the Indian CBD ever since its inception in 1870.

The argument that the vacancy created by the removal of residents could be redeveloped for office use is not a valid one in view of the present over-supply of office accommodation that exists in the area at present. This means that property development would come to a halt because it is not economically feasible to build further blocks of offices.

2. By arbitrarily delimiting the Indian CBD to 28 city blocks, an artificial shortage of space for business activity (particularly ground floor/street level retail sites) has been created. This has in turn inflated the rates that the Indian entrepreneur has to pay; the problem being compounded by the fact that in terms of the rating system used by the Durban City Council, the Indian CBD is treated as a separate island in which land is valued twelve times higher than buildings. Thus Indian property owners pay about 50% more rates than their White counterparts for equivalent premises.
3. The policy that residential areas should as far as possible be self-sufficient in every respect has meant, amongst other things, the development of shopping centres in Indian suburbs. There are proposals to build town centres in Phoenix and Chatsworth. These are designed to offset the attraction of the Indian CBD and thereby stop the flow of money from the suburbs to the city centres.

This means that the status of the Indian CBD as the only centrally located business centre for Indians will suffer; a corollary of this being that the scope for entrepreneurship will be severely limited. This in turn will affect the economic development of the Indian.

All informants whose properties were expropriated emphasised the grossly inadequate compensation they received. Consequently joint families too were disintegrated. However bleak the future of the Indian in South Africa at this stage in their history might seem, the Indians persevered and sought many avenues to send deputations to the government with their grievances. Political bodies were formed to act as mouth-piece of the community and were headed by Indian leaders.

Despite the discriminatory and restrictive effects of the various laws cited above and particularly the Group Areas Act of 1950 and its numerous amendments, the Indians are now allowed inter-provincial migrations to trade and reside in specific areas set aside for their exclusive occupation. Determination, industry, skill, artistry and a deep respect for cultural traditions and values enabled the Indians to surmount their problems. The Indian takes a great pride in acquiring land - the more land he owns, the higher his social status. In India the large landowners were called *zamindars* who wielded power and authority in the community and this tradition persists to this day and is reflected in the life style of the Indian in South Africa. Perhaps, at this stage we should look at the development of Indian business.

CHAPTER 3

DEVELOPMENT OF INDIAN BUSINESS

In this chapter I investigate the early years of Indian business after the expiry of the period of indenture, and the establishment of 'indentured' and 'passenger' Indians in the central business district of Durban. I will begin with a discussion of the general education of the different generations involved over the years, which will throw comparative light on the father and son generation. It is also significant to see the different backgrounds which give rise to similar developments, in this regard caste is important as caste endogamy generates solidarity in the business and the family. The range and present scale of businesses both of 'indenture' and 'passenger' origin will be explored and illustrated by case studies.

EDUCATIONAL BACKGROUND

In the first generation of indentured labourers the educational standard as related by informants was almost nil. In the second generation standard IV to standards VI, i.e., primary school level was a common educational standard reached. In some cases standard VIII was reached by the second generation. In the third, and in some cases fourth generation, the educational standard rose in some cases to university degrees and diplomas in business economics and

commerce and the attainment of diplomas in business management and administration. (See Table 3.1).

TABLE 3.1 : EDUCATIONAL ATTAINMENTS OF CONTROL GROUP IN BUSINESS

	Less than six years in school	6-12 years in school	Matric + Technical	Graduate and Post-graduate
Family A		third generation	third generation	
Family B		second and third generation		
Family C		second generation		third generation
Family D		second generation	third generation	
Family E		second generation	third generation	
Family F		second generation	third generation	
Family G		second generation	third generation	
Family H		second generation	third generation	third generation

Education can strengthen the family business, and it can also be looked upon as subversive to the traditional order. If an only son decides to opt for a professional career instead of joining his father's business, this will be detrimental to the business and father will obviously be disappointed. No such case was recorded. On the other hand, sons with degrees and diplomas in commerce and business management have helped businesses positively, and have themselves proved successful as managing directors under the supervision of their fathers. Education also means that the sons can go out and choose their careers and be independent of

their father and the patrimony. Sons of fathers who have lucrative businesses, may decide to remain in the family business because in the long run they will gain as inheritors, and accept the "cost" of being subordinates.

It is difficult to compare the literacy rate of the 'indentured' with the 'passenger' Indians, since there is such a great awareness of the value of education among all Indians irrespective of the origin of their forbears. However, in the early days the 'passenger' Indians were learned in the vernacular and classical Indian literature. They had the ability to read and write in the vernacular but the 'indentured' labourers did not. There is no significant difference in the degree of literacy and education among the indentured and passenger Indians in the present generation.

The founder of the business in the early days shouldered all the responsibilities. He was storekeeper, proprietor, salesman, financier, bookkeeper, auditor and sometimes sweeper and caretaker. Evidently, he had no specialised techniques in the management of his business as he did not have the opportunity of attending seminars at colleges as they did not exist in the early days. He relied on his experience which he gained over the years without formal training. Experience and tradition seemed to have helped and created all sorts of specialization. One sees this clearly from this study. Some of the sons of the second generation acquired university degrees and diplomas in business management, and this according to informants, helped a great deal because of the expansion of businesses. But this degree of speciality was not required in the small scale business in the early days. Where there is increased formal knowledge of

business management, there is a definite increase in productivity, with the employment of new techniques by the sons who have the know-how, the establishment of branches, and the ability to invest capital into prospective branches. For instance in one case it was the eldest son who started a branch in a suburb. It is clear that the sons with increased knowledge of business methods not only encouraged but revolutionised the existing business concern. In this case the son had a diploma in business administration. It is beyond doubt that being the eldest son, his initiative stemmed from his early business training under his father. He was trained to manage the bookkeeping, do the banking and various other business errands besides salesmanship.

It is very likely that the son's diplomas would ultimately be used to exercise entrepreneurial skills, to his own advantage. Obviously, when he inherits the business he will be autonomous and free from his father's control and in full, or part control of the family business. It is also true that one son can wish to compete with the son of a rival business associate, who has diplomas in business management and therefore prove that he is also capable. Modern mansion type houses and expensive cars are also proof of success.

Father and son in a furniture manufacturing business went to the extent of encouraging senior personnel at the factory, to attend weekly seminars together with them, to improve their knowledge, and therefore increase productivity. The son in one case informed me that there was a definite increase in productivity, since he and his team had attended seminars, and applied their new knowledge to the work situation.

The son in another firm encouraged father who belonged to the old school of thought to buy new and modern machines, and although father was at first reluctant, he gave in and took the risk in outlaying large amounts of finance to import machines. In this case it was the son, with his educational background, together with the father's practical experience and his background, as he was self taught, which made the business a success.

While the owners of the business in the first and second generation lacked formal knowledge in business management, it was in the third generation that there was application of new revolutionary methods, consequently the businesses expanded in many cases, and in some cases it became necessary therefore to diversify. Many retail businesses have done that and today have manufacturing concerns which supply their own business either adjacent to the showrooms, as in one case of a furniture manufacturing concern, or several miles away in an industrial complex.

It was apparent that formal education was not a pre-requisite for success in business. In all cases in the first generation formal education was completely lacking, although there was limited vernacular literacy.

There is, however, a correlation between wealthy successful businesses and formal educational achievements. Although not in all cases but in a considerable number, the businesses were highly organised with trained personnel such as engineers, auditors, accountants and so on. These were recruited mainly from outside.

A family business can operate for a considerable time on the basis of inherited skills and discipline but when the owners wish to diversify, and extend, the problems of scale are such that professional business and technical expertise are required beyond the capacity of people to teach themselves. Among the successful family businesses, it is evident that when the business expands there is sufficient finance accumulated. It is then necessary to invest in a new venture like a branch of the existing business or diversify. In order to diversify the patriarch needs new ideas and technical expertise which he lacks. The son sometimes fills this need, therefore father happily invests substantially in the appropriate education of his sons, so that they can contribute their skill and expertise to the family business. The son may also introduce other trained personnel into the business. It is at this stage that the father recedes in the background and acts as an advisor and supervises. The father, however, does not lose his status and authority, but builds more trust and confidence in his sons. Fathers retain financial control though sons are in charge of management. The sons are capable of taking over full management of the family business in the event of father's death.

The older generation took longer to expand although they had considerable experience, they lacked the formal knowledge and expertise. Firms tend to grow to the limit of their owner's aspirations and a modest man may be satisfied with his business, and may not think in terms of a larger business. The present younger generation appear to be skilful and parents pride themselves on having sons with university degrees running the business.

A comparison of the number of Muslim businesses with sons who are highly qualified and competent in businesses, with those of Hindus, revealed the former to be in the majority. The majority of successful businesses are those of Muslims. They also occupy a high socio-economic status in the Indian community in Durban, and it might be said with a reasonable degree of accuracy that they have the ability to wield power in the political arena as a result of their economic power. An added reason for their success is the fact that the Muslims came as passenger Indians and had a head start as many came with more capital, than others in the category of 'passenger' Indians.

Some Muslim passenger Indians, came with substantial capital, had flourishing businesses in India and Mauritius, and looked to South Africa to establish further branches. Some of the most lucrative trade was in textiles and the importation of spices and other Indian foodstuffs, such as lentils. It is not only their economic power that enables them to manipulate political power but their traditional belief in Muslim brotherhood. This belief in unity promotes solidarity and cohesion among the Durban Muslims, especially among the Surti Muslims who are united and have a sense of cooperation with each other. The Hindus are divided into four ethnic groups (Hindi, Tamil, Telugu and Gujerati) which are generally at different levels of economic development. There is no feeling of unity among them. Each language group thinks of furthering its own cultural goals and maintains the boundaries of its group by endogamous marriages as far as possible. Business ventures like the formation of private companies, do, however, include all ethnic groups, but in the main, each language group is independent. The Muslim is selective about the assimilation of

western cultural traits and is tenacious about his religion and culture, particularly language and religion, which are the two most important vehicles in the transmission of culture. These two elements, language and religion appear to be more strongly maintained by Muslims in Durban, and Gujerati-speaking Hindus than by the other Hindu language groups.

CASTE

Caste is not prevalent in South Africa to the degree it is in other regions where immigrant Indians are settled, such as Fiji, as was shown by Mayer (1961) and Uganda (Indians now settled in England) Morris, (1968). The Indians (other than the Muslims of whom a negligible number came as 'indentured' immigrants) who came to Natal belonged to a caste system. Although this system prevailed rigidly in India with its features of hierarchy, endogamy, commensality and occupational specialization, it could not be perpetuated in the same way in South Africa. The reasons for this were the conditions of travel to South Africa, (members of all castes arrived in the same ship) and also living conditions in the barracks where the indentured labourers were based. Moreover, there was no *panchayat* (caste council in operation). The caste system could have been reconstructed after the men were freed, but by then there were many social and economic factors against it. However, some features reasserted themselves as soon as the opportunity arose, both in terms of values and in terms of behaviour such as endogamy.

Although one can say with a reasonable degree of accuracy that caste was not very significant, structurally and functionally, it nevertheless did prevail in some of its aspects. The majority of Indians in this study were unable to construct a caste system in South Africa. There were those, however, like the jeweller, shoemaker, tailor and

tinsmith who succeeded in maintaining their caste identity socially, and exclusiveness as far as occupational specialization was concerned. Other aspects such as caste endogamy and locality of origin also contributed towards maintaining caste identity. Apart from those castes mentioned above the rest diversified from their traditional caste occupations. The Indians in South Africa were not subjected to any caste rules or disabilities and were therefore free to start any occupation they desired. There were those, however, of the brahmin caste who did not move out of their caste status. They prefer to marry within their caste group. The more westernized Hindus are not affected by cross caste marriages, while the traditional Hindu regards such a marriage as not quite acceptable.

Caste, however, was important to the Gujerati-speaking Hindus who not only followed their traditional caste occupations, such as those mentioned above but also maintained social distance by endogamous marriages. But this did not apply to all Gujerati-speaking Hindus. One of the cases in the study was originally an oil presser in India but did not follow this occupation in South Africa, instead the family started a grocery shop which expanded into a large wholesale trade. In the early years the Gujerati-Hindus imported brides of the right caste from India. Even today where marriages are arranged, the Gujerati-Hindu prefers marriage with the right caste. Where cross caste marriages occur among the Gujerati-Hindu they are generally in defiance of parental preference if not, in defiance of parental will in the situation. However, cross caste marriages are more common among Hindi, Tamil and Telegus. The fact that some Hindus maintained caste rules and others did not was also confirmed by the studies made by Kuper and Meer (1956).

Endogamy certainly maintains a caste member's awareness of his social status, which invariably leads to social intercourse being restricted to members of the caste among orthodox Gujerati-Hindus. Many of those interviewed in the study stated that they were not aware that they were deliberately interacting with but rather, following an expected pattern of their caste group behaviour. Among Gujerati-Hindus occupations such as shoemaking, which is traditionally handed down the generations also establishes a fixed social status within that particular caste community. Although all shoemakers today are not Gujerati-Hindus, as an ethnic group is free to choose its occupation, those shoemakers who are Gujerati-Hindus belong to the shoemaking (*Chamar* - leather work) caste. A caste occupation such as that of the barber or shoemaker, might rise up the social scale, however, and improve its social status by the accumulation of wealth and the society will recognise this. Today a caste occupation does not stifle one's socio-economic status among all Hindus, nor does it affect one's religious functions as high and low castes support the same temples on religious occasions. But when a son or daughter of such a caste member negotiates for marriage, a problem arises since the higher castes will not approve of a high caste-low caste hypergamous marriage. Love matches, however, seem to be bringing about changes forcibly. Where marriages are arranged, traditionally orientated parents not only in the Gujerati-Hindu group but also Hindi, Tamil and Telugu consider the caste membership of the potential bride or groom. There is a tendency, however, among the more educated and modern to ignore caste restrictions when contemplating marriage based on personal choice.

A Hindi family in the study belonging to the brahmin caste strictly maintains caste endogamy and has succeeded in obtaining daughters and sons-in-law of the brahmin caste. This caste group has succeeded in its efforts to maintain caste status over three generations in South Africa.

However, love matches are common among all the Hindu groups. It is not uncommon to see parents agreeing to go ahead with marriage preparations for their sons and daughters, even though they do not approve of the marriage on the grounds of caste differences. There are a number of cases in the study where brides and grooms were approved of because they came from wealthy social backgrounds, irrespective of the caste-status. For example a wealthy Hindi doctor of low caste status married a high caste wealthy business man's daughter. A brahmin's university-educated daughter married a man who ran a flourishing travel agency, but whose forbears were of the oil-presser caste.

All the Gujerati-Hindus in the study belonging to the first and second generation married spouses of the same caste. The third generation married in the same caste grouping for example *Vaisya* but of a different occupation - one from a tailor caste married another from a metal caste, but both subsequently followed a professional vocation. Their parents also did not follow a traditional caste occupation.

Caste then can appear to be a complicated phenomenon in Hindu society as different Hindu groups vary in their adherence to traditional caste rules of endogamy, occupational specialization and commensality. As far as commensality restrictions and occupational specialization are concerned there is complete abandonment of restrictions. Generally there is freedom of choice for occupations and social intercourse except among some orthodox groups. There is conflict when marriage is considered as orthodox Hindu groups prefer to perpetuate the ideal of marrying within the caste group. Even here there is more value being placed on personal choice. As far as traditional caste occupations are concerned there are no sanctions operating if a son leaves to take up a different occupation.

GROWTH AND PRESENT SCALE OF INDIAN BUSINESS OF
'INDENTURED' ORIGIN ILLUSTRATED BY CASE STUDIES

Those Indian businesses, founded by men of indentured background and today flourishing concerns, run by father and sons or a group of brothers, started with vegetable and fruit gardening, supplying the local market with their produce. Not all the businesses of 'indentured' origin had made agriculture a permanent occupation. Hawking too, by foot, was a common pursuit of the market gardeners. (One sees hawking common to this day with the aid of trucks, particularly in the suburbs).

Table 3.2 shows the present classification of the businesses in 120 cases. Ninety-four businesses were recorded as retailers only. In the wholesale category, there were four businesses concerned with the sale of all kinds of groceries. All four were of passenger origin.

TABLE 3.2 : TYPES OF BUSINESS

Single Retail Outlet	Wholesale Outlet	Manufacturers (Retail)	Manufacturers (Retail and Wholesale)
94	4	4	18

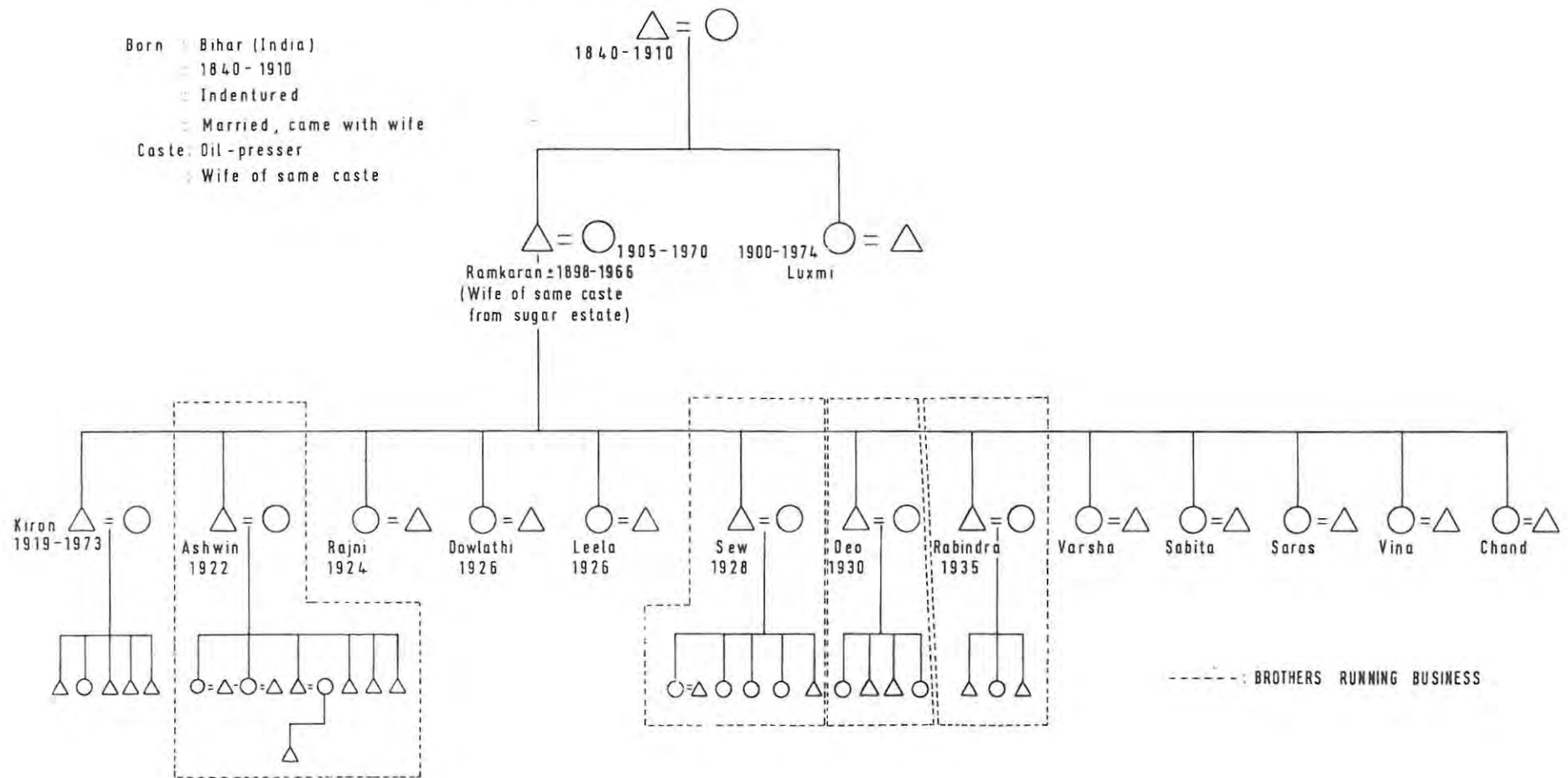
The wholesale and retail outlets were grocery merchants of passenger origin, which sold retail to the public and wholesale to the traders. Among the manufacturers there were jewellers, printers, clothing and furniture manufacturers. These business concerns had factories which supplied not only their own shops which sold their products retail to the public, but also supplied other retail businesses on a wholesale rate.

The following are a few examples of the early years of formerly indentured Indians who started their businesses with very limited resources and whose descendants today have flourishing business concerns. The indentured immigrants could not depend on the dowries brought by their wives as they too were poorly off. Further, dowries were in the form of gold jewellery, which could be pawned, but rarely sold. Hindu women traditionally did not inherit much in the early days, apart from clothing and jewellery, which were part of the essential gifts from their parents, and perhaps movables in the form of furniture. The question of inheritance by women is discussed in chapter six.

No indentured immigrant could therefore rely on any dowry from their wives which he could incorporate in his business. It is only today, when Indian society is more affluent, and women, more demanding for their rights that they are being considered as beneficiaries.

Fig.3.1 (Case A)

GENEALOGY : SEWCHUNDER



CASE STUDIES (INDENTURED ORIGIN)

CASE A :

SEWCHUNDER : HOTELIERS AND PROPERTY SPECULATORS

Area of Origin : Bihar

Caste : Oil presser

Language : Hindi

Religion : Hinduism

My informant was the second of five brothers four of whom are today managing a chain of hotels. He related his grandparents' humble background after the expiry of the indenture period on the sugar plantation on the north coast, roughly in the 1870's. The informant's grandparents had moved to Mayville near Durban where a mud shack of three tiny rooms was erected, "Our grandfather used to tell us how he erected the shack and made a bed of sacks, and blankets made of sugar sacks." (See Fig. 1.1 for areas of settlement after indenture).

The grandmother of the informant was enterprising and encouraged her husband, whom, she married in Durban, to start hawking of vegetables grown in their backyard. My informant's grandparents had, he claimed, the biggest baskets among the hawkers. With the proceeds of hawking and the selling of sweetmeats which my informant's grandmother made, the couple bought three cows. The acquisition of cows added to their income through the sale of milk. The hawking was done by horse and cart and at times baskets slung on the shoulders. The couple saved whatever they could due to the frugality of the wife, who persuaded her husband to buy land in Mayville, as land was very cheap in the early days. One could buy land at that time for less than fifty pounds per acre.

The grandmother came from a well-to-do Gujerati passenger family, whom the grandfather fancied and married although the grandmother's family protested vehemently. This was a rare case of a love match in the early days. The grandmother used to rise very early, milk the cows, attend to the garden and prepare the baskets for hawking. The sweet-meats which she sold for extra money were made in her spare time. My informant stated that his grandmother worked under poor circumstances and had to make the best use of whatever facilities were available.

The couple had one son, Ramkaran (informant's father). (See Fig. 3.1). My informant spoke with pride of his father saying, "He was a very progressive and hard working man. We respected and obeyed him while he was alive, and continued to have the same respect and obedience for our mother who was very business minded. She was born in Durban and her parents were of indentured stock. After all it was she who continued the business after our father's death with our assistance. She was strict and made us work hard even over weekends and holidays."

The hawking was continued by Ramkaran after his parents died in about 1919. In 1921 Ramkaran bought a two-bedroomed wood and iron house in Mayville, where his children grew up from 1921-1939. Gradually extensions were made to the house as the sons grew up and married and the family lived together until the early 1950's. Ramkaran had thirteen children, five sons and eight daughters.

The elder sons had high school education, but did not proceed further with their education as their full-time labour was required in the family business. The youngest son, however, was encouraged to continue with his career as he desired to become an attorney. He did

not contribute much of his time to assisting in the family business as there were sufficient hands.

The daughters studied at primary school level (Std VI), the older ones leaving school earlier than the younger daughters. All the daughters worked as relief assistants of the staff until they married. The children were trained at an early age to assist in the family business which, then was a vegetable stall in the local market in Durban and hawking. The greengrocer business flourished. Ramkaran died in the late 1960's. His wife and the sons continued with the fresh produce business in Durban, which had yielded good profits. The widow and her grown up, and now married sons, invested some of their profits in a tea-room next to their home in Mayville. One of the sons had invested in a tailor's shop and retained the staff who virtually ran the shop under his supervision. The son did not need any apprenticeship or training, as tailoring was already his part-time hobby. The duties and responsibilities were divided among the sons. The sons lived jointly in Mayville in the common family house which had to be extended to accommodate the five married sons. The eldest brother stepped into his father's position. (They were coresident and commensal).

It was at this stage, when the family owned the tea-room, vegetable stall and tailor shop that outside labour was recruited. They continued to prosper and the supervision of the businesses was apportioned among the brothers. The outside labour was mostly in the form of assistants or salesmen and never in a supervisory capacity. As the family businesses expanded it was necessary to employ outsiders, who had the competence and expertise in particular areas of business management, such as cutters, machinists, consultant accountants and bookkeepers.

Between the years 1960-1970 the businesses prospered. Buses were acquired. The family were contemplating buying a complex of stores with an adjoining rambling house which would adequately accommodate the expanding joint family in the north of Durban. Hence a huge thirteen bedroomed house with a large store was bought, where the sons lived together as one family unit and managed the family business together.

The eldest brother stated that in 1965 the large family house was expropriated by the local municipality as the land was acquired for a proposed Indian township and for which the family was 'inadequately compensated'. The brothers drew funds from the family estate and built homes in the suburbs of Durban which they individually occupied with their families. Each chose to buy plots in close proximity to the business he managed. Each drew a salary as a director. In the middle 1970's two hotels were acquired. The directors were free to invest their salaries however they wished. The youngest brother who had a lucrative legal practice invested his earnings in a hotel. He became interested in sharing the responsibility of running the hotels on a part-time basis. He employed two partners to help in the legal firm and he began to draw himself away from the practice. Subsequently he became a full-time director of the family businesses and the legal firm became a part-time interest.

The eldest brother, said, "We live separately but we are joint in spirit. Our mother played an important part in our lives. She wanted a close-knit family; she did not want her sons to live separately and she succeeded until the Group Areas Board expropriated our property." Although the brothers live in different suburbs they visit one another regularly.

At the time of writing the family businesses were run by five brothers who were directors, enjoying equal partnership. Their sons and outsiders were on the staff. One brother died, which left four in charge. None of the sons of the surviving brothers were shareholders but received salaries. The deceased brother's shares, I was told, would be transferred to his widow and sons. The exact amount in shares to be held by the widow was not disclosed.

The setting up of separate households by the brothers meant the end of coresidence but did not mean the end of control of the family business by the eldest brother, although it was emphasized that all the brothers had equal say in the management and development of the family concern. Moreover the brothers were still coparceners. This particular family was very united and meals were often taken together in each other's houses over weekends, when the family business was often the theme of the discussion at the dinner table.

The sons of the brothers were incorporated into the family business as part of the staff but with extra responsibilities. It was expected that as they gained experience and maturity they would be given more duties and responsibilities, higher salaries and shares at the death of their parents as in the case of the deceased brother. It is predicted that eventually the business will be run by the sons of the brothers when the brothers die. The brothers became completely autonomous after the death of their father and had complete reins of the family business. At the death of one of the brothers, his son was given more responsibilities in the business. When all the brothers die their sons will probably become directors and manage the family concern. But it cannot be predicted whether the sons of the brothers

will continue to run the business together in a stable manner with the same unity and cohesion that exists among the brothers today. It might very well divide and each take his share. The moral bonds of the brothers' generation have been significant in promoting solidarity and unity among the brothers. Respect for seniority and acceptance of the authority of the eldest brother by the other brothers promoted harmony in the family, and successfully steered the course of the family business. The sons of the brothers on the other hand, have been exposed to a different set of values, which are western, and because of the heavy influence of acculturation, invariably value independence and individuality. The sons of the brothers have been brought up in a predominantly western environment with educational institutions, which offer a variety of career opportunities, and are also exposed to other influences which appear to make the traditional culture take a secondary position. One of the sons of a brother is pursuing a medical career in England, another is studying at a local university. The arranged marriages of the brothers with their docile and submissive wives who lived under the unquestioning authority of their mother-in-law in the joint family, sharply contrasts with the personal choice of the brides by the sons who believe in romantic love. The marriages in the first two generations were arranged, except in the rare case of the founder of the business. But most of the third generation marriages were based on personal choice.

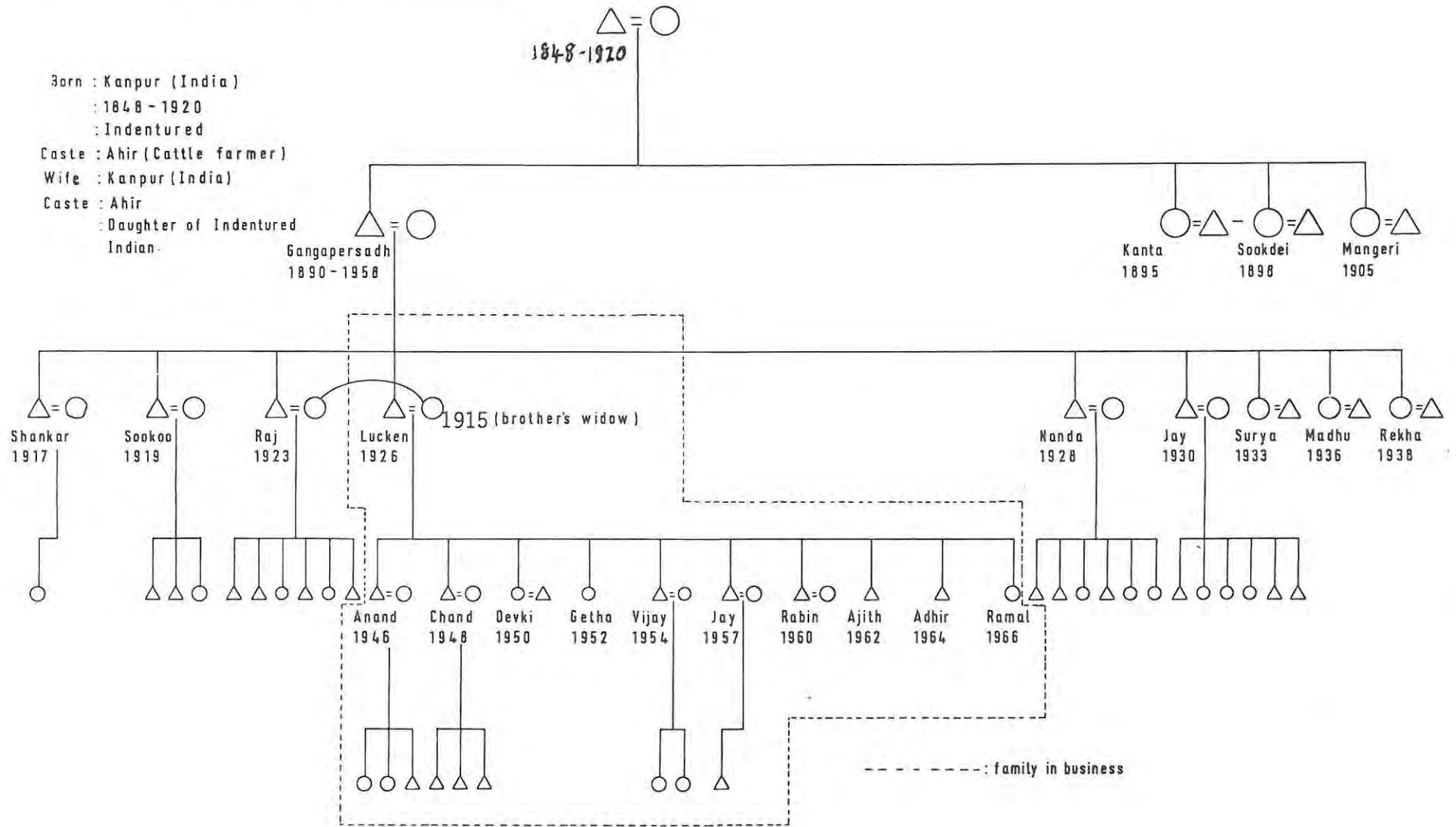
The wives of the first two generations were not all docile, submissive and uneducated, besides being industrious, dedicated and supportive. It was the mother of the sons who are now running the various businesses who followed the example of her hard-working and successful mother. In the first two generations the wives gave moral and physical support in the fields, planting the vegetables and fruit and hawking.

This attitude contrasts with the sons likelihood of living in separate nuclear households in the third generation. There is more independence in this generation. The conjugal bond among the sons and their wives will be a closer one and their wives will be more articulate with their education and modern outlook as opposed to the lack of education of the wives of the brothers. In the former generation the family remained intact, whereas in the new generation of sons who choose their own 'educated' wives, the tendency is towards earlier segmentation. This is an example of a group of brothers who live in separate households but who are coparceners with a strong sense of solidarity and cohesion. Visits are never made by appointments. Brothers and sisters walk in and out of each others homes, and there is warmth and togetherness among the brothers and sisters. The sisters, however, have no shares in the businesses run by their brothers. They are married to wealthy husbands and were given large dowries in the form of gold jewellery and large amounts of money as gifts. When the sisters are in need the brothers are ready to assist both financially and morally. When the sister's children marry the brothers present them with extravagant gifts.

The sons of the brothers are absorbed in the business but are not given any decision making power or duties that involve finances, as the brothers are actively engaged in running the business and not aged, decrepit or chronically ill. The brothers do not appear to have very much confidence in their sons as they remark "youth of today want smart cars, girl friends and money to spend and do not want to work hard." One of the nephews who went to study in Ireland, returned without completing his course and wished to get married to an Irish girl. The father stated that he was disappointed

Fig.3.2 (Case B)

Genealogy : Lucken Gangapersadh



as he thought his son would have the formal education which would help him run the business. The sons appeared to be contented and did not wish to talk about their grievances. One of the reasons for this complacency is that they are not deprived of money, the sons receive generous spending allowances. Cars are at their disposal. One brother commented, "Our sons are spoilt with luxuries."

The third generation of sons are not willing to be absorbed into the business as several are attending universities, locally and abroad, and prefer professional vocations. The brothers belong to political and cultural bodies as well as non sectional organizations. (See Appendix 0).

CASE B :

GANGAPERSAD AND SONS : (CURIO AND GROCERY)

Area of Origin : Kanpur - North India

Caste : Teli - Oil-presser

Language : Hindi

Religion : Hinduism

Lucken my informant, was the head of the family's curio and grocery business which he ran with his six married sons. The history is also an example of an indentured family background. The business which had started off from hawking progressed to one although diversified, still remained a small scale business run by father and sons.

Lucken's paternal grandfather came alone at the age of 12 under the indenture system. He served 'indenture' in the Durban North Coast sugar plantation, and married at the age of eighteen. His bride was the daughter of an 'indentured' man of the same caste from

the sugar mill. He renewed his contract and continued living in Tongaat. He acquired a garden plot in Tongaat and began vegetable farming. He had one son, Gangapersadh, and three daughters. The vegetable farming continued in Tongaat with the assistance of his only son until 1910 when he acquired six acres of land at twenty-five pounds (R50), an acre in Clare Estate, a suburb of Durban, where a wood and iron house was built.

Lucken's grandfather and his father, Gangapersadh, cultivated vegetables, flowers and fruit in Clare Estate. This was the beginning of a flourishing business. Lucken said, "My father told us that he worked very hard and since money and schools were scarce, father did not have any education whatsoever." The family tried to get the maximum production from the six acres of land on which they toiled. When Lucken's paternal grandfather died, his father, who was the only son carried on the hawking with his mother. The pattern was "three days hawking, and three days farming and resting on Sundays."

Lucken's father, Gangapersadh, had nine children (5 sons and 4 daughters). None of his children received education beyond the primary school level. Clothing and books for school were bought out of profits that accrued from the farming that was done by children during the weekends and the afternoons after school. Lucken's father died in 1958. (See Fig. 3.2).

Of the five sons, two had died of pleurisy and the three married sons remained in the hawking business which did not yield good profits. Two of the brothers decided to work independently, one

for a tyre company and one for a printing press. Lucken was the only one who continued with the hawking. Accommodation in the house was inadequate and there was no money to extend the family home. The sons who worked independently moved away and Lucken remained in the family house in Clare Estate.

It is clear that had there been a flourishing family concern, it would have been in the interest of the sons to remain in the family as they would eventually inherit the family concern. But because the profits were not encouraging two sons decided to work independently.

In 1951 Lucken rented a grocery and vegetable stall in the local Indian market in central Durban. This was the beginning of his independent flourishing business. After a few years he also rented a curio stall. His growing sons assisted in the business. The married sons joined the business on a full time basis while the school-going ones assisted in the afternoon. In 1965 the family moved from Clare Estate to Reservoir Hills (a suburb of Durban) where a large house was built to accommodate his married sons. His sons were coresidential participating in the family business, and were partially commensal.

The father was head of the business and supervised the work in the curio and grocery stalls both of which were in the Indian market. At the time of the interview the family were deciding to establish another curio shop in the central business district. Father and sons worked together as a unit. Father maintained contact with his sons in both shops during the day. He made decisions in consultation with his sons and had the final say as he stood out as the key figure

both in the business and in the family. He appeared to be firm but approachable and understanding.

In 1966 the business premises were expropriated under the Group Areas Act to make provision for a highway. The business was moved to an area far removed from the traditional shopping areas. Therefore there was loss of clientele. (See Appendix I and J).

In this family the level of education of the different generations was very different. The indentured labourer, paternal grandfather of the informant, Lucken, had no formal education, his sons too had virtually no education. The third generation, that of Lucken, had a primary school level of education while the fourth generation, that of Lucken's sons, attended secondary school.

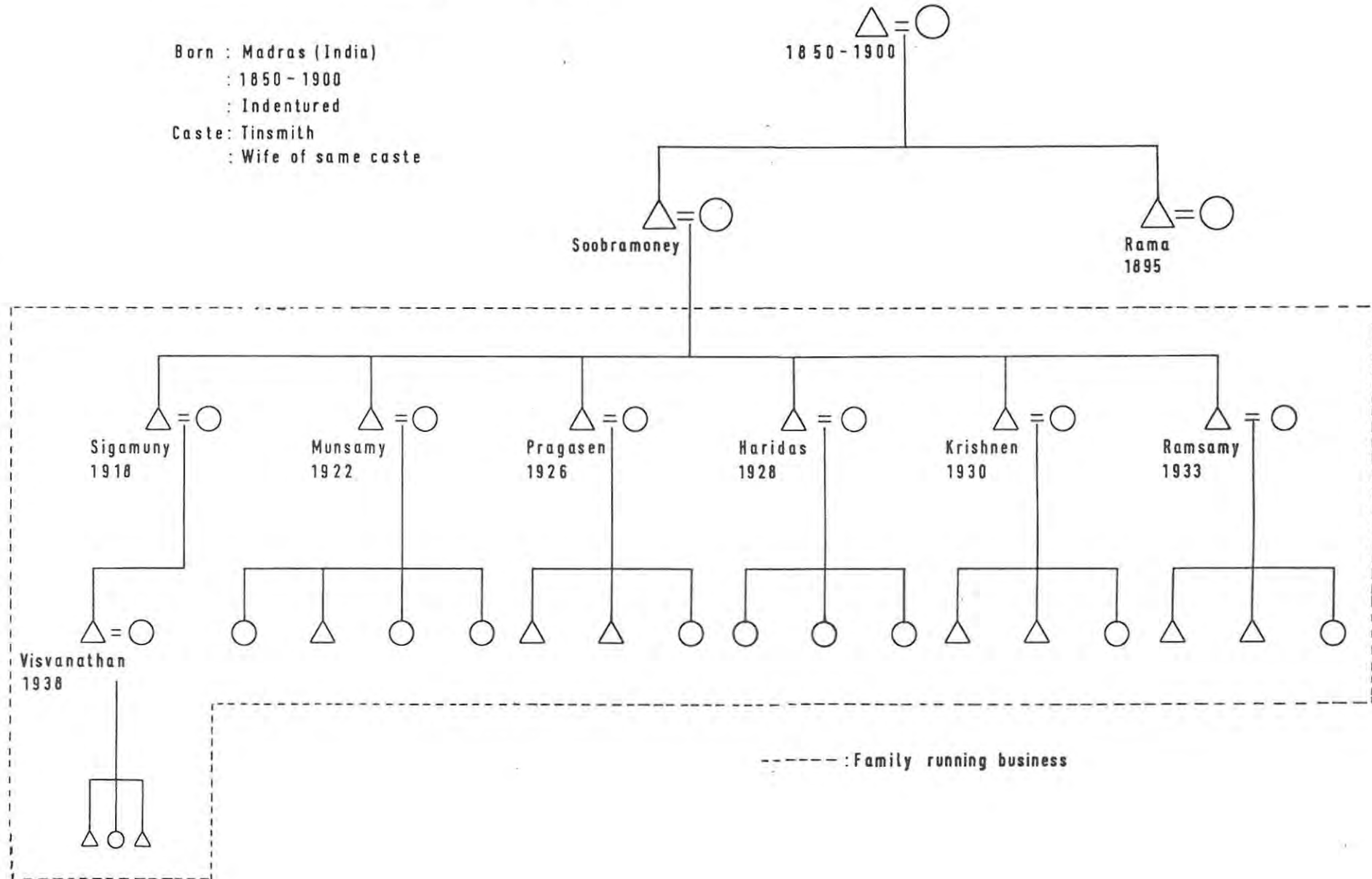
This case illustrates all three aspects of the joint family, i.e., coparcenary, commensal and coresidential, the latter two partially. Unlike the previous case, which had a strong bond of unity among the brothers and a flourishing business which kept the brothers together, this case had neither but Lucken persisted industriously.

Subsequently he was more successful than his brothers who went into independent employment and sold their labour on the open market. He attributed his success to luck. Lucken, his wife and six married sons with their families occupied a large joint household with different degrees of commensality. The family was a striking example of a traditional style of joint living with its religious values and norms, particularly respect for the father as the head of the family.

Fig.3.3 (Case C)

Genealogy : Nades Munsamy

Born : Madras (India)
: 1850 - 1900
: Indentured
Caste: Tinsmith
: Wife of same caste



-----: Family running business

It may be true that because the standard of education of the sons in Case B was relatively low this encouraged the coresidential pattern of living. The sons would not have been able to obtain comfortable living conditions and attractive salaries with their low educational standard anywhere else. Thus it was also to their advantage, in a sense, to live jointly, apart from the attraction of inheritance, furthermore the family firm is not extensive and one would have expected the sons to have separated. Therefore for the above reasons the sons retained joint living. It seems that the authority of the patriarch is a small price to pay for the returns the son receives and will receive in the future. The head belongs to more religious, cultural and welfare organizations than political. (See Appendix O.)

CASE C :

NADES MUNSAMY : SUPER METAL WORKS

Area of Origin : South India

Language : Tamil

Religion : Hinduism

Caste : Tinsmith

My informant, Visvanathan Munsamy, a fourth generation descendant of an indentured labourer occupied the position of managing director of a large steel factory in a suburb of Durban. Visvanathan's paternal great-grandfather, Murugessa, came to Natal under the indenture system from Mauritius, having originally come from South India. He was a tinsmith by trade and soon earned himself a position as assistant to the engineer of a sugar mill near Ottawa on Natal's north coast. By virtue of his skills he was offered a high position in the sugar mill which he occupied. Indentured Indians did not commonly occupy high positions in the early days. This was a rare case as it was due to his competence.

After a few years in employment, Murugessa decided to start his own business on a small scale with the manufacture of tin goods. His sheetmetal work and mechanical abilities were passed on to his two sons, Soobramoney and Rama of whom the former was older. The two sons began manufacturing sheetmetal products in the year 1914 in a suburb of Durban, when Soobramoney was 25 years old. Their workshop was on the bank of the Umgeni River in Durban and produced articles such as water tanks, water cans, riksha lamps, dust bins, bread and biscuit tins. This is an example of a continuation of a caste occupation, viz., that of tinsmith. The work was done by themselves with little outside help.

Soobramoney continued with the business while his brother Rama, who lost interest, left. Rama was not very hard working and did not get on with Soobramoney who was very dedicated. Soobramoney had six sons, all of whom had to seek their own fortunes as the business went through a period of difficulties, and faced liquidation leaving the family penniless. Due to Soobramoney's extensive contacts in the industrial fields, he saved the business. He knew some of the men in the higher echelons with whom he had contact through his father. (See Fig. 3.3).

In 1944 Soobramoney moved from the north coast suburb of Tongaat to Durban Central, to make a fresh start. The oldest of his sons joined him during the trying economic conditions of 1944 when machinery and materials were extremely scarce and high in price. Empty jam tins and condensed milk cans were turned into drinking vessels and scrap metal off-cuts were made into toys, beach buckets and water cans.

Soobramoney's health was failing and he died in 1944 and left his eldest son, Sigamoney to carry on the business at a difficult time. Soobramoney's other sons had found independent work as they were living in poor circumstances and the business was not yielding sufficient to employ them. Sigamoney continued with the tinsmith trade. He was assisted by two brothers who provided sufficient labour in the business. Visvanathan said, "My father's self-sacrifice and innovative spirit saw the business grow from strength to strength." At this stage there were no outsiders employed in the business. In 1949 expansion necessitated larger premises as the range of products grew steadily. In 1956 Sigamoney's only son, Visvanathan, joined his father at the age of 21.

The business was moved to a site in Isipingo due to expropriation of the previous site of the business for road development. Sigamoney the chief director, had his six brothers employed in the business in the technical, welding, despatching, driving and other allied departments. These brothers received salaries and did not occupy positions in shareholding or directorship. The brothers were offered jobs by Sigamoney when the business was flourishing. The brothers were employed in a variety of different types of employment outside, before they were invited by their brother to work in his expanding business. Sigamoney believed that he could trust his own brothers and felt duty bound to employ them rather than outsiders. He believed that they would be more loyal and trustworthy than outsiders. The reason the brothers were not shareholders, was because they invested neither finance nor their labour during the building up phase of the business. Unlike the prodigal son who was restored to full family membership after he received his share and wasted it, brothers who leave the

firm lose their place in the corporate group for good. Getting another job is like marrying out of a caste. The individual cannot really get back. The brothers knew that they did not stand a chance of inheriting. It was through Sigamoney's hard work that the business prospered, and the only person whom he thought was appropriately qualified and deserved to inherit the business was his son Visvanathan, who had the necessary skill and expertise which he acquired through his education.

Visvanathan became the managing director and both father and son owned all the shares in the business. Visvanathan said, "I think I am lucky I have no brothers. (The sisters were not even mentioned), My father is the chairman of the company. There was never a hierarchy of authority between my father and I, but rather a sharing of rights and duties and understanding and a great deal of respect." This view seemed to be shared by the father who spoke with pride about his son. It is difficult to say that all his father's brothers had the same perception of the situation, as they were not prepared to discuss in detail their views for fear of antagonising their brother and nephew. One said, "After all, our work provides us with our bread and butter and we are quite happy."

Just under three hundred men were employed in the large industrial concern which manufactured a range of stainless steel products. Warehouses were maintained in the Transvaal and Eastern Cape and a fleet of company vehicles distributed the company's products throughout the country. The brothers in the business occupied positions of prestige and status because of their close relationship to the owner, which gave them an air of importance over the outsiders employed. Sigamoney, an astute businessman, carefully appointed his brothers in selected departments so that there would be no rivalry among them.

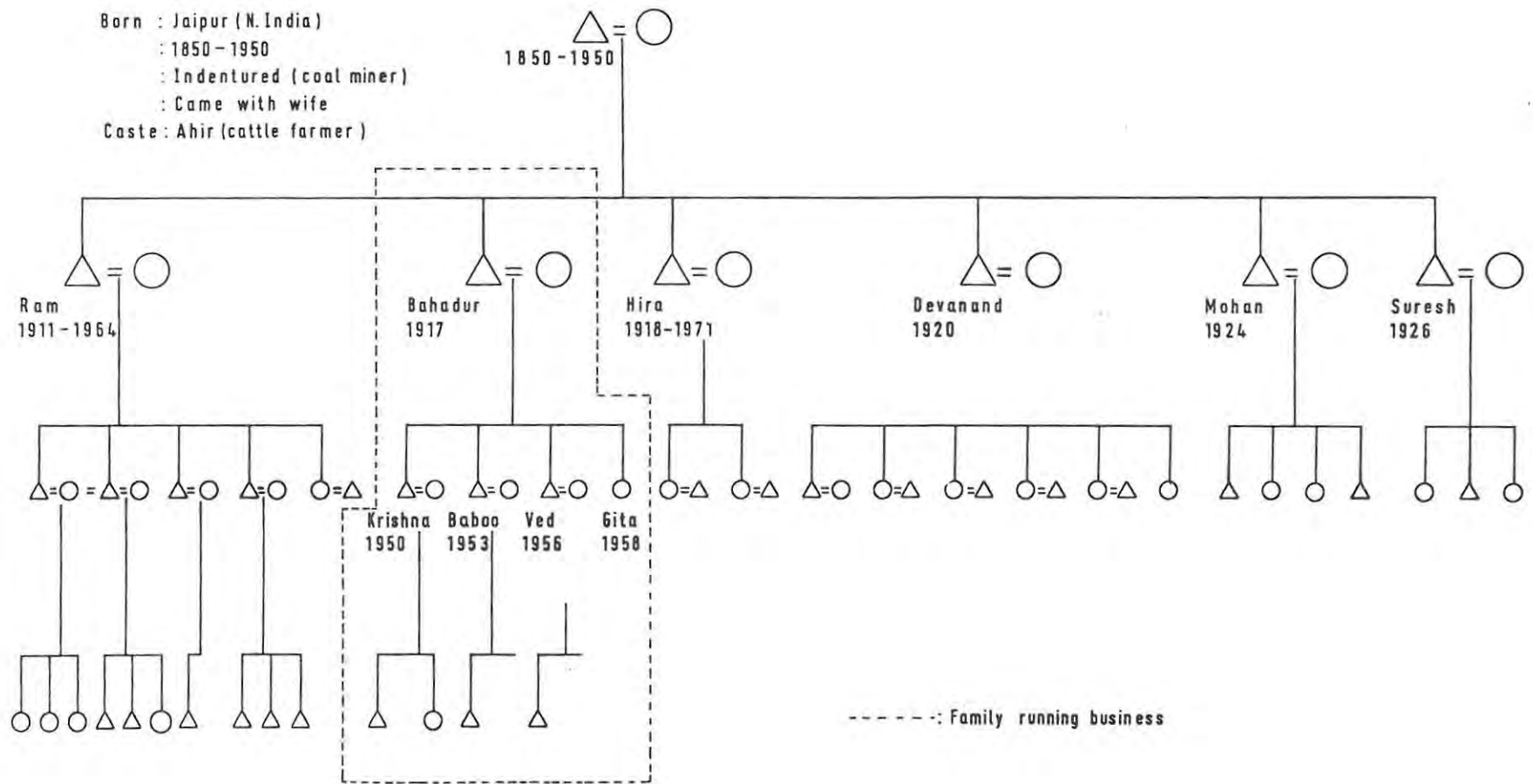
Visvanathan explained that there was no need to appoint outsiders to high positions of authority, as he and his father occupied the most senior positions of managing director and director respectively, and the uncles (i.e., father's brothers) were next in seniority.

Visvanathan, my informant, lived jointly with his father in a commensal family unit. "We always lived jointly," he stated, "right from my great (paternal) grandfather's days, it was only through the lack of accommodation, the need to find employment in far removed places and through municipal expropriation that our families in the different generations were forced to break up." It is not likely, however, nor practical from the point of view of accommodation for all the brothers of Sigamoney to reconstitute the joint family, as the brothers had large families. The brothers lived separately but congregated during life cycle ceremonies and on other social occasions. Each brother, however, continued the joint family cycle by their married sons sharing common residence with them. Each had at least one married son living with the parents while others occupied separate households. The brothers stated that they held no grudge against their eldest brother and were grateful to be salaried workers in their brother's firm, rather than in an outsider's, since they could enjoy a higher status and a close relationship with their brother and his son. Shades of emphasis reflect the ambivalence in the family.

Visvanathan felt that if his uncles had contributed any funds towards the business or had been shareholders there would definitely be dissension, dissatisfaction and rivalry sooner or later and the business would not have been running as smoothly as it was. He would certainly not be occupying the top position. He appeared to be pleased with the status quo as he enjoyed authority and status as managing director. The head, his sons and brothers belong to the political, Hindu cultural, educational and welfare institutions. (See Appendix 0).

Fig.3.4 (Case D)

Genealogy : Persadh



CASE D :

PERSADH : ARTISTIC FRAMES

Area of Origin : Jaipur, North India

Language : Hindi

Religion : Hinduism

Caste : Vaisya

My informant, Bahadur Persadh was the owner of a flourishing picture frame company which was run with the assistance of his three sons and a daughter. This is a history which is somewhat different from the previous ones as the informant was the descendant of a coal miner in Dundee, who originally came from Jaipur, North India.

Bahadur Persadh discussed his father's background in the coal mine in the 1900's. "My father had no formal education - the only English he knew was that taught to him by a fellow worker underground in the mine on a shovel, with chalk which was used to indicate directions. In this way he learned daily and was later able to read and write." While working in the coal fields, Bahadur's father began selling tobacco to Africans as a sideline. In 1924 he left the mine and started a tea-room business in Glencoe. It was leased with capital mainly saved from the sale of tobacco. He rented an adjoining cottage where his children grew up. Up to the 1930's he struggled with the tea-room business which yielded very little. He was barely able to eke out a living.

Up to 1934 the father and his sons lived together as a commensal family. It was in 1934 that the family decided to move to Durban in search of better prospects as the family was going through difficult times.

The family with three married sons and their children moved to Overport, a suburb of Durban, where they rented a house with a tea-room adjoining it. The family continued to live as a co-resident, commensal and coparcenary unit. The tea-room was well situated and had good clientele and therefore flourished. The profits were ploughed back into the business as the brothers were living together and there was no need to spend money on separate households which would have separate budgets. The family bought the house and tea-room. It was at this stage in the 1940's that the sons decided that there were too many hands running the shop, which yielded sufficient to feed the families, and that it would be best in everyone's interest to seek independent employment. The families were expanding and accommodation was inadequate. The tea-room and the house were sold and each son given his share to seek his own fortune. My informant stated that they were fortunate that the tea-room fetched a good profit. The father died in 1950. The mother lived with her eldest son for a few years after which she died of a chronic ailment. One son started a printing business, the other a bus transport business. Bahadur the second son, then took on several different types of employment until 1962 when he started a picture frame business in Durban.

He rented a flat in Durban which was in close proximity to his business. He had three sons and two daughters. Eventually his three sons married and lived in three different suburbs in Durban, as the flat was too small to accommodate the expanding family. The three sons, and a daughter, ran four businesses; main headquarters, two branches, and a factory where the frames were manufactured. (See Fig. 3.4).

The daughter who was a spinster ran a branch on rented premises in a White business area. Father supervised and visited the various businesses daily and relieved his sons when necessary, so that they could go on domestic appointments and business.

This case is an example, of a family business run by father and three sons and a daughter. The sons, although spatially separate came together to manage the family concerns. They were coparceners but neither coresident nor commensal. They were coparceners in the sense that there was tacit agreement that the sons shared common property (i.e., the business) but that the amount each receives would be decided by father. Although the sons spent Sundays with their parents for a family luncheon, they had a lot of contact over the weekdays and weekends when they brought their children to their grandparents.

The history shows that the family at an early stage had completed the developmental cycle as a result of poverty, nevertheless it was completed. Each son took his share and went out to seek his fortune and also established his own joint family business, as well as joint living with its characteristics of coresidence, commensality and coparcenary. Although all these characteristics did not apply because of reasons of accommodation, the sons were coparceners and had a weekly commensal relationship. Bahadur's sons were living in separate nuclear households because the flat was too small to accommodate the expanding family. The family appears to be in the middle phase of the second business cycle.

It cannot be predicted with absolute accuracy, however, whether the sons of Bahadur will establish a joint family with a joint business when their sons grow up. The study has not revealed the establishment of a joint family in the third generation as it is too soon in time since the children of the sons are small.

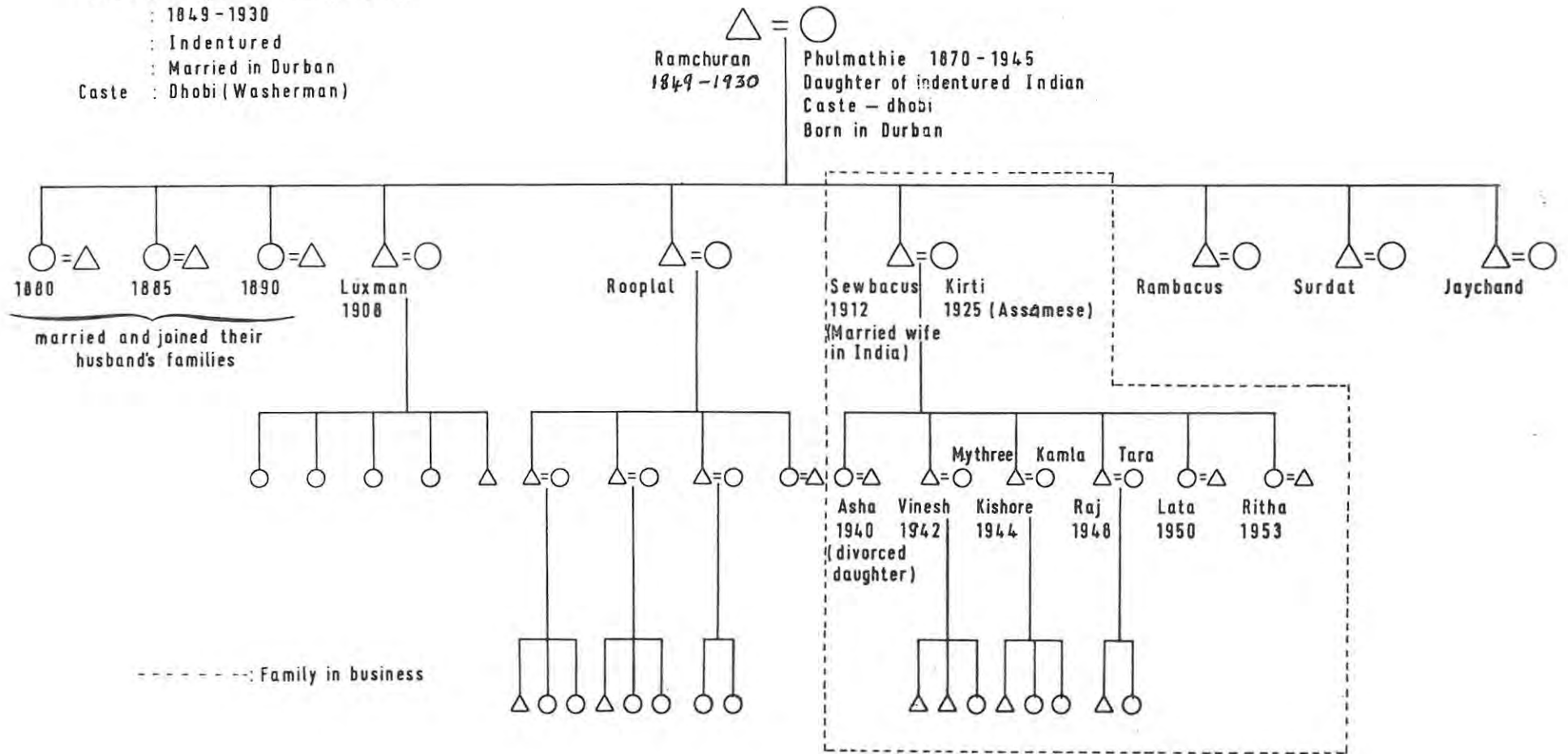
Whether the business is going to remain united after the patriarch's death is difficult to say. It might happen that the brothers after their parents demise have dissension in which case each would take his share and become independent. At the moment the father distributes salaries to his sons which means that he controls all the finances, but he did state that his intention, is to divide his business equally among his children in his will, so that each son would qualify for a section of the common business and run it independently. At the moment, the patriarch feels that he is young and capable (nearly sixty) and wants to exercise his authority and headship in the family business. When he feels "aged and infirm" with his "faculties impairing", then he would transfer his powers to his sons.

Although the patriarch would not disclose the amount he pays his sons, the eldest son who runs the headquarters, and who has the most number of duties and responsibilities receives a higher salary than the others. The head belongs to political, religious, cultural and welfare organizations, both sectional (Hindu) and non-sectional. (See Appendix O.)

Fig.3.5 (Case E)

Genealogy : Ramchuran

Born : Madya Pradesh (India)
 : 1849 - 1930
 : Indentured
 : Married in Durban
 Caste : Dhobi (Washerman)



CASE E :

RAMCHURAN : INDIAN MUSIC AND LITERATURE

Area of Origin : Madhya Pradesh

Caste : Vaisya (Merchant)

Language Group : Hindi

Religion : Hinduism

This was a retail family business selling Indian music and literature originally run by father and eldest son until the youngest son joined the business. The head of the business had three sons and three daughters. The family is an example of a coresident, coparcenary and partially commensal joint family. The head of the business, Sewbacus Ramchuran was the third of six sons of an indentured labourer, who after the expiry of his labour contract on the sugar plantations, settled in Clairwood in Durban. He tried his hand at a variety of jobs until his sons grew up and he finally settled to the sale of traditional musical instruments. After the father's death the six sons continued the business which was not very lucrative, while they still lived together in a common residence in Clairwood, a suburb of Durban. After the patriarch's death the sons did not see a successful future in the music trade. Two went to India to study music, one died there, while the other returned, married a coloured woman, was ostracised by the family and decided to settle in Johannesburg. Another died prematurely after an appendectomy. (See Fig. 3.5). One left the family business to work independently. That left two brothers in charge of the music shop. Both brothers lived in separate houses but continued to share the business. The younger of the two brothers died of a heart attack. His share was given to his wife and children, who for a while tried unsuccessfully to start a music shop but were forced to give it up because of lack of experience.

Ramchuran continued with the music business, which prospered very gradually over the years with his perseverance. Regular contact was maintained with music firms in India which sent the latest musical instruments, literature and records. His two sons helped in the business. The younger of the two decided to leave because of conflicts with the older. The father took pity on him and invested funds in an electrical repair concern for him in the same street. The third son worked for an insurance agency and clearly expressed his disinterest in the family business.

The father and eldest son continued with the business, and the eldest son Vinesh put in a lot of effort and established two branches, one in Chatsworth which he supervised, and the other in Pietermaritzburg which he asked his retired father-in-law to supervise. Father then supervised only in the absence of Vinesh, who ran the business. The youngest son decided to join the family business because he had not been unsuccessful as an insurance agent. Vinesh did not wish to argue with his father who encouraged the youngest son to join the business for a fixed salary.

Father's attitude to his youngest son's return can be likened in some ways to the prodigal son in the New Testament (St. Luke Chapter 15: 11-32). The youngest son was a disappointment to father and the family. When he could not make a success of his life he returned begging father to take him back. Father felt compassionate towards him and employed him in the family business, just as the prodigal son said to father, "and am no more worthy to be called thy son : make me as one of thy hired servants." The eldest son as in the prodigal son, objected to father's welcoming the brother, and also

employing him in the family business saying that he, the elder brother, worked hard and never displeased father in any way. In this case the son was taken back and employed with a fixed salary. In the New Testament the prodigal son was welcomed as a coparcener. Vinesh the eldest son had a diploma in business management for which he studied on a part-time basis. Vinesh disliked his father's lack of progress and initiative. He said father was often very stubborn and refused to 'stick his neck out' to invest and set up new branches.

Vinesh, however, accepted his father's authority and senior position although father no longer made major or minor decisions. But father did not relinquish his right to veto a major decision made by the eldest son. The father was aware that his sons respected him, although he might not know that they did not fear him and had to tolerate him. As the family was religious they were often reminded of the stories in holy scriptures the *Ramayana* and *Mahabharata*, of dutiful sons, like *Rama*, *Lakshmana*, *Bharata* and *Sugriva*.

The two brothers who ran the business with father, were not on talking terms with the brother who had an independent business. All lived together in a large house especially designed to accommodate them. (See Fig. 6.2, House plan). Conflicts abounded in this family over minor issues such as food buying and cooking. These led to more serious issues, like salaries, finances and amount of effort put into the business by the sons. The situation in the family was aggravated by the wives, two of whom were not on speaking terms for ten years. Thus there was tension in the atmosphere in the

house and the slightest provocation could spark off a conflagration. It was usually the mother who poured oil on the troubled waters. The father at times tended to be partial. According to the eldest daughter-in-law, if the father died the brothers "would kill each other over the family business."

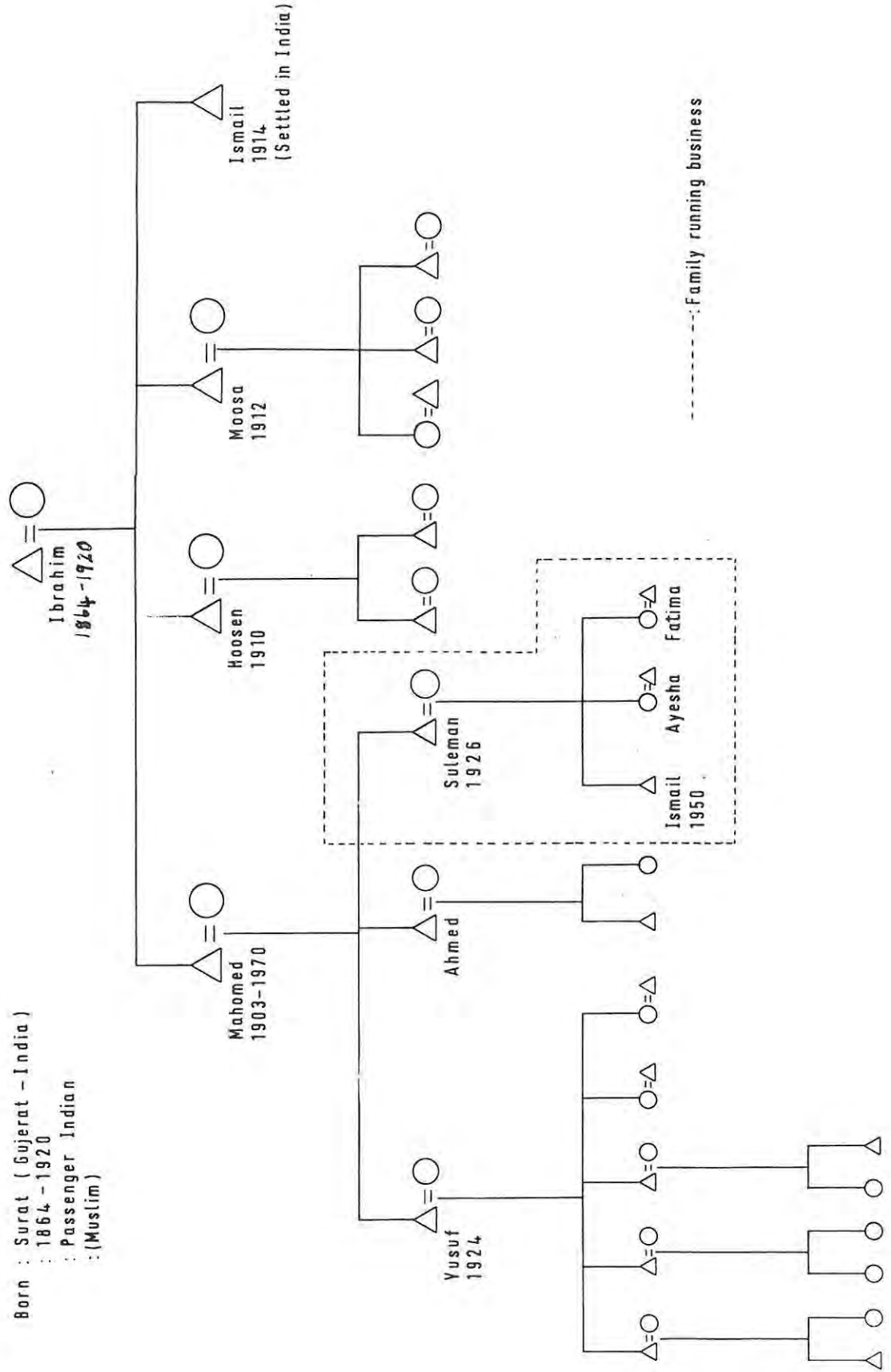
Vinesh felt that the business was rightfully his as he had worked the hardest, and although he had the status of co-manager with his father he did not have full legal rights. He wished his father would draw up a legal agreement transferring all rights of ownership to him. He had also invested three quarters of his salary into the family business, as he believed that one day the business would be entirely his own. A quarter of his salary was spent on food and clothes for his family. Other expenses such as household and maintenance of the house were met from funds taken out of the business. This case history shows that fathers can be possessive over the business, and tenacious over traditional authority. Conflicts among brothers and among their wives can aggravate the already complicated relationship among the brothers.

Father and son (Vinesh) belong to the Local Affairs and Ratepayers Association in addition to the Hindu religious and cultural organizations. They are also members of the non sectional organizations.

Fig.3.6 (Case F)

Genealogy : Ibrahim

Born : Surat (Gujerat - India)
 : 1864 - 1920
 : Passenger Indian
 : (Muslim)



GROWTH AND PRESENT SCALE OF INDIAN BUSINESS OF
'PASSENGER' ORIGIN ILLUSTRATED BY CASE STUDIES

It would be wrong to assume that all passenger Indians arrived with a lot of capital and therefore had an advantageous head start. According to this study some brought sufficient capital in order to make a small start while others came with very little. In this category are the jewellers who started with a few pounds, renting one room which served as a jeweller's manufacturing room, kitchen and bedroom.

Not all the passenger Indians came directly from India. Some in this study came from Mauritius, having gone there to look for better prospects before finally settling in South Africa.

CASE STUDIES (PASSENGER ORIGIN)

CASE F :

SULEMAN IBRAHIM : QUALITY FURNISHERS
Area of Origin : Surat, Gujerat (N.W. India)
Language : Gujerati
Religion : Islam
Sect. : Surti

The pioneer of the family, Hajee Hafejee Ibrahim, arrived in South Africa in 1894. The early roots of the family were in Burma and later in Mauritius, where H H Ibrahim had settled for a while before embarking for South Africa. In 1895 he established his first drapery

Plate 5:



(a) Successful Trader's Business Premises (Exterior)

(b) Office of Owner of above business



business in West Street, Durban and ten years later moved to Field Street, Durban where he was engaged in a retail clothing business. He had three sons who helped him with the business. The family lived in Greyville, a suburb in Durban. The fourth son was in India. Hafejee Ibrahim made his fortune when he was asked to join a friend to run a furniture factory. He gave up his clothing business and together with his three sons joined his friend in the furniture business. Hafejee paid off the owner of the furniture factory and took ownership with his sons. In 1936 one of the sons decided to branch off independently owing to conflicts in the business relationship. He took his share and left the family business. The other two sons continued with the father. (See Plate 5 (a) and (b)).

At this stage the family of two sons and father lived in two homes adjacent to each other; one was occupied by one son and the father, and the other, by the other son with his family. The father died in 1955. The sons continued with the business.

The two brothers, Mahomed and Moosa who ran the business together had many a conflict, and it was decided that Moosa should take his share and start his own furniture business. Mahomed then asked his three sons to leave school and join the furniture business.

Mahomed and his three sons, Suleman (informant), Ahmed and Yusuf ran the business until 1968 when problems arose. The father, Mahomed, was adamant about opening a textile business to which Suleman objected. The family decided that father should take his share and move out of the business. Yusuf, too, took his share

and the two brothers, Suleman and Ahmed ran the furniture business for a few years. Suleman decided to give Ahmed his share, who opened another similar business. Suleman was left to run the business independently. (See Fig. 3.6).

Suleman asked his only son, Ismail, to leave school and join him. This he did and Suleman ran a successful furniture retail shop while Ismail was in charge of the furniture factory, which not only supplied the family's furniture shop, but also other furniture concerns.

Suleman stated, "I worked very hard with my father and although we had problems in the end and the family was not able to live 'jointly' for long, I had nevertheless learned a lot from my father to whom I am indebted. My son today is not prepared to work as hard as I did, he wants to make easy money quickly."

Although Suleman appreciated the business methods he learned from his father, who was a strict disciplinarian, he nevertheless indicated that his father was a very difficult and headstrong man. His father could not get on with him and his brothers and the business had to be shared between father and sons. The early history shows that father and sons can have conflicts which in this case led to the father being paid off his share while the sons continued with the business. This is an unusual case, however. Suleman had very little contact with his brothers who were not as successful as him, but who, nevertheless were running small businesses.

Conflicts can have a variety of different meanings in different contexts. In this case conflicts between father and son meant not seeing eye to eye on business organization, on expansion and general principles in running the business.

It is a unique case in the sense that one does not normally see sons telling their father to take his share and leave, thereby not only partitioning the coparcenary but also disintegrating the joint family. The conflicts were of a severe nature and often irreconcilable. There were also personality conflicts and father and sons were forever having bitter arguments and often at "the slightest provocation father used to fly off the handle." Father was headstrong and domineering and wanted to have his own way. Suleman felt that when a family is not united and there is no solidarity, the patrimony has to be distributed, and when that happens there is very little desire to keep the joint family intact. Unusual as this case might be where there is unity among brothers it can be possible, that the brothers can get together and eliminate a very difficult father, by insisting on the partition of the patrimony. The father's indiscriminate spending and lack of expertise led to his downfall. However, it did not mean a severance of filial ties.

Other brothers seemed to confirm Suleman's story, one of family dissension and also rivalry among the brothers. One brother would defend father in his stand just to become his favourite so that father would be well disposed towards him. This aggravated the already complicated situation fraught with problems. The brothers then openly insulted each other and were not on talking terms for years. Father was too ambitious and lacked forethought according to the sons and was also very stubborn. But the brothers agreed

that father was extremely hardworking. He sacrificed his weekends and holidays for work. Suleman felt that he learned a lot from his father and admired him despite his weaknesses. An outsider, who happened to be a prominent member of the Muslim community, together with a Molvi (priest) intervened and advised that the estate be divided for the sake of peace. A point to bear in mind is that this fissile example is not a generalization because the Muslims are more united in family life than Hindus.

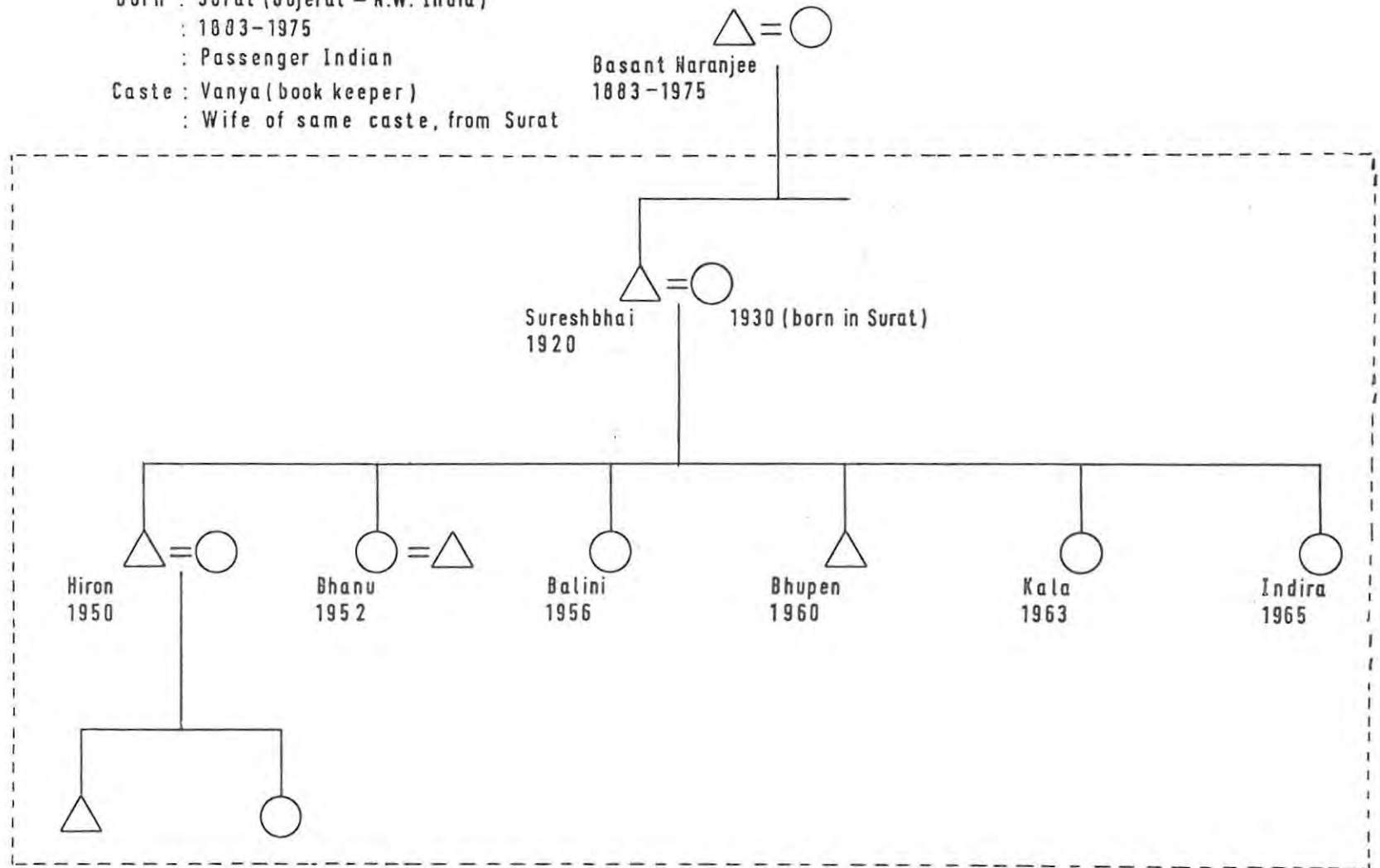
There were no regrets on the part of the brothers, after the business was partitioned and the family split. After the sons left they became independent and depended on their own resources to build their businesses. They had no emotional support which a joint family would normally provide, but Suleman felt that it was a challenge in life and he was particularly determined to succeed.

The reason for Ismail having to leave school was obvious. Ismail was the only son and Suleman was compelled to request his help in order to run the business. His having left school prematurely seemed to have paid good dividends, since father and son became directors of a large furniture concern.

Although Suleman admitted that he learned a lot from father's methodical nature he gave one the impression that he too was headstrong and irrational as his father. His son Ismail stated that his father could be very difficult and 'too fastidious' about what he (the son) considered minor things. Suleman, however, ensured that what happened to his father does not happen to him. He stated that 'he was in control of authority' and it was observed that the staff and his son accept his overbearing manner. He combined his authority with much tact however, and diplomacy which he said was his secret.

Genealogy : Naranjee Fig.3.7 (Case G)

Born : Surat (Gujerat - N.W. India)
 : 1883-1975
 : Passenger Indian
 Caste : Vanya (book keeper)
 : Wife of same caste, from Surat



----- : Family running business

The women in this case did not play any part in the business in the early days. It was only very recently (2 years ago) that Suleman decided to incorporate his daughters (one of whom is married) into the business. Since the family adhere to orthodox Muslim values the women were secluded in the early days and consequently did not play a part in the business. But they could have been a strong moral force working behind the scene. The head belongs to the Local Affairs committee and the Ratepayers Association. He also holds prominent positions on the Muslim educational and cultural organizations.

CASE G :

NARANJEE : WHOLESALE HOUSE

Area of Origin : Surat, Gujerat

Language : Gujerati

Religion : Hinduism

Caste : Vanya

Suresh Naranjee, my informant, was a Gujerati-speaking Hindu who ran a wholesale grocery business which was started by his father who came to Durban alone in the early years of this century.

Basant Naranjee, father of Suresh was one of the few learned Gujerati scholars in the early years in Durban and was much in demand both as bookkeeper and a vernacular school teacher. Although his salary from bookkeeping was meagre, he saved sufficient capital and went back to India to fetch his wife and three small children, two of whom died, and one son (informant) survived. (See Fig. 3.7).

In the 1920's Basant obtained a general dealer's licence and started a small retail business in the central business district of Durban,

and rented a flat where he lived. He moved to several places in the Durban business area trying to build his business until finally, in 1934, he bought the present building in the central business district of Durban where his son now runs the wholesale business. The business up to now was a retail grocery business.

In 1947 Suresh, the only son, married and the family was a commensal, coresident and coparcenary unit. Father and only son started a wholesale business, and continued the business, until father died in 1975, at the age of 94 years. Suresh's father occupied his office until the last few years of his life trying to supervise the business.

Suresh said that his father was a very hardworking man "my father was my first God and I looked after him dutifully according to Hindu custom. I revered my father and submitted to his will. I always sought father's opinion even when it came to buying a pair of pants for my son."

After the father's death the business was run by Suresh and his two sons, Hiron and Bhupen, one of whom was married and lived jointly with his father and worked in the family business until a year ago. Suresh's son's (Hiron) marriage was a forced one, arranged with a Gujerati girl of the same caste. Hiron fancied a Hindi girl whom his parents objected. The objection was on the grounds of ethnic difference, the girl was Hindi-speaking and non-vegetarian while Hiron and his family were vegetarians. Gradually Hiron's visits to his parental home became less and less until he stayed away altogether. Whenever he visited his parents there was an altercation. Hiron decided to leave his legal wife and child and

his father's business and sought an independent job away from his home. Suresh was disillusioned and eliminated Hiron from his will, and asked his sixteen year old son to leave school and join him in the family business.

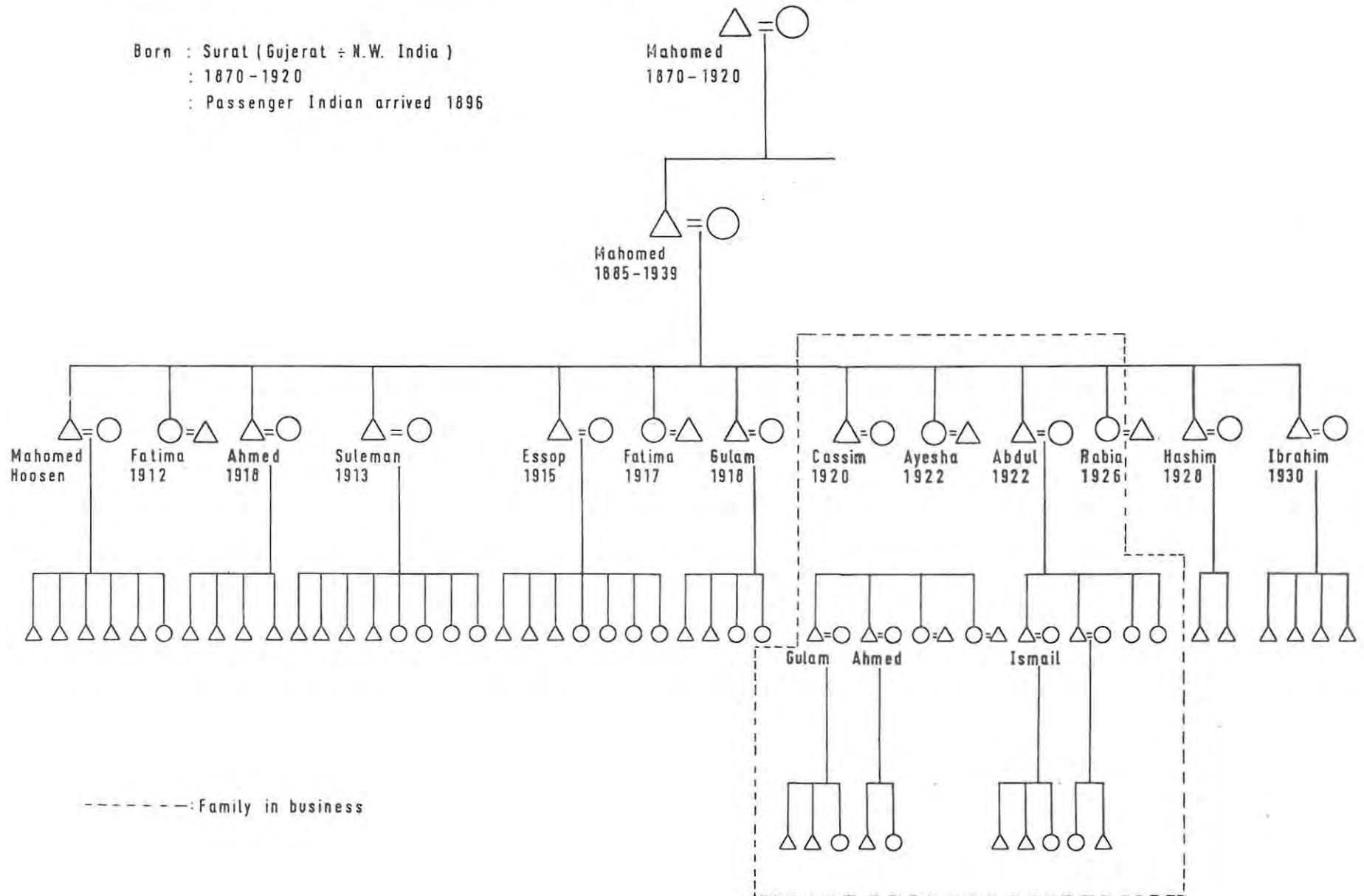
In the above case, and the previous one, the only son played a significant part in the life of the family business. If there is an only son, there is no friction and rivalry which prevails between brothers. The ties of affection and dependence mean that there is an absence of the usual fissile pressures. Another complication, that of problems among the sons of brothers, who, as the business progresses, begin to play their part, is obviated. The only son knows that he has no competition to work for nor the fear that father might favour another son. The only son also does not have to share the patrimony when the father dies; he inherits the whole estate.

In this family there was joint living until conflicts arose. In all the generations the marriages were arranged, the brides were hand picked, giving age priority. Teenage brides were preferred, preferably at the onset of puberty. As they were very young and vulnerable they had to accept the authority of their mother-in-law without questioning it. The daughters-in-law did not agitate for attention, equality, or independence. Therefore there were less conflicts in the domestic sphere between mother-in-law and daughter-in-law, and the joint family could have been intact had it not been for the conflicts which arose as a result of Hiron's mistress, and his refusal to give her up. Hiron decided to give up his chances

Genealogy : Gulam Hoosen

Fig.3.3 (Case H)

Born : Surat (Gujerat ÷ N.W. India)
 : 1870 - 1920
 : Passenger Indian arrived 1896



of inheriting the large patrimony. The head belongs to all the Gujarati Hindu religious cultural bodies in addition to the Local Affairs and Ratepayers Associations.

CASE H :

GULAM HOUSEN : DRAPERS AND OUTFITTERS

Area of Origin : Surat, Gujerat, India

Language : Gujerati

Religion : Islam

Sect. : Surti

The third example of the history of a passenger Indian was that of one of the most successful businesses run by a Muslim family in Durban. This family was regarded by many in the Indian community as a closely knit, conservative and an industrious family unit. Many who agreed on this have had close contact with the family for decades.

The business was one of retail clothing, drapery and manufacturing concern, run by two brothers and their sons. Although the two brothers were directors and occupied the position as head of the two families, they delegated authority and power to their sons who made all decisions and virtually ran the business by themselves. The two brothers acted as figure heads and receded into the background. Their seniority in age was respected. Ismail, the informant, one of the sons (of one of the brothers) was the managing director of the business. He related how his paternal great-grandfather came in 1896 from the village of Kator in Surat, Gujerat, India. He had

only one son, a lad of 13 years who helped open a small retail shop at the bottom end of West Street, Durban. The great-grandfather decided to go to India to visit his relatives, but he never returned and the son was left alone to run the shop. The son married in 1920, saved capital and bought what is now the expanded premises run by the present sons and grandsons. He had 13 children of whom 10 survived - eight sons and two daughters. (See Fig. 3.8).

As his sons grew up, they assisted in the shop after school and gradually the sons left school and joined father. Progress was slow up to 1935. After 1935 business expanded and the premises had to be extended. The sons at first lived in one house, in Sydenham a suburb in Durban, but as the family expanded and accommodation became a problem, another house was bought next door so that the sons could live nearby.

The father decided that eight sons were too many in one shop. He started two sons off in a similar retail shop in another area. Despite the separate business, the two sons lived next door to the rest of the family and were in daily contact, and very much united. The reason for establishing independent shops, and not branches was that the original business was expanding fast and had a good clientele and it was difficult to cope. The father decided that it would relieve the burden of administration if separate businesses were allocated. In 1939 father died. Another four sons branched off and started a similar clothing shop next to the original shop. This left the two brothers to run the original shop. The four sons started with funds taken from the family business. In 1955 the original joint residence was expropriated by the municipality. The

two brothers were forced to buy plots in another suburb nearby, next door to each other where they moved. (See Appendix 9 and 10 for memorandum submitted to the Minister by the Grey Street Local Affairs Committee.) There were four shops run by the eight brothers. Each business was independently run by two brothers and his sons. The one which was studied was run by two brothers who acted as figureheads, who came daily and served at the till. Their three sons (two of the one, and one of the other, the others pursued professional careers) virtually ran the business by themselves and only consulted their fathers when there was a problem, who then acted in their advisory capacity. The brothers had confidence in their sons, and knew that they would make the decisions in the interest of the business as a whole. Each son was a shareholder and received a salary in keeping with his position and labour output. The eldest son received the highest salary because he was longest in the business and had more responsibilities than the other two brothers. All three had business diplomas and degrees in commerce and accountancy. The other son who was a doctor was a minor shareholder in the family business. This son wished to pursue a professional career. He was invited to the business meetings and took an interest in its progress, though he was not actively involved in the running of it.

Up to 1955 the two brothers running the business which was studied, occupied a common residence. Subsequently they lived next door to each other in a suburb of Durban, with one son of each brother living jointly with the parents. The other two sons of Cassim and Abdul lived in two streets nearby.

The two brothers explained that plots were deliberately bought in one street, so that the family could be close together and that,

although all the sons of the two brothers did not share a joint residence, they were very much part of one family and the brothers felt free to have their meals with any son. It was for the sake of comfort that the brothers decided that their houses, and those of their sons, should be built separately. The brothers and their sons not only met daily at the business, but also visited one another in the evenings regularly. Separate homes in this case did not completely alter the close-knit nature of their family life, as visits were made regularly. The two brothers and their sons belong to all the Muslim religious, cultural and some welfare bodies in addition to the Local Affairs and Ratepayers Associations.

SUMMARY OF CASE STUDIES

The cases presented show that the historical background and pattern of early development differed in the case of 'indentured' and 'passenger' Indians. The indentured cases reveal a somewhat similar early development, except for the example of the coal miner, and the tinsmith. Vegetable gardening and hawking appeared to be a common pattern of activity among the cases studied, at times in the direction indicated by caste occupations. Where a traditional caste occupation was followed it was done so purely voluntarily, there was no compulsion to do so. Furthermore there was no *panchayat* or caste-council to check on the misdemeanours of the caste members. Therefore a caste occupation was not subjected to the same rules and regulations and scrutiny, imposed by the higher castes. There was thus freedom in the economic sphere and a lot of room for vertical mobility. It was only when marriage was being contemplated that one's caste status became conspicuous.

The case histories show that in the early days the family lived jointly in its commensal, coresidential and coparcenary aspects. As families expanded, accommodation and other factors such as the Group Areas Act, which expropriated the houses and land of the people, the exigencies of urban life, all contributed towards the break up of the joint family. It is a fact that the acute shortage of land for the Indians and the restrictions imposed by the Group Areas Act, compelled families to seek for shelter with the joint family, even for a short while. This temporary coresidence lasted until an alternate independent residence was organized. Although the 'Group Areas' precipitated a division of the joint family it is difficult to say whether those families which were close to normal segmentary division, i.e., with adult married son with children, would have wanted to segment. Despite various new elements such as those mentioned above which have affected the rate at which the joint family completes its cycle, a business without a father and son running it, or a group of brothers, is a rarity. The families were affected in the following ways:

1. The old residents were denied security of tenure because, between 1951-1966, Grey Street was declared a 'controlled area'. Residential development was only possible by the acquisition of permits which many were not successful in acquiring. In 1970 there were twenty-one hundred flats which dropped to sixteen hundred in 1977. The flats were either converted to offices or demolished and rebuilt for other commercial purposes. The residents had to move to the suburbs. Moreover, because of the residential restriction, flats could not be developed under sectional title deeds. (See Case G, and Appendix I and J).

2. Those who moved into Grey Street when their properties in the adjoining areas such as Berea, Umgeni, Leopold, Field and Pine Streets became untenable under the Group Areas Act. A case in point is that of a sari merchant who established a business in Grey Street after his property in Umgeni Road was expropriated for the construction of a railway station. Both business premises and homes were expropriated to make provision for highways.

3. Those who were moved far from their traditional shopping areas such as Case B in the study, as a result of the demolition of the Indian market and the building of highways and bridges. There were cases in the study which were affected and consequently moved to an arcade which was far removed from the busy trading area. (See Appendix I and J for memorandum on Grey Street).

A noteworthy fact is that although a joint family goes through a developmental cycle of periods of growth, expansion, fission and in some cases reconstitution, it does appear that after the death of the patriarch, the sons, due to business and family conflicts distribute the patrimony and separate, or only separate spatially but remain coparceners. In the following generation, the cases also show that where there is a strong economic link, provided by a flourishing family business, then the joint family persists.

Even if the family does not live jointly as in the case of the picture frame business, the sons are still coparceners. In that case the sons chose their own wives. As the family is not very traditionally orientated, somewhat westernized, it therefore does not retain and practise a lot of its traditional beliefs and values, and it did not insist on a marriage based on caste or on the sons living with the parents jointly. But had the sons, with their wives who are somewhat educated and westernized, lived jointly, conflicts would have been inevitable. Such a conflict situation was evident in the case of the music and Indian literature business, where the sons were coresident, coparceners and partially commensal. The parents had no say in the choice of the brides for their sons. (See Case E).

An important factor that appeared to play a part in the perpetuation of the joint family was arranged marriages. In the early days most, if not all marriages in the first and second generation were arranged. It was an accepted custom and nobody objected. Cousin marriages (i.e., marriages between the children of two brothers in this context) which are not uncommon among the Muslims, have contributed in an advantageous way towards the development of the business. In Case H, (Passenger Indian) of the two retired brothers who supervised the running of the family business by their three sons, the marriages of their sons were arranged. The daughters-in-law had no adjustments to make and there was a minimum amount of conflict. There was a common claim to a family business in which there was concerted interest not only by the sons but also their wives. (See Table 3.3 Spouse Selection).

TABLE 3.3 : SPOUSE SELECTION IN CONTROL GROUP

	Number of sons or brothers married by Arrangement	Number of sons married by Free Choice
Family A	All 4 brothers	
Family B	All 6 sons	
Family C	1 son	
Family D	1 son	2 sons
Family E	3 sons	
Family F	1 son	
Family G	1 son	
Family H	3 sons	

In many respects a different pattern emerged among the passenger Indians. Some came with a small amount of capital while others came with more and therefore did not encounter as many problems. It should be noted that the case histories reveal many passenger Indians initially with a history of financial struggles, but today have flourishing businesses. (See Table 3.4 Wealth Assessment of cases studied). But then it should also be remembered that these successful cases are few in relation to the total business community.

TABLE 3.4 : APPROXIMATE INCOME ASSESSMENT IN 120 CASES

Indentured or Passenger Indian	Approximate Wealth Per Year (Income)		
	R50 000-100 000	R100 000-200 000	R200 000+
Hindi (Indentured)	13	3	3
Tamil (Indentured)	6	4	2
Gujerati Hindu (Passenger)	3	9	27
Muslim (Passenger)	8	7	35

The majority of the wholesale businesses in the central business district are in the hands of passenger Indians, Muslims and Gujerati Hindus indicated on Table 1.4. This does not mean that all the retail businesses are of indentured origin. It is true that the indentured labourers branched off into a wide variety of retail business after the vegetable business did not appear very lucrative. It was a matter of adapting to whatever business opportunity availed itself. Therefore the history of the indentured retailer is one of varied experience, of progression from hawking green grocery to the present area. Therefore it is not to be concluded that the passenger Indian, who had a head start with business, is the only prosperous Indian businessmen. The indentured Indian has progressed to the level of the passenger Indian, and in some cases, even surpassed some of them, by sheer dint of hard work. (See Plate 6(a) and (b).) (Also see Appendix H for range of income levels in economic and sub-economic areas.)

The literacy rate of the different generations shows a marked disparity. Modern education, and improved communications and better chances for employment, better business methods of management and administration, are generally looked upon as a positive step towards progress and not as a threat to the power and authority of the head of the family business, who does not always have the same educational background of those of his sons. (See Table 3.1, Educational Level). (Also see Appendix F).

It is obvious that progress has different meanings to some fathers and some sons. The fact that father has reached a particular successful stage in business means progress to him. He is satisfied and contented. He need not wish to expand and set up branches. To the son progress might mean expansion in the sense of setting up new enterprises.

Plate 6:



- (a) House of Indentured Indian
in Early Days
- (b) House of Indian of indentured
origin today.



In Case A the business survived beyond its usual point in the developmental cycle (after the death of the eldest brother) so that two generations are involved at the control end. Brothers and nephews run the business as a cohesive unit, though they live separately. Commonly when two generations are involved the business divides or reorganizes into a company. Some of the reasons which can be advanced for the predicted different attitudes between the two generations might be the cultural outlook, values and norms inculcated in the growing up phase in the two generations. Thus the structural element in the developmental cycle makes fission inevitable, but whether it is early or late depends on the conflict between women. They form an alliance as wives of brothers and mothers of cousins. (Case A) keeps its sons, but a weak one (Case B) sheds sons and brothers.

Each family business seems to reach a point at which it can either expand (like Case A) or fragment. This might take place about the time the patriarch or his first heir is unable to control the business, (perhaps due to illness, old age, etc.) so that more adventurous young men take over. Where a business is run by a group of brothers who are coresident, and the controlling power lies in one brother (maybe the eldest), and each brother receives a salary, it is very likely that such an arrangement may lead to a split as conflicts will be inevitable. Conflicts will occur among brothers and their wives. But where the brothers are occupying separate households while still coparceners, the business has less likelihood of splitting early. The best arrangement might be when each brother is allocated a branch and the brothers form a company and each brother a director.

It is evident from Cases F and G that an only son can play an important part not only in the family business but also in perpetuating the traditional joint living. A son, no doubt is important to carry on the business and (among Hindus) carry out the funerary rites. Some parents continue having children until they produce sons. The age of marriage of the first and second generation of women was early teenage years.

It was observed that the higher income group belong to more political, educational and charitable institutions and the lower to cultural and welfare organizations. Several wealthy Indians have part of a university or technical college named after them in recognition of their large donations. However, a prominent Indian political figure was of the opinion that there is more political awareness today among the lower income retailers than there was in the past.

The case studies illustrate a diversity in social and economic background of the Indian trader and also a certain uniformity in the developmental cycle of the business and the joint family, as well as variables. The chapter has also attempted to give some insight into the social and educational background of the family which has a concomitant effect on the business. The next chapter will lead us to a discussion of the 'joint' nature of the family business.

CHAPTER 4

THE INDIAN BUSINESS : A JOINT CONCERN

Thus far we have looked at the background of the settlement of Indians since their arrival, the types of economic activity into which they were absorbed, the growth and present scale of 'indentured' and 'passenger' Indian business, and the educational background of the different generations involved in business over the years. In this chapter I shall attempt to show that the Indian business is a family concern, I shall focus on the developmental cycle of the family on the one hand and business on the other and the synthesis of the two, showing the impact of strain on both. It is also necessary to have some idea of shares, companies, partnerships and sole traders as these are manifested in the businesses. Auditing regulations and income tax requirements pertaining in particular to women have also been explored.

THE HOUSEHOLD

Fortes in Goody (1958) states that the domestic family goes through a developmental cycle. Fortes's model of the developmental cycle of the family has a phase of expansion that lasts from the marriage of two people until the completion of their family of procreation. This theory can be applied to the 'Indian joint family' in Durban which goes through a period of expansion, fission and perhaps replacement. In this light one can look at every dispersed nuclear family as a phase in the developmental cycle of the joint family, and as a potential 'joint family', given time, with the marriage of sons. Thus it is likely

then, that the joint family firm which is run by three sons who are residentially nuclear, due to the phase they have reached in the cycle, but are still coparceners, and meet daily to run the family business, might one day with the marriage of their sons expand into a joint family with a family business.

In joint families there has to be first and foremost the recognition of, and respect for, the authority of the head of the family, who is usually the patriarch, or, in his absence the eldest brother. As the sons marry they share a common residence, or (for many reasons) they disperse into separate households. The fission of the sons is accelerated by the death of the patriarch, who is regarded as holding the family together and symbolising unity in the family. It is at this stage that first cousins are incorporated into the family business.

The fissiparous tendencies are the result of factors such as problems of accommodation, conflicts brought about as a result of personality clashes, education, individual talents, premature deaths, strong and weak widows, and economic and residential pressures, which contribute towards an early fission. These deviations to the norm make each family business unique in its development.

There is variation among the cases studied in the phases of the household. It was observed that a common pattern is for a son in a joint family to cook in a common kitchen with his parents in the first phase. In the next phase, due to family conflict and the problem of

accommodation with the expansion of the family, the couple then cook their meals separately in the same kitchen on a separate stove, or in an adjacent kitchen. There were two large 'joint families' in this study where some married sons shared their meals with their parents, cooking in a common kitchen, while other married sons were given separate kitchens in the same house. A further phase is the movement of the son and his family to a separate living unit either in the main house, or in an outhouse in the yard. In one case in this study there was one son who occupied an outhouse because there wasn't sufficient accommodation for the many sons in the family. The final phase is when the son and his family move out of the family household completely, setting up a separate household. These arrangements can only be possible in large houses where there is sufficient space for extra kitchens, otherwise the problem of crowding will be exacerbated.

The nature of the conflicts are discussed in detail in Chapter 5 on relationships and decision-making. Conflicts commonly occur between brothers, father and sons and mother-in-law and daughter-in-law. This last relationship affects the son and wife relationship which in turn affects the son and parent relationship. There is also the alliance among daughters-in-law. A common type of conflicting relationship is that between mother-in-law and daughter-in-law which leads to son's separation into a nuclear household. In the domestic sphere the daughter-in-law of the patriarch is generally seen as being one most likely to be involved in the friction. In the work situation it is conflict between brothers.

Conflicts in the joint family can be minor and therefore reconcilable, or major, which develop into strained relationships among members of

the household and can lead to fission. The strained relationship is first evident among the women, because as the number of women increases in the joint family there is more likelihood of conflicts. It is the relations between women which determine the rate at which the commensal unit divides, but the business remains unified as long as the brothers can escape being influenced by their wives.

The women start arguments over minor matters such as:

- (a) turns for cooking and cleaning of the household which are not adequately or efficiently carried out;
- (b) competition and rivalry to be the favourite of the mother-in-law;
- (c) competition over smart clothes and best dressed children;
- (d) arguments over the children which erupt when some females reprimand the children of other females (common in all generations);
- (e) criticism by the mother-in-law concerning the cooking which usually leads to insults to the parents of the daughter-in-law who are accused of not teaching their daughter how to cook;
- (f) husbands not getting on in the work situation.

It is argued by the older generation of Muslims and Tamil Hindus that where there was marriage between cousins (parallel and cross), this alleviated the tension in the joint family, as the women were familiar with the family members and there was no adjustment to be made. This type of marriage can contribute towards the unity of the joint family. However, the custom of marrying cousins is dying, an insignificant number was recorded in the study. There is preference for marriage with outsiders among Muslims and Hindus today. It is a notable change

among Muslims especially as it was customary to 'marry in the family'.

The Hindi and Gujerati regard endogamous marriages as incestuous as 'cousins' are looked upon as brothers and not mates for marriage. This belief is strengthened in the custom of *rakshabandhan* which is annually celebrated by Hindi and Gujerati Hindus. Sisters tie a thread on the wrist of their brothers and there is an exchange of gifts and sweetmeats. It behoves brother to protect and take care of his sister even after she is married. The custom establishes a bond of love and protection between brother and sister.

Arranged marriages with male authority and age seniority would tend to reduce conflict between wives of brothers and mother-in-law and daughters-in-law, and younger wives would be deferential to the senior women in the absence of the men. The division of the residence, would lead to more independence for the women in the choice of food, clothing and socialising, this leads to pressure being put on the husbands, to get more out of the business in the way of salary to meet the needs of the nuclear family. Separation does not necessarily lead to a split in the business, if the estate has to be divided (for whatever reason) the wealth will remain in the family if the marriage was between cousins.

Arranged marriages which were commoner in the earlier generations led to the durability of joint families and divorce too was rarer in the early days. The traditional joint family was a functionally integrated whole and this prompted the continuity of the business. With the new set of values emphasising independence and marriages based on personal choice there is less likelihood of the joint family remaining intact.

Although some sons were living separately because of lack of accommodation and conflict, they nevertheless continued to remain coparceners. Coparceners, as stated earlier need not necessarily be coresident. Coparceners i.e. members of the family (usually sons) sharing common property shared a common residence, while others lived in separate households but came together to the business premises daily where they discharged their duties and responsibilities under the authority of their father. In the cases where father was deceased and the business was run by a group of brothers, then these brothers lived separately, met daily and held meetings weekly, where they discussed matters pertaining to the management and direction of the business and its branches. Coparceners received salaries from the common resource pool and shared profits accruing from the business. The separate salaries catered for the needs of the separate households

which had their own budgets. Several cases were recorded in this study. The separation was only spatial. The pattern in the business did not change. The brothers met daily in the business premises to discuss matters pertaining to the business, such as finances. They worked as a family unit though living in separate households. One son stated that he did not allow family conflicts to interfere with his relationship with his brothers, nor did he discuss the grievances of their wives.

In one case of a flourishing drapery shop run by two retired brothers and their three sons, each brother occupied a separate house. The sons were free to build their own homes but the plots on which their homes were built were deliberately chosen to be in proximity, so that members of the family could meet in the evenings to discuss business and family matters.

Not all the cases studied separated into nuclear households. Some 'joint families' in the study had sons running the family businesses who shared a common residence and were also either commensal or partly commensal. One family with three married sons had only one son with a separate kitchen in the large household, the other two sons were commensal together with their parents. Another family with five married sons, had one son commensal with his parents, while the other sons had separate stoves and separate kitchens in the same large household which was especially designed to accommodate the married sons. The sons with separate stoves or kitchens ate their meals independently, but the sons and their wives emphasised that their parents were free to have their meals with them and in fact were often invited to do so.

There are thus degrees of commensality. Some fully and others partially commensal, the former sharing one stove in one kitchen the latter, separate stoves in separate kitchens.

Sons who live separately maintained contact with their families over weekends. In the case of the three sons living in separate households, they met their parents once a week usually on a Sunday when the family gathered for a meal. In another case where only one son lived with his parents, the other sons were obliged to have a meal on Saturdays as this was a pattern which had been followed ever since the sons began living in separate nuclear households.

The domestic arrangements have an important influence on the family and business relationships, thereby contributing towards its solidarity as a family unit running a business, and promoting the much needed cohesion for the smooth running of the business.

The joint household is owned by the patriarch or father and the sons living in it, who have the status of coparceners, do not pay any rental but contribute towards the buying of foodstuffs where they share commensality with their parents and other members of the family. The sons who are not coresident, are economically more self-sufficient as they have to pay rent for their homes or flats which they occupy. In this case their salaries are higher. The spatial distance from their parents gives the wives more freedom to plan their social lives, without considering whether their parents-in-law would approve or not. However in such cases the sons with their families visit the parental home at least twice a week and maintain daily contact with the father.

As the joint family goes through a developmental cycle so too the family business goes through phases. Each phase is marked by a certain degree of autonomy, which the members who are running the business obtain as a result of their involvement and status in the business. Autonomy is jealously guarded in the early phases, as it is virtually in the hands of the patriarch, who clings tenaciously to it until his old age. In several cases the father insisted on sitting in the business premises and watching his sons running the business.

THE INDIAN FAMILY BUSINESS

Benedict (1968: 2) states that the development of family role relationships over time is crucial in understanding the development of the family firm. He does not think that the construction of two static models, one of the family firm with its particularistic role relationships, and the other of the impersonal business enterprise, with its universalistic role relationships can be merely contrasted, but he rather thinks that the family firm should be looked at over time.

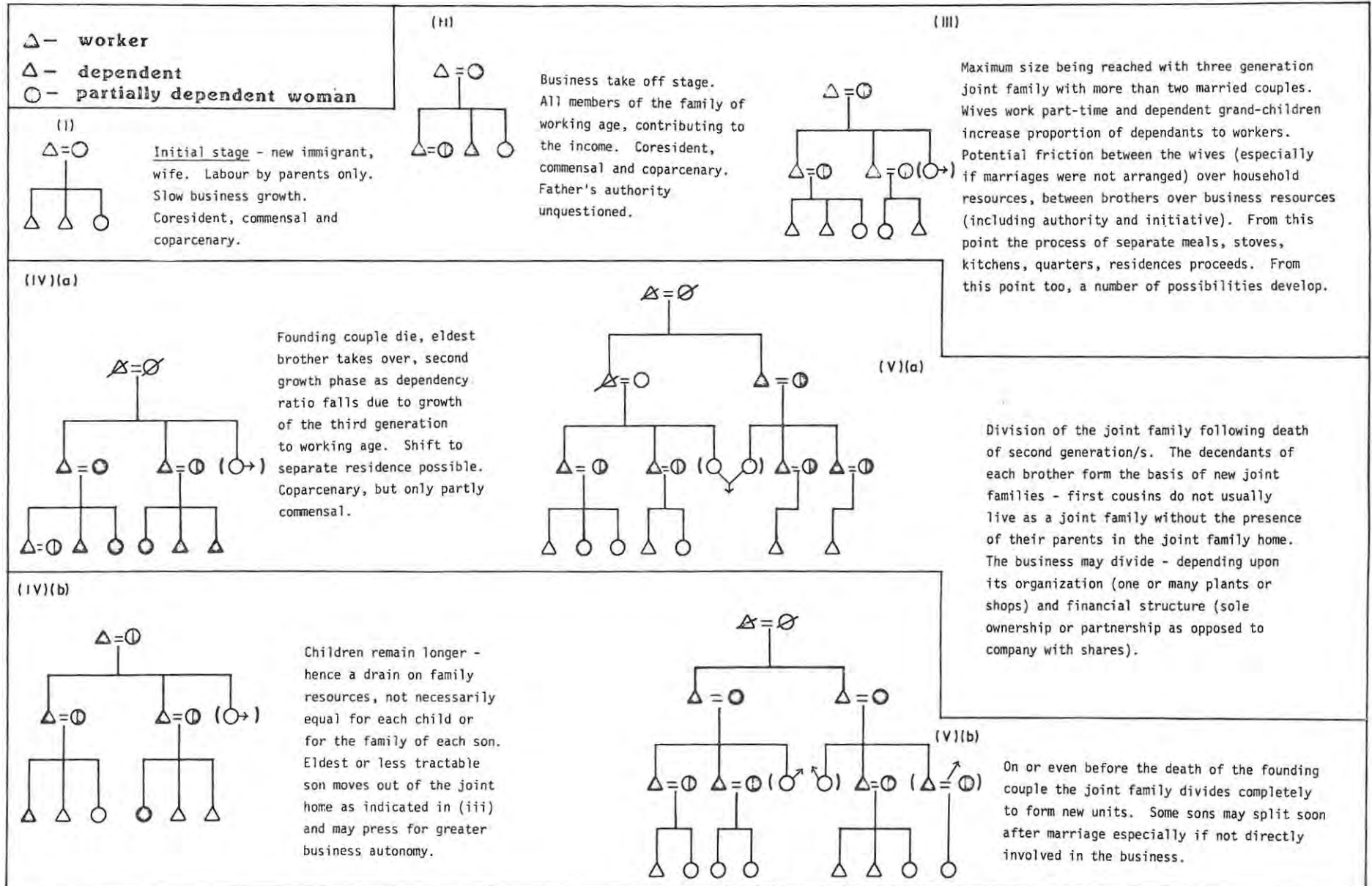
An Indian business is a family concern, and it is run by a group of agnatically related individuals. It was observed that Indian businesses have evolved through a number of phases. In the previous chapter eight case histories briefly showed the development of the family business through its very early stages of the 'indentured' and 'passenger' Indian. It showed a variety of different types of businesses for instance those run by father and sons, (those sons coresident with parents and those living in nuclear households,

brothers running the business with their sons, and a father and only son. There was also a case of brothers of the head who were employed as workers, but with a higher status and more responsibilities.

The first phase in the business consisted of father only. In this stage his children are young and unmarried and assist him on a part-time basis mainly after school and over weekends. He may also be assisted by his wife. As the sons mature the family is gradually drawn into the business. When the sons marry they become coparceners and may also remain a commensal part of the family. It is in this phase in the developmental cycle that the most rapid expansion is possible or likely with the arrival of grandchildren. (See Fig. 4.1 showing the normal process of growth and fission and modern changes.)

The transition phase appears when the father recedes into the background but final control still rests with him. This is when the sons actively run the business under the supervision of the father, who is consulted when major problems arise, particularly decisions concerning finances. The sons in this phase bear more responsibilities and are in a sense being trained to finally run the business by themselves in the event of death of father or partition. Until the death of father they behave as managers, rather than as owners even though they will become owners in due course and a key part of their reward is the assurance of inheritance. Patriarchs in the study did not readily relinquish their authority and position until they were forced through illness or old age. In two cases the aged fathers were chronically ill, had suffered

Figure 4.1 : Developmental Cycle Showing "Normal" Process of Growth and Fission and Modern Changes



heart attack, and had to be hospitalised and were forced to spend fewer hours in the business. There were many sons who had acuity in running the business but were not given the opportunity to exercise their judgement and initiative because of their lack of power. They had to accept their subordinate position until the death of the father.

When the father dies the fraternal phase develops - the business either splits or the sons run it together. If the business splits then each brother might start another joint family. When a business enters the fraternal phase, the domestic side can vary. In some cases the fraternal phase coincides with coresidence and commensality while in other cases there is coresidence but not commensality, while others still might be partly commensal. In cases where father had died and business was being run by a group of brothers, the latter did not share a common residence except in one case where three brothers owned a garage and all three were coresident but not commensal. Although the fraternal phase is usually looked upon as one of dispersal, as the brothers tend to live apart, and therefore to determine their own expenditure of their income from the business, there are cases where the brothers are coresident and coparceners but not commensal. The one case recorded is that of a Muslim family, who had a unique *modus vivendi* compared to other fraternal joint families as conflicts were minimal. The brothers were united and have made it clear to their wives, that their grievances would not interfere with the bond of unity that prevailed among the brothers, nor would it alienate one brother from another. Their success and unity is perhaps

due to the fact that the business is flourishing and a branch was recently established with one brother in charge. It is not in the interest of any brother to be troublesome.

Where father is alive and has receded into the background, but still has controlling power, father and sons were either coresident and commensal or partly commensal except in cases of businesses run by father and sons. In these cases as explained above the sons acted as managers and not owners. In one, the three sons who ran the business lived in separate households, and met their parents occasionally for a meal. In the second case where there were two sons running a business, one was coresident and commensal and the other lived elsewhere due to family conflict.

In one case, an informant, who was the only son, ran the business with his aged father who insisted on coming to the premises until the age of ninety. Although he was not actively involved he would sit in his office, and chat to his sons and the clients. This according to my informant, 'satisfied him immensely as he felt part and parcel of the business'. In this phase the father lingers in the business though he is dispensable, as the son is fully able to manage it. Father refuses to relinquish his hold on the business although he is aware of his son's capabilities.

In the fraternal phase difficulties became apparent as brothers' sons begin to mature. This was revealed in one case of a large and flourishing diversified business consisting of hotels and tailoring shops. Sons of brothers sought to work in father's business, and this

created a problem as each brother wished to employ his son. There were too many sons each desiring to occupy a high position. This type of conflict with nephew's (brother's sons) occurred in businesses run by brothers. This problem was sorted out in different ways by the different family businesses. In one case where the business was large with branches and labour was required, the sons of brothers were employed. In other cases where there are many sons to the patriarch, professional training is sought such as medicine and other professions. In the case of sons who pursued professional training, they were invited to business meetings only as observers, their attendance not being compulsory since they did not have the same shareholding capacity as the other brothers, who were full-time in the family concern. In such cases, where there was sufficient hands managing the firm the younger sons were left to decide on whatever career they wished. Many went for university education and professional training.

A problem occurred where there were too many sons in a business run by brothers. In a case of a mineral water business run by a group of five brothers, all of whom lived separately, it was decided by the brothers that none of their sons was to be employed in the business. The business relied mainly on outsiders except for the managerial and directorship positions, which were occupied by the brothers. In this case the sons of brothers continued their education and sought employment elsewhere. One son (of one of the brothers) who accepted a job in Canada as a shipping agent said, 'it is highly unlikely that I will ever stand a chance of occupying a position in the family business as the competition among my father's brothers is already keen, it is

best I seek my own fortune'. As the son of one of the brothers running the family concern, he did not think it was worthwhile from the monetary viewpoint and also future prospects, to be employed in the family business which was already over-staffed by his father and his father's brothers. The rest of the staff were unrelated outsiders employed, for instance as technicians, machine operators, drivers and labourers.

There are possible variations in the developmental process, as when the father dies suddenly or while young. Widows do not play a vital or significant role in the family business. There are variations in the normal developmental cycle of the business due to sudden death by accidents or natural causes or even serious personality clashes which might drive one out of the family and the business. The widows merely acted as nominal heads of the business, consulted when advice was needed. Most of the duties and control pertaining to the running of the business are delegated to the sons. At times important documents need the widows signature. There was one widow who actively helped in the running of a branch of the family drapery shop, supervised by her sons.

Where there were businesses run by more than two brothers, it was not always the eldest who had supreme authority. In one case the youngest of three brothers managing a garage was accepted as head. The reason for his high position was because of his superior educational background, marked intelligence and personality. The two brothers consulted the

youngest in all matters concerning the running of the business. The sharing of rights and duties was not always equitable. In the majority of cases in the study the eldest or the brother most senior in status, was usually given important responsibilities and the junior brothers attended to less important tasks. In the majority of cases where businesses were run by a group of brothers, the eldest was the head. The above example is an exception. But at meetings, when decisions are to be made every brother is given an adequate opportunity to give his opinion, although he might not have the same powers as the senior brother in running the business.

Brothers may disagree about the appointment of a managing director, or there may be a conflict which cannot be resolved. In such a case a split can occur in the business. The brothers have to consider their own sons, and what was originally a coparcenary business divides; each brother takes his share and leaves to set up his own independent business. The original business then reverts to one of the brothers who runs it with his son(s). This type of partition took place in one case in this study, when two brothers had a conflict which they could not resolve. The conflict centred around the disparity in the amount of work put in by one brother, and yet there was an equal distribution of income. The older brother found it difficult to assert his authority as altercations often erupted. The business was divided, and each went his own way. One of the brothers continued with the original business with his three sons but soon had problems with them. He gave each his share and retired. The business would have completed a full cycle, if the father had died. Nevertheless, it shows that the growth and

fission of the joint family is paralleled by the growth and fission of the firm, but just as the family may survive the death of the patriarch (or break up earlier) so the firm may survive until the death of the sons, but may also break up earlier.

It was observed that conflicts are more common when businesses are run by brothers. In the absence of father, there tends to be frequent dissension as father acts as a catalyst for preserving equilibrium and promoting amicable relations among the sons. Father is obviously accepted as having the most power and often acts as an arbiter as his very presence can be an obstacle to continued animosity between brothers. They have little to fight for among themselves as father has economic control, except competing to be his favourite or as one put it 'jockeying for the father's gold tipped blessing.' But he can unwittingly be also the cause of a lot of built up tension among brothers who fear outbursts in his presence. The tension and animosity for one another comes to the fore after father's death. The situation can become really serious as one daughter-in-law put it - when father dies the 'brothers would kill each other'. Insults and even aggressive behaviour leading to court cases among brothers is known to take place. While father is alive the atmosphere in the joint household can be superficially peaceful as deep down each brother harbours hatred towards the other and waits for the slightest provocation to fly off the handle. Brothers are noted to have 'bad blood', even if they do not share a business. There are brothers who have not been on talking terms for ten years and more. These are cases where there are no parents alive and therefore no family rites and festivals where all the sons are obliged to gather and participate, thereby promoting unity and cohesion.

Conflicts tend to be created often because of opposing personality traits. The new values, attitudes, ambitions and outlook of the younger generation, often with rebellious inclinations, conflict with the traditional values of the older generations, who resist change. Father's traditional attitudes are often criticised without his knowledge as sons do not want to hurt or incense father as it is not respectful for the sons to act thus. It is true that father is accepted as the kingpin in the family. It is also true that he is aware that his son's education and the many other influences that they are exposed to in the city lead to inter-generational sibling conflicts. All this causes a sense of frustration in the sons who value individualism which clashes with the traditional ascribed authority. Apart from filial piety and the need for patrimony which will discipline the brothers, there is the time factor, the sons will normally outlive the father but the time factor is reduced among brothers who can die within a few years of each other.

In the case of conflicts between father and sons it was observed that it was the older generation i.e. the father who was not willing to accept change as quickly as the younger. 'Fathers tend to be tenacious about old methods in business, the tried and tested ones', said one progressive senior son. The younger generation of sons with their western education and outlook, and qualification in new techniques in business, wish to incorporate them, and become frustrated when the father does not agree. For example, a son running a musical and Indian literature business with his father in a retired capacity found his father an impediment when he wished to expand or diversify. The son was keen to start branches of the business in areas such as Chatsworth (a suburb of Durban) where

he thought the response for cultural needs would be greater because of the concentration of the Indian population. After a lot of persuasion father finally agreed rather reluctantly. The son hinted to father on several occasions that his desire was to start a branch, and father turned a deaf ear and son attributed this to father's traditional attitude of not willing to take a chance. While father was away on holiday in India, the son took the plunge as he was in charge of the finances. Father gradually accepted the new branch. The son revealed to his father the increased profits since his new venture.

This case shows that when the father is not around, the son who then assumes the responsibility of running the business is brave enough to take the risk of establishing a new branch from funds taken from the business. The venture proved a success. In the early days the white banks did not readily aid poor Indians to start a business or make extensions. Today as the business potential and competence has increased as well as credit worthiness, funds are not difficult to negotiate from banks and building societies. Capital can be raised by mortgaging fixed assets in order to expand or set up new business ventures in Indian group areas.

The ambitious ideas of brothers do not always lead to prosperity in business. In one case in the study a group of brothers expanded rapidly by creating an enormous building with offices and shops let out to the public. This was an over ambitious move which nearly led to liquidation. The liabilities exceeded the assets and the whole business was in danger. The view of reliable business leaders was that

competition from relatives who were also expanding was keen and the young brother at the head of the business did not cut his coat according to his cloth. In this case the son-in-law wished to show his father-in-law who had built extensions to his existing business, his enterprising ability and also the community, as the family wanted to be known as the most popular sari merchants in the city. It was not sufficient to have fixed investments in the bank which is unknown to the public, the father-in-law built large business premises, the son-in-law tried to do likewise.

The case reflects the over ambitious nature of one young man which resulted in financial problems for the firm. The following generation have had access to loans and therefore have tried to expand almost too quickly. Competition from others also has acted as an incentive to expand. The difference is that the pioneer generation built up gradually, and were satisfied with their lot, which was small capital, little or no education, no large loans except the little capital raised through traditional pawn-broking. The other difference is that the pioneer generation's method of business was not as sophisticated as that of the present generation who can cope with the problems that occur especially that of finance.

In the majority of cases in this study the younger generation of sons with adequate qualification in business administration and method, applied these techniques competently, for the benefit of the business. The younger generation as opposed to the older are prepared to take

risks, and this fact was perceptible in several businesses, which had the assistance of adequately qualified sons.

While some of the elderly heads of businesses were in favour of borrowing from banks and other financial institutions, there were others, particularly those in small businesses who were satisfied with their lot and had no intention to expand, who were averse to borrowing, chiefly out of fear. The fathers did not want to leave the sons in debt who might have to spend the rest of their lives trying to pay off large loans with exorbitant interest.

Mutual trust and confidence plays an important part in the business relationship. Father cannot 'go it' alone. Several agreed that a lot depended on the amount of loan, many agreed that small loans were less onerous and one could discharge the payment quickly.

The case of the four brothers in a hotel business reflects the great desire to expand and build an empire. Unity was the most important characteristic in this successful family business. If the sons did not 'get on' the business would not have flourished. The brothers' desire to help one another and their acceptability of the duties and responsibilities by each brother contributed towards their success. The brothers had a well-organised system of running the business, meeting every month to discuss matters pertaining to the business and had agreed on their wives not 'meddling with the business'. Their good name with loan institutions and banks also played an important part in their economic success.

Heads of businesses in their late sixties and early seventies, were not as keen to develop and expand and in these cases their sons who virtually ran the business took the initiative. But the heads in their fifties seemed to participate physically and emotionally in the business with their sons and even agreed to speculation programmes. Autonomy and control then is a more pervasive value among the elderly than it is among the younger. Many fathers are sentimentally attached to their business which they built, in many cases out of nothing, and it therefore symbolises their life's work. The risk of losing it is therefore great. Something inherited however, can be replaced by capital and does not have the same meaning attached to it.

Although in one case a split in a business run by brothers was observed, on the whole brothers appeared to have strong business ties in the study. But my observations in the study were that many were inclined to partition, and one of the chief factors I was told was conflicts, either among brothers or among their wives which eventually leads to partition of the coparcenary unit. Conflicts in the business might be of varying nature relating to those between brothers based on competition for the favours of the father, fathers inclination towards favouritism of one son (not commonly observed), one brother receiving a higher salary than the other, and therefore able to acquire more material assets than the other, and the influence of their wives who might be at loggerheads with each other. The latter are a strong

influencing force. Conflicts in the domestic sphere initiated by wives of brothers appear to play an important part in partitioning a family of brothers in business and also because of fission of a fraternal joint family. One case of three brothers have wives who are always at loggerheads over:

1. the amount of work their husbands put in the family business;
2. household responsibilities of daughters-in-law;
3. favouritism by the parents;
4. squabbling over the buying of food;
5. fights over the children's quarrels and
6. the consequent taking of sides by parents and grandparents.

Father giving a certain amount of the business funds to one son to buy a car, caused tension, and an open conflagration in a particular family. In this case father explained that the son needed it to transport his children to school, as the family car was often unavailable.

The other types of businesses in the study are not phases but unusual cases such as the business run by father and son-in-law, where there are no sons, and an only daughter. One such business was recorded in this study where there was an only daughter of a wealthy furniture manufacturer. In this case the son-in-law was co-manager, the daughter a receptionist and the wife a designer. Other kin, work in the factory occupying the same status as outsiders.

There was only one business run by two brothers and a sister after the death of both parents. Affinal and consanguineal kin, daughters and wives assist at times as full-time and part-time salaried and non-salaried assistants, depending on the position they occupied and duties delegated to them. For example, in one case a man's wife's sister and his sister's and brother's children were in his family business. The commonest form of other kin was a man's brother's sons working for him, this appeared to be more common than the employment of his sister's sons. The brother's sons were salaried workers and were treated like any other staff. There was only one case of a daughter running a branch of her father's business which had two other branches and a factory which manufactured their products. These branches and the factory were managed by father and three sons. The daughter, well over thirty years of age with reduced prospects of marriage, preferred to live the life of a spinster. She was offered the managership of the branch by her father. She did not however, enjoy the same status as her brothers who were shareholders in the business. Maternal kin are not commonly employed, preference is for patrilineal kin.

Father and son-in-law and other kin i.e. consanguineal and affinal do not form part of the developmental cycle of the 'family' or the business and fill a much needed business membership. The business had preference for kin as against outsiders, although they might not be shareholders.

We see then that a family business is run by a group of agnatically

related individuals who are coparceners. Affinal and consanguineal kin are also incorporated as salaried workers, but enjoy a status which is different from the coparceners as they are neither partners nor shareholders in the business.

The joint family and the business mutually affect each other. If the family functions smoothly then its equilibrium will affect the business advantageously. If there are conflicts in one sphere this will be carried over to the other as each individual is a member of both spheres and owes allegiance to both. The cohesion in the family will promote solidarity in the business. The domestic arrangements in particular are important as the sons have to keep their wives contented.

Although sons separate for a variety of reasons from the joint family, they are never really emotionally and morally separate. They are expected to integrate with their parents during life cycle ceremonies such as birth, marriage and death, of which the last is of paramount importance. It is a son's duty not only to attend the death rite but also to be a chief mourner who has an important status. Therefore on such occasions the bonds in the family can be strengthened despite the physical separation.

In the event of a separation the parents express their regrets, in many cases, quite openly. It is a sorrowful occasion followed by blessings and reminders of parables by the mother of dutiful sons in the *Ramayana* and *Mahabharata*. (Hindu religious scriptures).

Sons never really have complete emotional autonomy from the control of their father until the latter's death. The salaries the sons receive can be spent in whichever way they desire, and they have full control over them. Living in either the joint household or in the flat in the yard does not mean complete independence. The sons, and their families during these phases of separation, have to respect the authority of their father and the fact that he is the head of the family. The father has to be consulted before major decisions are undertaken. A son residing in a flat in the yard which is still on the family property and therefore belonging to father is obliged to please, and not antagonise his parents. In a certain sense he is not as free as the son who is living in a flat or house away from the joint household. All the day to day decisions pertaining to his life style can be privately and independently made without consulting his parents. Three sons who live in three separate flats chose them near each other deliberately, so that they could visit each other regularly, as they shared a common business although managed separate branches.

Three factors that stand out as opposing the traditions of joint living and joint family concerns are:

1. the growth in scale of industry;
2. acculturation and
3. education.

The first is anticipated by every business head who does not wish to stifle its development, but he encounters problems which are beyond his ability to cope and control. Problems of obtaining trained

personnel improving his business management, coordinating the activities of his sons, and maintaining his status of authority - all need the skill and understanding of a wise head. The changes brought about by acculturation and education, are often difficult to synthesize in a traditionally orientated family. The father who is at the helm and makes the decisions in consultation with his sons, often has to submit to irreversible changes in all aspects of the running of both the business and the household and one affects the other.

But not all business heads desire to extend the size of the firm, the optimum size remains fairly stable though the scale of industry may change. It may suit a man better to have a business that he can control than one which he cannot or for which he needs to depend on some outside source of capital. The fear of extending one's business which would involve loans and perhaps long term debt and possible liquidation stifles growth. Perhaps we should now look at how the business operates in shareholding, partnerships and companies.

SHAREHOLDING PARTNERSHIPS AND COMPANIES

An owner might be the manager and chief shareholder. The shareholding rights might be extended to the sons or brothers. The workers who might be both kin and outsiders are not shareholders.

A share is simply defined as a right to share in the profits of the company, to vote on how it is run. A share is usually dealt with in blocks of one hundred. In a limited liability company the liability

of shareholders is limited to the amount of money invested in shares in the company. Shareholders are protected as they have to be registered as a public or private company.

A private company has at least one shareholder, and not more than fifty (excluding employees and past employees). A public company must have at least seven shareholders and as there is no maximum number which would restrict prospective shareholders from joining the company, there can be an unlimited number of shareholders.

A private company will have after its name proprietary limited (Pty) Ltd. A public company will have only Ltd.

There are two types of public companies in South Africa. Listed public companies and unlisted public companies. Listed public companies have their shares listed in the Johannesburg Stock Exchange, where people buy and sell shares from one another. Listed companies have to comply with certain regulations of the Johannesburg Stock Exchange. There is only one listed public company which is controlled by Indians in South Africa. Unlisted public companies are not listed in the Johannesburg Stock Exchange but the company law applies as a listed public company. All the above companies must be registered in terms of the companies act and each must have a registered office where certain statutory information of the company is kept.

In the event of a quarrel between father and son or among brothers running a business and the business is a company, the rule may be laid

down in the 'Article of Association', that no shareholder can sell his share to an outsider without first offering it to the existing shareholders, and if they do not wish to buy it, then he can sell it to an outsider with consent, first of all, of the shareholders. This applies to a private company. This situation has never happened in a joint family concern, as the existing shareholders, (sons, or brothers) would prefer to buy the shares rather than allowing an outsider to come into the business. An auditor is then appointed and he evaluates the business as it stands, and then divides it according to the number of shares the son or brother has in question. The study did not record a case where the shareholders could not buy out the member wanting to sell his share.

Indian business leaders have assured me that this situation is extremely rare to their knowledge, and in all the cases in this study, no son or brother sold his share to an outsider. There are cases, however, of brothers or sons demanding their share of the business and often an amount of cash is given to the particular son or brother, commensurate with his position in the family business and his work output.

Company law does not discourage joint family business because the joint family business can adapt itself to sole proprietors, partnerships and companies adequately.

Faul, Pistorius and Van Vuuren (1981 : 337) state that a company may be described as a group of people (as in the case of a partnership) for the sake of making a profit. It is formed to meet the following needs - as a means of acquiring more capital than is possible for a sole proprietor or a partnership; as a means of ensuring the continuity and permanent nature of the enterprise; a procedure to limit the financial responsibility of others.

The majority of the businesses in the Indian CBD have formed companies. Women then have an opportunity to be shareholders as few if any are partners in businesses. Forming a company has many advantages for the business. Besides employing females in the business it enables the business to be divided into small shares. The more daughters and sons are employed and receiving salaries the higher the rebates from income tax.

The requirements of sole proprietorships, partnerships and companies applies equally to males and females. There are various rules and regulations which apply to women who are married in community of property and those under the ante-nuptial contract. The powers of the husband will be considerably curtailed if the new Matrimonial Property Bill becomes law. (See Appendix P). The husband has up to now, considerable marital power and the wife has the status of a minor in many respects. This aspect is discussed in Chapter 6.

There were 92 companies in this study, 9 partnerships and 19 sole traders. See Table 4.1. A few examples will clarify the picture being presented. In one company which had two branches run by father and three sons, the father felt that he allocated the shares in proportion to the number of hours each son spent in the business, i.e., the effort, their duties and responsibilities. The father also had shares and would only relinquish them, when he felt that the sons have

TABLE 4.1 : ORGANIZATION OF BUSINESS

SOLE TRADERS	PARTNERSHIPS	COMPANIES
19	9	92

sufficient experience to run the business without his supervision. He hoped to make them independent of his control in a few years. There was no apparent antagonism among the brothers. The amount each son received in shares differed in the different businesses. For example, in one business which the eldest son supervised, the son held 65%, his father (15%), who was not actively involved in the running of the business, and the two other sons held 10% each. Neither of the two sons put in any labour in this business. Likewise in the other two businesses the sons who ran it received more shares than their brothers.

In the case of two retired brothers in a company whose three sons ran the family business, the older of the two brothers held 75% of the shares because he started the business, and his brother held 25% as he joined after a number of years, when it was already well established.

The brother who had 75% gave his two sons three quarters of his share which was divided equally between the sons. The other brother who received 25%, gave all of his share to his only son. The two brothers did not run the business, they delegated authority and responsibility to their three sons. The sons made all the decisions and managed the business. The two brothers helped in their retired capacity. It was understood by the members of the business that should the brothers die

their three sons would run the business together as they had done under the supervision of their retired fathers.

A somewhat different situation prevailed in another company where father and two sons ran the business. The father and the eldest son were the directors. The second son ran an independent business and the third son joined the original family business ten months ago as he could not progress in his previous employment and asked father to accept him into the business. He received a salary. Father and eldest son each had fifty percent of the shares. The reason for the eldest son's biggest share was because he 'toiled' with his father since the early days of the business. The eldest son remarked that his father stated that he might consider giving part of his share to his two sons and his divorced daughter who is a professional potter. The impression gained was that the two other sons, one who had his own independent business and the other, the youngest, would eventually receive a small share when father dies, this might be either a sum of money or a small share in the business.

An Indian son, though he may not be actively employed in his father's business and he may be working independently, due to personal choice or family conflict, is still considered when father draws up his will. He may not get the lion's share, but he receives a token sum as a beneficiary.

There are cases in the Durban area where sons contested the will after the death of their father as one member (usually the son) was not happy with his share. There is usually a lot of bitterness when this happens. Threats of violence and intimidation are often made.

In a motor spares firm where a son-in-law and spinster daughter were salaried workers, they also received 18% and 12% of the profits respectively. The father received 40% and another son who had been working with the father for a number of years, (according to him since he had left high school), receive 30%. The above were salaried workers and shareholders. The son who had been with the business from its inception received the highest salary, in addition to his share.

There are also cases where father and sons received equal numbers of shares in the business. In a family wholesale business run by five brothers, each received a share in keeping with his age at joining the business. The amount of effort put in the business was taken into consideration and this was judged by the father. This rule is also reflected in other businesses in this study. It is common for the son or brother who started the business to receive more in shares, than the other(s) who joined the business later. In one business there was a disparity between the two brothers running a printing firm, the older received 80% and the younger 15%. The older, put in more effort and time than the younger. The study indicates that there is a strong tendency towards primogeniture and to the father (and subsequently his eldest son) holding a majority of the shares, perhaps enough to enable them to buy out the juniors. Although there may be flexibility in the shareholding system, actual control remains unchanged, i.e., the power that flows from the father to the eldest son, although factors such as skill and labour input may modify the general rule.

Although this is largely how shares and salaries are apportioned, there is also the interpersonal relationship between father and son, and the influence and opinions of the mother which are considered at times.

There might be an equitable number of hours each puts in, but sometimes father can have a soft spot for one of his sons, as in one case when the youngest prodigal son received a salary which, the eldest son thought was undeserving, as he, at one stage, left the business for an outside job, simply because he could not 'get on' with his brother.

The study also showed fathers holding on to more shares than their sons, such as the jeweller who has 75% of the shares and his eldest son 20%, and the youngest 5%, but an equitable distribution of shares among the brothers who ran the other family branches.

A different situation prevailed in a drapery concern. The four sons received equal shares (25%) in the business, although each joined at a different stage of the business. But the salaries of the brothers were apportioned according to the position and workload of each brother. The eldest brother was the managing director, and was the 'brain' behind the development of the business and received the highest salary. He saw the business through its difficult times.

The father in several companies, held all the shares. One father added that since he had two daughters, and one son, he would want to give his three children equal shares when he died, but that while he was living, he desired to keep all the shares. His opinion differed from other fathers as he stated that he would not consider the fact that his son worked for X number of years and then give him more shares. He believed in giving each child an equal amount, irrespective of whether he or she worked in the business and irrespective of the sex of the child.

Sons of brothers who work in the family business, and other kin do not usually receive any shares, but a salary. A wife who ran one of the three businesses of a family received a 50% share with her husband. The daughter-in-law who assisted got a very small share together with her mother-in-law, estimated roughly as 10% and 20% respectively. The father and son in this case got the major portion of the shares.

The amount in shares that a member (son) receives from the family business differs according to a variety of factors:

1. Some business heads gave major shares to sons who put the most amount of work in the business from its inception. For instance those (usually the eldest) sons who started off the business with father.
2. The other sons receive shares by virtue of the work, loyalty and contribution towards the general management of the business.
3. There are sons who are professional for example, doctors and attorneys, but still receive shares, though these might not be equal to those brothers who run the business.
4. Shares are an expression of the patriarch's obligation and sense of appreciation towards his sons with the knowledge that they are the future heirs to the business.
5. Though shares, in public companies like other material resources, can be used as elements in various forms of social transaction -

'compelling or buying' the involvement of recipients in the firm, this, however, did not happen in the study. Shares were something each individual was proud of.

6. Outside staff including kinsmen receive salaries.
7. The position of women differs according to their marital status and the degree of involvement in the business. Most receive their shares in their dowry, i.e., jewellery, clothes, furniture and the wealthier ones receive homes as gifts.
8. There are also differences in the traditional attitude towards inheritance among Hindu and Muslim women which will be discussed in a later chapter.

If a father is not happy with his son, he can reduce the amount of his shares or disinherit him.

The variety of arrangements indicate that there is no defined or fixed custom in this field, and the distribution and transmission of shares is determined by the patriarch/founder in the first instance. The structure of the business, the number of sons, their business competence, loyalty and personal relations with their father are all relevant factors leading to one or other of the patterns described, but ultimately it is the personality of the patriarch/founder which is crucial, for the only power that the sons can mobilise against him is the threat of leaving him and abandoning the shares entirely.

Several business-heads (fathers) are considering giving their daughters inheritance even in cases where daughters are not contributing labour towards the family business. One Muslim business-head questioned the

necessity of consulting the Muslim Law of Succession, the customary law. He believed that his sons and daughters ought to inherit equally irrespective of their sex.

A partnership is purely a private agreement between several people to do business together. The agreement will state how profits will be shared and or how much money should be invested by each partner. Unlike a company, a partnership is not registered. There is no need to draw up an agreement by an attorney, the agreement can be verbal.

In the case of partnerships each individual received an equal amount in salaries and profits. In the case of sole traders, the businesses were in the control of the fathers except in one case where the eldest son was sole-proprietor because father was a schizophrenic. Subsequently the jewellery business of the schizophrenic was sold and the cash was divided among the three sons, according to the amount of labour each had put in the business. The eldest received 50%, the second son received 20% because he had suffered a mild stroke and was therefore not very active, and the third son received 30%. The youngest son who was a school teacher did not receive anything.

There was a mutual understanding and agreement, that the brother who had suffered a stroke should get less than the brother younger than him. The son who was a school teacher had not worked in the family business at any time and therefore he did not qualify for a share. But this does not apply to all family firms where sons are deprived of shares on the grounds that they did not contribute towards the family business. Shares are given as a form of inheritance.

A sole proprietor is where there is only one man who is in charge of the business. The owner who is usually the sole-proprietor does not have to register the business in terms of the Company's Act. In the case of sole proprietors, each son receives a salary. Where brother and sister work for a sole proprietor they receive salaries. In the case of a husband and wife who run a sweetmeat shop with the assistance of a school-going daughter in the afternoons and weekends, the parents eventually had to sell the business, because their two sons preferred their engineering careers to running the sweetmeat business. The father stated that he would be giving his two sons and two married daughters equal shares in his will. A potato merchant gave his step-son (from his wife's previous marriage) a certain amount of finance to start off an independent business, while his own sons continued with the family business under the father's proprietorship.

Other sole traders are contemplating establishing a company and also putting their sons in charge of the branches. In many cases fathers felt that the time was not quite ripe as sons needed to gain more experience and maturity under the father's supervision. This attitude which prevails until the father is unable to come daily to the business premises although he may be inactive, indicates that fathers are not very willing to transfer complete power and authority to their sons during their life time.

A common characteristic of most of the sole proprietor business is that they are smaller in visible size, in the number of branches, etc.,

than the companies, but in about the same size range as the partnership businesses. The sole proprietor is manager, director and owner. When he dies, his sons may form a partnership and it is also likely that the partnership will be formed into a company as the business develops. It can even incorporate outsiders if the business becomes large.

Therefore, there are different situations among sole proprietors, companies and partnerships. Where shares are concerned sole proprietor is not strictly coparcenary. Partnerships are based on equality in salaries and in sole proprietors the sons are salaried, and they receive a portion, if any, either if the father divides it in his life time or in his will. In most cases, during the time the father is sole proprietor and the sons coparceners, he gives to each son according to his need from the family fund which the son has a right to by virtue of being a coparcener.

Coparceners need not always be coresident. There are dispersed nuclear units members of which have already lived together as a coparcenary, coresident and commensal family. The sole proprietors follow the most traditional form of business (in terms of legal status) and also have the most traditional emphasis in their residential arrangements.

Losing face in the Indian community is something that Indian businessmen dread. The state of insolvency is a socially embarrassing state, and as a very high value is placed on the maintenance of family integrity and dignity, even though there may be immense tension and animosity among the family members. There is great pressure on the individual not to sell to an outsider or to collapse the family firm in order to get his share and become independent as he would lose face in the community by virtue of being a member of a bankrupt family. The moral cost of premature fission of the business can be great and therefore every effort is made to keep the business going. In this way capital is kept intact.

It is an advantage to a business in terms of company law and income tax to form a company, but in terms of auditing regulations it is a disadvantage. A discussion of the auditing regulations and income tax requirements might clarify our understanding of the obligations of sole proprietorships, partnerships and companies, particularly with regard to women.

Auditing Regulations

Sole Proprietors and partnerships are not obliged to have their accounting records and financial statements audited. In terms of the Company's Act only companies are required to have their books audited. Women who are shareholders in a company are subjected to the same auditing regulations as men. Briefly some of the duties of auditors are as follows:-

1. To examine the financial statements and group annual financial statements.
2. To satisfy himself that proper accounting records have been kept by the company.
3. To satisfy himself that the minute books and attendant registers in respect of meetings of the company and of directors and managers have been kept in proper form.
4. To examine the securities of the company.
5. To obtain all the information necessary to carry out his duties.
6. To satisfy himself that the company's financial statements are in agreement with its auditing records and returns.
7. That the annual financial statements of the company present the financial position of the company.

(Milne, Nathan, Smith & Meskin, 1975 : 513).

Taxation Affecting Women

Stein, Divaris & Silke (1980-81 : 1) state that in South Africa every person deriving taxable income is liable to pay tax. Thus individual companies, estates of deceased persons, clubs, association, trusts and other legal entities with a taxable income will pay income tax. Partnerships as such are not subjected to tax, instead the taxable income of the individual partners is calculated. The estate of an insolvent person is not subject to tax, but a company in liquidation for whatever reason, is.

Once a woman is married she is no longer a taxpayer and need not submit tax returns for income derived by her after marriage. The husband discloses in his tax returns both his own and her income. These amounts are added together in calculating the taxable income, (no matter whether the marriage is in community or out of community of property) and the husband will be required to pay all tax owing. That part of the tax payable that is due to the inclusion of the wife's income with the husband's may be recovered by the Commissioner for Inland Revenue from the wife's assets if the couple is married out of community of property.

If a wife is earning up to R1 200 ~~of~~ her income may be tax free. If her earnings in any tax year are less than the maximum, the deduction is limited to her earnings. In other words all her earnings will be tax-free.

Despite the fact that it is the husband who is liable for tax, on both his own and his wife's income it is nevertheless possible for a married couple to be assessed separately and to pay their respective shares of tax separately. To be assessed separately results in no reduction whatsoever (Stein, Divaris and Silke, 1980-1 : 22).

Widows and widowers are regarded as married persons for tax purposes. On her husband's death the widow becomes a tax payer in her own right, and will be liable to tax on the income derived by her during the period from the date of death to the last day of February in that tax year. If the widow is an employee, she must furnish her employer with a fresh return of personal particulars within seven days of the death of her husband.

Divorced and Separated Persons

The general rule is that once you are divorced or permanently separated, you are no longer a 'married person' for tax purposes but are regarded as a single person. If you are divorced or separated by judicial order, or written agreement on or before 21 March 1962, and are entitled to a rebate for a child, you will be regarded as a married person.

Unmarried Taxpayers

In order to calculate his liability to tax an unmarried male or female tax payer must split his taxable income into two parts, namely, his:-

1. taxable income up to R28 000
2. taxable income in excess of R28 000 from (1) (i.e., R28 000) rebates must be deducted to which the taxpayer is entitled. To the balance remaining must be added a surcharge of 20%. Taxable income in excess of R28 000 is subject to a flat rate of tax of 50%.

This chapter attempted to show the developmental cycle of the family and business. It also focused on the organization of the businesses, the advantages of forming companies to the family firms. The auditing regulations do not affect companies as they do sole proprietors and partnerships. Income tax and auditing regulations pertaining to women were also explored. On the whole business heads were reluctant to discuss matters pertaining to income tax.

The next chapter will explore the relationships in the business and their effect on the family. The synthesis of the two will illustrate the hierarchy in the family, focusing on the father and son relationship.

CHAPTER 5

ROLE RELATIONSHIPS AND DECISION-MAKING IN THE BUSINESS

This chapter will explore role relationships in the business and their effects on the family. It will explore the authority structure in the business, the relationships between father and son/s and those among brothers, their duties and responsibilities and the conflict situation emanating from these relationships. There will also be an investigation of the clashes of values which stem from changes in the circumstances of the family and community over time.

Role expectations are important in analysing the family business, because they affect the discharging of duties and responsibilities of the family members running the business. Family roles have been characterised as clustering around the particularistic pole of role relationships (Parsons 1939, 1951) as quoted by Benedict (1968: 2). The behaviour of individuals playing such roles depends on who they are. An individual's father is set off from all other males by virtue of his particular relationships to that individual. Parsons has also characterised such roles as being functionally diffuse. They are not organised around one or a few specific functions, such as the relationship between a customer and a shop assistant, but around a host of functions. Gluckman (1955: 18, 19) has called these multiplex in that the social relationship 'serves many interests.' A further characteristic of such relationships is that they are affectively charged. The incumbents of such roles have strong positive or negative feelings about each other. Finally such role relationships extend over a considerable span of time.

All these characteristics of particularistic role relationships are important in analysing the family firm. Benedict (1968: 2) emphasizes the time span. It is the development of family role relationships over time, which is crucial in understanding the development of the family firm. He examines the sociological characteristics of family firms, and in his analysis, criticises Frederick Barth's concept of transaction. He draws his principal data from two family firms in East Africa, but material from Europe, India, Lebanon and Pakistan is also used. Barth's (1966) theory of transaction, is as follows: Transactional analysis is based on reciprocity and the ideas of prestation and counter prestation. Each actor, in Barth's formulation must make an assessment of whether he will gain or lose by a given action and this means he must make some assessment of what the other's move will be. An actor must expect that value lost will be greater than value gained (Barth 1966: 4). This analysis is based on power as a chief motivating force in human action. Barth maintains that this type of analysis enables us to see the ways in which a variety of social forms is generated from a much simpler set.

Barth (1966: 4) "... transactions have a structure which permits analysis by means of a strategic model, as a game of strategy. They consist of sequence of reciprocal prestations, which represent successive moves in the game. There must be a ledger kept of value gained and lost, and each successive action or move affects that ledger, changes the strategic situation and thus canalizes subsequent choices. ... an actor must expect that value lost be greater than value gained. In such a model the incentives and constraints on choice are effective through

the way they determine what can be gained and lost; and each actor's social adjustment to the other party in the transactions is depicted in terms of 'alters' moves and how they in turn affect ego's value gains." In short what Barth is trying to emphasise, among other things, is that transactional behaviour takes place with reference to a set of values which serve as generalised incentives and constraints on choice; it also takes place with reference to a pre-established matrix of statuses seen as a distribution of values and binding rights.

Benedict (1968: 3) does not entirely approve of Barth's analysis, and is of the opinion that it might not be necessary to make the assumption of the simple set of social forms, what is required is a definition of the status involved in terms of rights and expectations which assumes an underlying set of values. Ward (1967: 316) criticises Barth, stating that the theory rests briefly, on the assumption that the major task of social anthropology is to understand the relationship between social forms and the constraints and incentives under which people act. Ward (1967: 316) continues stating that the analytical tool Barth develops for this model of a 'transaction' - a notion borrowed from the study of economic relationships, and generalised to refer to any reciprocal relationship between actors, such that, each in the course of the interaction between them tries to ensure that *value gained for himself is greater than or at least equal to the value lost*. Paine (1974) in his critique on Barth's 'Models' adapts and corrects some of the propositions outlined by Barth in his transactional analysis, to make clearer the significance of the different qualities in terms of both exchange theory and cognition of linkages constituting any social

network. The axiom that the 'value gained for a person in a transaction is greater than or at least equal to the value lost' is critically evaluated. Paine (1974: 5) states that persons who are involved with each other in a transaction are likely to be differently and unequally constrained, in other words one may expect an inequality in bargaining positions. Morris (1967: 178) as quoted by Paine (1974: 5), interpreted Barth's concept of transaction as an exchange of 'inequality' and 'superiority' and 'inferiority'.

This being so, in what sense may it be said that for both (or all) parties value gained is more than or equal to, value lost. If both parties in an exchange (social relationship), are of different statuses, which are mutually accepted and respected then one may say in a restricted sense, that the parties make a good bargain. But where the exchange between unequals is open to bargaining the relationship between them is very often that of power. The more powerful may be expected to force a 'bargain' without necessarily paying much regard to the less powerful. The parties face each other as adversaries and their exchanges may be expected to confirm or express the power differential between them. In these circumstances only one, or some, but not all parties, are likely to enjoy value gained as greater than value lost. Blau (1968: 110), as quoted by Paine (1974: 7) argues that once superior status is securely grounded in the social structure, its occupant can demand unilateral services without endangering his superordinate position.

Before we go on to look at the power structure in the business let us

view the transaction theory of "value gained and lost" in terms of father and son. In short what does each party (father and son) put into the business (and relationship) and what does he hope to get out. In the father-son situation which begins as a fairly simple power relationship, the exchanges (beyond those of food and general maintenance) involve some investment by both parties both moral and material.

The son's achievements raise the status and respect that the community has for the father. The investments that father makes in his son's education, (1) improves his chance of repaying father in later years, (2) improves father's self-esteem and social respect, (3) enables the son to work efficiently in the business.

In the business the son not only repays father for his training, nurture, and salary, he also earns his father's trust and respect until the power has shifted, *de facto* from the older generation, at least in certain areas of business decision-making (including salary and shareholding).

Father has power by virtue of his position as head of the business. Barth is criticised by Paine (1974: 8) for neglecting power as a variable of exchange. Power is manifest in the status relationship in which transactions are made and because it determines the value for the items exchanged. Power limits the range of transactions that can be made and the powerful can better use transaction as a value. The father can draw on his vital resource which is called power, and use it to maintain his superordinate position, and also to the advantage

and gain of the business of which he is the head. He can, if he wishes, manipulate this power to get his sons to do as he instructs. They are not in an equal bargaining position as the statuses are different. The sons will stand to lose if they do not acquiesce to the father's requests in the long run because father controls the patrimony.

Two sanctions are embodied in his power. He can threaten a disloyal son with a curse. The orthodox Indian fears the parent's curse. Although the westernized son might not wish to believe in the efficacy of a curse (*sarap*), it is very likely that the aged father (traditional) would believe in it. The second sanction is the exclusion of a recalcitrant son from inheritance. A Hindu son's filial obligation does not cease even after the father's death as he (the son) is obliged to carry out the annual rite in honour of the deceased parents (*pitrapaksh*).

Father's assumption of absolute power can also be to his detriment, since sons can withhold affection, respect and the discharging of duties appropriately. Structural inequality does not deny the weaker party all freedom of choice, especially in an increasingly complex society where the son may (at possibly great cost) opt out of the business and family.

In applying Barth's theory to role relationships in this study the actors would be the father and his sons, brother and brother, mother and son, mother-in-law and daughter-in-law and brother and sister,

the latter being rare as a business unit. The actors are playing roles in the business, which are essentially linked to family roles and these roles involve compromise.

Evidently, in the business relationship of father and sons, there are two sets of ideals. First of all in the business there is a hierarchy of statuses and authority. The father is at the undisputed apex, the eldest son comes next, and then the younger sons. One set of ideals would suggest that the business is the economic arm of the patriarchal family whose purpose is to provide for the material needs of the family whilst upholding and expressing the role hierarchy of the patriarchal family. The second set of ideals are those of the business world, in which the best man makes the decisions in order to maximise the benefit of the corporate group as a whole.

The father jealously guards his authority and headship in the business. But as his sons acquire experience and expertise by virtue of higher qualifications, father realises this but does not relinquish his position. He then gives his sons more responsibilities while retaining ultimate decision-making power. The most hard-working individual in a number of businesses appeared to be the eldest son who worked with father from the inception of the business, learned business management techniques from him as this experience proved valuable, but surpassed him at a certain stage when the opportunity arose for higher education, particularly in business administration and management. Of course, this does not mean that son surpassed father in business experience. It is the father's inability to recognise this vital potential in his son,

that at times causes a halt in the progress of the business. This was seen in cases where, for example, the aged father who was recuperating, would come in daily and supervise the running of the business between ten o'clock to at least four o'clock in the afternoon. Father knows that he can expand and prosper more, partly by relinquishing his authority, but he prefers not to, if he does, it will be at the expense of the intangible values he regards more highly.

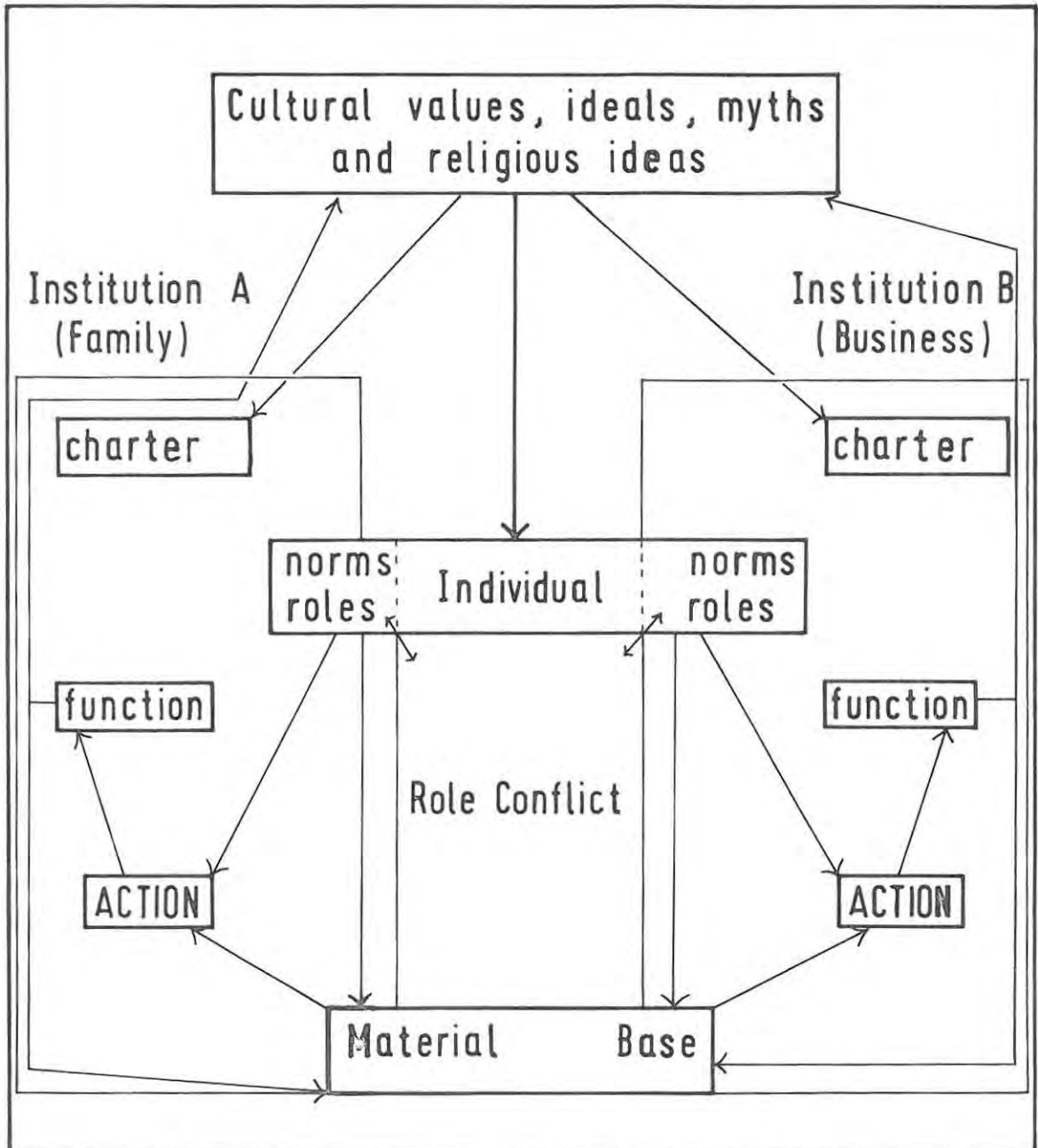
Let us look more closely at the norms, values and expectations of actors in both institutions, that of the family and business. (See figure 5.1).

The general values are those of self-sufficiency, industry, honesty and social responsibility which are not tied to any specific institution but provide a synthesis for all. They are given more concrete form in the charters which define the specific values and goals to be achieved in each institution. For example to provide for the care and nurture of the women and children and the efficient utilization of available resources, to maximise profit and to maintain viability over time.

The norms within each institution flow from the charter and relate to the roles played by each person in the institution (parent, child) (owner, manager, worker). The role players use the material resources and engage in norm-directed action which has a number of functions:

- (a) to maintain the institution and fulfil the ideals expressed in the charter;

Figure 5.1: CHARTER OF NORMS AND VALUES IN THE FAMILY AND BUSINESS



The above figure is similar to the one in Whisson(1965 : 9)

- (b) to modify the material base of the institution and hence affect the material resources available to others;
- (c) to give expression to the values of the community as a whole.

Role conflict becomes inevitable. In the case of the family and business roles, authority while in conflict in certain respect (between patriarchal authority in the house, and rational authority in the firm) is nevertheless unambiguous, and given expression in a consistent power structure, such that role conflicts from that source are minimised.

Conflicts seem to come largely from questions about the charter and norms of the family, which are faced with changes through cultural integration with the wider South African society, and probably to a lesser extent from the problems of maintaining an economic tradition in the face of changes in the material base, which affect the profitability of the small firm. Both work in the same way in that they tend to evade the authority and the power of the patriarch.

The 'transactions' approach can be seen when the patriarch justifies his position by appeal to traditional values which validate his authority, and exercises his power through his control over the patrimony. Against this the son/s validate their rebellion by appeal

to modern values, western education and exercise their power through their ability to make, break or abandon the firm. A key component in this transaction is education, a gift which cannot be withdrawn. A son can have an argument with father, which might lead to father throwing him out and he can become penniless, if he does not have an education. Education, once given (in the interest of improving the efficiency of the business) cannot be taken away and can be exercised anywhere.

Nadesan, who is 35 years old, manages his father's textile business. He has two university degrees, bachelor of commerce and economics. Father is proud of him and has entrusted his business to his care while abroad for a number of months and speaks very proudly of his son. Nadesan is a self-opinionated, confident and an astute businessman. He once had an altercation with his father and not only threatened to leave but actually left for a period of two days. The father knew he had a lot to lose as Nadesan was a reliable son and an asset to the business, and asked his son to return. Nadesan's going away can also be looked upon as strategy to gain his own ends. Had Nadesan left for good it would have been a great loss for father as the son would have been easily absorbed in any other business.

Where a son is torn between lineal and conjugal loyalties he is put in a very difficult predicament, because he has to please both his parents and wife. As a coparcener, he has obligations towards the family business, which is to his long term economic advantage and filial duty towards his parents. (See case E.)

The wives make short term financial claims for their personal requirements and those of their children. If there is no agreement on the amount of money spent on this aspect of the family's consumption, then there would be complications. There is competition among the daughters-in-law for material acquisitions such as clothes for themselves

and their children, and items of jewellery such as gold and diamonds. The competition can create greater demands on the business and can also cause tension in the family. Brothers then begin competing for the smartest family. In a large partially commensal joint family, the youngest son who joined the family business last received the lowest salary. His wife and children could not dress as smartly as the wives and children of the senior brothers. Envy and jealousy were then created among the daughters-in-law. We see how the patriarch controls the purse strings, and a wise *karta* administers the estate according to the needs he evaluates and not the demands of his sons, thereby maintaining the traditional system.

It is the family relationship of father and son that is transferred to the business milieu. The relationships have a mutual effect on each other. It is difficult to separate the business and domestic spheres, as often these two spheres overlap and the ties reinforce each other.

THE AUTHORITY STRUCTURE

The son's ideal role in relationship to his father is filial piety. A son should be obedient and respectful and caring towards his parents. Every Hindu parent hopes to raise a son to perpetuate his name and to carry out the funerary rites for his father's spiritual salvation. Madan (1965).

The duty of sons, particularly the eldest, to care for parents is stipulated in the scriptures. Traditionally the eldest son inherits the patrimony and he is obliged to care for all, his mother, brothers, their families and also to marry off his sisters. After the parents die, the religious obligations continue, the sons make annual offerings of water libations and '*pinda*' (rice cakes) which are first offered during the funerary rites. Sons are not looked at very kindly by the community if their parents are put into old-age homes. (Lal, 1965, Kapadia, 1958).

A son should be like *Lord Rama* (incarnation of *Lord Vishnu*, and hero of the *Ramayana*) who went into exile in order not to cause disharmony in the joint family, gave his right as heir to the throne to his stepbrother to please his stepmother. Indian films and also grandma's collection of myths from the *Ramayana* and the *Mahabharata* stress respect and obedience of sons and daughters towards their parents. A son and his wife upon marriage, traditionally touch the feet of the son's parents for benediction. This act of reverence is not very common today. Daughters-in-law are too westernized and educated to perform an act which symbolises a state of subordination to their mother-in-law.

The authority structure in a family is built up from the formative years of a child (son). The son accepts the unquestioned authority of father during the period of childhood. When he is older the father's authority is not always unquestioned. Sons at times also challenge father's authority, especially when a personal matter is concerned, or even going on holiday at a busy time and requesting more funds. A son might not prefer his marriage to be arranged, particularly when he prefers someone from a different religious group. The son compares his degree of freedom with that of his friends. Father is not confronted directly, the mother is the go-between as she is the confidante of many a son. The son knows that if he does not toe the line with father and the rest of the family, the chances are that he will be ejected from the house and disinherited. This is not common but a case of disinheritance has been observed in the study. Our evidence records one case of one son disinherited. One father carried out his threats which he often made because his son was not working consistently and was spending too many nights out with his mistress. He neglected his

wife and children. Father could not tolerate his son's behaviour, and after a conflagration the son packed his bags and left. He was disinherited.

The degree and kind of authority of the father varies widely. Different fathers have different degrees of authority depending upon their skill and personality. Owens(1970: 229) states that he was struck by the great skill required of the *Karta* (head) in resolving disputes within the family and in building relationships of trust and loyalty between family members. It was observed, not only in this study, but generally in many other Indian family firms in Durban, that father is unquestionably the most important person, in not only the business, but also the family.

Although the father has complete authority as he controls the patrimony which gives him power, he has to be cautious, not to antagonise his sons, lest they leave the firm. There are increasing educational and occupational opportunities for the younger generation, and these bring about changes in the values relating to the unity of the family and the autonomy of the individual. The patriarch is aware of the changing attitudes and values of his sons.

In some cases father was dominating, while in others he struck a balance. In one case the son stated that his father was difficult to please and constantly drew comparisons between his son and himself, under his own rigid father and felt that his son was not living up to his expectations. He was not working hard enough. The father expected the son to work after hours, and over weekends to complete a task and

often son would postpone it until the following week. The relationship between father and son in this case was not an amicable and harmonious one, but one of forced equilibrium, each one waiting for the other to make a move. Notwithstanding the relationship which was fraught with tension, each carried out his duties and responsibilities. When the son did not carry out his father's instructions promptly, the latter would not speak to him for several days. Messengers in the business would deliver instructions to the son. The son would apologise and this relieved the tension. (See case F).

In the case of only sons father kept comparing his relationship with his father, and his struggling days, filled with hard effort during weekends and holidays, with hardly a thought of a vacation, with that of his son, who belonged to a new generation. His son's attitude to life was completely different from that of his own, which father could not appreciate. The son found father a difficult person to work with. An only son, is usually in a special position as he is showered with much affection, comfort and has the expectation of inheritance. He has no sibling to compete with but has to live up to his parents with regard to behaviour and work output, in short to be a conformist to his parents' expected behaviour pattern. The father emphasised that the son was exposed to 'western forms of entertainment and way of life' which he (the son) could not resist. Father objected to his son's visits to night clubs and parties, where there was liquor and dancing.

The sons today have a choice of either joining the father's business, or continuing with a professional career. Their professional training is an insurance for their future. Even capital can be organised by

financial institutions as the sons progress with their careers. They do not have to depend on their inheritance. In this case the power of patrimony is weakened, the father does not have power and authority over those sons who have chosen independent careers. A case in point is that of a medical student who depended on his father for finance only for the initial years of his career. As he progressed he managed to arrange a loan, in addition to a bursary which he was awarded.

Today some fathers are generally more cooperative and less authoritarian than in the early days. Although no father admitted that he had given up his old ways for new, many a son stated that they were aware that fathers had to adjust themselves to the changing times. This meant allowing the sons more individual freedom, to go on holidays, extra allowance and the freedom to spend it as they wished to dress according to western fashion, and those sons who were unmarried, could discreetly, go out with girls of their choice irrespective of caste or ethnic group. However, marrying girls from other cultural and religious groups still present problems.

Most fathers tend to retain ultimate control of the business, in the sense that they make final decisions pertaining to important business matters. The degree to which the authority is delegated varies according to at least three factors - personality, the complexity of the business and cultural factors. An autocratic father with a domineering personality retains quite a lot of power and authority himself, as seen in this study in several cases. He delegated limited powers to his sons. This is more common in small businesses where

there is tight control of capital and economy which are means of building up capital for expansion, other things being equal. Father in one case refused to allow his sons to extend the existing premises so as to convert the grocery shop into a supermarket. The sons felt that the area where the shop was situated had great potential.

In a big business with several branches and several sons managing them, father is compelled to delegate authority to the sons and consequently the sons will have more duties and responsibilities. One example is that of the picture frame and art business which was run by father and three sons. (See case D). Father had receded into the background, and did relief and supervisory work, and was also involved prominently in community affairs. He served on a number of cultural organizations as well as the Local Affairs Committee in the CBD and Rate Payers' Association (See Appendix 0).

PRESTATIONS BETWEEN FATHER AND SON

The responsibilities are allocated according to the individual's skill, experience, training and know-how, and not always with age. With the tendency for the younger generation of sons to go in for commercial training, qualifying with business management diplomas, it is anticipated that they will be given positions in the family firm, commensurate with qualifications and competence. Many sons work for their business diplomas on a part-time basis.

The father makes prestations of trust to the son and these are reciprocated by counter prestations of confidence in the father. ("I am confident that father will leave me the business in his will.")

Father trusts that his son will discharge his duties honestly, for instance when handling finances. If the son proves efficient he is remunerated by being given a promotion, and perhaps a higher salary. The trust is built up by the service of the son towards his father. The son is in a subordinate position and is expected to carry out his duties and instructions given by father. If he does so successfully then the father builds up confidence in him.

These prestations and counter prestations take place in the context of business, as well as in the domestic scene. The son is given numerous tasks for which he has been trained since he joined the family business. Some of the duties related to me by many sons are - opening the business premises, closing it at the end of the day, doing business errands such as the banking, making orders concerning articles sold in the business, salesmanship, going on overseas business trips to negotiate the importing of articles, and attending seminars to improve business acumen. These duties are often combined with domestic errands such as transporting the female members of the household to social activities, doing the household buying of appliances and other necessities, and sometimes foodstuffs. In exchange for performing these filial duties, the son gets a home, a job, an income and the opportunity to make himself indispensable to the firm.

These activities are perceived as expressions of filial duty, as they are looked upon as part of his duties as a son. The son discharges a duty, and he has a sense of belonging to the family business and to the family. He also feels that he has to follow his parents' instructions

in order not to offend them and maintain equilibrium in both the business and the family. This does not mean that sons are always happy to carry out endless instructions from the father and run on numerous errands for both mother and wife. The younger unmarried sons rebel against parental authority. As one father stated, 'my son has too many outside interests, girlfriends, perhaps, and is always planning weekends out and often forgets to fulfil his responsibilities adequately. When I questioned him he says I'm being too dominating and makes the constant excuse that he forgot and will do it (whatever the instruction was) the next day.' This is a case of a son trying to fight the autocracy of the father, by not obeying his instructions promptly, thereby annoying him, but not wishing to leave the business or cause a split. (See case F).

Benedict (1968: 4) states that father makes prestations of trust in his son and the son makes counter prestations in carrying out his duties successfully. This encourages father to make greater prestations of trust to his son. These prestations of trust, give to the son a higher status and he rises in his father's esteem. In case E, the eldest son proved to be very reliable as he was carrying out all the duties that were entrusted to him by father, and these included even the financial aspect, such as buying of articles, banking, and attending to the bookkeeping. Father made greater prestations of trust, in more aspects of the business and the son even opened a branch of the business successfully, which he supervised during the weekends. He also managed the business when father was on holiday in India. The son put in a lot of overtime work, particularly over the weekends. The father and son relationship developed into that of business manager

and business associate. The son had accumulated a lot of capital for the business, and much of the profit accruing from the business was ploughed back into the business. He had intimated to me that since father had entrusted more responsibilities to him the business had improved tremendously, as he was prepared to take risks which father was reluctant to do. Father believed in being content with the little he had and did not wish to expand. He feared going insolvent. It was evident from this study as Benedict (1968: 5) states that if the transaction was successfully carried out, the sons would have made very large commitments to the family enterprise. It is of major importance for the family firm that there are transactions between father and sons to generate patterns in the business sphere. A pattern of role between the son and his father has been generated, which can be seen from the point of view of the firm, as a device for accumulating capital and investment (as was seen in the example of the record shop above). Father, however, cannot make unreasonable demands on the sons, particularly the younger sons who are more critical than the older sons, as they stand to gain less from the estate than the eldest. The eldest son is looked upon as the chief person building up the business with the others, and which he will inherit or control when father dies. The younger sons are not as enthusiastic as the eldest, as they are not really certain what is in store for them. If father dies and they quarrel with the eldest they can lose out on the patrimony. The eldest son has more power than the youngest. (See case E).

The prestation of trust and confidence between father and son may exist, even if the son has conflicts in the domestic sphere. In the case of a

sari merchant, the daughter-in-law could not tolerate living in the joint household mainly because of the overbearing attitude of the father-in-law. The son moved to another suburb, but continued to share the responsibilities, which he previously had prior to leaving the joint household. Father trusted his son and the latter lived up to his expectations. The son stated that he did not want to bring household conflicts into the business. The son did not discuss the conflicts with his father. Although he appeared to be loyal and sympathetic towards his wife, he nevertheless respected his father and did not wish to disappoint him. The son admitted that the father was 'stubborn and fussy'. The son in this case could not maintain the family ideal of coresidence and had to displease father, but at the same time he gave priority to his status in the firm as a coparcener and did not leave.

As was mentioned earlier the son is often torn between two loyalties - those towards his parents and wife. He wants to please both, but finds it difficult. If he should displease father, he might be thrown out of the business and this would curtail his chances of inheritance. On the other hand he is, in the above case, constantly faced with a wife who threatens to pack her bags and leave for her natal home, and not return, if he does not set up a separate household. In a few cases wives did return to their natal homes, only to be persuaded to return to their husbands with promises of better times. The demands and expectations on sons can at times be more than they have the capacity to fulfil. (See case E).

However, not in all cases do sons return the prestations of trust and confidence towards the father. (See case G). This study recorded two cases, where sons did not live up to father's expectations. In one the son had abandoned his position in the family firm and left his legal wife and child for a mistress. In the second case father sent his son to Germany to study and was looking forward to his son's return to the family business, where he could apply his expertise. The son decided to remain in Germany, where he settled with a German wife. The father severed all links with the son who never returned to South Africa, not even for his mother's funeral. The son had every intention of returning to South Africa with his German wife, but under the present governmental restrictions he was not allowed to bring her. He also felt that as an Indian scientist he would have better opportunities in Germany. In both cases the sons were the eldest. In the former case the son was not educated and had lost out financially in comparison to the latter who is a reputable physicist working at a university in Germany. It is not always possible for sons to conform to father's wishes especially when it pertains to marriage, despite the fact that there is mutual trust and confidence.

In many firms father made prestations in the form of education to his sons. The counter prestation by the son not only involved the successful completion of his studies, but also his return to the family firm to apply his superior business knowledge. In one case of a stainless steel factory business, father educated his only son at a local university, where the latter acquired a degree in commerce. The son joined the family business and acquired for himself a managerial position, and sent his son to Germany to study engineering. The family

hoped that the son would employ his son too in the engineering department of what became a large steel concern. In some of the family businesses the sons studied for diplomas in business management. This improved the business methods of the sons. The funds for education were drawn from the business. Sons are obliged to return to the family business after their training. In this way they are paying father back through their more effective work. In a Gujerati family, two sons, who went to Scotland to study engineering, returned home, but could not work in their father's sweetmeat shop, and father, in this case did not expect his sons to pay him back in any way. This is an unusual case as father subsequently sold his business because he did not want to compel his son to continue with his business. The sons were free to choose their careers. The father retired into an *ashram* together with his wife. The father's respect and self-esteem in the community is raised if he has sons who are doctors and specialists although they cannot work in the family firm. (See case C).

Benedict (1968: 5) regards the father's investment in his son's education as a transaction. The fact that the father invested a large sum of money in his son does not in all cases oblige the sons to return to the business. This is looked upon as a counter prestation. Here we can see the fusion of family and economic obligations in the pattern of transactions. Where a son is sent overseas for a professional training which cannot be used in the business, for example, in the case of sons becoming doctors, the sons are not obliged to pay back although the funds for their education were drawn from the business. The doctor son is obliged to care for his parents in time of need and old

age. In this way he shows his appreciation for his medical education. He is the medical consultant in the family. In one case where sons were educated as doctors, they were minor shareholders and were invited to the business meetings, but only as observers. In the cases where sons studied medicine the family was well-off and did not expect any returns from the sons. The doctor son is referred to with pride by the parents who depend on their sons for the organization of the best medical treatment in the event of an illness in the family. There are other appropriate if less direct forms of reciprocation.

It was observed that fathers sometimes used their powers to antagonise their sons or be tyrannical. One father approached his son indirectly through his wife, when he was annoyed at the son's omission of his duty. He was asked to deliver goods urgently to the factory. His tardiness delayed the manufacturing schedule. Father took this in a serious light. The father-son relationship forms the basis of the authority structure in the family business.

The authority structure in a business and the relationship between father and son is a very delicately balanced one. The father's autocracy is not final as the sons can at times, manipulate it to their advantage. There are various types of autocracies observed in the study.

- (a) The traditional model, that of succumbing to autocracy is the expected model, which seemingly prevails, but is at times fraught with tension. The son wants to argue with father but knows that he should respect and not displease him.

- (b) Manipulating autocracy - this is where a son can get his own way with father's help. A case which illustrates this point is that of two brothers who were continually having arguments and were not on talking terms, and their wives exacerbated the already difficult relationship by not talking to each other. The father decided to start the younger of the two sons in a new enterprise close to the family business with some of the capital. The son was a skilled radio mechanic and used his talent in his own firm.
- (c) Fighting autocracy - this is rare. In this case conflicts end in a split and where it does occur there are serious repercussions in the family.
- (d) Fragmenting autocracy - this is when a son leaves to set up a separate household but continues to be a coparcener. This is not ideal from the point of view of the father who wishes to see his son residing with him, but he has to come to terms with the tense situation in the household that causes the daughter-in-law unhappiness. Each of the four processes can lead to another, at different phases of the developmental cycle in the family. These situations lead to conflicts, not only between father and son but also among brothers, and spill over to the domestic realm and involve women.

CONFLICTS IN THE BUSINESS AND FAMILY

The relationships in the business cannot be seen as distinct from the family. The activities in the one sphere affect the other. The relations between father and sons in turn generate new transactional patterns which affect the structure of authority between a father and

his sons. The following case is an example of conflict between two brothers over funds, which the father gave one, out of the business.

In this case (See case E) the eldest son who had studied locally for a diploma in business management, joined his father's music shop. He was the only son out of three to have such a qualification. He felt that his brothers were envious of him and were not on friendly terms. The youngest brother worked with the eldest in the firm. There were problems between father and eldest son, when the son wanted full managerial rights in the family business and also wanted full ownership rights to be certified legally. Tension developed in the relationship between father and son and between the eldest and his two younger brothers. The three brothers could not get on. The younger brother resented the older brother's growing control which he thought would affect the distribution of the patrimony. Even their wives were not on speaking terms. Insults were hurled and arguments erupted in both the firm and the house. Father felt compassionate towards the one (second) son and thought the only way to solve the problem would be to start another business for his second son with capital from the family business. This, however, was not a complete success, because the son did not pay his rent regularly, and was in arrears and had been summoned to court several times. Father paid his son's debts. This aggravated the already tense relationship between the two brothers. The elder brother felt that he worked very hard and that the firm's capital should not be used to help younger brother who had started up an independent business. Capital from the family business was taken to renovate and erect new windows in the shop, which, according to the older brother, cost thousands of rands.

The elder brother said, 'Father definitely has a soft spot for my younger brother, I can understand to a certain extent, after all it's his son and a father has to help, but it is happening far too often. Surely my younger brother should be able to stand on his own feet.'

On one occasion when father was away on a holiday in India, the youngest son (a third brother) was asked to help in the family business, as he was only employed on a part-time basis as an insurance agent (he subsequently joined the firm). One day there was a minor argument between the eldest and youngest brother, and the youngest son said, 'I shall see that I get one third share in the business.' The eldest son who put the most effort into the business was quite indignant and said that the youngest brother was troublesome, never contributed a cent towards the food and grocery bills and yet cooked and ate together with him and his parents in a common kitchen and a common stove. When sons are given salaries they are expected to contribute towards the housekeeping. A portion of their salaries is given to their mother.

The above case shows that a number of issues can cause conflict in the business and in the domestic domain. Both are a part of the total relationship between family members, which play a part in their working relationship. Favouritism on the part of the head, fear of loss of patrimony and envy on the part of the younger brother, seem to be the cause of disharmony in the above case.

In another case of conflict (See case F) in a furniture factory business run by father, son and nephew (father's brother's son), father was so

fastidious about every *ad hoc* business seminar being attended, that son felt that he could not cope with the father's high standard of expectation. The son in this case, was fearful of having a confrontation with his father for fear of reprisals and 'toed the line' with father. There was an underlying tension between father and son which was not perceptible in the business situation. It was the father's indirect method of approach towards his son which caused the tension in their relationship. The father approached his own wife if he had to discuss a matter on which there was disagreement between father and son. The stern attitude of the father in this case, was not detrimental to the son's position in the business, as he occupied the status of manager of the factory which manufactures the firm's products. The father entrusted more and more tasks to his son who controlled the factory with the assistance of his cousin (father's brother's son), and many workers. The business expanded and father could not handle it alone, therefore he insisted that he acquire the necessary skill which he himself lacked. The father managed the main business about eight miles away in the central business district of Durban. He visited his son daily and had staff meetings weekly. Son and nephew (father's brother's son) attended weekly seminars, as father felt that this would encourage the senior staff to attend the seminars too, and in this way the standard of work would improve greatly. The nephew received a salary, and was not a shareholder, and therefore not a threat to the son. These seminars were held at a local technical college under experts in the field of commerce and economics. Some of the topics are problems encountered in the work situation, finance, loans, workers and their problems and management problems. New methods and techniques can be

incorporated in the business. The problem in this case was that the father expected the son to be as hard-working as he was when he was working with his father. According to the son the father was too authoritarian, fastidious and clung to traditional values.

Some of the issues that arose from the study which caused disharmony in the business and the domestic domain were issues of authority, control of the patrimony, expectations of what constitutes claims to shares (seniority, skill, hard work or simply sonship) salaries, "fair" contributions to work and expenses in the residential unit and quarrelling among wives. In nearly all the cases studied, the sons running the businesses with father tried not to allow marital problems interfere with the work situation, or the business relationship with father. The father and son relationship continued to be based on trust, despite the problems. The business at all times was given priority over and above personal feelings, no matter how strong these were. The father and son team continued to take advantage of any opportunities in business to expand and took the necessary risks as a cohesive unit.

When a father recedes in the background the sons are given more duties such as the attendance of small contracts, the manufacture of the furniture and the supervision of the workers and to maintain communication all round with the staff. 'I attend to all the major issues', said the head of a large furniture firm. (Major issues are mainly financial). Some fathers attend to the till and leave the rest to the sons. One son said that he felt father's presence in the firm

was a moral support, although he did little. Others referred to father as 'the old man is crabby because he is getting old but he is harmless'.

Fathers emphasised that if their instructions were not carried out carefully by their sons, then the business would run at a loss. The fathers fear that any mismanagement on the part of their son might lead to a drop in the quality of their products, and this would affect their clientele, and their good name in the business world. In one case, the son did not order the materials used in the factory when he was instructed. Apparently he had forgotten, but father was annoyed and reprimanded his son. This delayed the manufacture of the goods. Although the son virtually managed the business, the father checked daily and saw to matters like quality control, interviews with the production manager and so on. The father had to check daily because he did not believe that his son worked hard enough saying -"I often reprimand him since he is always saying that he is tired and wants to play sport when the business is busy and refuses to work during the weekends."

Where there is no family business and each son has an independent job, there is often a conflict in the minds of sons whether the 'joint family' minimises the inducement for people to improve their own position. A son faces the dilemma of the obligation of supporting non-working members of the household, such as an unemployed brother. He is not able to save and invest as the 'joint family' does not work on the principle of individual self-interest. When there is a family

business the funds are taken from the business to support the unemployed and his family, because the business, if small, cannot absorb all the sons as there may be sufficient hands.

Not in all cases does one encounter sons disapproving of rendering assistance to non-working sons. A lot depends on the nature and closeness of ties and sentiments among the brothers. For example, in one family sons disliked one another, whereas in another they were amicable and did favours for one another and did not appear friendly only for the sake of pleasing the parents.

In one family firm, that of a curio dealer, one of the sons who lived in Newcastle, Natal, and worked independently, received a small dividend annually although he was not actively engaged in the family business. In another case the elder brother objected to the father contributing towards his younger son's independent business because the funds were to be taken out of the business run by father and elder son, the latter felt that it was unfair, and moreover the brothers were not on talking terms. In the former case the brothers fully realised that their brother in Newcastle had nothing to do with the family business but they did not object to an annual allowance for their brother. This shows that the relationship among brothers differs in different families and there are cases where brothers have fraternal love for one another. The father felt that the son who lived in Newcastle was not as comfortably off as the sons running the family business in Durban, and the sons agreed that their brother should be given an allowance.

There is sometimes a problem concerning the amount of labour output of each brother. This can cause conflicts between brothers and their relationship can deteriorate. Some of my informants tended to understate conflicts and gave a picture of harmony. It was difficult to elicit the true facts. Many sons alluded to strained relations among brothers but do not wish to reveal details. The father acts as a catalyst not so much for harmony but for the prevention of an outburst among brothers. It is not only the personality conflicts between brothers but also rivalry and jealousy if the wives are smarter, and the children better students and sportsmen. Material acquisition appears to provoke a lot of competition and envy among brothers. Sons do not always allow domestic issues such as amounts contributed towards budgeting of household goods, use of family car, overseas holidays and other domestic issues to interfere with their business relationship. Sons' salaries depend on whether they are coresident, commensal or living in separate households.

Allowances are made for the children's clothes, education and miscellaneous expenses. These items are considered when the father pays the sons. The buying of expensive commodities such as cars and electrical appliances are done by the father as joint family property if sons are coresident. The profits are handled by the father and are usually ploughed back into the business, or invested in another business venture or building society, or even help a son start an independent business.

A conflict in a home caused the relationship between a Gujerati Hindu father and son to deteriorate when the latter wanted to marry a girl from a different faith (Christian).

The story is as follows:

The father-son relationship became strained. This aggravated the health problems of the father who had a cardiac ailment. The son insisted on marrying the Christian girl, who did not fit into the family and this caused a lot of tension and anxiety. The father reduced the son's responsibilities in the business as he began losing his trust and confidence in his son. Indeed, it did not surprise father when his son refused to give up his girl-friend whom he wished to marry.

The father strongly objected not only because the girl was Christian and therefore would not fit into a traditional (vegetarian) Gujerati family, but the girl was a beauty queen and was photographed in a bikini by a local newspaper photographer. The eldest son explained that his parents were very disappointed with the son and feared the 'scandal and disgrace' to their name. The son reached a compromise situation. He lived for three days with his girl-friend in a flat and four days at his parents' home. During the day he ran the family business. He did not have a marriage ceremony, neither according to Hindu rites nor a court rite. The son Amit subsequently had a child and when he was interviewed he did not appear to have any regrets about his girl-friend, Chantal. He stated that his life with his girl-friend had not altered his duties in the family firm nor with his parents and siblings. He visited his mother daily. He was disappointed that the arrival of the child could not win his parents' approval and acceptance of his girl-friend. He hoped some day his parents would "give up their orthodox ideas". He felt that his girl-friend would not fit into his conservative family. He did not insist that Chantal wear a sari nor did he take her to weddings and other social and cultural functions in the community. Chantal said little apart from the statement: "We love each other and my family has accepted Amit."

In a number of cases, more often problems facing the sons are suppressed by them in the work situation where a conflagration could be embarrassing. More outbursts tend to take place at home than in the business. Sons are faced with the conflict between agnatic and conjugal ties. Evidently conflicts in the one sphere affect the other sphere, and for this reason sons try to stifle the problems unless they are serious. One cannot but emphasize the fact that sons do not wish to antagonise their father, for the simple reason that they anticipate inheritance. However, outbursts are seldom, or reserved until after father's death when the mother has to shoulder the problem of keeping peace in the family.

CONFLICT OF VALUES

There is a loosening of authority when father grows older, semi-retires, or becomes chronically ill as in several cases in the study. Much of his authority and duties are delegated to his sons. Authority also declines as a result of the increased education, aspirations and changed way of life of the sons. There is a clash of values implicit in the developmental cycle. On the one hand the father who accepts the traditional value system expects his sons to follow the traditional norms of culture to be respectful, not to answer back, to be obedient and also abstain from alcohol, playing cards and dancing. The son is expected to work hard, go to bed early and rise early. Many fathers lamented "the changing ways of the younger generation and how the times have changed." Fathers contrasted the present situation with their own relationships in earlier days. All the fathers were of the opinion that the present generation of sons do not work as hard as they did and place inordinate importance on material acquisitions.

The sons on the other hand are exposed to a new set of norms in the society that is westernized. These norms, together with their education form the basis of a new value system which clashes with the traditional value system upheld by fathers.

Although the present generation of sons respect their father as head of the business and household, it is not the same respect that prevailed in the early days between the father and son, according to many heads of businesses. This is the reason for the contrasts made by so many fathers about their own relationship with their fathers in the early days.

Father expects his son to be as hardworking as he was because:

1. work he says is very good for its own sake or else one becomes lazy and expects others to provide for one;
2. the more effort one puts into one's business the more the material benefits one will reap. He sees the business world as a very competitive one in the central business district, and his interviewer sees him as an active participant in the so-called socio-economic race.

One sees a change from the unquestioning and submissive acceptance of father's authority and views. Sons believe that they are not being disrespectful by opposing father's view on economic and social matters. Sons feel that their education has increased their ability to argue their points of view, and has also given them a sense of individuality which is sometimes 'stifled' by father. This reflects a change in ideology and economic opportunities. Other factors, besides education and westernization has influenced change - such as the cultural values of endogamy, as well as the increase in the wealth and the complexity of the business which places greater demands. We see a tendency for the father to accept unwillingly, changing norms and behaviour patterns, on the part of a new generation. There appears to be a tenacity of traditional values if not behaviour patterns. A difficult situation results because of the conflict of values of the two generations concerned, i.e., the father's and the son's. One father made the following statement: 'Today's youth are irresponsible, they want all the comforts of life without working hard for it. All my life I was dedicated to the business, as my father had trained me to do, I had no outside interests, I was immersed in the business,

but my son does not show the same kind of involvement in the family business.' He attributed this to the different times that the different generations were living in.

The situation in the father and son relationship is different today from the early days. The father does not get the same amount of deference because the terms of the transactions have altered. The initial position of the actors have changed. The modern son is educated and has more bargaining power and individuality than the earlier generation of sons, where the degree of formal education was negligible. This alters the initial weighting of the actors. The son's newly acquired skill and expertise is his power and he can wield it when necessary. The father has more respect for his son and is also proud of him because of his skill and entrusts more responsibilities to him. He can go on 'extended holidays' and leave his son in charge of the business.

Changes are not only due to the clashes of values of the father and son generations, but are also part of the process of the developmental cycle such as illness and death or partition of patrimony during father's lifetime. Fathers do not want to feel powerless, 'like an invalid in the background' stated one son. Sons felt that fathers looked at the business as part of their lives, having worked at it since their youth, they found it difficult to keep themselves away from it. Although power is delegated by fathers in their later years to their sons, the relationship is often fraught with underlying tension. It was recorded by father that his son had said to one of the senior employees, I hate father, I wish he would drop dead.

Role expectations tend to be constant over time. What fathers expect from their sons is not possible because of the changing set of values and education of the sons, who live in a modern society which is different from that in which father was reared. The changing values create strains in the relationships.

Despite the many issues that cause antagonism and animosity in the business relationships I perceived deference on the part of sons towards their fathers. Sons are willing to praise fathers when they merit it. One recalled his experience in the early stages of his introduction to the business as he had found adjustment to the many responsibilities and demands he was subjected to, very trying. Now, after more than five years, he realized how much he had learned from his father for whom he had so much praise and admiration. He felt that he was indebted to his father for having taught him so much. Father is looked upon as a model by the son in his childhood, but as he grows older the ideal figure is questionable.

In several businesses married sons occupied separate households, but were still coparceners, they remained under the authority of the father. The father controlled the business activities in which the sons involved themselves although they lived separately. In one case three sons had to set up separate nuclear households upon marriage, because of lack of accommodation, as the family home was a flat. In this case the sons were fortunate that a division took place without any feelings of resentment. The sons maintained regular contact, bringing their children to their parents' home over the weekends for a meal.

Family members with whom relations of trust have been established over long periods of time are more loyal than 'outsiders'. This was borne

out by evidence that one's own sons appeared more loyal and trustworthy, than outsiders, employed in the business. Despite the tensions which are inevitable, the fathers rely on their sons, rather than kin or outsiders. Even brothers in some cases (See Case A) get on harmoniously, giving the business priority.

It is not just 'loyalty' but self-interest that impels sons to stay on. In one case a son gave up his job as a computer programmer to join the family business. He was earning a good salary and studying part-time for his bachelor of economics degree. Although the family business was not a wealthy flourishing concern, and the salary for the two brothers was not very attractive, nevertheless it offered long term security. The business was to be shared by the two brothers after the death of their father. One son disclosed to me that the business allowed him to be more independent, and he could take time off to attend to personal matters. 'Working in your own business is different from working for outsiders.' He stated that he did not wish to displease his father, when the latter asked him to join the family business.

It was clear from my interviews with sons that they looked forward to inheriting the business, although no son disclosed this fact in clear terms. The sons emphasized the effort, loyalty and labour they put into the family business. As the sons mature they have to take on more responsibility. The senior son is usually given the most responsibility as he has the most experience in running the business. But this does not always happen, as in some cases, the younger, and in one case the youngest son, was most skilful and was the recognised head. While the older brothers have experience in business, the younger have the

opportunity to be better qualified (with degrees in commerce). This does not mean that the younger brother feels that he is better qualified and therefore should control the business. The elder brother is respected for his seniority in years and has experience to justify his control. In many cases the older brothers though they did not have degrees in commerce, nevertheless attended part-time classes and seminars in business management and administration, at the local technical college.

POWER OF THE COMMUNITY

The community has tremendous power and can show its disapproval by adverse newspaper reports or ostracism. Indian families place a lot of value on reputation and a good name in the business community. In one case the father was forced to send his alcoholic son to Johannesburg to rehabilitate. The son had 'bad company' and took to drink. The father was enthusiastic about sending him to the university. Instead the son led a gay social life and used to stay out at night and return home in the mornings. The son was also involved in an accident, which caused irreparable damage and consequently cost the father a large amount of money. Fortunately, the father was wealthy and used his wealth to maintain his social respect and esteem. Where a father is an alcoholic, this is detrimental to the family's reputation. If the father is old the community does not look as unkindly on him as they would if the son were an alcoholic. The success of the family business partially depends on the good reputation of the family as contacts and communication are dependent on the family's good name. Lawsuits between family members, particularly between father and son can be damaging to the business. Therefore, families are reluctant to wash dirty linen in public, and none were recorded in the study. However, lawsuits do take place between siblings. There was a lawsuit between

a brother and two sisters concerning inheritance and power of attorney. Fortunately for the family the local newspapers did not publish the lawsuit, but the local businessmen were aware of the problem. The son stated that the business 'meant everything' to him and he was willing to risk losing face in the community.

Other cases which did not fall in the study are of contesting of wills and deceased estate problems of claimants. The details of these cases are sometimes found in newspapers. It is not considered proper among Indians to publicise family and business conflicts, as Indians place tremendous emphasis on family name and reputation. Many an older informant spoke about his name in the community, one put it in this way. 'It takes one a whole lifetime to build a reputation and less than a few hours to lose it.' Here he was referring to businesses and families that have had disputes which were taken to court. A leading chartered accountant stated that during the last decade and a half he encountered only one case of father and son lawsuit. The son demanded more compensation than he was given by father for the effort he put into the business. Lawsuits between brothers are a more common occurrence. Uncle and nephew lawsuit is not as common as those between brothers. Uncles and nephews are relatively rarely in the same business, unless there is the mediating brother/father between them to settle issues.

Participation in socio-religious and cultural organizations, and the community's educational programmes can enhance one's business reputation extend contacts and communication. All this is advantageous to the success of the business. Several heads of business occupied prominent

positions in socio-cultural organizations and take time off to attend to community matters. There are numerous organisations which informants listed in which they were involved. In this way, not only the business, but also the family is given prominence and prestige in the community. (Refer to Chapter 3 for heads of businesses belonging to political and other bodies and to Appendix 0 for a detailed list of all the organizations).

DECISION-MAKING

The general picture the interviewer gets from the study of family firms in Durban is that each son's opinion is given a hearing when decision-making is done. The father presides at the meetings and has the power to veto any suggestion. The sons are given a hearing but the father does not always agree with his son's views. Sometimes decisions are arrived at unanimously, and at other times brothers disagree with one another and sons disagree with father. At most times I was told that sons give in to father even if they do not approve of the decision - 'just to keep the peace'. Sons know that they cannot override father's authority and this means that the sons are not always happy with father's moves. Every member participates at a meeting of members of the family running the business. Although one might get a picture, at times, of a powerful autocratic manager at the helm, in actual fact subordinates are allowed to speak their minds and encouraged to express their opinions on matters where their knowledge and experience may be appropriately put to use. There were occasions when father's decision was carried despite the son's disapproval. The sons were reluctant to make statements against their father. This indicated fear and filial loyalty.

In several firms (See case H) where father was aging and had receded into the background, sons were empowered to make all minor decisions without consulting father who only participated in important matters, for instance, financial matters, establishing a new branch, investments, property speculation, gold and diamond buying. Usually the father calls all his sons and they discuss the business and sometimes family matters. Where there are brothers running the business they meet on a regular basis and discuss their business problems.

A changing pattern of transaction was observed in a retail clothing manufacturing firm, run by three sons of the two semi-retired brothers. Here the two brothers came daily to sit at the tills, one at the door and the other in the middle of the store. The two brothers were not very actively involved in the administration of the business. They delegated a lot of the duties, responsibilities and even much of the decision-making to their sons who in reality ran the business. Although this was the position the brothers were not looked upon as juniors, and had not lost their seniority and self-respect or dignity in the firm, they had only receded into the background. They were still regarded as heads of the business and given the superordinate position. Over the years the sons gained considerable experience which virtually enabled them to manage the business without their fathers. At meetings their views were considered but they also recognised the suggestions of their sons, who had degrees and diplomas in business management. In this case father showed his respect for his sons' knowledge and sons in return respected their father's experience. Strictly speaking, I received the impression that the 'retired fathers' had no executive

powers, or if they had any, it was very little. Even the shares were not held exclusively by the 'brothers', but distributed among the sons according to their status and seniority in the business. The sons ran the business entirely by themselves. They saw to the ordering of the raw materials, the manufacturing of goods in the factories, the payments to the staff, the banking and all the finances. The father delegated powers to the sons to write cheques. The sons presided at meetings and at times the 'fathers' (i.e. the two brothers) did not attend the meetings as they felt that their sons were capable of attending to any problem since they had adequate experience. One of the sons stated that they only consulted their father to make him feel that he was not being neglected, and considered unimportant. They wanted him to feel that he was still in charge although he might not be functional. As the heads got older they still controlled most of the shares although they were passive (rather than sleeping) partners in the enterprise. They received formal and verbal respect from their sons. They became "ritual" rather than "executive" elders in the business but still made to feel useful.

In a family firm a son, whose father was not consulted for any of the minor decisions, did most of the purchasing and attending to the finance, because of father's illness. But I was told by the son that he would not have been surprised if father had suddenly decided to go against his decisions as this was done in the past. The son said that it was sometimes annoying but he had to accept father's authority. When father was better he became more vociferous, when he was ill he was submissive.

In one firm where there was a widow and two sons running a business the widow was only consulted for major decisions like buying a truck or land. The sons made all the minor decisions on their own. In this case mother was dependent for material and emotional security on her sons, and she appeared to be a figurehead. The sons only consulted her to please her and make her feel that she was not only the head of the family, but also the business.

Women, whether they are playing a minor or major role in the business, are seldom asked to attend meetings - these are prerogatives of the male members of the family. Decision-making appears to be the prerogative of father and sons. The bigger flourishing business concerns have regular organised meetings on a formal basis. The small businesses have fewer meetings and they take place whenever necessary, not on a regular basis. If there is an important matter to be discussed then a meeting is called. The wife of the head of the business is not always consulted or invited to meetings, but she is informed of the major decisions made or new enterprises undertaken. Her advice is not sought. She has no power in the business while her husband is alive. He discusses the business with her privately and if she does influence him it is done very discreetly. But wives of sons who live in separate households may have an influence on their husbands, who make decisions in conjunction with their father, concerning the family business. This can be looked upon as a change in the system as daughters-in-law have no power in the joint family in a formal way.

I observed that where the father is a young manager then he takes an active part in decision-making but where he is semi-retired the sons have considerable authority. The longer a son is in business the more his views and suggestions are respected. The changes in authority patterns have to be looked at against the background of the developmental cycle as well as education and westernization.

The relationship in one family business differs from another as each family has a unique set of relationships coloured by periods of equilibrium and disequilibrium. Where there are serious conflicts this can lead to disintegration of the business.

Earlier studies made by Cohen (1974) in his administrative study of Indian family business, Benedict (1968) in his work on family businesses in East Africa and Morton (1968) in his history of the Rothschild family, all stress the point that the smooth running of the business depends on the personality of the father and his wisdom in maintaining good relations.

It is without doubt that the key relationship in the family firm is that between father and son. The success or failure of the firm depends on the wisdom of the *Karta* and how he uses his power and authority. The conflicts in the business spill over to the domestic realm as the members in the business are members of the family too. In the long run the sons are in a position to gain even if there are more sacrifices than advantages because they eventually inherit the patrimony. However, although men hold key positions and wield much authority, women are not altogether excluded, their role and that of kin will be explored in the next chapter.

CHAPTER 6

THE ROLE OF WOMEN AND KIN IN THE FAMILY BUSINESS

Previous studies on family business by Burton Benedict (1968), Raymond Owen (1970) and others did not focus any attention on the role of women in the family business. This chapter will investigate the part played by women in the retail family firm and conclude with a brief discussion on the part played by consanguineal and affinal kin. Women do not play as vital role as men but they have some influence on the men in the household. This chapter is divided into two main sections: the first part will investigate the role of women in the business, their legal status and the question of dowry, inheritance and marital power; and the second section will deal with household arrangements, the advantages and disadvantages of exogamous and cousin marriages to the family and the business and conflict situation.

Women with both 'indentured' and 'passenger' backgrounds have contributed in different ways, according to their particular circumstances, towards the success of the husband's business. First, women from both backgrounds participated directly in productive work whether it embraced manufacturing or selling. Second, the women took charge of all the domestic duties to enable the men to concentrate on business. Third, the women accepted poverty and frugal living in order to accelerate the accumulation of capital. The moral support and team spirit that the wives provided was most important.

Indian women have had a long history of subordination in India. Their chief function seemed to be procreation and the performance of religious duties. It is against this background that we observe the changing status of Indian women in South Africa.

Indian men have a traditional attitude towards women in their household. They believe that women need protection as they have been subservient for centuries in India, and this attitude still prevails, despite the progress that Indian women have made over the last two decades in many fields. Many Indian men still think of Indian women against the historical background of the Indian institutions such as *sati*, *pardah*, polygamy, child marriage and permanent widowhood. Until the late nineteenth century ideologically, legally, socially and morally women in India were considered to be of no significance, being reduced virtually to the level of slaves. The caste structure and the joint family system also contributed towards the lowly status of women. Indian men are gradually becoming reconciled to the reality of the changing status of Indian women. The two factors responsible for this progress are economic necessity, which give women the opportunity to become independent, and education, which has a more direct and powerful bearing on their position. The attitude that Indian business heads have towards their women has to be seen against the cultural background that prevailed not only in India, but also in South Africa, although the influence of the dominant white culture has been fairly significant.

Lewis (1955: 116) states that the attitude of men towards women's work varies from community to community. In some social classes, men

try to ensure recognition of their social status by preventing their women from working, deliberately keeping their wives and daughters idle, with the aid of numerous servants, thus showing that they are men of substance. Some women do unpaid social work, and Lewis is of the opinion that this form of snobbery lowers the output of women. Even in modern western societies women have had to fight a 'battle' in order to compete freely in an open labour market. Lewis asserts that the restrictions on the work women may do are also everywhere a barrier to economic growth. He also asserts that economic growth and a transference of women's work from the household to the market go closely hand in hand. Some business heads felt that if their wives went out to work they would have to pay a higher tax, which they would not have to if their wives stayed at home. Although Lewis concedes that the housework women do is not calculated by statisticians when they assess the national income, he states that growth will nevertheless be restricted if women may work only at home. Women need not be only domestic servants or typists but can do other jobs to increase the national output.

Lewis's opinion is also shared by Dorothy Hammond and Alta Jablow (1976), whose research on the status of women in various parts of the world have led them to believe that although men are dominant in the public domain, this does not negate the importance of what women do.

Indian women have evolved from market gardeners to the present generation of highly professional and technically trained women, competing with men. As market gardeners, they carried heavy loads

of vegetables and fruit on their heads in baskets, thus showing the fallacy of the idea that women are "the weaker sex", a term that implies that women are physically as well as emotionally, weak. (See Plate 7 (a) and (b)). Women worked side by side with men in work such as digging, ploughing and harvesting. They diversified their occupations to become jewellers, craftswomen, saleswomen, dressmakers, hairdressers and have been absorbed into industry and commerce as computer programmers and manageresses of firms. Women were also employed in a variety of professional pursuits such as teaching, nursing, engineering and medicine.

In Durban alone, hundreds of single and married women are enrolled at the local universities and colleges for higher academic and technical training. The University of Durban-Westville's commerce department registered 73 female students in February 1982. Indian women have succeeded in having removed some of the restrictions which have impeded their socio-economic development. Today there are large numbers of emancipated Indian women who are gainfully employed in the central business district and in institutions of higher learning. Nearly every business in the Grey Street Complex employs women as receptionists, saleswomen, telephonists and the like. There are women who run their own legal firms and estate agencies in the Indian central business district. This does not mean that all the Indian women who are contributing positively towards the economy of the country have abandoned their cultural traditions and values totally. Some are able to synthesize the two cultures, while among others there is considerable change in attitudes and habits.

Plate 7:



(a) Indian Indentured woman with her children



(b) Women Market Gardeners Selling Their Produce

Wives, widows, married and unmarried daughters, married and married sisters play a part in the family business. Where daughters-in-law assisted in the shop they did so only during busy periods on festive occasions. No daughter-in-law managed a branch or was a full-time worker. None of the daughters-in-law were paid for their services, but were given gifts from the shop, which acted as tokens of appreciation.

The wives, unmarried and married daughters and sisters who participated in the family business fell directly under the control of the male head. Most of the women, particularly wives in small family firms, did not expect any remuneration as they regarded their services as a duty, but they were nevertheless paid. Some of the wives' hours at work appeared to be more flexible than that of the unmarried daughters and their work was often on a relief basis. One widow was a full-time worker, the other widow came in as a relief worker, particularly during lunch hours and at other busy periods.

Unmarried daughters were paid employees, working more or less full-time as clerks, saleswomen, bookkeepers and receptionists. In one case, a daughter actually ran a branch of the family firm established in a white business area. The head of the firm had concluded that their art works and picture-frame business would be more lucrative in a white business area. The daughter, a spinster with reduced marriage prospects because of her age, offered to run the business, with two assistants employed as salesmen. The licence for the business was obtained through the cooperation of a

white friend of the family in whose name the business was registered. The procuring of a licence in this manner is not very common in Durban.

In comparison with wives, unmarried daughters are more effective in the family business because they spend longer hours on a more regular basis. They are readily available to assist since they have fewer responsibilities in the household, hence they have more free time. But daughters are looked upon as minors and rarely have decision-making power. Women who marry are looked upon by men as being lost to the joint natal home. However, men who work outside the family concern can return to it; there were several such cases.

Daughters do not have the same responsibilities that their mothers have of feeding the husbands and children. They have strong residual loyalties towards their fathers and brothers and can keep business secrets from their husbands which in any event will not be of any use to them unless they are also drawn into the business. The daughters then can be looked upon as a strong source of loyal labour when the heads and their sons begin to realise their importance. The fear, however, of fathers and sons is the encroachment of the son-in-law who is rarely acceptable except where there is an only daughter. The unmarried daughter can make a bigger contribution in most instances than the married daughters.

The position of the daughter strongly contrasts with that of the daughter-in-law, who is looked upon as an outsider; the latter struggles to be accepted in the often close-knit family circle.

Daughters-in-law are reputed to form an alliance against that of mothers and daughters. Complications are bound to occur and in order to avoid these daughters-in-law are only absorbed in the business when needed. Daughters-in-law have, caused disharmony among brothers and this adversely affects the business relationship. They are looked upon as the seeds of fission on the one hand, and the seed beds of the lineage on the other. The daughter-in-law assumes authority when she becomes a mother and when her mother-in-law dies, she then has more responsibility particularly if she is the eldest daughter-in-law. Her position becomes that of female head when her son becomes *Karta*. When the patriarch dies the strongest link in the chain of lineal authority is broken thereafter the balance of power usually swings over to the side of the conjugal relationship. Without doubt the women are expected to be loyal to their husband's family to which they become integrated. Ideally they have strong bonds with their natal home.

The conflict and tension between the daughters-in-law and their husbands' families, are alleviated by the institutions of joking and avoidance relationship. The orthodox Hindu and Gujerati daughter-in-law has an avoidance relationship with her father-in-law whom she tries not to confront, touch or address directly. The same attitude is extended towards her husband's eldest brother who is looked upon as a father. Between daughter-in-law and mother-in-law there exists an ambivalent relationship. The daughter-in-law has to respect and obey her mother-in-law. The mother-in-law has to accept that daughter-in-law has 'alienated' her son's affections. Indian films, scriptures and literature emphasize the emotional relationship between son and mother. They emphasize the duties the former has to discharge when father dies. It is only when the mother-in-law dies that the eldest daughter-in-law's status changes. She becomes female head of the household and is respected by both males and females. Even if the mother-in-law is granny the status of the daughter-in-law does not change very much since she is still under the authority of her mother-in-law.

In an unusual case, a husband and wife team running a tailoring shop depended on the help of their married daughter, who applied for a business licence in her name after her father's business was liquidated. With the assistance of finance from their son-in-law the couple was able to re-start the business. When the father was on his feet and the business established, his daughter resigned from the business. The father praised his daughter, stating that it is not only sons who can help parents but daughters and sons-in-law can come to the assistance of parents in distress. It is not acceptable in Hindu tradition that a man should resort to financial assistance of a son-in-law, but it does happen in rare cases.

A leading Indian clothing manufacturer who has no sons, but has three married daughters, explained why he employed only one married daughter in his business. "I gave my three married daughters shares in dowries, furniture and homes, but I chose the most intelligent of my daughters to join me in business. I feel that I would not be able to trust my sons-in-law." His daughter receives a high salary and has shares in the business. Her husband does not play a part in the business.

Sons-in-law, though respected, are not generally welcome in the family business. Daughters qualify for dowries and are legal beneficiaries. There are still many fathers who entertain the fear that their daughter's inheritance will be manipulated by the son-in-law. For this reason there is a clause in the Muslim Law of Succession (discussed later in this chapter) which categorically stipulates that the husband of the daughter may not have access to the inheritance. This is to safeguard daughters who have dependent husbands. However, there is

nothing to stop a daughter married in community of property from voluntarily sharing her inheritance with her husband. The fear is stronger in a large business concern where the head has only one daughter, that property and finance may be manipulated by the son-in-law. In such a case the family stands to lose more than in a small business where the assets will be lower, but no less vital to the family.

Two institutions are relied on when a family finds itself lacking a son to inherit, to perform religious rites and to continue the line: one is adoption - adopted sons are usually close kin, brother's or sister's son; the second is the uxori-local son-in-law who in time produces a legal heir through a man's daughter (*putrikaputra*). In this study the problem of no son was solved by the uxori-local son-in-law.

The *putrikaputra* is 'the daughter who is treated as a son'. This highlights the fact that in the absence of male issue a daughter becomes the link in the chain of continuity. The daughter resides with her father's family and her son is considered the son of her father. Thus an heir is produced to continue the line. The daughter is considered equivalent to a son and therefore her son is equivalent to a grandson. As the merits of a son and grandson are equal (e.g., in offerings made to ancestors) the latter rank as a son. This is the traditional rule. In the study an only son-in-law is employed by his father-in-law and is given status, though he is ineligible for an inheritance.

Where there is an only child who is a daughter, then she and her husband become an integral part of the business. The son-in-law by virtue of his sex is given a prominent position and treated like a son. There is the case of a man who became the managing director of his father-in-law's business. This of course, is not a joint family in the strict sense of the word, but was classified as one for the purpose of studying the firm run by husband, wife, daughter and son-in-law. The family was unusual, in that it operated as a 'joint family' with the son-in-law living with his wife's parents, a situation which is rare in Indian society. It has all the characteristics of a joint family other than patrilineal links. The family is coresident, commensal and are co-workers and three generational, couple, child and spouse and grandchildren.

As marriage is traditionally patrilocal or neolocal the bridegroom takes his bride to his father's house. It is rare for a son-in-law to live with his parents-in-law; when this happens, people jump to the conclusion that the son-in-law in question was not able to provide for his bride, and is therefore dependent on his father-in-law for shelter.

Sisters of heads of businesses did not feature prominently in the family firms. One head of the business employed his sister who received a salary; in another case a group of three brothers employed their only sister as a bookkeeper and receptionist on a full-time basis. One businessman stated that he would never 'dream' of having his married sisters in the business as this would invariably bring complications, such as the intrusion of their (sisters) husbands into their business. Unmarried sisters assist whenever required on a part-time basis.

Although women generally occupied subordinate positions in the family business in comparison with the men, they nonetheless revealed a growing desire to prove their industry and reliability so that their status could be improved. The chief drawback to their progress is that they do not have any authority.

In a joint family the female members, i.e., the wives and daughters, are entitled to maintenance which includes residence, food, clothing, medical attention, and education. The incoming wives have rights of maintenance, even when reduced to widowhood, and coparceners cannot deny this right even on the grounds that a woman possesses her separate *stri dhanum* (female property). In addition to the daughters' right to maintenance until their marriage, they are entitled to their marriage expenses and to dowries which they take away with them.

Although there was a small proportion of women playing a part in the family business, there were conservative feelings among some of the business men who revealed their opinions about women. A Muslim manager of a large retail business admitted that his sisters were university educated, and might be competent, but they were not allowed to participate in the family business. It was stated that 'problems' would present themselves with the husbands of their sisters. It would be difficult to maintain a formal business relationship of manager and staff. Daughters, said one retailer, are given large amounts of cash and valuable jewellery and furniture when they marry, and this is regarded as their share. The opinion generally of heads of business was that daughters were adequately

cared for, and were not usually given a share in the business as part of their inheritance. They had a right of support but there was no compulsion to pay them for working in the business. The parents recognise the obligation to care for daughters.

The attitude of some Indian parents who do not wish to employ their wives in the business is similar to the Gujarati Hindu cases quoted by Burton Benedict (1979: 310), in his Seychelles study of family firms. He found that more Chinese wives were employed as co-managers than Indian, but both Chinese and Indian wives were unsalaried.

It was noted in Durban that those daughters-in-law who live in co-residential joint households as opposed to those living in nuclear households, appear to have no problems of baby-sitting, cooking and caring for the family. They are able to contribute more freely to the family business when required. The chores are well organized with the 'turn system' as one of the mothers²-in-law explained, and the children too are cared for by the mother-in-law, who is happy to take care of the baby while mother contributes towards the family business. These 'economies of scale' can be very significant in terms of the productivity of the domestic unit.

Where women assisted in the family business there were those who lived in 'joint families' and those in dispersed nuclear units. In the cases of sons who were coparceners, but were not coresident or commensal, their wives did not participate in the running of the family concern, but those women who are residentially dispersed still appear to influence their husbands. Their influence

appear to be insignificant as it pertains to minor matters such as free time given to different sons and agitation for higher salaries. These women contrast with the women who are coresident, the latter being more involved with the business since coresidence promotes a sense of unity and loyalty.

They are largely independent of their parents-in-law and have more privacy living in a separate dwelling, than in a joint household where the women are exposed to the scrutiny of the family members. In such a situation, where women are living in dispersed nuclear units, they can have an important influence on the decisions which their husbands make with their fathers and yet they need never be known to be instrumental in decision-making. The daughters-in-law in dispersed nuclear units fall in the consuming or distribution side of the business, as compared with the daughters-in-law living in the joint household who also fall in the productive side as they contribute their labour.

Daughters who live in the joint family and contribute to the family firm, and are paid for their services, are regarded as though they are sons under certain circumstances and can rise to management status, and in certain exceptional cases they can obtain a shareholding. Draupadi who runs a branch of her father's curio shop earns a high salary and is respected for her business acumen by her family. Her opinions are noted at meetings. Daughters-in-law tend to be limited to the provision of labour which may be skilled but which does not imply management functions. There is always rivalry between the wives of brothers. If one brother is earning a higher salary or has

possessions such as furniture and other movables, then this invokes jealous feelings in the sisters-in-law. The wives pressure their husbands into obtaining adequate remuneration for their efforts. In one case the wives were not on talking terms and this aggravated the already difficult relationship among the brothers.

In another case, where three sons, all of whom lived separately were running the three branches of the family business, the wife of the eldest son appeared to exert an influence on her husband's relationship with his father. The son discussed the business affairs with his wife and according to him she took an interest in the business activities, although she was not actively involved. She tried to advise him privately but he stated that he was not obliged to follow her advice, since he had to consider his two brothers, and their opinions had to be given priority because they were coparceners in the family business. This example indicates that women can have more influence over their husbands in a nuclear family, where ties are closer due to daily family contact, than if they lived in a 'joint family'. But at times the son's loyalty to the family and business can override his loyalty to his wife. Women who live in nuclear families work 'behind the scenes' and are not involved in the family business, as those who work part-time or full-time. This does not mean that they do not try to pressurise their husbands to seek autonomy and power in the business and the household. In the nuclear family the women have more autonomy and are freer to air their grievances.

According to early family histories, women often appear to play important roles in the establishment of the business. In the early days capital was very limited, business premises were improvised, and often the general dealers started in the most humble circumstances, using one room as the manufacturing and selling centre and in some cases also the eating-living area. The wives usually assisted in not only serving customers, but also in the manufacture of the articles. The wife often combined this activity with cooking the family meal, in some cases at the back of the shop, but usually in a makeshift kitchen.

Wives in the early days had little or no English education and therefore could only assist in manufacturing articles and serving customers. They could not do any formal clerical work. The amount of work and time wives put into the business varied as the children grew older. Although the wives no longer put in regular hours of work in the business, they were nevertheless available during busy periods such as on festive occasions. Some worked during the morning while their children were at school, and this was reminiscent of the early years when the business was being established. As the sons and daughters married the head's wife returned to the business. Opinions vary about whether women should stay at home despite obtaining a qualification in a particular field. Orthodox Indians prefer to see their wives stay at home but at the same time have a high regard for those women who reached the top in their fields, and use them to serve the socio-cultural needs of the community. Ideology states that she has to stay at home. The Muslims are more in favour of this ideology than the Hindus.

Festive occasions are mainly Diwali, Eid and Christmas when business prospers as parents buy 'indiscriminately' (as stated one of the business managers) for their children and for themselves. "It is the best time to make money," said a clothing manufacturer.

Case histories revealed that as business improved, extra rooms were created adjacent to the shop, and as the sons grew up, they assisted after school and gradually, as in the case of the jeweller, the mother spent more time in the house as the sons regularly substituted for her. A women's responsibility in the business may increase when her husband dies. There were three widows in the sample of which the first ran a fabric store with the assistance of outside staff and the supervision of one of her sons. She was actively engaged in running the business daily. She issued cheques, ordered the manufacturing of articles, paid staff and supervised their duties. According to her sons she is still intelligent and industrious despite the fact that she is sixty-three years of age.

As a Gujerati widow she was actively engaged in the manufacture of jewellery since the early days of her marriage, and continued the family occupation when she was widowed, until her sons matured. The business expanded, and there was a need to diversify. Besides the manufacture of jewellery they ran textile mills and fabric stores. These businesses were acquired long after the father's death, largely through the effort of the grown-up sons who invested the profits from the jewellery business wisely. The mother today is running a fabric store and occupies a responsible and prominent position. Unlike other widows in their sixties in the sample and study who are

inactive, this widow is actively engaged in the actual management with outside workers. But she does not have absolute decision-making power with regard to the family's businesses. She can make decisions in consultation with her sons, pertaining only to the business she is running. This decision-making power is on the basis of shareholding. There are three companies and the widow has the major shareholding power in the one which she runs. This is an unusual case, the widow has business acumen which her sons admire. They felt that she worked closely with their father to gain the experience. She has a lot of autonomy in her part of the business.

In the case of the second widow with an only son and two married daughters, all the children had been left shares by the father. The widow had the power of attorney. The daughters and their only brother did not get on well together because the brother received a lion's share of the business of which the sisters were jealous. Moreover, the son asked his mother to transfer her powers to him as the business was still in her name and she agreed. When the daughters heard of this they took their brother to court, charging him with forgery. The sisters did not succeed entirely in inducing their mother to join their camp. They felt that their brother would manipulate their mother who appeared to be very vulnerable, as she lived with her son. It shows that the traditional system did not retain ideological strength because the sister took the brothers to court. According to tradition the daughters should have expected nothing but the protection of their brother, until they married and received their dowry. The case illustrates a conflict between traditional

and modern usage and the manipulation of each by the contending parties as they sought advantage. It also shows the diminishing authority of the widow who becomes more like a figurehead in the absence of the husband and can be manipulated by her sons. The son assumes the role of the virtual head of the business and household although the widow is the nominal head, but as far as administering the business and the running of the household are concerned the son is the head. The widow, because of her lack of experience in the family business, was not able to wield power and when her power was transferred to her son, she became powerless. This case shows how bad feeling is generated when father does not follow custom and divides control of the business between the inheritors. The son fought for what he believed was his rightful claim as head of the business. Women rarely question the running of the business, as it is believed that they have no right to, but when they have an opportunity to contest inheritance, then problems may arise among brothers and sisters.

Traditionally sons relieve their widowed mothers of responsibilities as they gain experience and maturity. Sons would like to believe that, when their sisters receive their dowry, then that is their share, and they should never meddle in the affairs of the business. Unfortunately not all sisters react in the same way. In the above case the sisters were married to wealthy doctors, who did not (according to the sisters) influence their wives to demand a greater share in the patrimony. The brother and two sisters had dominant and headstrong personalities.

When the widow's husband was alive she did not play such an active role; by and large she was a passive partner, although her advice was sought whenever her husband embarked on any new enterprise. She became actively involved after the death of her husband, which was when her sons were already married and had the experience of working in the business. The sons did not require any additional skill or ability in the absence of their father, since while their father was ailing and bedridden the sons had undertaken the management. The mother at this stage assisted when she was required.

A third widow, whose two sons run a driving school with her, attended to the administration of finances and participated in the making of decisions. She paid the staff and had regular discussions regarding the family business and gave her approval for the purchasing of vehicles. All the decision-making was done in conjunction with her sons who constantly consulted her. In the event of any difference of opinion the ultimate decision rested in her hands as she was regarded as the head of the business. Her complete control effectively operated only after the death of her husband, prior to which she contributed towards the management of the business and did not have control functions.

In large wholesale businesses wives and daughters are not of much practical assistance in operating the business as there are many outside employees, but I was told that they were available if required. If the daughters have a particular skill they are easily absorbed into the business. In one case, however, a furniture

factory owner informed me that he was contemplating employing his two graduate daughters to do clerical work in his business, because they had no definite careers in mind and had displayed their interest in business.

The Muslim businesses in the study were larger than some of the Hindu businesses; they had a larger staff and did not employ their daughters and wives as much as the Hindus did. One reason for not employing wives and daughters could also be because orthodox Muslims prefer their women to stay at home, but it may be wrong to assume that this is generally the case in the whole of the central business district in Durban. Where there were several very large Muslim businesses which had daughters occupying prominent positions, there were either no sons, young and inexperienced sons, or daughters with degrees in commerce who were unmarried. One such business which manufactured clothing had one of the daughters at its head as manageress of a department of the factory.

On the whole Hindus are more westernized in their outlook and economic pressures often bring them into work situations. There are more Hindu women working in the central business district than there are Muslim women, especially as skilled and semi-skilled workers in clothing factories in Durban. Even Gujerati Hindus who are conservative no longer share the belief in secluding their women.

Some business heads believed that there is even prestige reflected in a wife who does not work irrespective of whether there may be an

economic necessity. These are the very orthodox Muslims and their attitude is directed mainly at the older women in the family. The young women are generally exposed to a western environment where their traditional values become vulnerable.

Where women do not have experience and business acumen they can, as one head who believes that business is a man's realm contends, be inefficient and this can affect the business in a detrimental way. Women do not as a rule undertake a lot of responsibilities since many older heads of businesses are of the opinion, that men are more efficient in business than women and are still assessing women. Two brothers who were running a large motor spares business, decided to invest some of the capital into a 'take away food shop' which they established in the centre of the city. The brothers got their wives to run it on a full-time basis with the assistance of outside workers. The business had to close down through lack of business expertise on the part of the outside assistants as well as the wives, who were totally inexperienced in business. This was a case of capital without adequately trained personnel for success in business. It was also a case of trying to use their women folk in preference to outsiders. Here again, family members view outsiders with suspicion and prefer to employ their immediate members of the family. There were no adult men in the family to run the business.

Women have stated that they find it very difficult to aspire to higher positions in the family business, since this only comes after years of service and dedication. A reply to the question, Why shouldn't daughters-in-law be given more say in the business was that "they are not required as full-time workers when sons are available, they are good doing relief work and helping during rush hours. After all, who is going to care for the children and do the house work?"

It is not entirely true, however, that women do not hold high positions in business. The study did not include cases where many women have prominent positions, but in other businesses in the Indian community a few top positions are occupied by unmarried daughters and wives. The daughters-in-law gradually attain high status if she lives in a separate household and is professionally qualified, or when the mother-in-law dies.

Although the following example is not that of a joint family, it nevertheless shows that where there are no sons, women do get an opportunity in business where they can start their own business as result of a special talent which they can exploit in business. Each year more women are qualifying in professional and technical fields and are capable of taking up a variety of jobs.

An independent lady fashion designer who was the eldest in a family of five daughters is now the head of a successful designing firm, established her own business despite a lot of difficulties. For example, loans were not available from building

societies without a senior male relative or friend in business who could supply a guarantee. She inherited a little capital, did a course in fashion designing and decided to test her skill in business. At first she was not easily accepted in what she called a 'male dominated society' but she persisted, eventually attaining the position of head of the designing department. She then decided to start her own designing firm since she had acquired the expertise and experience. She felt that there was no future for her in the factory because "the men in charge were dominant". According to the designer, she encountered much prejudice.

Often problems were that she found difficulty in engaging male workers and in selling her designs to clothing factories. As soon as managers of textile clothing industries heard that she was the head of the firm, the reception was cool and not very promising. They did not appear to take her seriously. It was after several years that she was able to succeed in business. She had to seek the help of influential people in order to develop the firm.

Although in the study there were few women participating as full-time workers in the family business, operating really as relief workers, as it could be seen that these women are showing a growing interest in business, and it was noted too that women are even regarded as serious rivals to their male counterparts. A Hundred women employees interviewed said that they did not see a permanent future in business; that they were merely being used as a means to an end. The majority were of the opinion that they were discriminated against on the basis of their sex. It was also felt that women were not regarded as having specialised knowledge in business, and were

therefore not capable of being employed on a permanent basis. All fifty women agreed that on the whole men felt that women should be at home, caring for the children, and discharging household duties. Women are at a disadvantage because before they can be accepted as responsible adults in their natal home and given status and duties, they get married and are looked upon as minors and in need of protection. They come under the control of their husbands, and it is only when they become mothers of adult sons or widows that they have status in the patrilineal group.

The managers of businesses stated that they did not feel that they could invite even their senior women workers to meetings involving finances or changes, or when new enterprises were being discussed. Senior positions like those as supervisors and managers were the prerogative of men. One businessman stated that the ideal vocation for women was not business but teaching as they excel in this field.

Although women form a small percentage of business people, nevertheless their numbers are increasing, and this is consistent with the general movement towards female emancipation and social equality.

Married women tend to be very much under the autonomy of the head of the business, be it the father, husband or brother. In these situations the women do not hold high and responsible positions. The women are used extensively as suppliers of labour and are not looked upon as administrators and managers of business. It is only the unmarried daughters, particularly the confirmed spinsters, who are given a higher status and more responsibilities. In one case

study, a wealthy merchant who had four daughters and only one son, refused to allow his daughters, two of whom were married, to work in the business concern. The son was studying for an M.B.A. degree so that he could be well equipped to join the business. The father preferred to continue to struggle on his own until such time as his son could join him. According to him his daughters would only be able to work in their temporary capacity until they marry. However, the daughters could have worked as saleswomen, switchboard operators and as clerks.

LEGAL STATUS OF WOMEN AND DOWRY

Apart from the discrimination imposed upon women by the male members of their family, they are also bound by the legal framework in South Africa. Neither Hindu nor Muslim customary law is recognised in South African courts. Hindu and Muslim women are affected by the legal prohibitions imposed on them. There are also social taboos and economic and political restrictions. Married women are legally speaking, minors. They have no *locus standi in iudicio*, i.e., they cannot bring law suits without the assistance of their husbands. On the other hand, an unmarried woman over the age of twenty-one years is considered a major and can institute law suits because she has *locus standi in iudicio*. She can also own property.

Whether or not there was private ownership of property, brought into the marriage by wives, was not disclosed to me as this was regarded as a personal matter. However, many women brought cash and other

assets like valuable jewellery from their natal home as dowry. Whether or not these items became the common property of both spouses was also not disclosed to me. If a couple is married in community of property, any property the wife brings would fall into the joint estate, which the husband administers.

On the question of dowry, Radcliffe Brown (1950: 50), as quoted by Goody and Tambiah (1973: 6), distinguishes it from bridewealth. In Africa bridewealth does not go to the bride, but to her kin; we recognise this when we speak of terms of compensation or recompense. On the other hand, dowry, in the usual sense, does not go to her kin, but to the bride herself, sometimes to her husband (at least for safe-keeping), or even to both spouses jointly.

Bridewealth passes from the kin of the groom to those of the bride, forming a societal fund, a circulating pool of resources, the movement of which corresponds to the movement of rights over spouses, usually women. But dowry is part of a familial or conjugal fund, which is handed down from holder to heir and usually from the parents to the daughters. It is part and parcel of the transfer of familial property. Dowry belongs to a type of transmission. Goody and Tambiah (1973: 17) call it 'diverging devolution'; that is, the women's property complex.

Dowry is the result of a bargain and has a specific intention of linking the daughter and hence her family with a particularly desirable son-in-law. In India the system of dowry in the South differs from that in the North. In the south the custom of landed dowry prevails while it does not in the north. The content and

control of the dowry also vary in the two regions. The most general Indian pattern of dowry is movable wealth, and an intricate pattern of affinal prestations associated with the norm of patrilocality.

In dowry systems while men do not transfer their wives' dowries to their sisters' husbands, men do give away their sisters (or their daughters) with dowry in the full knowledge that they themselves in turn can recoup at their own marriages by receiving dowries from the families of their wives or their daughters-in-law.

Some of the heads of businesses were of the opinion that a good dowry in gold or land can be relied on to extricate one from financial problems. A jeweller stated that many men pawn their wives' jewellery (part of the dowry) when in difficulty. Some very wealthy merchants are pretentious, freely discussing the dowry received with relatives and friends. Most Hindu parents present their daughters with gold jewellery, valuable clothes and in some cases large amounts of cash. A relative of one of the business heads presented his only daughter with thirty thousand rands as a wedding gift and an all-expenses-paid honeymoon in Austria. The bride's parents proudly revealed this to people so as to be recognized for their opulence and generosity. The groom's parents, also prominent in the community and wealthy, were both embarrassed and pleased that their son married into a rich family. The marriage was hypergamous.

If, however, a couple have signed an ante-nuptial contract, then neither can make claims on the other's property brought into the marriage or anything acquired during the marriage. If the couple were married in 'community of property' then each spouse is entitled to half of the other's property. A husband can, with his wife's written consent, administer her property.

Ante-nuptial contracts appear to assist business heads as security in times of insolvency, if companies had not been formed. Legally the creditors are not entitled to draw on the assets which are registered in the name of the wife. This safeguards part of the estate which may have been donated as a share to the wife. Donations and gifts to the wife do not fall into the insolvent estate.

In the study the majority of spouses were married in community of property. This fact was stated by the husbands, the majority of the wives being ignorant of the meaning of the terms or their implications. The wives appeared to depend on their husbands who took the lead in these matters. Few women knew what the contracts implied. Many women appeared to be docile and submissive. Perhaps one of the reasons for this attitude of Indian women towards their marriage is the expected behaviour pattern, which is entrenched in their daily relationships.

When women marry they join the households of their husbands and therefore cannot continue participating in the family business, unless specifically asked by their father. As daughters-in-law they owe their loyalty to their husband's family and business. If there are sons then the daughters, would not be a *sine qua non* in the family business. If there is an only daughter, she not only is incorporated into the business but will come in for an inheritance. Daughters are not always 'lost' to their parents when they marry and become integrated into the patrilineal household of their husbands. The families of the son and daughter-in-law form a kind of social alliance of mutual moral and material support in times of need. Single women, however, appear to have more freedom than married women who look to their husbands to take the initiative, particularly in business and financial matters. Single women who wished to remain spinsters have better chance of continuing to participate in the family business on a permanent basis.

INHERITANCE

Hindus saw to the comfort of daughters and gave them dowries, but few believed that daughters qualified for inheritance on an equal basis as their brothers. In rare cases recorded there was land or large amounts of money brought into the marriage. The heads therefore believing in the inequality of the Indian woman, now find it extremely difficult to reconcile the new western-orientated concept of equality of the daughter. Today the daughter, however, expects to be considered for inheritance

and there is a tendency among heads to distribute their patrimony with consideration to their daughters, though this is not always done equally.

MUSLIM LAW OF INHERITANCE

According to the principles of Islam (Fyzee 1974: 393-395) every person, including a child in the womb, provided it is born alive is entitled to an inheritance, unless there is a specific rule of exclusion. Males and females have equal rights over property. For example when a Muslim dies leaving a son and a daughter, the estate will be divided into three equal portions, the son obtaining two and the daughter one. The daughter does not, however, by reason of her sex, suffer from any disability to deal with her share of the property. Nevertheless she is subject to the control of her husband because they are subject to the laws of South Africa which lays down specific rules pertaining to marriage in and out of community of property. She is in sole control of her inheritance. The same rule applies to a widow or a mother. There is no such thing as a widow's estate, or the disabilities of a wife.

The Hariti jurists divide heirs into seven classes, three principal and four subsidiary classes:

- A. Principal Classes
 - (i) Koranic Heirs
 - (ii) Agnatic Heirs
 - (iii) Uterine Heirs

B. Subsidiary Classes

- (iv) The Successor by Contract
- (v) The Acknowledged Kinsman
- (vi) The Sole Legatee
- (vii) The State

The three principal classes of heirs together comprise all the blood relations of the deceased, whether they are agnates or cognates, and one relation by marriage, namely the husband or the wife. The subsidiary heirs only succeed by way of exception. (See Appendix L for details).

Both married and single women are exposed to different laws in South Africa which affect their marital and business status. According to the Muslim Law of Succession daughters are entitled to one part or one-third of their father's deceased estate, divided equally among them, and the sons are given two parts or two-thirds. This is customary Muslim Law which South African Law does not recognize. The husband has no control over the inheritance which a Muslim woman brings into her marriage (if her father died before her marriage). This is not part of her dowry. The property or liquid cash, according to Muslim Law, must be kept separate unless the wife agrees to share it. According to South African law a husband commonly disposes of his wife's property with her written consent. If a woman is married under an ante-nuptial contract, her husband cannot mortgage or alienate the property that she brings into the joint estate. If the couple are married in community of property, the husband can administer his wife's property. Marriages contracted according to

Muslim and Hindu rites must be registered by the magistrate through a civil ceremony if the parties are to be protected by the courts. Inheritance must be seen as something apart from a dowry since it can be obtained commonly after marriage. There is no strict rule pertaining to the husband's administering the wife's dowry; this is left entirely to her. In practice the husband administers the wife's property.

One gets the impression from the informants that many Muslims consult the rules laid down in the Muslim Law of Succession on the drawing up of wills. I was told that only a minority do not follow this practice. All the Muslim informants in the sample stated that their fathers consulted the customary law and that they themselves would also do so. Some in the study violated the Muslim Law of Succession while others conformed to it and carried out the conditions as stipulated. One informant in the study stated that he did not wish to conform to the rule, which expected him to give a certain portion of his estate to charity when drawing up his will, since he donated to charity regularly. Furthermore, he wanted to make equal bequests to his children irrespective of sex.

Some attorneys stated that the majority of Muslims adhere to the customary law, and set aside one part of the inheritance for their daughters. Others stated that in their experience of drawing up wills for Muslim clientele, it was not unusual to see Muslim men exclude their daughters from their wills. For example, one Muslim trader with a large flourishing family business stated that he had no intention of leaving his daughters any part of his property, but instead had already made large cash donations, furniture and

jewellery to them as wedding gifts. It might be reasonable to conclude that the informants tended to express the ideal, whereas attorneys deal with the realities to which they do not necessarily conform.

A clause in the Muslim wills shows the position of the husbands in relation to their rights. The wills concern daughters and reference is made to their husbands if and when they marry. For instance, one will had the following clause: "...all benefits conferred under this my will on females shall be their own, free from the contract and administration of any husband they may marry or have married respectively." According to the Muslim Law of Succession the proportion 2:1 is bequeathed to sons and daughters respectively. Donations and gifts, however, do not form part of the will. The following excerpt from a will emphasises that husbands should not interfere with their wife's inheritance. *"All benefits conferred upon females, shall be for their sole use and benefit and free from the control and right of administration of any husbands they may marry or may have married."* However, Muslim customary law is not recognised by South African law. Women are considered virtually minors and have no *locus standi in iudicio*. A wife cannot bring law suits against her husband without his support. (See Appendix P for excerpts from the New Matrimonial Property Bill of 1982 which revises the marital power of the husband.)

According to an expert on Muslim law, a Muslim who dies intestate presents no complications to the family. First of all his debts are cleared by the court. The remainder of his estate is then taken over by the religious body known as *Jamiat-Ul-Ma* of which there are branches operating in all the provinces in South Africa. This

religious body then acts in conjunction with an executor who is elected by the family. The sons and daughters then claim their right of inheritance. Muslim priests and orthodox Muslims stated that even those Muslims who wish to deviate from the traditional legal arrangement may not be permitted to do so, since the Muslim trusts and religious bodies, which are highly organized, intervene. (Opinions also varied on this subject between orthodox and westernized Muslims). I was told that it is unlikely that cultural bodies can succeed in contesting a will once it had been drawn up.

The changing attitude of parents towards their daughters is due to women's education. In South Africa Indian women are inspired to make their social, political and economic contribution, partly because of personal fulfilment and individuality. The Muslims and Hindus who for centuries have subjugated their women under *purdah* have been the slowest to give in to the change in the status of women, and therefore one does not commonly hear heads of business stating directly that they are going to distribute their estate equally among their sons and daughters.

HINDU LAW OF INHERITANCE

Harold Gould (1959: 413) states that *Mitakshara* succession essentially provides a jural basis for maintaining a household consisting of male agnates, their wives and daughters until the latter are wed. Male agnates comprise the unit of property ownership and control; they form in other words what *Mitakshara* calls a coparcenary; they are a

sort of corporation of patrilineally related male kinsmen who share, equally, the property, the productivity and the liabilities of the domestic group. Wives, unwed daughters and, occasionally, certain other individuals, enjoy rights of maintenance by virtue of their membership in the household.

At the same time, *Mitakshara* succession makes provision for partition of the joint property whenever it is the desire of any legal coparcener who is of age. In practice, however, it is not very common for a partition to be called for in the lifetime of the patriarch. Patriarchal authority is so absolute as to discourage sons from making such a demand during the lifetime of the patriarch. The ancient sages, notes Kapadia (1958: 208), were opposed to father-son partitions. They decreed that sons who enforce partitions against the wish of the father should not be invited to the *Sraddha* (funerary rite) dinner. (See Appendix K for Hindu Law of Inheritance).

Evidently, the clause legitimising partitions was previously designed to protect brothers from one another after the patriarch died. Without such a provision, an older brother, in particular could appropriate to himself the family property thereby denying sustenance to the remaining coparceners. This appears to be implied in Manu (IX: 104-111), where it is said (as quoted by Kapadia (1958: 207-208)):

"After the death of the father and of the mother, the brothers have assembled, may divide among themselves in equal shares, the estate, for they have no power (over it) while the parents live. Or the elder alone may take the whole paternal estate and the others shall live under him just as (they lived under their father. Either let them thus live together or (get) apart if each desires."

The brothers' rights in the coparcenary were protected after the patriarch's death, each being given a power of veto in the form of the right to demand partition if he did not believe that the joint property was being used to his personal advantage.

Such was the situation for generations in India. But the Succession Law of 1956 actually gives wives and daughters inheritance rights equal to those of male agnates. All this, however, is applicable in India. The South African Hindus in the early days treated the legal position of their women in much the same way. Today the South African Hindus are subject to the South African law where it pertains to the position of wives and daughters with regard to inheritance.

In South Africa a Hindu drawing up a will is not expected to adhere to any rules laid down by customary Hindu law. There is no rigid Hindu law of succession and a man can bequeath his property as he likes. The *Mitakshara* succession (customary Hindu law of succession) was unknown to all the Hindu heads of businesses. They are, however, aware of the norm. One Hindu furniture factory owner left large sums of money and a garage to two of his daughters but left the bulk of the estate, i.e., the furniture factory itself, to his only son. This is common practice among the Hindus, the daughters rarely receiving land or part of the business. In all the cases in the study for which details were available, the sons had received or expected to receive a much larger proportion of the estate than the daughters. However, according to a leading chartered accountant, the present generation is tending towards a more equal distribution of the family estate. It might be argued that if daughters get their dowry and an inheritance later, this will drain the capital resources of the joint estate, including the business; and may cause its fragmentation.

In a case study including three brothers and two sisters, beneficiaries in their deceased father's will, the brothers had resorted to forgery to acquire property. The father, a wealthy butcher, left his business, home, movable and immovable assets to his sons in equal shares. He left each daughter twenty thousand rands. Unknown to the daughters the sons forged the sisters' signatures and transferred their shares to themselves. During an argument, one of the brothers threatened to inform the sisters about what had taken place, and in fact did inform the sisters, who subpoena'd their brothers to appear in court so that their right to inherit could be reinstated. The court prosecuted the brothers for theft and forgery and they were ordered to pay their sisters the amount due to them in instalments.

The income generated by the business usually goes to the daughters in the form of dowry and other expenses, but the property is reserved for the sons.

Whether or not the present generation would bequeath part of the business to their daughters is difficult to say. Many informants stated that their daughters were married and well settled and that there might be a possibility, that they as beneficiaries would receive sums of cash. Fathers agreed that their daughters had a right to receive some kind of inheritance. It was agreed that daughters as a rule did not qualify for shares in the business, this appearing to be the prerogative of sons. The wills specified that unmarried daughters were to be given sums of money to be used for their education and for marriage expenses. Fathers openly stated that they feared that sons-in-law would have access to their daughters' inheritance, whether it was the business which the daughters inherited or any property or cash. What the wife received could never be exclusively her own but

is commonly shared with her husband. The husband, furthermore, had authority and power over his wife which can be exercised legally. It was this power and authority of which fathers were fearful. It is not only the status of inequality of the daughter as compared with the son, but also the fear of the son-in-law that were obstacles to the daughters receiving equal shares in inheritance. This fear of the sons-in-law having access to the daughters' inheritance exists primarily among the Hindus where kin marriages are uncommon and therefore business collaboration with kin are also not as common as among the Muslims.

From my observations of cases of Hindu families which did not fall in the study, daughters received money which in no way compared with the major part of the estate, i.e., the property assets and business which were customarily bequeathed to sons.

Although women are generally regarded as relief or salaried workers, mostly occupying subordinate positions in the family business, there are a few cases in which women are shareholders. In the case of one company, where seven sons were apportioned responsibilities in the three branches of the family business, the mother, who was regarded by her sons as a competent worker, had been allocated 90% of the shares in the family's jewellery concern. The sons unanimously decided on the allocation of shares. But the mother did not have shares in any of the other businesses.

In the case of a stationery business which was run by husband and wife, and in which their only son had assisted before he started a supermarket establishment, the mother held fifty per cent of the shares together with her husband. This gave the wife status and responsibility, and the authority to use the common bank account, to pay staff and to handle finances, although there were certain other undisclosed restrictions.

In the case of two large Muslim businesses the father owned all the shares. Both had an only son in the business. In these two cases the fathers stated that they were contemplating bequeathing an equal share of the business in their wills to their daughters. They were not very happy about following the rules laid down by the Muslim Law of Succession. The father was particularly attached to his daughters, were proud that they were university educated, and was thinking of incorporating them into the business, which was at the time run by himself and his son. The one daughter got married and her husband ran a small business. According to her father, the son-in-law was well settled in his business and did not foresee any problems with him if his daughter joined the family business.

So far the status of a married woman is tantamount to a minor under South African law, particularly if she is married in community of property. Marital power embraces three elements:

1. The husband's power as head of the family. The husband has the decisive say in all matters concerning the common life of the spouses.
2. The husband's power over the person of his wife including her representation in legal proceedings.
3. The husband's power over the property of his wife. If the marriage is in community of property he administers the joint estate, and her separate estate if the marriage is out of community of property. (Hahlo, 1975: 152).

The legal disabilities of a married woman who is subject to her husband's marital power are the obverse side of the marital power. She has no

locus standi in iudicio (no legal status). She cannot, without her husband's consent bind herself or her husband by contract; alienate or encounter property irrespective of whether it forms part of the joint estate or her separate estate. She may not be appointed as an executor in a deceased estate without her husband's consent in writing. But a married woman may make a will even where she is subject to her husband's marital power. Her husband cannot make a will for her.

A husband's marital power comes to an end on the dissolution of the marriage by death or divorce. The wife as manageress of the household can enter into contracts concerning the management of the household. A married woman may purchase food, clothes and small pieces of furniture for the household, and consult doctors and dentists.

The 1979 draft bill on matrimonial property has sweeping changes. The bill aims at alteration of the traditional and current legal structures for marriage out of community of property and community marriage. The effects of the abolition of marital power will be manifold. Some of the most important will be:

- (a) A wife will no longer need her husband's assistance or consent to litigate (full *locus standi in iudicio*).
- (b) She can enter binding contracts without her husband's consent for household necessities when she acted as *publica mercatrix* (public trader). (See Appendix P.)

ROLE OF WOMEN IN THE HOUSEHOLD

Despite the fact that many Indians in Durban live a western way of life, they have not abandoned respect for and authority of the elders, particularly the eldest in the family. All males and females in the household fall directly under the authority of the oldest male, usually the father. Everyone, including his wife, is subservient to him. Each nuclear unit comprising of a married son and his family forms a separate but not autonomous unit as it is under the authority of the head of the joint household and his wife. The members of the household have to discharge their rights and obligations towards one another in order that the joint household functioned as a cohesive unit. The nearest to the ideal pattern of household was that which is both coresidential and commensal. In these families, the eldest male, (usually the father) enjoyed the highest status, and had power and control over the rest of the family. The women in the household respected the head of the family (and accepted his authority) as the one who had the final say in matters pertaining to finances and contracts and accepted his authority but his authority was limited in so far as domestic matters were concerned. The apportioning of domestic duties and responsibilities fell under the authority of the oldest female, usually the wife of the head.

The position of women in coresidential and commensal joint families contrasts with the women of the dispersed nuclear families. In the dispersed family the wife falls directly under the authority of her husband. Since she is spatially separate, she need not

have direct contact with her husband's parents and they do not have authority over her. But if the dispersed couple wish to make an important decision, they do at times consult the husband's parents, particularly in matters pertaining to finance, which the father controls. They are, however, not obliged to consult the husband's parents on matters not pertaining to the business in which they have considerable freedom. The wife has more freedom as she can make her own decisions concerning the upbringing of her children, household buying and other minor contracts. Husband and wife make their decisions together. It is only when it concerns major issues that the son might be obliged to discuss it with his parents. The husband and wife bond is a much closer emotional one in a dispersed unit than it is in a joint household. The woman in a dispersed nuclear unit does not have to submit to the authority of a mother-in-law or father-in-law.

Not all women who live in joint households are submissive and docile. It was apparent that there were those who were educated and westernized, and therefore did not give in easily to the suppression of their individuality. The uneducated and less westernized women appeared to be more docile, submissive and vulnerable. The fact that some women were coresidential and not commensal allowed them a little more freedom in making small decisions without their having to consult the senior members of the family.

The head's wife also has considerable power in the household. It is a different kind of power from that of the patriarch and is associated more with the discharging of household duties. She also

acts as a go-between. She can be friendly and affectionate, as well as stern and forbidding. The sons have a close emotional bond with their mother and often discuss personal matters with her. If they require any money or wish to take their families away for a holiday weekend, then these matters will go to the father via the mother.

The unmarried daughter has a higher status than the daughter-in-law who has to contend with both mother-in-law and sister-in-law. There is often an alliance between the daughters-in-law on the one hand and the mother-in-law and her daughters on the other.

A particular daughter-in-law reported thus: "My mother-in-law and sister-in-law made life intolerable to all three daughters-in-law. They were always holding meetings behind closed doors. Nasty remarks were often passed. We had peace when my sister-in-law married and was forced to settle in London. But not surprising to us, she telephoned my parents-in-law to make suggestions on matters concerning the business." The daughter felt that her brothers should not be influenced by their wives and that they should remain in the joint household to look after their parents and the business.

Daughters-in-law use the power they have over their husbands to bring about any desired changes. This can cause a lot of tension among the brothers, if, for example, as in the case of a particular family of three sons whose wives were not on speaking terms. The daughters-in-law quarrelled over their children. One of the daughters-in-law reprimanded the other's child for slapping her child, and administered a 'light smack' on the child's cheek. The child reported the

the incident to his mother. The irate mother took her crying child by the shirt and led her to her sister-in-law with whom she remonstrated. "You had no right to hit my child; you should have come to me." The mother-in-law heard the altercation that was going on in the kitchen, and made casual sounding comments such as, "I'm tired of all this quarrelling, I wish I could have peace in my old age; may be it would be best if everyone lived on their own. When I was living with my mother-in-law I used to serve her and look after, respect and fear her. These days the daughters-in-law are too modern." The episode aggravated the already difficult relationship that existed between the two brothers at work and they too were not on talking terms. The sons' lineal ties conflicted with the conjugal ties with their wives. The lineal ties tend to be stronger in a joint household. The sons feel a strong sense of traditional duty towards their parents.

Each individual family, however, resolves its problems in its own way. One particular fraternal family resolved the problem of bickering wives by making it a rule that no brother repeated what his wife had told him to another brother. Sometimes the wives sort out their own problems, and in this way the brothers have a better relationship.

ARRANGED- VS INDIVIDUAL-CHOICE MARRIAGE

An arranged marriage with a cousin can minimize conflicts in the family, particularly among women, and can also be an advantage in the business. It is a fact that often wealthy Muslim and Hindu businessmen will arrange a marriage for their sons and daughters, into families with a similar wealthy business background. A

common business interest and a comparable business status will provide good business relations, especially when loans are to be negotiated, and in times of difficulties branches can be established and other business ventures undertaken. It is important to have business contacts. This applies to small businesses as well as big businesses, where the head is given an opportunity to choose partners for his children from wealthy homes.

A business alliance which is formed as a result of marriage can be more valuable than any other type of business contact. The alliance can strengthen the business but does not necessarily impinge on its autonomy. There are examples from the study of mutual help when required from affines. Muslims are the wealthiest businessmen and it is likely that they could consider such marriages for the progress of their own business. Muslims customarily practice preferential marriages, i.e., cross cousin and parallel cousin marriages, though the study recorded a negligible number of cousin marriages as exogamous marriages are now popular. The Gujarati and Hindi do not have cousin marriages since they are regarded as incestuous. The Tamil and Telegus, however, favoured mother's brother marriage in addition to cross cousin marriage. Parallel cousin marriage is acceptable under Islam but Muslims do not favour the joint family ideal as much as the Hindus. Father's brother's daughter marriage isolates the joint family from affinal ties entirely if it is rigidly followed. Daughters do not go to alien sons-in-law, but to members of the family. Daughters-in-law are likewise members of the family. This is characteristic of wealthy people who will be interested in retaining wealth within the family. On the whole among Hindus in Durban there is preference for marriage with outsiders, those who are not related.

Muslim business informants stated that if they had to arrange the marriages of their children, the business background would be one of the factors they might consider. But one hastily added that they are not given the opportunity these days to arrange marriages for their children, because sons and daughters choose their own spouses. With the advance in education there is a higher incidence of marriages which are based on personal choice as opposed to arranged marriages.

In the case of institutions such as the 'marriage of cousins', no one explanation or category of explanations can possibly be expected to satisfy all conditions. This is especially true of cross-cousin marriages, which as has often been pointed out, may specify categories rather than genealogically-related individuals (Goody and Tambiah (1973: 27)). Authors often describe certain forms of cross-cousin marriage in terms of conserving property and status or simply the ties between siblings. This feature is given prominence in Yalman's analysis of prescriptive cross-cousin marriages in South India. "Brother and sister must be separated, but their offspring must be united." (1967: 374).

The study records that arranged marriages tend to reflect the business interests of the parents concerned, and where those are to cousins they also have substantial economic overtones. The advantages of marrying arranged spouses are that the family estate tends to be consolidated and business arrangements continued into the next generation.

Table 6.1 clarifies the advantages and disadvantages of exogamous, cross and parallel cousin marriages to the business and the family.

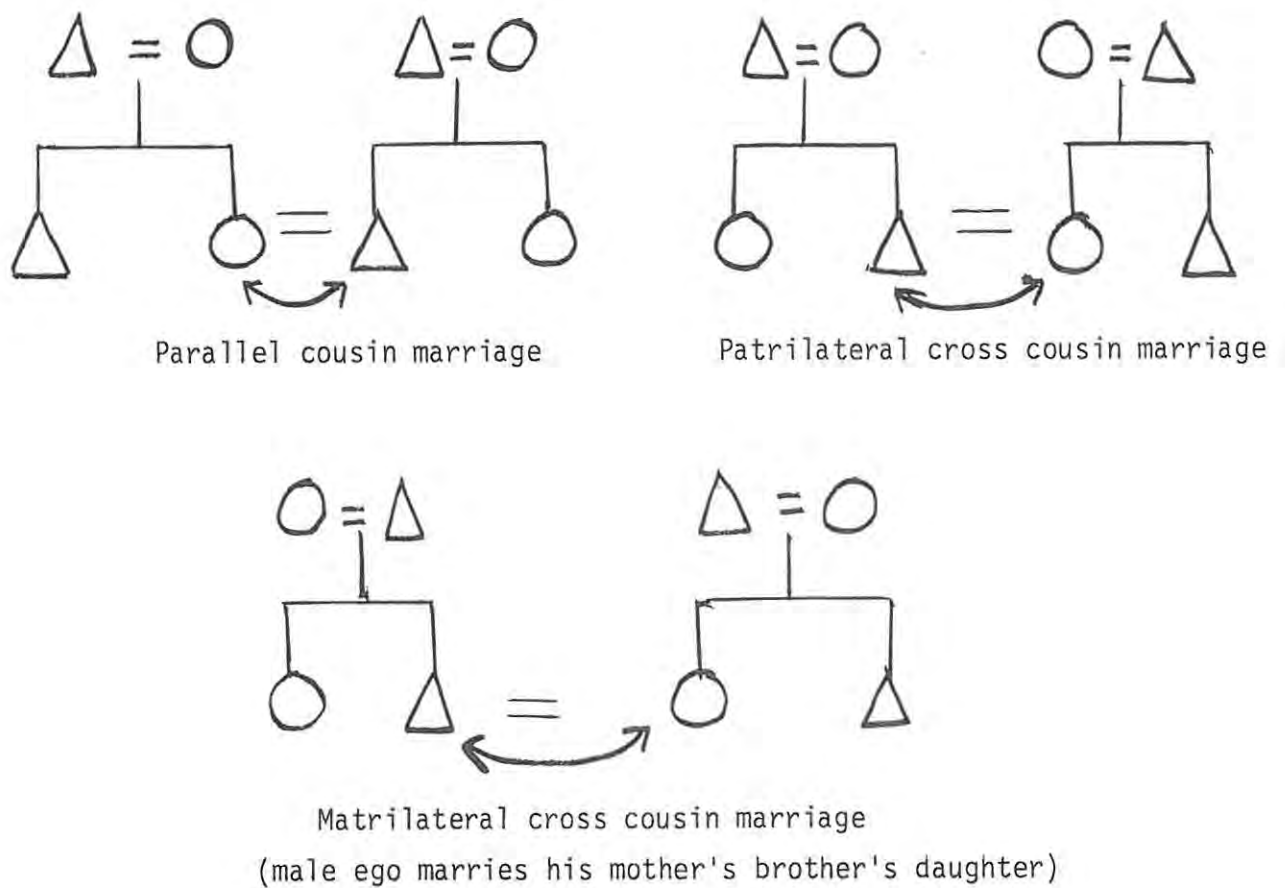
TABLE 6.1 : THE ADVANTAGES AND DISADVANTAGES OF THE DIFFERENT TYPES OF MARRIAGE TO THE BUSINESS AND THE FAMILY

Types of Marriage	Free Wide Contact	Business Alliance	Family Solidarity
Exogamy	X	-	-
Matrilateral cross cousin marriage			X
Patrilateral cross cousin marriage		X	X
Parallel cousin marriage			X

Exogamous marriages appears to be of advantage to the business from the point of view of free wide contact. There is no business alliance created nor family solidarity promoted.

Matrilateral cross cousin marriage maintains the integrity of the family but it does not extend business contacts. Patrilateral cross cousin marriage, common among Muslims, keeps the business in the family and also keeps the family together. It also minimises the break-up of the joint family. Parallel cross cousin marriage promotes family unity, it holds the brothers together, there is no alliance as the brothers are already in business. (See Fig. 6.1).

Fig. 6.1 : Types of Marriages



In a large Muslim drapery concern which has succeeded in keeping its wealth in the family, members of which have for generations married their 'cousins' (parallel- and cross-cousin marriages). It is only during the last few years that 'other' families have become related by marriage, with this particular family. I have been told by a number of Muslims in this study that they are now giving their children the opportunity to choose their own partners, being allowed to marry outside the patrilineal group.

Gujerati-Hindus still prefer to marry within their caste-group. For this reason Gujerati parents are inclined to arrange the marriages of their children. In many cases where the children are educated they invariably choose their own partners. It often happens that students at colleges and universities meet their future spouses there. This creates a lot of tension among the family members and parents find it hard to reconcile caste differences. Caste barriers are breaking down slowly among the Gujerati-Hindus. The caste rules are being ignored most frequently by the Tamil and Telegu section, many of whom are of indentured stock and from lower castes, and who have proved most susceptible to Christianity. Among the Gujerati-Hindus (mainly of passenger stock and of middle castes) change is slower and still vigorously resisted by the older people. Hindi speakers claiming to be brahmins are the most strict about caste endogamy. The evidence thus suggests that the higher one's caste, and the stronger one's links with India, the more strictly is caste endogamy practised. Caste as a cultural institution emphasises caste endogamy and the trust between co-ethnics of the same caste in business.

Although Hindu-Muslim marriages are not very common, they do occur. But a Hindu-Muslim business alliance is rare. I did not encounter any in the area of study. However, private companies have Muslim and Hindu investors who are shareholders.

The preferred age of marriage differs in different families. Indian men still tend to marry in their twenties, though it is not uncommon for men in their thirties to marry. Men no longer marry in their teenage years but women still do. Women in the early days in South Africa married in their early teens, or as soon as they reached puberty. This is certainly not the position today for women generally marry in their twenties rarely in their thirties. It is considered unfortunate

if a woman marries very late in life. Indian society usually assumes that a woman in her thirties is on the shelf and cannot find a suitor.

In the early days not all parents started their families as soon as possible after their marriage. It was important to show the joint family and other affines that the new bride was fertile. In addition she was expected to produce a son, who would perpetuate the family name and carry out the funerary rites of deceased parents or grandparents. A daughter born first is not warmly welcomed. Daughters have to be given away in marriage and are not looked upon as assets, in such matters as the running of the family business. It is clearly stated in the Hindu scriptures that one of the primary aims of marriage is procreation. Indians look upon a married couple without any children compassionately but in the early days a barren woman was maligned to the extent that she was not allowed to carry someone else's baby in case she brought ill luck. Hindu marriage is a sacrament. The four main aims are *dharma* (carrying out religious duties) *arta* (progeny), *rati* (pleasure), and *kama* (sex), which is of least importance.

With the arrival of children, parents establish themselves as a family unit in the eyes of the community. The concept of family planning and the concomitant use of contraceptives is a western phenomenon unknown to the Indians in the early days. Today, however, the attitude of the new generation is different and smaller families are the rule. Moreover, working wives in full-time employment have extra responsibilities which curtail the time and attention they can give to children. With the nuclear family households, that is, households without a mother-in-law, the care of the children of working mothers becomes a problem.

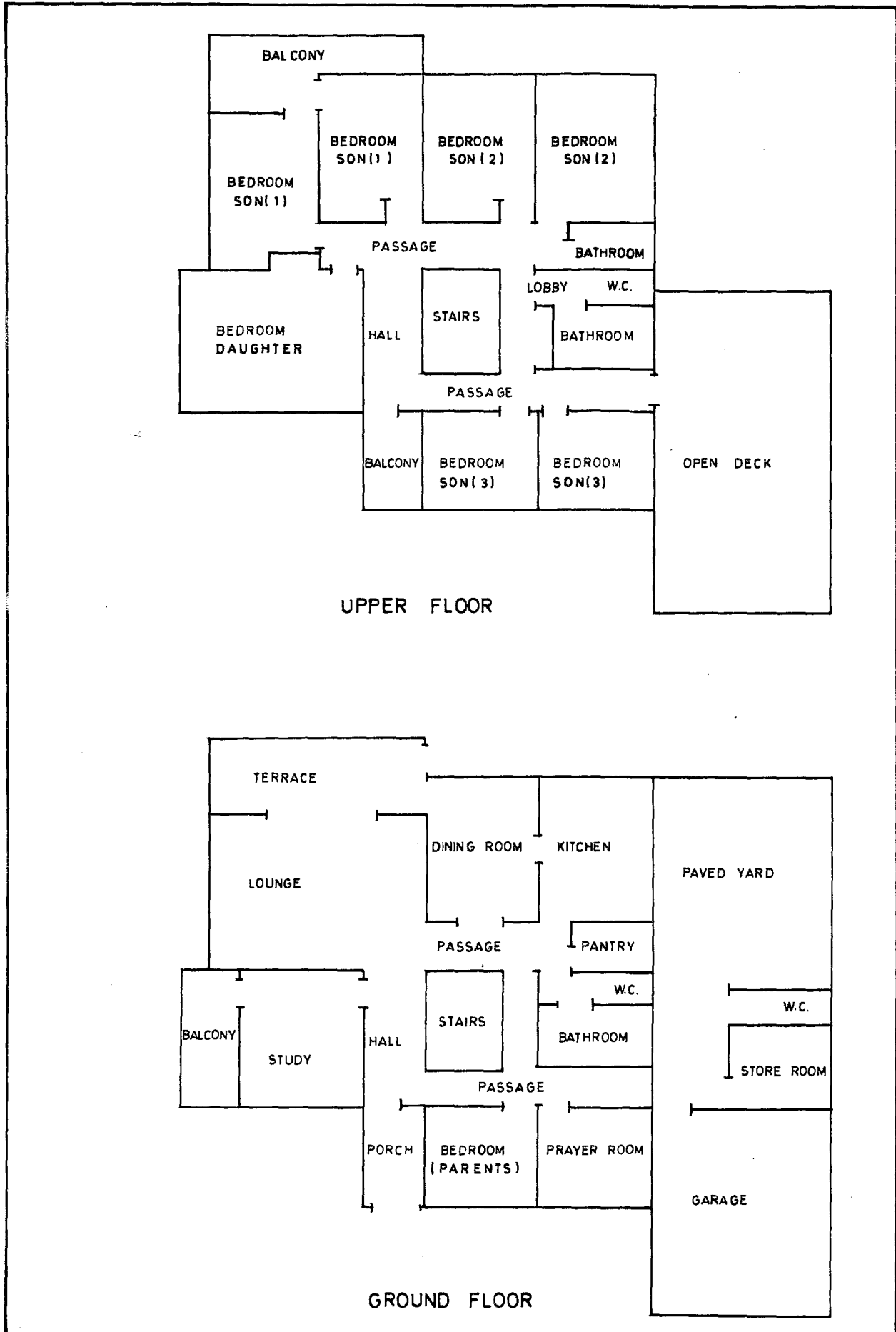


Fig.6.2 FLOOR PLAN OF DWELLING (The house of Ramchuran)

HOUSEHOLD ARRANGEMENTS

The joint household with separate flats within a large house can sometimes appear to alleviate problems and tensions. (See plan of Ramchuran's joint household (Fig. 6.2), where three married brothers live with their respective families in a large double-storeyed house with their parents). The bedrooms and their enclosed balconies offer the sons and the families privacy. The separate kitchens are superficial indications of independence. One daughter-in-law in such a household said that she and her family do not have any privacy as the 'walls have ears'.

There is a common kitchen which two sons, the eldest and the youngest, share with their families and their parents. The second son, because of conflict with his brother, cooks separately in the same kitchen and on the same stove. He and his family have their meals separately from the rest of the family. It was the wish of the parents (Ramchuran's) that their house should be large enough to accommodate their married sons. Ramchuran believed that joint living promoted unity and solidarity, that conflicts could be solved and should not lead to a breaking of joint family living.

While the parents are alive the conflicts between brothers do not appear irreversible as the parents soft-pedal any argument and try to stifle an outburst. The fear of losing their sons on the part of the parents is intense as their departure would have serious repercussions on the business. No son who had moved away from the joint household ever returned to it. However, there are cases of

joint families being reconstituted after being separated by the Group Areas Act. These applied only to wealthy parents who could afford to build large houses to accommodate all their married sons. Three such cases were recorded, two Hindu and one Muslim, the latter a family of brothers and their sons built homes next door to each other. The brothers have at least one married son living with them. Commensal relations appear to keep the family spatially together, and also give the impression to outsiders that there are good relations and solidarity. This may only appear so on the surface because there may still be considerable underlying tensions which can be relieved by commensality. Commensality is also important in promoting good business relations. Sometimes, as was observed in two families where sons are occupying separate homes but nevertheless come together daily in the family business. Commensal relations are deliberately arranged to promote harmony within the coparcenary group. In one case, the sons and their families meet at the parental home every Saturday for a family lunch and dinner. This partial commensality promotes cohesion in the family, and also indirectly in the family business. One mother who meets her sons and their families every weekend said, 'old grievances can be forgotten and even those not on speaking terms are forced to smile at each other.' Brothers and their wives in a joint family can continue living in the same house for months and not speak to one another. Not all conflicts, however, degenerate into rifts, the ritual of commensality affirms the sustained tie.

In cases where the sons lived in separate households because the family had expanded and accommodation became a problem, the family

split but nevertheless met at weekends at the parental home. The split was due to normal reasons such as those of growth, expansion and fission or personality conflicts. In these cases the families occupied separate households without the stigma of a weakening of family solidarity, as in the case of others whose properties had been expropriated by the Group Areas thus forcing families into premature fission.

Raymond Owens (1968: 226) states that it is upon the wisdom of the *Karta* that the success and harmony of the family depends, whether his primary task is to manage on a small income for the maintenance of a large family, or to train and coordinate family members in a large business situation. The head is not always wise, there are exceptions. In the case of Ramchuran's family, the family head did not altogether contribute to the maintenance of the family equilibrium and harmony, but was the cause of much of the tension between the brothers, by taking sides and having favourites among his sons and being generally 'fussy and troublesome; problems that his sons and daughters-in-law attributed to his 'getting old'. For instance, the father will not outlay the cash necessary to engage the service of a window-dresser, as he felt that this would be unnecessary and expensive. The son felt that a window dresser could improve his business. The father did not allow dancing at house parties which disappointed his children because kin are invited and friends are generally left out. The father also did not like loud music as he was partially deaf and also believed that

western dancing leads to sexual contact. In the family in question, it is the mother, Ramchuran's wife, who is responsible for maintaining harmony. Her tolerance and deep religious background give her much solace and confidence. "I listen to everyone's problems and I don't take sides; it is my husband who makes a lot of noise and I often have to reprimand him," said Mrs Ramchuran.

The mother in the house can do a lot to maintain harmony. In this study the less educated and simpler daughter-in-law appeared to be more tolerant and submissive towards her mother-in-law. Professional career women are less likely to live in joint households and will be more likely to contribute towards the breakdown of the 'joint family' system.

In all the cases where joint families were operating there were daughters and daughters-in-law who were not professional women, they stayed at home, accepted the authority of the mother or mother-in-law and contributed in no small measure to the smooth running of the family business.

Harmony in the joint household is a temporary state. Sooner or later there is bound to be conflict. Conflicts are more common among the women who quarrel over petty matters such as whose turn it is to do the cooking, fights over children, and so on. Women have a tendency to gossip, but perhaps not as much as men. The men may gossip, more discreetly! Gossip, however causes tension in the family. One area of common conflict in the household

appeared to concern the spending of money on foodstuffs and general budgetting. This was a great bone of contention in the Ramchuran household where one brother was slow in his contribution towards food. Amongst brothers the most frequent cause for separation was 'squabbling over food'. This was also stated by Raymond Owens (1968: 235).

Cohen (1961: 1053) in his Indian study found that a brother with one small child does not see why he should share his meagre earnings with a brother who has three small children and hence gets a large share of the household's food supply. In the Ramchuran family dissension developed between the youngest son and the father over the former's contribution towards the buying of foodstuffs, since the youngest was employed independently (he has since joined the family firm). The father would often remark, "Young people today want everything on a plate, even their food." The eldest son's wife complained to me that much of the conflict in the household could be attributed to the fact that her husband worked the hardest and that everyone else benefitted from his efforts and was not doing his or her share.

Commensal jointness is more advantageous economically than living in separate nuclear households, where the food bills are met individually. Bulk buying and cooking on one stove and using one fridge by two or three sons and their parents, is more economical than if each were to live separately. But this is not always possible, especially when families expand.

The Ramchuran family have a large living-room where there is a television set which the families gather around to watch every evening. "It is more economical to buy one television set than to have several in separate households," said the eldest son. The fact that the whole family assembles together to watch television programmes can relieve much of the tension of the family. Before the arrival of television, the families would retire into their rooms and I can only conjecture that there would have been more opportunities for quarrels, particularly over the children, who would play and fight before going to bed.

Now with the advent of television family members are forced to talk to one another and this relieves any tension. The daughters-in-law make refreshments and this contributes towards a convivial atmosphere. The children also help patch up bad relations. For instance recently, in the Ramchuran family, a new baby was born to the eldest son and his wife. The baby was the centre of attraction in the living room and was passed around to be carried. Often the type of talk is light, such as comments about the programme. At times there is silence, and the television relieves the tension that is created by the presence of those members of the family who are not on talking terms.

Often mothers-in-law are reprehended for being difficult, as Indian films and literature often depict a stern mother-in-law who is possessive over her son. Traditionally the mother-in-law wields authority over the daughter-in-law and she is feared, maligned and often loathed. But there were those mothers-in-law who

were thought of in the kindest way by their daughters-in-law. The study has recorded mothers-in-law who are trying to adapt to the so-called 'modern ways' of their daughters-in-law. There are those who cook the meals and baby sit while their daughters-in-law are working, and do not criticise the western clothes worn by them. This type of mother-in-law often agrees to accompany the son and daughter-in-law when they move into a nuclear household.

Fathers-in-law also are at loggerheads with daughters-in-law. One father-in-law scolded his daughter-in-law because she could not cook well enough. He often insulted her. The daughter-in-law could not tolerate her father-in-law and encouraged her husband to leave the joint household and set up their own house. Although the son broke away from the joint household, he did not sever his coparcenary tie. He was only spatially separate, and came daily to the family business to carry out his duties and responsibilities. He never questioned his father about the latter's attitude towards his wife. He stated these facts to me when I questioned him about whether he approached his father concerning his wife's problems. The son received a salary and his rent towards his house came out of his salary. He furnished his home with his savings which he accumulated while he was working independently, before he joined his father's business. Financially he is independent, but not to the extent that he can be extravagant, as the father pays his two sons equal salaries, which are not very high. The father was not happy to see his son leave and warned him that he was going to find it difficult to make ends meet. Notwithstanding the remonstrations of the father, the son left since his wife's health was deteriorating. When I spoke to him, after he had

settled a year in his own house, he said that he did not regret his decision to leave the joint household.

As the above case has shown, the men may carefully avoid bringing domestic problems into the work situation. As far as possible conflicts in the family are resolved within the family. The bonds between father and son appear to be strong, and the obligations which the son has towards the family business are also given priority. The son knows that the estate will be divided between the two brothers; the father had stated that when he died his two sons would continue with the business. No mention was made of his only married daughter.

The change from an earlier emotional paramountcy of lineal over conjugal ties to a later paramountcy of conjugal over lineal ties has been widely documented in the anthropological literature, (Dube 1955: 142-43) as quoted by Gould in Singer and Cohn (1968: 417), which gives a compelling account of how the wife manipulates the conjugal relationship. Gould's study in India showed that rivalries between brothers' wives are a major source of friction and led to the ultimate partitioning of the joint family. Cohen (1961: 1053) says, 'after dispute over food sharing, the most common cause for separations among Chamar's (leather workers) is disputes between wives of brothers or between wives and their husband's mothers'. Women in the study are blamed for segmenting the joint family which inevitably has to dissolve, as a normal process in the developmental cycle. A joint family cannot go on forever.

Gould's statement in Singer and Cohn (1968: 417) that it seems highly probable that the rapid growth of population, the increasing

monetization and individualism of economic life have had the effect of further emphasizing conjugal ties at the expense of lineal ties, and thus of accelerating the trend towards partition after the patriarch's demise, is not altogether applicable in the Durban situation. After the patriarch's death the brothers in the Durban study, continued to be coparceners and managed the family business, although, all of them did not live jointly. In other cases the brothers lived together, but cooked separately and managed the family business. Traditionally coparcenary may have implied joint expenditure as well as joint income, as the joint family rarely segmented. But in the context of this study coparcenary can mean that although sons live in separate households with separate expenditure, which comes out of the jointly-owned business, they are still co-heirs in a common estate.

The average Indian woman in a joint household has been influenced by westernization. But despite its influence, Indian women in the joint household are still very much in a subordinate position. However, eating arrangements have changed and most Hindu women do not eat separately from men as was customary in conservative Hindu families. Gujerati Hindus and Muslims still practise segregation of women on public social occasions such as weddings. Women sit in a separate section of the hall from men and are also served meals separately. The seclusion of women among Muslims and Gujerati Hindus has not been abandoned completely. In many Muslim homes in particular, men have their meals before the women. In orthodox Hindu homes, particularly those of Gujerati and Hindi, the head's wife and the daughters-in-law have their meals together, since the daughters-in-law have an avoidance-relationship with their fathers-in-law.

Those families which were coresident, but not commensal, ate their meals separately, at times their parents had their meals with each son and his family in rotation. The parents were free to have their meals with whichever son they desired.

Westernization has also contributed towards the acquiring of habits such as taking alcohol and drugs, which can lead to depression and anxiety among Indian women. These habits have an adverse effect on family relationships. Although alcoholism and drug addiction are not common among Indian women there are cases of divorce and separation in the study as a result of these habits.

There are certain conditions which can cause depression and anxiety among Indian women, especially those in the menopausal age group. These conditions can affect family relationships. Conditions such as alcohol and drug-addiction are not as common among the older generation of Indian women as they are among the younger. Indian women justify their smoking by saying that their grandparents used to smoke the *hookah*.

It is not uncommon to see Hindu women taking alcohol in public on social occasions, but it is rare to see Muslim women do so. Women who were interviewed about their drinking were reluctant to discuss their personal habits. Where women became alcoholics, the abandoning of these habits caused withdrawal symptoms, according to a medical practitioner, which led to depression and neuroses. This creates a problem if the older generation of conformists knew about the habit. There were those who drink excessively and needed medical help. This

caused difficulties in the family with the husband and children. The problem was continued to nuclear households. From this evidence we can say that in joint families with the traditional values there are fewer chances of finding alcoholism and drug addiction among women.

Divorce is one of the major causes of depression among women which is an important cause of suicide. However, divorce is commoner now than in the early days when most marriages were arranged and divorce was considered a disgrace. Today there is not only divorce but re-marriage. The status of widows too has improved. A widow in the very early days had no prospects of remarriage and had to dress simply without jewellery or loud colours and lead a simple and preferably religious life. A medical practitioner stated that women in the forties tend to suffer from depression for the following main reasons that he recorded in his Indian general practice in an upper middle-class suburb:

1. Loss of husband through divorce or death (beloved child or close kin).
2. Financial loss by husband.
3. Loss of self-esteem (through wife-battering).
4. Husband having a mistress (more commonly among Muslims than Hindus).
5. Menopausal problems.
6. Infertility. In the first year or two, the birth of children is expected, or else parents-in-law of the bride accuse her of being barren. There is a strong emotional need for an Indian woman to have a child. Vows and fasts are often taken by

Hindu women, austerities observed and pilgrimages made, in order to have children.

7. An errant adolescent child can also cause depression. The head and his wife find it difficult to reconcile the new values acquired by the younger generation.

8. Mother-in-law and daughter-in-law conflict is an important cause of depression which can lead to complications in the family relationships. One case recorded by the general practitioner outlined the following grievances of the daughter-in-law who was being treated for depression:
 - (a) Too much housework
 - (b) Suppression of individuality
 - (c) Abuse and ill-treatment
 - (d) Partiality to certain members of the family
 - (e) Being treated as an outsider
 - (f) Possessiveness over son

One such case of depression led to the suicide, in 1956, of the daughter-in-law. The daughter-in-law was ill-treated by her mother-in-law, who at times used physical force. The daughter-in-law could not tolerate the battering and her husband did not intervene because he did not want to "fight" with his mother. The daughter-in-law killed herself by jumping from the balcony of a five-storeyed flat.

Fatima Meer in her study of Suicide among Indians in Durban revealed the highest number of suicides among Indians, who constitute 41,45% of the total suicides, the proportions of men and women being almost equal (21,01% and 20,44% respectively). Europeans contribute 32,84% of the total number of suicides, men 25,96% and women 6,86%. African suicides constitute 22,11% of the total, men 15,16%, women 6,95%. Coloureds contribute the lowest number of suicides, 3,60% (men 1,26% and women 2,35%). (See Table 6.2). (Meer, 1960).

TABLE 6.2 : DISTRIBUTION OF SUICIDE BY RACE AND SEX ABSTRACTED FROM COURT RECORDS - DURBAN, 1940-1960

	Men	Women	Total %
	%	%	
Indian	21,01	20,44	41,45
European	25,96	6,86	32,84
African	15,16	6,95	22,11
Coloured	1,26	2,35	3,60

TABLE 6.3 : ATTEMPTED SUICIDE ADMISSIONS TO R.K. KHAN HOSPITAL (INDIAN) IN THE YEAR 1980 (DURBAN)

	Male	Female	Age Range
Scholars	23	62	11 - 19
Non-scholars and adults	88	264	14 - 59

Non-scholar - persons under 18 years not attending school

Adult - persons 18 years and over

Source: R.K. Khan Indian Hospital, Durban.

Table 6.3 shows 1980 figures from R.K. Khan Indian hospital in Durban. The figures for attempted suicide among female non-scholars and adults (18 years and over) are 264 as compared to 88 male non-scholars and adults (18 years and over). Only 3 of the attempts were completed, 2 females and 1 male from the 18+ group.

A mother in her fifties was being treated for depression (by medication and counselling) caused by her sons marrying and leaving the joint family. The mother stated that she could not live without her sons and the grand-children. She claimed that her sons had been a 'tower of strength' and she could not understand why her daughters-in-law were happy to leave because she "did so much for them." She feared she would be lonely without her grandchildren in particular.

Besides women in the family business there are kin who also contribute towards the development of the firm although they are never regarded as important as one's own children. They are, however, at times given priority over outsiders by some, while others are of the opinion that the latter are more useful.

KIN IN THE FAMILY BUSINESS

Kin in the family business can be either consanguineal or affinal, i.e., the wider extended kinship group. In the early days, when the joint household was more closely knit, kin played an important part in the family life. Despite factors militating against joint family life, kin still plays a part in family firms where there is an increasing recognition of bilateral kin. Patrilineal kin are still given preference over other cognates. However, one's close kin, that is one's cousins, one's wife's sisters and brothers, and one's father-in-law may be employed. The more distant kin are, it would appear, not employed.

Case histories and observation indicate that matrilateral kin appear to be gaining ground today. Daughters-in-law are placing increasing importance on their matrilateral kin. The parents and siblings of the daughter-in-law are important to her, often visits are made to natal homes particularly during pregnancy where she customarily goes for the birth of her children. The increasing interest in matrilateral kin is attributed to the individuality and independence of the women who look to their natal home for support, particularly after they have separated from the joint household, thus enabling them to have more privacy. The increasing recognition of one's bilateral kin is at times conspicuous in the family business. In one family business the head's son asked his father-in-law to supervise a branch of the business which was established by him a hundred kilometres away, but which was close to his home. The father-in-law of the head's son who was a priest supervised the staff during the week, and the son-in-law visited the business during the weekends.

It was found that a number of businesses were inclined to use the services of their agnatic kin, and of these, the head's brother's son was the most popular. In one large fabric store, which was supplied by the family factory, the majority of workers who held key positions were kin. First preference was given to immediate male members of the family, then brother's sons, and then distant kin and, lastly, outsiders. In the last category Muslims outside the family, and kin network were given preference over any other group. The kin beyond the joint family is limited to management and to employment as workers.

Apart from patrilineal kinsmen, there was one case where the wife's sister's son was employed and another where the wife's sister was employed, both of whom worked as sales persons. There was only one family business which employed a son-in-law, and this was because there was only one daughter and no sons. Where other kin were mentioned these included distant relatives, either affinal or consanguineal. Several family concerns could not exactly trace the genealogical link with these relatives, but stated that they were 'distantly related'. The fact that they were related gave them status over outside workers. There were also pseudo kinship ties formed on the ship and in the area of settlement, called *jahazi-bhai* (ship brother). These links were regarded as real and marriage was not permitted with the *jahazi-bhai*. One large metal-producing company employs close consanguineal kin, giving them prominent positions. The head who runs the business with his son employs six of his brothers, each in charge of a particular department; he has also given each brother a directorship. In another case a Muslim furniture manufacturer employed his brother, his father's brother and his brother's son in his business. He gave them senior positions. Two other Muslim clothing manufacturers stated that they employed many of their relatives in the factory, but did not treat them in any way different from other workers who were not related to them. Non-joint family kin are employed when the business is large and mainly when Muslims are involved. In a small firm rules are not so clearly defined and it is difficult to distinguish kinship from business roles, except in respect of financial control. Hence it is difficult to accommodate kin in a role which distinguishes them from family and from unrelated

employees. Muslims form a minority in the community, the business class being small but powerful. As such the chances of employing kin in large establishments are higher, especially when Muslims are commonly favoured over other groups.

It is not common to employ one's wife's kin in one's business, but there were some instances where this occurred. In a large family business of hotels, an outsider was employed as manager of one of the hotels. The brothers who are directors of the hotels were dissatisfied with the way the manager fulfilled his responsibilities. There was squandering of finances and general mismanagement took place behind the back of the directors. The directors asked the manager to leave, the manager was so irate that he instituted a law suit against the directors, one of the several charges being a breach of a contract involving shares. After the judicial settlement the directors expressed regret for having employed an outsider, and they replaced him by employing a brother of the wife of one of the directors as manager. The director stated 'I can trust my wife's brother who won't let his sister down. It is better to employ your own kinsmen than an outsider.' At least one-third of the businessmen agreed with this principle. Despite preference for kin in family business, some of the businessmen said that they encountered problems with such kin. They were inclined to be more honest and committed, but if they were incompetent they were difficult to dismiss.

One businessman stated that relatives are inclined to expect more than outsiders. They do not work hard, and at times refuse to work overtime unless they are adequately remunerated. They expect an informal

relationship and also expect you to treat them exactly the way you would treat your sons. They are sensitive and quick to detect discriminatory treatment. They do not like a formal relationship like that between the head and an employee who is unrelated.

Problems with kinsmen are not uncommon, the chief pertaining to financial loans. The relationship between both parties begins to deteriorate and the parties avoid one another. One businessman said relatives can take you for granted and because of your relationship they can overlook verbal arrangements made sometimes personally and at other times on the telephone. The relationship is based on trust and one need not go to an attorney to enter into a contract. When kin do not honour an agreement this can lead to the rupture of a relationship and can cause a great deal of ill-feeling.

With the employment of kinsmen personal contact is generally maintained. I was told by some businessmen that there are sentiments associated with kinsmen which promote business interests. A close emotional bond exists between the head of the firm and his kin workers, which emphasizes the common ancestor, particularly if the kinship is a patrilineal one, with the kinsman bearing the same family name.

One son stated, 'My father's brothers are like my brothers.' However, the advantages and disadvantages of having agnatic kin in business vary from firm to firm. Some family firms appear to be in favour of it while others disapprove of having any relatives. There is a preponderance of agnatic kin in business, affinal kin being chosen next. The more sophisticated technology in a business, the more

likely there would be the need to incorporate outsiders in the business, that is, trained personnel. Some businessmen stated that they could work with outsiders, perhaps, because they had acquired some management tools like control and budgeting systems. Although many business heads agreed with the employment of trained outsiders, I observed that many large Muslim firms first looked to their own families for trained personnel before employing outsiders.

It should be noted that where any type of relative is employed he does not occupy an executive managerial position as this is reserved for father and sons, and members of the wider kinship group come next in the business hierarchy. To illustrate, there was the case where a son was manager of a factory, his father's brother's son worked under his authority and although his father's brother's son attended meetings, he did not have decision-making power as this was prerogative of father and son or father himself. His salary too was lower than that of the owner's son.

Despite the many disadvantages outlined in the employment of one's affinal or consanguineal kin, some heads agreed that one's kin could sometimes be of assistance, for example, the case of the son who established a branch of the existing business one hundred kilometres away, and asked his father-in-law, who was a retired priest living in the area to supervise the branch. The metal industrial concern is another example of the brothers of the head who were not shareholders, but were employed in the capacity of ordinary workers but with a higher status because of the close relationship to the head. The head of another family firm obtained finance from his agnatic

kin to establish a branch of the business. There are ways in which kinship connections outside the domestic group can be used to develop the family firm. One is by obtaining finance, when problems arise, some of which could well lead to liquidation. In one case a sari merchant expanded his business unwisely and faced insolvency. His father-in-law came to his rescue and lent him large sums of money to extricate him from his financial difficulty.

In another instance, a businessman said that if one had a wealthy kinsman in business one could use him to borrow funds and he could give you credit in order to expand your business. Kin do not normally charge you interest, as do the banks and building societies. Moreover you can pay back the loan when it is convenient to you. There need not be a guarantor or security. One young manager of a drapery shop informed me that he was prepared to give his agnatic kin loans whenever his father's brothers required it. 'We help each other, it is mutual as we belong to one family,' he said. It is the building up of trust and confidence over the years between kinsmen that leads to one being prepared to assist the other in time of need.

Benedict (1968: 11) discussed the usefulness of kin in business connections. Where there were problems and kin had the necessary contacts in the business world, for instance, knowing who the heads or managers are who have power, then solutions were formed fairly easily. The majority of business heads stated that whenever they had business problems, they first sought the assistance of kin who had good contacts. Heads related with confidence that they

could rely on their relatives for help when they were in trouble. One put it this way: "We have to only pick up the phone and contact the relative with power and the problem can be sorted out."

My informants stated that it was essential to have contacts in the business world: considerable progress can be made and problems solved by knowing business leaders who hold key positions in the economic and political field. It would be more advantageous, if those were kin, as problems could be solved easily.

Kinsmen in business are an added advantage to Muslims through the custom of preferential marriages. In some cases there were marriages with either cross or parallel cousins, and these marriages took place in the early days. As stated earlier that there is now a growing preference for marriage with outsiders. This is, however, a modern custom, but there are still many arranged marriages involving cousins. In this way kin becomes even closer with the new contact established through marriage. The business tie then becomes easy to establish as the person who is to marry is already a member of the wider kinship group and ties have already been established. For example, in the father's brother's daughter-marriage, the daughter does not go to alien sons-in-law but to members of the family. Daughters-in-law too are members of the family. In a mother's brother's daughter-marriage the daughters-in-law are nieces of their mother-in-law, an arrangement which makes for harmony and acceptable hierarchy in the household. The marriage adds to kinship links and the relative is

incorporated in the family in a new relationship. The kinsman not only has the same family background, but belongs to the same social milieu, and shares common values which include allegiance to the family firm. The wider the business links with kinsmen the better the chances are of establishing new companies and other business ventures.

Women as mistresses also present a different dimension in our understanding of the family firm and household. Businessmen do not normally dissolve their marriage. They commute daily between their family and their mistress's flat. In no instance was a mistress allowed to participate in the family business. Some businessmen's relationship with mistresses causes tension in the business. The following insolvency was recorded: A large business concern was eventually damaged or liquidated while the business head maintained two women. Being a Muslim he was entitled to have more than one wife. He was originally a very capable man but became unstable because he could not tolerate the 'pull and push' of two wives. His wife was willing to give him a divorce and was looking forward to receiving half of the business which was worth two million rand. The owner refused as the partition would have ruined the business. Eventually his business was liquidated. Although the business in this case was affected by the owner's personal life, this is not common if the two separate households are maintained and the legal wife accepts the situation, as many wives in Durban do.

In the case where sons have mistresses the father does not object to this openly if he himself also had a mistress, but he may throw out innuendos of disapproval. A butcher's two sons began drawing funds illegally from the business to maintain their mistresses. When the father discovered the loss of profits he threatened to remove his sons from the business. The sons apologised and thereafter father maintained a stricter control over the finances.

The emotional strain and the drain on the finances are factors that affect the men with mistresses. The material demands of running two homes with two families appear to have caused difficulties in many cases in the study. The men appeared to be loyal to children born of both wives but the bond was closer with the mistress than with the legal wife.

Among the Gujerati-Hindu, the acquiring of mistresses and marrying women outside the ethnic group are becoming more frequent. A general reason for this among the Muslims and Gujerati-Hindus is that these communities are wealthier than the other ethnic groups, among whom there are a few cases in which mistresses are surreptitiously kept. One cannot advance a moral argument for the Hindi, Tamil or Telugu groups as the Gujerati Hindus are conservative holding on tenaciously to tradition, perhaps the former three groups are not as well off to maintain mistresses.

The mistresses are either Hindu or Coloured and caste has no relevance. A man's reputation does not really suffer socially. His business relations are not affected adversely since he is discreet. One businessman who has a mistress admitted that he had a gay social life but was careful not to mix business with pleasure.

The Hindu businesses can be viewed as having made great strides in the South African economy with the acceptance of traditional values when convenient. The exogamous custom of marriage has helped to create new business ties apart from kin. The passenger Indians, i.e., Muslim and Gujerati-Hindus, businessmen had a head start in the early days and progressed ahead of the 'indentured' group, maintaining a tradition of close kin ties in business and family. The close kin network in the business and social sphere has led to advantages in the business. The success of the 'passenger' background Muslims and the Gujerati Hindu is seen in their large business concerns. The Muslim passenger Indian can be looked at as more successful than the Gujerati passenger Indian in the study though the study might illustrate a similarity in wealth distribution.

This chapter has shown that the women play a role which though not very prominent today in the family business, does contribute indirectly towards the development. Their participation right from the early days in sugar plantations, then as market gardeners doing hawking side by side with their husbands and then in the early establishment of the present business, has gone almost unnoticed. They are also looked upon as dividing the family. They appear to influence their

husbands 'behind the scene' from the household. There is an increasing number of women who are running independent businesses in the Indian community. Spinsters are inclined to succeed in business and have a better chance of upward mobility. It was also observed that women are also the cause of conflicts which can affect the relationship among the brothers and the father. Sons usually try not to allow family conflicts enter the work situation, and take pains not to discuss their family problems. The legal status of women was investigated, showing their position with regard to inheritance. Muslim women are subjected to rules emanating from the Muslim Law of Succession. The legal status of married women in relation to their husbands will change when the Matrimonial Affairs Property Bill becomes law, thus giving women marital power. Both patrilineal and cognatic kin are used within the business and as links with other business to further strengthen the joint family and its business. In this study, Muslims are more inclined to have preference for the employment of kin in business than Hindus. In the next chapter we will see how religious ties promote loyalty and solidarity in the business and the household.

CHAPTER 7

THE PART PLAYED BY RELIGION IN THE FAMILY BUSINESS

This chapter will show how religion reinforces rights, duties and obligations on the part of family members towards the joint family, and the family business. It will illustrate how family sentiment is renewed by the performance of religious ritual.

Religion, as I see it in the context of the study, includes (a) supernatural beliefs (b) moral codes and (c) ritual activities. The three components are linked in Hinduism and Islam, the two religions which are practised by the families. The first two components are common to both religions, but the third (ritual activities) is a *sine qua non* in Hinduism.

Radcliffe Brown (1948: 163) states that religion is an essential part of society. He quotes Durkheim's theory that religious ritual is an expression of the unity of society. He states that the social function of rites gives solemn and collective expression, the rites reaffirm, renew and strengthen those sentiments on which the social solidarity depends.

Michael Banton (1966: 118, 119, 120) argues that religion like other socio-cultural variables has sociological functions, it maintains certain kinds of social relations is undeniable.

Radcliffe Brown's functionalist theory of religion is criticised by Michael Banton. Methodologically it cannot explain the variability of religion, how is it that the need to sustain social sentiments produces such a bewildering range of religious beliefs and rituals. Theoretically it is based on an unwarranted functionalist assumption, which Merton (1957) has aptly termed the assumption of indispensability. Banton (1966: 120) explains this 'indispensability' by stating that even if it is the case that religion is the means by which Andamanese 'sentiments' are kept alive, it does not follow that religion is the only means by which this end could be accomplished, in that, in other societies other institutions do not or cannot serve the identical function.

Radcliffe Brown and Michael Banton's concepts are only relevant in a local community. Although Banton argues that religion is not the only means by which 'sentiments' are kept alive. In the context of the Durban study it is an important means of strengthening family unity and solidarity. It is the rites and ritual which bring the family members together and play an important part in alleviating dissension. Even if the sons are separated, they are obliged to attend the family rituals and festivals.

In South Africa the young people are replacing religious values with agnosticism and materialism. They are very selective with their values and adapt them to a highly materialistic society. The traditional values of Hinduism and Islam conflict with the agnostic and materialistic values of the young. Western education and western way of life also contribute towards a new and sophisticated philosophy based on science and materialism.

SOME HINDU AND ISLAMIC PRINCIPLES AND PRACTICE

Religious activities among Hindus and Muslims keep the sentiments of the joint family alive; in this way religion promotes a feeling of family solidarity. But there is another factor, that of cultural tradition, the belief that for generations the family functioned as a corporate social unit, therefore it must have been a viable social and economic unit and worthy to perpetuate.

Lewis (1955: 102) is of the opinion that growth requires that people should be willing to give their minds to ways of increasing productivity. The desire for goods may be due to either pleasure in material things, or the desire for the social prestige and power which go with wealth. Some religions do teach that salvation can be reached through the discipline of hard and conscientious work and do elevate the pursuit of efficiency into moral virtue. But most religions also teach that it is better to give the mind to spiritual contemplation than to the ceaseless search for ways of increasing income or reducing cost, and practically all religions discourage the desire for material things. According to Hindu philosophy a *Karma Yogi* (one of the paths to be followed for a good life) works for the sake of the work and not for the fruit or any benefit. Material benefits and luxuries are looked upon as illusions (*Maya*). Lewis (1955: 105) states that people do not always act in

accordance with the religion they profess and people tend to ignore religious precepts which conflict with economic interests. This is true of Indian businesses which work for profit and not for aesthetic interest. It is rare to find Indians looking upon luxuries as illusions. It is only the priest and renunciates who lead austere lives with the minimum of comforts. The study recorded one case of a Hindu couple who stated that they would like to retire to an *ashram* as soon as their business was sold. One son of the couple who was an engineer gave up his lucrative job and joined the ashram. He hoped to join the holy order of *sanyassins* (renunciates).

In Islam *imams* (priests) lead a normal married life while discharging their duties and there are no renunciates (*sanyassins*) as in Hinduism or *ashrams* (places of retreat). Lewis states that if a religion lays stress upon material values, upon work, upon thrift and productive investment, upon honesty in commercial relations, upon experimentation and risk-bearing and upon equality of opportunity it will be helpful to growth. In so far as it is hostile to these things it tends to inhibit growth.

Both Hinduism and Islam (more particularly the former), do not stress material values. However, the people do not live totally in accordance with their religions, but seem to abide by those religious principles which are practical to follow (eg. give to charity, do not kill). The accumulation of wealth which enables one to live in luxury is the ambition of most businessmen.

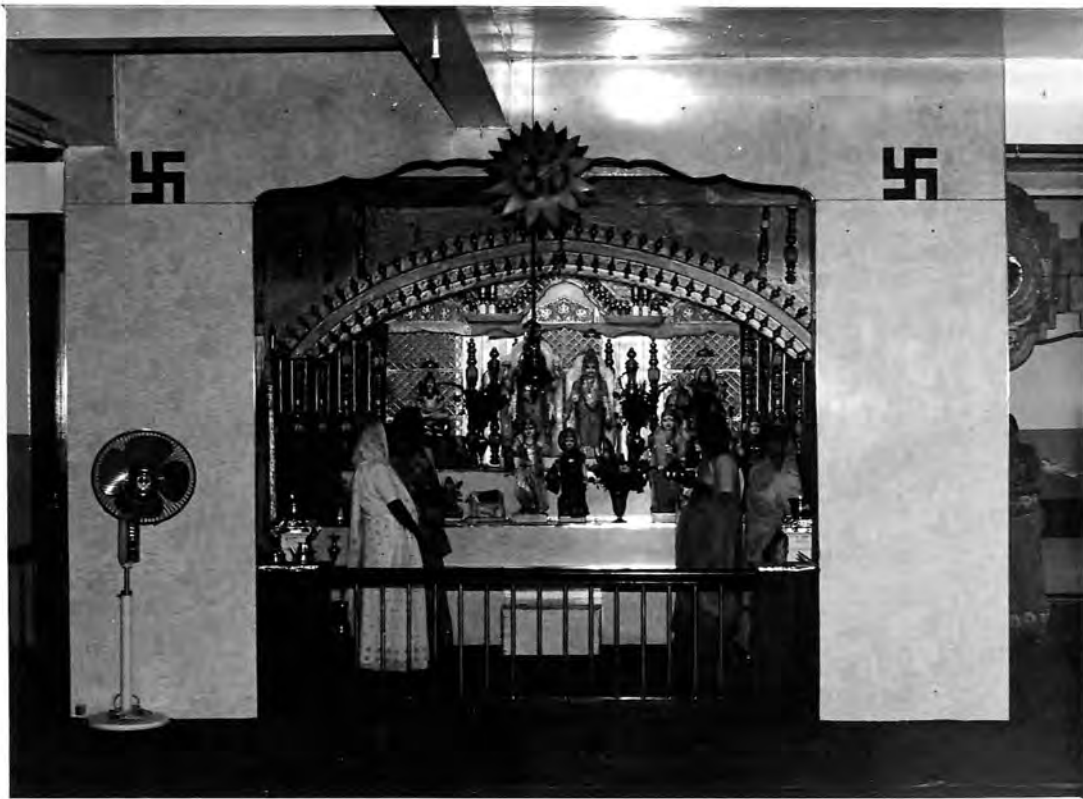
Lewis' (1965: 106) statement that religious doctrines are continually being reinterpreted and adjusted to new changing social and economic conditions is true of both Hinduism or Islam. Hindus and Muslims change the tenets of their religion and violate some of the principles in order to adapt to changing conditions in a particular environment. Eating beef and pork was strictly taboo in the early days among Hindus. Today it is common to see Hindus eating beef and pork. There are more Hindus violating religious principles and food taboo than Muslims. University and college students interviewed stated that many a Muslim youth eats meat that is not 'halal' and drinks alcohol. On the whole one can conclude that Muslims are more religiously orientated than the Hindus.

Religion, (participating in rituals and having a traditional marriage ceremony helps to define one as an Indian in social terms. Religion in the Indian community operates on a number of levels:

- (a) Hindus and Muslims maintain their separate identities. Religion is one of the defining characteristics of what it means to be an Indian.
- (b) At various levels of segmentation and corporate identity within the Indian population, e.g., the castes in Hinduism and the sects in Islam.
- (c) Religious sects following particular masters or saints manifested in organizations such as the Ramakrishna Society, Divine Life Society, Hare Krishna and Radha Saomie movements.
- (d) Family, temple worship and congregations in halls and other places of worship. (See Plate 8(a) and (b).)

Plate 8:

(a) "Sapta Mundry", Hindu Temple in the Grey Street Complex



(b) "Jumma Musjid", Mosque in the Grey Street Complex

Islamic life is not free of religious ritual, although Mohammed was primarily concerned with developing a rational system of ethics. The rules proclaiming piety in Islam are few and simple, and directed to cultivate a sense of solidarity and responsibility through prescribed acts of charity among members. Muslims are required to pray five times a day. Prayer is called *dua* and *salat* or *namaaz*. The five prayers are at dawn, midday, afternoon, evening and night. They are performed either individually or in congregations at mosques led by *imams* (prayer leaders). The congregation is called to prayer by the *azan*, (prayer call). Before praying Muslims make ablutions, *wudu* in a prescribed form. The preparation for prayer is suffused with ritual. All Muslims face the *kaaba* at Mecca when they pray. The orientation is referred to as the *qibla*. Apart from the two auspicious days annually celebrated by Muslims, *Eid-al-Fitr* and *Eid-Al-Adha*, the former marking the end of the fast and the latter a feast of sacrifice, which commemorates the redemption of Abraham's son Ishmael by God, through the replacement of a lamb. The other auspicious days are the Prophet's birthday - *Mahlood an - Nabie*, and the festival of the Prophet's ascension to Heaven and the Muslim New Year on the first of *Moharram*. The ninth and tenth days of the month of *Moharram* are observed as days of mourning for the martyrs of the House of *Ali* - the family of the Prophet's grandson *Hussain*. Passion plays, processions and the chanting of lamentations may be held to mark the event. The occasion has greater significance for *Shiah* than for *Sunni*. The South African Muslims are mainly of *Sunni* origin.

When a Muslim prays five times a day he is doing so for the universality of Islam, the unity and brotherhood of Islam is emphasised. Hindu ritual tends to link the family to the ultimate for personal salvation, so that the individual can obtain *moksha* (liberation from the cycle of births and deaths). In Islam the community organization constitutes a major structuring between the individual and the Ultimate. In both systems, direct communication exists between the individual and the Ultimate, but in Hinduism there is no intermediate structuring, the individual is important and not the community.

The unity and brotherhood of Islam which promotes solidarity in the Muslim community are reinforced by obligatory customs such as *zakaat* - obligatory charity. Shopkeepers set aside a daily portion of their earning for example three cents for every R2 earned. Such contributions go into poor relief, education and propagation of Islam fund. (Meer 1969 : 192).

Voluntary charity is given over and above *zakaat* and includes *lillah* (alms to the poor given at any time, *fitr* (distribution at Eid), *Sadaqa* (given in fulfilment of a vow) and *goorba* burial fund). The giving to charity is intensified during the month of Ramadaan. It is customary at this time for both public institutions and the poor in need to appeal and receive assistance. Meer (1969) and Fyzee (1974).

Unlike Islam which is a dogmatic faith, Hinduism is free of strict rules as to method of worship and abounds with ritual. It is essentially a system of metaphysics. Hinduism is not born of any set of dogmas, preached by a particular prophet. Sages and prophets have recorded their intuitive realizations from time to time. Hinduism recognises all prophets and divine personalities as different embodiments of the same Principle. It encourages all spiritual seekers to follow their own paths according to their spiritual capacity and tendencies. (Kapadia, 1958).

People who violate caste rules do not feel that they are annoying the gods and therefore a retribution might follow. Hindu society is going through an acculturative process and western values of independence and individuality are taking the place of a rigid moral and social order. Therefore social customs (like caste) are modified to suit the changing society.

Hinduism is closely connected with folklore. As a school of metaphysics, its aim is not merely to make a man a perfect human being on earth, but to make him one with the Ultimate Reality, which the Hindus believe is the Universal Spirit, in which there is no destruction of cause or effect, good, evil, pain or pleasure. (Kapadia, 1958).

All the different sects in Hinduism have the same moral ideal, tolerance, non-violence (*ahimsa*) truth (*sat*), etc. The many sects are bound together by common ideals, common beliefs such as *karma* (you reap what you sow),

dharma, living righteously and *moksha*, the liberation from the cycle of births and deaths, and common ritual practices. These ritual practices are associated with life cycle ceremonies - *samskaras* which are a series of purificatory rites and observances which mark the movement of the individual from one stage of his life to another. The major *samskaras* are birth, marriage and death. The common ideals, beliefs and ritual practices contribute towards the unity in the diverse practices in Hinduism.

Religion among both Hindus and Muslims upholds patriarchal and filial piety. It behoves the children, particularly the sons among Hindus, to care for their parents during their life time. Traditionally the eldest son not only cared for his mother, in the absence of the father but also all his brothers and sisters. Among Muslims sons and daughters are obliged to care for their parents. Even if the daughters are married their duty towards their parents does not cease.

There is a specific Hindu religious injunction, that the eldest brother should take care of all his brothers in the absence of the father. This was a traditional belief in the early days in India, when the eldest son received the total patrimony after the death of the father. But if the *karta* had willed that the eldest son only inherits, then this custom would have prevailed. This custom does not operate in South Africa as all the sons today are beneficiaries, since there has been a shift towards western individualism.

Perhaps the transactional model can be applied here. From the religious point, the son has more to gain in the long run, not only of inheriting the patrimony but also the accumulation of religious merit to be reaped in the next life. According to the law of *karma*, you reap (in the next life) what you sow (in the present life). If the son is dutiful and respectful towards father he will be blessed by father and therefore he will have a "*good karma*".

Although religion might not be the only means by which sentiments can be kept alive, it is nevertheless an important means by which certain sentiments are maintained, which are shared by members of a family for the progress of family business among Indians. It is the collective rites among Hindus performed by members of the joint family, and individual rites performed by the head of the business (and family) which promotes unity and solidarity, both in the household and the business. The Muslim custom of religious observance differs. For example, it is not rites, but the compulsory congregation of male members of the business (family and outsiders) at twelve o'clock on Fridays at the local mosque that provides the unity and solidarity which promotes a unique bond in the community. Other social norms such as *purdah*, a uniform method of prayer and other rituals of daily living, all combine to bind the family together. Even the caste system in India, could be looked upon as the key institution that bound the Hindu community together. Despite the many sects, the Muslims are united in this common tradition of worship and celebration of fasts and feasts. The Hindus on the other hand have a great variety of choice in their method of worship. There is great diversity in the fasts, feasts and festivals among four Hindu groups. But, despite

this diversity there is underlying unity among the Hindus in the common festivals which are celebrated by all. In South Africa the unity of Islam is probably stronger than the other great religions. Not only because of its minority status, but its clear-cut tenets, its strict adherence to marriage within the faith, lack of elaborate religious ritual and also the fact that it is a young religion (1 400 years) and therefore more practical. The Hindu attitude towards the celebration and observance of domestic ritual, and annual festivals, differs markedly among the different language groups. Hinduism lacks the strict dogmas that is necessary in order to divert from the many exigencies of modern living influences which appear to affect the Hindus more than the Muslims, and have made the former more vulnerable to change its traditions and customs.

While among some Hindus one observes the abandonment of religious traditions there is religious revival among others. For instance, violation of rules which have religious significance, such as taboos on eating beef and pork are breaking down among all the Hindu language groups. There are those such as the Gujerati Hindu who are more inclined to vegetarianism than the other Hindu groups and are resistant to complete changes, and abandonment of religious observances, or the adoption of a total western way of life. In this respect the Gujerati Hindu shares a common characteristic with the Muslims, in that they have a staunch cultural outlook and are resistant to change. They also share a common historical background both came from Gujerat as 'passenger' Indians and speak the same language, Gujerati.

RITES AND CEREMONIES

One can argue that religion plays an important part in maintaining an *esprit de corps* in the household, which indirectly provides unity and solidarity in the work situation, between father and sons and among the brothers. The form religion takes, however, differs among the two Indian groups. The Hindu families perform rites and ceremonies regularly and irregularly during the year for several reasons. Firstly, a rite is usually performed when a new venture such as a new branch is about to be established. The opening of a new business calls for a prayer in order to obtain the blessing of the household deities. Secondly, a vow is sometimes taken when misfortune in the business is apparent, and when the misfortune is eliminated, then the vow is fulfilled. Lastly, an annual thanksgiving rite is performed and invocations for general success in the business by the family members exclusively. This rite is not usually attended by kin or outsiders.

Muslims, however, have simple rites performed for the success of business ventures. Supplication is made for divine blessings when new business premises are opened, and sweetmeats are distributed. The regular prayers then, incorporate the family and business. Prayers are offered in the traditional manner five times a day by devout Muslims. Since Islam means 'submission to the will of Allah', informants stated that when they congregate to pray, it is for the general welfare of the family in all aspects of their lives, and this includes the business.

The religious ceremonies are the means by which the society acts upon its individual members and keeps alive in their minds a certain system

of sentiments (Radcliffe Brown 1948: 324). Hindus perform rites in order to keep these sentiments alive and promote good relations in the family business. Those sentiments are the outcome of shared religious ritual and observances based on common beliefs. It is not necessarily only ceremonies which provide the unity and good relations necessary in a business, as it was evident, that Muslims perform few ceremonies but share the necessary sentiments. The prayers sanction good relations and a sense of common purpose for the good of the family. The sentiments can be kept alive in the minds of the Muslims through the performance of prayers. The various symbols used in prayer by the Muslims, such as the special rug, the lighting of incense, the frames on the walls extolling Koranic virtues, invocation for blessing, and thanksgiving made by individuals, as a family, can be looked upon as ceremonial and symbolic. These objects act as constraints to the individual to conform to the moral and social ideals of society. In this way individuals will be conforming to the religious ideals. Prayers not only enhance personal salvation and spiritual merit for the individual, but personal relations improve in the business and home, particularly if there were problems and this also, according to informants, helps the material progress.

Where a mosque is a long distance away from the locus of work, then a room is set aside in the business premises where Muslim workers assemble to perform their prayers. Some prayed five times a day in traditional practice while others congregated only on Fridays at midday. Only one business premise in the study had a large room, which was called a prayer room, where members of the family running the business and the Muslim workers assembled to perform their prayers. The other

Muslim businesses were situated in the Indian central business district in close proximity to what is reputed to be the largest mosque in the southern hemisphere. This made it accessible to the Muslim families running their business and to their Muslim employees.

Although incense is lighted by many Muslim businessmen, this is usually done in the morning as an invocation. But when a new branch is to be established or a new business enterprise embarked on, the family collectively congregate to pray for success and prosperity in the business. The head of the business individually prays for blessings for the business. Where a big business venture is embarked on, the family invites close relatives and friends who are treated to a meal. But this was not common to all businesses, I was told that a feast and invocation is not looked upon as a ritual act, but a business celebration, and a method of seeking divine benediction. Even if a cultural or religious institution is opened the prayers will take the same form.

Many Muslims did not want me to get the impression that they indulge in any religious activity that would be looked upon as ritual in the sense that Hindus observe i.e. invocation and offerings to gods. The Hindus have an elaborate system of rites and ritual which are performed in the household. One of the most important aspects of the joint family is its functions as a religious unit. Even after segmentation has taken place the family remains united on the religious level. Religious behaviour is part of family life, and religious ritual performed by all

the members of the joint family, is believed to be more effective than when it is performed by any one individual. The family is brought together in a common belief, a common method of offering their prayers and the observance of common taboos and abstentions eg. abstaining from eating meat or fish on certain days set aside for the worship of a particular deity. The joint family as a social unit observes traditional values, and every member is obliged to respect and participate in the religious activities. In orthodox Hindu homes where traditional ritual is commonly practised, the celebration of feasts and festivals is done elaborately. In nuclear households with the absence of grand-parents who usually take the lead in the performance of rites, the young couple either join their parents, observe a small rite, or do not perform any rite at all. Many westernized and professional Hindu women do not perform any rites, but attend those performed by parents and parents-in-law.

The senior generation reaffirms the moral basis to its authority, and its right to filial piety by observing traditional practices. Thus, there tends to be a cyclical element in responsiveness to tradition as one gets older. Tradition supports one's moral authority therefore the senior generation appeals more and more to tradition to support that authority. There is a direct relationship between the rituals performed by the *karta* for the good of the business and family, and his authority in business.

Although there is a link between the rituals and authority of the *karta*, times change, and obligations alter in as much as people to

whom we owe the obligations do not expect a change. Lewis (1955: 103) states that times of change are frequently accompanied by moral disintegration since the old duties disappear before the new duties are fully understood. In the Durban situation the heads expect their sons to observe the 'old duties' (respect and obedience and adhere to traditional values).

When a Hindu father and his sons ritually erect a flag (*jhunda*) attached to a pole in honour of Lord *Hanuman*, during a thanksgiving rite, this promotes unity and solidarity among father and sons. They are brought together in a common religious observance. Filial piety can also be looked upon as a value for both Hindu and Muslim, but it is not enough to honour alone but to demonstrate by living up to the expectations of father. For example, carrying out the duties, and when these are religious in nature this binds father and son, and also increases the obligation of the son to the father for even after the death of the father the Hindu son has to make offerings to the departed spirits. Muslims likewise have a forty-day commemoration of the deceased after which there is a family feast.

While the joint family is still functioning as a coresidential and commensal unit, it behoves all members to respect traditional beliefs. However, I observed laxity of this observance where sons had set up separate households, and where they were not exposed to the scrutiny of their parents, as to what they ate at meal times.

If there are no sons born to the patriarch, the family line comes to an end, and in such case some families adopt sons or a brother or

sister's son. The necessity for a son is seen on ritual occasions, such as marriage and death, where a son is necessary to carry out ritual duties, particularly funerary rites. But where there were no sons in this study the father did not adopt a relative's son for the sake of inheritance, but employed his daughter and son-in-law in the business, giving the latter a prominent position. It is only where there are no sons that the father employs his son-in-law. He does not perform the funerary rites in honour of his father-in-law, if the latter's brother's have sons, they are given preference.

Spatial separation of sons in this study did not sever family and business ties and responsibilities. Participation in religious rituals and family functions reinforces the family bond, and acts as a reminder to the sons of their family and business obligation, including their subservience to the *karta*. In all cases where the sons were separated, they joined their parents on all the festivals and family rites. Therefore religion plays an important part in keeping the family bonds strengthened and also strengthens the business relationship. But although the economic bond among members of the joint family plays an important part in holding the family together, it is the religious link that endures the longest, transcending segmentation and even death.

There is no doubt that ties of kinship, sentiment, ritual and moral obligations which bind members of the joint family become weakened, when there is spatial separation as a result of segmentation. It is family religious rituals and ceremonies connected with the life cycle of individuals, such as birth, marriage and death that reinforce the ties.

From the time a Hindu individual is born to his cremation, every stage is marked with some ritual. The life cycle ceremonies (*Samskara*) are mainly purificatory in nature and mark the movement of the individual from one stage in his life to another. There are sixteen life-cycle ceremonies but not all of them are observed by South African Hindus. For example the ear-piercing ceremony among Hindu males has died out. The triple cord ceremony once performed by the 'twice born' (brahmin, kshatriya and vaisya) castes is today mainly practised by some of brahmin caste. The ceremony is performed a day before the marriage ceremony and not always at puberty. On the whole the Gujerati-speaking Hindu are the most tenacious as far as life-cycle ceremonies are concerned and are mainly *Sanathanists* (orthodox sect). The Hindi (divided into *Sanathan* (orthodox sect) and *Arya Samajists* (reform sect) are next in their observances) and lastly Tamil and Telegu. But the Tamils and Telegus are staunch observers of annual festivals such as *kavady* (chariot suspended by hooks on one's back) and firewalking; *Pongol* (harvest) and the commemoration of deceased parents. These rituals emphasise the communal distinctiveness of a particular group which practices it.

The most important life-cycle ceremonies which were observed in the families in this study were the naming ceremony, hair-shaving, tying of the sacred thread, and the two most important life-cycle ceremonies - marriage and death. On all these occasions obligations to the joint family are reinforced. These ceremonies are general in nature and no particular deity is invoked, but rather God as a Supreme Being.

During these life cycle ceremonies (birth, marriage and death) family cohesion and solidarity are reinforced as certain aspects of the kinship system are inextricably bound with ritual. The Hindu idea of kinship centres around the joint family where ties are created, develop and multiply. The individuals in a joint family are bound to each other in a complex network of ties, which are supported by moral and religious obligations.

However, not all the Hindu families in this study observed all the religious ritual, and life cycle ceremonies, or are concerned with metaphysical and mystical preoccupations. The two basic religious sects in the Hindu community, the orthodox sect known as the *Sanathanists*, who observe most of the fasts, feasts and festivals and the *Arya Samajists* who, as reformists, simplify their ritual and observe the major festivals. Culture is not perceived of as something apart from religion. Informants referred to their religion (culture) as *Hindu Dharma*. The majority of Hindus in the study belong to the *Arya Samaj* sect and their common rite takes the form of the fire ritual, a purificatory rite - *hawan* - this is performed as a thanksgiving rite to procure the blessings of the divine. It is also performed when one leaves the joint family and sets up another household, and it is looked upon as a house-blessing ceremony. The *Arya Samajist* Hindus form a small group as compared to the *Sanathanists*. They meet in halls and other public venues, on religious festivals such as *Krishnastmi* (birthday anniversary of Lord *Krishna*) and *Ramaumi* (birthday of Lord *Rama*). A priest is called to perform a *hawan* (purificatory rite) and there are discourses on the *Bhagavad Gita* and *Ramayana*. At the end of

the discourse, which lasts a week *prasād* (sweetmeats) are distributed to the congregation. The chief difference between the *Arya Samajists* and the *Sanathanists* lies in the simplification of rites, and elimination of statues and pictures of the Hindu pantheon. There is considerable overlapping and no apparent cleavage on religious lines among the Arya Samajist and Sanathan Hindu.

The second type of rite which is performed by mainly *Sanathan* Hindus is the story-reading and flag-raising ceremony called *Katha* and *Jhunda*. Stories from the Ramayana are read and a flag (*jhunda*) in honour of *Lord Hanuman* - the monkey god is raised. Relatives and friends are invited for a feast which follows the ritual. This rite is performed in the home and may be the culmination of a vow. All the Hindi-speaking Hindus in the study had performed the *katha* and *jhunda* rite even the reform sect performing a simplified version of it. It was performed annually, in most cases as a thanksgiving rite, for good fortune in business and home, and to avert bad luck.

In every Hindu business premises there was either a picture or a statue of the goddess *Laxmi* who symbolises prosperity. In all cases the son or father, whoever opened the business premises in the morning, lighted the traditional brass lamp which stood next to the picture or statue of the goddess *Laxmi*. In some firms the picture or a statue of *Laxmi* was hidden either in a safe or filing cabinet, and only taken out when prayers were offered or the lamp (*diya*) lighted. These families felt that 'religion is personal' and did not wish to place their object of worship, where the public could see it. The goddess is propitiated for

prosperity in business. An incense stick is also lighted before business begins. One business head gave gifts to his workers on the eve of the festival of lights, *Diwali*, at the same time the goddess *Laxmi* was propitiated by lighting the lamp and incense, for success and prosperity in business. When a daughter is born she is looked upon as the manifestation of the goddess - believed to bring prosperity and luck.

In the early days, grandparents and also the heads of the business were married according to the choice of their parents. These marriages worked although the couple did not know each other or went out together as is done today. It was the family background, the caste or sect, the girl's character (her name should not have been linked with another male) and her physical beauty that were considered important criteria. Her educational qualification was not questioned. If she could read and write in the vernacular and English, it was satisfactory. These types of marriages commonly held together as divorce was very rare, and also helped the family and business to hold together. Women were not accused of breaking up the joint family as they are today, with marriages which are based on individual choice and romantic love. Even before she was accepted, the astrologer (priest) consulted the *panchang* (almanac) to see if her 'star' tallied with that of the bridegroom to be. The priest performed a preliminary rite and then notified the parents of both the girl and boy whether the marriage could take place. If she or he was born under an unlucky star then there was a possibility that she would bring 'bad luck' into the family of orientation. This then, would affect the family and business. Although this procedure is not common, it has

not, on the other hand, died out. It was common in the first two generations in the study. However, today there is a clash of ideals between generations, the two ideals are the individualistic self realization ideal and the traditional one of submission.

There are social rules which are not strictly of a religious nature as to whom one should marry either in Hinduism or Islam. But many virtues are emphasised such as modesty, chastity, respect and also other duties towards one's husband and family. The Koran mentions that a woman should not expose herself (i.e. her body) and should cast her eyes down and be modest. Hindu religious scriptures such as the *Ramayana* have many stories with morals stressing the chastity and impeccable character of the wife. The heroine of the *Ramayan*, *Sita* is supposed to symbolise Indian womanhood. A Hindu wife is traditionally expected to worship her husband, there is an old custom called *pativrata* - taking vows and fasting in honour of the love of one's husband. One Hindu grandmother stated that 'in our days we regarded our husband as our God'. The husband and wife relationship is very auspicious, since a man enters the stage of householder (*grihastha*) when he marries, and together with his wife he is expected to carry out his religious duties.

It is apparent that the majority of the older Hindus hold their rituals in awe, and reverence, and respect their tradition which makes the rituals relevant. But among the younger generation of sons there is apathy towards performing rituals. The rituals not only give the members of the family confidence in the running of the business, they are also performed for family solidarity and filial piety.

It must be emphasized that the cultural content of Hindu rituals is being modified. The rites are no longer 'tedious and time-consuming' as one informant stated, they are simplified. The message underlying the performance of rituals embraces three distinct social dimensions - norm setting, status affirming and cooperation ensuring. All the rituals entail prescribed preferred and proscribed patterns of behaviour for the people who are involved in the activity. The ritual events promote family solidarity, and this is manifested in the value of amity between father and sons and among brothers. Family members engaged in business are then united to face any crisis that may affect the family business.

Despite external secular forces impinging on the traditional customs and beliefs of the Hindus, the basic rites and beliefs are still practised and held regularly by both *Sanathan* and *Arya Samaj* sects. Proof of the religious beliefs of the Hindus and Muslims, is seen in their invocation rites and prayers for the success of their business. No Christians were noted in the study, as there are not many in business.

The success of the Muslim in business, is not only attributed to capital which they brought and therefore had a head start, but that Muslims are united in their belief in Islam, which they say they carry out uniformly and regularly. On the whole, orthodox Muslim businessmen and priests gave me a picture of an ideal Muslim community living strictly according to the precepts laid down in Islam. The intellectual and westernized Muslim stated that Muslims are acquiring

western values and are abandoning tradition and religious taboos, but that these perhaps might be in the minority. Even the rule of not charging interest on money borrowed (sanctioned by religion) is now 'an anachronism' according to a leading Durban attorney. Therefore, there are two elements in the Hindu and Muslim communities of continuity of tradition and change. There was variation in the adherence to these two elements among both groups. On the whole more Hindus succumbed to change than Muslims.

CHAPTER 8

CONCLUSION

This thesis has tried to show that the joint family represents a viable, small to medium scale economic adaptation to a complex social system, where there is much prejudice and racial discrimination. The joint family has survived over one hundred and twenty years in South Africa since the arrival of the first Indian ancestors as 'indentured' and 'passenger' Indians. There are many joint family firms in Durban which have not only survived in a mixed economy, (where the strong businesses might be inclined to drive out the weak) but have also expanded their interests and established obvious credit-worthiness comparable to that of any other sort of business organization. Despite the inequalities in the economic sphere in South Africa, the joint family parsimoniously generates capital for the development of the family firm.

The evidence in the thesis should be looked at in the light of the whole community, both business and social. Each business head's network extends beyond that of the business into the wider community. Although there are kinship and caste bonds and cleavages brought about by occupation and residence, these are categories of identity in the community. The business community performs important cultural and political functions in Durban. The study recorded a number of Indian businessmen occupying high political office. (See Appendix 0).

The study deals with an economic elite and their success as part of the Indian community as a whole. The study deals with a small number not characteristic of the total Indian community. A survey of the workforce by economic sector of the Indian community in Durban, carried out by the Institute of Social and Economic Research at the University of Durban-Westville, found that 31% of the sample (1753) were commerce orientated and 43% in manufacturing. (See Table 1.3).

The vast majority of Indians are employees and not employers running family firms. The joint family business can only be the norm if it does not employ a substantial number of Indians, who, if employed outside, clearly cannot be in their own family business.

The family business should also be looked at against the background of moral values. The joint family is a cultural institution, the members of which are morally committed to a hierarchical and authoritarian structure in which respect for seniority is deep rooted.

Economists such as Bauer and Yamey (1957: 64, 67) and Lewis (1955: 113-120) assert that the growth of income has a disintegrating effect on the extended family, and that the extended family by acting on incentives has a retarding effect on the rate of economic growth. Lewis (1955: 114) contend that the extended family system is a 'drag on effort' in societies where economic growth is occurring. He argues that growth depends on initiative, which is likely to be stifled if the individual who makes the effort, is required to share the reward with others whose claims he does not recognise. Distant relations may besiege him for support and this Lewis feels is a deterrent to making superior effort as it provides everyone with automatic insurance against want, thereby diminishing

ability, thrift and enterprise. Lewis's argument appears to imply that a perfect market for labour and a situation of perfect competition for all factors of production and all goods and services is the best form of economic organization. Therefore any institution which infringes upon the perfect competition ideal, inhibits growth. This theory is logical but what it ignores is that a free market is not necessarily a perfect market, and entrepreneurs in many areas have no access to a capital market in order to raise their needs to start or expand business. A *karta* does recognise the claims of his brothers and sons and the bounds of the obligatory sharing are (a) defined and narrow and (b) wholly consistent (in the patriarchal phase anyway) with the morally acceptable claims.

Parsons (1951: 182, 191) as quoted by Raymond Owens (1970), suggests that with increasing economic rationality come changes in the social system, including an increasing percentage of nuclear families. Studies of the family in the pre-industrial West and recent international surveys of the family in relation to industrialization, also seem to suggest, either that nuclear families are an important pre-condition to industrialization (Fursterburg 1960: 337) or that they develop rapidly as industrialization occurs (Goode 1963: 239).

My argument from the evidence in the Indian community is that by employing one's son, one not only gets more for the business, but can also plough back the profits into the business. As a small scale capital accumulator the joint and extended family may be efficient (it has the Weberian element of trust) although it might not be a perfect or ideal model as an economic institution. The joint family is a utilitarian institution; its corporate character makes it viable. All the members cooperate to work for the common good of the family. The strength lies in the belief in cultural and religious values and the sentiments shared for the continuation of these values. These values promote joint family solidarity. When a son, for instance, who puts in more effort which others benefit from, might want to leave and start his own business, he does not do so, because of his moral obligation to the family which works on the principle 'all for one and one for all'. The sons also have a moral duty towards their parents. The authority of the father is respected and obeyed, as he was described by one of the informants, 'father is like my god'. The same morality is in some cases extended among brothers. Traditionally, the eldest son who was supposed to inherit the patrimony cared for the younger brothers. The memory of the deceased father and respect for him can be seen as an ideological and moral exhortation for the son to care for his mother and brothers. In return they respect him and this mutual obligation based on sentiment for one another holds the joint family together. It is the women who are viewed as the fissile elements in the family, but their role is viewed ambiguously. There is a clash of ideals between generations, the individualistic self realization ideal and the traditional one of submission.

Education and employment are viewed as tools which will lead to greater independence and more equality for women. At the same time the new freedom and independence is still combined with traditional values which are not abandoned completely. Priority is given to the conjugal rather than the filial relationship but the bonds with kin are not weakened. The women desire that their husbands should give all their attention to them and their children. This gives rise to tension in the relationships in the family and a tendency for the setting up of nuclear households. Chapter 6 is devoted to the part played by women in business and more will be said about this topic later in the conclusion.

In contrast to the standpoint of Bauer and Yamey and Lewis, there are others such as Robert Kerton (1970), Wayne Nafziger (1969), Burton Benedict (1968) and Raymond Owens (1970), who challenge the assertion that family firms are detrimental to economic development. Khalaf and Shawyri (1966) in their study of family firms in Lebanon contend that family firms have reinforcing, rather than retarding effects on industrial development.

In Durban where there are strong family businesses, joint families are thriving, and although sons have established separate nuclear households they nevertheless are still coparceners in the business. Nuclear families do develop with industrialization but material and moral interests may retard the process. The nuclear families in Durban are only spatially separate, and still continue to function as family firms, despite the strains under which the joint family business suffers in the modernising situation with the

individuation of values, personal autonomy, large scale production and extensive division of labour. Even where the *Karta* is not an entrepreneur, some families still remain coresidential, commensal and coparcenary.

There is a range of business arrangements from the classical coparcenary (ideally coresidential) joint family under the patriarch or senior brother, to a joint stock company in which all the shareholders are members of a small patrilineage. Most of the shareholders who work in the business and manage it, draw fixed salaries which they spend as they like. This range indicates the change away from the traditional patriarchal joint family model (of necessity coresidential), towards the joint stock family owned private company (with separate nuclear households). The more successful businesses tend to be of the latter rather than the former type.

It is an advantage to a business in terms of company law and income tax to form a company, but in terms of auditing regulations, it is a disadvantage. Sole proprietors and partnerships are not obliged to have their accounting records and financial statements audited. In terms of the Company's Act only companies are required to have their books audited.

The joint family, clearly bounded has been the basis for Indian economic development in South Africa, and has evolved towards a more western style of family owned business (like Ford and other major companies) which have the flexibility and sophistication to operate on a large scale without sacrificing family control.

One of the difficulties which has faced Indians for decades and which was one of the causes of the breakdown of the joint family in South Africa, is the Group Areas Act, (which was discussed in chapter 2) which, not only spatially segregated the different racial groups in South Africa, but also affected the trading of Indians in the so-called Indian area. Several families in the Durban study whose homes were expropriated had to set up in some cases, nuclear households, while in other cases where the families were wealthy and large plots were available, joint family living was reconstituted.

On the whole, the Group Areas proclamation had the following impact on the Indian central business district:

- (i) It prevented the growth of the business community into the greater part of the central business district.
- (ii) It increased pressure on accommodation in Grey Street as outsiders who were disqualified sought premises in the only remaining bit of the central business district available to them.
- (iii) It removed nearby residential accommodation from those who lived in, e.g., Berea, but whose businesses were in Grey Street. This is the group who, when forced to move to the Indian suburbs had to choose between co-residential arrangements (generally on very small plots)

or separate houses for each nuclear family. The poorer people (none in the study) who needed state housing would have been forced into nuclear family units of course. Significantly, the impact of the Group Areas Act varied from family to family quite considerably, depending largely on how their resources were distributed at the time of the implementation of the Act. Indeed all suffered the lack of adequate compensation, few, however, were affected negligibly. (See chapter 1). Those who were forced to develop new homes in the suburbs, and to compete for property or premises in Grey Street clearly suffered financially a great deal. (See Appendix I, J, M and N).

Therefore, the Durban situation and its unique background is crucially different from the circumstances which prevail in other areas where family firms have been studied. In areas such as Phoenix, Chatsworth and Merebank (suburbs of Durban) where Indians live in houses subsidised by the state, there are more nuclear households than joint. When Indians were moved from 'Tintown' (shack dwellings) to Phoenix due to a flood a decade ago, each married couple was allocated a household.

The authors on family firms do not discuss the developmental cycle through which the business and the household goes. These phases have been discussed in chapter 4. The first phase in the business consists of a man, his wife and his unmarried children. In this phase the man works almost self-sufficiently with the assistance of his wife. In the next phase of the business the sons begin to be active, irrespective of whether they are married or unmarried.

The next phase in the business sees the death of the father or the father withdraws into the background. Then there is the phase after the death of the father when he dies suddenly or while young. The widow and sons run the business.

The fourth phase is the fraternal phase where a group of brothers with their sons run the business. In the final phase the brothers divide the business between them and establish themselves independently.

Similarly the domestic group goes through a developmental cycle (Fortes in Goody, 1958). This theory can be applied to the joint family which goes through a period of growth and expansion, then a period of fission and perhaps replacement. In this light one can look at every dispersed elementary family as once a part of the joint family (in its longish phase of the cycle) and a potential joint family, given time, with the marriage of sons.

The study in Durban showed that though the families were in different phases of the business and household, the sons nevertheless functioned together with their father in the business as a family unit.

The son who remained a coparcener, who lived separately received a salary which was higher than that he received while living in the joint family. He could not then plough back part

of his salary in the family business as he had to meet subsistence and other demands. The son who remained coresident and commensal seemed to make a greater contribution towards the patrimony both financially and morally in the smaller firms, but not in the very large firms with surplus capital, large holdings with branches and a large trained personnel. In this case organization is on a much larger scale with an equitable distribution of responsibilities. (See chapter 4 for reasons which necessitated the setting up of a separate household).

My study of the developmental cycle of the Hindu joint family in Durban showed (Jithoo: 1978) that with higher education and no family business, there is a tendency for married sons to set up nuclear households. Higher education is a factor that causes fission of the joint family, as sons who are doctors, lawyers and teachers tend to move away from the joint household.

Therefore, an analysis of the composition of households based on cross sectional data, in terms of 'joint' or 'nuclear' households may present an incomplete picture of the households, because a household which is 'lineally extended' may become at a later point in time 'collaterally extended' and still at a later point in time, the collaterally extended household may give rise to several 'nuclear households'. As I pointed out in chapter 4 this analysis can be looked upon as phases or stages which are portrayed appropriately in the Hindu view of life.

In a joint family, there is agreement as to who is the *Karta* or the head of the group and certain role relationships are expected among coparceners (See chapter 5). The controlling authority of the Indian joint family, whether commensal or coparcenary, resides in the family head upon whose wisdom the success and harmony of the family depends. There are strong incentives for sons to live together in the joint household under the authority of the father. Sons anticipate inheriting the business after the death of the father, since they are coparceners, therefore it is in their interest to live together. As a rule a married son remains in a lineally joint family in order to inherit the patrimony. In the Durban situation although the lineal joint family appears stable there is often underlying tension which, for the sake of avoiding conflagration, has to be repressed.

Although the head of the business (*Karta*) has to have exceptional skill, tact and tolerance to keep sons and their families happy, he also has to display a certain amount of firmness so that sons respect and in a sense also fear him. It was found in Durban that family businesses and joint families survived where the *Karta* had exceptional skill. But this is only one factor, other factors mentioned earlier are militating against the survival of joint living. Other studies made by Owens (1970), Singer (1968), in his Madras study, Cohen (1974) in his study of Indian business in India, Benedict (1968), in his work on family business in East Africa and Mortan (1968), in his history of the Rothschild family, have all stressed the importance of a skilled entrepreneur. A family business can succeed if the head is not only a skilled entrepreneur but can also deal with human relations, such as resolving disputes between family members. The father is the stabilizing factor in a lineal joint family. In a number of cases conflicts were suppressed by the presence of the father.

The success of the family firms is evidence of the *Karta's* acceptance of changing attitudes more readily than that of his father. Fathers feel a need to keep the sons in business even if it is not possible to keep them coresidentially and commensally joint, and do not want to be faced with the prospect of losing their sons. One father stated, "What good will the business be to me without my sons?"

While the process of fission in the developmental cycle is ultimately inevitable, the rate at which it occurs, depends heavily on the importance of having a united business front (to retain wealth), and on the skills of the *karta* (father or brother), to adapt himself to changing circumstances in family and society, without surrendering his authority

The family form might creak due to several factors such as family conflict, western values of individualization and education, but it might not lead to a total break-up. The fraternal stage is the stage closest to segmentation and it ends when the brothers sons marry. The cycle accelerates and operates on a slightly smaller scale, but the joint family as a corporate group remains intact. Westernization accelerates the business cycle, while the process of modernization accelerates the dispensation of some of the sons, it still, however, retains the coresidential and coparcenary unit. The joint family business remains the overwhelmingly dominant route to wealth and elite status in the Indian community, i.e., those people who own their own business and are self-employed. Although the family form creaks because of the changes in the cultural values of the high level of education in the community, as an economic structure the family firm remains the most viable form.

Crises in the family firm have to be met as they are part of the developmental cycle. Benedict (1968: 18) and (1979: 310) states that the family firms face two major crises in the course of their development. The first arises when the sons reach maturity and want to have more influence in the management of the firm. The second makes its appearance when the firm has grown to such an extent, that outsiders must be incorporated. Benedict states that if these two crises are not met, then the firm will be unlikely to expand and may even dissolve. The Durban family firms resolve the problems in a different way. In the first place, when sons reach maturity, they are automatically given more duties and responsibilities by virtue of their experience, over the years under their father, and as their father recedes into the background, and semi-retires it is expected that the sons virtually run the business. Passing of authority from father to son is part of the cycle. In the many businesses where this happened the business ran smoothly, the change was not sudden but gradual and imperceptible. Crises seem to arise when father dies and the sons each want substantial power in running the business, and conflicts arise when one brother wants a bigger slice of the patrimony than the others. As for the second statement, that when the firm has grown to such an extent that outsiders have to be incorporated in the large family firms, outsiders are always a common feature in the family firm in Durban. In the small family firm a very small number of outsiders is employed. Outsiders are employed as salesmen, messengers and part-time bookkeepers. They are not regarded as a threat to the firm's family members, because they are not given shares or executive positions. If they were, their decision-making power could become a problem.

There are lineal changes taking place in the business. The father who controls the business feels that his son should work for him as a duty. When the father was young, his father felt that he should work hard. A man in authority sees things differently when he is in power, although he might be in favour of democracy when he is not in authority. There is also a conflict of generation based on power. The man who has power administers it according to his traditional authority. When his son is in power he will also forget his moral commitments and administer power as he wishes. Sons become fathers without realising fully the expectation it entails, since their values are different from those of their parents. One set of values emphasises the autonomy of the individual (son), and the second set emphasizes the corporate responsibility of the family members who hold traditional values (fathers).

Frederick Barth's (1966) concept of transaction which is based on reciprocity and the ideas of prestation and counterprestation, can be used as a tool to analyse the Durban situation in role relationships. Applied to the Durban situation, the son provides material return in work and enterprise in exchange for the trust and authority surrendered by his father, as well as loyalty for the promise of patrimony. As the son matures he is given more duties and responsibilities therefore the father makes more prestations of trust. This takes place in both the business and domestic sphere as the two are interrelated. The reaction in one sphere, affects the other. The father's attitude and relationship towards his son in the business is carried over to the domestic sphere although the scenes are different.

An outstanding characteristic of successful family firms is the amount they invest in the education of their family members. This can be regarded as prestatation. There is a strong moral obligation on the part of the son to return to the family firm, with his increased business knowledge and expertise. Many sons receive their business training and attend seminars in technical colleges in Durban. Some sons are sent by their fathers to negotiate for overseas products, and study design and techniques which they incorporate in their business. Furthermore they do this in a part-time capacity while still managing the family business. It is essential for fathers to encourage their sons to improve their knowledge of business management if the family firm is to be successful. In the first generation the fathers had no formal education in the running of the business but there have been changes in the organization of businesses in the present generation.

Education (not professions that operate independently of the business) of sons can be seen as a major factor in the success of the firms. However, education can present a problem which is related to the generational conflict. Sons with diplomas in business management now have a greater commitment (because of the changing socio-economic milieu), than father had when he was at that age. The sons, unlike father, place more emphasis on material possessions and holidays overseas. Sons can also use better methods to get more out of the business.

As much as one can give father credit for the accumulation of experience over the years without formal education, one has to agree with the argument of the son, that, in order for the business to progress, it is necessary to know the new techniques in business management (acquired by education). It is also important for the progress of the business, to have the ability to risk establishing new branches and investing in new enterprises for capital and profit to grow. Where businesses were large and the fathers enterprising, and the sons given adequate education in management and control, the business flourished. Where businesses were small and the head had a traditional outlook and was averse to risk-taking, the business remained small, despite the business acumen of the educated sons.

The same trust and confidence that a father has for his sons in the business, is not extended to the kin and outsiders that he employs in the family business. As one father put it, 'one cannot have the same confidence in one's relative or an outsider as one has for one's son who is one's flesh and blood.' Not all firms have the advantage of having kinsmen (apart from sons) in business, therefore outsiders are recruited. Opinions vary, however, on the use of kinship links.

In the wider extended family, often poor relatives impose on the wealthier distant kin and feel that they have the right to assistance and that the latter has an obligation to assist. This obligation does not extend beyond the joint family to any great extent.

But the family firm may be compelled to employ outsiders as trained personnel, as in one family firm accountants and engineers were recruited from outside. The need for expertise and specialization of roles increases as the firm grows. The family cannot provide enough experts, such as engineers, electricians, etc. As the firm becomes more successful, some family members might want to go into other careers or professions, not only because the firm might have adequate family members but because the firm might not be able to fulfil the rising expectations of educated sons. The outsiders first incorporated are the labourers, then the salesmen, clerks, bookkeepers and accountants. Conflicts occur between brothers, for example when the original joint family breaks up, a new set of values, and different transactional patterns emerge. For these reasons it might be advantageous to have outsiders. Additional employment and training can generate new enterprises.

As the firm develops strictly business considerations tend to take precedence over family obligations. Many business heads stated that "your own son will work long hours, working overtime without demanding extra remuneration, which an outsider will not do." Chapter 6 showed the Muslim businesses incorporating their kinsmen more than the Hindu as they are more family (and business) orientated. Kin are inclined to seek out those business relatives who can employ them as they anticipate that preference will be given to them against outsiders. This reflects the close knit nature of the Muslim family,

the tendency to assist the wider kin group and the Muslim community. This promotes the feeling of unity, brotherhood and solidarity so conspicuous among Muslims. It is noteworthy that although the Muslims are a minority in Durban they have nevertheless, business acumen and a strong sense of tradition and unity. Among the Hindus the unity lies first within the members of the family and then the wider kin group. In Durban, some of the business owners were in favour of employing their relatives, while others were not,

Although the studies mentioned earlier focused their attention on the use of kinsmen and outsiders in the business, they do not discuss the role of women in the family business. The study in Durban has shown that women do play a part in the family business, although their role cannot be compared to that of their male counterparts. Nevertheless women have proved themselves very useful, particularly wives and daughters-in-law who relieve their husbands during busy periods over weekends, school holidays and on festive occasions.

The firm gains with the part-time employment of the wives and daughters-in-law because the latter do not receive any fixed remuneration for their work.

Where there are sons, I was told it is not necessary to ask for the assistance of the women. Several heads of business stressed that women ought to stay at home and care for their children. This is the role they are meant for. But the fact that the women are available at any time they are called, is an advantage to the family firm. The reason for not employing daughters is because daughters marry sooner or later, and the complication of having sons-in-law in the business has to be avoided. They are treated like junior sons who can be called on to assist, but who are not qualified to be given status and permanency in the business. If they are educated, in the majority of cases it is not in the fields of business.

The changing status and role of the Indian women in the family and business in Durban has to be viewed against the traditional cultural background which dictated that her primary task in life was to bear children, be a dutiful wife and devoted mother. The study shows that there no longer exists a rigid division of labour, with women staying at home and men being the bread winners. From the limited sphere of their domestic world of subservience, acquiescence and passivity, Indian women now engage in a wide variety of economic activities, they have evolved from labourers on the sugar fields, to market gardeners, to technical and professional pursuits.

The study in Durban reflects the emancipation of Indian women, from seclusion and discrimination, in a male dominated society, to competition in an "open" labour market. In February 1982, 73 female students were registered in the faculty of commerce and administration at the University of Durban-Westville.

Although women are said to play an important part in the segmentation of the joint family into nuclear households, they have not abandoned their cultural traditions and values totally. Those in the study who lived in the joint households followed the traditional values more than those living in nuclear households. Indian women are looked upon as the torch bearers of culture. They take the lead in religious activities in the home and the perpetuation of religious and moral values. They symbolise the family's wealth through their jewellery and produce the ultimate wealth for the family (children). Women are what men work for.

The Muslim woman has a higher status and is more independent in relation to her Hindu counterpart, in the home. Whatever she brings as her inheritance cannot (ideally) be appropriated by her husband. She can use her inheritance at will, and it behoves her as much as her brothers to care for the parents when they are in need. The Hindus expect the sons to take care of the parents.

The joint families in the study were intolerant to marriages into (a) a different caste, (b) a different ethnic group, (c) across cultures. These situations created dissension in the family which in turn affected the smooth running of the business as the two spheres are interrelated, the activities in the one sphere affecting the other.

Chapter 6 showed the advantages of patrilateral cross cousin marriage which keeps the business in the family and promotes family solidarity. Exogamous marriages extend business contacts. Parallel cousin marriage promotes solidarity in the family only, as there is no business alliance since the brothers are already in the business.

Although some Indian women are occupying high managerial positions in family firms, it is unlikely that they can easily obtain high positions in firms, not owned by their family. The ability of the women might be recognised but there is the dilemma on the part of Indian men to give women high positions where they are in control of men. They are usually supervisors over women workers. There is the fear, as stated by several business heads, that their clients might not wish to deal with a woman. Therefore she is not really able to compete with men because her ability to gain power and prestige is curtailed. Indian men resent working under women and thereby occupying subordinate positions. Subordination of women is a deeply held Indian male belief. Although working married women lose out on the payment of income tax, and in their legal status in relation to their husband, the new Matrimonial Affairs Property Bill will give married women more power when it becomes law. (See Appendix **P**).

Spinster daughters appear to have a better chance of succeeding in carving a career in the business world. If a woman has a particular qualification for example, in law or in hairdressing, physiotherapy or dressmaking then she can be employed in her professional capacity or start an independent business. However, women in family firms

are a minority factor. If they acquire the necessary skills, they can make a vital contribution towards family firms. If women are given equal opportunities, then a lack of sons in the family need not cripple the firm, as the suitably qualified woman can prove competent.

Apart from the assertion that the joint family is an impediment to economic development and to entrepreneurship activity, and the pros and cons in the use of kin and outsiders in the family business, the relationship between father and son and the role of women in the family business, there are other assertions that have been made about family firms. Khalaf and Shawyri (1966) use ten Lebanese case studies as examples. These assertions will be discussed briefly and compared to the Durban situation with the assumption that the type of extended family referred to in Lebanon is similar in some respects to the joint family in Durban.

Khalaf and Shawyri (1966) state that family loyalty is deeply rooted in Lebanese society, the individual is subordinated to the interests of the family. The feeling in Lebanon is that the firm is a source of prestige and ownership creates a sense of responsibility, kinship loyalty and is a source of income. In Durban, it is advantageous to have your own sons in business as they work long hours for less payment. The common sentiment is the unifying factor in the business and this provides solidarity in the business. In a business community where most people know each other, the business is, in a sense, the public face of the family and by its success and appearance the members of the family will be judged, even if they no longer work

in it. This constrains the members of the family to ensure that the firm prospers and looks united. A hireling does not have the same investment in 'face'. The private face of the business is the family where the members are obliged to work hard in the business in order to save face. Individual members must contribute towards the welfare of the family of which the business is an integral part.

Among the most frequent assertions about family firms is that of nepotism. Concern for family over outsiders is a positive value. The extended family's control of an enterprise enables less competent members of the family to hold managerial positions for which their training and ability would not otherwise qualify them. Family loyalty and obligations take precedence over other loyalties and obligations, with the result that kinship ties rather than competence and training constitute the principal avenue to key managerial position. The commitment and interest of the employee who is a family member is adequate compensation for his lack of some sorts of expertise.

The second assertion against family firms is centralization of authority. The patrimonial manager is looked upon as an autocrat, he jealously guards the decision-making authority and he thinks of it in terms of personal power. This point was discussed earlier in relation to the Durban study. Like Lebanon, Durban's patrimonial manager's authority is not based upon a kind of natural law or calling in the Weberian sense of the term. It is accepted by the sons that the father has rightful claims to authority as it is he who has built up the capital, or at least, maintained it.

Another assertion about family firms is that of paternalism. The head of the business is regarded as an individual pater, who gives his employees welfare services and benefits. This kind of relationship characterising employer and employee is patterned after the master-serf mentality. This type of subordination it is said brings about fear and timidity. Although paternalism can be said to prevail to some extent in Lebanon because the family firms are not highly industrialised, it is not prevalent to the same extent in Durban because the father-son relationship is not looked upon as a master-serf one, but one of parent and child. The son gains the patrimony eventually when father dies but the serf does not. If the father is to be looked upon as paternalistic it is in a positive way with his son's future in mind.

The fourth assertion about family firms is that of a predisposition towards preserving the familiar and resisting the new. The patrimonial manager is looked upon as the prototype of the ritualist, the type who has almost a compulsive aversion to innovation and change. In short he is a caretaker rather than a risk-taker. The patrimonial manager has an overwhelming concern with security, constantly playing it safe and is haunted by the risk of "sticking his neck out."

Many Durban family firm heads can be described as conservative. Often the sons complained that their father feared sticking his neck out, and preferred the present state of security rather than expanding and also disliked, or rather did not welcome innovation and change. An extension of the business, a branch established,

or new articles bought, or new investments made, are all areas which the head of the business will tread with great caution. In fact it is often the sons who initiate change and the father who advises against it. While many business heads in Durban resist innovation and conform to the habitual and familiar, others are enthusiastic, dynamic and venturesome, and they try to introduce new techniques in the manufacturing industry. One can attribute the reluctance on the part of the older heads to readily branch off into large and risky enterprises, to age, culture and personality. The father who has worked hard to build up a certain capital, will be cautious to risk borrowing a large amount of money in order to expand, for fear of losing his initial investment. In the early days fathers were satisfied with their lots, made the most of what they had and feared expanding in case they lost everything. Father's satisfaction was in keeping with the particular socio-economic standard of his generation. Sons today expect and want a higher income than their parents had, hence they must work more efficiently and on a larger scale to get it.

With all the negative assertions made about family firms, what then, are its strengths? One of the strengths of the joint household for the family business is the availability of otherwise unobtainable financial (liquid cash) and management resources, which are often obtained through tremendous family sacrifices. Many informants related how they sacrificed holidays and other luxuries in the business. The father can rely on his son's dedication and loyalty as the sons can work for longer hours with low salaries. One of the sons in a family business stated, "we believe that unity is strength."

The father can even rely on his own son for financial support. In one family business the eldest son who was virtually the manager of the business, as father had not relinquished all his rights (managerial and authoritative), stated that all the profits as well as much of his monthly salary went back into the business as he only drew a sufficient amount to buy food and clothes for his family. This is the key characteristic of the coparcenary business - that each is given according to his needs and the rest remains in the business, the needs being evaluated largely by the patriarch.

The convergence of expectations, training and family pressure ties the family member to the enterprise. If the family firm is a well-known one, and the son decides to break away and look for other employment, people view him with suspicion for having left his family firm, or are sympathetic and employ him. But people in society will know that there is dissension in the family, as father and son do not get on, and the latter would want to avoid losing family name and the reputation in which he has pride. However, there were cases in the study, of sons leaving the family business due to dissension, and also father leaving the business in an earlier generation because father and sons could not get on. But the latter case (of father leaving) is rare.

Another advantage is that of secrecy and this is important for dealing with outside competition. Sons have a deep sense of loyalty and keep business secrets. Family members as partners in a business, and more particularly in a large family business where organization and management is done on a large scale, can provide continuity and

a sense of corporate purpose. This was seen in several large family firms where brothers and father and sons were directors and shareholders.

These are some of the strength of the joint household in a family business, but there are weaknesses too. If through a lack of discipline funds are misappropriated by both members and kinsmen, this can lead to a decline in profits and generally in the business. A lot depends on how scrupulously the *Karta* exercises control over resources of the firm.

The small businessman's attitude towards the development of his business differs from that of the big businessman. When he has financial problems, often he does not seek the aid of accountants, attorneys and business consultants. He tries to be self-sufficient since the consultants' fees are high. Furthermore he may not need the professional skills as much as the large businesses.

The big family firm as opposed to the small family firm is more formally organized, with a big staff, trained personnel, trained sons and more finance. The small businessman does not really lack the basic principles of management, but he is more self-sufficient, as he does not have a big staff, or trained personnel, and does not negotiate loans as much as the big businesses. In planning, organizing, staffing, directing, and coordinating he is more self-sufficient.

In the single property business, paternal control might appear tighter and relationships more intense because of the size and number of staff in business. In the larger business paternal control is no less tight but the sons are given more autonomy to run the different branches which would be impossible for the father to run by himself. Communication is nevertheless maintained regularly, through meetings which are sometimes held in the home. Where sons or brothers live near each other, such proximity is an advantage.

If in the early days the Indian businessman had to have a good general knowledge of all areas of activity of the business, and the interrelationships that existed, because there were no specialists, this is not generally the position today. He can rely on his son's knowledge and trained personnel from the outside.

The development of the small and big businesses needs to be looked at, not only from the point of view of the availability of capital, but from the different values held by the old entrepreneurs and the young managers. The old entrepreneurs with a traditional outlook would hesitate to risk the establishment of a new branch. There was a sense of satisfaction expressed by the small businessman with his rate of progress. Several family firms gave the impression that they knew that they could never compete with or become big family firms. The single unit business run by father and sons is closely linked with the common home, producing enough to keep everybody in reasonable comfort, although it may never provide large income luxuries. The small single unit business head is

satisfied with his lot, and does not want to risk getting loans which he might not live to pay off, and does not want to burden his sons. His is the background of struggle for every cent, "weeding by moonlight" and gathering stones to build a house with the use of family labour. A sharp contrast to father's attitude are the values of his sons who measure success in life, their sense of fulfilment in financial terms, and largely in material growth. The son is ambitious and competes with his friend whose father has expanded, and perhaps has a large house, a better car and more investments. The close association between household and business, the exclusiveness of the joint bounded family suggests that non material values are deeply rooted in the whole institution. These non-material values are based on the Hindu religious concepts of *Karma* (you reap what you sow) and *dharma* (living according to Hindu religious precepts of virtue, charity, honesty, etc.). That an individual should live an austere life and not be surrounded by luxury and give generously to charity (*zakaat*) are values embodied in Islam and Hinduism.

Individual personality, experiences and acquired skills, together with luck and opportunity, seem to lie at the root of the variation in business size. The experiences of each generation have differed and herein lies the root of one of the inter-generational conflicts that of how much income should be generated by the firm to meet the needs of the group which lives off the firm.

Apart from the above problems confronting the Indian businessman, which can be looked upon as problems in the work establishment, and

can be surmountable, there are those imposed by government legislation which have a definite effect on not only the development of Indian businesses but the whole Indian community.

In some cases the losses outweighed the long term gain in an alternative establishment, while in others a new business set up in a new area proved to be a challenge. But the removal of 25 000 Indians resident in the inner city of Durban has dislocated the functional relationship between the Indian central business district and the natural market. The temples, mosques and schools and community halls are all part of the cultural character of the resident and business population of the central business district. However, the removal of the residential population in the central business district can be looked at in two ways. On the one hand, there are many business heads who prefer to live in close proximity to the business since transport and maintenance costs will become a problem with the growing residential population, but on the other hand, successful traders will prefer to live in more opulent style with all the modern amenities in the suburbs. A number of traders moved to the suburbs for this reason.

The Indian businesses flourished from the beginning because the Indians were prepared to work for long hours, providing a service for the community which few white businesses were prepared to do. Because they succeeded, or merely survived, they were seen as a threat by those who expected to work shorter hours for a better return.

Some Indian businesses have progressed from small businesses to large, to private and now to public companies. The majority of companies are formed on a private level, public companies are negligible in number. However, if a family business has sufficient capital and expertise it can evolve into a public company, if the owner has the required competence.

There are a number of reasons why Indian businessmen have a preference for retailing. To start a retailing business requires comparatively little capital. The Indians did not originally have access to loans, as stated earlier, from banks and other sources, but because goods were, to a certain extent, obtainable on terms, therefore only a small capital was required. Loans were made from relatives and close friends. This meant that Indians had to travel to all corners of South Africa whenever opportunity presented itself to start their business. A number of case histories have shown that in the early days, prospects were sought in areas like Northern Natal, Pietermaritzburg and some even went as far as Johannesburg, but eventually returned to settle in Durban and its suburbs. Today a number of successful Indian businessmen are in the Transvaal in particular, and also other parts of South Africa, but the bulk of the retailing population is resident in Natal and in particular Durban.

Indian business and political leaders believe that the big family firms and branches and factories manufacturing their own products are here to stay and even develop further. These big family firms not only employ their own sons and relatives but also outsiders,

and other trained personnel and specialists, such as engineers, accountants and other artisans required in their business. These family firms are investing their profits into their business in order to expand.

What has hindered the expansion of small family firms? The small family firms, street corner family retailers, are unlikely to develop. White discount, hypermarkets, large supermarkets and chain stores are competing with each other with low prices and have affected the small family business. People now prefer to buy their goods from discount houses at lower prices. The small family firms cannot use trained personnel, because they cannot afford to pay high fees to specialists. Therefore they cannot really expand beyond a certain limit. A lot of the small and big family firms have been dependent on Indian and African clientele, but these clients are now shopping in their own areas and at white discount shops. Many Indians from the higher income group prefer to shop at white retailers in the white trading area and corner tea rooms are affected, because people buy at the supermarkets once a week, instead of from the nearest shop on a daily basis, thus cutting down the turnover of the small family business. Indian women in particular prefer to buy their clothes and cosmetics from white retailers because the white shops have sophisticated change-room facilities which the Indian shops do not all have. Besides, Indian women prefer to be served by women buying certain articles of clothing, and not by men. However, Indian women sales assistants are now being employed.

Evidently there is variability in the degree of jointness of the families. Families which have their own factories manufacturing their own products, are coparcenary but not coresident or commensal. Others are coresident and coparcenary but not commensal. These family firms proved to be successful. The coresident and commensal households appear to be fraught with conflict, or potential conflicting situations.

In conclusion, although the study focuses on Indian family firms in the Durban central business district, the information discussed also covered many other firms which did not fall in the study. Hence the conclusion must be looked at against the background of the whole Indian community. The small businesses studied are chiefly the street corner type, single shops run by father and one or two sons. The large businesses are those which have established branches, have factories which manufacture their products and also have a large proportion of kin employed. Joint families play a vital part as utilitarian institutions for the accumulation of capital, and family firms contribute towards the perpetuation of the traditional joint family unit, until at least, the death of the patriarch. In addition, interviews with business leaders and information from previous research provided background material. I questioned the assertion that joint families are an impediment to business development. I also attempted to show that joint families are still prevalent, and that where there is a strong economic link provided by a flourishing family business, that these factors perpetuate the existence of joint families. Family firms and joint households are interrelated, what happens in the

one sphere is likely to affect the other. There are family firms in other areas in South Africa where Indians are settled. Though they do not operate in the central business district they are nevertheless exposed to the same legal restrictions.

The existence of family firms depends on the role relationships of different members of the joint family, particularly that between father and son, which forms the pivot of the structure of family businesses. If the father-son relationship is not a viable one then the family firm crumbles. The father is the most important person in the family business and the household. So long as his sons respect him and accept his authority and give him the prominence, the family business is likely to endure. The contribution of women in the difficult early years, when the business was going through a trying phase (without capital), beside their husbands, giving practical and moral support, was hardly recognised. I also showed that today women do play a small role in the family business but that in the future they will probably play a more significant role. The joint family will not prevail in large numbers as modernization and other factors are militating against its survival. The type of 'joint family' of the future might be separate nuclear households, rarely under a common residence; the married sons would not form a commensal unit but a coparcenary one, until at least the death of the father. It is unlikely that brothers would continue as a coresident and commensal unit indefinitely as this study shows that conflicts are more common in a collateral joint family than a lineal joint family, because,

in the former, conflicts need not be suppressed as often as they must be in the patriarchal family since a rift is not so costly. The most stable of commensal joint arrangements is the lineal joint family.

Although the nuclear household appears to be a convenient proposition, and one which is associated with egalitarian roles, it does not lose its extra familial kin network. Kinship is important and a very resilient aspect of Indian social structure. Not long after a couple is settled in a nuclear household, they begin renewing their links, particularly on religious occasions. Religious links linger the longest, transcending segmentation and even death. The types of nuclear and joint households in the study were variations of the ideal types. It is inevitable that the joint family should change, because the roles are changing and there are periods of equilibrium and disequilibrium in both types of families.

A point should be made of the part played by religion in family firms. All Indian religions preach the doctrine of honesty, virtue, equality in treatment, to keeping contracts faithfully, and the duty of obligation, obedience and justice. If these virtues are followed then religion can play a positive part in economic growth. Religious principles exhort a sense of morality in businesses and are supposed to discourage dishonesty, injustice, discrimination and exploitation.

Both Hinduism and Islam share common virtues in honesty and justice. Religious ritual performed by the family, feasts, fasts and

festivals all help to promote cohesion and solidarity in the family, which have a positive concomitant effect on the smooth running of the business. The joint family rests on values which are symbolised by religious rites, ceremonial and prayer which play an important part in strengthening the values. The moral values (not material) and traditional beliefs of the members of the joint family impose upon them a sense of obligation to work for the ideals which the joint family stands for, and not only for the mercenary element. Muslims do not have elaborate ritual in the sense that Hindus do (i.e., the offering of fruit and flowers, etc.). However, a number of families perform *Mahlood* and *Katam* which can be looked upon as similar to those of the Hindus. A distinction has to be drawn between the impressions gained from interviews with Muslim intellectuals and orthodox Muslim businessmen and priests. The former appeared to be more tolerant of change brought about by westernization, the latter rigidly held orthodox views. The orthodox group perceived an ideal Muslim community conforming to the tenets of Islam, how society should be rather than accepting the real situation in a changing society. An attitude of idealism versus realism was perceived in the Muslim community. Several Muslim women stated that they were being harrassed by the Tabliques (orthodox group) who were visiting Muslim homes in order to emphasize traditional values.

Religious differences can be seen as differences which affect the changes in the Indian community. A Muslim sees a Hindu performing a rite on the opening of a business as idol worship, and akin to cheating and trying to get supernatural help. The Hindus see the Muslims as 'sectional', keeping to themselves; they have their own Medical Association and are intending to have their own family courts.

The study has tried to show that the joint family is a utilitarian institution providing a hierarchical structure which has been traditionally accepted with a pattern of authority between male agnates of which the father-son relationship forms the pivot. Women can play a vital role in the family firm if their worth and talents are recognised and developed, and the discrimination against them as 'inferior and weak' is eradicated. The family forms the matrix from which expansion and diversification can take place. Family members meet in a congenial atmosphere to make decisions by mutual consultation. The sons can be trained and utilized for a variety of industrial operations within the family firm. Thus the joint family is not an obstacle to economic development. At a certain stage in its economic development there is a tendency to larger firms and more individuality as the scale and complexity of the economy grows.

Much has been said about the strength and weaknesses of the family firms. Some have stressed the advantages while others the disadvantages. Many economists have found the joint family and the business incongruent. Admittedly there are problems and awkward situations in both spheres which lead to conflicts. There can be mistrust, exploitation and insufficient cooperation among members of the joint family and kin employed. But these problems are at times surmounted, by the strength that the traditional joint family with its values (secular and religious) generates, which enables the system to continue, despite the unfavourable conditions such as prejudice and discrimination. The Durban situation does not portray the ideal pattern of joint family and family firm but it

approximates the ideal as explained in the foregoing chapters. The joint family represents modifications of the ideal, few, if any, have all the characteristics.

If the family firm is to continue in a changing socio-economic milieu, the heads of businesses must be prepared to abandon some of their traditional values, and adopt new methods of management, which make for progress in business. A more flexible, tolerant and less critical attitude towards the values of the younger generation is also important. An autocratic head is bound to be a failure.

Despite the history of discrimination and the logic of economists, the joint family has found an economic niche in Durban, and has developed in various ways; in some cases very slowly (sole trader) and in other cases, into various types of development and into large scale business and has retained family control.

APPENDIX A

Major Legislation Affecting the Settlement, Land, and Trading Rights of Indians in South Africa

The following is a list of some of the legislation affecting Indians in South Africa. Legislation inhibited the flow of Indians from one province to another. It created a double kind of situation for them. If the Indians remained in Durban, they were a threat to the white group because of their increasing numbers and concentration, but if they tried to settle elsewhere they were even more restricted in terms of what they could do.

There were many laws promulgated which restricted trading rights, franchise, education and general welfare of the Indians in South Africa. Some acts applied to Indians all over South Africa while others were applicable to Indians residing in certain provinces.

1913 Admission of Persons to the Union Act (Immigrants Regulation

Act) No. 22: whereby an education test similar to that previously applied, and whereby inter-provincial movement of Indians was further controlled by entailing a special permit for such travel. For Indians in the Cape it provided that no "prohibited immigrant" could own or lease land. This act led to the march in the Transvaal and to widespread strikes incited by Tamil women in the Transvaal and Natal, who went from mine to mine provoking workers to strike. Over 2 000 people marched, and a commission was subsequently appointed to look into Indian grievances. (Amended Subsequently; final amendment by Act No. 59 of 1972).

1927 Immigration and Indian Relief Act, No. 37: which was passed owing to the resolutions of the Round Table Conference at Cape Town. Indians who obtained domicile permits fraudulently would not be allowed to enter South Africa, whilst those who had already done so with false or falsely procured documents were condoned. Children of South African parents, born outside South Africa, had to enter the country within three months of birth, and those who had left South Africa for three or more years lost their domicile rights. (Final Amendment by Act No. 59 of 1972).

1937 Aliens Act, No. 1: which empowered the Immigrants' Selection Board to select for citizenship only those immigrants who were likely to be readily assimilated by the Europeans; who did not intend to pursue any occupation that is already well represented (aimed at Indian traders); or who are the wife or minor children of legally domiciled residents.

- 1953 Indian Regulation Act, No. 43: (also called Immigrants' Regulation Amendment Act), which so curtailed Indian immigration that only one person - a female cancer researcher - was granted domicile rights between 1953 and 1971. Indians can enter South Africa permanently only by requesting South African citizenship as stateless people. This act's terms prohibited the entry, after February 1953, of any Asiatic female born outside the Union, who had married a South African overseas, or of their minor children, except with special permission.
- 1972 Admission of Persons to the Republic Act, No. 59: whereby a person is deemed to have lost his rights of domicile in South Africa if he leaves and fails to return within three years. Domicile is also lost by a woman whose marriage is dissolved other than by her husband's death during her absence from South Africa. Prohibited persons include those economically and culturally unsuitable to South Africa since they cannot assimilate; any person who cannot read or write a European language. It may exclude from rights of domicile (on cultural and economic unsuitability grounds), the wife of a union entered into after 10.2.56; or any children born outside South Africa from such a union; or from 10.2.56, the wife of a union entered into before 10.2.53 or any child born outside South Africa on or before 10.2.54. A wife is a woman recognised as such through any Indian religion, but only if there is no other such woman as wife of the same man resident in South Africa, or any surviving children by any woman still living, who reside or entitled to reside in any province.
- 1973 Amendment of Admission of Persons ... Act, No. 59 (1972): which relaxes restrictions on interprovincial movement of Indians so that they can visit all provinces except the Orange Free State for thirty days or less without first obtaining a permit.
- 1978 Admission of Persons to the Republic Act, No. 42: whereby the 1972 act is amended to provide for the deportation of anyone contravening the exchange control laws, and for the removal of his dependants.
- 1950 Population Registration Act, No. 30: whereby all peoples of South Africa are classified according to set criteria based on an area of origin, common culture and phenotype. The definition of 'Indian' was indefinite in this act, so it was developed in the Government Gazette, No. 265, Vol. X of 1963, in Proclamation 46. An Indian is any person who is, in fact, or is generally accepted as a member of a race or tribe whose national home is in India or Pakistan. (Final amendment by Act No. 29 of 1970).

APPENDIX B

Legislation Affecting Indian Land Tenure, Trading and Labour in Natal and Other Provinces in South Africa

The South African government's discrimination against Indian trading and land rights was aimed to segregate the Indians in areas set aside for their exclusive occupation and trading.

- 1859 Law 14 of the Colony of Natal: which provided for Indians to be introduced into Natal as indentured labourers for the sugar cane farmers, with an option to return to India after five years of service with a free passage, or to settle permanently in South Africa as free citizens, and a gift of crown land.
- 1881 Law 25 of the Colony of Natal: obliged the employers "to give grant and provide, to and for the said Indian immigrant, and for such family as may be allotted good and comfortable lodging wholesome and suitable food, and proper medical attention, during the period for which the contract is made and otherwise to observe and fulfil all the conditions of the Coolie Laws of the Colony so far as the same are applicable to this contract and agreement.
- 1895 Law 17 of Natal: attempted to encourage re-indenturing or alternatively repatriation by imposing a £3 head tax on all ex-indentured Indians and their offspring when boys were sixteen years or older, and girls twelve or older.
- 1897 Immigration Restriction Act of Natal (and amendments in 1900, 1903 and 1906): attempted to curb Indian immigration by imposing educational, age, means and health tests on prospective immigrants intending to settle in the Transvaal or the Cape.
- 1897 Dealers Licences Act (Natal), No. 18: whereby municipalities were given the power to grant trading licences. The aim of the bill, according to the Rt. Hon. Harry Escombe in Parliament, was "to prevent certain persons coming to this country to compete with the Europeans on equal terms and getting the licences to trade which are required by the Europeans" (quoted from Meer, 1969: 47).
- 1904 Notice 164 (Natal): which barred all Asians from entering the Transkei, Tembuland, Pondoland, Port St. Johns and Griqualand East without a special permit. This was passed to combat "Indian penetration" since Indians were feared as potential agitators and too successful traders.
- 1908 Proclamation No. 93 of Natal: prohibiting Indians from travelling through or visiting the Transkei or the other provinces without a special permit. This proclamation, together with the previous acts since 1905, directly resulted in Gandhi's organization of the first *satyagraha* campaign, including mass burnings of these passes, and the identity documents.

- 1922 Apprenticeship Act, No. 26: whereby Indians were excluded from entering organized skilled crafts. The 1944 amendment enabled the Minister to prescribe, at his discretion, any qualifications he considered suitable for apprentices. (Applied to all Indians in South Africa).
- 1924 Rural Dealers Ordinance of Natal: whereby rural boards were empowered to grant licences for trading, with the clear aim of reducing Indian competition.
- 1924 Durban Land Alienation Ordinance, Natal: whereby the Durban municipality could exclude Indians from the sales of corporation lands.
- 1927 Asiatics in the Northern Districts of Natal Act, No. 33 (Amended by Act No. 41, 1950): which provides for Asiatic registration in these districts, if an Asiatic is legally domiciled there. If he is not, he cannot register. No trading licenses were to be granted to Asiatics in this area without such registration. "Asiatics" refers to all Asiatic males over sixteen years old.
- 1935 Rural Dealers Licensing Ordinance, Natal: which imposed further restrictions on Indians obtaining trading licences in rural areas.
- 1937 Marketing and Unbeneficial Land Occupation Act, No. 29: which further restricted agricultural rights of Indian farmers. Since most of these farmers lived in Natal, the act was aimed at Natal Indian farmers.
- 1939 Asiatics (Transvaal) Land and Trading Act, No. 28: whereby Asiatics were prevented from occupying or hiring any premises not occupied by non-whites prior to 30.4.39, except by special permission of the minister. All licence applications, renewals and transfers were also dependent on the discretion of the minister. The amendment to this act, in Act No. 28 of 1941 extended segregation to rural areas.
- 1943 Trading and Occupation of Land (Transvaal and Natal) Restriction Act, No. 35 ("Pegging Act"): which imposed further restrictions on Indians for trading and occupation of land in these areas. In Natal, it proposed that no Indian could occupy or acquire property occupied or acquired by a White before 22.3.43, with the same applied in reverse for Whites. This raised such protest in India that the Indian parliament passed the Reciprocity Amendments Act, in which reciprocal treatment would be meted out to all white South Africans in India.

1946 Asiatic Land Tenure and Indian Representation Act, No. 28 ("Ghetto Act"): Most of the sections of this act were repealed by the Group Areas Act of 1950. The act ended holding of land by nominees, and it stated that if the controlling shares of a company are held by an Asiatic, that company would be regarded as Asiatic. No persons not Asiatic may enter into an agreement with an Asiatic, except by permit, to acquire fixed property in Natal, from 21.1.46, other than in an exempted area. Communal franchise was also offered to Indians, with White parliamentary representation. This the Indians rejected and began another *satyagraha* campaign in protest. (Applied to all Indians in South Africa).

1950 Group Areas Act, No. 41 (Final amendment Act No. 43, 1978): which provides for the establishment of residential areas specifically for the occupation of a particular group classified by statute. It also provides for areas of trade and commerce for these groups. The Group Areas Board has a pre-emptive right to purchase all disqualified property at a price not exceeding the market price at the date of proclamation or at the date the board exercised this right. Indians were denied loans for properties outside Indian areas, and also denied rights to land for industrial purposes in industrial areas.

APPENDIX C

Legislation Affecting Indian Land Tenure, Trading and Labour in the Transvaal

The first discriminatory law concerning Indian land and residential rights was in 1885 - Law 3 of the Transvaal.

- 1885 Law 3 of Transvaal: passed by the Volksraad of the South African Republic excluded Arabs, Malays and Mohommedan subjects of the Turkish Empire from the Burgher right of the Republic, and restricted their property rights for purposes of sanitation to special areas. The law was not sufficiently clear, and became subject to differences in interpretation and application in the various Transvaal towns. Firstly the law referred to residence alone, and could not be interpreted to exclude trade; secondly it specified the ground of segregation as sanitation and not race or economic competition. Finally, while it restricted Indians to special areas, it did not provide for the creation of such areas. The result was that Indians in fact continued to trade and reside in the Transvaal virtually unsegregated though their legal right to do so remained uncertain. The Government though its officials complicated the matter further by initiating the system of indirect (trustee) ownership, whereby properties were registered in the name of White nominees who often passed mortgages for the full amount of the property concerned to the real Indian owners.
- 1898 Transvaal Law 15 (Gold Law): which excluded non-whites from working in mining areas except as labourers.
- 1907 Workmen's Compensation Act, No. 36 (Transvaal): whereby compensation for injury to workmen was restricted to whites.
- 1907 Asiatic Registration Amendment Act (Transvaal), No. 2: which confirmed Ordinance 29 of 1906, whereby all Indians had to register and be identified through finger-prints. These identity documents had to be carried on one, and had to be produced on demand. There was widespread dissatisfaction amongst Indians consequently.
- 1908 Precious and Base Metals (or Gold Law) Act: which segregated Indians for trade and residence in the Transvaal. The last of these acts, the Gold Law, precluded Indians completely from all areas proclaimed as mining areas. Indians circumvented these restrictions by forming small liability companies of two or more individuals, who then had the right to purchase and occupy land more freely.

1919 Asiatics (Land and Trading) Amendment Act (Transvaal), No. 37:

which attempted to protect Indians from the Gold Law by allowing those who were trading legally on proclaimed land to continue. It, however, prohibited the ownership of all fixed property including land through companies in which one or more Indian had the controlling share. Ownership of land through nominees was not prohibited. The South African Indian Congress was formed in opposition to this bill.

1925 General Dealers Control Ordinance, Transvaal: whereby local authorities were empowered to grant trading licences. As in the Natal ordinance of 1924, it was the stated aim (cf. Hofmeyr, the then Minister of Interior) to reduce Indian competition.

1925 Colour Bar Act: which prohibited Indians from handling any machinery run by steam or electricity. (Applied to all Indians in South Africa).

1932 Transvaal Asiatic Land Tenure Amendment Act, No. 30 and subsequent amendments in 1934, 1945 and 1937: which was to do with registration of land occupied by Asiatics. It empowered the Minister of Interior to declare certain areas restricted to certain groups, allowing Asiatics full freehold rights in Asiatic areas.

1956 Industrial Conciliation Act, No. 28: whereby monopolies of occupations were created through the policy of job reservation, imposing limits to status and skill upwards mobility of all non-whites. This act also forbids the registration of mixed trade unions. (Final amendment Act No. 61 of 1966).

APPENDIX D

Laws Affecting Indians in the Orange Free State and the Cape

The following two laws affected the Indians in the Orange Free State and the Cape:

1891 Statute Law of the Orange Free State: which prohibited all Indians from settling there. All existing Asiatic businesses were expropriated and the owners deported without compensation.

1906 Immigration Act (Cape) No. 30: provided that there would be unrestricted immigration to the Cape, subject to the criteria of "prohibited immigrant". These included an education test, whereby the immigrant had to be literate in any European language; a means test whereby he had to be in possession of at least £20; and a desirability test, whereby he could not have a criminal record including murder, arson, rape, theft or prostitution.

APPENDIX E

Legislation Relating to Indian Franchise and other Political Rights

- 1896 Franchise Act, of Natal: which disenfranchised passenger Indians, who as free immigrants within the Empire had previously enjoyed full rights of citizenship, including municipal and parliamentary franchise. The consequent outcry was so great that it led to Gandhi's involvement in South African politics.
- 1909 South Africa Act: which was issued at Union whereby existing provincial franchise practices were retained, but in which the right of Africans, Asians and Coloureds to sit in Parliament was revoked. At this time there were 22 784 non-white voters in the Cape and 200 in Natal.
(Amended subsequently: Final Amendment Act No. 48, 1959).
- 1924 Borough Ordinance (Natal): which deprived Indians of Natal of their municipal franchise.
- 1925 Cape Ordinance 22: which re-affirmed the eligibility of all adult men of all races to sit as full and equal members of the city council providing they fulfilled the property qualifications of either ownership of property worth £100, or occupation of property worth £200.
- 1926 Local Government (Provincial Powers) Act, No. 1: which deprived non-whites of representation on local health organizations. This was significant since it became customary for whites to press for residential segregation on the basis of health requirements.
- 1931 Act 41: removed the property or income qualifications of white voters, but not for men of other population groups. In 1930, white women were enfranchised, to bolster the strength of the white vote.
- 1951 Separate representation of voters Act, No. 46: whereby separate representation of voters for municipal franchise in the Cape was instituted, enabling all Coloured and Indian voters to elect four white members of parliament and two white councillors to the Provincial Council. Still only male adult non-whites were enfranchised.
- 1951 Cape Municipal Ordinance Act, No. 19: which guaranteed the municipal franchise for male Indians, retaining their right to be elected to office.
- 1956 Cape Municipal Amendment Draft Ordinance: whereby it became prerequisite for inclusion on the municipal and divisional council voters roll in the Cape, to be registered as a parliamentary voter.

- 1962 Group Areas Amendment Act, No. 49: which provides for the establishment of suburban consultative and management committees in Indian and Coloured group areas. Also, those who held municipal franchise in the Cape would retain it whilst still in possession of the necessary qualifications, but no new Indian or Coloured voters would be registered.
- 1963 Local Government Extension Ordinance, No. 23, Section 4: which provides in greater detail for the membership of the local affairs committees introduced by the above act. Members were wholly nominated by the Department of Indian Affairs in the first year of establishment, but wholly elected by the fourth year, by Indians over twenty-one years old, with certain property qualifications. These committees were to be merely advisory, subordinate to the local white authorities.
- 1966 Group Areas Act, No. 36: (final amendment Act No. 43, 1978): whereby a Group Areas Board is to be established, consisting of up to twelve members, appointed by the Minister of Indian Affairs. It also clarified group area removal issues. Permits to lease property in a proclaimed area would not be granted except under special circumstances, and after an area is proclaimed, no one is allowed to subdivide land or to grant another person rights to use this land. If allegations are made concerning alleged Asiatic identity of a person, these are taken to be true until proven to the contrary.
- 1968 South African Indian Council Act, No.31 (final amendment by Act No. 83, 1978): Qualifications for membership to the Council were delineated as identification as Indian, a permanent resident of South Africa for at least five years prior to membership; not holding an office of profit in the service of the State; and a member must be eligible to be registered as a voter for council elections. The 1978 amendment provides for an increase in councillors to forty, with twenty-seven from Natal, ten from the Transvaal and three from the Cape.
- 1977 Electoral Act for Indians, No. 122: which provides for the election procedures for members of the South African Indian Council. Every adult over eighteen years old is eligible to vote unless specifically disqualified, and any person who fails to register is guilty of an offence. The 1979 amendment (Act No. 41) provides for setting aside one day for registration of voters, and also extends to period between nomination and election.

APPENDIX F

Legislation Affecting Education

- 1923 Higher Education Act, No. 30: whereby institutes of higher education for Indians were recognised.
- 1959 Extension of University Education Act, No. 59: by which the University College of Durban-Westville, for Indians was established.
- 1965 Indians Education Act, No. 61 (final amendment by Act No. 62 of 1973): which provides for the control of Indian education by the Department of Indian Affairs, since it was previously under the control of the Provincial Councils. All private schools must be registered with the Department. Cape schools were to come under this Department's control only from 1.4.70 because of the small numbers of Indian students, all of whom were attending Coloured schools. Any member of staff at a school may be dismissed if he/she belongs to or participates in actions by any party or political organization regarded by the Minister as prejudicial to the State.
- 1968 Indians Advanced Technical Education Act, No. 12 (final amendment by Act No. 63 of 1975): which provides for the establishment of colleges of advanced technical education for Indians, particularly establishing the M L Sultan Technical College in Natal. This act also provides for the control, administration and regulation of such colleges by the Department of Indian Affairs.
- 1969 University of Durban-Westville Act, No. 49 (final amendment by Act No. 68 of 1978): whereby recognition is given to Durban-Westville as a full university. The amendments include the admission to the university of non-whites other than Indians, and the 1978 amendment allows the university to invest, borrow or lend money, and to negotiate loans.
- 1973 General Law Amendment Act No. 62: by which free and compulsory education for Indians was ensured, on the basis of pupils enrolling in kindergarten for the first time, in 1973, and thereafter, shall remain at school until they are fifteen years old. In the 1979 amendment, it became compulsory for all Indian children between the ages of seven to fifteen to attend an educational institution.

APPENDIX G

Legislation Affecting Welfare

- 1914 Indians Relief Act, No. 22 (Repealed by later amendments: last of which was Act No. 59, 1972): making provision for the validation and registration of marriage between Indians which are recognized as valid according to any Indian religion. The wife of a resident is now allowed to enter the country if her husband has any children by any other woman still living. The £3 poll tax was abolished. This act was passed after many months of *satyagraha* led by Gandhi.
- 1960 Children Act, No. 33: administered by the Department of Indian Affairs, which pays out maintenance and foster-parents allowances. Monthly average pension 1975-6 = R49,84.
- 1963 Indian Laws Amendment Act, No. 68 (final amendment by Act No. 43 of 1964): whereby all marriages registered prior to this act were validated, as long as they had been registered by a magistrate, the Protector or Assistant Protector of Indian Immigrants, or by the Minister of the Interior. This act does not recognise polygynous marriages. It also eliminated discrimination of marriage registration between indentured and passenger Indians.
- 1963 Retreats and Rehabilitation Centres Act, No. 86: administered by the Department of Indian Affairs.
- 1967 Aged Persons Act, No. 81: which provides for the distribution of old age pensions by the Department of Indian Affairs. The average monthly pension estimated by the Department for 1975-6 was R35,12.
- 1968 Disability Grants Act, No. 27: which is also administered by the Department of Indian Affairs. The average monthly pension estimated by the Department for 1975-6 was R33,07.
- 1968 Blind Persons Act, No. 26: which is also administered by the Department of Indian Affairs. The average monthly pension estimated by the Department for 1975-6 was R32,66.
- 1968 War Veterans Pension Act, No. 25: which is also administered by the Department of Indian Affairs. The average monthly pension estimated by the Department for 1975-6 was R38,71.

Meer (1969) states that the government policy is to discriminate in rates of welfare aid between classified population groups, on the general basis of Whites.

Whites : Coloureds : Asians : Blacks : 4 : 2 : 2 : 1

APPENDIX H

ANALYSIS OF WHITE, COLOURED, AND INDIAN INCOME IN ECONOMIC AND SUB-ECONOMIC AREAS IN DURBAN.

ANALYSIS OF INCOME RETURNS ON WHICH RENTALS BASED								
PROJECTS	NUMBER OF TENANTS PER INCOME RANGE							
	R0-100	R100-150	R150-250	R250-350	R350-450	R450-540	Over R540	
<u>WHITE</u>								
Economic D.C. Financed	11	15	47	106	104	90	154	
Economic Govt. Financed	19	37	131	103	74	42	81	
Sub-Economic (Flamingo Court)	20	30	31	15	3	7	3	
<u>TOTAL WHITE</u>	50	82	209	224	181	139	238	1 123
	5	7	19	20	16	12	21	100
<u>COLOURED</u>								
Newlands East-Economic	35	4	51	32	38	28	43	
Newlands East Sub-Economic	340	243	116	17	15	14	44	
<u>TOTAL NEWLANDS EAST</u>	375	247	167	49	53	42	87	
<u>SYDEHNAM HEIGHTS - ECONOMIC</u>	49	8	97	50	42	34	29	
<u>AUSTERVILLE - ECONOMIC</u>	29	7	29	19	21	14	26	
<u>VARIOUS SUB-ECONOMIC</u>	272	161	91	27	21	11	36	
<u>TOTAL COLOURED</u>	725	423	384	145	137	101	178	2 093
	35	20	18	7	7	5	8	100
<u>INDIAN</u>								
Springfield - Sub-Economic (Northern Indian)	375	63	114	33	3	-	7	
Merebank - Sub-Economic (Southern Indian)	81	24	20	5	1	-	5	
<u>TOTAL OTHER</u>	456	87	134	38	4	-	12	
<u>CHATSWORTH - SUB-ECONOMIC</u> (Southern Indian)	2 810	1 194	1 403	214	45	13	219	
Phoenix - Economic	145	72	1 353	405	91	41	43	
Phoenix - Sub-Economic	1 309	1 199	804	61	8	1	35	
<u>TOTAL PHOENIX</u>	1 454	1 271	2 157	466	99	42	78	
<u>TOTAL INDIAN</u>	4 720	2 552	3 694	718	148	55	309	12 196
	39	21	30	6	1	-	3	100
<u>GRAND TOTAL</u>	5 495	3 057	4 287	1 087	466	295	725	15 412
	36	20	27	7	3	2	5	100

Source: D.K. Singh, Durban Housing Committee.

APPENDIX I

GREY STREET AREA INDIAN LOCAL AFFAIRS COMMITTEE

MEMORANDUM TO THE HONOURABLE MINISTER OF
COMMUNITY DEVELOPMENT ON THE QUESTION OF

REMOVAL OF THE RESTRICTION OF RESIDENTIAL
DEVELOPMENT IN GREY STREET COMPLEX

(Submitted in December 1978)

PREAMBLE

1. The Grey Street Complex comprises of properties in Central Durban bounded from the point where the middle of Grey Street intersects the middle of Derby Street, north-east along the middle of the said Derby Street, Albert Street, Commercial Road, Grey Street, Pine Street, Cathedral Road, Queen Street, Cemetery Lane and Victoria Street to the point where it intersects the south-eastern boundary of the railway reserve; thence generally north-east along the south-eastern boundary of the railway reserve to the point where it intersects the middle of Cross Street; thence north-west in a straight line to the point where the middle of the said Cross Street intersects the middle of Alice Street thence north-west along the middle of the said Cross Street, Carlisle Street and Grey Street, to the point first named.
2. Proclamation No. 106 of 1973 in the Government Gazette dated 27 April, 1973 declared the Grey Street Area of Durban to be an Area for Occupation and Ownership by members of the Indian Group in terms of Section 23 of the Group Areas Act 1966 and further declared that, in terms of Section 19(1) of the Act, all the buildings, land or premises in the Grey Street Area shall be occupied or used only for the purposes of businesses.
3. The Grey Street Area Indian Local Affairs Committee submitted a Memorandum to the Durban City Council Management Committee on the question of rates and Residential Development on the 28 June, 1978, (a copy of the Memorandum is attached Annexure G.S. 1).
4. The Durban City Council formally adopted the following Resolution on the 31 July 1978:
 - (i) That the Grey Street Area Local Affairs Committee be advised that the City Council will not oppose any application to the responsible State department for the removal of the restriction imposed in terms of section 19(1) of the Group Areas Act 1966 to permit residential development to take place in the Grey Street Area.

- (ii) That subject to the adoption of (i) above, the City Engineer's report on the provision of services, additional facilities and other implications which may adversely affect the Town Planning Scheme in course of preparation in the event of such restriction being lifted.

SUBMISSIONS

The Grey Street Area Indian Local Affairs Committee wishes to make the following submissions to the Honourable Minister:

- (a) The restriction imposed on residential development in the Grey Street Complex has been a serious and severe handicap to the viable development of the Grey Street Complex.
- (b) A report to the Durban City Council by the Planning Consultants, William Holford and Roy Kantorowich in September, 1968 (Holford Report) relating to a planning of Central Durban, had the following to say:

"A notable feature of the CBD is that it contains a high, and rapidly increasing proportion of residential accommodation. Even the Hardcore district in 1966 had as much as 13% of its total floor space in residential use. Flats are one of the fastest growing land uses in the CBD. In the seven years between 1959 and 1966 floor space in flats not only increased by about 40% but also accounted for well over half of the total increase in the CBD during the same period." (Page 62)

With regard to the Indian District the Holford had the following to say:

"The single characteristic which it has in common with the other districts of the CBD is a high residential component. This arises not from high blocks of flats, but from two or three storey buildings. Shops occupy 20% of the floor space, offices 5%. Industry occupies a relatively high proportion of floor space, the central situation being advantageous from the point of view of both market and labour supply. The unusually high proportion of "other" uses reflects the concentration of non-White communal and institutional activity in the area."

"A succession of legislative controls have served to prevent the territorial spread of Indian ownership, residence and trade activities in the CBD beyond the Grey Street Area. These controls have preserved its unique character; they have also led to relative stagnation and decay. This is one of the few parts of the city which has not yet been proclaimed for ownership and occupation by one or other of the race groups in terms of the Group Areas Act. As such, all development and land transactions are subject to central government control. Furthermore, all new residential development in the area has now been prohibited. Indian developers are staying their hand until they can be assured of continued tenure of their properties." (page 71)

In its forecast for 1985 the Holford Report predicted that the growth in the Indian District will be the lowest, i.e., 1.6% p.a. although two-thirds of the total sites in the Indian District were regarded as ripe for re-development. The anticipated growth and the Hardcore CBD and Albert Park was 2½% and 2% respectively. The flat component of the Indian District was expected to drop from 12% of the total space in the entire CBD to 6% of the total in the entire CBD. The usage from Industry was expected to increase from 12% of the entire CBD to 20% of the entire CBD.

In terms of density of development where the Grey Street Area had a P.A.R. of 1.7 in 1966 being the lowest of the Central Area and was expected to drop further in the years ahead relative with the other Central Districts.

(c) The Holford Report - 1968 had highlighted some of the problems of the Grey Street Complex and our present day comments thereon are as follows:

- (i) In view of the current rating policy of the Durban City Council where rates for commercial properties on land are twelve times more than buildings and in view of the fact that the density of development in the Grey Street Complex was and still is the lowest in the Central Area, Indian property owners pay disproportionately more rates than their counterparts in the other parts of Central Durban.
- (ii) The Municipal Valuations of land in Grey Street Area have been inflated by the artificial restriction of supply due to the Group Areas Act. The Grey Street Complex comprises some 20 properties representing no more than 14% of the total Central Area of Durban.

The comments made in (i) and (ii) above are, in our view, substantiated by the Schedule of the Central Area Districts supplied by the City Valuator and Estates Manager (Annexure G.S. 2). One of the most important features that is evident from the Schedule is that whilst Grey Street represents 14% of the CBD in land area, it comprises 19% of the total land valuations. Further it only comprises 7.58% of the total building valuation. This clearly reflects the low density development of the Grey Street Complex.

- (iii) The anticipated increase in usage for Industry in the Grey Street Complex by the Holford Report just cannot take place with the new government thinking on Industrial Areas which are now open to Whites, Indians and Coloureds, as the property owners in the Grey Street Complex cannot compete in rentals with Area in the periphery of the Grey Street Complex.

- (iv) The only development that can now take place in the Grey Street Complex is shops and offices. With regard to office development, the potential is very limited due to lack of institutional demand such as banks, insurance companies, pension funds, building societies which usually comprise the major occupiers in any Central City.
- (v) The Indian Development in Grey Street is therefore mainly restricted to developing ground floor for shopping only. Even here the Area is faced with competition from the adjoining areas where Indians are moving into White Areas either by permit or through other legal arrangements mainly because the rents in the White Areas are cheaper due to lower basic rates.

A recent Study of Shopping Centres in Metropolitan Durban organised by the Town and Regional Planning Commission has come to a conclusion that no additional retail floor space should be allocated to the Central Business District of Durban until 1990.

- (vi) Discussions with the City Engineers Department has revealed that should Residential Development be permitted in the Grey Street Complex, in terms of the present Town Planning Regulations, no problems are envisaged in terms of services such as sewerage and water, amenities such as schools, open space and public transport.

There are six primary schools and five high schools in or near the Grey Street Complex. A large proportion of the student population in these schools are from outside the Grey Street Area.

The Greyville Racecourse, Esplanade and Bay, Beach Area Botanical Gardens are all open spaces within a short distance of the Complex.

Both bus and rail services are within a short distance of the complex.

- (vii) The present resident population of Grey Street is only 65 000 persons and under present Town Planning Regulations it is anticipated that it can only increase to 138 000 persons, should the restrictions on residential development be lifted. The Residential Population of Grey Street in 1973 when the area was proclaimed was about 12 000.

Discussions with the City Engineers Department has revealed the following:

- (1) The Grey Street Complex comprises of a net area, excluding roads, etc. of 22,23 hectares.
- (2) Should 60% of the Area be developed to its full potential 266720 m² can be utilised for Residential Flat Development.

- (3) Assuming an average flat size of 70 m² and allowing 24% for ancillary services, a total of 3 066 flat units is possible.
 - (4) Taking an average occupancy of 4.5 persons per flat a total potential Residential population of Grey Street will be 13 800.
 - (5) The existing Residential Population according to a survey carried out in July, 1977 reveals that 65 000 persons live in the Grey Street Area.
 - (6) Therefore the maximum additional Residential Population under present Town Planning Regulations will be not more than 7 300.
- (vii) Having regard to the land values and present day building costs, the only type of New Residential Development we can envisage taking place in the Grey Street Complex is under Sectional Title Schemes, where the residents will have to pay a premium to live in the Central Area.

It is our view the size of units assumed by the City Engineers Department of 70 m² have to be enlarged to an average figure of 100 m² per Residential Unit. On this basis the number of flat units will be further reduced to a possible maximum of 2 150 units.

- (d) At present the housing shortage for the Indian Community is critical. Permission to allow Residential Flat Development will relieve the Government to a certain extent, of its responsibility to provide adequate housing for the Indians. Private Enterprise will take over some of this responsibility.

RECOMMENDATIONS

- (i) It is our firm belief that the main flaw in the viable development of the Grey Street Complex as part of the Central Business District is the restriction of Residential Development.
- (ii) For the foregoing reasons, the Grey Street Area Indian Local Affairs Committee requests the Honourable Minister to lift the restriction on the Grey Street Complex on Residential Development in terms of section 19(1) of the Group Areas Act 1966.

APPENDIX J

EXCERPT FROM THE ADDENDUM TO THE MINISTER OF COMMUNITY DEVELOPMENT ON
THE QUESTION OF REMOVAL OF THE RESTRICTION OF RESIDENTIAL DEVELOPMENT
IN GREY STREET COMPLEX

The Grey Street Local Affairs Committee in their addendum to the memorandum presented to the Minister did not agree with the latter's statement that the lack of open space is sufficiently sound reason to refuse residential development.

The following is the information furnished by the City Valuator and Estate Manager of Durban in respect of vacant land in private ownership (Table A). Also a table below is the latest population figures for Durban supplied by the City Treasurer (Table B) (1978).

<u>RACE GROUP</u>	<u>TABLE A</u>			<u>TABLE B</u>	
	<u>No. of Sites</u>	<u>Vacant Land Rateable value in private ownership in millions</u>	<u>%</u>	<u>population figures</u>	<u>%</u>
European	7452	R49,3	61%	226969	29%
Indian	6129	R30,9	37%	385018	50%
Coloured	407	R0,7	2%	56844	8%
African				102759	13%
	<u>13988</u>	<u>R80,9</u>	<u>100%</u>	<u>771590</u>	<u>100%</u>

As regards Table A the City Valuator and Estate Manager was unable to give the indication as to how much the privately owned undeveloped land is capable of development immediately nor able to state how much of land is zoned for residential purposes. We believe that a substantial portion of land in Indian ownership is neither suitable nor it has the necessary services.

The European Community of Durban who constitute 29% of the population have in the region of 61% of the privately undeveloped land. Indians who constitute 50% of the population have 37% of the privately undeveloped land.

In spite of the fact that Europeans own 61% of the privately undeveloped land no less than 36 700 Europeans live in the Central Business District of Durban according to the City Engineer.

GOVERNMENT POLICY

Our Committee for over two years have seriously endeavoured to highlight the real issues in a constructive, responsible and a positive way.

For the reasons stated above we find the Government Policy not only contradictory in its application but also insensitive to the real needs and aspirations of the ratepayers of Grey Street.

The contradictions in application of Government policy in this area can be summarised as follows:

- (a) Indian Ratepayers, in the Central Business District, although under the same town planning scheme as White Ratepayers, are given lesser rights to develop their properties. We can only describe this as hurtful discrimination.
- (b) Many pronouncements have been made by the Government in assisting small businessmen. The Indian businesses in Grey Street are essentially small businessmen. The erosion of the residential population in and around Grey Street, through the application of the Group Areas Act, over the last twenty years has had a severe impact on the viability of the Grey Street businesses.

The Minister suggests that the opening up of the Central Business District of Durban for all races for business purposes was the real solution to the problem of Grey Street. We welcome this policy change and consider it a positive step but we believe that this is only part of the solution.

We believe certain sections of the Grey Street Complex should not be included in the Open Trading Area but should have the right to develop residential flats.

APPENDIX K

THE HINDU SUCCESSION ACT, 1956

The traditional principles outlined below are applicable in India. South African Indians follow the principles embodied in South African Law.

The following is a summary of the Hindu Succession Act of 1956, which brought about fundamental changes in the law of inheritance and which is destined to affect the nature and constitution of the Hindu family in particular and of Hindu society in general. Kapadia (1966: 284-287).

1. The Act applies to any person in India (excepting the State of Jammu and Kashmir), who is a Hindu by religion in any of its forms or developments; who is a Buddhist, Jain or Sikh by religion; or who is not a Muslim, Christian, Parsi or Jew by religion, unless it is proved that any person would not have been governed by the Hindu law or by any custom or usage as part of that law in respect of any of the matters dealt with therein if the Act had not been passed.
2. The Act shall not apply to any property succession to which is regulated by the Indian Succession Act, 1925, by reason of the provisions contained in Section 21 of the Special Marriage Act, 1954.
3. When a male Hindu dies after the commencement of the Act, having at the time of his death an interest in a Mitakshara coparcenary property, his interest in the property shall devolve by survivorship upon the surviving members of the coparcenary and not in accordance with the Act, provided that, if the deceased had left him surviving a female relative specified in Class I of the Schedule or a male relative specified in that class who claims through such female relative, the interest of the deceased in the Mitakshara coparcenary property shall devolve by testamentary or intestate succession, as the case may be, under the Act and not by survivorship. Nothing contained in the proviso shall be construed as enabling a person who has separated himself from the coparcenary before the death of the deceased or any of his heirs to claim on intestacy a share in the interest referred to therein.
4. The property of a male Hindu dying intestate shall devolve (a) firstly, upon the heirs specified in Class I of the Schedule. They shall take simultaneously. If there are more widows than one they together shall take one share. The heirs in the branch of each pre-deceased son or daughter shall take between them one share. (b) In the absence of any heir of Class I, upon the heirs specified in Class II of the Schedule. Their property shall be divided between

the heirs specified in any one entry in Class II of the Schedule so that they share equally. (c) In the absence of heirs in Class II, upon the agnates of the deceased, one having fewer or no degree of ascent being preferred to the other. Where the number of degrees of ascent is the same or none, the one with fewer or no degrees of descent is preferred to the other. In the absence of preference on either of these grounds the agnates take simultaneously. (d) In the absence of any agnate, upon the cognates of the deceased, the preference being governed by the same rules as are applicable to the agnates.

5. Any property possessed by a female Hindu, whether acquired before or after the commencement of the Act, shall be held by her as full owner thereof. Property includes both movable and immovable property acquired by inheritance or devise, or at a partition, or in lieu of maintenance or arrears of maintenance, or by gift from any person, whether a relative or not, before, at or after her marriage, or by her own skill or exertion, or by purchase or by prescription, or in any other manner whatsoever, and also any such property held by her as *stridhana* immediately before the commencement of the Act. Full ownership is not conferred in the case of any property acquired by way of gift or under a will or any other instrument or under a decree or order of a civil court or under an award where the terms of the gift, will or other instrument or the decree, order or award prescribe a restricted estate in such property.
6. (i) Where a Hindu intestate has left a dwelling house wholly occupied by members of his or her family, the right of any female heir in Class I of the Schedule to claim partition of the house shall not arise until the male heirs choose to divide their respective shares therein; but the female heir shall be entitled to a right of residence therein: a daughter however is entitled to a right of residence only if she is unmarried, or has been deserted by or has separated from her husband, or is a widow.

(ii) Where an interest in any immovable property of an intestate, or in any business carried on by him or her, whether solely or in conjunction with others, devolves upon two or more heirs in Class I, and any one of them proposes to transfer his or her interest, the other heirs shall have a preferential right to acquire it for consideration determined by the court on application if no agreement is reached by the parties.
7. The property of a female Hindu dying intestate shall devolve (a) firstly, upon the sons and daughters (including the children of any pre-deceased son or daughter) and the husband. The children of the pre-deceased son or daughter take between them the share of their father or mother. (b) Secondly, upon the heirs of the husband. (However, the property inherited by a female from her father or mother shall devolve upon the

heirs of the father. It is the property inherited from her husband or from her father-in-law which shall devolve upon the heirs of the husband.) (c) Thirdly, upon the mother and father. (d) Fourthly, upon the heirs of the father. (e) Lastly, upon the heirs of the mother. Heirs in each category take simultaneously. The devolution of the property upon the heirs in categories (b), (d) and (e), shall be in the same order and according to the same rules as given in paragraph 4 and here.

8. A child born posthumously is entitled to his or her share in the property of the deceased.
9. No person shall be disqualified from succeeding to any property on the ground of any disease, defect or deformity, or, save as provided in the Act, on any other ground whatsoever.
10. The children born to a person after he or she has ceased or ceases to be a Hindu by conversion to another religion and their descendants are excluded from inheritance of any of their Hindu relatives, unless they are Hindus at the time when the succession opens.
11. If two or more heirs succeed together to the property of an intestate they take the property as tenants-in-common and not as joint-tenants.

The Hindu Law of Inheritance Amendment Act of 1929, and the Hindu Women's Right to Property Act of 1937 are repealed by the Hindu Succession Act of 1956.

The Schedule

Heirs in Class I:

Son, daughter, widow, mother, son of a pre-deceased son, daughter of a pre-deceased son, son of a pre-deceased daughter, daughter of a pre-deceased daughter, widow of a pre-deceased son, son of a pre-deceased son of a pre-deceased son, daughter of a pre-deceased son of a pre-deceased son, widow of a pre-deceased son of a pre-deceased son.

Heirs in Class II:

(a) father; (b) son's daughter's son, son's daughter's daughter, brother, sister; (c) daughter's son's son, daughter's son's daughter, daughter's daughter's son, daughter's daughter's daughter; (d) brother's son, sister's son, brother's daughter, sister's daughter; (e) father's father, father's mother; (f) father's widow, brother's widow; (g) father's brother, father's sister; (h) mother's father, mother's mother; (i) mother's brother, mother's sister.

Reference to a brother or sister does not include a uterine brother or sister.

APPENDIX L

PRINCIPLES OF INHERITANCE IN ISLAMIC LAW

(Fyzee 1974: 393-404)

COMPETENCE TO INHERIT - PRINCIPLES OF EXCLUSION

Every person, including a child in the womb provided it is born alive (u), is entitled to inherit, unless there is a specific rule of exclusion.

Exclusion may be either imperfect or perfect. Imperfect exclusion means exclusion from one share and admission to another. For example, a sister by herself is a Koranic Heir; but by the co-existence of a brother, she may be excluded as a Koranic Heir and admitted as an Agnatic Heir.

As to perfect exclusion, there are two sets of persons who inherit: (i) the primary heirs, who are never excluded, they are the husband or the wife, the father and the mother, the son and the daughter; these heirs exclude others on occasion, but are themselves never excluded; (ii) all the other heirs, each of whom may be excluded by some one else. For example, the brother is an heir; but he may be excluded either by the son or by the father (V).

RIGHTS OF FEMALES

Males and females have equal rights over property. For example, a Muslim dies leaving a son and a daughter. The estate will be divided into three equal portions, the son obtaining two, and the daughter one. The daughter does not, however, by reason of her sex, suffer from any disability to deal with her share of the property. She is the absolute 'master' of her inheritance. The same rule applies to a widow or a mother. There is no such thing as a widow's estate, as in Hindu law, or the disabilities of a wife, as in the older English common law.

CLASSES OF HEIRS

The Hanafi jurists divide heirs into seven classes, the three Principal and the four Subsidiary Classes.

(a) The three Principal Classes (J):

- I Koranic Heirs - dhawū'l-furūd (called Sharers);
- II Agnatic Heirs - 'asabāt (called Residuaries);
- III Uterine Heirs - dhawū'l-arhām (called Distant Kindred)

(b) The four Subsidiary Classes (k):

- IV The Successor by Contract;
- V The Acknowledged Kinsman;
- VI The Sole Legatee;
- VII The State, by Escheat.

According to Hanafi law the property of the deceased goes, in the first instance, to the Koranic Heirs, Class I. If the estate is not exhausted by them, or failing them, it goes to the Agnatic Heirs, Class II. And finally, in the absence of heirs of Class I and Class II, the property is distributed among the Uterine Heirs, Class III.

These three principal classes of heirs together comprise all the blood relations of the deceased, whether they are agnates or cognates, and one relation by marriage, namely, the husband or the wife. The subsidiary heirs succeed only by way of exception.

CLASS I, KORANIC HEIRS (AŞĤĀB AL-FARĀ'ID)

According to Hanafi law the following twelve relations constitute Class I, the Koranic Heirs (b):

(A) Heirs by Affinity

- 1. Husband (h)
- 2. Wife (w)

(B) Blood Relations

- 3. Father (f)
- 4. True Grandfather, how high soever (ff, h.h.s.).
- 5. Mother (m)
- 6. True Grandmother, how high soever (mm, h.h.s.).
- 7. Daughter (d)
- 8. Son's Daughter, how low soever (sd, h.l.s.).
- 9. Full Sister (fs).
- 10. Consanguine Sister (cs).
- 11. Uterine Brother (ub).
- 12. Uterine Sister (us).

It will be noticed that of these twelve, eight are females. A few terms may be explained briefly before considering each heir.

- 1. An agnate is a person related to the deceased through male links only; for example, the son's son or the son's daughter, the father or the father's father.
- 2. A cognate is a person related to the deceased through one or more female links; for example, the daughter's son or the daughter's daughter, the mother's father or the father's mother's father (c).

Let the people trade

BUSINESS MAGAZINE CALLS FOR OPEN CENTRAL BUSINESS AREAS

• Reprinted by permission of the Financial Mail

QUITE A LOT of support for "the spirit of Riekert" has been emanating from government circles of late. And the Financial Mail would be the first to applaud if Pretoria took itself seriously, rolled up its sleeves and got round to the serious business of purging our statute books of that corner-stone of racial discrimination, the Group Areas Act.

Yet, caught up in the historical contradictions of apartheid, the NP appears to have fallen back on the position that the Group Areas Act is "not negotiable."

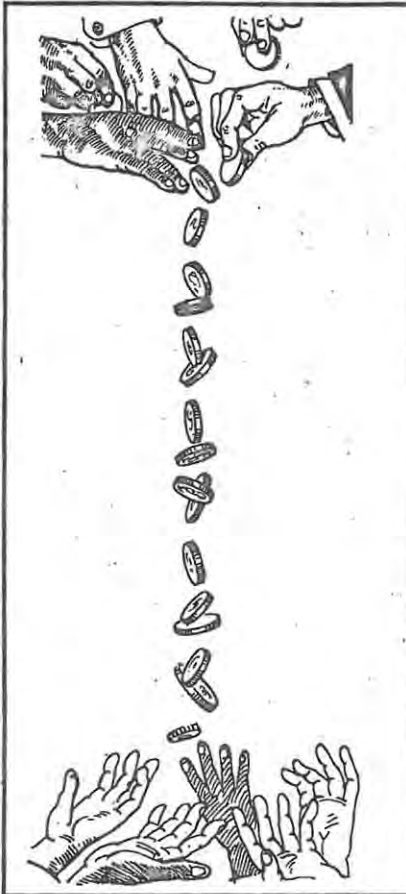
Given what Riekert said, and government accepted, this is to argue that a retreat is an advance in reverse. And nowhere is this more apparent than in the matter of so-called "grey areas" trading — where government, even within its parameters, can move, looked set to move, yet has done little.

Government has in theory embraced economic free enterprise. On permitting blacks to move as traders into areas hitherto reserved for whites.

Riekert recommended in 1979 that "the protection of trading rights under the Group Areas Act is totally irreconcilable with the principles of the free market system observed in SA."

He went further: "The Group Areas Act (should) be amended so that the restrictive provisions on acquisition, ownership or occupation by disqualified persons in specific demarcated areas in the central business centres of cities and towns not be applicable to buildings, land and premises in such areas which are used exclusively for trading, commercial or professional purposes."

In other words, pockets of multiracial trading should be allowed in the city centres. Of course, a commission's recommendations and white paper acceptance do not automatically follow. Yet, in this case, then Minister of Community Development Marais Steyn told Parliament over a year ago that government has approved, in principle,



the opening up of CBDs to Indian businessmen, Coloureds, he said would follow.

What, in fact, has happened? The Department

of Community Development takes the position that there is no necessity to amend the Group Areas Act. Change will come in terms of the existing Section 19 of the Act, which "almost enables us to do the same thing," according to director-general Louis Fouche in an interview with the Financial Mail this week.

By using Section 19 — which provides for open areas by exemption — "entrance is regulated by ministerial permission, says Fouche. Pretoria clearly likes leaving itself in control of this particular "free market" situation.

There has been some movement. By the end of 1980, 11 "open" trading areas had been proclaimed. And so far this year eight have been created and about 20 are being considered. This, says Fouche, "shows we are expediting the matter." Really? Even assuming that the areas under consideration are "opened," that makes a grand total of 39 — out of the uncountable thousands of CBDs in SA.

And why the hesitation when Pretoria itself sees the promotion of small businesses as crucial to the economy?

There is even considerable room for cynicism in the fact that most of these "open" zones are in platteland dorps where Indian merchants have in any case traded for decades. Indeed, the Group Areas Act is consistently used to remove these very traders from their trading homes — despite opposition from white traders who know that packing them off will adversely affect the total prosperity of each town as a whole.

Furthermore, in Johannesburg, community leaders saw the open zone "concessions" as a ruse to evict them from the "white" city area. In Fordsburg and Jeppe, for example, Asian residential areas have become "grey areas" at a time of acute housing shortages.

Riekert suggested that the law be changed so that local city authorities be given the discretion to let in all race groups for commercial purposes.

Both the Cape Town and Johannesburg municipalities and chambers of commerce opted for opening up completely. But when the authorities went for governmental permission they were shot down.

"Pockets" of free enterprise are all that will be allowed, it seems — and that makes nonsense of the concept.

An Indian businessman who has "survived" in a white area — courtesy of Section 19 — makes the telling point that there are relatively many more Indians trading in "white" CBDs today than before the advent of the Group Areas Act. Its intention was blatantly racist — to force Asian traders out of the CBDs out of business itself and even out of the country. Fortunately this has failed.

What Pretoria needs to do right now is to recognise that, like the Immorality Act and the sports policy, the Act has failed. And, from that recognition, to open the CBDs entirely.

APPENDIX N

DAILY NEWS (20 MARCH, 1981)

New move over Grey Street residential development

Municipal Reporter

THE Management Committee is to ask the Durban City Council to invite the Minister of Community Development, Mr S. F. Kotze, to visit the Grey Street Indian area to consider a policy change on residential development.

The move follows repeated calls from the Grey Street Indian Local Affairs Committee for the removal of the restriction on residential development.

The Director-General, Community Development and State Auxiliary Services, Mr L. Fouche, said in a letter to the Town Clerk he had carefully considered the LAC's request.

He said the proposed removal of restrictions on residential development had been exhaustively investigated and "considered in the past"

He referred to various representations lodged with the Government, which were turned down without exception.

The administrative secretary of the then Minister of Community Development had advised the council last August that he could not accede to the request. It would not have been "reconcilable with sound community development planning to allow residential development."

Mr Fouché therefore felt it would serve no purpose for him to have any further discussions with the LAC.

Mr K. T. Manjee, chairman of the Grey Street ILAC, last night welcomed the move to invite the Minister to visit.

"I am pleased the city council is now taking the matter up with the Minister, particularly in view of the negative response received from Mr Fouché.

"The restriction on residential development is the single most important issue for the development on Grey Street and it is vitally important that this restriction be removed.

"If it is not I see the future being one where the area will gradually be denuded of its existing residential property and become a slum."

He felt there was no moral justification for retaining the restriction. "We believe it has the effect of in fact hindering viable development and in our view is tantamount to virtual discrimination."

The population had dropped from 13 000 in 1973 to about 6 500 because of the uncertainty over the future.

He hoped the city council would go along with Manco's recommendation and "take a clear stand on the issue".

APPENDIX OHINDU AND MUSLIM ORGANISATIONS IN DURBAN

	<u>ORGANISATION</u>	<u>TYPE</u>
<u>HINDU</u>	Hindu Maha Sabha	Religious and Cultural
	Sanathan Dharma Sabha	Religious and Cultural
	Andhra Maha Sabha	Religious and Cultural
	Natal Tamil Vedic Society	Religious and Cultural
	Arya Prithinidhi Sabha	Religious and Cultural
	Kathiawad Seva Samaj	Cultural
	Surat Hindu Association	Cultural
	Gujerati Maha Parisha	Cultural
	Hindi Siksha Sangh	Cultural
	Divine Life Society	Religious
	Ramakrishna Centre	Religious
	Krishna Consciousness Movement	Religious
	Saiva Sithantha Sungum	Religious
	Sai Baba Foundation	Religious
	Radha Soami Group	Religious
	Somsteu Road Temple Committee	Religious
	Umgeni Esparar Temple Committee	Religious
	Mission of Eternal Religion	Religious
Dravidia Society	Religious and Cultural	
<u>MUSLIM</u>	Arabic Study Circle	Cultural and Educational
	Ahle Sunnat wa Jamaat	Religious
	Buzme Adab	Cultural
	Buzme Ikhwanus Safaa	Social Welfare
	Islamic Propagation Centre	Religious
	Islamic Council of South Africa	Socio-cultural Judiciary
	Islamic Medical Association of S.A.	Medical
	Islamic Institute	Religious
	Iqbal Study Group	Cultural
	Jamiatul Ulama Natal	Religious
	Muslim Students' Association	Educational
	Muslim Youth Movement of South Africa	Socio-cultural
	Muslim Merchants' Charitable Trust	Social welfare, Educational
	Muslim Darul Yatama Wal Masakeen	Welfare
	Muslim Charitable Foundation	Social Welfare
	Muslim Development Foundation	Social Welfare
	Orient Islamic Educational Institute	Educational
	South African National Zakaat Fund	Welfare
	Sunni Jamiyat-e-Ulama	Religious
	Sultan Charitable & Educational Trust, M.L.	Welfare, Education

APPENDIX 0 continued...

NON-SECTIONAL
ORGANISATIONS

Child Welfare Society	Social Welfare
Social Welfare Society	Social Welfare
Association for Aged	Social Welfare
Association for Family & Marital Therapy	Social Welfare
Mental Health Society	Social Welfare
Cripple Care Association	Education
S.A. National Council for Alcoholism & Drug Addiction	Social Welfare
Society for the Blind & Deaf	Education
Golden Gateway School (Remedial)	Education
Local Affairs Committee	Political
South African Indian Council	Political
Ratepayers' Association	Civic Affairs
Indian Women's Cultural Organisation	Cultural

APPENDIX PMARITAL POWERContracts

A contract concluded by a woman who is subject to her husband's marital power, without her husband's consent, is not binding upon either the husband or the wife. This applies during the subsistence of the marriage as well as after its dissolution. The contract, however, is not null and void; its effectiveness remains in suspense until the husband repudiates or ratifies it. If he ratifies it, it is validated with retroactive effect, and the husband must carry out the obligations which his wife undertook. Pending repudiation or ratification by the husband, the other party to the contract is bound.

Ratification may be effected by the husband at any time during the subsistence of the marriage, but he cannot keep the other party indefinitely in suspense. Depending on the circumstances, failure on the husband's part to ratify the contract within a reasonable time may amount either to tacit repudiation or to tacit ratification. Acceptance of benefits under the contract normally amounts to ratification.

Litigation is not incidental to the management of a household. If the wife, without her husband's consent, engages legal assistance in a criminal case against her husband or herself, or in a civil action between her husband or herself and a third person, or between herself and her husband, the costs cannot be recovered by her attorney from her husband as 'household necessities'.

The wife is a public trader

Where a woman who is subject to her husband's marital power openly carries on a public trade with the consent, express or implied, of her husband, she may validly enter into legal transactions connected with such trade.

To be a public trader (*publica mercatrix, openbare koopvrouw*) the woman must carry on a trade publicly and in her own name, whether alone or in partnership with her husband or a third party. The word 'trade', as used in this connection, includes not only a 'trade' in the technical sense but any business or profession. The woman industrialist, advocate, physician or public accountant is quite as much a 'public trader' as the woman shopkeeper.

A 'trade' implies more than a few isolated transactions, and it must be carried on publicly, that is to say, the woman must invite members of the public to do business with her. There need not, however, be necessarily 'continuity of operations'. A woman who takes in a few private boarders is not a public trader, nor is a farmer's wife who sells the milk, butter and eggs which the farm produces to a merchant in the next town.

Immovable property

Section 1 of the Matrimonial Affairs Act restricts the husband's power to alienate, mortgage, burden with a servitude or confer any real right in the separate immovable property of his wife, or, if the marriage is in community of property, certain categories of immovable property.

Immovable property which is the wife's separate property

No husband shall be entitled, without his wife's written consent, to alienate, mortgage, burden with a servitude or confer any real right in immovable property which is the separate property of his wife. If unreasonably withheld, her consent may be replaced by the court.

Immovable property held in community

Whereas the wife is automatically protected in respect of immovable property separately owned by her, there is no automatic protection in respect of immovable property held in community. Only certain categories of immovable property are capable of protection, and a procedure of endorsement must be followed before this protection is obtained.

The Wife's lack of *locus standi in judicio*

As a general rule, a married woman who is subject to her husband's marital power has no *locus standi in judicio*, that is to say, she may not conduct legal proceedings unassisted, whether as plaintiff or defendant. Actions must be brought by or against her husband in his capacity as her guardian and, where the marriage is in community, as the administrator of the joint estate. Alternatively, where the claim in dispute is enforceable by or against the wife, she herself may sue or be sued assisted by her husband, or her husband may authorize, or consent to, the proceedings. Her husband may bring or resist an action on her behalf, even against her will.

What an Antenuptial Contract may or may not provide

Anything that is not impossible, illegal or contrary to public policy may be agreed upon by antenuptial contract. Thus the contract may validly provide that community of property and profit and loss and the marital power shall be excluded; that community of property shall be excluded, but not community of profit and loss or the marital power; that community of property and of profit and loss shall be excluded, but not the marital power; that community shall be excluded in respect of certain assets, but not of others, or that community shall be continued between the surviving spouse and the children of the marriage.

The marital power can be partially excluded. Thus the antenuptial contract may provide that the wife who is to be married to her husband out of community of property shall be subject to his marital power, but that she shall have the power to alienate or encumber certain properties of hers without his consent or that her husband shall require her consent before he may alienate or hypothecate property of hers.

The new Bill interposes a new form of ANC regime which is called the Accrual Regime. The idea behind the accrual regime is that the wife in such circumstances as outlined above, is entitled to a share in the wealth gained during the marriage. Since she may have put at least as much energy or effort into creating a successful home and marriage, it is felt that it is only equitable that she ought to share in the financial gains at the end of such a marriage.

A wife will no longer need her husband's consent as requisite for her capacity to enter binding contracts. Nor will it be necessary any longer to have regard to the common law "exceptions" to this rule - that is, the capacity of a wife under marital power to enter binding contracts (1) for "household necessities" or (2) when she acted as a "*publica Mercatrix*" (public trader). These exceptions will become redundant.

It should not be thought, however, that the abolition of marital power will leave the community marriage wife free to enter any contract alone. For as will be seen directly, Chapter III of the Bill postulates that certain types of contract are of such great mutual importance, that the consent of both spouses will be required. But the point is that with the abolition of marital power, the consent of the wife now becomes legally just as important as the concurrence of the husband. At least as far as financial and property matters go, the community wife would now hold a position of equal status and authority, and is no longer to be dismissed as the legally inferior partner.

BIBLIOGRAPHY

- Abegglen, C.; Arthur Little, and Hiroshi Mannari. (1960-1961):
Leaders of Modern Japan : Social Origins and Mobility,
Economic Development and Cultural Change, Vol. 9.
- Adams, R.N. (1971): 'The Nature of the Family', in Goody (ed.)
Kinship, Penguin, U.K.
- Ahmed, A.S. (1976): *Millenium and Change Among Pathans*. Routledge
and Kegan Paul, London.
- Ames, M.M. (1970): Structural Dimensions of the Steel City of
Jamshedpur, India. *Economic Development and Cultural Change*
(in press).
- Arkin, A.J. (1980): *The Contribution of Indians in the Economic
Development of South Africa 1860-1970: An Historical Income
Approach*. Unpublished Ph.D. thesis, University of Durban-
Westville.
- Bailey, F.G. (1960): "The Joint Family in India", *Economic Weekly*,
Bombay, February.
- Bailey, F.F. (1970): *Strategems and Spoils*, Basil Blackwell,
Oxford.
- Baldwin, G. (1959): Industrial Growth in South India: *Case Studies
in Economic Development*, The Free Press, Glencoe, Illinois.
- Banton, M. (1966): *Anthropological Approaches to the Study of
Religion*, Tavistock Publications.
- Barth, F. (1963): *The Role of the Entrepreneur in Social Change
in Northern Norway*, Norway.
- _____ (1966): Models of Social Organization, *Royal Anthropological
Institute*, Occasional Paper, No. 23, The University Press,
Glasgow.
- Bauer, P.T. and Yamey, B.S. (1957): *The Economics of Underdeveloped
Countries*, Chicago, University of Chicago Press.
- Beharie, L.A. (1969): Urban Family in India. *Contributions to Indian
Sociology*, No. 3, December.
- Benedict, B. (1968): Family Firms and Economic Development. *South
Western Journal of Anthropology*, Vol. 24, No. 1.
- _____ (1979): Family Firms and Firm Families: A Comparison of
Indian, Chinese and Creole Firms in Seychelles, from S.M. Greenfield,
A. Strickson and R.T. Aubrey (eds.), *Entrepreneurs in Cultural
Context*, University of New Mexico Press, Albuquerque.

- Blacking, J. (1972): *Man and Fellowman*. Inaugural Lecture Delivered Before the Queen's University, Belfast. (Unpublished).
- Blau, P.M. (1968): *Exchange and Power in Social Life*. New York.
- Bloch, M. (1973): 'The Long Term and the Short Term: The Economic and Political Significance of the Morality of Kinship' in J. Goody (ed.), *The Character of Kinship*, Cambridge University Press.
- Boberg, P.Q.R. (1975): *The South African Law of Husband and Wife* 4th Ed., Juta and Company Ltd., Wynberg.
- Boissevain, J. (1974): *Friends of Friends*, Basil Blackwell, London.
- Bose, A.B. (1963): The Size and Composition of Households in Dispersed Dwellings, *Journal of Family Welfare*.
- Brand, S.S. (1969): Unpublished D.Sc. thesis, University of Pretoria.
- Brookes, E.H. and Webb, C. de B. (1965): *A History of Natal*. University of Natal Press.
- Bughwan, D. (1979): Language Practices in South African Indians : *The Evolution of a Minority*, ed. B. Pachai, University Press of America.
- Butler-Adam, J. and Venter, W.M. (1982): Indian Housing Study in Durban and Pietermaritzburg. Vol. II, September 1982. *Institute for Social and Economic Research*. University of Durban-Westville.
- Calpin, G.H. (1949): *Indians in South Africa*. Shuter & Shooter, Pietermaritzburg.
- Castillo, G.; Wiesbalt, A.M.; and Villareal, F.R. (1968-1969): The Concepts of Nuclear and Extended Family : An Exploration of Empirical Referents. *International Journal of Comparative Sociology*, Vol. 9-10, 1968-69.
- Choonoo, A.G. (1967): Unpublished M.A. Thesis, University of Natal.
- Cilliers, Benade and De Villiers. (1977): *Company Law*, 3rd edition, Butterworths.
- Cohen, A. (1969): *Custom and Politics in Urban Africa*. Routledge and Kegan Paul, London.
- Cohen, A.R. (1974): Tradition, Change and Conflict in Indian Family Business. *Publication of the Institute of Social Studies*, Mouton, The Hague.
- Cohen, M.L. (1976): *Aspects of Chinese Family Organization*, Columbia University Press, New York and London.

- Cohn, B.S. (1955): 'The Changing Status of a Depressed Caste' in M. Marriot (ed.), *Village India*, University of Chicago Press.
- (1968): 'Notes on the Study of Indian Society and Culture' in M. Singer and B.S. Cohn (eds.), *Structure and Change in Indian Society*, Aldine, Chicago.
- Comhaire, J.L. (1953): Economic Change and the Extended Family in *The Annals of the American Academy of Political and Social Science*, Vol. 305.
- Cooppan, S. and Lazarus, A.D. (1956): "The Indian as an Integral Part of South African Society", in *The Indian as a South African*, South African Institute of Race Relations, Johannesburg.
- David, M. (1965): *The Legal Status of Women in India*, Asia Publishing House, Bombay.
- Davids, L. (1964): The East Indian Family Overseas, *Social and Economic Studies*, Vol. 13.
- Davies, R. (1963): The Growth of the Durban Metropolitan Area. *South African Geographical Journal*, Vol. XLV, December.
- Department of Indian Affairs, *Annual Reports 1872-1978*, Government Printer, Pretoria.
- Dickie-Clark, H.F. (1966): *The Marginal Situation : A Sociological Study of a Coloured Group*, Routledge and Kegan Paul, London.
- Donnelley, R.G. (1960): The Family Business, *Harvard Business Review*, pp. 93-105.
- Dube, S.C. (1955): *Indian Village*, London, Routledge and Kegan Paul.
- (1963): "Men's and Women's Roles in India: A Sociological Review" in *Women in the New Asia*, Barbara Ward (ed) Unesco, France.
- (1967): *Indian Village*, Harper and Row, New York.
- Dumont, L. (1970): *Religion, Politics and History in India*, Mouton Publishers, Paris.
- Elder, J. (1970): Rajpur : Change in the Jajmani System of an Uttar Pradesh Village, 'In Ishwaran, K. (ed.)', *Change and Continuity in India's Villages*, Columbia University Press.
- Epstein, S.T. (1962): *Economic Development and Social Change in South India*, Manchester University Press, Manchester.
- Faul, M.A.; Pistorius, O.W.I., and van Vuuren, L.M. (1981): *Accounting, An Introduction*, Butterworths, Durban, Pretoria.
- Ferguson Davie, C.J. (1977): *The Early History of Indians in Natal*, South African Institute of Race Relations. Johannesburg.

- Firth, R. (1964): "Family and Kinship in Industrial Society", *The Sociological Monograph*, No. 9, The Development Of Industrial Societies, University of Keele, October 1964.
- Fortes, M. (1958): Introduction to J. Goody (ed.), *The Developmental Cycle in Domestic Groups*. Cambridge Papers in Social Anthropology, No. I, Cambridge University Press, Cambridge.
- Fox, R.G. (1967): Family, Caste and Commerce in a Northern Indian Market Town, *Economic Development and Cultural Change*, Vol. 15, No. 2, Part II, January, pp. 297-314.
- Freeman, J. (1977): *Scarcity and Opportunity in an Indian Village*, Cummings Publishing Company, California.
- (1979): *Untouchable. An Indian Life History*. George Allen & Unwin, London.
- Fursterburg, F.E. (1960): Industrialization and the American Family: A look Forward. *American Sociological Review*, 31.
- Fyzee, A.A.A. (1974): *Outlines of Muhammedan Law*, Oxford University Press, London.
- Geertz, C. (1963): *Peddlers and Princes*, University of Chicago Press, Chicago.
- (1965): *The Japanese Family: A Study of Kinship and Socialization*. The Press of Glencoe. New York.
- Gluckman, M. (1955): *The Judicial Process among the Barotse*. Manchester University Press.
- Gore, M.S. (1968): *Urbanization and Family Change*, Bombay, Popular Book Depot.
- Goode, William J. (1956): *World Revolutions and Family Patterns*, Glencoe, Illinois Free Press.
- Goody, J. (1958): *The Developmental Cycle of Domestic Groups*, Cambridge University Press, London.
- Goody, J. and Tambiah, S.J. (1973): *Bridewealth and Dowry*, in Cambridge Papers in Social Anthropology, Cambridge University Press.
- Goody, J. (1973): *The Character of Kinship*, Cambridge University Press, U.K.
- (1976): *Production and Reproduction*, Cambridge Papers in Social Anthropology, Cambridge University Press, London.
- Gould, H.A. (1956): Lucknow Rickshawallas : The Social Organization of an Occupational Category, *International Journal of Comparative Sociology*, Vol. 6.
- (1968): Time Dimension and Structural Change in an Indian Kinship System : A Problem of Conceptual Refinement, in M. Singer and B.S. Cohn (eds.), *Structure and Change in Indian Society*, Aldine, Chicago.

- Gupta, G.R. (1974): *Marriage, Religion and Society*, Curzon Press, London and Dublin.
- (1976): Family and Social Change in Modern India, *Main Currents in Indian Sociology*, Vol. II, Vikas Publishing House, New Delhi.
- Government Gazette (1973): *The Company's Act* (As amended).
- Hart, K. (1969-1970): Small Scale Entrepreneurs in Ghana and Development Planning, *Journal of Development Studies*, Vol. 6.
- Hahlo, H.R. (1975): *The South African Law of Husband and Wife*. 4th Ed., Juta and Company Ltd., Wynberg.
- Hammond, D. and Jablow, A. (1976): *Women in Cultures of the World*, Cummings Publishing Company, California.
- Hellman, E. (1949): *Handbook on Race Relations in South Africa*. Oxford University Press, Cape Town.
- Hill Rosmary, unpublished M.A. thesis, University of Cape Town.
- Horrel, M. (1977): Survey of Race Relations, Vol. 31, *South African Institute of Race Relations*.
- (1978): Laws Affecting Race Relations in South Africa 1948-1976, *South African Institute of Race Relations*.
- (1978): Survey of Race Relations, Vol. 32, *South African Institute of Race Relations*.
- Ishwaran, K. (1970): *Change and Continuity in India*. Columbia University Press, U.S.A.
- Jithoo, S. (1978): 'Complex Households and Joint Families amongst Indians in Durban', In Argyle and E.M. Preston-Whyte, (eds.), *Social System and Tradition in Southern Africa*, Oxford University Press.
- Kalidasa, (1925): *Raghuvamsa*, Canto 8, V. 67, Nene Sagar, Bombay.
- Kane, P.V. (1946): *History of Dharmasatra*, Vol. III, Government Oriental Series, Poona.
- Kapadia, K.M. (1958): *Marriage and Family in India*, New York, Oxford University Press. (Reprinted 1966).
- Karve, I. (1953): *Kinship Organization in India*. Poona, India.

- Kerton, R. (1970-1971): An Economic Analysis of the West Indies, *Journal of Development Studies*, Vol. 7.
- Khalaf, S. and Emilie Shawyri (1966): Family Firms and Industrial Development, *Economic Development and Cultural Change*, Vol. 15, No. 1, October, pp. 59-69.
- Kolenda, P.M. (1968): Region, Caste and Family Structure: A Comparative Study of the Indian Joint Family, in M. Singer and B.S. Cohn (eds.), *Structure and Change in Indian Society*, Aldine Publishers, Chicago.
- (1978): *Caste in Contemporary India : Beyond Organic Solidarity*, The Benjamin Cummings Publishing Company, California.
- Kuper, H. (1956): The South African Indian Family in *The Indian as a South African*. South African Institute of Race Relations, Johannesburg.
- Kuper, H. and Meer, F. (1956): The Concept of the Indian Elites in Natal, South Africa. Paper read at the Social Science Conference, July, 1956. *Institute for Social Research*, University of Natal.
- Kuper, H. (1960): *Indian People in Natal*. University of Natal Press, Durban.
- Kuper, L.; Hilston Watts and Ronald Davies. (1958): *Durban : A Study in Racial Ecology*, Jonathan Cape, London.
- Lal, A.K. (1965): *Locus of Power in the Family*, Asia Publishing House, Bombay.
- Lamb, H. (1955): Setting up of Entrepreneurship in India, *Quarterly Journal of Economics*, LXIX.
- Leach, E.R. (1969): *Aspects of Caste in South India, Ceylon and North West Pakistan*, University Press, Cambridge.
- Lewis, W.A. (1955): *The Theory of Economic Growth*. Novello and Company, London.
- Ludo, R. (1975): Caste and Occupation in Classical India : The Normative Tests in *Contributions to Indian Sociology*, Vol. 9, No. 1, January-June.
- Maasdorp, G. (1968): *A Natal Indian Community*, Regional Survey, Department of Economics, University of Natal, Natal.
- Mac Dougall, J. (1980): Two Models of Power in Contemporary rural India, *Contributions to Indian Sociology*, Vol. 4, No. 1, January-June.
- Madan, T.N. (1965): *Family and Kinship*, Asia Publishing House, Bombay.
- Marriot, M. (1959): 'Hindu Transactions : Diversity without Dualism,' In Kapferer, B. (ed.) *Transaction and Meaning*, Philadelphia.
- (1969): *Village India*, Studies in the Little Community, The University of Chicago Press, Chicago.

Matrimonial Property Bill 1979-1982.

Mayer, A. (1961): *Peasants in the Pacific: A Study of Fiji Indian Rural Society*. University of California Press, Berkeley.

_____ (1966): *Caste and Kinship in Central India*, University of California Press, Berkeley and Los Angeles.

Mayne, J.D. (1906): *A Treatise on Hindu Law and Usage*. Madras. Higgin Bothan & Co.

McCrystal, L. and Maasdorp, G. (1967): "The Role of the Indian in Natal's Economy" in *The Indian South African*, South African Institute of Race Relations, Durban.

Meer, F. (1960): Unpublished M.A. Thesis (University of Natal).

_____ (1969): *Portrait of Indian South Africans*, Premier Press, Durban.

Mehta, R. (1970): *The Western Educated Hindu Woman*, Asia Publishing House, Bombay.

_____ (1978): *Divorced Hindu Woman*, Vikas Publishing House, New Delhi.

Merton, R.K. (1957): *Social Theory and Social Structure*. Cohen & West, London.

Moosa, I. (1932): *The Indian Trader: Memorandum Presented to the Government by the Indian Chamber of Commerce in Durban* (unpublished).

Morton, F. (1968): *The Rothschilds: A Family Portrait*. New York.

Milne, A; Nathan, C; Smith, L. & Meskin, P.M. (1975): *Henochsberg on the Companies Act*. Butterworth, Durban.

Morris, H.S. (1956): Indians in East Africa, A Study in Plural Society, *British Journal of Sociology*, Vol. 7, pp. 197-211.

_____ (1959): The Indian Family in Uganda, *American Anthropologist*, Vol. 61, pp. 779-89.

_____ (1967): Some Aspects of the Concept Plural Society. *Man* (N/S) 2. p. 169-184.

_____ (1968): *Indians in Uganda*, Weidenfeld & Nicolson, London.

Munshi, S. (1979): Tribal Absorption and Sanskritization in Hindu Society, *Contributions to Indian Sociology*, Vol. 13, No. 2.

Murdock, G.P. (1949): *Social Structure*, Macmillan, New York.

_____ (1961): "The Universality of the Nuclear Family, from *A Modern Introduction To The Family* (eds.), N.W. Bell & E.F. Vogel. The Free Press, Glencoe.

- Myrdal, A. and Klein, V. (1956): *Women's Two Roles*, Routledge and Kegan Paul, Ltd. London.
- Nafziger, W. (1969): The Effect of the Nigerian Extended Family on Entrepreneurial Activity, *Economic Development and Cultural Change*, Vol. 18, No. 1, October.
- Natal Almanac 1863-1869*. Government Printer, Pietermaritzburg.
- Natal Blue Book 1892/3*. Thereafter Statistical Year Book to 1910. Pietermaritzburg.
- Natal Census Reports, 1891-1894*.
- Natal Report of the Indian Immigration Commission*. Clayton, 1909.
- Nicholas, R. (1961): Economics of Family Types in Two West Bengal Villages. *Economic Weekly*, No. 13.
- O'Kelly, C.G. (1980): *Women and Men in Society*, D. van Nostrand Company, New York.
- Owens, R. (1968): Industrialization and the Indian Joint Family, in *Ethnology*. Vol. 10. No. 2.
- (1970): Peasant Entrepreneurs in a North Indian Industrial City, *Economic Development and Cultural Change*, (in press).
- Pachai, B. (1962): *The Emergence of the Question of the South African Indian as an International Issue - 1860-1961*. Unpublished Ph.D. Thesis, University of Natal.
- Pachai, B. (1971): *The International Aspects of the South African Indian Question*, C. Struik, Cape Town.
- Paine, R. (1974): Second Thoughts About Barth's Models, *Royal Anthropological Institute*, Paper No. 32, London.
- Palmer, M. (1957): *The History of Indians in Natal*, Natal Regional Survey, Vol. 10, Oxford University Press, London.
- Panini, M.N. (1967): Networks and Styles: Industrial Entrepreneurs in Faridabad. *Contributions To Indian Sociology*, Vol. 11, No. 1, January-June.
- Papanek, H. (1972): Pakistan's Big Businessmen : Muslim Separatism, Entrepreneurship & Partial Modernization, *Economic Development and Cultural Change*, Vol. 21, No. 1, pp. 1-32.
- Parry, J. (1979): *Caste and Kinship in Kangra*, Routledge and Kegan Paul, London.

- Parsons, T. (1939): *The Professions and Social Structure*, *Social Forces*, 17. Reprinted in *Essays in Sociological Theory, Pure and Applied*.
- _____ (1951): *The Social System*. The Free Press. Glencoe. Illinois.
- Pierre, L. van den Berghe. (1964): *Caneville: The Social Structure of a South African Town*. Wesleyan University Press. Connecticut.
- Radcliffe-Brown, A.R. (1950): *Introduction to African Systems of Kinship and Marriage*. London.
- _____ (1948): *The Andaman Islanders*. The Free Press, Glencoe, Illinois.
- _____ (1952): *Structure and Function in Primitive Society*. Cohen & West. London.
- Radhakrishnan, S. (1959): *Eastern Religions and Western Thought*, Oxford University Press, Oxford.
- Ramu, G.N. (1977): *Family and Caste in Urban India. A Case Study*. Vikas Publishing House, New Delhi.
- Rao, M.S.A. (1966-67): *Occupational Diversification and Joint Household Organization*, University of Delhi.
- Report of the Indian Immigrants Commission - Wragge 1887*. Natal Government Gazette. Vol 39. No. 2262 G.N. 430.
- Report of the Protector of Immigrants - (i) 1876-1893* Davis & Sons Government Printer, Pietermaritzburg.
(ii) 1894-1904 W.M. Watson. Government Printer, Pietermaritzburg.
- Ross, A.D. (1954): "Philanthropic Activity and the Business Career", *Social Forces* 32, March.
- _____ (1967): *The Hindu Family in its Urban Setting*, University of Toronto Press.
- Schlemmer, L. (1967): "The Resettlement of Indian Communities in Durban and Some Economic, Social and Cultural Effects on the Indian Community", in *The Indian South African*, South African Institute of Race Relations, Durban.
- _____ (1967): *The Indian South African*. *South African Institute of Race Relations*. Paper presented at a conference in Durban in 1966-1967.
- Shah, A.M. (1964): *Basic Terms and Concepts in the Study of Family in Indian* in *Indian Economic & Social History Review* 2(3).
- _____ (1974): *The Household Dimension of the Family in India*. Berkeley. University of California Press.

- Singer, M. and B.S. Cohn (1968): "Indian Joint Family in Modern Industry", *Structure and Change in Indian Society*, (eds.) Milton Singer and B.S. Cohn, Aldine Publishers, Chicago.
- (eds.) (1968): *Structure and Change in Indian Society*. Aldine Publishing Company.
- Singh, D.K. (1982): Durban Indian Housing Committee Report 1982. (unpublished).
- Sluzki, C.E. (1979): Migration and Family Conflict in *Family Process*, December, Vol. 18, No. 4.
- Smith and Jayawardena (1959): Marriage and Family Among East Indians in British Guiana, *Social and Economic Studies*, Vol. 8.
- Smith, T.C. (1960-61): Landlord's Sons in the Business Elite, *Economic Development and Cultural Change*, Vol. 9, Part II.
- Sofer, C. (1961): *The Organization From Within*, Tavistock Publications.
- Srinivas, M.N. (1962): *Caste in Modern India and Other Essays*, Bandukwala, Bombay.
- Srinivas, M.N. (1967): *Social Change in Modern India*, University of California Press, Berkeley.
- Srinivas, M.N. (1968): 'Mobility in the Caste System' In Singer and Cohn (eds.), *Structure and Change in Indian Society*, Aldine Publishers, Chicago.
- Stein, M.L.; Divaris, C. and Silke. (1975): *Old Mutual Income Tax Guide*. Revised Edition. Old Mutual Printing Works. Durban.
- Strauss, M.A. and Winkelman, D. (1969): Social Class, Fertility and Authority in Nuclear and Joint Households in Bombay, *Journal of Asian & African Studies*, Vol. 4.
- Tax, S. (1963): *Penny Capitalism*. University of Chicago Press. Illinois.
- The Holy Bible : *The New Testament*, St. Luke, Chapter 15, Verse 19, p. 1329, Oxford University Press, London.
- Union Statistics For Fifty Years (1960)*: Bureau of Census and Statistics. Government Printer, Pretoria.
- Union Census (1911)*.
- Venter, J. (1979): Problems Confronting Indian Businessmen, *Inyanda*, April.
- Ward, B.E. (1967): Review of Models of Social Organization by F. Barth, in *Man* (N.S.).

- Western, J. (1981): *Outcaste : Cape Town*. University of Minnesota Press. Minneapolis.
- Whisson, M.G. (1965): *Under the Rug*, Hong Kong Council of Social Service, Hong Kong.
- _____ (1973): *History and Myth in the Analysis of Small Communities*, Paper presented to the Annual Conference of Anthropologists, (Unpublished).
- _____ (1979): *World Views, Joking and Liberated Women. Some Reflections on the Application of Kinship Theory*, Inaugural Lecture. Published by Rhodes University. Grahamstown.
- Williams, R. (1956): *American Society: A Sociological Interpretation*. Alfred A. Knopf. New York.
- Woods, C.A. (1954): *The Indian Community in Natal : Their Economic Position*, Natal Regional Survey, Vol. 10, Oxford University Press, Cape Town.
- Wolfe, E.R. (1956): Aspects of Group Relations in a Complex Society: Mexico. *American Anthropologist*, 58.
- Yalman, N. (1967): *Under the Bo Tree*. University of California Press.