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FACULTY OF THEOLOGY

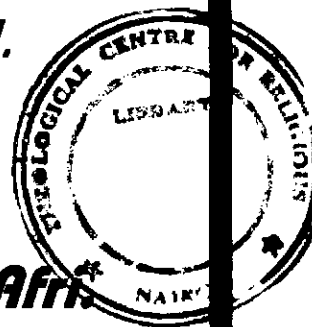
DEPARTMENT OF MISSION STUDIES

COMPARATIVE STUDY OF INHERITANCE AMONG THE MA'DI PEOPLE OF SOUTHERN SUDAN AND THE BIBLE

BY

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*This is a long Essay submitted in partial fulfilment of the
requirements for Bachelor of Arts, Religious Studies.*

Nairobi, 16th. February, 1998.

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Signed..... *Marcello Romano*
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METHODOLOGY

This work has been done by method of direct interview and also scientific research. I must say that all the people I interviewed were happy to share with me, and this helped to create an atmosphere conducive for the work (the interviews). I believe that, almost after previous contacts and having known the majority of my informants, it gave them the quality of sincerity and evaded the disadvantage of brainstorming.

ACKNOWLEDGEMENTS

If you want to do something, you have to consider it first, bearing in mind that it is not enough for only one person to pretend having the knowledge of the subject. I want to say, that I can begin with my own knowledge and then other people add to it. So, behind this paper, there is support of different category of people whom I wish to acknowledge and thank in a very special way. First of all am grateful to my *Tutor Rev. Fr. Richard Nnyombi*, without whose efforts and advice, I could not have accomplished this work.

Secondly, I would like to convey my heartfelt gratitude to *Tangaza College* and in particular to all my *Lecturers* in various subjects and especially in the *Mission Department* who equipped me with the necessary skills during these years of my theological training. Many, thanks also goes to the Comboni Missionaries who are very supportive for my missionary formation.

In a particular way I thank all those who co-operated with me in reading this text, the Brothers at the Apostles of Jesus Scholasticate and also to my informants who were friendly and never rested to see that my work about this topic is complete. And to all my friends who in one way or another contributed to my well-being. I owe you all a great deal of appreciation. *“May our Loving God bless you all”*.

Marcello Monyo Romano, mcccj.

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INTRODUCTION

In its most general meaning, inheritance may be taken as the passing on of possession, right or quality by one party to another. In its technical sense the expression is derived from the Latin word "*heres*" which means "*an heir*". In fact, the English word inheritance, has such a wide range of connotations that it would not be an easy job to attempt an exhaustive and only definition.

It is the act of acquiring of property, possession, conditions trait from past generations. It may be in the line of a permanent tradition that is sure to pass on to future generations without interference; or it may be a common heritage from nature. Among the Ma'di we find that, there is a reception of a right or title which is descend able by law from an ancestor at his death.

In this same respect we have the derivative "heritage" which denotes property that descends to succeeding generations. Thus something inherited (heritage) may be cultural or religious. Here we find out that inheritance, as a word is used for different related things but in all, it means the changing of ownership. The same word is applied to the taking over of a name of an elderly person or of an ancestor (in each case the process being different) by a descendent who may be young or an adult.

The term "*Lahwihwi*" is applied to many varied transference phenomena. Whereas the English word by which it is translated, often means, "*the acquisition of property or title*

which takes effect at one's death"¹. *Lahwihwi (inheritance)* applies to the acquisition of those same things as well as many other things and qualities which takes effect, not only at ones death but also without the death of anybody. It belongs to the existential life of the Ma'di.

As missionaries, I started asking myself during my theological training what we could offer to the majority of the Ma'di people who believe very much in inheriting the property of the deceased or even the widow. "How do I as a missionary and a Ma'di bring them to their senses?" For many have been confused by the culture and the aspect of inheritance.

This paper is a reflection on the whole question of the *Comparative Study of inheritance among the Ma'di people of Southern Sudan and the Bible*. Therefore, in the first chapter, the phenomenon is put within the frame of inheritance and social life in Ma'di society. The second chapter is dedicated entirely to the conception of Religious life in Ma'di society. In the third chapter, I will present the whole question about the inheritance ceremony. The fourth chapter, I will mention, the theological view on inheritance as found in the Bible (accompanied with short reflection on Ma'di understanding of inheritance in the light of the Bible). Then the last chapter will be about the conclusion and some pastoral suggestions.

Caution, however is to be taken that this piece of work is the first of its kind in the sense that no one before me has searched out things or materials specifically relating to inheritance among the Ma'di people of Southern Sudan.

¹ Austin Fagothey, *Right and Reason*, Saint Louis: The C.V. Mosby Company, 1976, p.332.

CHAPTER ONE: INHERITANCE AND SOCIAL LIFE IN MA'DI SOCIETY

1.0 Introduction

Inheritance in particular naturally leads to the question of how it applies in concrete life. Indeed the best definition of inheritance among the Ma'di people is given by the life and practice in the different aspects. One would not, help but agree with Romano Chube Hakim, one of my informants who expressed to me his inability to describe what inheritance may be understood by many people in this society; but he asked me to listen to him while he tells me its importance in particular areas of life. Consequently a look at the concrete life which becomes all too urgent. This is inheritance and social life in the Ma'di people. Therefore, here I take the following two points:

- 1.1 Inheritance (Ma'di) and Marriage Life (Family Structure).
- 1.2 Inheritance (Ma'di) and Naming.

1.1 Inheritance (Ma'di) and Marriage life (Family Structure)

Marriage procedures in the Ma'di society owe their present shape to some reasons. Ma'di as an integral part of the human race, share some of these underlying reasons with some other social structures but there remains yet some reasons which might justly be taken as those which might seem to be particular to them.

The shared reasons are for instance, companionship which is a requirement resulting from the fact that a man and a woman need each other to eliminate that loneliness which each of them is bound to experience until one finds a true partner. Also there is the urge to fulfil the natural instincts and the need to procreate. Among the Ma'di, a grown up male is never to stay alone.

*" Better two than one alone, because two heads staying together is really rewarding "*²

It is this reason which gives rise to the importance of inheritance in marriage life among the Ma'di people. But in the majority of the cases, the value of marriage is measured on one important scale and other subsidiary ones. It is whether a particular marriage gives the possibility of the continuation of the names of the married couple which forms but one loop in the whole chain-stitch like continuity. This kind of continuation mainly means having children.

*" Children are therefore, for extending the "names" of not only the parents but also of the grand-parents and indeed of the whole clan "*³. But continuation of names require that the children do the things by which their parents were known of. *" The name is considered in African societies to be very much part of the personality of the person. Therefore it is taken seriously, and chosen with care and consideration "*⁴. In way, *" Parents should recognise the Child's conditioning with respect to the source of expertise and work with (or in terms of) this conditioning in order to make it work in the desired direction rather than in an undesirable direction. They should see to it that their children are put in constant contact with people in the expert category (e.g., school and church teachers, pastors, etc.) who will endorse and*

² Ma'di Proverb

³ Peter Wani, 62 years old, interviewed at Agojo on the 12th June 1997.

⁴ John, S. Mbiti., *Introduction to African Religion*, 2nd edition, Nairobi: East African Educational Publishers Ltd., 1991, pp. 92-3.

reinforce the kinds of things the parents wish to have their children learn”⁵. Here we see that at least some of the children are expected to extend some specific things that their parents and grand-parents were proud of.

Such things that would require some Children to take over, as reviewed by Jacob Vuga would be: “*Traditional dancing: an act which is still very much valued up to this day; skilled hunting, something that was of much value to the Ma'di up to recently (as I too witnessed some famous ones back home) and still continues in a very mild form up to this day because of the war and displacement*”⁶, and so many other arts even talents that are characteristic of either men or women.

Yet in addition to all these and similar things there are some natural human qualities by which each person is identified, (*e. g. braveness, courageous, e.t.c.*) which make one liked or hated, proud or ashamed of oneself. Mark Oloya puts it as, “*those behaviours by which a person may be popular or which can spoil one among people*”⁷. These also belong to a person's name.

There are those activities and characters by which each individual person is well-distinguished that must be taken up by some other person concurrently in part or whole, and later on completely. That each individual has special talents and character is a truth that raises hardly any doubt, but that inheritance require that some of these become present in the appropriate

⁵ Charles H. Kraft, *Christianity in Culture: A Study in Dynamic Biblical Theologizing in cross-cultural Perspective*, USA: Orbis Books, Maryknol, 1979, pp. 378-9.

⁶ Jacob Vuga, an elder, he does not remember when he was born. I interviewed him at Agojo on the evening on June 12th 1997.

⁷ Mark Oloya, 48 years old, a primary school teacher at Agojo East Primary School, interviewed on the 13th June 1997.

heir is a little paradoxical and it may make the foreigner raise his eyebrows. Yet the truth remains. It belongs to what continues one's life and, "*Keeps the family going; prevents particular families from getting extinct*"⁸.

Thus, the question who is to do this when I am sick or when I am too old and later on when I die is among the most important questions. Note that one dies justly only when one has been old for sometime, therefore the clear fact to reckon with: namely, not anybody inherits anything; a particular person may become the heir/heirress or particular and appropriate things. "*For people are men and also women, each one belongs to a clan and there are clan procedures for inheritance as there are regulations for other things*"⁹. Therefore, relevant candidates for those things that only males or females may inherit must be made available. Again, candidature does not require merely male nor female, but which male and which female matter very much. I say that for the whole tribe that I found from some places in the camps, certain things that must be considered for qualification for candidature are:

- (i) First or second born and of which wife (second, third or fourth).
- (ii) The behaviour or even the character.

All these things must be present in the mind of one at the instance the idea of marriage first dawns upon him; or they are at least in the minds of the elders when they begin to think of the marriage of such a person. "*A person may marry anyone who is or her choice within that segment of the society open for choice. Since these communities are very small, lineage's are*

⁸ Mark Oloya

⁹ Daudi Lodi, 42 years old, married stays in Kator one of the transit camps in northern Uganda, interviewed on the 23rd June 1997.

closely knit in multitudinous interconnections of customary obligation and mutual aid, and elders are deeply respected"¹⁰. However, it is a strange fact indeed that, " *the elders may think for yourself if you cannot do so yourself or if you are getting too late to think about marriage*"¹¹. The gravity of inheritance accounts for it. The preliminary obligation to remind or to explain to particular people the emergency and the necessity to get married is conferred upon the parents, that is the immediate father and mother of those in question; they elect the elders as soon as possible only when they realise that the matter is getting out of hand.

The most urgent reason for marriage, then is the establishment or the continuation of inheritance. A man and a woman need heirs and heiresses respectively. They need children, but not only children but children who are both male and female. These provide the foundation stone on which marriage begins and upon which its practical validity depends. " *It is even children, moreover, who make men truly men in the same way as they make women truly women*"¹². Asking another of my informants, more about the later, he simply laughed out his answer, " *wondering how else one can secure true inheritance in his family, and how does one make sure that they are able to have children?*"¹³.

To have a son who can beget children is a special joy for man and the clan elders because the inheritance line is thereby made secure; whereas to have a daughter who as well can beget children is a joy for the father on the economic point of view that she will fetch for him cattle,

¹⁰ Melville Jacobs, *General Anthropology*; 2nd edition, USA: Barnes & Noble, Inc., 1955, pp. 160-1

¹¹ George Rassas, 48 years old, A businessman interviewed on the 16th July 1997, at Adjumani village.

¹² George Rassas

¹³ Mark already mentioned.

goats, sheep and money which, if there were no others, will go in to pay for his son's bride.

" But it is an even greater joy for the mother, for the latter will be assured of one who will know the demands of motherhood and as a result such a daughter would be ready to inherit from her the duty of looking after the rest of the children. I am not playing down the side-joy (for women) of having daughters who can bear children like me"¹⁴.

Because there is such a possibility of getting a marriage partner candidate who is a failure, precaution is taken. But first commenting on "marriage-partner candidate". I would like to make it clear that it is only a possible marriage until there comes a child out of it, or at least until the given couple causes a pregnancy for its good. There are stories of impotent men getting married and in order to get heirs play tricks with their very intimate male friends to get their wives pregnant and to provide them with occasional sexual satisfaction, today this is very dangerous due to diseases around us. That normal people should beget impotent men or sterile women, as my wonder often made me to quote this proverb, *"even weak things may be the product of the strang ones"*¹⁵. To protect sterile women from too much ridicule, men are often asked to keep them home, at least, for labour and look for fertile women in effort to get heirs. Moreover a woman or more correctly a lady can also leave a man and go back home to await some man, the fact having been made known to appropriate authority; that is the parents and elders of both parties. It is to be made clear that this is not the only reason which rules out the possibility of marriage or calls a man to marry more than one wife or calls a lady to try and

¹⁴ Paska Lagulu, 56 years old, is a widow, her husband was killed the war in 1989, I interviewed her on the 10th July 1997 at Robedire Refugees Camp in Northern Uganda.

¹⁵ A Ma'di proverb.

find out her true self from other men, but it is a fact that can hardly by pass such a minimum of consequences as those mentioned above.

In conclusion to this, I would like to put the truth in its flavourless form that the major cause of marriage is nothing less than inheritance. Inheritance requires both boys and girls and if a man cannot find these in one woman then he must look for them from another, likewise for a woman for there is an additional pleasure in bearing daughters who can in turn bear children. That inheritance takes precedence over all other reasons for having children is even expressed in the greeting to a newly delivered woman, "whom have you brought for us?"; the answer is often given according to the quality or art of the relevant parent. For example if it is a baby boy and the father is a farmer, the answer will be; (I have given birth to a farmer), and if it is a baby girl the common answer would be; (I have brought for you a grinder). This is because grinding sorghum among the Ma'di people is an essentially female work. Anyhow this is disappearing because of the develops around the world. In the old days if a man finds only boys or only girls in his marriage, then he must look for the missing ones from another woman. *"It is mainly because of this that the bride price is not paid until the bride has become a mother"*¹⁶.

The major cause of marriage does not however, exclude the other value that according to Lodu, is an accompanying push; namely that a man and woman are each found truly only in the child/children they beget. Here the difference between the two major cause of marriage is that, the elders put it forward that in the end of marriage there should be inheritance, this is

¹⁶ Mike Lodu, 47 years old, interviewed at Robedire, on the 12th July 1997, he is married with three wives. He was a medical assistant, due to over drinking alcohol he was dismissed from carrying his official duties.

when the husband dies. Of course if there is no children then things are not good to the two parties. This accompanying push, constitutes an opener for the part that now follows.

1.2 Inheritance (Ma'di) and naming

It follows from the above that there is one aspect of naming that is as constitutive of the urge to marry as is the accompanying push and it is indicative of the longing for an heir. Moreover it might even allude to the possibility of who might be the heir/heirress of a given person and what portion of inheritance might belong to him/her.

Not only does the above sub-title prevent me from, but it does not even belong to my intention, giving a unified treatise on naming in Ma'di community or society. It is such a rich phenomenon that by itself it is worthy of a separate study, and not merely an aspect of inheritance. And yet still on this very level I cannot evade making at least a brief mention of some kinds of naming I discovered through this research; Practically all names in the Ma'di people have their own meanings. *" More often, however, the names chosen indicate the feelings of the parents and mark the occasion of the child's birth. When a child is born after many years of marriage, its name may indicate that God showed mercy or heard the prayers of the parents, or that people waited long for it, and so on"*¹⁷

1.2.1 Ceremony of naming

Here the customs surrounding the naming of children or a child among the Ma'di differ from one clan to another. But, there is always a common factor, for a baby boy the ceremony is performed on the third day from the day of birth, while for a baby girl it is celebrated of the

¹⁷ John, S. Mbiti., Op. Cit., p.93

fourth day. Early on the day of the ceremony the uncles' bring with them a white cock which will be slaughtered, by the aunt of the new born child. While the relatives of the mother brings some cow-peas. The mother and the child are kept in the house not until everything is prepared ready for the celebration. On this day the mother and the child are brought out and the ceremony of the naming begins. Here, the elderly men and women bless the child and the parents during this occasion. The other relatives sing songs in honour of the mother. Then in the evening, during sunset the mother names the child , then followed by the aunts, then the father of the child. After the naming ceremony prayers are said and protective charms were worn on the child by aunt, and the feast continues. *"After a week the child is officially accepted into the father's family in a ritual performed by the paternal grandfather, placing the child under its ancestral protection. After three months the child is accepted into the wider community. The mother go to the market and other women see her for the first time since her confinement"*¹⁸

1.2.2 Ceremonial names

The one born at burial ceremony must be *Lodi* or *Adra* depending on whether one is a boy or a girl respectively. These names are strictly connected with inheritance in that the people who are called so, without any merit of theirs, are taken to be direct and immediate replacement of someone who has died. *" This makes people happy that a departed member of the family has "come back" in part through the birth of the baby"*¹⁹ But they don't have any right of inheritance over property or duty that belonged to the deceased. They go to the appropriate

¹⁸ Jesse, Mugambi & Nicodemus, Kirima., *The African Religious Heritage*, Nairobi: Oxford University Press, 1976, p.21

¹⁹ John, S. Mbiti., Op. Cit., p.93

heirs. The only privilege they enjoy is being replacements and, rather than take up the names of the deceased, they are honoured by these special ones.

1.2.3 Surnames

For instance one born during the time of famine or drought must be called *Abirigo* or *Abiriya* if a boy or a girl respectively. A boy born outside the father's village and when the mother has nothing is named *Tako*. These are names which are imposed by nature of birth which are either permanent or fixed until some other grave reason demands a change. The names permanently fixed are those of twins; *Opi* (means: *Chief, Dignitary or Lord*) and *Eremugo* (means: *Blacksmith*) are those for boys, *Opia* (means: *Prince*) and *Muya* (means: *Calmness*) are for girls. Then the next three to be born after twins could not be named anything else but the pre-determined names unless they are also twins, in which case they have to get the twin names.

The one after whose birth the placenta took long to come out must be called *Uda* if a boy. "*If a couple has had such a child for a son, they often tend to long for another son to whom certain inheritance rights would rather go*"²⁰. The names fixed until some other grave reason demands a change are, for instance: the natal sequence may impose names;

(i) The only boy among girls *Kenyi*, then the only girl among boys must be called *Kide*, it is also the same if the child is a boy or a girl. Here there is no heir with a heavier responsibility than *Kenyi* just as there is no heiress with the least responsibility than *Kide*. (If she is the only

²⁰ David Odu, 54 years old, Formerly inspector of fisheries in the ministry of Agriculture and natural resources in Juba (Sudan), now he is the headmaster of Agojo East primary School. I interviewed he on the 14th July 1997.

child in the family, then the responsibility at home can be given to her). *"Kenyi inherits all his father's property and responsibilities in the clan and has to see to it that his parents' misfortune is counter acted by many children"*²¹.

(ii) There are names required for certain children by the elder members of the family who may be either still living or dead.

Among these different aspects of naming there is one which, because of the nature of its importance, can take precedence over all except those which are always fixed and cannot be replaced. The fixed one cannot be replaced by any other names notwithstanding and without playing down the value and urgency of any name that would otherwise have to be given.

The names which takes precedence over the rest of the unfixed names are:

(i) those specifically required by particular ancestors, the revelation having been made through dreams or through the crying of a child, and if an important elder wished that somebody be named after him or her but died before such a chance came an elder would have to remind the mother of the child about the wish of the person who has passed away.

(ii) names which are to be given to children conceived and; later born, after petition sacrifice to god. This happens in the case where the couple have taken too long without getting any child and have reached such a stage that if they don't get one soon, either they will divorce (*aika*) or the husband will look for the second wife depending on how many he had before. In this case sometimes a sheep or a white cock is sacrificed at the right-hand side of the kitchen and a prayer asking the ancestors for the child is made, such a prayer is often like

²¹ David Ddu.

this: *"Ah, you indeed are our ancestor, here now I sacrifice to you the very sheep that you gave me yourself; then who shall inherit my name? Please, Lord throw a child in my hands in your own liking"*²². In the above two cases inheritance is at the basis of the need to name particular persons by particular names.

The case which may bring about a kind of confusion in naming is the one just mentioned above; when a child is named after the grandparent and, in more recent times, after the parents also. Another case is when a child is named after some elders or some important person's arrival coincided with the birth of the child. The confusion is that the name inherited might properly be that of a twin or it might be a name connected to a circumstance of birth different from that of the child. The matter looks all too serious but Bua dismissed the confusion as belonging only to the foreigners, *"because, she said these inherited names are often adorned with praises and jokes proper only to those from whom they have been inherited"*²³.

Here emphasis increases on the importance of inheritance when certain characteristics of an ancestor is made alive in a maturing child. Such a child is often given the name of the ancestor even if that child had oneself fixed onto a name through the circumstance of the birth. In this case the second name which is inherited is usually referred to as ancestral name (names taken from our forefathers).

²² Stephen Wani, 67 years old, I interviewed him on the 14th July 1997 at Alere II refugee camp. He is one of the clan elders of the Padikiri (clan), originally from Opari (Southern Sudan).

²³ Joyce Bua, 56 years old, interviewed on the 14th July 1997, at Alere II refugee camp, she a member of the Legion of Mary very active in chapel and church functions.

There is yet an additional name given to anyone (again, twins are an exception) who is a first born, and another one to a last born. The first born son is *Opi* and a daughter (girl) first born is *Opia* while a last born son or daughter is *Eremugo* or *Muya* respectively.

Given that they fulfil the other conditions, both the first born and the last born are entitled to some portion of inheritance. The first born not only enjoys the privilege of inheriting the major possessions, but also shoulders the burden of assuming the responsibility of the person in question. *"Meanwhile the last born, more particularly, men are entitled to the portion of the land that remains to the parents (after all sons have been allocated their respective portions). Moreover, they are the ones to take over the parents' house to it or even sell if in the city"*²⁴.

The rest of the children, the middle children inherit the minor things.

1.3 Conclusion

In conclusion, to this chapter, I would say that more remains to be said, but I will do so when I come to the part on inheritance and material possession. However, the Ma'di people are very much attached to their society life. When it comes to celebrations, especially when it is something to do with inheritance, people show up a very great interest. These ceremonies also, *"include praying, making sacrifices and offerings, performing ceremonies and rituals, observing various customs, and so on"*²⁵

²⁴ Gabriel Hakim, 61 years old, interviewed at Agojo East on the 15th July 1997, he is a farmer with a good number of cattle, sheep and goats.

²⁵ John, S. Mbiti., Op. Cit., p.11

CHAPTER TWO: CONCEPTION OF RELIGIOUS LIFE IN MA'DI SOCIETY

2.0 Introduction

By religious life, here I mean the Ma'di traditional religious practices. The research for this has made me audacious enough to say that even in traditional cult, inheritance is an important reality.

The Ma'di traditional religion is such a rich aspect of life is a fact which deserves a mention, but I don't intend to go beyond the mention. Even much less do I hope to make any outline of it. I wish, therefore, just to pick out only two instances wherein inheritance lies behind what is visible and where it gives certain practices permanency. The two are:

- (a) Inheritance and spirit possession.
- (b) Inheritance and material possession.

Here, I would like to make it clear, first of all, that what I am writing is the effect of my research: some are a report of what used to happen and others are narratives and personal observations of what actually happens now. Some of what is in existence has been handed down by tradition and may be what was known by many Ma'di in the past. While others are innovations which have been accepted by some people and now form part of the traditional religious practices of the tribe.

Therefore, this report is, by no means a call to anyone to choose the traditional religion in preference to the particular official institutional religion one might already be allied to. And

much less do I intend this to be taken as a ridicule to nor an attack on any one's effort to winning converts to any given religion. Moreover, if any criticism is to be made on me it would be appropriate only on ideas which are purely my own, and there may be found only at the end when I give my personal contributions and suggestions to the Christian church to which I belong.

2.1 Inheritance and Spirit Possession

There are different kinds of spirits which possess people. We have the major (*ori*) spirit and the minor ones, which have their origin in big trees and mountains. But, *"as for the origin of spirits there is no clear information what African peoples say or think about it. Some spirits are considered to have been created as a "race" by themselves"*²⁶. However, of late new kinds of spirits (*Kaci*) have come in the Ma'di land. These are the *orilidri* (the spirit which are alive). Those whom they possess take up new names which are fixed for all, a possessed man or even a possessed woman. Often the arrival of the spirits has to be celebrated at home in order not to bring misfortunes (*ipika*) to the people around or the particular clan.

Inheritance is a bit interesting here. It is the spirit itself which possesses a man, and it must be a man, for it is unusual for a woman to reach *Kaci* where everyone possessed by the spirit is bound to reach and make sacrifice. *"Sacrifices were offered by the Maguzawa to a number of Iskoki (spirits) found everywhere- in the sky, forest, hills and bodies of water. Iskoki (spirits)*

²⁶ John, S. Mbiti, *African Religion and Philosophy*, London: Heinemann, 1965, p.79

do possess worshippers and such spirit possession is called *bori*"²⁷. Thus, a woman can never be possessed by this spirit.

This spirit comes as a kind of sickness to a man, amidst this sickness it may speak through the same man or his relatives may find out from a competent elder (*amba ole*) who afterwards, declares the man as possessed by *ori* (spirit of the ancestors). From that time until he is installed as a priest, he will be referred to as the one the spirit has chosen. Then he will be installed and initiated into the worship by those who are already well-versed in the worship, these will build for him a private shrine at home. After that, like them, he will be called *orihwe* (descendant).

Possession by this spirit is hereditary, not anybody can have such lack. It requires that either one's grandfather or at least his father was a *orihwe*, or that either of them was specially attached to the main ritual leaders of the spirit in his life time. Here no body has a say as to who should inherit, "*such a pleasant task*"²⁸. A man may be dying and gives directions and distribution of duties as much as he likes but he cannot appoint or suggest anybody to carry out such duty as being a *orihwe*. It is *ori* itself which will come at such a time that it has chosen and to any male member (son or grandson or great grandson) of the family in which *orihwe* once existed. Such a person possessed can be proclaimed as the heir of the particular *orihwe* who belonged to that family once upon a time. We also see that, "*when the person is possessed, the spirit may speak through him, so that he now plays the role of a medium, and*

²⁷ Jacob K. Olupona (ed.), *African Traditional Religions: In Contemporary Society*, USA: International Religious Foundation, 1991, p.114

²⁸ John Lagu, 38 years old, grandson of Milla, currently he is a businessman and has almost forgotten his duties in the clan.

the messages he relays are received with expectation by those to whom they are addressed. But on the whole, spirit possessions, especially unsolicited ones, result in bad effects"²⁹.

2.2 Inheritance and Material Possession

When a man, or a woman, a boy or a girl dies there is something which has to be inherited from such a person. Among other things, what really matters or what one has may influence his marriage life. The couple may have children but the kids may not be enough when it comes to maintaining the home since there could be too many things to care for. *"These call for more wives, but often more wives mean more things since they will increase labour and the man will be richer"*³⁰. A rich man may have two wives but only two children; this would be a big shame. A rich man must also have good number of children enough to correspond to his riches. Therefore, he might get married to a third or even a fourth wife. This would not be difficult for him because what begins the marriage ceremony is bride price and what fulfils it is children. However, *"A fair number of men have two wives but those who have three or more at a time are almost invariably persons of importance in other retorted-heads of corporate lineages or clean sections or close agnates of chiefs or chieftlets"*³¹.

Now, a rich man has wealth and, if he is not impotent, he is such a person one would like his daughter to get married to. He can get bride price from him without any difficulty, and his daughter will bear children.

²⁹ John S. Mbiti, *op. cit.*, p.82

³⁰ John Hakim 34 years old, a student at Yole technical institute (Arua), I interviewed him at Oiji transit Camp on the 17th July 1997, while for his practical.

³¹ Aidan W. Southall, *Alur Society*, Nairobi: Oxford University Press, Reprinted, 1970, p.33

2.2.1 What is Material Possession?

In a home the husband is not only the master but also the owner. This is why a home is usually called by the name of the man (husband). One thing can be detected from a home that is called by the name of a woman and this is when, the husband is careless, drunkard and is hardly seen at home, to extent that his wife may now and then beget children with men here and there. In such a case the woman takes up the responsibility of the house and the family needs.

So then a man is the owner of the home. What makes a home are; a man, his wife, children and a place where they live; there may be cattle, sheep, goats, granaries and of course land including many other things. Since a man is the owner of the home, all that which make up a home and all the things which are for the home are his. Talking about material possession of a man, indeed, women and children are but part of it.

When a man dies he needs two categories of heirs for his possessions, *"he needs an elder son to assume the responsibilities of the father to the rest of the children, to look after all the things in the home and use them in agreement with the minds of the clan elders"*³². We also see that a man needs his brothers to continue begetting and raising children for the clan with his wives, if at all he had more than one before his death. *"If a widow rejects the suitors of husband's lineage, she is permitted to be inherited by a member of any lineage within her husband's sub-clan. However, some lineages are more closely linked than others"*³³.

³² Nelson Iwa, 67 years old, interviewed on the 18th July 1997 at Ojiji Settlement. He does nothing at the moment, but he was a sub-chief at Opari location in Southern Sudan.

³³ Aidan W. Southall, Op. Cit., p. 169

We also see that a woman, however needs the eldest daughter to be as an heiress: the one to be the mother to the rest of the children. This sometimes is impossible, but if she is married then she can work in collaboration with her other sisters who are unmarried. In a case that this particular girl gets a partner and wants to marry she is free to do so through dialogue with the elders of the clan so that she is not cursed.

2.3 Conclusion

To end this second part, I would say that it is not good to keep on the old traditional way of doing things but to open up our eyes and see in a new way. In a way to educate and evangelise the families, in relation to inheritance and spiritual possession or even material possession. In the modern world, we have to be very careful especially when inheriting material things, this could be the wife of the dead person. As we know it is very dangerous and risk to do so, because of the sickness around us. Even, if tradition and culture forces us to do so, we have to see into it that we put the bases of evangelization of the families, and if we put our emphasises on this evangelization the truth will always set us free (John 8:32). So, *"to become more authentic and more faithful to its underlying truth, a culture must die and rise again under the impact of evangelization, the invitation to respond to Christ's self-gift in history and become more fully human by adopting the "Christic model", the pattern of Christ's death and resurrection"*³⁴.

Behind this we see that there is both positive and negative aspects of inheritance. For example when a head of the family dies, the person who inherits the widow has to take care of both the

³⁴ Aylward Shorter, *Evangelization and Culture*; London: Geoffrey Chapman, 1994, p.36

widow and the children. " *The best that can be given to a woman who has lost her husband through death, is either a replacement or a helper. This, in the context of our civilisation, is regarded as positive not only to her physical and psychological requirements but also to the well-being of her children*"³⁵. But, the danger is that, this person who inherits may take all the property of the deceased for himself and abandon the responsibility entrusted to him. " *However, the qualification attached to this practice is that such a "caretaker" must be a man of upright standing. It is also not by force that she should take a man she does not like. To leave the widow with her children out in the cold is seen as a great lack of love for the family. The best tribute that can be paid to the dead man is to take care of his family*"³⁶

CHAPTER THREE: THE INHERITANCE CEREMONY

3.0 Introduction

In this chapter we will deal with a number of topics. The Ma'di inheritance ceremonies is done in different ways, also with different kind of people and things. Therefore, here I would like to point out just a few points. I will deal with the following:

A look at an inheritance ceremony, Who does it? (the choice of traditional Priests and rain makers), the symbols/objects used and the meaning, and lastly we will see what really happens (rituals performed). Then, I will make a short conclusion.

³⁵ David, G. Maillu., *Our Kind of Polygamy*, Nairobi: Heinemann Kenya Ltd., 1988, p.12

³⁶ Ibid., p.13

3.1 A look at an inheritance ceremony

3.1.1 Women and Men

As we look at an inheritance ceremony, here I take some examples, when a woman dies, two things are imperative; First a man must look for another woman to take her place in child bearing and manual work. Secondly, the eldest daughter of the deceased woman must take up the responsibility of motherhood, but not to be the wife of her father. *“Already at birth the woman is destined to be married-so the people believe. In traditional African society this entails a bride-exchange in form of cattle, services, foodstuffs, family ties, or other expressions of marriage contract. Furthermore, the woman will bear children and thus enrich her husband and the wider circle of relatives from both sides”*³⁷.

These two things are not contradictory. For the new wife with whom the man must undergo all the marriage ceremonies, imposed by the tribe, is not the mother of the children of the deceased wife- by any right. Whatever good she might do to these children is but, merely her charity for them. While the inheritance of motherhood is only the lot of the elder daughter of the very woman who died, unless she is married, the new wife is not prevented from exercising a motherly duty to the little children of the deceased wife.

We also see, that on the fourth day after the burial of a woman the day of shaving is observed. Everything is the same even when a man dies, except that with a man, the day for the shaving is observed after the third day, and he is not given any woman to inherit, this is his own affair.

³⁷ Jacob K. Olupona (ed.), *Op. Cit.*, p.64

The eldest daughter is affirmed by the clan elders as the rightful heiress, but not as a wife to her father. The ceremony of installation and handing over of duties is left to her aunt who collaborates with all the women around.

They go home after the heiress has been affirmed by the elders. Then they all come back singing and dancing in the evening after sunset. Each of them comes back with some objects that a woman needs at home. The aunt also gets things of that kind from the kitchen of the deceased. The aunt then invites them to hand over motherhood to her niece. *"Each of them then comes forward with something (e.g. a grinding stone) and places it in front of her, where she is seated at the door of her mothers house (Kitchen) facing inwards. "There you are", are the ceremonial words of each woman. Each of them goes away in silence after that. Lastly her aunt comes forward with cooking pots, water pots, winnowing baskets, grinding stone, grinding stone-daughters (i.e. little stones used for grinding millet on the big grinding stones), and many other things of that nature. She places there in front of the heiress and says "mother of children your work begins today" then she goes away. From this moment the motherhood of the rest of the children is hers-even if something may be executed by someone else"*³⁸.

3.2 Traditional Priests

It is unfortunate to use the term Priest when speaking of Ma'di traditional religious life. This is because, *"there has been too much confused thinking about the religious practices and beliefs of Africans. Africans have been described by some writers as pagans, heathens or men*

³⁸ Dudu Alice, Stays at Biyaya Refugee Settlement, interviewed on the 29th July 1997.

whose lives are dominated and trammelled by superstitions. It has been said that they lack any theological ideas and that all the elements which make Judaism, Islam or Christianity sublime are lacking in African religion"³⁹. Nevertheless, for the Ma'di the term used for priest is "*Kidori dripi*" (the one who looks after the sacrifices and offerings at the altar of the Lord).

I prefer therefore, to make it technical by defining it in relation to my subject and as a result of this research requires, priest is any one person or family responsible for either guiding worship, sacrifice or for actually worshipping and sacrificing to a god or spirit, moreover, he is also that one who gives food to ancestral spirits. This kind of person is, or at least as it was the past, to be found in every family. He is just born and not merely chosen.

The one who is in charge of worship, sacrifice or offering in the family is the grandfather. But these may be a family in the sense that they are brothers living close to one another and each of them has grandchildren. "*On the commoner or lower-caste side each priest "owns" a number of followers, allotted to his house at one point or another by this or that noble house and subsequently inherited from generation to generation*"⁴⁰. In fact they make one family but only one of them (the eldest, preferably the first born) is the priest; "*and in matters of religious rituals he rules over even his brothers households- if there is need to gather together for a sacrificial worship or for a thanksgiving feast after the sorghum harvest where he must be president*"⁴¹.

³⁹ Eric O. Ayisi, *An Introduction to the Study of African Culture*, Great Britain: Richard Clay (The Chaucer Press) Ltd., Bungay Suffolk, Reprinted 1986. p.71

⁴⁰ Clifford Geertz, *The Interpretation of Cultures*, New York: Basic Books, Inc., Publishers, 1973. p.179

⁴¹ John Opi, A teacher interviewed on the 14th July 1997 at Biyaya refugee settlement in Northern Uganda.

There are priests who are well distributed and are ordinary in the sense that where there is a family, there should be such a person. In their choice (if it should be called choice) inheritance plays an important and decisive factor: *"Continuity is ensured without dissatisfying anybody in the family"*⁴². Note also that among the Ma'di, what our fore-fathers always did and what they used to say, is a very strong argument, they question it only he who does not value tradition, namely what we have inherited from our fore-fathers, and as a corollary one who makes good quotation of the sayings of our fore-fathers is considered a wise man.

Specifically, there are those whose affairs are only to deal with matters divine. They do all that which the priests I have described above do; and more than them, they can find out the mind of the gods in some very crucial matters when they are approached or on their own. The choice of these is hereditary but it is absolutely irregular. *"While the others are chosen, also through inheritance-but it is done regardless of descent, it is the priest who appoints the person to inherit the priestly duties in consultation with the gods"*⁴³. Here descent is not important. The priest goes to the home where his proposed successor is and, on reaching; he stops at the shrine and says a little prayer; *"Such prayers always have concrete intentions, and people do not beat about the bush when saying their prayers"*⁴⁴. Then he goes to the courtyard and asks for the inheritor to be. He does not accept to sit, on the contrary he turns as if to go and beckons the proposed inheritor to go after him, off they will go and from that time on the inheritor will be going to receive regular instructions accordingly. It is said that when the priest dies not only his sacred objects but also his clothes (in earlier days skins)

⁴² John Opi

⁴³ Jane Kide, A teacher interviewed at Alera II refugee camp on the 30th July 1997.

⁴⁴ John S. Mbiti, *Introduction to African Religion*, London: Heinemann, p.55

stools as well as some very dear things are constitutive of the inheritance. *"If there is no social impediment his religious inheritor has the first right to inherit even his wife"*⁴⁵. At the burial of the priest the successor is one of those who stand in the grave to receive and place down the body. After doing this he jumps out and goes away and he should not be around until *"the day of shaving"* (i.e. the third day after burial) when he will officially be acclaimed as the new traditional priest. This is because he will be in-charge of offering the sacrifices to the gods.

3.3 Rainmaker

*"In many countries of Africa there are specialists who look after this ritual. They are well trained in matters of the weather. In some places their office is hereditary; and they may have additional responsibilities like the famous rain-making queen of the "Lovedu" in Southern Africa"*⁴⁶. So concerning the succession of rainmakers, there are not many differences with that of the priests. The main difference is that in the majority of the cases, it is the grandchild of the rainmaker who inherits (becomes the inheritor). The choice is left to each rainmaker who is not bound to choose any particular grandchild. Moreover a man may choose a grand-daughter for an inheritor and, similarly, a woman may choose a grand-son for an inheritor. This is so only in matters of rainmaking. After training he/she begins to ask the heir/heirress to take certain occasions of rainmaking alone to prove the competence. *"The son or daughter of the rain-maker takes up the profession of his or her parent, and begins to*

⁴⁵ Jane Ojjaba.

⁴⁶ John S. Mbiti., *Ibid.*, p.129

train at an early age"⁴⁷. Also we see that, "where rainmaking is not hereditary, a person may be called to do it through dreams, messages from the spirits or a natural interest in the work"⁴⁸. This is not the case for the Ma'di people, just because for them rainmaking is hereditary.

3.4 Inheritance Ritual

When a man dies three days after burial all the relatives and neighbours must observe the day of shaving. "This is a day when all gather around the clan elders, one of whom narrates the history which led to the man's death, by this time inquiries would have been made as to why the man died"⁴⁹. Either if he was sick or beaten or bewitched. If bewitched, and this is always presupposed until the contrary is proved, then by who and why? A diviner is believed to have the ability to ascertain all these. The women are the main actors in this aspect. "Under the cover of darkness and the immunity graciously conferred by tradition, the women boldly call out in songs the names of the offenders in front of their respective houses and contemptuously pour opprobrious condemnation on them. In all this, women act as cultic-functionaries who are set apart for the services of certain divinities. As such they are in categories of priestesses, diviners, mediums and medicine women"⁵⁰. This is true of the

⁴⁷ Ibid., p.158

⁴⁸ Ibid., p.158

⁴⁹ Mike Lodu already mentioned

⁵⁰ Jacob K. Olupona, *African Traditional Religions in Contemporary Society*, Op. Cit., p.77

Ma'di people, though sometimes, it is rare that women take up such offices, duties and even responsibilities.

Anyhow, on the day of shaving, before making known the cause of the death, known heirs are allocated their portions of inheritance. If the deceased has not left a will behind, than the elders take charge (responsibility) of allocating the property to the children. Whether quantitative (material possessions) or qualitative (rights and responsibilities); the elder son is put in place of his father by the clan elders to rule and guide the household. Then all the sons, including the elder one, are each assigned a portion of land. *"The youngest son is not assigned any piece of land until the day their mother also dies, then he will inherit not only the whole piece of land that his mother has been tilling but even the courtyard including the house (especially if that house was a good one)"*⁵¹. For the girls, since they are not meant to stay at home (in their fathers house) almost nothing is allocated to them, but the widows are taken care of with a lot of concern.

As the one replacing his father, the elder son is called to stand up and move to the clan elders and utter his acceptance, where upon an applause by the whole community present undisputably affirms him as the inheritor. Silence would require the elders to reconsider the matter. It lies within their powers to make a provision allowing any other son (this time the order of birth does not count) to be chosen as the inheritor. What comes next is the inheritance of the wives of the deceased if he had more than two or more. There is a lot of drama here. The elders ask all the brothers of the deceased to go forward. They are seated in a line. One next to another. Then the wives of the deceased are called one by one-beginning

⁵¹ Julius Hakim 72 years old, a clan elder, I interviewed him at Ramogi refugee settlement on the 23rd July 1997.

with the senior down to the most junior. Each one who comes up and chooses any one of the brothers for a new husband by placing her hand on the man's shoulder. In consequence this ceremony is called "*the placing of the hand*". *"Each one is free to choose any brother and not necessarily one different from her friends' choice: except they would be bound to some only if one of the brothers is known to be impotent, and in such a case he would not even be allowed to be present where "women" are choosing their "men"*⁵². These days to inherit, a wife of a deceased person is a big problem and it is a challenge to the Ma'di people; because they believe very much in inheritance. This big problem is due to the sickness around us, and it has become a challenge because of the Christian religion practices. This is what we see in the Bible, (e. g. Genesis 2: 24) this refers to "man" and "his wife" not wives, becoming one flesh is all that is responsible for this interpretation. But, culture and Christianity are in conflict in regard to widow inheritance. *"The teaching of the Church about monogamy is based on the western culture. It should be clearly noted that no single culture stands all over others as the Christian culture. No particular set of cultural patterns and social structures is in itself specifically Christian"*⁵³

3.5 Conclusion

Actually in this chapter, we have seen the inheritance ceremony, and I believe that this piece of work has given me a clear picture of how to go about with inheritance ceremonies among my people. The ceremony done, is to send the evil spirits away from the clan. We know that as Christians we are told only to marry one wife, and with inheritance one is force to be a

⁵² Julius Hakim

⁵³ Peter, Kanyandago., *Evangelizing Polygamous Families*, (Amecea, Gaba Publications Spearhead, 116-118) p. VII

polygamist. The rituals are performed so that the whole clan may be protected from evil people, also the Ma'di people believe that after the rituals, good fortune is brought to a particular family who might be in problems either by the death of their loved ones or bad luck in life brought about by witchcraft.

The ceremony is an important point in social development of the individual and even the family members. These ceremonies not only concern the individuals on whom they are centred, but also mark changes in relationships, of all the parties concerned, either with blood ties or marriage. So, we see that one of the greatest arguments against widow inheritance in modern Africa was brought to Africa by white missionaries, an argument based on the cultural values and western interpretation of the Bible. To be a Christian goes the claim, a married man must have only one wife. Widow inheritance is practised by people. We, as pastors, what should be our attitude towards them? A spirit of respect is very important.

CHAPTER FOUR: THEOLOGICAL REFLECTION ON MA'DI UNDERSTANDING OF INHERITANCE IN THE LIGHT OF THE BIBLE

4.0 INTRODUCTION

Inheritance among the Ma'di people, as the previous chapters have shown touch every aspect of life, and I think that although the concept of the same word may be found elsewhere the importance may not occupy them as much and in the same way as it occupies the Ma'di people. The Old Testament people of God have their own way of looking at it and it fitted them well enough. The New Testament writings perhaps bows in affirmation of the Old Testament idea, but something is certainly more specific of the New Testament. The New

Testament gives a new rule of faith and life, Jesus Christ, its idea of inheritance should be in agreement with this new rule of faith and life. Understanding these may help to enlighten dark corners of inheritance among the Ma'di people (e.g. widow inheritance, land and other material inheritance e.t.c.) and open a way to Christianity to absorb more ideas regarding inheritance.

The juridical notion of inheritance as the transmission or possession of goods not acquired personally but given by a previous possessor, can be found in the Bible both in its literal and, more especially, theological senses. In the latter it deals with the gratuitous nature of man's salvation.

4.1 Literal Sense

"In Israel the transmission of patrimonial goods was determined by custom or by law and not by last will nor by testament. What a man needed was only to set his house (i.e. his property) in order as we read in the following passages 2Sm 17: 23; 2Kgs 20: 1; Si 14: 15. Only a few texts treat the law of inheritance directly"⁵⁴. For instance, in Dt 21: 15-17; the law provides that birthright of the first born son comes before the love of any woman, that the first born son gets a double share of the father's estate. In the Ma'di according to the ancestors these are the things to be followed (to have children from a properly married woman according to the customs and traditions). It will be unfortunate for a man not to have a son with a proper wife, it has always been a custom for the son of concubines not to inherit anything even the land of the father when he dies. The sons of concubines received no inheritance but could be given

⁵⁴ *New Catholic Encyclopedia*, Vol. VII, Washington D.C.: The Catholic University of America, 1967, p.516

some presents by the father, if he and the clan comes to a common understanding of the implications involved.

*"Daughters did not inherit unless there were no male heirs and they (daughters) were married within the same clan"*⁵⁵. It is interesting to note particularly of Zelophehad complained that it was their father's own fault that he did not have sons, all the same they wondered, why must our father's name be lost to the clan? Since he had no son, give us some property among our father's kinsmen and God heard their request with favour and told Moses, "Give them a property for their inheritance among their father's kinsmen; pass to them their father's inheritance" Nb 27: 4-7; 36: 1-9. No heritage was to move from one tribe to another (Nb 36: 9). *"The nobility and integrity of the homestead depends on how ready its owners are to take up responsibilities as and when crises arise. The take-over may create friction with the wife of the caretaker; but even his wife is aware (she too has been culturally moulded into this awareness) that tomorrow it may be her turn. Whatever service or allowances she extends to the widow therefore, is eventually a contribution to her own security in this home as well as a promotion of the integrity of this homestead"*⁵⁶. Among the Ma'di people the death of the husband does not make her leave or be told to go by the elders instead she becomes someone to be taken care of by the brothers of the late husband.

"A widow did not inherit; she could, however be the guardian of her deceased husband's property until their sons came to full age e.g. 2Kg 8: 3-6. Without sons or daughters the property would pass to her late husband's brothers or nearest male relatives and she is returned to her father's house: this is shown in Gn 38: 11; Lev 22: 13. Alternatively she

⁵⁵ *ibid.*, p.516

⁵⁶ David, G. Maillu., *Op. Cit.*, pp. 12-13

would remain and get attached to her husband's family by a levirate marriage Dt 25:

*5-10*⁵⁷. This aspect that a widow is not to inherit was rarely unheard of in the Ma'di community, however in rare cases if the family were rich, the sons though young had the right over the property of their parents. Due to some stubborn relatives this at times becomes a big problem between the sons and the brothers of the deceased man.

*"Toward the end of the Old Testament period; however, a childless widow could apparently inherit her late husband's property Jdt 8: 7"*⁵⁸. The theological vision on inheritance here is looked at in a very positive way. For we see in the Scriptures that a widow has the right to inherit her deceased husband's property. This is very right of the Ma'di, if the couple end up childless all the things left behind are to be for the wife even though the man had brothers. But the big problem here would be the inheritance of the wife of the deceased. This has always remained a problem. The other thing which sometimes help is when the two were married according to the teaching of the Church.

4.2 Inheritance in the Bible

4.2.0 Introduction

In this theological usage I will develop some concepts about inheritance in both the New and the Old Testaments, in relation to the Ma'di way of seeing inheritance in the scriptures.

⁵⁷ *Ibid.*, p. 516

⁵⁸ *Ibid.*, p. 516

4.3 The Old Testament

"Near the beginning of the Pentateuch in the accounts of God's promise to Abraham in Gn 15, the concept of inheritance appears already four times: 15: 3, 4, 7, 8. This promise of a future inheritance is the opening step of the theological thought continuing even up to the New Testament. Gn 12: 7; 13: 14-17; 15: 18; 24: 7; 26: 3-5"⁵⁹. Inheritance among the Ma'di of Southern Sudan in the early days of our ancestors had a very great place in the society because whatever happens the first thing to be mentioned was who will inherit or who will be the inheritor. As we see in the Bible the foundation of inheritance was laid on with God's promise to our forefather Abraham.

That is why we see, "the same promise of a land to be received as an inheritance is found in the Ancient Mosaic traditions concerning the covenant: Ex 3: 8, 23: 20-33, in the later text this possession is regarded as a fulfilment of the promise made to Abraham, Ex 6: 8; 13: 5; 32: 13"⁶⁰.

4.3.1 The Inheritance of the Land

"After the Exodus the land of Canaan was considered the inheritance of the Israelites; Gn 48: 6; Nb 26: 52; 34: 14-18; Deuteronomy dwells on this idea: e.g. Dt 1: 7, 8, 21, 35, 38; 2: 12, 29, etc. If Israel succeeded in gaining possession of (inheriting) the promised land, it

⁵⁹ Ibid., p.516

⁶⁰ Ibid., p.516

was only because this land had been given to her as a patrimony (heritage) by Yahweh: Jos 1: 6; 3: 1, 7. Cfr. 1Kg 8: 36; 9: 7; 2kg 21: 8; Neh 9: 8, 15; 1Chr 28: 8 and Pss 36: 18; 68: 37. In certain cases the land of Canaan is called "Yahweh's Heritage". 1Sm 26: 19; 2Sm 21: 3; 1kg 8: 36⁶¹. Here when we take the land we the Ma'di people have settled in, I would say that Milla our great-grandfather came from the hills of Torit and was led by the spirit of his ancestors to inherit the land we now have settled from the Bari people. According to history, this land of Loa parish is a kind of promise made to Milla. Whereas, to the Ma'di people the land which became their heritage was because of the ancestors who crossed from Ethiopia then the hills of Torit and decided to inherit the land of the Bari people. These people moved further north towards Juba. So I can say that our land is our own heritage.

4.3.2 In the Prophets⁶²

*"The idea of inheritance again becomes a central theme with Jeremiah. The gift of the promised land as Israel's inheritance constitutes, with the Exodus, the preamble to the covenant and forms the basis of expectation that Yahweh would be faithful to Israel. Jer 3: 19, 7: 7; 11: 4-5; 12: 7-10 as well as Ez 33: 24; 35: 15; Is 60: 21; 63: 17. In Zc 2: 16 and 8: 12 the perspective of the heritage has already become eschatological"*⁶³. Among the Ma'di this aspect of inheritance started with one clan and it was a kind of following the ancestors. When it comes to the end of time everything depended on the one who started this

⁶¹ Ibid., p. 516

⁶² Ibid., p.516

⁶³ Ibid., p.516

process of inheritance. Now among the Ma'di it is like a rule laid down by the ancestors as I observed while carrying out this research.

4.3.3 Development of the Concept⁶⁴

The further development of the concept of inheritance came about as a result of national catastrophes, however, the former representations remained in force in the Ma'di community.

"In the course of the Old Testament the inheritance theology evolved in such a way that the two originally distinct concepts of Canaan as Israel's heritage and Israel as Yahweh's heritage were integrated into each other. This was in germ in the theology of the covenant: Dt 4: 25-28; 28: 15-68; 29: 21-27; Cfr. Ex 19: 5; Dt 7: 6; 14: 2 and Israel would always be Yahweh's heritage even in the state of the faithful "remnant" Dt 30: 5. If the exile would have made the hope of terrestrial heritage unrealisable, the inheritance concept would be taken up in more universal terms; Is 57: 13; 65: 8-9"⁶⁵.

In Ma'di the period of the inheritance concept became something without end and personal. Today as I write this paper anyone living in the Ma'di land even if he is a foreigner could share in this concept of inheritance. *"This situation was gradually transformed into a purely spiritual and personal hope: Pss 15; 72: 25-26"⁶⁶.*

⁶⁴ Ibid., p.516

⁶⁵ Ibid., p.516

⁶⁶ Ibid., p.516

4.3.4 The New Testament

“The inheritance concept is developed theologically in the New Testament along two lines of thought:

- (a) *Eschatological hope.*
- (b) *The fulfilment of the inheritance promise in Christ”⁶⁷.*

4.3.5 Eschatological Hope⁶⁸

“As in Judaism of the last few pre-Christian centuries, also in the New Testament, the hope of the inheritance is transferred to an eschatological plane, Mk 10: 17; Mt 5: 5; 25: 34; 1 Cor 6: 9-10; and Ga 5: 21”⁶⁹. In this perspective possession of the Kingdom of God is now the inheritance of the believers Rm 4: 13-16; Eph 1: 18; of which the pledge is given with the Holy Spirit received in Baptism Eph 1: 14. So as Ma'dis' we have to have hope in Christ, that through his death we already have a guarantee of an inheritance in him, so that we can become the children of God.

⁶⁷ Ibid., p.516

⁶⁸ Ibid., p.516

⁶⁹ Ibid., p.516

4.3.6 Fulfilment of the Inheritance promises in Christ⁷⁰

"In the New Testament the promises of the inheritance made to Abraham are considered fulfilled in Christ. This line of thought is well expressed in the parable of the vine dresser; Mk 12: 1-12. Christ is the Heir who inherits the vineyard of Israel; Is 5: 1-7 and he is the one who, therefore, received the inheritance promised to Abraham"⁷¹. As we read in Ga 3: 15-18; and this promised inheritance he shares with the believers (Ga 3: 29) and the Church Eph 3: 6. For the Ma'di in all these inheritance becomes the kingdom of God. This is so due to faithfulness in following the promises that was given us right from the beginning of creation. So there as faithful Ma'dis' we will share as co-heirs in the kingdom of God. "It is no longer a question of Canaan or of earthly hopes or a world empire, but of the final possession of salvation in the sense of New Testament eschatology, a salvation which depends as an "inheritance" on the promises of God and will be possessed as the "share" of the children of God securely and for ever"⁷².

4.3.7 Conclusion

In concluding this chapter we see that the inheritance concept has thus, attained its full development starting with the promise of a land in which Israel could live here on earth. *"It now designates the blessings of salvation the sharing in the divine sonship in the Kingdom of*

⁷⁰ Ibid., p.516

⁷¹ Ibid., p.516

⁷² Johannes B. Bauer.,(ed.), *Bauer Encyclopedia of Biblical Theology*, London: Sheed & Ward, 1976 pp. 397-8

*the Father by all who truly confess Christ Mt 25: 34*⁷³. Therefore, to receive this inheritance each one has to get oneself to be transformed in accordance to the image of Christ.

(1 Cor 15: 49)

GENERAL CONCLUSION AND SOME PASTORAL SUGGESTIONS

So, bringing to the forefront the deep value of the fact of inheritance among the Ma'di people has an aim of providing for a better outlook in preaching Christ to them. There are many cultural values that should not be over-looked; these values influence the lives of individual people, most of the time more than the Christian faith is expected to. Inheritance is not merely one among such values in Ma'di but it is one of the root-cultural traditions that by itself can explain many other things. Jesus Christ is not tied to any one exclusive culture nor to particular people. His earthly life showed this and the subsequent earthly preaching followed suit; Jesus Christ always went to people and began from where they knew. For instance he goes to the lake and enters the boat of Simon Peter, then he teaches them there, but he also gives them a big catch of fish, Lk 5 : 1 ff. In Mt 8 : 14ff he goes to Peter's mother-in-law and touches her in order to cure her. He does not condemn the woman who all moralists of the time thought she had committed one of the gravest sins but only cautions her Jn 8: 1-11.

Paul later tries to speak in models so that his audience may understand e.g., Act 17 : 23-31 and in many similar texts one can find that God has neither favourites Act 10 : 34ff nor does he make distinction between believers Act 15 : 9-11. On this account Peter's apostolic letter to the brothers and sisters of the pagan birth in Antioch, Syria and Cilicia was to provide them

⁷³ *New Catholic Encyclopedia*, Op. Cit., p.517.

with only what they needed (the essentials) and rule out whatever else was simply a burden, Act 15 : 22-29.

My aim of making these references is not to make scripture prove my ideas but to help me be in the line with the Church's teaching which is scripture based, and it is also to indicate that the discussion that now follows has been modelled with some good recognition of the value of the scripture which provides a challenge for all times to the Ma'di people.

(i) **Concerning Widow Inheritance:** The Ma'di people allow a woman two legal choices upon the death of her husband:

(a) She may remain in her deceased husband's homestead in a leviratic union, or

(b) She may return to her father's home to remarry, if she had no child with the deceased husband, provided she keeps her connections with her late husband's clan.

In the first case it means that she may cohabit with either one of her husband's brothers or one of her husband's male relatives or any man who has been adopted into the deceased husband's though originally a stranger, (*jurugo*: a person from a different tribe or *KevòKevò*: a person who has come and settled in a particular clan). However, her choice is subject to approval of the family and clan elders (*Amba Vuradri*) of her deceased husband. If she cohabits with a man of whom they do not approve, the man may be sued by the clan elders for adultery. The children of a levirate union belong to the family of the deceased husband.

In case she chooses to return to her father's home the bride-prize (*Malii*) may be returnable according to the number of children the widow has, but if she had not given birth then something must be given back to the family of the deceased, in most cases this is not very easy. "However, a widow may not return to her father's home before she first cohabits (even

*though for a very short period) with someone, i.e. a leviratic union must be formed before a widow can sever the connections with the late husband's clan, and go back to her father"*⁷⁴.

The reasons behind widow inheritance among the Ma'di: When one asks for the reasons why a widow (*awizi*) cannot remarry most of the Ma'di will answer you that she is already married and cannot be married twice. Another response is that the bride-wealth (*Limi*) has already been paid, it will not be right to take the *Limi* twice to widow's village or house. Another response is that a widow is in the midst of her brothers-in-law who are now her husbands. They stand in the place of her dead husband. The *Limi* which her husband married her with didn't die, all his things still exists. The widow would not want to leave her children (they belong to the father's lineage). She did nothing that would cause her to be removed from her deceased husband's lineage.

Pastorally speaking we should be aware that there is a lot of positive elements in widow inheritance. In this sense nobody should approach this issue with a sense of superiority. I see that dialogue between Christianity and this aspect of culture is necessary. There is need to integrate Christian, doctrinal canonical and African norms and values on family life and widow inheritance. Appropriate inculturation in all important sphere of family life and widow inheritance, will facilitate the integration of the growth of the Gospel and cultures and thus ensure firm establishment and survival of Christianity in Africa and the Ma'di people in this case. The split between Gospel and culture is without doubt the drama of our time, just as it was in other times. *"Therefore, every effort must be made to ensure full evangelization of cultures. They have to be regenerated by an encounter with the Gospel. But this encounter will not take place, if the Gospel is not proclaimed. One of the aspects of evangelization is*

⁷⁴Michael, C. Kirwen., *African Widows*, New York: Orbis Books, Maryknoll, 1979, p.30

the inculturation of the Gospel, the Africanisation of the Church. This will help people to be true Africans and true Christians"⁷⁵.

(ii) **Concerning Marriage:** I would suggest that the marriage rite be revised in such a way that those who get married do not take matrimony as merely an additional marriage ceremony which is secondary to the traditional marriage. In this way what is stressed and is at the back of the mind in traditional marriage ceremony would find a similar expression in the celebration in Church. The handing over of the bride, the paying of bride-price the introduction of the bride to the cooking tripods (i.e. allowing her to cook in her own kitchen) and, later on, celebration of the first born all form the traditional marriage ceremony; behind all these lie the immediate hope "*inheritance*". I do not think that there would be any conflict with the Catholic structure if many of these things were integrated within the celebration of matrimony.

The room, given by the Second Vatican Council and, more recently by the encyclical "Familiaris Consortio" of Pope John Paul II, is too large to give rise to conflicts if proper care is taken by the local Church in inculturating marriage. "*Only with the help of all the cultures will it be possible for these riches to be manifested ever more clearly and for the Church to progress towards a daily more complete and profound awareness of the truth, which has already been given to her in its entirety by the Lord*"⁷⁶.

What is the point in celebrating in ten minutes something that is so meaningful and which is to be lived for life; there is need to prolong (distribute it) over a longer period of time giving

⁷⁵ Peter, M. Kanyandago., Op. Cit., p. VII

⁷⁶ John Paul II, *The Family in the Modern World*, Kampala, Catholic Bookshop Publications, April 1982, p.17

time for appreciating the values traditional as well as those which are ecclesiastical. *"It is by means of "inculturation" that one proceeds towards the full restoration of the covenant with the wisdom of God, which is Christ himself. The whole Church will be enriched also by the cultures which, though lacking technology, abound in human wisdom and are enlivened by profound moral values"*⁷⁷.

The fact that there are those who are conditioned to be polygamists, or in similar states though they are Christians who profess the faith is something that I only mention, how should they be looked at by the Christian community becomes a challenge full question to the Church. But the encouragement given to the bishops in mission countries is, *"to draw up new rituals which express the meaning of Christian marriage in the symbols and gestures of their own culture"*⁷⁸. This should not be left only at that level.

(iii) **Concerning naming:** I would make a similar suggestion that since Canon Law does not disagree with giving any meaningful name to one going to be baptised, unless such a name would be scandalous to the Christian community. Therefore, meaningful Ma'di names, especially those with the right to inherit would be allowed in Baptismal ceremonies-instead of having to choose a name of an exemplary Christian of some European country which is often difficult to pronounce.

(iv) **The way the traditional priesthood** was considered in terms of inheritance as well as the kind of people who exercised this duty may be, positively compared to the priesthood in the Catholic Church. In the Ma'di society the priest gets this duty by inheritance

⁷⁷ Ibid., p.18

⁷⁸ Joseph Martos, *Doors to the Sacred*, SCM Press, London, 1981, p.445

and the qualification of being a male is a necessity. Turning an eye towards the Catholic Church one finds, similarly, that priesthood falls in a kind of inheritance line. For originating from Jesus Christ, it is entrusted to the apostles who in turn transmitted it to properly chosen men. Moreover, what is transmitted is received from generation to generation from the time it was committed to writing. This is clear in the discussion of the Vatican II Council fathers which was eventually put as, *"It was done by the apostles who handed on, by spoken word of their preaching by the example they gave, by the institutions they established what they themselves had received-whether from the lips of Christ, from his way of life and his works"*⁷⁹. And this is something which is quite a picture presentation of the Ma'di especially as regards the inheritance of things and qualities.

For just as the apostles handed over by their oral preaching and exemplary life, what they had received from Christ and as these things were written and are now transmitted as such and by tradition. Also in the Ma'di people the things and qualities are lived from generation through inheritance, they are taken as "what was done by our ancestors" or "what our ancestors used to say" if it is a display of wisdom of a strong tradition.

Besides calling for fresh revisions in the rites of the two sacraments of matrimony and baptism, as much as the Church Magisterium allows, the one important thing to put in mind is that for the preacher of the Christian faith to make any head-way at all he cannot neglect or worse, simply ridicule some cultural values. More especially the theologians and ministers of the Church should acquire the impetus to sit and take stock afresh of certain theological and pastoral positions if they have to reckon with certain rigid facts like inheritance. It might sound

⁷⁹ Vatican II, Dei Verbum, 18th November, 1965, no. 7

funny but when one makes a research one can find that the things which are often overlooked are the things which could help, with much less effort, to turn any place if they were employed in time. Each social group, I believe has been endowed with some value by God and it only does well to accept it and use it appropriately.

Therefore, then if the Lord gives every social group specific cultural values which it cherishes, such is the case with inheritance among the Ma'di people of Southern Sudan.

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