
4 The Family Among the Borana Oromo: A Case of Customary Law in Ethiopia

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4.1 The Law of the Borana and the Law of the State

Despite¹ one century of incorporation into the Ethiopian state, the Borana, a pastoral Oromo section living in the southern part of the country,² have successfully regulated most aspects of their social life through their customary legal system. Firstly, the Borana continue

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1 This paper is based on data gathered in Southern Ethiopia in 1989 and 1990 as part of a doctoral program at the Istituto Universitario Orientale, Naples. Additional ethnographic evidence can be found in the author's doctoral thesis (Bassi 1992c), which is currently undergoing further analytical elaboration. The author would like to express gratitude to Berhanu Abebe and Taddese Beyene for the assistance provided by Ethiopian academic institutions, and to Bernardi and Triulzi for their academic guidance.

2 Their territory has been divided by the Ethiopian-Kenyan border.

to acknowledge their traditional leadership, ensuring a clear separation between traditional and state-related offices.³ Secondly, they have preserved their decision-making apparatus, which comprises an articulated range of different types of assemblies.

All matters related to rural families, rural activities, and the management of natural resources are addressed within the appropriate Borana assembly, led by legal experts (*hayyuu*) trained in the context of the *gadaa* and *qaalluu* institutions. Judicial proceedings follow traditional procedures, exclusively guided by Borana customary law.

This accomplishment may have been facilitated by the state's limited economic interest in Boranaland,⁴ but it was also made feasible by establishing a demarcation line between the state and Borana legal systems. Concerns regarding taxation and interactions with non-Borana in urban settings are exclusively entrusted to state-appointed, state-trained, and state-compensated officials. Legal cases of this nature are adjudicated by administrative institutions or before national courts, adhering to Ethiopian substantive and procedural codes. While conflicts and ambiguities between the two judicial systems may arise, the Borana carefully strive to prevent them by clearly defining the scope of each [tab. 2].⁵

Table 2 The separation between the state and the customary legal systems

BORANA LEGAL SYSTEM	STATE LEGAL SYSTEM
<i>Legal institutions (leaders with legal responsibility):</i>	
abbaa gadaa, qaalluu, hayyuu, jallaaba	officers of various level administrative divisions, judges and lawyers
<i>Context of the judicial proceedings:</i>	
various Borana assemblies in the countryside	administrative offices and courts, in urban centres for all major judicial cases and eventually outside Borana country
<i>Modalities of the judicial proceedings:</i>	
in Oromo language, according to traditional procedures	in Amharic language in all urban contexts, according to Ethiopian procedural codes
<i>Substantive law:</i>	
Borana customary norms, variously expressed	Ethiopian civil and penal codes
<i>Main competences:</i>	

³ This strategy, in the context of Southern Ethiopia, is not exclusive to the Borana (Donham 1988, 44).

⁴ With the exception of a few areas, Boranaland is not suitable for agriculture.

⁵ See, for example, the discussions at the 1988 *Gumii Gaayoo* ("general assembly" of the Borana) (Abdullahi Shongolo 1992, 9-10).

family and property in the rural context, management of natural resources, any dispute among Borana

Taxes, trade, murdering and other disputes if no-Borana are involved (urban area, inter-ethnic relations, agriculture in the sub-urban areas)

The transparent separation of competencies represents a mutually advantageous compromise that minimises conflicts between the Borana and state representatives. On one hand, the Borana were allowed to carry out their productive activities without external interference; on the other hand, the supremacy of the state has not been contested or opposed in a manner deemed significant by state representatives.

4.2 Borana Customary Law

When the Borana make decisions and pass judgments on certain behaviours, their governance is guided not only by explicit rules but also by a broad spectrum of elements referred to as *aadaa*. Depending on the context, *aadaa* signifies sound behaviour rooted in custom, practice, tradition, etiquette, a ritual procedure, a set of notions based on factors such as the calendar or divination, or, more specifically, a verbally expressed rule. A more general translation might be ‘cultural heritage’ or simply ‘tradition’, encompassing anything considered a shared Borana asset. Within this normative domain, whatever is deemed binding and authoritative results from the judicial process.

The Borana distinguish binding and authoritative rules using the term *seera*, broadly translatable as oral law, formally proclaimed in an assembly. *Seera* is regarded as part of *aadaa*. Individuals who believe they have suffered harm due to improper behaviour can initiate judicial proceedings within the appropriate assembly. These proceedings lead to an unambiguous statement by a juridical expert (*hayyuu*), known as *seera*, a term encompassing both ‘sentence’ and ‘law’. *Seera* may involve the application of an existing law, possibly entailing a juridical sanction,⁶ or it may contain some innovative element. The pronouncement is reached only after extensive discussions, sometimes necessitating the repetition of proceedings in higher-level assemblies. All deliberations are consistently grounded in *aadaa*, encompassing the broader normative context. Textually expressed rules are but one element in the deliberative process. To legitimise or condemn behaviours, those involved must re-evaluate and verbally articulate

⁶ During juridical proceedings a malefactor who admits his error is always forgiven. In social practice, therefore, juridical sanctions are not applied according to the theoretical statement of law (Bassi 1992b).

diverse phenomena, including old and new social practices, ambiguous concepts symbolically expressed through rituals, and more. The *seera*, serving as a 'sentence' or 'law', essentially encapsulates the culmination of this intricate elaboration. Consequently, *seera* can be defined as a specific category of norms - textually expressed and non-ambiguous - that are both developed and applied within assemblies.

Accordingly, substantive law among the Borana is not merely a collection of verbally or textually expressed rules, although some such rules do exist. Instead, it constitutes a constellation of meanings derived from various ethnemic⁷ phenomena, encompassing social practices, kinship terminology, rituals, diverse verbal expressions, and the judicial-legislative process. I aim to elucidate this by outlining the substantive law on the family among the Ethiopian Borana.

4.3 The Patrilineal Family

Describing the Borana family poses a challenge. The concept of family is typically linked with shared residence. However, even within a Borana conjugal family, territorial dispersion can occur. Spatial dispersion becomes more pertinent when considering the extended family, or *warra*, which comprises several agnates with strong reciprocal relationships. The definition of family for the Borana is marked not by residential bonds but by kinship ties, particularly distinctive concerning patrilineal relations.⁸

The principle of sibling identity (Radcliffe-Brown 1930) is aptly applicable to Borana kinship terminology. Four Borana terms are employed to categorise individuals related to *ego* through direct blood relations: *abbaa* (father), *aadha* (mother), *ilma* (son), and *obboleessa/ettii* (brother/sister). They are the only terms that discriminate between generational layers. This is because this social context is where legitimate reproduction occurs and where control over resources is transmitted from generation to generation. Even if this group does not necessarily co-reside, it is a unit based on the ownership of property.

4.4 Mother-Children: Food Control

As suggested by Fox (1967, 36-40) polygynous kinship system, the irreducible and elementary social component of the Borana family is

⁷ I prefer 'ethnemic' (Bernardi 1991, 77-9) to 'social' or 'cultural' because it highlights the distinctive feature of *aadaa* as a shared heritage of the Borana community.

⁸ A table of Borana kinship terminology is provided in Bassi (1992c, 99-101).

not a husband and his wives, but rather a mother and her children. Every married woman owns her house, constituting her exclusive domain. She organises all domestic work, assisted by her daughters and, if necessary, by other women in the village. She is responsible for the care and feeding of her children, and women control all food resources for this purpose.⁹ Although married males own the cattle, they are forbidden to milk them. Instead, they are compelled to entrust their milk cows to one of the married women, with each wife being provided with enough cows to sustain her and her children.¹⁰ Failure to do so often results in separation, with the woman returning to her father's, brother's, or lover's village. As Dahl points out, married women are the "milk managers" (1990, 133-3). Each of them becomes the exclusive owner of the milk that she extracts and distributes to the children, the husband, and, if applicable, his or her guests. She may also sell some of it at the market.

She decides the amount of milk to be processed into butter used to fry coffee (*buna qalaa*), a daily ritual always associated with prayers, cosmetic use,¹¹ or for sale at the market. Lastly, she establishes the amount to be processed into sour milk (*itittuu*), which can be conserved longer for domestic use or the market. She independently disposes of market income, usually buying coffee beans, tea, sugar, or personal ornaments.

Women also control meat. Meat from a sacrificed or naturally dead animal is delivered to its owner's wife.¹² However, in this case, she is obliged to cook and distribute it following strict prescriptive rules. Nevertheless, she can manage to hide some of the meat for the following days, when she gives it to her children, her husband, or her guests.

Over the last ten years, many families have undertaken small-scale agriculture to supplement their diet. There is no strict sex distinction in agricultural activity, but, since women are responsible for food and cooking, the stored grain is managed by women. Each small field is usually jointly cultivated by two or three mother-children groupings with the help of the husbands,¹³ not necessarily by co-wives; consequently, the grain is jointly used by the same group. Being a staple food, grain is seldom sold at the market.

9 Food eaten in the bush is a minor exception.

10 Due to the dramatically increasing poverty, in many cases, this obligation can no longer be fulfilled.

11 Borana women offer cosmetic butter to their female guests. Among them, the son's lover is considered a privileged guest and is usually very well entertained.

12 The Borana usually do not eat animals that have died from disease.

13 Ploughing is done with the auxilium of oxen, owned or borrowed by married male member of the group.

4.5 The Conjugal Family

Within the context of the polygynous family of the Oromo, from an economic point of view, each mother-children nucleus must be considered jointly with other woman-units. The husband maintains control over cattle and allocates milking rights. A married man is usually referred to as *abbaa warraa* (father of the family). In its simplest form, the conjugal family is made up of a man, his wives, and children.

4.5.1 Marriage

The expression used for marriage, *intala fuudhuu* (to take the girl away), describes the bride's change of status. With marriage, the woman is transferred from her birth social group to the husband's one. This passage is also marked by the change of name, her father's name in the second position being replaced by the husband's, and by the acquisition of the husband's generation class membership. However, the transfer to the new patrilineal kinship group is not absolute. The woman's lineage and clan membership are not changed and often she maintains very good relations with her birth family. What passes to the husband's group is her reproductive capacity, her domestic work and partial sexual rights. Her children will, in fact, take the husband's name. They enter his descent group, take a generational class based on their father's position in the system, and, if male, inherit resources from their father's group. At the same time, they will be brought up by the wife and her domestic work. In other words, acquired women guarantee the reproduction and hence the continuity of the man's patrilineal group.

4.5.2 Lovers

Borana women are prohibited from pre-marital sexual relations, and they have no say in the choice of their husbands. Marriage is bound up with legitimate reproduction, and, according to the Borana, it has little to do with love. Accordingly, Borana women are allowed to establish their love relations sometime after their marriage. When the husband is away,¹⁴ a married woman may receive her lover (*gaarayyuu*) in her house. The love relation can also be formalised. The woman's lover must approach her husband, acknowledging the love affair and asking permission for it to continue. Although

¹⁴ Borana men are often away, sometimes for long periods. They have to maintain social contact with distant communities, or more simply, they have wives in different pastoral areas.

the husband has the formal right to deny his consent, this behaviour is considered highly unseemly by the community unless it is justified by well-substantiated charges against the wife's lover. Once the love relationship has been formalised, the husband must be discreet and allow the lover's privacy in her house. The lovers enter into the *jaalaa-jaaltoo* ('he-friend' and 'she-friend' respectively) official relation, and the husband and the he-lover are also *jaalaa* to each other, a social relation that entails mutual obligations and solidarity. Thus, the woman's personal affair is framed within the normative domain to the man's advantage, allowing him to extend his network. However, the wife maintains control over the relationship, since it is she who decides upon admission of the husband or a lover to the private side of her house (Dahl 1990, 131), and she may cut short the love affair at any time.

According to the Borana value system, the real identity of the *genitor* is of no relevance to family affairs. The husband is considered the *pater* of all his wives' children for all intents and purposes, and the latter cannot be discriminated against in any way based on the *genitor's* identity.

Since Borana norms permit a married woman to maintain one or more lovers, it cannot be said that the husband or his social group¹⁵ acquires exclusive sexual rights over her. However, the restrictions on female pre-marital sexual intercourse entail that the husband acquires exclusive rights over the woman's virginity.

4.5.3 Bridewealth

The amount and forms of payment of bridewealth (Goody 1973, 1-2), consisting of the transfer of a few heads of cattle and other commodities¹⁶ (17) from the groom to the bride's family, are determined and announced during the *Gumii Gayoo* (Shongolo 1992, 19), the general assembly of the Borana and their only formal legislative body. As such, bridewealth is one of the few items of family law regulated by textual and formally announced rules.

Bridewealth is not a payment for the woman herself. One heifer is delivered to the bride's mother and serves to compensate for the loss of her domestic help. A further five cows are usually paid to the bride's father, paternal uncle, or brothers only after she gives birth;

¹⁵ See the levirate practice discussed later.

¹⁶ The amount of bridewealth is much lower among the Borana than among other East African pastoral communities. This is probably related to fact that the Borana marriage system is direct and symmetric, with marriages occurring across the two exogamic moieties. Each moiety, consisting of a cluster of clans, amounts to about half of the population. Reciprocity is guaranteed between the exogamic moieties.

hence, they are paid in recompense for the woman's reproductive capacity. Since the latter passes from one kinship group to another, it has to be compensated for.

4.5.4 Divorce

According to Borana rules, legal divorce is not allowed. Only after the death of the husband can the marriage be annulled, leaving the widow free to marry again and to bear children in the name and kinship group of another man, often her lover, instead of her husband. Since this passage implies the breach of the rule of levirate, discussed later, it requires a legal procedure called *lichoo irraa kutaa*. The *lichoo* is a leather wipe, a symbol of authority and a synecdoche of *hayyuu*, the political-judicial leaders of the various clans. *Irraa kutaa* means 'cut'. Hence, it is the dissolution of the marriage by a joint decision of the *hayyuu* of the two descendant sections involved.

4.5.5 *Handhuraa*

On marriage, a man acquires the right to reproduce himself legitimately. He also obtains control over the *handhuraa* (umbilical cord) nuclear herd taken from his father's herd. From that moment onwards, he will be considered *abbaa loonii* ('father' or 'owner' of 'cattle') and therefore able to make his own decisions concerning those animals. The acquisition of reproductive capacity and acquisition of property rights over a herd appear to be strongly interrelated, not only because the marriage engenders both social capacities,¹⁷ but also because that herd constitutes the resource that ensures the survival and reproduction of the new conjugal family.¹⁸

The *handhuraa* herd develops over a long period, starting with the rites of passage in childhood. The selection of one or more cows, usually heifers, from the father's or the paternal uncle's herd, is one of the constitutive rites of the name-giving ceremony, called *gubbiisa* for a male first-born and *moggaasuu* for the other sons. Those animals and all their female offspring will thereafter be considered the boy's *looni handhuraa* (cows of the umbilical cord). The father of the boy will still be the *abbaa* (owner) of these cows, and he continues to enjoy full power over them concerning both herding decisions

¹⁷ On the concept of social capacity see Bernardi (1985).

¹⁸ In fact, the expressions *abbaa warraa* (father of a family) and *abbaa loonii* (father of a herd) can be used interchangeably with reference to a married man. Only the discourse context differentiates whether the speaker is referring to responsibilities over a human group or over cattle.

and the allocation of milking rights¹⁹ (20). However, he must refrain from removing them from the direct control of the family, for example, by selling them at the market²⁰ (21), by lending them to poor relatives or friends, or by allocating them to other sons as *handhuraa*.

4.5.6 Birth Control

Although the Borana do not speak in terms of birth control,²¹ the *handhuraa* ritual practice may have a relevant de facto effect on the birth rate. A delay in the reproduction rate of an individual's *handhuraa* herd, caused, for example, by drought or the general impoverishment of the community, will delay the age of marriage since the new family would not possess the necessary cattle. Moreover, if a couple does not have the animals to allocate as *handhuraa*, it is forced to delay the birth of new sons. Otherwise, the name-giving ceremony could not be performed, and consequently, the child would not obtain a social identity. The *handhuraa* practice is probably the main cause of the significant difference in birth rates between families that follow the traditional religion and hence adhere to the traditional life-cycle ceremonies, and those that have converted to other religious creeds, either Islam or Christianity.

Asmarom Legesse (1973) has described the *gadaa* system as an effective birth control institution, since, according to the ideal implementation of the *gadaa* life-cycle, giving birth is only allowed when a male individual reaches the age of about 40. However, only a few individuals are born within the ideal *gadaa* timing, while the large majority are forced to perform the rites of passage individually, independently of the *gadaa* cycle. In this sense, the *handhuraa* practice is likely to be demographically more effective than *gadaa* in controlling birth.²²

The prohibition on making love with breastfeeding women (Shongolo 1992, 19-20) is also very effective. It should be borne in mind that a mother has great control over breastfeeding. The latter should,

¹⁹ Dahl, who carried out field work among the Kenyan Borana, reports that an *andhuraa* cow should be entrusted for milking to the mother of the child enjoying *handhuraa* rights (1990, 132). Although this is certainly the most common arrangement, I am not sure that it is a binding rule among the Borana of Ethiopia.

²⁰ This action can only be justified if his family's survival is seriously endangered by a shortage of food.

²¹ This western notion carries very negative meanings in terms of traditional culture, since it expresses the reversal of values implicit in myths and rituals, aimed at assuring renovation of life.

²² In any case, the two institutions are interrelated. The *gadaa* cycle, in fact, regulates the timing of the rites of passage and hence the development of a man's *handhuraa*.

therefore, be considered as one of the means available to women to regulate the timing of new births, rather than a motivation for delaying birth.

4.5.7 The Symbolic Relation Between Human and Cattle Reproduction

The symbolism inherent in the rite of selection of the *handhuraa* cows denotes the interrelation between the reproduction of the *handhuraa* herd and the reproduction of the individual, as well as the correlation between these two phenomena and the continuity of the individual's patrilineal kinship group. The *handhuraa* cows acquire this name because they are made so by having a mixture of milk, a lock of the child's hair, and a piece of his umbilical cord (*handhuraa*) preserved by the mother since childbirth poured onto their backs.²³

The umbilical cord can easily be interpreted as the reproductive line that binds the child to his parents. In turn, the parents are connected to their parents and so on to their forefathers. Therefore, it is a symbol of continuity within the kinship group, which has its origins with distant ancestors and projects itself into the future. The forelock is, instead, a personal metonymic item. Milk is the principal aliment and is hence a symbol of prosperity and abundance; it is particularly valued as a child's food, itself a symbol of fertility and reproduction. It becomes available after a birth, either of a child or of a calf, where birth again recalls the concepts of fertility and reproduction. By laying the child's umbilical cord on the cow's back, the reproduction of the human group is linked with the cow's reproduction, entrusting the latter with the responsibility for the continuity of the social group. But milk is added to the umbilical cord, thereby giving a positive meaning to this metaphorical ritual action. Lastly, the forelock represents the rights that the child will be able to claim as an individual on the animals born of that cow.

4.5.8 The Property of the Conjugal Family

Because of its economic autonomy, the conjugal family is the smallest group that independently controls, manages and survives on a herd. A married man can autonomously make decisions concerning his place of residence. He can stay with his father or brothers, or he can move elsewhere, often to the village of the wife's father or brothers. He may also split his stock, establishing different wives in different

²³ The name-giving ceremony usually takes place several years after a child's birth.

villages and entrusting pastoral care of a herd to each wife-unmarried son nucleus.²⁴

The animals falling under the herding management of each man, called the ‘access herd’ by Dahl (1979, 96), do not have similar status from the point of view of property rights. A proportion of them, which varies according to the stage of family growth, is, as mentioned, allocated as *handhuraa* to the various unmarried sons. Others can be *looni dabaree*, meaning ‘cows taken as a loan’. The loan of a cow to people in economic difficulty is very common. It is usually made in favour of relatives, but also of friends, often to neighbours, or a *jaala* (‘husband of the lover’ or ‘wife’s lover’). Those receiving the loan can use the milk produced by the cow. As in the case of the *looni handhuraa*, the property rights inherent in a certain animal extend to all its female offspring.²⁵ Hence, cows born from a *dabaree* animal can remain in the recipient’s herd, but ownership formally stays with the lender. The recipient is therefore not allowed to give them away. The request for restitution is extremely rare, and it is only justified in case of full recovery by the recipient, combined with the onset of economic difficulties for the lender. Baxter suggests that the event of a loan may be eventually forgotten (Baxter 1970, 126-7), turning a temporary right of utilisation into a permanent property right. Therefore, the *dabaree* system of mutual assistance only apparently consists of a two-way give-and-take relation. Rather, it implies a wide circulation of cows through the multiple channels of personal networks extending beyond the compass of a patrilineal kinship group.

4.6 The Extended Family

As Hultin reports, among the Macha Oromo, an agricultural group in the Ethiopian highlands, a father assigns part of his land to his son. Both the son and his father may be considered *abbaa lafaa* (father of the plot) of the same plot (1984, 454). There is an overlap of ownership rights within the patrilineal extended family. Similarly, among the Borana, through the *handhuraa* institution, a father gives some of his cattle to his son, and the father can continue to be considered the ultimate responsible ‘father’ (*abbaa*) of his son’s cows. The difference between the two cases is that a Borana man can take his cattle

²⁴ This practice of pastoral dispersion reduces the risk of the total loss of stock (Dahl 1979, 49-50).

²⁵ Male animals lack reproductive capacity (one bull is enough for a large herd). The strong inclination of the Borana towards cattle marketing and towards cattle sacrifice induces them to consider male stock as a pastoral product rather than as a means of production. Consequently, the rule on the extension of property rights to the offspring is much more lax with regards to male cattle.

and move away. But even in this case, he may maintain very intense and good relations with his patrilineal extended family. The extended family, even if territorially scattered, continue to be considered a unit regarding the cattle contributions required by its clan.

4.6.1 Resources Transmission

We have already seen that part of the cattle herd, the *handhuraa* cows, is transmitted from the father, independently of his death, to each son upon their marriage, ensuring them the possibility of reproduction. The other norms of transmission of resources concern inheritance, and they are based on the conception that the extended family exercises some kind of collective right over the individually controlled resources. This is more immediately evident in the norm of inheritance from a man who has died without sons, brothers, and paternal nephews. His cattle are divided among the members of his *miiloo* (close agnates) (Baxter 1954, 112). In the absence of direct beneficiaries, the *miiloo* secondary property rights become primary.

Except for the animals already transferred to married sons, all property, prerogatives, and rights are inherited by the eldest son, the *hangafa* ('first born', 'senior'). If the latter is not yet married at the time of his father's death, they temporarily pass to the father's senior brother (*hangafa*). They include:

- a. the whole of the residual herd of the deceased, including the *handhuraa* of the unmarried brothers, and all property rights on animals given as *dabaree* loan to others
- b. the title of *abbaa ollaa* (father of the village);
- c. the title of *abbaa eelaa* (father of the well), which ensures permanent access to a well with absolute priority;
- d. the title of *abbaa maalaa* (father of the sacrifice for the well), implying permanent rights of access to a well;
- e. the title of *abbaa haroo* (father of the pond).

Although the eldest son personally enjoys the above rights, he does not acquire them for his exclusive use but in the name of the whole social group, the *warra* (extended patrilineal family), which was previously socially referred to his father. In other words, the senior son takes over the social role and position of the deceased father in their entirety, including responsibilities, burdens, and duties towards his extended family. There are no textual rules on obligations, but they are part of the concept of being a *hangafa* ('senior'). For instance, the residual herd must be used to sustain the wives and the unmarried

sons of the deceased.²⁶ The senior branch of the extended family is also required to allocate *handhuraa* cows to the paternal nephews, especially in the case of a firstborn. Lastly, if a head of cattle must be given in the name of the entire extended family, for example, to assist an agnate, to dig a well, or to assist a traditional leader in its institutional role, it must be provided by the senior member of the extended family.

Each village usually consists of a conglomerate formed by members of the same extended family, together with other elements. The *abbaa ollaa* (father of the village) is the *hangafa* ('senior') member of the constitutive bulk. This title also implies several obligations. He is supposed to provide the largest contribution to the village's collective expenses, such as the purchase of veterinary drugs or weapons and bullets for defence. Both the drugs and the weapons are used by all the village members. According to the regulations governing the use of wells, access is not awarded to a single herder but to a whole pastoral unit consisting of a village or a village sector. By staying at the senior brother's village, it is possible to share access to a well with the eldest brother.

4.6.2 Virilocality and Levirate

The opportunity to enjoy the benefits of the titles inherited by the eldest son is a very good reason for remaining in the father's or the eldest brother's village. This situation of virilocality is the most frequent, and it has probably favoured the diffusion of the levirate practice whereby a widow is inherited by the husband's eldest brother. Since the husband's animals are jointly herded by the co-residing extended family, it is very difficult for a woman to take them away after her husband's death, especially if she does not have a married son. To avoid misuse of her children's *handhuraa* cattle, she should stay in the same village to keep checking. The woman is thus 'inherited' as a consequence of the fact that the husband's animals are temporarily controlled by his *hangafa* (senior) brother until his first-born son gets married.

26 All the unmarried junior brothers will depend directly on the *hangafa* brother, who manages their *handhuraa* cows until their marriage. He also decides upon their junior brother's marriage. Disagreements on this matter are very frequent, since the senior brother tends to marry a second or a third wife before allowing the junior to acquire their first one. In these cases, the juniors may ask for assistance from the lineage elders.

4.6.3 Uxorilocality

Other factors may convince a man to move to other villages, for example, personal disagreements, or simply because the stock of the co-residing extended family is growing too large to be jointly herded. Very often, a man leaves his bride with her birth family. Affinity legitimises the joint exploitation of natural resources. In this manner, the husband's cattle gains access to an alternative water source. This situation of uxorilocality is thus also quite common.

4.6.4 A Note on Clanship

As often occurs in patrilineal kinship systems (Bernardi 1991, 269), the extended family of the Borana, *warra*, displays evident social continuity with descent groups. Borana minimal lineages (*balbala*), lineages (*mana*), and clans (*gosa*) can be interpreted as extended families with increasing genealogical depth. The same continuity is also ritually stressed in the *handhuraa* symbolism, and it emerges from clan corporate competencies.

Each clan organises an annual general assembly (*kora gosaa*), which lasts about a month, and during which all problems concerning family and property, including judicial proceedings, are addressed. Generally speaking, the clan corporatively behaves as a guarantee of its members' reproduction. For example, the clan assures stock redistribution to its destitute members and undertakes collective investments to create the material preconditions for its members' survival, as in the case of well-digging. With a coherent extension of the principles applied within the context of extended families, the clan's capacity to force its members to contribute is based on the idea, variously expressed, that the descent section corporatively enjoys secondary property rights on individually controlled stock.