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PROPERTY AMONG THE TROPICAL FOREST AND MARGINAL TRIBES

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The property concepts of primitive peoples often differ radically from ours. There is often collective ownership of utilitarian goods, and even when individual rights are acknowledged in theory they may be overshadowed by moral obligations of sharing with kindred or neighbors. On the other hand, objects that seem trivial from our point of view figure precisely as those which for the Indian are important enough to establish the basis for differences in wealth. In short, we must at every step envisage the law of property in the perspective of the total culture. With this initial caution, we may group the data under the familiar categories of Real Estate, Chattels, Incorporeal Property, and Inheritance.

REAL ESTATE

Land is generally conceived by the Indians as something inalienable; any report of their selling and buying it under aboriginal conditions is suspect. Further, major tracts are at least most commonly held by a social group, the individual merely acquiring possessory rights over the section he uses. Among the *Oubeo*, where the clan coincides with the political unit, its headman and council divide the communal territory among adult clansfolk, who acquire property rights for their families in particular plots only after expending labor on making clearings and planting there.

However, the group owning land or values connected with it on a larger scale is not always the same in character. It may be a dialectic division, a patrilineal band, a tribe, a moiety, or a men's society. Among the *Yahgan* it is each of the 5 dialectic groups that claims a definite district, but since much of these people's time is spent on the water their interest in landownership is less intense than with the neighboring *Ona*, whose 39 patrilineal bands jealously guard their respective domains, held by mythological sanctions. Each range was marked off by natural topographical boundaries. Both Fuegian tribes allow encroachment in cases of real necessity and also when a whale is beached by some lucky fluke. The latter windfall creates a super-

fluity in which all fellow *Yahgan* or *Ona*, respectively, are free to share, and with it comes the rare opportunity of having large assemblies of people in one spot over a space of weeks, hence the chance to celebrate a major festival (Gusinde, 1937, p. 962). Among the *Tehuelche* the several bands claimed each a district and regarded trespass as a fighting matter (Musters, 1871, p. 177). Correspondingly, the *Botocudo* hordes guarded their respective bailiwicks by means of sentries stationed at the border (Saint-Hilaire, 1830-51, 2: 159), a procedure similar to that of the *Northern Maidu* in California. Farther north, the *Yaruro* bands are credited with specific hunting grounds. In the *Juruá-Purús* region each family is said to mark off the grounds it claims by setting bunches of animal hair in the cleft of a stick along the paths. The *Sherente*, whose sense of solidarity was wider than that of most Brazilian Indians, did not allow any property to the single village, but recognized a certain tribal domain. On the upper *Xingú* the tribe figures as the major landowner, territories being marked off by watercourses; the *Nahukwa*, e. g., occupy one bank of the *Kulisehu* River; the *Mehinacú*, the other (Steinen, 1897, pp. 116, 284). Of course, a tribe is sometimes limited to a single settlement, as in the case of the *Canella* of *Ponto* village. In other cases the settlement, such as the *Tucano* maloca, asserted rights over a definite tract. Even when, as among the *Taulipáng*, communal rights were not so rigorously delimited, the people would hesitate to stray more than a few days' journey from their village, being restrained by distrust of their fellow *Taulipáng* in other localities and by the fear of being penalized by sorcerers (Koch-Grünberg, 1923 a, 3: 92).

It is possible for distinct social units to exercise each a distinctive form of sovereignty. The sparse pieces of ground that permit the growing of quinoa are regarded by the *Chipaya* as tribal property, the total area of 1 km. by 300 m. being divided into strips about 300 by 10 m. each for annual redistribution among the several families. But the pastures nowadays required for sheep and pigs are allotted on a different principle, for they belong to the moieties, whose respective shares are separated by boundaries. If the beasts of one moiety encroach on the other's territory, they are instantly slaughtered and consumed by the aggrieved party (Métraux, 1934, p. 193 f.).

To sum up, the total domain for economic exploitation is collectively owned, most commonly by a local group (band, localized clan, tribe), but sometimes by other units. In non-Andean South America the chief cannot as a rule be said to exercise sovereign territorial rights. He may act as a supervisor (*Yagua*) with power to grant outsiders temporary fishing privileges (*Cubeo*), but he no more than any other individual freely disposes of the soil. The *Chiriguano* chiefs are far

from mere figureheads, but though declared to own the land in certain districts the statement is at once qualified with the significant addition "not for their own interest, but on behalf of the tribe" (Nordenskiöld, 1912 a, pp. 230, 232).

Within the limits of the generally recognized range of jurisdiction individuals or families are permitted to hunt, gather, fish, plant, and build at will. A Barama *Carib* may thus be said to own his house and his fields. The extent and manner of such individual claims, however, are often modified by coexisting institutions and ideologies. Among the *Sherente*, e. g., the men's associations are, apart from other functions, economic corporations. An individual may choose a spot to be cleared, but his society performs the task of deforestation, later aids in weeding and foresting, and has at least a moral claim to the aftermath of the maize crop. Again, any joint hunting party, even if numerically insignificant, will distribute their kill among fellow members. Perhaps still more significantly, the two most important wild plant species of the region, the burití and the babassú, both palms, are not free for general use, but belong to the four associations, none of which ventures to trespass on another's stand of trees without danger of a fight.

Whereas the *Sherente* men own the fields and houses, the matrilineal *Canella* and *Apinayé* recognize an indisputable feminine proprietorship in both. As regards the dwellings, however, this can hardly be conceived as individual: it is rather a corporation of kinswomen—say, a grandmother with her daughters and daughters' daughters—that is in control. Further, the males associated with this group continue to frequent their maternal homes, where their position is far more secure than that of their brothers-in-law. Like their *Hopi* brethren in Arizona under corresponding circumstances, they seem to have a moral claim to being sheltered by their matrilineal kinswomen even though no amount of labor expended on a house can ever give a *Timbira* male a claim to legal proprietorship.

A curious limitation of individual feminine rights over cultivated fields is imposed by the *Apinayé*. A couple of men, one from each moiety, assume magico-religious charge of the plantations from the first sowing until they publicly announce the maturity of the crops. In the meantime they pray for a good harvest, plenty of rain, and freedom from insect pests, also supposedly promoting the growth of the plants by songs and magical acts. Any woman who dares remove a single sample from her plot before the official signal is at once punished by the two officials, who break utensils in her dwelling and flog or gash her if she has not taken to her heels (Nimuendajú, 1939, p. 89 f.).

Ownership of houses and plots must be viewed not according to

abstract principles of law, but according to associated ideologies. In some instances there is a clear-cut connection between a proprietor and his property: when a *Cubeo* headman dies, the communal dwelling of which he is reckoned the owner is deserted and his garden is no longer used. In a great many tribes death nullifies property rights in a different sense. Among the Barama *Carib*, anyone's death in the house leads to its abandonment along with that of the clearing in which it is situated (Gillin, 1936, p. 116). It is tempting to conjecture that as dwellings increase in complexity the natives will recoil from the inconvenience resulting from such change of domicile, but this hypothesis is only partially true. The *Cayapa*, e. g., reoccupy a house if only an infant has passed away, but the demise of any important member of the family, i. e., any of the older inmates or even a favorite child, is followed by removal. This is no small matter, for the cutting and adzing of the long, heavy hardwood posts is a major task. Moreover, when the family home is suddenly deserted, the inmates have to put up a temporary shelter while the new structure is in process of erection or must crowd into some relative's house. If the new site is at some distance, this further implies the making of new clearings. In short, practical utility is here overridden by ideological motives (Barrett, 1925, p. 332 f.).

There are, of course, contrary instances, for tribes naturally differ in the precise balancing of contradictory urges, and their responses may even differ in different periods. According to Fejos, the *Yagua* do not now abandon a maloca even after a chief's death, but only when the men's council decides that too many persons have been interred under the floor of the maloca. However, Orton about 75 years earlier learnt that after a burial the house was set afire (Fejos, 1943, pp. 23, 80). The *Yecuana*, like contemporary *Yagua*, are not deterred from remaining in their abode by a single death, but if there are several successive deaths the settlement is shifted, possibly at the distance of an hour and a half's journey. During Koch-Grünberg's visit such an event occurred, and because of an epidemic there was danger of a second migration (1923 a, 3: 376).

However this may be, fear of the spirit or a vaguer sense of uncanniness or merely the desire to get away from scenes that recall the mourned person frequently leads to evacuation of both huts and plantations. The neighbors of a bereaved *Caingang* family at once give up their settlement to pitch hastily erected lodges in the neighboring woods; and the immediate mourners cut and burn up all the dead person's maize plot, since to partake of the crop would cause a tribesman's death (Manizer, 1919, p. 783). Desertion of the hut is reported from such diverse peoples as the *Botocudo* (Weid-Neuweid, 1820-21, 2: 56), *Purí* (Spix and Martius, 1824, p. 383), *Guaraní*, *Paressí*, and

Cubeo. The *Yamiaca* destroyed many of the cultivated plants in the deceased man's fields (Métraux, 1942 a, p. 53). *Yuracare* practice differs in that it is held proper to harvest the crop of a deserted plantation even though a death is followed by firing of the hut, departure to a considerable distance, and the establishment of new clearings (Norden-skiöld, 1923, p. 39).

What the data cited illustrate is the impermanence of ownership as the result of native superstitions connected with death. Possession of a dwelling evidently has a distinctive meaning when any death precipitates a general migration of the inmates. Supernaturalism produces similar consequences apart from death. During Speiser's expedition, the *Aparaí* of Kopoko deserted their village and took up residence 3 days' journey away because a visionary had seen a giant ounce that threatened to devour all the people if they stayed in their settlement (Speiser, 1926, p. 152). Classical illustrations from another area are furnished by the *Apapocuva-Guaraní*, who, under the obsession of an impending world catastrophe, were constantly migrating during the 19th century at the behest of messianic shaman-chiefs, who promised to guide them to a place of refuge in the form of an earthly paradise revealed to the leaders in visions.

Instability, however, is likewise the inevitable consequence of practical considerations. The technical stage of aboriginal agriculture does not safeguard against a rapid exhaustion of the soil. Lack of fertilizers thus forces the *Aparaí* to shift their plantations every 4 to 10 years and corresponding difficulties arise elsewhere (Speiser, 1926, p. 151 ff.; Koch-Grünberg, 1923 a, 3:24). Again, the *Canella*, a steppe people, are unable to farm anywhere with their crude implements except in the galería forests within their territory. As the timber in their vicinity disappears, the journeys to their plots grow longer and longer, finally obliging them to resettle near new clearings. After possibly another decade or so they are able to return to their then reforested old haunts. The *Chiriguano* are, indeed, said to maintain their rights to abandoned plantations, so that fallow land is claimed and inherited years after effective use; such cases, however, are highly exceptional.

Where the primary economic activity is not farming, but fishing, a different emphasis on immovable property rights is natural. Each *Cubeo* clan jealously guards its fishing rights along the river frontages, and where several clans are involved the weirs are opened and shut according to a definite schedule.

It should be understood that in the economic use of land, as well as with regard to other property, deep-rooted ethical postulates often tend to limit assertion of absolute property rights. Thus, as noted, the plea of necessity is accepted by one *Yahgan* group in admitting

aliens of another to their territory; on the upper Xingú anyone is free to shoot fish with bow and arrow, tribal barriers to the contrary notwithstanding; and the *Tucano* do not interfere with travelers who hunt and catch fish while traversing their area.

CHATTELS

Movable property is generally owned by individuals on the principle that one has a right to whatever one has produced (e. g., Gusinde, 1937, p. 977). This fact is attested by various collectors who found it impossible to buy coveted ethnographica, no matter how commonplace, in the rightful owner's absence (Koch-Grünberg, 1923 b, pp. 36, 159).

Several observers emphasize the exclusive rights of women to dispose of their belongings. The tribes in question represent widely divergent status and institutions, including the *Alacaluf* (Bird, Handbook, vol. 1, p. 71), *Aparai* (Speiser, 1926, p. 160), *Pilagá* (Métraux, 1937, p. 398), *Yaruro* (Petrullo, 1939, p. 201), upper Xingú tribes (Steinen, 1897, p. 285). *Aparai* women, for example, claim whatever they manufacture and use—carrying-baskets, fans, basketry bowls, and pottery. A husband may temporarily help himself to such belongings but never ventures to sell them without his wife's express consent. Several cases are especially noteworthy. A Barama *Carib* wife controls not only her pottery, dress, and personal decoration, but even the baskets made by men (Gillin, 1936, p. 128); her *Carajá* sister owns houses and boats (Krause, 1911, pp. 323, 325), and among the uxorious *Palicur* a wife will even interfere with her husband's sale of his personal possessions (Nimuendajú, 1926, p. 80).

With striking frequency investigators have also been struck by the fact that even young children are solely qualified to dispose of their trinkets and toys. A *Chorotí* or *Ashluslay* would never give away his child's belongings without asking his consent (Nordenskiöld, 1912 a, p. 35). Corresponding observations hold for the *Carajá* (Krause, 1911, p. 61), and other central Brazilians (Max Schmidt, 1905, p. 316); Schmidt tried to buy an 11-year old boy's mat, but the father refused to dispose of what belonged to his son only. The same attitude has been encountered in Patagonia (Musters, 1871, p. 177) and both of the main Fuegian tribes (Gusinde, 1931, p. 404 f.; id., 1937, p. 969).

As in the case of real estate, however, the claims of the individual may yield to those of official authority but generally a certain reciprocity is assumed as a foregone conclusion. Though the political heads of many tribes, e. g., in the Chaco, perform exactly the same labors as the rank and file, notable exceptions occur even among relatively simple peoples. The *Carajá* chief neither hunts nor works in the fields beyond directing operations, and he attempts to catch only certain

species of fish. But such exemption from ordinary tasks is balanced by duties toward the subjects: the chief must support the poor, including widows and orphans, as well as entertain visitors (Krause, 1911, p. 321 ff.) Where chiefs work exactly like common folk, they are, nevertheless, often entitled to gifts of food and drink, which among the *Canella* are likewise due to the councilors. A successful *Macushí* hunter will send part of his kill to the headman. The explorers of the upper Xingú distributed beads among the Indians, who promptly passed them on to the chief, but then it was his recognized duty to treat his people to food and drink on pain of losing their respect.

The moral obligations which hold between chief and commoner are not restricted to this relationship. "In spite of individualism in ownership there is in fact a certain communism in practice" (Gillin, 1936, p. 128). This principle, formulated for the Barama *Carib*, has much wider application and certain natural consequences. A Barama *Carib*, being permitted to borrow from his coresidents, is inevitably better off de facto if he is the inmate of a large household, though his legal rights over property are not increased thereby. It also follows that, notwithstanding the absence of theoretical communism, differences of wealth in our sense of the term are insignificant. Riches may, indeed, simmer down to the possession of pure luxury articles and the holding of prestige-conferring incorporeal property, matters of great importance to the aborigines, but immaterial from a rational economic point of view. The *Carajá* phrasing of the situation is instructive: "A wealthy man has everything—axes, knives, pots; the poor man has nothing. He goes to the rich man and says, 'Give me a pot or an ax.' The wealthy man is obliged to give it to him." The chiefs as wealthy par excellence are expected to distribute their surplus among the poor (Krause, 1911, p. 324). A *Chorotí* who has made an extra fine catch of fish or received useful presents at once shares his good luck with his fellows: "Every object has its owner, but since he is charitable and regards all his tribesmen as brothers, he generously shares with them" (Nordenskiöld, 1912 a, p. 35). As already suggested, altruism asserts itself with special force in respect to the basic conditions of human existence. A *Yahgan* who has shot a seal will divide it into seven parts, retaining two for his household and distributing the rest equally among the five fellow tribesmen present; his wife similarly distributes the mussels she has collected. This obligatory unselfishness does not altogether efface prior rights: When a whale is beached, those who first sighted it hold the privilege of keeping choice slices, of distributing the spoils themselves, or of delegating the task to their appointees. Nevertheless, to all intents and purposes the theoretical claimant derives very little more advantage from his legal status because of the tremendous traditional urge to let others partake of his bounty. (Cf.

Wm. Schmidt, 1937, 1:190 ff.). In view of the widespread South American attitude it is distinctly surprising to learn that the *Yagua* never lend hunting weapons and cooking pots (Fejos, 1943, p. 84).

Altruism is not necessarily restricted to fellow tribesmen or even to Indians. *T'aulipáng* hospitality proved veritably embarrassing to a White guest when his hosts pressed bowl after bowl of native dishes upon him and poured out an infinitude of kashiri for his benefit (Koch-Grünberg, 1923 a, p. 115). Similarly, when Von den Steinen's party left Maigéri, the Indians brought their visitors large bowls, prettily woven food baskets, and 16 manioc flat-cakes from as many households; balls of twine were also favorite forms of presents to visitors. Characteristically, the natives expect presents in return (Steinen, 1897, pp. 154, 224, 288). Oddly enough, so simple a people as the *Yahgan* have systematized the practice of gift-offerings. A visitor generally brings fresh meat or a fine hide for his hosts and on parting is likely to receive weapons, raw materials and, if a woman, ornaments and little baskets. Anyone who should fail to offer presents for an indefinite period would become the butt of gossip; and similarly anyone who does not return an equivalent after a reasonable lapse of time is branded as a miser throughout the district. Since it would be a grievous affront to decline a proffered gift, the beneficiary of an extra fine donation is sometimes sorely embarrassed for want of any article of approximately equal value (Gusinde, 1937, pp. 980-982). This institution seems to be quite lacking among the neighboring *Ona*.

It is clear that such mutual property exchange between alien groups can go far toward cementing intertribal relations. A curious variant of the custom binds together several of the *T'imbira* tribelets. During a visit the hosts will specially decorate one of their guests, formally present him to the council, and thereby create him their courtesy chief, a great honor that invests him with quasi-consular functions. On a return visit the former hosts go to this champion of their interests, who is expected to find quarters for them in a house owned by his kinswomen and to board them. In 1931 the entire body of these honorary chiefs numbered 34 among the *Canella*; they are called King Vultures and share certain ceremonial rights of active tribal chiefs. Generosity towards their electors is a primary duty of the King Vultures; they must give presents to the group that chose them and are expected to conform to the highest *T'imbira* standards in their general behavior. On the other hand, they share with other officers of the honorific order of "hamrén" claims on the first part of the kill when hunters bring in a large game bag. Notwithstanding their enhanced standing and the prerogatives attached thereto, many King Vultures find the associated obligations so burdensome that they abdicate according to a fixed procedure (Nimuendajú, 1938, pp. 67-71).

Intermediate between individually and communally controlled possessions are those belonging to a family in the narrower sense of the term. Thus, a *Yahgan* canoe is made by the man, but propelled and tended by the woman, so that neither is entitled to exclusive ownership, which may be said to be vested in the group composed of the father, mother, and children so far as they are still with their parents (Gusinde, 1937, p. 972). Here, as in many other cases, the individual family forms at the same time the economic unit. Different arrangements may result in complications of property law. Thus, the *Macushí* families have each its own plantation and crop, but the processing of vegetable food—the preparation of flour, cassava bread, and festive beverages—requires implements used by all members of the community, hence stationed in a central hut or in the middle of the common residence (Kirchhoff, 1931, p. 106). It is *Cubeo* practice to have cooperative labor on objects like canoes or weir screens, which are difficult to manufacture, and to have the whole clan share in their use. Manioc ovens are likewise used by anyone in the house.

Property marks occur in the Chaco. Sheep are shorn in distinctive fashion and indicate the owner, and for the same purpose the *Ashluslay* mark their cloaks with designs. It is, however, possible that the idea has been copied from White men's horse brands (Nordenskiöld, 1912 a, p. 35 f.).

As already suggested, the aboriginal point of view often stresses the value of nonutilitarian objects, so that sheer luxury articles according to our standards assume an inordinate importance. Ceremonial regalia and other decorative property correspond to our pearls and diamonds. Thus, a complete *Cubeo* dance costume is reckoned the equivalent of the bride-price. *Bororo* women specially prize certain neck ornaments, which are passed down from a grandmother to her daughters and granddaughters. The prestige derived from the possession of these heirlooms thwarts an ethnographer's efforts to buy them for even incredibly high prices (Lévi-Strauss, 1936, p. 277). In some instances labor expended on the production of a decorative outfit indicates the importance attached to them. One *Chacobo* youth was seen wearing a neck and chest ornament composed of 1,506 front teeth of a particular monkey species, implying that he had killed 189 monkeys in order to attain his wish, not counting the work of trimming the edges with red toucan feathers (Nordenskiöld, 1923, p. 94).

As in North America, persons ostensibly owning ceremonial emblems may turn out to be mere custodians, the actual proprietorship being vested in the community or its representatives. Though the dance regalia of the *Kejara Bororo* are scattered over the settlement, only the chief has the right to settle on their sale, and he rarely decides to do so without the support of his confidant and the heads of the clans

(Lévi-Strauss, 1936, p. 284). For corresponding reasons Koch-Grünberg (1923 b, p. 190) found it extremely difficult to buy *Tucano* dance regalia: they were considered communal property, the individual holding them being merely a keeper who was not qualified to dispose of them without general consent. Ordinarily, the ethnographer is able to obtain only isolated pieces that happen to be heirlooms in individual households or to get the complete outfit from a chief whose settlement has broken up.

The stock in trade of a medicine man can be classed under the head of chattels when viewed as tangible objects or as incorporeal property insofar as a vision or other supernatural sanction copyrights their use. Widespread shamanistic possessions of a material nature include gourd rattles, carved wooden stools, plant emetics, and crystal rocks, which latter are constantly worn or carried about for use in curing practices. All of them are typical of Guiana (Koch-Grünberg, 1923 a, pp. 195 f., 208, 210 f.). The *Apinayé* recognize a vast number of medicinal plants as antidotes against illness springing from the shadow-souls of plants and animals which have pathogenically intruded into the patient's body. Such remedies are not restricted to the shamans. As a matter of fact, a newborn infant's grandmother at once stores his navel cord in a little basket together with other medicines; if the child suffers from some eye trouble, a little of the navel cord is scraped off, the scrapings being then mixed with water and used as a lotion. Other contents of these receptacles include porcupine quills as a cure of snake bites, neck pendants with snail shells against the jaundice, the root of a forest shrub to provide an infusion against catarrhs and stomach ache, and a host of others (Nimuendajú, 1939, pp. 102-105, 146 f.).

Slaves form a special class of chattels, whose social significance is discussed in the article on Social Organization. They generally originate in warfare, though by no means all tribes made a practice of keeping captives. The motivation for the custom varies. Whereas in some cases prisoners taken in warfare are impressed into economic service so as to constitute a veritable lower caste (Panamá), the *Tupinamba* waged war mainly to capture enemies for ceremonial slaughter and consumption (Métraux, 1928 b). The *Carajá*, on the other hand, generally engage in fighting in order to steal the wives and children of their enemies, the adult males being killed. The prisoners are subjected to slave labor, the women being further conscripted as sex-mates for *Carajá* bachelors (Krause, 1911, p. 320 f.).

INCORPOREAL PROPERTY

Though rarely so labeled, incorporeal property exists in many forms, even among the simpler South American peoples. This should be obvious from the fact that this category logically includes any exclu-

sive privilege, whether held by single persons or a group. Thus we have to reckon with the prerogatives of chiefs and shamans, but also with those of organizations, favored hereditary classes, and men as opposed to women. The right to eat human flesh, open to both sexes among the *Tupinamba*, was reserved for *Witoto* males, hence is part of their incorporeal property (Freuss, 1921-23, 1: 160). Similarly, the knowledge of secret ceremonials, wearing of masquerade costumes, use of a clubhouse, or playing of sacred flutes falls under this head if the female sex is barred on principle from taking part in relevant activities. It is inessential whether or not the privilege in question finds embodiment in a tangible way, for what counts is not owning the object, such as a mask, but the privilege of making and using it.

Every *Bororo* treasures feathers for use in dances, but the method of using them and the very techniques of manufacturing ornaments from them are linked with particular clans, and the chief alone holds the monopoly for making the crowns worn by leaders in the ceremonials. That one clan should arrogate to itself an ornamental style appropriate to another is hardly conceivable for these Indians. The Caterpillar people, e. g., glue red feathers on their ceremonial bow-staves, whereas the Porcupine clansfolk have a specific fashion of alternating bands of different color and length on their articles. Even the pennantlike wings projecting from the penis-sheaths worn on special occasions, though all painted in black and red colors and trimmed with white down, differ according to clans in the arrangement of these elements and in superadded features. Thus, the Tapir clan pennant bears in the center a red puma figure (one of the linked "totems" of the group) and that of the "Chief" clan is cut out at one extremity into the semblance of an alligator. Similarly, an ornamental pendant of armadillo claws bears the symbol of the clan, which is indicated by the color of the central cotton fringe as well as by the number and shape of the mother-of-pearl fragments inlaid in a resinous matrix. Not only the clans, but the dual divisions hold distinctive prerogatives, only the chief's moiety being entitled to make the bull-roarers which play so important a part in *Bororo* festivities (Lévi-Strauss, 1936, pp. 278, 284, 288-296).

Incorporeal property is also amply developed among the *Ge*. The four *Caingang* sections—subdivisions of their moieties—are distinguished by their painted facial patterns, say, a small circle in the middle of the forehead; the five subdivisions of the *Aweicoma* correspondingly differ in their body paint (Nimuendajú, 1914, p. 373 ff.; Henry, 1941). Among the *Apinayé* red and black paint normally characterize the Kolti and the Kolre moiety, respectively; and village chiefs are always Kolti (Nimuendajú, 1939, p. 21). Most of the social units into which the *Canella* are split have particular stations which

they take up on festive occasions and exercise peculiar rights and functions; the two Rainy Season moieties, e. g., are contrasted by the application of red and black pigment, respectively, and the logs they carry in races are colored accordingly.

Sherente individuals, clans, moieties, age classes, associations may all be credited with incorporeal property. Precisely as in North America, a visionary may acquire from his supernatural patron chants, styles of decoration, and material objects, such as a box enabling him to stave off a world catastrophe and to shorten a solar eclipse. Articles thus obtained should be handled only by the original beneficiary, though in exceptional instances he may convey them to a brother or son; since, however, there is a belief that transfer hastens the visionary's death, he is likely to make the transfer only when his end is approaching. True visions are restricted to the male sex. The clans of this tribe are largely connected with the preparation of ceremonial adornment, most of which is manufactured for either moiety by one of its three original clans. Members of one clan have the most extensive tonsure used in the tribe and wear a red cotton cord on the forehead, and deer or tapir hoofs hanging down the back. Again, although any one may play with balls made of maize husks, only the Prasé clan is entitled to throw balls of rubber enclosing a core of dry grass. The moieties, though sharing black body paint, differ in their designs—series of horizontal lines as against series of circles. In worship, the moiety residing on the south side of the village is linked with the sun, the northern complement with the moon; and an individual communicates with the god and the spirits subordinate to him that belong with his moiety. As to the age classes, each of the bachelors' grades owns a form of hair sheath and of body paint peculiar to it. The associations, apart from the material possessions noted in a previous section, hold special sites within the village circle, and also names (to be discussed presently), and one of them had the privilege of forming the vanguard on the march or in battle. To these manifold prerogatives might be added the right to diverse emblems or to special treatment accorded to various dignitaries and their wives (Nimuendajú, 1942, p. 17 f., 21 f., 57, 76, 87 f., 100).

Incorporeal property is further exemplified by sacred spells, songs, and other possessions of magico-religious nature.

A Barama *Carib* shaman carefully "guards the proprietary interest" in his incantations, which are regarded as peculiar to him, being either revealed in a trance or invented by himself (Gillin, 1936, pp. 171, 175); the chant taught by a spirit during the medicine man's novitiate serves to summon it on subsequent occasions. Certain appurtenances of the office, notably the rattle enclosing pebbles that represent the shaman's

familiars, are, of course, material objects, but the right to use them seems distinctive of the trained medicine man.

Similarly, the full-fledged *Yahgan* yekamush is distinguished by a special type of feather decoration, and because only men are allowed to wear it, no woman, even though practicing sorcery, is reckoned as in the fullest sense a shaman. The definite call to office consists in receiving the gift of a chant from one's supernatural patron, and when a tyro spontaneously intones such a song he is recognized as a potential practitioner who will be qualified by several months' training under an experienced professional. Subsequently when a party of *Yahgan* plan a hunting trip on the water, it is the shaman's prerogative to lure the spirits of the game animals by intoning a certain tune. Other privileges relate to the treatment of the shaman's corpse, which unlike that of common folk, is painted red all over and adorned with his distinctive feather diadem (Gusinde, 1937, pp. 1151, 1386, 1389, 1407 f., 1469).

The significance of songs appears clearly among the *Apapocua Guaraní*. Usually acquired in a dream of some dead kinsman, they are all regarded as sacred, and their possession and nature determines social standing. Young people lack songs, hence are regarded as uninspired; adults of either sex have songs for private purposes; medicine men or women, possessing more of them, are qualified to lead in the dances; but the highest grade is reserved for the owners of the most sacred chants, who direct the principal ceremony and act at once as chiefs and shamans (Nimuendajú, 1914, p. 336 ff.). A *Mataco* acquires exclusive rights to sing a song by dreaming about some singing bird and remembering its tune (Métraux, 1939, p. 99). *Carajá* songs and dances are at least in part invented by individuals, who transmit them in their family lines; "others know them, but do not execute them" (Krause, 1911, p. 318).

Under this head may be further mentioned the magical formulae reported from the *Taulipáng* and also in less pretentious form from the *Aparái* and *Jivaro* (Koch-Grünberg, 1923 a, p. 219 ff.). Their purpose is to drive away disease by reciting spells of the appropriate character. That is, the declaimer refers to animals assumed to stand in a special relationship to the ailment to be removed. Such formulae are rarely uttered except in the bosom of one's family and are not readily communicated to Europeans. Some of them are prophylactic. There are likewise evil charms which cause illness. All recitations are supposed to be preceded by the telling of a brief myth.

Names constitute a particularly important category of property. South American Indians share the common primitive reticence concerning them. The *Taulipáng* suppose a name to be intimately linked with the bearer and hardly ever employ it. The owner certainly will not pronounce it, but is somewhat less reluctant about nick-

names, and does not mind at all uttering appellations bestowed on him by Whites. Corresponding attitudes occur among the *Yecuana*. However, the personal names are not necessarily inalienable; they may be exchanged as a mark of mutual affection and, in some tribes are altered in order to escape the wrath of spirits (*Tupinamba*) or after the killing of a brave enemy whose name is then assumed (*Island Carib*). To Whites the *Guaraní*, too, do not divulge native names, which are considered a kind of souls and are changed in case of illness in order to separate the disease from the patient (Koch-Grünberg, 1923 a, pp. 140-147, 363 ff.; 1923 b, pp. 117, 311; Nimuendajú, 1914, pp. 300, 304 f.; Métraux, 1928 b, pp. 103 f.; Roth, W. E., 1915, pp. 306, 345). In the upper Xingú area, as among the *Palicour* (Nimuendajú, 1926, p. 83), there is very little disinclination to uttering masculine names, but Von den Steinen (1897, p. 289) failed to get any feminine ones. The *Yahgan* call a child after the place of his birth, altering the name at his initiation according to the site of the festival, and dropping it after the death of a namesake. Persons born in a canoe receive a special appellation indicative of the fact and are distinguished from one another by nicknames (Gusinde, 1937, pp. 730, 950).

Names are not always the property of individuals, but may belong to social units as well. Even if the connection is not formally crystallized, it is indicated by the bestowal of some ancestor's name, as among the *Pilagá* (Métraux, 1937, p. 194). The five *Aweicoma* subdivisions have each a set of personal names (Henry, 1941). *Sherente* moieties own distinctive sets of masculine names, which are passed on from grandfather or great-uncle to grandson and great-nephew. On the other hand, feminine names, oddly enough, belonged to the men's associations, which conferred them according to an obscure principle somehow connected with the society of the girl's father. The *Apinayé*, who lack comparable men's organizations, vest ownership of all personal names in their moieties. Ideally the transfer is from maternal uncle to sister's son and from maternal aunt to sister's daughter, but sometimes the mother's maternal uncle, the maternal grandmother or her sister, or the mother's adoptive sister are the name-conveyors (Nimuendajú, 1942, pp. 17, 43 ff., 52 ff.; 1939, pp. 22 ff.). With the *Canella* only boys obtain their names from matrilineal kinsmen, girls getting theirs from patrilineal female relatives. Theoretically, a man bestows his names on his sister's son and she in return gives hers to her brother's daughter; but in the absence of appropriate recipients of the proper sex, substitutions are allowable, but always on the principle of reciprocity so that the male name-transferer must have a daughter to whom a patrilineal kinsman of hers can give her set (Nimuendajú and Lowie, 1937, p. 569).

The importance attached to names appears from the frequency of *Ge* ceremonies connected with the bestowal of names. It is further demonstrated by the social consequences of bearing a given name. Thus, the *Apinayé* distinguish between "little" and "great" names, the latter imposing specific ceremonial rights or obligations on the bearer or his kin. For example, men called *Vanmè* and *Ka'tám*, each representing one of the moieties, have the privilege of first shouldering their team's log in a log race; the girls *Amdyí'* and *Kokō'* serve as female auxiliaries in the youths' initiation; and *Panti's* father is obliged to start a special plantation in order to provide a feast for the people. Among the *Canella*, names determine membership in one or the other of the agamic Rainy Season moieties, in the masculine plaza groups, and in certain festive societies. Finally, a *Bororo* personal name determines into which clan or subclan the bearer is to marry.

INHERITANCE

Many tribes have no rules of inheritance because virtually or even literally no legacy remains. This extreme is illustrated by the *Yahgan*, who make a point of destroying the deceased person's possessions, including his dwelling. Eager to obliterate all possible mementos that might recall the dead and renew the sense of their bereavement, the mourners cast a man's spear into the sea or burn up a woman's paddle. If there were other facilities available for transport, a widower has even been known to annihilate his wife's canoe. Sometimes, however, these Indians compromised by exchanging valuable implements for equivalents owned by an outsider. The mourner thus evaded the necessity of constantly seeing the actual objects employed by the deceased and yet retained the use of valuable, if not indispensable, tools or weapons (Gusinde, 1937, pp. 1109-1111; Koppers, 1924, p. 158).

Although the Fuegians exemplify a limiting case, annihilation of economic values at a relative's death commonly reduces the heritage, as already explained with regard to habitations. Although the deceased *Mataco's* animals are not killed, all his personal belongings are cremated. His house, too, is pulled down, but its materials are allowed to go into the construction of a new one only 10 yards away (Métraux, 1939, 119 f.). The domiciliary situation of *Cayapa* mourners has already been described. They exhibit some individual variability concerning treatment of chattels, ordinarily keeping one or two articles, yet often the "legacy" is deposited with the burial or destroyed, for a prevalent attitude coincides with Fuegian mentality in trying to get rid of anything that might recall the mourned person to mind.

The sacrificing of material goods is thus not by any means restricted to the simplest peoples and turns up in an exceedingly large number of tribes, though the extent of the self-denial practiced varies. A representative series of illustrations may be cited in support of this statement.

Common *Aparai* folk are interred, and shamans or chiefs are cremated on a funeral pyre, but in both cases the material possessions of the deceased accompany them (Speiser, 1926, p. 211). The *Piatinagua* (*Tacanan*) bury belongings with the corpse, the *Yamiaca* (*Southwest Panoan*) go beyond this, also destroying many of the cultivated plants in the deceased person's fields (Métraux, 1942 a, pp. 41, 53).

Whereas in the foregoing cases little remains for distribution among the survivors, other tribes manage to salvage some property for the accepted heirs. A *Siusí* son will put an ax and sundry trifles into his father's coffin, but cling to his most important tools, weapons, and ornaments. The *Barama Carib* desert the dwelling and put food, clothing, and articles of decoration with the corpse, but bows, arrows, and pottery go to the kindred, with sons getting the lion's share (Gillin, 1936, pp. 165, 168). The *Yagua* demolish a dead person's pottery and weapons, but household pottery and minor artifacts remain; dogs are inherited by the son if he is old enough or otherwise by a brother, and pet animals are appropriated by the children (Fejos, 1943, p. 84).

It naturally makes a considerable difference whether or not the house and plantations are retained. *Apinayé* survivors dispose of chattels by depositing them in the grave or use them to compensate the corpse-decorators and gravediggers. Some minor object might remain for the dead person's children. Here, however, the preservation of stable dwellings and of farms modifies the picture; and inasmuch as these forms of property are invariably owned by women, the daughters and other kinswomen of the deceased fall heir to them (Nimuendajú, 1939, pp. 89, 128).

In some cases the coming of Caucasian innovation has altered ancient usage. In the first third of the last century, the *Sherente-Shavante* are known to have buried tools and weapons with the corpse and cremated all residual possessions. In recent times, however, the value set on guns, iron implements, and trade clothes has led the people to give up the traditional practice of destruction, yet no fixed rules of distribution have evolved, so that disputes often arise now. Siblings, spouses, parents, and children are all potential heirs, but, interestingly enough, no one inherits from an uncle despite the fact that both the father's and still more the mother's brother play a significant part in the social life (Nimuendajú, 1942, p. 99). Of great suggestiveness in this context are the data concerning the *Goajiro*, whom 16th- and

17th-century accounts describe as nomadic gatherers, but whose latter-day economy revolves largely about cattle. This comparatively new type of property, along with personal possessions, theoretically passes from maternal uncle to sister's son in accordance with the matrilineal system of the people. However, it is only the man's eldest sister's senior son who ranks as legatee. What is more, a man will deliberately strive to thwart the principle by transferring livestock to his own sons during his lifetime, so that actually few, if any, head of cattle remain for the nephew after his uncle's demise (Santa Cruz, 1941, p. 2).

The disposal of widows constitutes a special phenomenon fully considered in the article on Social Organization. Suffice it to say that the principal types known from other continents are represented, viz, the levirate, filial and, more rarely, nepotic inheritance. The latter, characteristically, is reported from the matrilineal *Goajiro*. In general, however, it cannot be said that the rules of inheritance are very conspicuously related to those of descent. This is doubtless due to the factors set forth above, viz, the material reduction, if not elimination of movable goods; the frequent abandonment of houses and fields; and the impermanence of agricultural holdings.

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