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Inheritance: Prescription and Practice in Árpáadian Hungary and Kamakura Japan

This paper uses the theoretical framework of prescription versus practice for comparing the inheritance practices of two very divergent societies – Árpáadian Hungary and Kamakura Japan. Using this methodology provides insights into the structures of both societies as we examine how each negotiated the competing interests involved in inheritance. In both cases, we observe a tension between the official power structures on one hand and the familial influence on the other. In Hungary, the crown, clan, and immediate family (*parentela*) competed for influence with varying degrees of success throughout the Árpád era. Heads of household at times disregarded general rules of clan-inheritance in order to maintain the integrity of their estates while the crown sought continual access to lands through escheat. In contemporary Kamakura Japan, the interests of the *kenmon* (tenants-in-chief) were frequently at odds with the *jito* (local landlords) as those in power tried to maintain the integrity of the system while *jito* sought to maintain or grow their own power. These conflicts frequently meant that *shugo* (military governors) intervened against the wishes of a *jito*'s family and the accepted rules of inheritance. The comparative analysis of divergences between accepted rules of inheritance and actual practice provides a means of understanding the dynamics of each culture.