# Inaugural Lecture

FORMAL MONOGAMY AND INFORMAL POLYGYNY IN PARALLEL African Family Traditions in Transition

by

LINIVERSITY OF NAIROBI LIBRARY

#### COLLETTE AKOTH JUDA

B.A. (Nairobi), M.Sc, M.Sc. Ph.D (Missouri-Columbia)
Professor of Sociology, University of Nairobi
and

Secretary for Gender and Social Services, Ministry of Gender, Sports, Culture and Social Services,

Republic of Kenya

Venue: 8-4-4 Lecture Hall
University of Nairobi

Thursday, 4th October, 2007

## FORMAL MONOGAMY AND INFORMAL POLYGYNY IN PARALLEL African Family Traditions in Transition

#### **INAUGURAL LECTURE**

bv

#### Collette Akoth Suda

B.A. (Nairobi), M.Sc, M.Sc. Ph.D (Missouri-Columbia)

Professor of Sociology, University of Nairobi

and

Secretary for Gender and Social Services, Ministry of Gender, Sports, Culture and Social Services,

Republic of Kenya.

UNIVERSITY OF NAIROBI LIBRAK'S

P. O. Box 30197

NAIROBI



Collette Akoth Suda
B.A. (Nairobi), M.Sc, M.Sc. Ph.D (Missouri-Columbia)
Professor of Sociology, University of Nairobi
and

Secretary for Gender and Social Services, Ministry of Gender, Sport, Culture and Social Services Republic of Kenya.

#### **Table of Contents**

	Dedicationv		
	Ackr	nowledgementsvi	
	Biog	raphyvii	
1.	INT	PRODUCTION1	
2.	SOME FAMILY TRADITIONS4		
	2.1	The Traditional African Extended Family System4	
	2.2	The Role of Women as Moral Teachers in the African Family .6	
	2.3	The Basis for Marriage in Traditional Africa and New Dating Patterns	
	2.4	Marriage under Kenyan Law12	
	2.5	Polygyny and its Benefits13	
	2.6	How Polygyny Empowers Women	
	2.7	The Value of Children20	
	2.8	Disadvantages of polygyny21	
3.	FAMILY TRADITIONS IN TRANSITION: SOME BROAD TRENDS23		
	3.1	The Decline of Polygyny25	
	3.2	Changes in Child-Rearing Practices	
	3.3	Changing Conception and Perception of Marriage30	
	3.4	Marriage Dissolution and Family Disintegration33	
	3.5	Grounds for Divorce	
	26	The Effects of Diverse on Children Wesser and Man	

3.7	Single-Parent Families		
3.8	Remarriage and the Blended Families47		
3.9	Cohabitation: Families outside Marriage		
3.10	The Impact of Cohabitation on the Couple and Children 53		
	RMAL MONOGAMY AND INFORMAL POLYGYNY IN RALLEL: THE MISTRESS PHENOMENON56		
4.1	Some Factors contributing to the Mistress-Pattern57		
4.2	Changing Patterns of Extra-Marital Relationship61		
CON	NCLUSION65		
SELECTED BIBLIOGRAPHY68			
	3.8 3.9 3.10 FOR PAR 4.1 4.2		

#### Dedication

This Inaugural Lecture is dedicated to my parents who taught me traditional family values and my children: Elector, Rex and Yvonne from whom I learned that nothing stays the same.

#### **Acknowledgements**

Several people have contributed in various ways to this Inaugural Lecture. I am grateful to Lilian Owuor for her help with field materials and secondary sources; Phil Kilbride for materials, references and insights on plural marriage; Father (Dr.) Michael Kirwen for the opportunity to share ideas on African marriage and family life with a group of Africanist scholars and students from around the world; the High Court of Kenya for data on divorce; John Mbogo for his technical input; and Mrs. Jane Mugwe for her exemplary discipline, commitment to duty and continued support. I also thank my colleagues and mentors at the University of Nairobi, University of Missouri-Columbia, University of Helsinki, Bryn Mawr College, and the Maryknoll Institute of African Studies for their consistent encouragement, inspiration and stimulation. Finally, my debt is to all those who gave useful comments on earlier drafts which helped address potential traps. I thank them for reading and helping me see the picture as a whole.

#### **Biography**

Professor Collette Suda was born in July, 1957 in West Kanyidoto Location, Nyarongi Division, Homa Bay District. She had her early education at Wachara, Nyarongi and Nyandema primary schools before joining Asumbi Girls Secondary School in 1969. She sat for O-Level examinations in 1972 and attained First Division. She did Forms 5 and 6 in the same school and sat for the East African Advanced Certificate of Education (A-Level) examinations in 1974.

In 1975, Professor Suda joined the University of Nairobi and majored in Sociology under the then 3:1:1 degree pattern and graduated with the degree of Bachelor of Arts (Second Class, Upper Division) in 1978.

Between 1979 and 1980, Professor Suda worked in Western Kenya, first as a research assistant and later as a project co-ordinator, on the Small Ruminant Collaborative Research Support Programme (SR-CRSP) which was a multi-disciplinary research initiative between the Government of Kenya (Ministry of Livestock Development) and several U.S.A institutions, including the University of Missouri and Winrock International. As a co-ordinator, she supervised the sociological component of the project, and provided oversight for its design, implementation and data collection.

After completing the said research assignment, Professor Suda proceeded to the United States of America in 1981 to undertake postgraduate training in Rural Sociology at the University of Missouri — Columbia. Midway through her Masters degree programme in Sociology, she enrolled for a second Masters degree in Community Development and, in 1983, she graduated with an M.Sc. in Rural Sociology and another M.Sc. in Community Development.

Immediately after completing the two Masters degree programmes, she started her doctoral studies in Rural Sociology. Three years later, in May 1986, she graduated with a Ph.D in Rural Sociology

from the University of Missouri – Columbia. Professor Suda's area of specialization in the broad field of sociology is family studies, which falls within the sociology of the family, one of the sub-fields of the discipline. In 1996, Professor Suda delivered a series of public lectures on African Marriage and Family Systems in five Universities in Finland, namely: University of Jyvaskyla, University of Tampere, University of Turku, University of Joensuu and University of Helsinki.

Professor Suda started her teaching career in 1983 when she was registered for Ph.D and appointed a teaching assistant in the Department of Rural sociology at the University of Missouri -Columbia. When she returned to Kenya after completing her doctoral studies, she was appointed Research Fellow at the Institute of African Studies, University of Nairobi in 1986. She was later elevated progressively to the positions of Senior Research Fellow in 1990; Associate Professor in 1997; and full Professor in July 2002. Professor Suda has served the University of Nairobi in various capacities. Between 1991 and 1999, she was the Warden of the Women's Halls of Residence, a position she held until she resigned to take up the post of Director of the Institute of African Studies. She has actively participated in various Committees of the University of Nairobi. These include Senate, Deans Committee, College Management Board (CHSS), College Academic Board and the University of Nairobi Task Force on Restructuring. In February 2007, she was appointed chairperson of the Committee on the University of Nairobi Gender Policy.

Professor Suda was appointed Director of the Institute of African Studies in March, 1999 and served for three years until March, 2002. In May, 2002 she was appointed Director of the Board of Common Undergraduate Courses and served in that position until late August 2007 when she took leave from the University to take up a new appointment as Secretary for Gender and Social Services in the Ministry of Gender, Sports, Culture and Social Services.

She has served as the chairperson of the Board of Governors of Asumbi Girls Secondary School (2001-2005), and as Commissioner in the National Commission on Gender and Development (2004-

2007). She has also served as external examiner at the University of Dar es Salaam, Moi University and Maseno University. She has participated in over seventy national and international conferences, seminars and workshops, and presented papers in over thirty of them.

Professor Suda is a member of several professional organizations which include the Governing Council of the Kenya national Academy of Sciences; the African Rural Social Sciences Research Networks; the Standing Committee on National and International Engagements; the Network of AIDS researchers of Eastern and Southern Africa; and the Social sciences Specialist Committee of the National Council for Science and Technology. She is also a coeditor of the Kenya Journal of sciences, Series C: Social Sciences.

In terms of scholarship, Professor Suda is an avid researcher, and the author of over twenty articles in peer- refereed journals, six book chapters, two monographs, and co-author of a book. She has also co-authored four articles in peer - refereed journals. Her research has mainly focused on the areas of family, children and gender studies, and her scholarly contributions have appeared in several reputable journals such as: International Journal of Contemporary Sociology; Nordic Journal of African Studies; Child Abuse Review; Journal of Developing Societies; African Journal of Sociology, and Discovery and Innovation, among others.

#### 1. INTRODUCTION

This lecture begins from the premise that marriage and family are as much a part of culture and social structure as they are a reflection of society's underlying values and norms which are in a state of constant and considerable flux. Thus, I examine the disjuncture between traditional family life in Africa and the need to recognize a more inclusive ideal for family diversity which is encoded in the emergence of alternative social arrangements and family formations.

The task of this inaugural lecture is to identify some of the defining features of the traditional African family system, speak to their continuing transition, examine the factors contributing to these trends and highlight their overall impact.

Sociologists and anthropologists have always acknowledged that marriage and family are two of the most difficult concepts to define. Part of the reason for the difficulty is that a lot of people have a narrow view of what constitutes a proper family form, very strong feelings on what a marriage should be, and deep-seated beliefs on how men and women should organize their social lives. Such debates are usually provocative, emotive and controversial. This kind of essentialism does not usually allow for recognition of diversity. Anthropologist Linda Stone (2004) explains that the main reason for the difficulty is that there is no single definition that could cover all the varied institutions that are usually described as "marriage" or "family". Writing about the process of marriage in Cote d'Ivoire, Meekers (1992:62) notes that the difficulty in getting a precise definition of marriage is because of the "complexity and diversity of marriage types, systems and practices both within and between ethnic groups" in Cote d'Ivoire and other African countries and cultures.

Despite the fact that virtually every society has an institution that it calls "marriage" or "family" the cross-cultural variations in marital forms and family structures indicate that some of these institutions

do not share common characteristics. Although most African marriages involve heterosexual unions, there are important exceptions to this socio-cultural ideal. Exceptions include same-sex marriage which was legalized in South Africa in November 2006. child betrothals and child marriages in Cote d'Ivoire and woman-towoman marriage among the Nuer in Sudan (Evans Pritchard, 1951). the Kuria (Ruel, 1959), the Gusii (Okenye, 1977), the Nandi (Oboler, 1980), and the Gikuyu (Reriani, 1987) in Kenya. In addition, many African communities also practise levirate marriage (widow inheritance) and sororate marriage (a widower marries the sister of his deceased wife). These examples illustrate the extent of marital variations in Africa and underscore the need to avoid social and cultural essentialism in defining and understanding diverse family formations. This diversity has been accounted for in a number of ways, looking to social, cultural, economic, ecological, demographic and historical processes across Africa.

A growing body of sociological literature has sharpened our understanding of diversity of marital forms and family structures in Africa and elsewhere. The most marked point of convergence in all these studies is the idea that marriage is not only an ageless tradition and a cultural universal but also a process composed of several stages involving different rites and rituals. sociological and ethnographic studies have also shown that, in any given social and cultural matrix, most heterosexual marriages in Africa fall into three main categories, namely, monogamy, polygyny, and polyandry in descending order of prevalence. In his book Sociology, Robertson (1981:350) defines marriage as "a socially approved sexual union of some permanence between two or more people". He adds that such a union is usually inaugurated through socially -approved ceremony such as a religious wedding or civil registration or, in some cases, an informal agreement between the parties or their parents. However, customary marriages in Africa are just as legitimate and valid as the ones formalized through a religious wedding or civil ceremony.

In Africa, marriage usually takes several years to complete and, in fact, it never ends. The continuing nature of the marriage process is mainly attributed to the number of rites and rituals involved at

every stage, the complexity of other pre-nuptial transactions which tend to be outstanding for long periods of time, and the bride-wealth payments which are usually made in installments and are continual (Adams and Mburugu, 1994:163). Marriage and courtship were arguably two of the most collective and protracted social arrangements in traditional African family systems. Part of the reason for the protraction was the need for continued interaction and support between members of the families related by marriage. Courtship which required (and still does) special skills and a lot of tact, was also perceived as a continuous, delicate and lengthy process partly because it was intended to build trust, enhance bonding and contribute to marital stability. But more importantly, courting in the traditional African marriage was widely acknowledged as a more interesting social engagement than mating.

While one can never fully define a family because there is no ideal family form and what we hold to be the ideal could very well be an exception rather than the rule in other cultures, the effort to do so is nevertheless valuable. In his chapter entitled Changing roles in the Bukusu family, Wandibba (1997:333) points out that the Babukusu define their family in terms of marriage, residence and economic cooperation among family members. Based on this definition, a Babukusu family therefore consists of "a married couple or married couples and their child or children", and each member has a set of responsibilities for the economic survival of the family. On the basis of the common characteristics of different family forms across cultures, Robertson (1981:350) defines the family as "a relatively permanent group of people related by ancestry, marriage or adoption who live together and form a social and economic union and whose adult and productive members assume responsibility for the young". This broad conception of the family takes account of the many different family forms that have existed and continue to evolve. For example, this broad definition takes into account the nuclear family which consists of a husband, his wife and their children and the extended family which comprises the nuclear family and other relatives. Other forms are family of orientation into which we are born - also known as the consanguinal family and family of procreation - the one which we later create ourselves through marriage - also known as the conjugal or affinal family. The great variety in the definition of the family is captured in the words of Adams and Trost (2005: ix):

We often speak of the family, but there are many types of families. One can look upon the term family as a very complex word, with a great variety of meanings. ... A single parent with a child may or may not be considered a family. ... A married couple without any child can be called a family. A cohabiting couple with a child may or may not be called a family. A family may be seen to include a large number of individuals related by blood or marriage. ... The variety is enormous.

Despite the diversity in its forms, there is, however, a common thread that is woven through all the different strands of relationships which comprise the family. In whatever form, shape or size, the family remains the most basic social institution and unit of production and consumption in society while marriage continues to occupy a central place in the social lives of most people across cultures with major inter-generational variations in perception and conception.

Most traditional African marriages and families were cohesive and stable. This stability was a function of multiple factors, including the conception and perception of marriage as an alliance between two or more families rather than a relationship between two individuals concerned. Marital stability was mainly achieved through the active participation of the extended family and community in the entire marriage process.

#### 2. SOME FAMILY TRADITIONS

#### 2.1 The Traditional African Extended Family System

The traditional African family was a relatively stable social unit embedded in a wider network of relatives drawn from two or more generations who served as a system of social support. This social support system was built around the need for production, reproduction and protection and centered on some of life's fundamental lessons such as caring and sharing. Members of the

extended family pulled together in hard times to offer support to needy relatives or other vulnerable members who could be challenged in various ways.

Despite the diversity in cultural traditions, there still exist numerous similarities in family life and marriage systems in many African societies. The extended family system was, and still is, a salient feature of family life in Africa. Traditional African family life depended to a great extent on kinship ties and support networks across extended family lines. A typical African extended family unit can be very large, consisting of the nuclear family of husband, wife and their children and several other relatives, sometimes stretching more than two generations of a kinship line. The system serves as a support network, providing help to the less fortunate members. In keeping with this support function of the system, close relatives were expected to take the initial responsibility to provide care and support to needy children and other less fortunate members of the extended family. In most rural African communities where family ties and kinship obligations are still strong, it is a standard expectation that if a parent or husband dies, for example, the surviving members of the extended family will ensure that the widow, children and other dependants of the deceased are supported and cared for by their relatives who are considered to be relatively more economically stable (Suda. Omosa and Onyango, 1999; Suda, 1997).

In their study of the African family, Kayongo–Male and Onyango (1984) report that many Africans still depend on their relatives for support whenever their families are faced with problems. They expect help to come from their relatives in the form of jobs, accommodation, school fees, clothing, food and even mate-selection. In their view, this expectation is based on the notion that the extended family network is socially constructed to nurture, cushion and support those in need. Adherence to this notion of the family as a social support system therefore means that the priority of the newly married individuals became not so much how they should settle down, understand themselves, build their relationship and plan their lives as a couple, but rather how to meet the needs of their less fortunate relatives (Kayongo-Male and Onyango,

1984:60). This support system was, and still is, built around the traditional African kin-based ideology of 'your success is our success', which signifies the collective ownership of individual achievements.

Studies by Suda (1993; 1999) revealed that the extended family support system is still effective in Africa particularly in the rural areas and among low-income urban families. Although many of these kinship ties and obligations are now weakening under the pressure of irresistible social forces, they are still reinforced by a complex system of values, beliefs, norms and practices, which ensure continual family support in times of need. Kilbride and Kilbride (1990) have pointed out that this support system also served as a barrier against child abuse and neglect as well as marital instability. Divorce was rare in traditional African marriages primarily because of the large amount of bridewealth that was mainly paid in cattle rather than cash (and would be difficult to refund if the marriage broke down), the pre-nuptual rituals that were performed as part of the marriage ceremony, the many gifts that were exchanged before, during and after marriage, the involvement of family members from both sides in the marriage negotiations, the efforts that were made by relatives to reconcile married couples in disagreement and the value that was placed on children, particularly boys. The ideal in nearly all traditional African societies was therefore to have a stable marriage and a large family with as many children as possible. Family stability was also achieved as a result of women's contributions as moral teachers to their children.

## 2.2 The Role of Women as Moral Teachers in the African Family

The female influence on the moral character of African families is arguably one of the most enduring marks in the social history of humanity. Part of the reason for this is women's traditional caregiving roles, which put them in a unique and strategic position not only to produce and sustain life but also to help instill sociocultural, religious and moral values in the family and society as a

basis for establishing good and appropriate relationships between members. Through various social institutions and structures, African women have devoted their lives and time to promoting family stability and social welfare in the community and beyond. In conflict situations, for example, they have actively participated in peace building efforts at all levels. They have helped to rebuild family relationships and contributed to a feeling of hope and optimism among the underprivileged people who live in despair. As part of their encounter with domesticity, Mack (1992) reports that Hausa wives—were not only regularly involved in adjudicating disputes between their children but were also frequently consulted over their husbands' and children's marriage arrangements. As mothers, wives and professionals, Hausa women's domestic roles had a profound influence on socio-religious conduct in the family and society.

Culturally, women are socialized to be relationship-oriented and this process prepares them to be sensitive about the quality of relationships in marriages, families and communities. As the main agents of socialization and moral education, the survival of the family and the future of marriage depend a great deal on the female population. This is not only because the traditional social, moral and cultural upbringing of young people was at the centre of the female domain, but also because, through their expressive and productive roles, women provide a stable emotional environment that helps to cushion individuals against the socio-psychological damage of disintegrating families. Showing love and providing care for family members, teaching people to lead morally upright lives, helping transform oppressive structures and working towards peace and reconciliation are some of the key ways in which many African women have contributed and continue to contribute to the moral health of families and societies. Of course, women's work transcends these realms but their centrality in cultivating and consolidating moral social order underscores the idea that social morality is about healthy relationships between people who occupy either similar or different structural positions in families, communities and societies. In many parts of Africa, as elsewhere in the world, such positions have often been used and abused to deny some people their rights and a life with dignity.

African women have been involved in the moral teaching since time immemorial. Under the traditional family system, African women played a key role in teaching children social, ethical and moral values which were part of the cultural standards for evaluating 'proper' behaviour. Much of the teaching was focused on regulating sexuality and family life in general. But under the patriarchal system which is characterized by inequalities in genderpower relations. African women are under more pressure than men to practice what they preach. In her study of elite marriages in East Africa, Obbo (1987) found that many African wives experience conflicting expectations about the proper moral behaviour with respect to sexuality. On the one hand, "they must try to prove that their chastity is beyond reproach and that they will therefore be faithful wives while they must also demonstrate their fertility. In other words, women must be 'good women' before and after marriage but they must also demonstrate their reproductive potential" (Obbo, 1987: 265). Although the Christian teaching preaches chastity to men and women, the patriarchal authority places the moral requirement of chastity and the burden of compliance more on women than men.

In traditional Africa, mothers had the primary responsibility for teaching their children certain moral standards of behaviour during socialization. In general, children were taught what was expected of them at various stages of their lives. They were taught the community's customs, values and norms that accompany these roles (Muganzi 1987; Kisembo et al. 1977), Among the Luo of Western Kenya, for example, mothers, grandmothers and aunts taught young girls how to sit in a proper, decent and respectable manner (with their legs together). Young women also received advice on how to relate to men (Wachege 1994:83). Their mothers also told them all that they needed to know about sexuality, including the importance of pre-marital virginity. In Tharaka, for example, mothers gave their girls special chains to wear around their waists for as long as they remained virgins before marriage. It was a taboo to keep the chain if a girl had lost her virginity before she got married (Kalule 1986).

In his investigation about public perceptions of single mothers in Kenya, Wachege (1994) shows that in every ethnic community in Kenya, mothers had the primary responsibility to ensure that their daughters maintained sexual purity. Adolescent girls were advised to uphold sexual morality until they got married. Such advice was based on the moral premise that sexual morality in general and premarital virginity in particular were highly valued, whereas single motherhood was viewed as immoral and brought disgrace not only on the girl but on her family and community as a whole. Having a child out of wedlock was stigmatized because it lowered the dignity not only of the girl, who was perceived to be 'morally loose', but also of the mother, who was blamed for not having taught her daughter good moral conduct. In his discussion of how traditional Kikuyu women contributed to moral uprightness in society and shared the blame with their daughters who had children out of wedlock. Wachege writes:

The main responsibility for instilling such moral conduct fell heavily on the mothers. No wonder that when a girl conceived out of wedlock, her mother too was answerable. Both were looked upon with contempt. Both were disgraced. The mother suffered disgrace through her unmarried pregnant daughter (1994:91).

In most traditional African societies, such girls had difficulties getting young men to marry them. They were often married to older men as junior wives. Adherence to these moral and social imperatives accounted in large part for the rarity of pre-marital pregnancies and single motherhood in traditional Africa.

The youth were taught personal discipline, told to exercise a great deal of self-control and shown how to grow up into responsible and productive members of society, among other traditional ethical values. They were also made to learn through proverbs and folktales by older women that as children they are supposed to respect their parents and elders, to take their advice and guidance seriously. They also learnt the adverse consequences of violating such moral rules (Kilbride and Kilbride 1990; Nasimiyu-Wasike 1992). Many mothers also ensure that their children are enrolled in good schools and receive quality education. This responsibility is

an important part of parenting which, for many poor women, is often undertaken with great personal sacrifices. This kind of moral and ethical education was most effective under a system of strong parental authority which is now being systematically eroded, partly as a result of moral delocalization, social, economic and geographical distance between children and their parents and the concomitant ideological gap and inter-generational clash of values.

Today, most of these socio-cultural values and moral standards are being eroded or distorted by the modernization process, resulting in moral decadence and the breakdown of traditional family life. Premarital pregnancies and divorce are rampant in contemporary Africa and public perceptions of them have changed drastically. There has also been a proliferation of single parents, the majority of whom are mothers who live in poverty and are becoming increasingly unable to provide adequate care and support for their families. The result has been premarital pregnancies, child abuse and neglect, increased numbers of street children, prostitution, and a tendency towards marital infidelity.

The Kilbrides (1990: 137) report that East African mothers, like all mothers everywhere, use their positive maternal affect either individually or through women's groups to counter some of the negative emotions which emanate from an evil eye, witchcraft accusations, marital conflict and child abuse. They argue further that in societies where collective rather than individual moral responsibilities are emphasized child abuse can be greatly reduced or eliminated altogether. Child abuse was rare in traditional Africa primarily because of the cultural ideology of the kin-based support system.

### 2.3 The Basis for Marriage in Traditional Africa and New Dating Patterns

Both the elders' memories of a better past, and empirical evidence in professional literature indicate that there was a time in Africa when marriage was a compelling reason for seeking a relationship with a girl. Marriage was also the ultimate and perhaps the most celebrated rite of passage for which a girl was prepared from a very