Perspectives on Family Relationships

Expanding and Contracting Families: Experiences from WLSA Research into Family Forms in Zimbabwe

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Introduction

As the title of the paper indicates this presentation draws from WLSA research experience into **"Family Forms"** in order to discuss the phenomenon of contracting and expanding families in the context of Zimbabwe.

The Women and Law in Southern Africa Research Trust (WLSA) is a regional research trust looking at laws affecting women in six Southern African countries of Zimbabwe, Zambia, Swaziland, Mozambique, Lesotho and Botswana.

Having completed two indepth research phases into the laws of **Maintenance and Inheritance**, WLSA is currently well into its third phase of research, which is looking at "**Family Law and the Position of Women in the Family**"[1] with particular reference to women's access to and control over resources. This research is being conducted in all the six countries, in two stages viz;

i) an investigation into family forms existing in each country and,

[1] The phase covers the period June 1994 to May, 1997.

ii) an investigation of women's status in the various family forms identified with particular reference to women's access to and control over resources.

The first stage of the research in Zimbabwe which included data collection, analysis and report writing was recently completed, although the final report is yet to come out.

Methodology of Data Analysis

In both the Maintenance and Inheritance studies, it appeared that the "family" is a key institution in the regulation of the lives of its members in terms of their rights, obligations and interests. It appeared a very strong semi-autonomous field generating and enforcing its own rules, sometimes in direct conflict with the State. Our research findings in these two research phases seemed to imply that the family had a wide capacity to get out of the state law domain. Further implied was the fact that the family as a concept had a somewhat standard definition based, as it were, on certain assumptions about organisation of individuals in terms of genealogical kinship patterns, legally determined and recognised affiliations, tribal groupings, economic relationship, mutual support arrangement and/or emotional and other relationships. Thus the research process and the preliminary findings on organisations of people around the notion of family presented a number of conceptual problems.

Accordingly, in our data collection and initial data analysis, we eschewed the use of terms such as kinship relations, nuclear and extended family. We had set out to ascertain through a preliminary mapping in designed research areas[2], the various forms of family organisations beginning with a carefully crafted research problem which would have had us focus on these various family forms. We believed the use of the common[3] terms associated with family, loaded as they were, would constrain us in our understanding of the reality on the ground.

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[2] In Zimbabwe the research was conducted in areas representing all the socio-economic sectors of the society ie, urban (high, middle and low density), and rural areas covering communal lands, resettlement and commercial farming areas. Representation of the major ethnic groups was ensured through coverage of Mashonaland and Matabeleland,provinces that are dominated by the Shona and Ndebele respectively.

[3] WLSA Draft Report on Family Forms, 1995.

However, having taken that initial approach in our interaction with the data, it became clear that the concepts that we eschewed were in fact inescapable in the process of describing why certain individuals interrelated with each other in particular ways.

A major finding of the research was that blood and kinship and affinal ties were those that held the family together and created the environment in which the interaction we mapped took place. Levels of interaction between family members differed according to need, accessibility, proximity and reliance on resources - material, emotional, supportive and spiritual.

It is now a truism requiring no further proof that family forms are not immutable but that, like all living reality, they constantly change from time to time and from place to place. The family, as a social and economic unit, varies from place to place, period to period and from one cultural setting to another. It is for this reason that family, although frequently used in academic literature and in statutory provisions is rarely, if ever, defined (WLSA Working Paper No.12). Besides the variables of time, place and culture, in order to define "family" one would have to contend with the particular purpose for which the term is being used. The family may be defined in one way for purposes of,say, inheritance, but in another for other purposes.

We thus encouraged individuals interviewed to describe their notion of family, as a social concept and then to explore the way in which, by their description of their daily living, support and interactive relationships, they ascertained the framework mediating their definition of the family.

We were able to juxtapose individual descriptions and perceptions of family with objective factors and circumstances as described by respondents. For example, most respondents would subjectively describe their families as embracing literally all those related to them by kinship and marriage. One respondent captured this by likening human beings to trees. A jacaranda tree is a member of the jacaranda family regardless of where it is found, or where the seeds may have been blown or exported. It is this kinship/marriage based relationship which often determines co-residence and support obligations. Yet when giving account of their daily lives and important events such as death, rituals etc, respondents would then bring down the wide

perceptions to narrower levels in a way which suggested that only a limited range of people played significant roles in their material, emotional and spiritual lives.

The definition of family for an individual changes throughout the important phases of one's life, from the moment of birth right through majority status, working life, marriage, divorce, widowhood and death, there are constant changes and fluctuations in family composition. In a sense for the individual the notion of family is a continuum and how an individual regards the family and how others view the individual in the family is in a fairly constant state of flux. When a `child' marries he/she begins the process of actively creating their own primary relationships, as opposed to those that are imposed on them by birth or other external forces. Thus he/she begins the process of re-defining his/her family. As more generations are added through this process the locus for an individual shifts over and over again and in both subjective and objective fashions.

An interesting observation with regards to marriage is the fact that husbands and wives described their perception of family differently. The wife may describe her first level of perception of family as being husband and children. The husband in a polygynous situation would link himself to a number of families through his wives while the individual wives would see the relationship being to the man alone and her children with him.

The range of questions asked to solicit the information we needed to ascertain existing family forms ranged from who does what, when, how and why in relation to a number of parameters that were believed would assist us to prepare our preliminary mapping of the family. The questions encompassed functions within the family, power relations and decision-making, obligations and reciprocity and scenarios or enforcement modes that were used.

Data collection methods included in-depth interviews with individuals, family group interviews, key informant interviews and focus group interviews.

Analytical Framework

Having adopted and discarded a number of analytical frameworks for our investigation into family forms, we were

ultimately satisfied that a more useful framework for understanding families and family forms as to their organisations and functions was to fall back to the traditional indicators/pointers of what would constitute a family. Our data told us in no uncertain terms that the most persistent factors determining family membership are kinship and marriage. Invariably people appeared to associate with each other in various forms of family organisation around blood and affinal relationships.

The facts of co-residence and provision of support (from within or without the basis of co-residence) are then functions of consanguinity and affinity.

Acknowledging that this does not take into account cohabiting couples with children, we were in the final analysis satisfied that the essential membership of a family may be defined by reference to the key concepts of kinship, marriage (or other semi autonomous sexual arrangement approximating marriage), co-residence, reciprocal support and spiritual or ceremonial links and networks.

Thus the great variations of grounded family forms we found have their roots in kinship and marriage obligations. The nuclear and extended family, although sometimes differently constructed were found at the core of the people's need to satisfy their emotional and material needs regardless of race, ethnic grouping, location or lifestyle. Despite the constant reference to the collapse of the traditional family structures, we found that the extended family still forms a critical entity in the lives of most Zimbabweans. It is therefore not so much a case of collapse as one of a transformation of the forms of interaction that take place between family members.

Thus even though as a regular phenomenon family groups who once lived together within a close radius of each other, who interacted daily, worked the land as a unit, no longer follow these patters, families remain the basic support structure for Zimbabwean families. We came across many cases that confirmed the significance of the extended family as the backdrop or `safety net' within which the nuclear family of husband, wife and children or in a polygamous situation, a woman, children, and the shared husband, carry out their lives.

How much support may be required and received, how intense and frequent the interactions constantly fluctuates. Who is in the web at any one point in time may also vary depending on the situation and needs to be met. This contributes in part to the contracting and expanding nature of the family.

When asked about family membership in concrete terms, or in relation to specific day-to-day needs, co-residence, mutual support and daily decision making, most interviewees tended to concretize and narrow their family to those immediate persons they lived with and supported on a daily basis. In this way the family was often narrowed to spouses, their children and such relatives as they resided with or supported on an ongoing basis.

Contracting and Expanding Families

It was an important finding of the research that the fluctuating amoeba-like nature of the family equated a process of contracting and expanding. Important also to note is the fact that each and every family form encountered is subject, in different ways and maybe to differing extents, to this constant fluctuation. The `family' in a generic sense, therefore contracts and expands depending mainly on the purpose for which it is being defined.

The research established three basic levels of contraction and expansion;

a) The family is often at its narrowest in relation to **obligations of living together and providing basic day-to-day material necessities.**

b) It is wider when in addition to a) there is **mutual or one directional support of (wider) family members living elsewhere, and**

c) It is at its widest and most inclusive in **relation to spiritual, cultural or traditional ceremonies involving establishing or asserting ancestral linkages, also weddings and funerals.**

Family Forms

Before discussing in greater detail the secondary levels of expansion and/or contraction of the family, it is pertinent at

this point to report on the family forms established by the research as existing on the ground, as well as the manner of such family forms expanding and contracting at the primary level.

Nuclear family

The commonest form is created when a man and woman get married and start a family. **It would thus constitute wife, husband and their children.** Before the marriage each party belonged or was identified with his/her natal family. (According to our interviewees, an unmarried man or woman, even when working and living on her/his own does not constitute a family).

'Marriage' encompasses all the three forms recognised in Zimbabwe i.e registered customary, unregistered customary union and civil marriage.

Other permutations of nuclear family encountered included;

- a single woman working and living with own children.
- a married couple living with joint children and children of husband and /or wife from another relationship.
- divorced or widowed woman and/or man living with own children.

The composition of the nuclear family changes as various changes take place in the lives of their children, their siblings or parents.

We came across many instances where the basic `nuclear' family took in grandchildren (usually unmarried daughter's children) nephews, nieces, cousins or parents on both sides. In such cases the family is used as a **repository (our special description).** Thus in terms of residence, support and day-to-day decisions, the "nuclear" family is expanded.

On the other hand, the original "nuclear" family may contract when children grow up, marry and move away from home to start their own families. The family may again later expand if one of the children comes back (temporarily or permanently) on divorce, or death of spouse, his/her children in tow. Although this happened more often with daughters than sons (**returnee**

daughter), we did come across a white family where the son had come back to the natal family with his daughter after his wife had deserted him. Respondents told us that sons who fail to secure employment or are discharged and have no means to acquire or secure their own households may return to their parents and happily reside there on a permanent and open-ended basis regarding themselves as family.

Thus the abstract all-inclusive family constantly reasserts itself whenever any of its "members" is in conditions of difficulty of one form or another.

Contributing to the increased incidence of returnee' daughters is the patriarchal/patrilineal ideology which dictates that on divorce (and sometimes death of husband) an African woman must physically remove herself from her husband's family. Thereafter her economic status or her ability to survive economically will determine whether or not she actually goes back to live with her own natal family. Her stay may be temporary or permanent depending on the circumstances.

However, her children's position is different as one respondent put it;

> "a widowed sister might come back to live, but we do not consider the children as our own. We will, however, help look after these children as our own but when it comes to marriage and other issues we have to involve the paternal relatives. We might charge them a (rearing) fee at the end of it".

The children of (unmarried) daughters normally swell the original nuclear family more than those of the sons because of the attitude that should she get married to another man, she should not take the child to live with her new husband. One of the interviewees said it was her responsibility to live with and bring up her grandchild because;

> "it would not be proper for the child to be brought up by her mother in another man's home".

Despite this, many respondents were extremely critical of the dominant family which had grandparents living with and supporting their grandchildren. The increased incidence of this phenomenon was attributed to many factors, among them the Legal Age of Majority Act (which is perceived as giving

children of 18 and over the notion that they can do as they please) sex education in schools, and the disintegration of collective social responsibility over children.

One family in Nyozani (Matebeleland research site) had 9 live-in grandchildren, 8 of them daughters' children. Most of the responsibility in respect of the upbringing of these grandchildren is borne by the grandparents and some of the fathers of the children sometimes helped with school fees, uniforms,and medical fees.

According to one of the daughters their father used to be furious whenever anyone of them became pregnant and he would administer corporal punishment on the offending daughter. He desisted and resigned himself to the inevitable when the pregnancies did not stop.

A more recent form of "repository" family is the one which has resulted from the deaths of both parents from Aids leaving their young children orphaned. In many cases it is the maternal rather than the paternal family which takes up responsibility for bringing up such children. In the words of one woman in a group discussion.

> "This disease is killing both mother and father. Sometimes the children have to be absorbed into their mothers' natal family where her brothers or father have to take the responsibility of looking after them, thereby expanding their original family. The issue of dzinza (male genealogical based family) is then not so significant.

A key informant asserted that the paternal side of the family generally did little except wait for the lobola (bridewealth) when the girls get married.

The death of parents from Aids-related diseases also has the effect of cruelly contracting a (nuclear) family, leaving in its place a child-headed family. Although the research did not come across such a family, key informants discussed this problem, especially the vulnerability of the children in such a situation. They are generally too young to fend for themselves and end up dropping from school, being evicted from their homes (especially urban ones) and sometimes falling prey to the machinations of avaricious relations.

Another factor that alters the composition of the nuclear family is what we have termed the practice of **commuting.** We refer to such a family as the "commuter" family. The commonest `commuter' family was one in which the father lived and worked in an urban area (sometimes living with some of the children) while the wife stayed in the rural areas, usually with the younger children. Mutual commuting takes place through the husband visiting the rural home at weekends and public holidays and the wife going to join her husband in the off season months. This separation of one family is attributable to economic constraints (the wife's efforts in working the land help to supplement the family income) and externally imposed rules and regulations e.g by a Municipality, a landlord or a mine authority which limit the number of people living in the accommodation\quarters provided. It is also attributable to lack of certain basic facilities like schools e.g on commercial farms.

We came across rural-rural commuter families, especially those of farm workers on a large-scale commercial farm. Because of inadequate wages and lack of schools at the farm, farm workers were forced to send their children to their rural homes to live with grandparents while going to school. The fact that the farm worker and his wife also maintain a field in the rural home meant that they had the means to supplement their very meagre wages.

"Composite" family

This type of family was found mostly in the communal areas, where family organization most closely resembles the traditional organisation of family life. It was also found on the smallscale commercial farms.

The family is composite in that it consists of parents living on the family land together with their adult children (mostly male) with their wives and children, or the children staying on on the family land after the death of their father or both parents.

A respondent described the interaction between the family members as follows:

> "This is the home of our late father. So the people who live here are his children. This includes myself and my young brother. However, outside this, I, my wife and our children

> are also one family. My younger brother also has his family. The distinction comes about in relation to how we bring up our children. The decisions about child spacing, spending money after sale of our farm produce; all these are some of the decisions I and my wife make."

The younger brother added;

> "We help each other in times of illness and so on. We also involve the broader family in issues that we may not have knowledge of, for instance, the performance of rituals and traditional ceremonies."

The different components of the composite family can also, however, assume the characteristics of the other "nuclear" families in that they can also be commuter or repository families. To the extent that the various wives may take in their own natal relatives, there is potential for the composite family to encompass members unrelated by either kinship or marriage. Composite families on smallscale farms brought to the researchers' minds inheritance-related problems found on these farms during the research phase into inheritance. For it was common for families to organise themselves into "composite" family situations, with the original farm owners' children (sons) setting up homes on the farm, regarding it as family property. Inheritance problems arose when, after the death of the father, one son inherited the farm in his individual capacity, passing it on to his own son, not the next brother in line, at his death. Conflicts invariably arose between uncles and nephews finding themselves in such a situation.

The composite family arrangement was also found on the resettlement areas, but this was occasioned more by scarcity of alternative resettlement land than the desire to maintain family cohesion. The planning of the resettlement did not take into account the fact that the settled families would have children who would grow up and marry, and thereby have the need to establish their own separate homes. The result is that in some resettlement areas, children who get married are forced by the non-availability of land to continue to reside on their parents' land. Those in such a situation explained that they were forced into this type of family organization by the fact that they have no land of their own.

It was, however, quite possible for a brother who was fortunate to get settled elsewhere in his own right to permit some of his brothers to take off with him and settle together. Such a situation was encountered in the Nyama resettlement area in Mashonaland West. Two settler brothers each had another brother and his family living on the plot, thus creating a different type of composite family, ie one that does not derive its composition from the fact that the land was their father's. If all the brothers left their fathers' settlement in this way, the result would be a contraction of the family to its original (possibly nuclear) state.

A different type of composite family was encountered on one black-owned commercial farm. The farm was one of two belonging to a relatively affluent farmer who was not only a polygynist (having a total of five wives, 3 living on one farm and the other two on another) but believed in extending his largesse beyond what is usually practised. This was because despite his large polygynous family, a form of composite family in itself, the farmer had taken in not only one of his fathers-in-law, but the father-in-law's own polygynous family as well. The father-in-law had his own small `compound' a few metres from the farm homestead, where he lived with two of his wives (the other two lived in his communal homestead far away thus turning his into a rural-rural commuter family) and their children. Adding to the complexity was the fact that the farmer's three wives on this farm were sisters and they all lived in the big house although maintaining separate bedrooms. The two wives on the other farm were also sisters.On the reasons why her two sisters came to marry her husband,the senior wife had this to say;

> 'I persuaded my (half) sisters to come into this marriage because I had too many responsibilities. As a result I felt that my children were not getting enough attention from me. I did not want to get a house servant, so I thought my sisters would be the more appropriate people to look after my children. Our parents had no objections. It was achieved through a process of consultation between myself, my sisters and our husband...'

The farmer's resident father-in-law was thus able to invoke the dual benefits of affinity to his son-in-law and the blood/genetic ties to his daughters. At the same time it appeared that the eldest daughter, the senior wife on this farm, was building up

within the family structures ties of blood and affinity, which increased her status.

Despite the complexity of his family situation on this farm, (it was quite wide at the primary level) the farmer had obligations to support relatives living away from his farms. His family also expanded at times of funerals, illnesses, and traditional ceremonies.

The situation on this farm clearly demonstrated the futility of making definitive assumptions about the family, since the reality on the ground revealed too many versatile variations to make generalisations on. Also sharply demonstrated are the different effects on family organisation/form, on the economically endowed and the poor. While the farmer's primary family could expand, seemingly without limit, his farm workers' families had to be split.

Expansion of Familiy for Ritualistic and Ceremonial Purposes

Some changes in the family, as shown above, result in significant changes in the composition of the family, which usually result in the newly constituted family living together temporarily or permanently.

Contrasted with such structural changes are instances when families "expand" for ritualistic or ceremonial purposes. This "expansion" generally does not result in structural changes in the organisation of the family, nor is it permanent, for members usually go back to their respective homes at the end of the occasion. The extent of the family's expansion differed according to the circumstances of different families and members.

Our research questions elicited information on the occasions on which families expanded and the following occasions were identified:

- birth of a baby
- marriage (usually of a daughter)
- illness of a family member
- death and funeral of a family member
- traditional ceremonies like *kurova guva/umbuyiso*
- rituals

It is important to note that all families irrespective of the particular forms around which they are organised or their location, generally get together for these ceremonies. The point of congregation is determined usually by the nature of the ceremony and the circumstances of the key figure in such ceremony.

Birth of a baby

An interviewee in Harare informed the researchers that the practice of many family members getting together to celebrate the birth of a child is dying out. Individual family members will drop in to see the new baby as and when circumstances permitted, in the same manner as ordinary friends.

Marriage negotiations

On the occasion of a daughter's marriage (i.e the ceremony at which lobola is paid) certain family members from both the paternal and maternal side of the family are expected to attend.These family members usually have designated roles. In the words of an interviewee;

> "When it comes to the marriage of a child, this is not a matter for me and my wife to decide alone, the broader family is involved, my brothers and my wife's relatives have a role to play. My brothers charge the lobola....."

In practice the father of a girl is not directly involved in the lobola negotiations. He usually participates as a silent and interested observer, leaving his brothers to do the negotiations. The girl's **tete** (paternal aunt) always attends the ceremony and "picks" part of the lobola money from the ceremonial dish, to be used for the purchase of specific kitchen utensils for her niece. The girls' maternal aunts sometimes attend, as they have an interest in the **"mother's cow"** which the bridegroom is required to provide specifically for the girls' mother. These ceremonies usually last a day or so, after which the broader family members will go back to their respective homes to await the conventional wedding ceremony and reception, the white wedding, should it be part of the plan. At this occasion family members from the widest circle of relatives on both the paternal and maternal families gather together with other friends to celebrate the occasion. There usually is tacit competition between those from the bride's family and those from the groom's family on which side would contribute more money and

gifts to the couple. It is a source of pride for either of the newly weds to know that his/her side contributed more.

It is important to note that wider family members generally do not congregate when a son is going through the lobola negotiations. Usually only a few people, the groom and one or two male relatives, make the journey to the girl's parents' home for the negotiations.

Funerals

Just as wider family members get together in times of happiness and celebrations, they congregate in their numbers on the death of a family member. It is family members who usually run the whole show, ie arranging for the funeral, buying the coffin, feeding the mourners and so on. If it is a married man who has died his relatives usually take over in this manner. However, if it is the wife who has died, her own natal relatives have the upper hand, right down to deciding where she should be buried, and also demanding payment of any lobola balances before the funeral can take place. An interviewee put it thus.

> "At her death, though she is my wife, I do not have much say. It is her parents and brothers who take charge of her burial, although they may consult me here and there. This also applies if she falls sick; I cannot as the husband give consent for her operation, her parents will have to do that"

This expansion of the family at the death of a member takes an ugly turn when family members take it as their right to have a share of the deceased's property. This is regardless of what the law may provide. Instances of property grabbing from both the widow and widower by the deceased's natal relatives are common. The deceased's personal clothing and effects, normally shared out after one year at the *kurova guva/umbuyiso* ceremony, are now generally distributed a day or so after the funeral. In this respect the deceased's siblings rank high on the list of beneficiaries, the widow/er really has no say over who should get what. The respective natal families of the deceased man or woman take this role upon themselves. Conflict often arises among the family members should some feel they have been short changed.

Traditional /ritualistic ceremonies

Families again expand during times of traditional and other ritualistic ceremonies. At these occasions communication is usually established with the dead ancestors, who are asked to grant a certain favour to the living members. Paternal kinship members are the only ones who can communicate with the spirits. Accordingly, only the paternal relatives of a sick child can intercede with the ancestors on his/her behalf. So strong is the belief in the importance of such communication that a widow is usually "persuaded" after threats to withdraw such services, to part with matrimonial property in favour of some unscrupulous brother-in-law or other relative of the deceased husband.

A Key Informant in Matebeleland emphasised the importance of these ritualistic ceremonies. He said a unity of purpose was important in such ceremonies if they are to have meaningful results. In the older days, he went on, when a problem arose (e.g illness) in the family, all members (sons, their children, brothers and their children, parents and the father's brothers and their children, grandparents) gathered together and addressed their common ancestors in a deep placating prayer like-manner, in one voice as it were and their pleas were heard so that whatever problem had beset the family would cease.
However, people are not always able to gather for these various occasions, due to factors such as urban migration, cross border migration, resettlement and the impact of religion and other cultures.

We were also told that those who had exchanged religion for traditional beliefs were not interested in these ceremonies regardless of how their lack of participation affected others psychologically. We also found that where distances impeded communication, traditionally "key" persons were dispensed with and replaced by not so "key" people. The data thus showed that relatives were useful and better to have around than strangers but that they are not indispensable.

"Expansion" through support of members living elsewhere

While the forms of contraction or expansion of families, discussed above were physical, therefore discernible, an "invisible" form of family expansion (deriving from kinship and marriage but not co-residence), is that occasioned by mutual or

one directional support to other disadvantaged members. While to the outsider this type of family expansion is not evident, to the actors, i.e both the giver and the recipient it is very real. The giver may as a result fail to provide his primary family as adequately as he/she might have wanted while the beneficiary will take pride in being so well connected. The phenomenon adds to the family with children, both male and female, providing support to elderly parents resident elsewhere particularly in the rural areas, uncles and aunts providing support to nephews and nieces resident elsewhere, brothers and sisters supporting siblings and spouses supporting their grandparents on either side. It would seem that most adults are supporting one relation or another who is old, infirm, too young to fend for him/herself or simply economically deprived.

Throughout the research, it was apparent that it was conceptually inconceivable to discount relatives for whom one felt a moral obligation to maintain. That legally there was no such duty was irrelevant, and that there was no reciprocity was also irrelevant. One Key Informant at Shangani mine said all you get is the warmth from relatives you have helped and that is enough. A woman interviewed in Harare, however, said you could always count on these relatives to provide domestic help and other emotional support.

Respondents emphasised the point that adult children have a moral obligation to support their patents, grandparents as well as siblings and their children who may be in difficult circumstances. As to who supported whom at a particular time seems to depend entirely on the circumstances of the persons linked to each other by kinship or marriage.This coincided with the finding from the maintenance study that those required to pay maintenance for their children invariably cited responsibility for the support of parents, siblings and/or their children as detracting significantly from the resources available to maintain their own children.

Conclusion

The research into family forms was undertaken following the realisation that if WLSA was to comprehensively assess the legal situation of women in the family, it was necessary to first determine exactly what the nature and composition of the family was. The results of the research more than justified the exercise.The family was revealed as a very flexible and fluid entity defined by a multiplicity of circumstances, an entity that

constantly contracts and expands in the manner of an amoeba which constantly shifts and changes shape.

In the second phase of the research we shall follow women into all the family forms established by the research inorder to investigate their situation as regards access to and control over resources. We shall look at the situation of women as;

- wives in monogamous situations,
- wives in polygynous situations
- 'returnee' daughters
- the girl child
- grandmothers (paternal and maternal)
- widows
- divorcees
- unmarried mothers, etc.

We shall then look at the various family laws in place and determine the extent to which such laws meet the economic and other realities of women in the family. In this regard law will be viewed in its pluralities, ie. as a mixture of principles, rules and procedures emanating not only from the state but also from non-state institutions such as kinship groups or other semi-autonomous regulatory powers in constituting and controlling family relations (WLSA Working Paper no.12). Law also takes into account customs and practices of the indigenous population when determining family related issues.

State law, in its various forms, has a profound effect on the way the family organises itself. State law explicitly or implicitly defines the family and in so doing influences the way in which individuals perceive and pursue their relationships. It also provides a wider framework for the processing of disputes within the family thus providing an opportunity for examining how the existence of multiple systems of law enables certain individual family members to manipulate these various systems during intra-familial disputes.

An important part of the research will look at the effect the contraction and expansion of the different family forms has on women's lives and also whether the law takes these factors into account.

WLSA's research into the family is still ongoing and much remains to be investigated. At the end of the research phase we

hope to have contributed meaningfully to literature and other information on the situation of women in the family in Southern Africa. To the extent that state law recognises the customs and practices of the indigenous people, we see the possibility of our research results being channelled back into the formal legal system thereby becoming part of its formal growth and re-interpretation process.

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