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

INAUGURAL LECTURE

by

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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.

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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 co-editor 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 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-to-woman 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. Other 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 care-giving roles, which put them in a unique and strategic position not only to produce and sustain life but also to help instill socio-cultural, 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 gender-power 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 pre-marital 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. Pre-marital 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 early age to become a good wife and mother (Ocholla-Ayayo, 1980). According to the traditional marriage rules in those days, sexuality was strictly controlled through the institution of marriage and everyone was expected to submit to the social regulatory disciplines instead of "jumping the gun" outside the culturally- accepted normative framework. The spotlight on the girl was extremely tenuous, but collective.

Premarital pregnancy was rare and stigmatized and when a girl became pregnant before marriage she had to get married to an older polygynous man as one of his junior wives, because premarital conception devalued the girl. Similarly, marriage in those days was primarily based on practical considerations rather than emotional obsession with the mate. This means that most couples in traditional Africa got married not so much because they were 'in love' but because they wanted to meet a practical need and fulfill an important social obligation, legitimize intercourse and the offspring, continue the family name and lineage through procreation, and forge new family or clan alliances. Reflecting on the reasons for marriage in traditional African societies, Robertson (1981) notes that if

love was a feature of traditional marriages at all, it was expected to be a *consequence* and not a *cause* of the union. Those were different times with different social conventions.

Most traditional African marriages were also negotiated and arranged either by the parents of the partners or through the involvement of a middle- man or woman (a "go-between") who knew the families of the bride and the groom quite well, often with little or no consultation with the partners or consideration of their wishes. However, the role of a traditional "go- between" has been delocalized and taken up by the present day "marriage broker" who brokers marital relationships mainly for personal fulfillment rather than social glory. In addition, there are several dating agencies which are doing good business in the urban areas trying to offer services to young people who are seeking partners to establish lasting relationships- a purely pragmatic set-up now even further enhanced by the internet.

The majority of clients who are registered by various dating agencies prefer calling and using what is commonly known as an interactive voice response (IVR). This technology has gained considerable popularity in the last few years. Other new dating techniques include the use of sms, clubs, raves and blind dates organized by friends and relatives. Some mainstream churches also organize various group activities around prayer, bible study, and public lectures to bring together young people in search of life partners. Making a distinction between the basis for marriage in traditional and modern societies, Robertson (1981:359) notes:

> In the traditional extended family, people rarely had expectations of romantic love with their spouses; marriage was a practical, common sense affair. In the modern nuclear family, far higher expectations exist, and if they are not fulfilled - and often they cannot be – discontent and unhappiness may result.

2.4. Marriage under Kenyan Law

There are five recognized forms of marriage under the Kenyan legal system. These are Christian Marriage, Civil Marriage, Islamic Marriage, Hindu Marriage and African Marriage. Marriage under Kenyan law is governed by any one of the following statutory provisions:

- ***African Christian Marriage and Divorce Act (Cap 151),*** that governs Christian marriages;
- ***Marriage Act (Cap 150),*** that governs Civil marriages;
- ***Mohammedan Marriage, Divorce and Succession Act (Cap 156)***, that governs Islamic marriages;
- ***Hindu Marriage and Divorce Act (Cap 157),*** that governs Hindu marriages.

The multiplicity of legal provisions regulating marriage has created disharmonies and lacune.

However, it is worth noting that currently there is no statute governing African customary law marriages nor is there a provision for their registration; and the ongoing review of the marriage laws by the Law Reform Commission is expected to redress this *lacuna* (CEDAW, 2006).

The draft Marriage Bill, 2007 has collapsed and consolidated the five different statutes relating to marriage into a single regime, for harmony. The draft bill seeks to create a *single marriage law* in Kenya. The Bill takes a very liberal view of marriage, and recognizes equality of parties in a marriage, guaranteeing equal protection. Marriage under African customary law is also allowed, provided it conforms to all the social and cultural norms, and complies with the required rituals and cultural practices of the relevant community. The Marriage Bill was originally prepared in 1968, but was rejected by Parliament, mainly because it criminalized adultery, and did not recognize polygyny. The draft Bill recognizes both monogamous and polygynous marriages, as well as the equality of wives in polygyny; and it proposes that all marriages should be registered, regardless of form, including cohabitation which the law does not currently recognize. The registration of polygynous marriages is being proposed for purposes of granting children legal status needed for succession. However, the equality of co-wives remains a contentious issue, with some critics arguing, for example, that a wife who has been married for twenty years cannot have the same status with one who has only been married for two years. Under the current law in Kenya, a woman who gets married under African customary law, or the *Mohammedan Marriage and Divorce Ac,t* is considered to have expressly given consent to a possible polygynous union.

2.5. Polygyny and its Benefits

Polygyny is a patrilineal and patriarchal practice which refers to the marriage of one man to two or more wives at a time. Polyandry – the marriage of one woman to two or more husbands -was very rare in traditional Africa. Traditionally, polygyny was neither perceived as a form of discrimination against women, nor as an oppressive institution to any of the parties involved. As a sign of respect and recognition, the first wife was always consulted and her consent sought by the husband before an additional wife wasmarried. In his study of family life among the Akamba of Kenya, Kalule (1987) notes that it was customary for a man who wanted to marry an extra wife to secure the consent of his father, uncle and first wife as a sign of respect. He adds that among the Kamba community, the first wife always enjoyed a powerful and privileged position and was responsible for guiding and supervising her junior co-wives.

Polygyny was very common in traditional African societies where plurality of wives was generally seen as a sign of wealth, a status symbol, a source of prestige, an alternative to divorce and a remedy for marital infidelity (Shorter, 1977). A man's worth was largely defined in terms of the amount of land and the number of wives, children and cattle he had. In an agrarian economy, having many wives and a large family was seen both as a social and economic asset because a typical traditional African man did not only value variety but also needed many wives and children to work the land and produce food. The practice also required substantial wealth to sustain it (Kilbride, 1990:64 - 65). Although polygyny transcends class, age and geographical boundaries, it was more appropriate in

the rural areas where a large labour force was needed for agricultural production, and more popular among the elderly, the rich and those in positions of power and privilege. Shorter (1977) notes that, in Africa, a man's chances of becoming a polygynist improves, as he grows older and richer. In most parts of East Africa, for example, polygynous men were mainly older people with large herds of cattle who could afford to pay large amounts of bride wealth that was required for each wife. Ownership of a large piece of land was another requirement for polygyny, as each wife would have her house built either in a separate compound or share one large homestead with the other co-wives.

A study by Suda (1993) shows that about 60 % of the surveyed men in Ndhiwa Division, Homa Bay District, were polygynous with two or more wives each. Today, many rural families in Kenya still live in composite polygynous homes consisting of a husband, his wives and children. According to the 2003 Demographic and Health Survey (2004:90) 16 percent of the married women were in polygynous unions. The survey shows that polygyny is more prevalent in the rural than urban areas and that older, poor, less educated and illiterate women are more likely than their younger, more economically empowered and better educated counterparts to be in polygynous marriages (Agwanda, 2004:90). In his discussion of polygyny based on the findings of the 2003 KDHS, Agwanda (2004: 90-92) reports that the practice of marrying multiple wives varies with age, place of residence, region, education and economic status. As shown on Table 1, 17% of all the currently married women aged between 45 and 49 had a co-wife compared to 8% of those in their early 20s. Similarly, about 22% of the currently married 45-49 year old men had two or more wives (Agwanda, 2004:91).

In terms of regional distribution, North Eastern Province had the highest prevalence of polygyny with 19.8% of married men reported to have two or more wives, while Central Province had the least number of polygynously married men (2.4%). The prevalence of polygyny in North Eastern Province is mainly attributed to Islam which allows a maximum of four wives, while the low prevalence of polygyny observed in Central Province is primarily a function of *cost, Christianity, growing economic independence of women and their rising expectations of marriage*, among other factors (Mburugu and Adams, 2005:8). Ezeh (1997:356) used the 1988/1989 Kenya Demographic and Health Survey data to categorize Kenya into low–polygyny, mid-polygyny and high-polygyny regimes. The low-polygyny areas are the provinces in Kenya where less than 10% of all currently married women are in polygynous relationships. According to Ezeh's analysis of 1988/1989 KDHS data, Central Province is the only low-polygyny region. The mid-polygyny regimes consist of areas in which 10% - 20% of all currently married women are in polygynous unions and they include North Eastern, Nairobi, Eastern and Rift Valley provinces. The remaining provinces of Western, Coast and Nyanza are high-polygyny regimes where more than 20% of all currently married women have co-wives.

Empirical evidence across Africa indicates that different countries and cultures deal differently with polygyny. For example, Cote d'Ivoire has passed a law against polygyny while Uganda, Tanzania and Cameroon have laws which support it. Much of the earlier literature on polygyny tends to emphasize its advantages, whereas the more recent studies have tended to pay relatively more attention to its dynamic character.

Although there are cultural variations with respect to the benefits of polygyny, many traditional African societies viewed polygyny as an alternative to divorce (although it does sometimes lead to divorce), and a remedy for loose morals, and therefore valued for its contribution to reductions in prostitution. Other most commonly cited advantages of the practice include co-operation among co-wives, particularly with regard to sharing child- rearing and husband- caring roles and responsibilities; provision of a large number of children, spacing of births; reduction in the total number of children born to each woman, and extension of family networks due to the fact that one man is related by marriage to more than one family - except in those cases where a man marries two sisters as the Luo tend to do (Shorter, 1977).

More broadly, the main reasons for polygyny are classified as economic, political, social and psychological. Writing about the increasing workload for grandparents as care-givers to their grandchildren among the Abaluyia communities of Western Kenya, the Kilbrides underscore the traditional value of polygyny in a contemporary but increasingly delocalized rural economy. They state:

> The majority of people continue to be oriented to an agrarian lifestyle and depend, for the most part, on their own labour for subsistence foods and cash crops. Women and children are, as in the past, the most important source of farm labour. For this reason large families are still desired by both men and women, and polygamy is seen as a means of increasing family size and thus providing additional free labour (Kilbride and Kilbride, 1997:210)

According to Kilbride and Kilbride (1990:203-204) and Mburugu and Adams (2005:8) plurality of wives has the economic advantage of providing a large labour force to produce more food for family consumption and marketing without the use of hired labour. It also enhances the personal and political power of the husband and gives men an emotional advantage over women. The Kilbrides further note that having many wives and children makes a husband famous and politically more influential, at least locally. In traditional African societies, a man with several wives enjoyed a higher status than a monogamist because, ideally, polygyny was mainly practised by wealthy men and was a symbol of power and prestige. They have also noted that a man with several wives feels emotionally more secure because he has access to a significant range of women within the family for conjugal relations. He would also have reserve wives as care-givers for his children if one of the wives died or left. It was expected, for example, that if one of the wives fell sick, travelled, died or left, her husband and children would still be cared for by other wives (Whyte, 1980).

This justification for polygyny applies equally, or with some local modifications, to other African countries and cultures. In Ghana, for example, Degbey (2007:2) reports that the two or more wives are, in most cases, rivals only in name because in the traditional system they all complement the efforts of the man in keeping the children irrespective of who their mothers are. Women in polygynous unions did not, however, equally enjoy this

emotional support. Although polygyny was associated with several advantages, and viewed as an important social - support system, most of the reasons given for its preference and prevalence in Africa were more valid in a rural, rather than urban environment, and more suited to an agrarian economy where a large agricultural labour was required.

In his analysis of polygyny and reproductive behaviour in sub-Saharan Africa, Ezeh (1997) notes that high-polygyny regimes maintain a value orientation that encourages high reproductive performance. Although this pronatalist force works equally for men and women, men in high- polygyny areas attain their reproductive goals by marrying multiple wives, while women do so by maximizing their reproductive capabilities by, for example, marrying early, and not using contraceptives.

There is overwhelming cross-cultural evidence which points to the fact that the failure of the first wife to bear children is one of the most important reasons for a man to marry an additional wife, rather than divorce the barren one. This implies, therefore, that polygyny is advantageous to a barren woman who could still be accommodated in her husband's home and given the support and the respect she deserves rather than be divorced for childlessness. Perhaps this is why Price (1996:421) refers to polygyny among the Kikuyu of Muranga District as "a strategic response to childlessness (usually sonlessness)", and points out that in a number of such cases the senior wife supports her husband's decision to marry a second wife. This decision by husbands in monogamous, childless unions to become polygynous, is often the result of sustained social pressure on and criticism of the husbands and their barren wives.

2.6. How Polygyny Empowers Women

Although being in a polygynous union is not entirely an individual woman's choice – at least not for first wives in polygynous unions– several studies have shown that women also benefit from polygyny, in terms of increased power and security (Clignet, 1970; Mburugu and Adams, 2005:14; Kilbride and Kilbride 1990:204). A Kenyan study by Mburugu and Adams (2005:14) reveals, for example, that women's political power tends to increase with the number of co-wives in a marriage. They found, for example, that men with several wives tend to spend less time with each wife who subsequently gains more influence, autonomy and control over her life, children and resources. In his study of the Kanuri of Northern Nigeria, Cohen (1971: 143) confirmed that the senior wife in a polygynous union is an authoritative figure, and her superior position makes her more of a winner than a loser in a competitive marital relationship. In her case study of the relationship between polygyny and divorce in Nigeria, Gage-Brandon (1992: 291) concludes that:

> Polygyny is often advantageous for the senior wife who in many cases exercises considerable authority and control over the junior wives. Sometimes, she is instrumental in helping her husband select an additional wife to assist her with childcare and domestic and economic activities. In such a

> situation, the husband's marriage to a third or fourth wife on the basis of "romantic love" or other considerations may be against the better interests of the existing polygynous unit.

In most polygynous unions, subsequent wives tend to be much younger than the husband and the senior wife. The age- difference between the polygynous husband and each of his junior wives may, in some situations, contribute to sexual dissatisfaction on the part of the younger wives. A study by Garenne & van de Walle (1989) on polygyny and fertility among the Sereer of Senegal observed that part of the reason for the social and sexual costs of sharing a husband is that the age of the husband not only contributes to lower male fertility but is also associated with less frequent coitus, and that this could lead to extra-marital relationships.

Given that polygyny is more prevalent in rural than urban areas, male urban migrant-workers who are physically separated from their wives for long periods of time tend to have segregated conjugal roles. For this reason, such couples tend to lead separate social lives and become much less dependent on each other. Thus, the rural-urban residential patterns of polygynously married men and women may lead to or be relevant in the understanding of extra-marital relationships. A similar study by Ssenyonga (1997) on polygyny and resource- allocation in Rusinga Island and Lambwe Valley in the Lake Victoria Basin also shows that there is a significant gap between the mean age of a man and his subsequent wives, as well as the ages of older and younger co-wives. This age-differential also tends to give the senior wife more power over her junior co-wives. Ssenyonga writes:

> … The mean age of a man marrying his fifth wife is forty-eight years, while that of his bride is about fifteen years. There is also a parallel widening gap between the ages of older and younger co-wives. …….. These findings are in conformity with the cultural norm that each subsequent wife should be younger than any of the wives already married to the husband (Ssenyonga, 1997:270).

Ssenyonga's study further shows that, among the Luo and Abasuba of the Lake Victoria Basin, a woman's access to and control over resources depends on her rank in a polygynous union. The first wife usually owns and controls more resources in the family than junior wives, particularly when the husband dies or migrates to the urban areas. Senior wives also assume the responsibility of managing conflict and enforcing discipline in the family. The other advantage of polygyny which was cited by some women from Samia and Nzoia in Western Kenya is the feeling of being physically protected and secure by virtue of living in a large extended family, and the possibility of solving their own problems without involving "outsiders" (Kilbride and Kilbride, 1990:204). This feeling of security reinforces the positive view of polygyny as a support system which cushions family members, particularly those who are marginalized and more vulnerable.

2.7. The Value of Children

In his study of marriage and related customs among the Kamba of Eastern Kenya, Kalule (1986) reports that in traditional Kamba society, children were highly valued, they belonged to everyone and were not only brought up by the extended family but even by the clan in which the nuclear family was embedded. The ideal in nearly all traditional African societies was to have as many children as was physically and socially possible. First, children were seen as the strongest cord that ties married couples and families together, and it was mainly for their sake that many unhappy marital relationships were endured. Secondly, children were, and still are, highly valued in Africa and variously viewed as a blessing from God and the ancestors, a status symbol and a source of identity, security and wealth. Traditionally, the flow of wealth was from the children to their parents. As Bahemuka (1992: 130) has pointed out, male and female children in East Africa were valued differently, and young children were socialized to believe that boys were preferred over girls. The girls were valued mainly because they brought in bride-wealth to their families. The value of male children was derived from the expectation that they would provide security to their aged parents, and be part of the family work- force, because they remain with their parents when the girls are married off.

Many African women were, and still are, expected to continue with child- bearing until they produce at least a boy. Patriarchy is the main reason for the preference for boys. The search for boys has always been one of the reasons for the persistence of polygyny and large families in many parts of Africa, particularly in the rural settings and low- income urban households. In his study among the Luo of Kenya and the Bena and Hehe of Southern Tanzania, Swatz (undated) states that the value of children, particularly boys, in these communities had a lot to do with their families' expectations of what the children could do to their parents in old age, including the expectation that a son would bring back his estranged mother and build a house for her in her matrimonial home as part of an effort to re-build and restore a fractured marital relationship. It was therefore on the basis of what children could do or bring to their family, that the differential value of boys and girls was derived. This utilitarian view of children had implications for the overall status of girls and women in traditional Africa.

2.8. Disadvantages of polygyny

Studies on polygyny in various African societies show that while some men and women fit well and find satisfaction in polygynous unions, others seldom find personal fulfillment and are dominated by a sense of estrangement (Karanja wa Wambui, 1987; Nagashima; 1987). Those who are critical of polygyny emphasize its inherent conflictual and competitive nature which tends to undermine marital stability. In their study of bridewealth and polygyny among the Kikuyu, Adams and Mburugu (1994:160) identified envy and hatred among co-wives and their children as the major disadvantage of polygyny. These feelings are often the result of favouritism or inequality in the allocation of the husband's love and other resources to his wives and children. Another

disadvantage of polygyny reported by Kilbride and Kilbride (1990: 203-204) is the magico- religious activity which is often expressed in the form of witchcraft. These and many other negative aspects of polygyny are still discernible in most polygynous unions throughout Africa. Co-wives often compete over family resources and accusations of witchcraft are still rampant. Children from polygynous marriages occasionally see their parents fight, they see fights between their own mothers and stepmothers, and they also fight or compete with their step-brothers and sisters over resources.

Contributing to the debate on the merits and demerits of polygyny, Kilbride (1994) reports the recollections of one Ugandan woman and a Kenyan man who grew up in polygynous families. In his personal interview with both, Kilbride reports that the Ugandan woman gave a favourable account of polygyny and emphasized caring and sharing among co-wives and their children. The recollections of the Kenyan man, whose father had four wives and 31 children, were full of complaints and sad memories of how he was bullied and beaten up by his step-brothers on their way to school. The man also remembered how his step-mother denied him food and did not like his friends to visit him at home. These abusive experiences interrupted the man's formal education as a child. The Kenyan man also remembered jealousy, conflict, tension, rivalry and violence between the co-wives and their children.

One of the main arguments against polygyny in contemporary Africa is that it requires substantial resources in the form of time, love, money, land and livestock all of which are expected to be distributed equally or equitably to all the wives and children in the interest of fairness and social justice. However, these and other resources are usually not enough to go round, but even when they are, there tends to be some level of inequality in the way they are distributed, which makes co-wives feel jealous and begin to compete. Although jealousy, hostility, competition and conflict between co-wives make many modern polygynous unions generally unstable, men aggravate this situation when they gossip about their senior wives with the younger ones or try to play one wife off against another.

In their discussion of family life in Africa, Kayongo-Male and Onyango (1984) point to the fact that the presence of many young wives married to wealthy elderly men, some of whom were several years their senior, often contributed to marital infidelity and instability. Another common argument against polygyny is that it increases the spread of HIV/AIDS, because of the involvement with many sexual partners. However, a counter-argument is that a monogamous relationship where unsafe sex is practised may be more risky than a polygynous union where multiple partners practise safe sex.

3. FAMILY TRADITIONS IN TRANSITION: SOME BROAD TRENDS

The traditional African family system is undoubtedly in a state of constant and considerable flux. The extended family system is gradually weakening, and many of the pillars that were found in this system are being systematically eroded and constantly challenged by new pressures, re-evaluated against emerging values and replaced by new arrangements which were unknown to earlier generations. Some of the major forces of

change which have contributed to the emergence of new marital arrangements and family forms include *formal education, Christianity, urbanization, industrialization, rapid population growth, globalization, exposure* to what is happening in other parts of the world, *changes in gender roles and relations,* as well as the *high occupational mobility* and *geographical movement* which tend to divide people along the lines of age, gender, class and residence.

These factors have conjointly contributed to the transformation of traditional African family systems, and to the delocalization of marital arrangements, as well as the moral decadence which is evident in most parts of Africa today, particularly in the urban areas. Commenting on the delocalization process and the erosion of traditional family values in East Africa, the Kilbrides note that:

> Through a process of "delocalization", traditional ideas about "proper" behaviour are frequently replaced by moral imperatives from "outside". At the same time, economic delocalization has also weakened the moral power of the clan, extended family and other social groups (1990: 54).

These changes are part of a global trend and have led to an obvious clash of values and the creation of new alternative family arrangements, some of which are 'customized' to meet individual needs. Indeed, there is a growing body of cross-cultural empirical evidence, which indicates the existence of a broad range of family forms in the urban areas which have emerged to accommodate individual needs and interests (Kearney, 1996). Several studies have shown that some of the changes in marriage patterns and family arrangements have created new opportunities for many people, but other trends have undoubtedly had a distinctly negative impact on everybody – women, men and children (Suda, 1996; Kilbride, 1994; Whyte, 1980). It has been argued, for example, that some of the new alternative family arrangements tend to be more fragile and unstable, and therefore less capable of sustaining a supportive social infrastructure.

In virtually all parts of Africa today, we can recognize the weakening of the extended family system, the erosion of the social fabric, the rise in single-parenthood, the deterioration of economic conditions, and rampant individualism as some of the trends brought about by the pressures of wider social, cultural and economic change. Due to these continuing pressures, more and more people in the contemporary setting do not involve their families in the selection of a marriage partner; skip some of the elaborate pre-nuptial rituals and practices which were intended to stabilize marriages in traditional societies; elope, and choose to live together or cohabit, before marrying, or, indeed, instead of getting married. Many others are opting for formal monogamy, which is often practised alongside informal, or "clandestine" polygyny, involving a relationship with an "outside wife" or a mistress. Reflecting on the continuing changes, and emerging trends in family life in Africa, DK (http://www.marginalrevolution.com 2006:19) had this to say:

> …. "we have gone from extended families to nuclear families to a combination of nuclear families, divorced families and single mothers and fathers. I think this trend will continue. …. I also think that in future we will see more people living alone and visiting people for social interaction rather than living with them. Although children will live with a parent they will spend much more time interacting with electronic devices than people, a trend that started with the introduction of radio and television. …. I think most people will live alone and some will have ongoing sexual relationships with several people…."

Two important consequences flow from these broad trends in family life in Africa. First, we expect to see many poly-relationships occurring in fact, if not in law, as more individuals create new family arrangements which meet their personal needs, and offer them an opportunity to live a life they desire and deserve. Second, the growing intolerance for husband- sharing, and the emphasis on companionship in marriage, make formal polygyny socially unattractive to the vast majority of well-educated professional women.

3.1. The Decline of Polygyny

According to Ezeh (1997:356), there has been a gradual decline in the overall level of polygyny in Kenya although the regional variations are still maintained. One of the reasons why polygyny is losing much of its traditional appeal is because it has become too expensive in the modern economy, particularly in the urban areas where companionship and quality time between husband and wife receive greater emphasis. Polygyny has also become less attractive to many well-educated and economically-independent women who have developed a strong desire for commitment and loyalty in exclusive heterosexual, monogamous unions, and zero- tolerance to husband -sharing.

The decline in polygyny has been attributed to the combined impact of the high and rising cost of living, inability to pay high bridewealth, scarcity of land, limited employment opportunities, Christianity, exposure to western values through formal education, the threat of HIV/AIDS, and the availability of alternative living arrangements, among other factors of change. In her Nigerian case study on the link between polygyny and divorce, Gage-Brandon (1992: 285) found that the high cost of living has made it more difficult for men to maintain several wives simultaneously, and that land shortages are increasing the resource constraints of most polygynous households. She concludes that, under conditions of poverty, polygyny tends to contribute to conjugal instability, and, in cases of significant age differences between the husband and his younger wives this practice is often associated with relative sexual dissatisfaction. In his book on *Plural Marriage,* Kilbride (1994) notes that globalization, urbanization, monetization and Christian values have combined to render the traditional polygynous families dysfunctional in many social and cultural domains.

The rising cost of raising children and taking care of several wives has made polygyny economically unviable. For example, in Cameroon where polygyny is legal, the public authorities have started organizing public mass weddings where couples marry for free. This is done in order to cut the cost of marriage and also to legalize the union so that women and children can benefit from a certain range of legal rights. Commenting on the high cost of marriage in Cameroon, one of the men who had formalized his marriage in a public mass wedding had this to say:

> You have to give money to every member of your fiancee's household: the father, mother, uncles, aunts, sisters, brothers and cousins to earn their support….Then comes the bride-wealth which is a heavy amount, and on the day of the marriage, you have to invite the whole village, feed them and make them drink properly"(*The Sunday Standard*, January 14, 2007: 27).

Exposure to western values through formal education, urbanization, globalization and Christianity has also made polygyny socially unattractive to the majority of well-educated men and women some of whom are predisposed by their modern lifestyles to mind quality -of -life issues when considering the size of their families. Several studies have shown that polygyny decreases as the level of education increases. For example, in their pilot study of bridewealth and polygyny among the Kikuyu, Adams and Mburugu (1994: 165) describe the negative impact of education on polygyny as follows:

> Less education on the part of an urban Kikuyu is related to a greater possibility of returning to the land where polygyny is still valued. More education leads to an urban occupation and the likelihood that the individual will eventually come to value a small rather than a large family.

Similar studies by Ware (1979) and Kilbride (1994) have also indicated that women's education and economic empowerment lower the value of polygyny. They point out that many modern, well -educated African women no longer find polygyny acceptable, not only because of the growing perception and the cross-cultural evidence that sharing a husband is oppressive and demeaning, but also because modern polygyny is designed to be inherently competitive, conflictual and disruptive, regardless of the rank of the wife.

Bahemuka articulates the change in educated women's attitudes towards polygyny when she writes:

> It is also clear that with women being economically independent, it is not easy to convince a woman to marry a man who already has a wife (1992: 128).

One of the reasons for this concern is that most women in polygynous marriages have little control over access to their husbands because the men tend to rotate visits between

their wives at their own convenience. Other reasons for the resentment include the irresponsible practice of this arrangement by many African men; changes in women's roles and status; and changes in women's expectations about marriage. This resentment is part of the reason why, even in South Africa where there is a husband –crisis, and the marriage rates are relatively low compared to other sub-Saharan African countries, more women than men support monogamy (Amoateng, 2006).

According to a feature story in the *Sunday Nation* entitled **The Husband Crisis**, Bertha Kang'ong'oi reports: "63% of Kenya's 2.5 million single women say they cannot find someone suitable to marry". (*Sunday Nation*, December 24, 2006:1). The newspaper article identifies failure to get a husband as the latest social problem facing many Kenyan women aged between 24-43. Many of these women are single and searching. In this article, Kang'ong'oi explains the shortage of husbands mainly in terms of the biological imbalances in the sex ratio:

> Purely from a biological point of view, girls are playing the marriage game at a disadvantage. Right from birth, there are slightly more girls than boys, according to government statistics. Because of this, and projecting from the 1999 census, there is a natural shortage of 325,525 husbands in the current marriage-age generations simply because there are more women than men. That is to say that if all women aged between 24 and 43 were to get a man each, there would not be enough men to go round (*Sunday Nation*, December 24, 2006:4).

Kang'ong'oi's article represents what Shorter (1997) describes as a misleading but popular idea that polygyny is common because there is a surplus of women. According to Shorter (1977), this idea is misleading because although any normal population will have more women than men as Kang'ong'oi's article asserts, it is mainly because women live longer than men but some of the women who outlive men are not necessarily marriageable. Shorter therefore argues that a more plausible explanation for polygyny is that most African women are married at a much younger age than men who tend to delay their marriage until much later after puberty. This means that by the time such men who have delayed their marriages decide to marry, some of them can have more than one wife at a time.

Commenting on the declining ratio of marriageable men to marriageable women and the concomitant husband- crisis, Michael Vassar (2006:15) argues that the crisis leaves most women with three options. One of the options available to women who cannot find suitable men to marry is to **marry down** even if they are well educated and professionally highly qualified. However, this option may only be acceptable if the parties involved and their families are willing to overlook the status incongruency between a wife and a husband for the sake of getting married, otherwise it might be considered socially- inappropriate in families or communities where women have been socialized and are expected to **marry up,** as an unchanging rule**,** no matter the

consequences. The second option is to enter into a polygynous relationship with a reasonably high- profile man whose economic and political status make up for some of the deficiencies in his educational background. The third alternative is not to marry at all, but to opt for a single lifestyle. A large number of women who are single parents fall into this category and, depending on their personal, social and economic circumstances, some of them, paradoxically, engage in informal and often clandestine relationships with married men, if the arrangement offers significant utility-benefits. As Adams and Mburugu (1994:164) report, it is the availability of such alternative relationships which accounts, in part, for the *decline in formal polygyny*, as many married men in the urban areas today seem to prefer *informal relationships* with girl- friends, to marital relationship with a second wife.

The African family system is not only changing in its basic form and essential features, but also in terms of the expectations that its participants currently have towards one another. For example, many in Africa today are concerned about the increasing numbers of poverty – stricken street families, female-headed households in the urban areas, and socially-isolated older people in the rural communities. These, and other related social phenomena, are the product of over-stretched and stressed -support systems which were integral to the traditional African social fabric.

3.2. Changes in Child-Rearing Practices

Child-rearing practices have changed considerably with the contemporary trends of modernization, urbanization and delocalization. The traditional care-giving, home-making and nurturing roles of women in the African family which formed the basis of their identity as wives and mothers are changing as they become increasingly more involved in new roles and relationships, in and outside the home. Although African women remain concerned about the quality of child- rearing, many of them are now involved in the labour force outside the home. As a result, many children of working parents spend much of their time away from home or in environments where the parents or guardians have little or no influence over what they do or learn. A growing number of mothers in the formal wage- employment sector leave their infants with baby-sitters, when they go to work. The older children go to school and return to lodge themselves in front of televisions and, very often, many parents hardly know what programmes they watch. Concerned about the limited amount of time many career -women spend with their children, one of the female respondents interviewed by Obbo, commented:

> I feel that many children are neglected by parents who are too busy advancing their careers or making ends meet (1987: 268).

3.3. Changing Conception and Perception of Marriage

There has been a major shift in the traditional conception and perception of marriage; marriage is viewed less as an alliance between two families, and more as a relationship between the two individuals concerned. The new conception of marriage is shifting the focus from the *family* to the *individual* and this betokens a movement from collective

responsibility to individual accountability, in mate-selection. This shift in the focus of marriage from a family relationship in which people share their joys and sorrows together, to an alliance between two individuals, is not only diminishing the parental and family role in the marriage process, and weakening the sense of community, but also re-defining the basis for, and the order of priority in the marriage enterprise. Modern conceptions of marriage emphasize the importance of *companionship, communication, collaboration, commitment, intimacy, personal fulfillment* and *satisfaction* between *partners* as the basic pillars of a successful relationship.

Owing to increased moral and economic delocalization, many young people get married without the knowledge or consent of their parents. Some parents may get to know only after the marriage of their children has taken place. This trend reflects a decline in parental authority, and loss of respect for the elders which prevailed under the traditional family system. It also reinforces the view that the traditional moral influence of the family on its members has been severely weakened. Today many families are facing serious moral dilemmas because of conflicting conceptions of what is 'right' and 'wrong', owing to a general lack of consensus on acceptable standards of marital behaviour.

Contemporary marital relationships are also increasingly being seen and defined as something *active*, meaning that one has to constantly work on the relationship to keep it alive, but perhaps much more importantly, to recognize that its success and sustainability ultimately depend on winning the trust of the other partner (Giddens, 2001). Respect for the rights of the individuals involved in a marriage is increasingly becoming central to a stable marital and family life. The traditional expectations in the roles of married couples can no longer be assumed, but are being challenged and tested. The traditional gender-based family roles that were usually clear-cut, and culturally well –defined, are being re-examined and re-evaluated. However, the intensity of these transformations also tends to vary with age, time, class and context. This is because men and women of different ages and backgrounds marry for different sets of considerations.

While some men are still seeking women who will bear them children, as well as attend to their many other needs, others seek a partner with at least an equivalent education who would be a wife, a friend and an intellectual companion. Similarly, while some married women still expect the man to be the main economic provider in the family and to function as the household head, the modern professional woman has little room for such, and would expect to be treated as an equal partner in a relationship.

The transformation in the mode of bride-wealth payments from cattle to cash for example, has not only made marriage a private affair but has also minimized the involvement of many family members in matrimonial arrangements and negotiations (Ngubane 1987). Increased social and physical mobility has also led to a great deal of freedom for the youth and the weakening of the moral authority of parents and the elders. The scenario is to be seen not only in the generational gap but also, in some instances, in the clash of values between the older and the younger generations. Nowadays there are many young people in Africa who are growing up or working in the urban areas, or in

different parts of the world, away from the influence of their rural kin. Most of these people tend to organize their lives on the basis of the *practical realities* impinging upon them, and are mostly unresponsive to the cultural imperatives of their traditional backgrounds.

Cohabitation and other new experimental alternatives to traditional marriage are prevalent in urban African families. And because modern marriages today break up quite easily, many young people are reluctant to commit themselves to a life-long Christian marriage. Others cannot marry because they cannot afford the high cost of bride- wealth. Many African Christians do not marry in Church even though they are still considered to be 'properly' married. The Christian idea of marriage, as a covenant for life, as a sacrament, and as an enduring relationship of love and fidelity, is becoming more difficult to uphold today in the context of delocalized moral values, and increased marital problems (Hastings 1973). The mutual commitment to enter into a marriage and make it work seems to be getting replaced by different options. Today, many young couples hastily enter into a marriage even as they consider options; and they are prepared to address the possibility of a break-up.

One of the things which is shown by this trend is that the notion of marriage as an *indissoluble union* is no longer widely upheld and, secondly, that many couples seem to anticipate marital problems and how to deal with them even before they get married. And when things go wrong with a relationship, as they often will, the partners quit rather than wait and try to work things out. While there is no moral basis for anyone to stay in a marriage which is deeply unhappy and riddled with violence, it is desirable for spouses to demonstrate a genuine commitment to remaining married. But this kind of commitment has become less common in modern marriages, than was the case in traditional society. Under conditions of weak 'moralnets', coupled with an emerging sense of individualism, there is usually little or no attempt by relatives and friends to reconcile the 'warring' partners. Moralnets encompass traditional values, moral responsibilities and ethical standards which not only defined socially- acceptable behaviour but, more importantly, also served to protect the interests of vulnerable groups in society. This moral delocalization accounts, in part, for the fragility of modern marriages.

In many modern African marriages, monogamous fidelity is a value which is no longer strongly upheld. A growing number of married people are now looking outside their marriages for sexual fulfillment. The number of 'outside wives' and 'outside children' is high and rising in contemporary Africa (Karanja wa Wambui, 1987). As consciousness occurs among well- educated and economically- independent African women, cultural practices such as polygyny are seen by many of them as oppressive structures,no longer respectable or appealing; but many African men, of all backgrounds, continue to marry more than one wife. The changing perceptions and expectations attached to marriage have contributed to the emergence of alternative family arrangements. However, it is the poor women, some of whom are single mothers heading their own households, who come out of this transition process worst affected and most vulnerable, particularly when they have to support their children alone, in the absence of any system of moral, social and economic obligations.

3.4. Marriage Dissolution and Family Disintegration

Traditionally, the Christian doctrine describes marriage as an indissoluble and consensual, monogamous union. According to this doctrine, marriage is a highly valued institution which is regarded as a covenant and a life-long commitment that cannot be broken. This view of marriage recognizes a conjugal unit of father, mother and their children, and disallows polygyny (Denis, 2006:3). The Church's stand on polygyny and divorce remains puritanical. In the Roman Catholic Church, for example, polygynists, divorced and remarried people are not allowed to approach the sacrament; marriage is a sacrament; while for the Protestants it is viewed as a holy state. Christianity emphasizes the *holiness* of marriage, and condemns any sexual activity outside of it.

Throughout Africa, Church marriages are fewer than customary unions, but, they are relatively more stable. In the Mityana area of Uganda, for example, Shorter found that up to 25% of the Church marriages had ended in divorce, whereas in Tumbi village settlement in Tanzania he found that 15% of the Church marriages had broken down. Divorces were also rare in cities and towns like Kampala and Kitwe in Zambia. Divorce is strongly discouraged among Christians, and no reasons for divorce can be accepted (Shorter 1977: 19). Divorce is rare in Church marriages because of the rituals and ceremonies which are involved, and which underwrite the commitment on the part of both partners to uphold the relationship. What is emphasized is *forgiveness* for the spouse who is wrong, and allowance is always given for human error. The partners are expected to have a moral obligation to be faithful to their marriage.

The findings of a recent demographic survey on marriage patterns in South Africa (Budlender et al 2004) show that men and women have different perceptions of what constitutes a marriage. For example, the survey shows that more women than men reported that they were married. The reason is that when a couple has been physically separated for a long period of time because the husband is a migrant worker elsewhere and engaged in other relationships, and the wife is left behind in the rural areas, she usually reports that she is married, while the husband may report that he is separated or divorced. This difference in reporting indicates that more women than men have the desire to be seen as married because, traditionally (and to some extent at present), it makes them feel respected. To this extent it is, indeed, a celebration *of the life of the marriage* and not *of the couple as partners*.

These days, many young people are reluctant to commit themselves to a life-long, Church marriage. In fact, most Christians do not marry in Church. Part of the reason is the change in the conception and perception of marriage, and the delocalization of the process – and these have contributed to the relative fragility and instability of modern marriages. For many young people in the urban areas, marriage has ceased to be the social norm, and is far from being a cultural universal, or even a priority. It has simply become one of the many options available to them. More significantly, even wedding vows such as---- "for better or for worse until death do us part---" are jokingly being proposed for revision to read something like --- "until love departs".

3.5. Grounds for Divorce

The reasons for seeking to end marriage vary across countries, cultures, partners and contexts and are, in many cases, gender -specific. Among the Agikuyu, for example, Skinner (1973:280-296) identified at least six culturally-recognized grounds for divorce, namely: barrenness;; denial of conjugal rights by either partner without good reason, witchcraft; being a habitual thief; desertion; continual gross misconduct by the woman. In Uganda and Tanzania, Shorter (1977) found that the reasons for divorce also vary slightly with gender as shown on Table 1:

Table 1: The Most Common Reasons for Divorce by Gender

Most Common Reasons for Divorce		Men	Women
1	Incompatibility (inability to live together)	✓	✓
2	Infidelity/adultery	✓	✓
3	Desertion	✓	✓
4	Impotence		✓
5	Laziness	✓	-
6	Drunkenness	✓	✓
7	Chronic illness	✓	-
8	Taking matrimonial property to her maiden home	✓	-
9	Lack of respect	✓	-
10	Witchcraft	✓	
11	Domestic violence (assault)	-	✓
12	Neglect (lack of support)	-	✓
13	Insanity	✓	✓

Source: Shorter, 1977

Table 1 shows that men and women tend to complain about different things in marriage. Sociological studies indicate that women initiate most divorce proceedings even though many of them have more to lose than men when the marriage breaks down. However, Shorter's study shows that in order to win a divorce case against one's husband, a woman had to complain about and prove neglect, desertion, and assault. Neglect was found to be the most common ground for divorce in the two country case-studies. Where neglect, adultery and assault can be proven, many courts are likely to grant divorce.

According to the old English common law which applies in Kenya today, there are only three basic grounds for divorce, namely: **adultery, desertion** and **cruelty**. These grounds must be established by evidence before the court can pronounce a decree to end the marriage. A careful consideration of these grounds is necessary because, as Lowe and Douglas point out, in some situations, infidelity may just be a symptom or a consequence, rather than a *cause* of marital breakdown. Each ground must therefore be proved to the required standard.

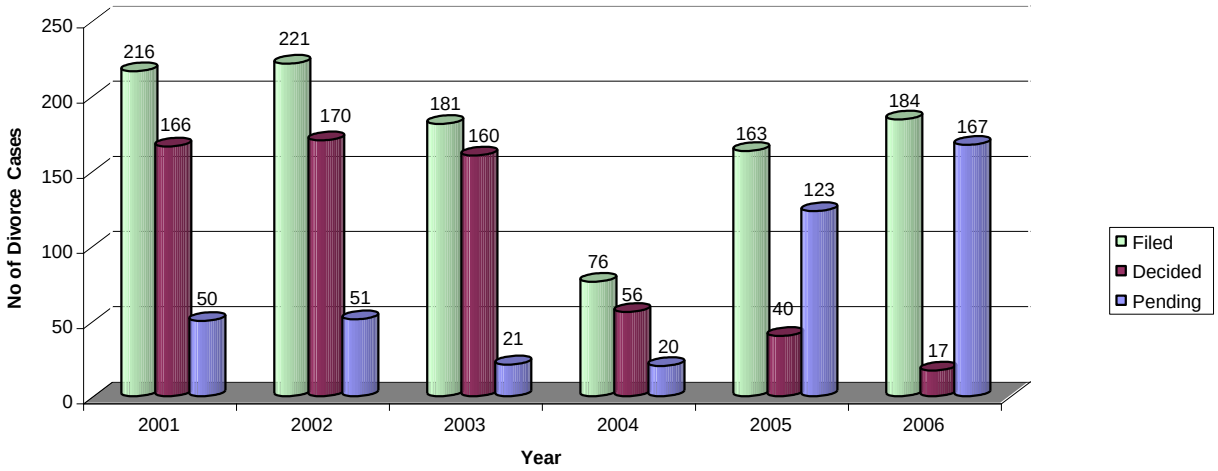
However, the British have since revised and simplified their divorce law, and, under the Matrimonial Causes Act 1973, there is only one ground for divorce, namely: "irretrievable breakdown" of marriage. According to the provisions of this clause:

> The petitioner may establish that the marriage has irretrievably broken down by showing that the respondent has behaved in such a way that the petitioner cannot reasonably be expected to live with him (Lowe and Douglas, 1998:228).

The principle of **irretrievable breakdown of marriage,** as the only valid ground for divorce, has been included in the Kenyan draft Marriage Bill, so that litigants don't have to struggle to prove a marriage offence and in the process 'wash their dirty linen in public'.

In Islamic law, marriage can be terminated by pronouncing the talaq three times. When the talaq is pronounced the first two times, it may be withdrawn, but the third time, the divorce is irrevocable. After the third talaq, the wife is usually required to wait for three months before re-marrying (http://en.wikipedia.org/wiki/Talaq %28conflict%29).

Chart 1: No. of Divorce Cases filed and decided in the High Court of Kenya,Nairobi (2001-2006).



Source: Family Division, High Court of Kenya, Nairobi, 2006

Divorce figures are often not exact because litigation in respect of customary marriages mainly take place in the Magistrate's Courts, scattered throughout the country, and there is no central recording system for these. As a result, the actual number of divorces is usually much higher than the official statistics.

In traditional African marriages, women took matrimonial disputes to the elders not so much to secure divorce, but to get the husband to change his behavior. In most cases, divorce could only be granted after several attempts at reconciliation and, in some communities in Kenya, it is argued that there is no divorce, particularly when children are present. For example, some Luo elders still insist that there are only *two* culturally and socially valid reasons for marital dissolution, namely: 'if the husband doesn't eat his wife's food and/or sleep in her house'. They argue that anything else is tolerable and negotiable.

Under customary marriage, grounds for divorce vary within and between countries and cultures. For example, in South Africa where there is a system of migrant labour, the socio-economic environment is the most important factor. The migrant- labour system is closely associated with the frequent movement of men and women from one partner to another.

There are several ways in which labour migration can bring about divorce. One of them relates to the fact that many labour migrants rarely return home to settle down with their wives until they are much older, and, therefore, don't belong to a marriage partnership. Some have been separated from their wives and children for several years. Others visit their families at least once a year during their annual leave, or arrange for their wives to visit for short periods, usually to have a baby (Shorter, 1998; Denis, 2006). While many migrant workers send remittances to their families in the rural areas, some often spend

their resources on mistresses and prostitutes in town, signifying the weakening of conjugal ties with the wife left behind. On the other hand, the lonely woman left behind could be tempted to engage in extra-marital relationships, which could threaten the marriage. Separation and divorce in such marriages often occur as a result of loss of emotional connection between the partners, and lack of support for the wife and children left behind, usually in the rural home. The man, on the other hand, may complain that the wife left behind has been unfaithful. In the absence of their husbands, and due to minimal contact between spouses, many wives of migrant workers tend to develop a great deal of freedom and autonomy which they find difficult to relinquish, and which some men also find difficult to adapt to or cope with, when they return. Such a situation provides a framework for marital instability.

3.6. The Effects of Divorce on Children, Women and Men

It is often argued that divorce is a very painful experience, but a bad marriage is several times worse than a divorce. Like widowhood, divorce affects different people differently. It is also perceived differently, depending on the context, and variously described as 'a new beginning, an adequate answer to marital problems, the end of a union between unhappy couples, or the death of a bad marriage but one which is worse than physical demise'. All these descriptions point to the differential impact of divorce on women, men and children. In some cases, the end of a marriage can be one of the most traumatic experiences in one's life. Part of the reason is that divorce usually has far-reaching short and long-term social, economic, psychological and health implications for those who are affected.

Noting that divorce may signify a new beginning for husbands and wives who are unhappily married, Whitehead (1993) indicates that this may not be the case for children many of whom only see separation and loss when the marriage breaks down. She concludes that, although adults may seek divorce as part of their search for freedom, happiness, choice and independence, most of their children are hoping for stability, permanence and social completeness in family life, and often have difficulty adjusting to new family arrangements. In her commentary in the *Daily Nation*: "*When the family disintegrates",* Esther Waithaka (September. 21, 2005:6) identifies some of the most common short-term negative effects of divorce as anger, sadness, feelings of abandonment, and suicidal thoughts or behaviour.

Although there is continuing debate on the extent to which divorce negatively affects children and, indeed, everyone else who is concerned, most studies show that some of the most significant long- term social costs of family disruption, for children, include withdrawal from family, friends and activities, substance-abuse, alcoholism, school drop-out juvenile delinquency, teenage pregnancies, and other self-destructive behaviour (Waite et al, 2006; Waithaka, 2005). In his *Plural Marriage for Our Time*, Kilbride refers to studies which have shown that:

> Family disruption affects school achievement in a negative way and contributes to poor relations with parents, negative self-image, and

> increased aggression and acting out behaviours among children, especially boys (Kilbride, 1994:8)

However, these effects and the level of their severity depend on the child's age, gender, level of maturity and personality. Although divorce and single- parenthood are frequently blamed in the analysis of children' welfare, their impact should be evaluated against a particular kind of social, cultural and economic environment because these arrangements *per se* are not inherently harmful. A lot depends on the context.

Several studies on street children in Africa have indicated that when there is sustained conflict in the home, some children run away to the streets in search for love, appreciation, freedom, childhood and livelihood (Suda, 1997; 2001; Kilbride, Suda and Njeru, 2000; Degbey, 2007). Some children of divorced parents also experience financial difficulties if their fathers do not contribute to their economic support after divorce. However, among those who do, there are some who feel that they only have an obligation to their children and not to their ex-wives, and are therefore unwilling to pay alimony (Wallerstein et al, 2000).

Some of the effects of divorce among children are short-lived but the long-term impact is usually felt much later when the children want to establish stable families themselves, signifying a higher chance of behavioural problems from children from broken homes than those in happy or unhappy non-divorced families. They are also more likely to suffer different forms of abuse and neglect than those in stable families.

Marital instability also has a positive impact on children. One of the most significant positive effects of divorce on children is the fact that many of them learn several lessons from it and try to avoid some common pitfalls and the mistakes of their parents, in their own relationships. One of the lessons include the recognition that good communication, mutual respect and the view of marriage as a dynamic partnership, are some of the pillars of marital stability which can be sustained by caring and sharing.

The effect of divorce on women also varies. Women with lower incomes and education often suffer more economic hardship as a result of divorce, than those who are more advantaged, particularly when they have exclusive custody of children and have difficulty getting child support from their former husbands. Secondly, although women are the ones who initiate most of the divorce proceedings, paradoxically they suffer more than men because it is more difficult for a divorced African woman to remarry. While divorced African men and widowers may, and often do, remarry younger wives and lead a fulfilling family life, many divorced African women could remain single, or drift into casual relationships with married men, or become junior wives because they have little chance of finding a husband who is not married. This is a normative behaviour pattern in most patriarchal cultures, where gender-power imbalances constrain women's voices and choices. It reflects gender stereotypes, and social prejudices which continue to reinforce traditional gender roles and relations in contemporary Africa. In some patriarchal African cultures, for example, an older brother - in - law is still expected to inherit the wife of his deceased younger brother or cousin, as part of the traditional social support and welfare

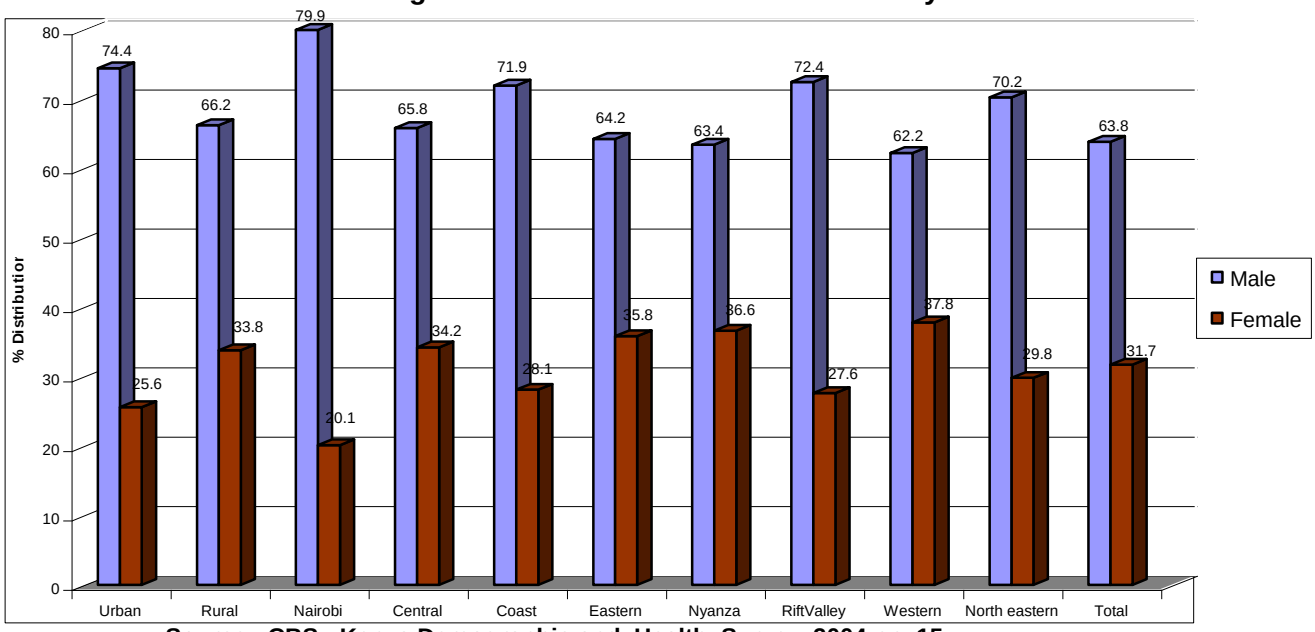
system. Traditionally, widow- inheritance was designed to provide care and support to the widow and her children. Today, in a classic case of role- reversal, most professional widow inheritors are looking for widows with adequate economic resources to support them. Although this patriarchal practice is declining, mainly because of its link with the spread of HIV/AIDS, and changes in the socio-economic, cultural and technological environment, such practices present continuing challenges to women's social and economic empowerment.

Many African men respond to divorce by getting into other social relationships fairly quickly. Some of them pay alimony and child-support resources if they are non-custodial parents, even though they may not have regular access to their children, particularly if the divorce was adversarial. Other effects include higher rates of alcoholism, heart problems, lower life expectancy, and the risk of HIV infection. Studies have shown that these and other problems are more common among divorced people, compared to those who are married, even though they record that married people are not always happy. Some of those who stay together are more likely to have learned how to cope or deal with the challenges of married life, while other may opt for single parenthood.

3.7. Single-Parent Families

Most significant trend in African family life and traditions, and one that may have far-reaching consequences for child welfare, is the increase in the number of single-parent families, particularly those headed by women. The Kenya Demographic and Health Survey (2004) shows that the distribution of male and female heads of household in Kenya varies with rural-urban residence, and by province.

Chart 2: Percentage Distribution of Household Heads by Gender and Province



Source: CBS - Kenya Demographic and Health Survey, 2004 pp. 15

The KDHS data on Chart 2 show that women head 25.6% of urban households compared to 33.8% in the rural areas. The survey also shows minor regional (provincial) variations in the prevalence of female headed households according to which Western (38%), Nyanza (37%) and Eastern (36%) provinces were leading while Nairobi province (20%) had the lowest number of households headed by women (KDHS, 2004:15). This pattern is explained in part by massive male rural-urban migration from Western, Nyanza and Eastern provinces.

According to the Economic Survey (Republic of Kenya, 2007:9), the overall poverty level in Kenya is estimated at 49.1% in the rural areas compared to 33.7 % in the urban areas. Sessional Paper No. 2 on *Gender Equality and Development* (Republic of Kenya, 2006:9) indicates that the proportion of female-headed households in Kenya increased from 25% in 2000 to 31 % in 2006, out of which 80% live below the poverty line. Women in Africa represent the majority of the poor (over 70% in the rural areas), especially where migration, marital instability, male mortality and delayed marriages have left them as heads of household. Some of the households are headed by women alone who have no permanent relationship with a man. These *de facto* household heads are widows, single mothers, or women who are divorced or separated. However, most of the *de facto* female-headed households are attributed to widowhood. There are many factors which influence the rate of widowhood; one of them is the fact that women generally have a longer life expectancy than men, and another is the tendency for older men to marry extra wives who are several years younger. Almost invariably, the younger wives out-live their husbands and have to share whatever resources previously owned and controlled by the husband. Issues concerning property-inheritance often generate hostility

among co-wives on the one hand, and between the widows and their deceased husband's adult kinsmen, on the other.

Female heads of households in both urban and rural environments are among the poorest segments of society. They face cultural and structural constraints which limit their access to productive resources and basic social services, and increase their vulnerability. The majority of single mothers in the urban areas live in high-density residential areas and work in the informal sector. The over-representation of women in the informal sector is variously explained by the inability of the formal sector to create enough jobs to absorb a large and increasing labour force; to allow for the use of simple technologies; to accommodate women's inadequate education and skills training; ease of entry and exit; low capital investment –all having the effect that there is a relative compatibility between informal-sector employment, and women's reproductive work in the care economy, among other factors.

While some women may remain single because of a variety of social and cultural barriers, others are single by choice. Voluntary single-parenthood arises from changing expectations of marriage, women's economic empowerment, and increased freedom to choose a family lifestyle that suits individual needs, among other factors. As a result of these and other forces, an increasing number of professional men and women in many parts of Africa are choosing single life. Many of them had never married before and probably never will, while others are single but searching. I know many singles who would prefer marriage but have settled for single lifestyles because they have been unable to find suitable partners to admit them into heterosexual monogamy. Others pursue marriage in frustration, to validate the family ideology which is still predominantly pro-marriage. Commenting on this social trend and its inherent contradictions in the Kenyan context, Kilbride (1994:114) notes:

> A very definite pattern is visible in Kenya today: professional women are rejecting marriage altogether because many of them feel that men on the whole are unsympathetic to their attempts to have careers; to seek education beyond the bachelor's degree and to practise independent lifestyles frequently associated with modern, professional occupations. At the same time, many women feel that men too frequently involve themselves with other women – mistresses – while they expect their wives to remain at home caring for the children. Although many professional women may be opting against marriage, they have not given up their desire to have children. For this reason, such women frequently find themselves in a position of seeking out a man, married or single, to give them a child or to become a father to that child or one they already have.

Kilbride's book on plural marriage concretizes the reality of the ongoing reinvention of family options in contemporary Africa. Many African men and women are now delaying marriage, and a growing number of well-educated and financially more secure women

are opting to have children without getting married. Although such women are exercising their right to choose, many of them also recognize the importance of having a father (or a father-figure) for their children and therefore remain single mothers with male companions, but not husbands.

An article by Durazi (2005:7) in the *Daily Nation* reports the views of a cross-section of Kenyan professional women between the ages of 30 and 40 on marriage. Their views reflect fundamental changes in social and cultural values, as many of them no longer consider being a mother and a wife as the only valued achievements of womanhood. Some of them hold the view that today's marriages are no longer made to last because of their instability and the tendency to take women's reproductive roles in the care-economy for granted. This view was expressed by one of Durazi's female interviewees in the following words:

> "I wouldn't mind cooking, cleaning or laundering for my husband, even after toiling in the office until evening, but I have seen many women do this and not get any acknowledgement for their efforts. The modern woman is against being taken for granted and that is what puts her off the whole marriage thing (2005:7)."

Based on these kinds of perception and the concomitant behaviour change, some women in the contemporary urban environment feel that being a mother is a much more fulfilling experience and a better option than being a wife. From a sociological perspective, the emerging trends in new family configurations seem to indicate that many young, educated and upwardly mobile professional Africans in the urban settings are today constructing social and sexual relationships for themselves. Most of these "customized" social relationships are matters of personal choice, some are reported to be based on romantic love, commitment and loyalty while others are driven by convenience and expediency. In an urban environment, individual goals and interests have become more important than kinship obligations, and young people expect and express personal freedom in their choice of partners and places of residence. The main reason for this trend is the increase in the freedom of courtship and mate-selection. These new forms of relationships are what Philip Kilbride (1994) refers to as *delocalized* arrangements which are established with little or no involvement of family members, and regulated outside the influence of the larger community moral nets.

Perhaps one of the most profound transformations of family life in contemporary Africa is a perceptible change in marital behaviour and family life which has significantly contributed to the prevalence of the mistress phenomenon or "informal polygyny". Thus, the pattern that is emerging in contemporary African urban settings is that of formal monogamy, which is frequently practised alongside delocalized, informal or clandestine *polygyny* according to which some married men keep mistresses whom they support.
However, given the high polygynous tendencies of many African men, more women will choose between marrying down, not marrying at all or entering into a quasi-polygynous

relationship with a married man. Paradoxically, this option makes women get into the very same relationships which they resent, when it affects their own marriages.
In her article titled *Black Women's Desire for "Traditional" Marriages*, Adams (2007:26) notes that black American women use different strategies for dating and settling down. They may date or settle down with men who are on the same level as they are, or lower. The term "level" was used to refer to different financial, educational, intellectual or physical categories. Her study shows that a woman may date or marry someone who she was not initially interested in, because he was possibly "a good marriage material", or she just wanted to have a man in her life. Adams refers to this type of behaviour as *strategies of settling* and concludes that:

> Since women are not able to obtain everything that they want and need from relationships with men, they settle not for those qualities that are **most important** to them, but those qualities that are **easiest to obtain**. Consequently, black women who settle often find themselves in relationships that are less than ideal, and often are not healthy for themselves or their children (Adams 2007:26).

3.8. Remarriage and the Blended Families

One of the consequences of divorce and single-parenthood is the opportunity to remarry and establish a blended family. For most African men, being single is usually a temporary status. They usually remarry after divorce, widowhood or separation and, in remarriage, one or both partners usually already had children while others may wish to have children in the new marriage. Studies show that divorced African men are more likely to remarry than divorced African women. Blended or reconstituted families are therefore formed from the "broken pieces" of previous relationships. They are an example of a re-invented and modern extended family network, but one which is not built around kinship ties. One of the defining features of a blended family is the presence of what Ann Crytser (1990) refers to as the wife-in-law. This term describes the relationship between former and current wives. A collorary to this is the husband-in-law relationship. Both of them are usually adversarial and considered a nuisance. But because they have been married to the same man or woman, the spouses-in-law are connected to one another and occasionally interact, even if reluctantly. Kilbride (1994:21) reports Crytser's research findings which revealed that the wife-in-law relationship is "unwanted, unchosen, without rules or traditions, volatile, ever-changing, and permanent":

> Other studies on reconstituted families have also shown that they experience unique challenges which are rare in conventional relationships. For example, they lack social boundaries which ordinary families have. Secondly, many children in blended families are still linked to their biological parents who may have a strong influence on them, thereby disrupting or delaying their adjustments to a new family setup. Children from broken homes tend to have identity

problems especially when they have different fathers and live in reconstituted or blended families. Some children in blended families do not even consider their step-parents and step-siblings to be part of their families, a situation that often leads to social dislocation and isolation (Kilbride, 1994; Suda, 1999).

3.9. Cohabitation: Families outside Marriage

One of the emerging trends in contemporary Africa and indeed, other cultures of the world is the increasing acceptance of cohabitation as an alternative family arrangement. Live-in relationships were not popular in tradition-bound African societies, but, today, cohabitation is becoming an increasingly common type of domestic and sexual arrangement, particularly among young urban residents – leading to a phenomenon commonly referred to by the youth as 'come-we-stay' or 'coupling and uncoupling'. The number of young men and women who are living together without being married and, often, having children is rising steadily.

Cohabitation has been defined as "an emotional, physical and intellectually intimate relationship which includes a common living place and which exists without the benefit of legal, cultural or religious sanction" (http://www.wikipedia.org/wiki/cohabitation).
In an article titled C*ohabitation, marriage and entry into motherhood*, Manning (1995: 197) notes that cohabitation among black and white women in North America is not always considered as a union in which to start families, although women who cohabited before marriage were found to be at least 34% more likely to have premarital births than those who had not. One of the conclusions of Manning's study is that the transition from cohabitation to marriage does not seem to be the primary motive for having children. Rather, the main factors affecting the timing of marital motherhood are the duration of cohabitation and the couple's experience during the time of living together.

In South Africa, for example, Debbie Budlender, Ntebaleng Chobokoane and Sandile Simelane (2004) used a series of household surveys conducted between 1995 and 1999 to show that, during that period, 58-60 percent of women between the ages of 15-49 were never married and 4-7 percent were cohabiting (Denis, 2006:3). In some cases, the cohabiting couple may have known each other for a very short period of time, often as little as 6 months or less. Sometimes the parents may not be aware of nor would have given consent to the relationship, and may only be informed after the couple has started living together and, in some cases, already have children.

These tentative and sometimes uncommitted relationships often arise out of romantic love, or may be based on some practical economic considerations, or both. Some of the reasons why cohabitation is becoming a more common alternative to marriage, particularly among younger and more educated people in the urban areas, include: (a) the desire for emotional, social and economic support; (b) sexual intimacy and exclusivity without the obligations of marriage; (c) the couple's need to test their compatibility

before making a formal commitment to marry; (d) an opportunity to know each other better; (e) attitudinal changes towards the practice often expressed in the form of more tolerance and, in some cases, social acceptance; (f) the high cost of bridewealth; (g) the current crisis in marriage; (h) and the general tendency to postpone or reject marriage outright. Other factors which contribute to cohabitation include the declining social pressure to marry, the rising rate of marital instability, increased rural-urban migration which predisposes male labour-migrants to cohabit with women in the urban areas, and women's lack of economic empowerment which leads them to live with men who may not even be prepared to marry them.

A case study by Muchoki (2004:51-52) on how students at the University of Nairobi are responding to the HIV/AIDS pandemic has shown that cohabitation is widespread in the male halls of residence. This pattern of social relationship among college students is, however, not unique to the University of Nairobi or other institutions of higher learning in Africa, but is a cross-cultural phenomenon whose growing popularity in the United States of America is succinctly stated by Robertson (1981: 369) as follows:

> "Cohabitation is particularly popular among college students. Surveys have shown that about a quarter of undergraduates have tried this arrangement and that under suitable conditions the great majority of college students would be willing to live together with someone of the opposite sex"

This cross-cultural comparison with the North American experience shows that the behaviour patterns of Kenyan college students are converging towards those of their counterparts in other parts of the world, due to the combined impact of education, urbanization, migration, information technology and globalization. In Muchoki's study, the most common reasons given by the surveyed students for living together in the men's halls of residence were: (1) cost-reduction; (2) peer pressure; (3) the need to have more time with each other; (5) the need for companionship; and (4) the need to monitor each other's movement to avoid unfaithfulness. This last reason is often based on real or perceived threat to the relationship which makes it necessary for the couple to live together to safeguard it. However, Muchoki's study does not indicate whether the cohabiting students had expressed their intention to marry. This indicates that many of the cohabiting university students may simply be motivated by short-term social, emotional and economic interests, rather than long-term commitment to marry.

Cohabiting students are sometimes engaged in a delicate balancing act of living together without the knowledge of their parents. For example, at the University of Nairobi, some female students cohabit with their boyfriends in the male halls of residents but still keep their rooms in the women's hall, just incase they have visitors from home who should not know that they are cohabiting. In other cases, the lady gives up her room and moves in with the man in his room. He pays for accommodation and she buys and prepares food.

Although cohabitation was very rare in traditional Africa, where it was regarded as a scandal, it is now gradually being accepted, or tolerated, or simply ignored in most urban

areas. One of the female postgraduate students at the University of Nairobi whom I interviewed expressed strong support for cohabitation, which she refers to as an intergenerational issue. She explained that:

> "More and more teenagers in the African urban areas are viewing marriage just as one of those relationships in which sexual encounter is acceptable. Cohabitation has therefore become more acceptable in contemporary Africa than it was in the past. This is partly because marriage has ceased to be important and urgent for some young people. While the older generation still sees cohabitation as something scandalous, and marriage in terms of duties and obligations, the younger generation emphasizes freedom of choice".

In her study on the negative effects of cohabitation, which is reported in the *University of Chicago Chronicle*, Linda Waite found that these tentative relationships are bound together by what she calls "the cohabitation deal" rather than "the marriage bargain" (William Harms, 2000:1). In contemporary South Africa, for example, the increase in cohabitation is influenced by changing attitudes towards marriage among the younger generation and the concomitant decline in marriage rates (Denis, 2006).

A survey conducted in South Africa in 2005 revealed that there are definite intergenerational differences in attitudes towards marriage with people aged 50 and above showing more positive attitudes towards marriage than young adults who prefer or tolerate *personal choices, alternative views* and *living arrangements* (Amoateng, 2006). For example, many young blacks and coloureds in South Africa today view marriage just as one of the many options in social relationships rather than the norm as it is generally perceived by the older generation. These changes in attitudes towards marriage in South Africa are as much a matter of social class as they are racial, ethnic and age-specific. A lot of young people in Africa and elsewhere are now delaying marriage until they are reasonably economically-secure and able to meet the high cost of bride-wealth, and to support a family.

According to a study on street children in Nairobi (Suda, 1994; 1997), 42% of the surveyed mothers living in the slums of Nairobi pointed out that because of the increasing instability in modern marriages, many young men and women are now delaying marriages but living together and having children "until they know each other better". Some of these relationships may last only a few months before they break up, while others take several years before they are eventually formalized. The study also showed that many couples who cohabit tend to regard a formal marriage as a severe restriction of personal liberty. About 40% of the single mothers between the ages of 20-35 who were interviewed also felt that marriage "spoils" a relationship and gives the man too much power and control over the woman. The Chronicle reports that Waite's study on the negative effects of cohabitation found two types of cohabitation:

> "those in which the partners intend to marry and those in which they do not. Partners who cohabit with the intention of marrying share many of the characteristics of married people …… Those who cohabit without the intention of marrying often have short relationships with few benefits" (Harms, 2000:2-3).

Some cohabiting couples who intend to marry usually do so in order to "test" their compatibility before they make a formal commitment. In such cases, cohabitation may not necessarily be viewed as an *alternative* to marriage but rather as a *stage* that precedes marriage.

As has already been noted, cohabiting relationships do not always end in marriage, due to lack of commitment. This is because some men feel that they cannot marry a person they "know too well" and, therefore, when they become tired of the woman, they abandon her and look for another woman to marry. Some men cohabit with women out of "sympathy", particularly when the woman does not have anyone to support her. Others live together for a while and after realizing that they do not love the woman, they abandon her since there is no marriage bond. Given that the couple is not bound together as husband and wife, such relationships are often unstable with frequent breakups, as the couple does not feel obliged to address any problem that may affect the relationship. Thus, they separate when conflicts arise only to reunite after some time. In such cases, their lives become a series of separations and reunions, with new relationships being formed in-between the period of separations. Finally, due to the unstable nature of such relationships cohabiting partners cannot make long-term plans such as investments for the future, due to fear that they may separate. The draft Marriage Bill 2007 proposes that couples who have lived together for two years should be *presumed* married. The Church, which supports the presumption of marriage after two years of cohabitation, feels that the law should not cheapen marriage by making it look like a revolving door where one casually moves in and out.

3.10. The Impact of Cohabitation on the Couple and Children

The effect of cohabitation tends to be mediated by the length of time a couple spent sharing a residence and the cohabitation-experience. The longer the time spent in cohabitation, the greater the impact if the experience was unpleasant (Manning, 1995; Bumpass and Sweet, 1989). Living arrangements in which couples do not intend to get married have been criticized for adversely affecting the emotional, social, financial and sometimes physical well-being of the couples and the children. One of the most disturbing aspects of cohabitation is its impact on the welfare and future life of the children born to a couple living together with no intention of marrying. Some of the issues often raised with respect to children of cohabiting parents are: the children's identity, their custody when the couples cease to live together, and the couples' obligations to them. One of the female students at the University of Nairobi whom I interviewed about the impact of cohabitation on children had this to say:

> "The problem with cohabitation is that, in most cases, the women are abandoned with their children. These children are then brought up by a single mother, or she may decide to marry another man who may abuse her children. Such children may run away from home because of abuse, neglect and frustration, and go to work in the streets, or as domestic child labourers."

The reason for this concern about cohabitation is that even when the biological parents of the children are known, the social-parenting roles of a cohabiting couple towards children of the other partner may not be very well defined. For example, in her study on the negative effects of cohabitation, Waite notes that, in some cases:

> The non-parent partner, who is a man in the majority of cases, has no explicit legal, financial, supervisory or custodial rights or responsibilities regarding the children of his partner (Harms, 2000:2).

She also points out that this ambiguity in the definition of the parenting roles of the cohabiting partners, and the lack of a legal framework to enforce children's rights, make cohabitation an unstable living arrangement which is harmful to children if it undermines their ability to access care, protection and livelihood. During my informal interviews with ten randomly-selected married and unmarried men and women between the ages of 28-35 in Nairobi, it was reported that men prefer cohabitation over formal marriage because they are not obliged to assume responsibilities that are required of a man in a formal marriage. One of the male interviewees who is a postgraduate student at the University of Nairobi said that under cohabitation, the man is "as free as a bird". Since there is no marriage bond, the man is under no obligation to provide for his partner's needs including the children's.

The confusion and ambiguity are, however, not only restricted to the obligations of the parents and children in the context of cohabitation, but they also affect the reciprocal role-expectations, and mutual obligations between the cohabiting parents themselves. Although Robertson (1981: 369) argues that cohabitation shares some of the characteristics with marriage, in terms of the degree of the couple's affection for, and commitment to, one another, Waite's study has shown that the cohabitation deal does not always deliver the same benefits as marriage, primarily because there is significant difference between "being married" and "living together". Waite also notes that people who cohabit often argue that marriage is just about a piece of paper (Harms, 2000:1) reflecting the view that the legal status of the relationship is less important than real commitment and loyalty which couples have for each other.

Whatever the justification for cohabitation, Waite's and other studies have identified several disadvantages of this type of "trial marriage". Firstly, cohabiting women tend to experience more verbal and physical abuse than their married counterparts. Secondly,

cohabiting couples are more likely than those in formal marriages to have secondary sex partners, despite the expectations of sexual exclusivity. Thirdly, parenting roles of cohabiting partners tend to be less clearly defined, particularly with regard to the biological children of the other partner. But even with their own biological children, there are issues of child-support, care, protection, custody and property rights which present a challenge when cohabitation comes to an end. Fourth, cohabiting couples tend to be financially more disadvantaged than married couples, partly because they do not benefit from the economic infrastructure which is developed within the institutional framework of a formal marriage. And finally, people in cohabiting relationships tend to lead relatively separate lives, reflecting the tentative, uncommitted and partially unsupportive nature of this type of living arrangement. Muchoki's study (2004: 52) among the University of Nairobi students identified several challenges which are experienced by students who are cohabiting in the men's halls of residence. According to this study, the major problems include: (a) financial difficulties; (b) poor academic performance due mainly to poor concentration and inadequate preparation; (c) lack of privacy particularly due to limited space in the halls (if the room-mate is not sent on "exile" as a show of comradeship); (d) heavy workload for the female partner who plays the traditional role of a wife, and combines it with her academic work, (e) emotional trauma suffered mainly by the female partner when the relationship breaks up; (f) regular unprotected sex, and the risk of STIs including HIV/AIDS infection and unwanted pregnancies.

With regards to the risk of HIV/AIDS and unplanned pregnancies, some students argue that the availability of easy-to-use, effective and inexpensive contraceptives has made cohabitation a much more acceptable and relatively risk-free lifestyle, among young adults. Muchoki also notes that there is a significant social cost associated with cohabitation in the student halls of residence. The main one is that students who are opposed to cohabitation tend to have low opinion of their cohabiting colleagues, and try to avoid them. In such situations, feelings of isolation, loneliness and loss of personal dignity and self-esteem become all too common on the part of the cohabiting couples.

4. FORMAL MONOGAMY AND INFORMAL POLYGYNY IN PARALLEL: THE MISTRESS PHENOMENON

Although much of the ethnographic literature indicates that heterosexual monogamy remains the statistical marriage norm, polygyny was nevertheless empirically widespread in traditional Africa and is increasingly being re-invented, often clandestinely, mainly to suit modern urban lifestyles. Wikipedia describes a *mistress* as a woman who often "provides companionship and sex to a man and demands a lavish lifestyle as well as cash in return" (http://en.wikipedia.org/wiki/Mistress). Keeping a mistress is an old practice that goes back in history and is, like marriage, a cultural universal and a social construct. In most cases, this social behaviour was and still is clandestine but could be acceptable or understandable, depending on the context and circumstances.

Some outside wives are divorced women who may have been abused and neglected by their former husbands and are, therefore, happy to be enjoying the affection and attention

of other women's husbands. Such women tend to believe that the new relationships can restore their dignity and help them regain self-confidence. In many African marriages, when a man has an extramarital relationship, his wife or wives may begin to feel guilty and inadequate, wondering whether his infidelity has something to do with her inadequacy or something wrong she has done. In a classic case of moral posturing, 'inside wives' always perceive 'outside wives' as 'bad' women who wreck other women's homes. But some mistresses who have been married before tend to respond to this charge by making the argument that their own marriages were also ruined by other women.

There are several reasons for the prevalence of the mistress phenomenon and extra-marital relationships. For a deeper ethnographic understanding of the factors contributing to marital infidelity, I held informal discussions with twenty-six randomly selected, married and single men and women between the ages of 25 and 60 who are in different professions, and live and work in Nairobi. The informal discussions were held with twelve women and fourteen men at different times between March and June 2007. The following section is based on the information obtained from the informal discussions.

4.1. Some Factors contributing to the Mistress-Pattern

The mistress phenomenon and extra-marital relationships are not the product of a single factor. They are a product of multiple forces. The mistress phenomenon is largely a consequence of deteriorating economic conditions, and rising cost of living that has made the plurality of wives an expensive economic proposition. Most men can hardly afford more than one wife, and many modern African women are not interested in sharing a husband, at least not formally, particularly because of their growing desire for companionship and quality-time with their partners. The informal discussions identified several factors which contribute to extra-marital relationships, and offered useful insights into the mistress phenomenon. According to the informal discussions, the factors include lack of sexual fulfillment in marriage, domestic violence, peer pressure and poverty, all of which were mentioned by everyone in the sample. Other factors are lack of communication between spouses, revenge, the mid-life crisis, media influence, female circumcision, childlessness (or sonlessness), poverty and wealth. Some of these factors are gender specific while others are gender-neutral. This section presents some of the views from the informal discussions on the twin issues of mistresses and extra-marital relationships, and on some of the factors associated with the phenomenon.

a) In Search of Reassurance, Affection and Attention

In his article in the *Sunday Nation* entitled *Infidelity: Why it is so tempting*, Chris Hart, a psychologist, argues that one of the most compelling reasons for extra-marital affairs is reassurance. He explains:

> We spend most of our adult lives feeling scared of getting old.
> So being reassured that we are still nice enough to attract a new

> partner is a great boost to the ego (*Sunday Nation*, December 17, 2006: 4).

A uniquely human desire for love and appreciation often leads to the search for someone who will make us feel good about ourselves; someone who will provide the security, status or wealth which we think we need but lack, and someone we think will make us complete by restoring our sense of self-worth. Virtually everyone in the informal discussions sample identified good communication, deep commitment, affection, attention, companionship and a sense of emotional, social and economic security as some of the key pillars of a stable marriage in a contemporary setting. They point out, for example, that domestic violence of whatever nature, and lack of affection, attention and appreciation often lead to estrangement in a relationship, and lead a spouse to look for "happiness" outside marriage. Sometimes they find it but, quite often, they don't. In terms of communication, a 26-year-old married female University graduate said, "sometimes the man just wants to talk, and his wife is nagging, but the mistress will listen to him and make him feel special". She adds that men prefer mistresses who are "single and a place where things are cool, quiet and cosy". Some men regard these women a prize, and, if they are young and beautiful, the men tend to boast about them. An educated girl who is single is highly valued and, men win them with a lot of money. For some older, married men, the mistress deal is all about prestige, and they feel that they can still attract young beautiful women.

These sentiments reinforce the general perception that a mistress provides the services the man does not always get from his official wife (wives). They are also consistent with the point of view (often male) that keeping a mistress is less stressful because there is peace in the mistresses` abode as she gives the man full and special attention. A 60-year-old polygynous businessman in Nairobi regretted that "sometimes you cannot laugh when you are in your house because you are constantly reminded of school fees and other outstanding obligations and responsibilities. So from the time a man eats his supper to the time he goes to bed, he is usually in no mood for anything intimate."

b) Lack of Sexual Fulfillment

Lack of sexual fulfillment and happiness between married couples are common causes of extra-marital affairs. Sexual dissatisfaction in marriage may arise from a boring sex life, or infrequent coitus both of which could be attributed to estrangement, sexual inexperience, old age, pregnancy, childbirth, or female circumcision. The media which exposes people to new and innovative ways of managing relationships, is also a key factor. For example, information on 'how to cheat on your husband or wife' is now available in the Internet. To illustrate the extent of media influence, a 39-year-old married man who runs a hotel business in Nairobi said that 'what a man can do with a mistress, he cannot do with his wife. A man is usually gentle with his wife but tries different styles with a mistress and it is more fun'. This indicates that sexual adventures are more likely to be pursued outside rather than within marriage, reflecting an old-fashioned but unpopular view that coitus within marriage is mainly for procreation rather than recreation.

c) The Mid-Life Crisis

Field reports indicate that the mid-life crisis usually sets in between the ages of 35-50 in most marriages. Given the fact that most men are older than their wives, they experience it first. This period is usually characterized by significant reductions in marital satisfaction. Although some married couples escape this stage, psychological studies have shown that the majority experience a decline in marital satisfaction due to the combined effects of normal rebound, emotional erosion and motivational erosion. The normal rebound effect is felt when the relationship matures and things 'return to normal' after the excitement of falling in love and getting married. The emotional erosion occurs when couples settle down and begin to deal with the realities of marriage which include chores, responsibilities, arguments and conflict. Couples who deal poorly with these realities or cannot handle conflict in a relationship tend to experience marital dissatisfaction at this stage. Sociologists often argue that, in relationships, things look good from a distance but there is always some mess up close. Loss of motivation, on the other hand, is associated with lack of spousal support. This occurs when spouses no longer share a common vision and mission in their marital life or when they no longer support one another in their personal goals (http://en.wikipedia.org/wiki/Mistress

A 33-year-old female marriage counselor in Nairobi explains that the mid-life is the period when most couples become dissatisfied with their relationships and sex life becomes routine. Some men feel that their wives are not doing what they used to do when they first got married and, therefore, begin to look for younger women. Some marriages do break at this point partly because many women today are empowered and have little tolerance for marital infidelity. The level of intolerance has risen with the threat of HIV/AIDS. Some women who find themselves in such situations may decide to move out and move on with their lives, or stay and revenge.

d) ***Revenge***

Revenge is both a cause and a consequence of extra-marital affairs. Everyone in the sample agreed that they would revenge if they discovered that their partners were cheating on them. All of them consider revenge as an effective coping mechanism without which the pressure and pain of betrayal would be too much to bear.

e) Peer pressure

Peer influence also contributes to the establishment of extramarital relationships. It applies equally to men and women, particularly when they have a large network of friends, or are affiliated to a group. A 26-year-old female postgraduate student at the University of Nairobi notes that `when marriage becomes boring, a man returns to his friends and discovers that they have girlfriends. Since he does not want to lose his friends, he gets a mistress in order to belong`. She adds that such a man cannot go out with his wife to meet his friends because she might tell his friend's wives that they are having girlfriends. Typically, the men's ages normally range between 35 -50 years while the girls tend to be in their 20s.

4.2. Changing Patterns of Extra-Marital Relationship

a) Extra-marital Relationships Rarely Lead to Marriage

Changing patterns of marital infidelity are part of the reason many mistresses remain unmarried. A 28-year-old male post-graduate student at the University of Nairobi reported that, unlike the past when a woman could get pregnant and put pressure on a man to marry her as a second wife, many women have now realized that few men are willing to leave their wives and marry their mistresses. Instead, the man will "keep" the mistress, pay her rent and remain with his wife. A lot of women with good education and who are able to support themselves now understand and actually do appreciate this trend, as something which is more liberating and good for their own freedom and self-actualization. Some women in this category are focused on their careers and don't consider marriage as a priority.

When I asked why extra-marital relationships rarely lead to marriage, a 39-year-old man who is married and runs a hotel business in Nairobi said that there are two reasons why men do not marry their mistresses. First, few men want to break their homes if they are legally monogamously married. Rather than remain in exclusive heterosexual monogamy, some men opt to practise polygyny informally. Secondly, there are two categories of women: the 'marriageable' and 'unmarriageable' type - which corresponds to a wife and a mistress respectively. He explains that unlike a wife who is a partner, a mistress is "a money taker and self-seeker. With a mistress, you have your pleasure and break it off". Another man who runs an estate business said that the reason why men do not marry their mistresses is because "the official wife does not want another wife in the home so men do it outside and not inside". Our discussions further revealed that men could distinguish between a "wife and girlfriend material". Some of the people I spoke to during the informal discussions offered some general stereotypes of how a wife and a girlfriend are expected to behave. They were contrasted as follows:

> A wife does not have time to follow football and discuss it with her husband. A girlfriend or a mistress is fun-loving and has all the time to follow football and discuss it with the boyfriend. A girlfriend therefore plays a very different role from that of a wife.

On the basis of this stereotype about the wife-mistress role-differentiation, some men have come to the conclusion that marrying a woman who is "girlfriend material" is not good for family stability.

It also emerged from our informal discussions that the girls themselves do not wish to be married. Part of the explanation is that many girls engage in relationships with married men when it is not the right time for them to get married. For instance, some may wish to complete their studies and secure a job before getting married. It is therefore common for friends with no long-term commitments to have very clear expectations. But even when the man is not looking for children and the woman is not looking for a future husband,

extra-marital relationships are usually kept as a secret from the official wife (or wives). Social stigma and the risk of breaking the man's marriage are among the reasons for the secrecy. This discreet and non-committal nature of extra-marital relationships is therefore not accidental but a deliberate choice on the part of both parties, and when the mistress eventually decides to get married, she informs the man who understands and lets her move on. In some cases, the mistress does not want to get married at all, because this will make her assume the roles and responsibilities of a wife. However, men occasionally marry their mistresses, although, as the late Sir James Goldsmith once said when he married his mistress "when a man marries his mistress, he creates a vacancy" for another mistress to be recruited. (http://en.wikipedia.org/wiki/Mistress).

b) Role Reversal in Inter-generational extra-marital Relationships

A 26-year-old female postgraduate student at the University of Nairobi reports that some young women prefer older and wealthier, married men (commonly known as "sugar daddies") to younger boy-friends. Poverty drives many young women and men into extra-marital relationships primarily for economic gain. Young women date older and wealthy married men because they are seeking financial support. Commenting on the emerging trend of extra-marital affairs in Kenya today, a 35-year-old female banker notes that "mistresses are about money and fun. There is no love. Many of them sell to the highest bidder and if they get someone who gives more money and can support them better they leave. Moreover, many women do not want to get married nowadays. Thus, they can end the relationship conveniently when they are ready to get married. All they want is to get a baby with a man and move on". Very often, the man pays her rent, sets her up in business, takes her for holidays and lavishes her with expensive gifts regardless of how much she earns.

For many girls, the other reason is flexibility. The postgraduate student further clarified that "dating an older married man is more convenient for the girls as it gives them more space and financial support to focus on their studies and careers, and time to hang out with their friends". Unlike dating a young boyfriend, dating an older, married man is also convenient for girls because it is not geared towards marriage. Girls also like it because it gives them more opportunity to control their own schedule, including when to meet the old men. It was reported that girls do not get this opportunity when they are in a relationship with young single men who want attention and also tend to monitor their movements from time to time.

Apart from the more common "sugar daddy" syndrome, there is a growing increase in the number of relationships between older and wealthy women (commonly referred to as" sugar-mummies") and young men who are doing it mainly for money. Such women can choose either to go with rich elderly men who are about their age, and can provide them with most of the luxuries they want but do not have to pay for, or, "keep" a young man and pay for his services.

My informal discussions with a cross-section of married and unmarried male and female professionals in Nairobi revealed that there are a number of young men between the ages

of 25-35 years, including those with families, who are "kept" by rich women some of whom are old enough to be their own mothers. A 34-year-old male computer engineer in Nairobi told me: "nowadays young men look for older women who can take care of their financial needs. He continued, "when you are dating a young girl who is about your age, both of you may not have enough money but she might still expect you to buy things for her and sometimes this can be very frustrating. A sugar-mummy is better because she is less demanding and more generous". Like the young girls, the young men are also in it for money. Very often, the young men get money from sugar-mummies to spend on their girlfriends.

Reports from the informal discussions further indicate that some older women prefer younger men because they are "easier to control and more obliging than the women's own male contemporaries". However, most young men who are involved with sugar mummies are well aware of society's general disapproval of this behavior pattern. This is partly the reason they tend to go for the "super rich" to make it worth the risk, thereby subscribing to the old adage that 'if you want to eat a frog, eat a fat one`.

This role-reversal is a new phenomenon in inter-generational relationships. In a traditional African setting, it was generally socially unacceptable for a younger man to date or marry an older woman. In fact, to do so was a taboo because the morals were more puritanical then than they are today. Although sugar-mummies rarely marry their young boyfriends, the practice of "keeping" them is becoming more common as the *urban cultures* continue to condone, tolerate or even ignore these types of relationships, in the context of increasing individualism and enhanced sensibilities in the sphere of personal liberties.

c) Multiple Partnerships and Expedited Cheating

In the past, married men would begin to cheat on their wives after about five years of marriage, or longer, but now they start cheating after only six months, or soon after the honeymoon. The reason for this is multiple partnerships. Some people have multiple partners up to the time they are getting married, and continue to be in touch with the other partners even when they are on honeymoon. The seeds of extra-marital affairs are usually planted at this stage.

d) Emerging Market for Married Women

The informal discussions further indicate that nowadays there are some married men who prefer dating married women. Much of the appeal for married women is derived from the expectation that both parties will not talk or brag about the relationship. Relationships between married people usually occur either because one or both of them are dissatisfied with their marriages but don't want to end them, and secondly, because both parties know that they have to be discreet about the affair. A 55-year-old businessman reported that "a married woman who attempts to destroy a man's marriage will also destroy her own marriage, so both of them must manage the extra-marital affair carefully.

The key point in this arrangement is the understanding that none of the parties expects marriage, and if the man gets to know that the woman is having problems with her husband, he would not like to keep her either. It was also reported that, in some cases, when the mistress becomes pregnant the man takes off, partly because it threatens his marriage since they had no intention of a long-term relationship and also because he is not sure that the child is his. Another explanation lies in the perception that a married woman is 'cheap' to run because her husband meets most of her financial needs. A common view is that men who date married women do not wish to incur expenses. But perhaps the most intriguing idea relates to the view that married women are generally 'safer' than young girls or single women because they tend to carry 'less risk of HIVAIDS infection'.

5. CONCLUSION

This lecture has examined the ways in which various forces of change have acted conjointly to transform the traditional African family system and to produce many new marital patterns and family forms, some of which have not received social recognition and cultural legitimacy but exist *in parallel with the conventional families*. In this constant and active state of flux, there are conflicting conceptions of marriage and family, and a general lack of consensus on acceptable moral and social standards of behaviour. The main reason for this is that, conventional marital relationships within the traditional African society were embedded in a certain system of moral and social obligations, and everyone was expected to submit to the social regulatory discipline within a culturally acceptable normative framework.

The processes of modernization, globalization, delocalization and mobility which are evident everywhere in Africa and, indeed, across the world have had far-reaching consequences for the twin institutions of marriage and the family. One of the consequences of this transition is the *weakening* of the extended family system, the *decline* of polygyny and the emergence of *alternative family options* which are designed to suit individual needs. Some of the new family arrangements are becoming increasingly more acceptable or more tolerated, or simply just ignored, depending on the context. Thus, the pattern that has emerged is that of *formal monogamy* often practised alongside delocalized, clandestine and *informal polygyny* involving "outside wives" and "outside children" who participate in a parallel programme and are usually condemned by the "inside wives" for messing up their lives.

While some of the changes in family structures discussed in this lecture have created new opportunities for some people to enjoy life and given them a great sense of optimism, in other respects they have had a distinctly negative impact, and have become a major source of frustration for some men, women and children. Although family disruption does not necessarily cause lasting harm to those affected, and may indeed, in some cases, enrich their lives, some of the deleterious effects of divorce, single-parenthood, cohabitation and clandestine polygyny have led to the general perception that the social ecology in Africa is being severely damaged by the systematic erosion of its fabrics, and that marriage is becoming an endangered institution. For instance, family disintegration

under conditions of extreme poverty have had undesirable effects on the well-being of women and children, some of whom have turned to street life in order to survive under some of the most difficult, deprived and deplorable circumstances in human experience. A more creative effort to help people cope with changing family traditions is to expand the range of social and economic opportunities, and increase their access to resources, as a sustainable solution to most of our social problems, including the deterioration in the well-being of women and children.

Despite the changes in family structures, increased family instability and the establishment of new family varieties, the family remains a *central institution* where women, men and children can acquire and develop life-giving skills in a sustainable way. Most of us attending this lecture today still remember and recognize the role of family structures in our upbringing and successes. Although culture is a vital issue in all family capacity-building initiatives, the challenge to sustain viable family institutions of any variety is not to go back to the past, but rather to recast the new social arrangements in a dynamic cultural environment that recognizes and celebrates diversity, reform and personal liberties. Therefore, any family formation that is blended out of some mixture ought to empower its members and give them the freedom to choose a lifestyle that suits their circumstances.

A more liberal, positive and pragmatic view of marriage and family life such as the one embodied in the current draft Kenyan Marriage Bill (2007) is an example of our recognition of *transition* in family traditions. Rather than remain firmly rooted in cultural traditions and committed to essentialism which is based on our limited vision of an ideal family form, it is important to recognize change and celebrate diversity. This recognition is crucial because, in a progressive social and cultural domain, a truly fulfilling family life remains that which is built around love, commitment, responsibility, partnership, fairness and social justice. My point of closure is that these are some of the broad goals which future family studies, and reform initiatives, should embrace, first, because they address the twin issues of family disruption and diversity, and secondly, for they help to consolidate some of the gains brought about by changing family traditions in Africa and elsewhere.

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