

Chapter 3

Woman-headed families in South Africa

3.1 Introduction

The literature indicates that woman-headed families in South Africa are not a recent or post-apartheid phenomenon (Pauw, 1962; Bonner, 1990; Beittel, 1992). The literature speaks to various aspects and tendencies about this family form in South African history, confirming that it is grounded in the material reality within this country; and that this family form has been in the process of formation for several decades of the twentieth century, and has grown and waned in that period due to the changing political economy.

The first part of this chapter briefly historicises the rise of the woman-headed family form in the context of the country's capitalist development, and its re-emergence in the 1970s. The second part is a lengthier discussion on woman-heads in contemporary South Africa.

3.2 Family forms and the rise of capitalism in South Africa

3.2.1 Pre-capitalist society, family forms and social mores

In the production and reproduction cycle, women's productive capacity in domestic and agricultural production, and their reproductive potential, was exchanged by their fathers with other men for cattle, through the bride-price or *lobola*, and thus the cycle continued to the next generation (Guy, 1990: 39). Thus a particular form of patriarchal¹ social relations existed: between men as prospective husbands and fathers at the level of the organisation of the family-household and at the level of society.

¹ See the discussion on patriarchy in Chapter 2.

‘Traditional’ or pre-capitalist family forms in southern Africa were different to the western norm of the ‘nuclear’ and ‘conjugal’ families.² The structure of the family tended to be the traditional ‘extended family’ (Murray, 1981; Walker, 1990a), and included the husband, the wife or wives, children and other family members. A sexual division of labour existed where the women were important producers of agriculture, which provided the subsistence base and the surplus that the society produced; and they were also responsible for domestic labour (Guy, 1990). Cattle were the basis of wealth in pre-capitalist society, accessed through the women’s bride-price and resulted in men’s control of both women and cattle (ibid). Women were also important for their reproductive potential, vital for the continuity of the homestead’s life cycle. In this context marriage was an important social institution on which the society was based, and was not confined to the physical union of a man and a woman. Marriage enabled sexual relations, the propagation of children and the transfer of status, property and rights (ibid: 41). Marriage was the union on which the household was organised: to ensure offspring, to care for the cattle and to ensure agricultural production (Mayers, 1961; Delius and Glaser, 2004; Reid and Walker, 2004). Marriage was the means by which men controlled women’s productive and reproductive capacity (ibid).

Pre-capitalist societies in southern African were not homogenous and were governed by different social mores. For instance, marriage and sexual relations were not necessarily coterminous. Within some pre-capitalist or traditional societies, a relatively tolerant approach to so-called infidelity and adultery existed (Delius, 2004). Delius (ibid) argues that the Pedi-, Sesotho- and Tswana-speaking traditional societies were relatively more ‘open’ in matters of sexual relations and sexuality compared to the Zulu-speaking traditional society. In the case of the latter, the military was an important aspect of their society and young Zulu-speaking men were subject to strict prohibitions related to sexual relations, linked to their primary role and participation in the standing army until they reached a particular age (Delius, 2004).

Within the Sesotho-speaking culture provision existed for *bonyatsi* – friendships and the exchange of gifts which both men and women engaged in – outside of their

² At least as they appeared in the nineteenth century, as family forms have historically changed in Europe itself see Clarke (1919) and Laslett (1972 and 1973) and Coontz (2000).

‘marriages’ or formal relations (Spiegel, 1991).³ Socially, this was relatively acceptable and children arising from these relationships belonged to the husband, following the agnatic pattern (Maloka, 2004). While polygamy was not widespread, ‘free’ women existed who pursued their own sexuality (Delius & Glaser, 2004). A significant number of unmarried men also existed, often unable to afford to pay the bride-price.⁴

3.2.2 Violent disruption of indigenous societies

The southern African pre-capitalist societies were violently disrupted through conquest, land dispossession and colonialism (Callinicos, 1981). Under colonialism, the hut tax was imposed to force indigenous people into wage labour in the second half of the nineteenth century (Guy, 1990). Guy argues that the hut tax was also a tax on the male for the productivity of his wives – each wife being the occupant of one hut (ibid: 43). Migrant labour, in existence since the late nineteenth century, was a particular response to the need for labour after the discovery of diamonds in 1867 and gold in 1884, and was central to capitalist development in South Africa (Wolpe, 1972; Legassick, 1974). While women’s agricultural production continued under colonialism, this was altered, and its demise was imminent as migrant labour increasingly contributed to the demise of traditional pre-capitalist societies.

The particular gendered division of labour that existed in pre-capitalist societies informed the gendered response to migrant labour (Bozzoli, 1983): men went to work in the mines and the women remained in the homesteads. The gendered response to the advent of capitalism later fused with ‘western’ forms of social inequality, social strata and racism, imposed by successive ruling elites. These powerful structural forces together with popular resistance and individual agency re-shaped African livelihoods, culture, family forms, and social relations in both urban and rural areas (Walker, 1990a; Moser, 1999; Delius and Glaser, 2004, Reid and Walker, 2004).

³ In contrast, Mayer (1978: 75) noted that the ‘double standard of sex morality is a deeply entrenched Xhosa tradition’ – for men only.

⁴ Later, some men accessed resources for the bride-price through migrant labour.

3.2.3 Capitalist hegemony

Land dispossession in South Africa was consolidated through the Land Acts in 1913 that confined black people to ‘native reserves’.⁵ Structural violence was endemic to the urbanisation and proletarianisation processes imposed on black people, forced to provide the cheap labour needed – for mining, agriculture, and later industrialisation and manufacturing, in the nineteenth and twentieth centuries (Bonner, 1990; Viljoen, 1991; Maconachie, 1992; Beittel, 1992).

Besides conquest and land dispossession, the factors weakening traditional societies were manifold, and included the ideological sphere. Some migrants never returned while others returned irregularly to their traditional homesteads, breaking the social continuity of the homestead’s cycle. Some women (wives or partners) migrated to the city in search of husbands/partners, and they too never returned (Bonner, 1990). Traditional life was also undermined through Christianity, the missionaries and their educational institutions and value systems (Cock, 1990; Meintjes, 1990). Given their strategic position within pre-capitalist societies as outlined by Guy (1990), black women were social bearers of the breakdown of the ‘old’ society and the transition to the ‘new’ society’. Women were identified as strategically important in the conversion to Christianity (Cock, 1990); an important means to conform to colonial society and its needs. Ally (2010) discusses the important role of mission schools for girls in the early twentieth century in this respect.

In her article, ‘Domestic service and education for domesticity: The incorporation of Xhosa women into colonial society’, Cock (1990) argues that through a process of coercion and oppressive control, black women were domesticated. The missionary institutions were important in developing western definitions of gender roles and education (ibid). For instance, this included alternative notions of women’s work that did not include agricultural labour (which was frowned upon for women); and this was related to the settler demand for domestic labour (ibid: 89). Key aspects and/or

⁵ For a literary discussion on land dispossession, see Sol Plaatjie’s, ‘Native Life in South Africa’ (1982).

social practices of traditional society were also deemed offensive to the missionaries, namely, the marriage ceremony, *lobola* (bride-price) and *intonjane* (the initiation ceremony for young girls) (ibid: 86); and with time was viewed as inappropriate for Xhosa women converted to Christianity. Black women's work (domestic forms of labour) and their 'new' gendered roles were accompanied by an ideological shift consistent with colonialism and this weakened the cultural bonds and social threads associated with pre-capitalist societies. Cock (ibid: 85) argues that through the mission education institutions new occupational skills and a commensurate occupational ideology was transferred to black women. The educational institutions '... helped link an ideology of domesticity that was rooted in European gender roles to an ideology of domestication generated by the problems of controlling a colonised people.' (Cock, 1990: 94).⁶ Needless to say, this was related to colonial labour needs for domestic workers.

The thrust of Cock's (1990) argument is supported by Meintjes (1990) in her study of 'Family and gender in the Christian community at Edendale, Natal, in colonial times'. Meintjes (1990: 141) argues that specific gender roles and a gendered Christian ideology was promoted. The missionaries believed that the public display of emotions was 'unchristian' and Meintjes argues that what was acceptable in non-Christian societies such as nakedness, became 'unnatural' (ibid: 140). Marriage and sexuality were redefined, and the relative tolerance towards sexuality within precapitalist societies was replaced. For instance, physical intimacy was hidden from public view, in contrast to traditional precapitalist society's public ceremonies of puberty rites and the 'open physicality of bodily functions and nakedness' (ibid).

Meintjes (1990) argues that while marriage as a property relation existed in both colonial and precolonial society, it was based on different social relations. As discussed earlier, within traditional pre-capitalist society marriage was a 'lynchpin' that defined women's status, their productive, domestic and reproductive duties, and their rights and securities (Guy, 1990). With the decline of traditional society, these certainties were eroded. Under colonialism, the marriage contract was based on private property and the accumulation of profit. Meintjes argues that the historical

⁶ Cock highlights the particular role of the wives of missionaries in the 'domestication' of black women, who in their own lives perhaps challenged stereotypes of female passivity, but did not question the prevailing assumptions about the suitability of particular education for black girls in a colony (1990: 94).

‘privatisation of the bourgeois household is complex’ and gradually women became confined to ‘unproductive households’ (ibid: 140); where they engaged in domestic labour and reproduction and were subordinated to husbands and to patriarchy. Hence in colonial marriage arrangements women were a form of property (ibid). This also explains why black women were ‘weaned’ from doing agricultural production, partly a result of the separation of production and reproduction that accompanies capitalism, and also to confine them to domestic labour, and the needs of the colony for labour.

The ‘duality’ of being subordinated to colonial society and its rule, and still ruled by customary law, like for example in Natal, created problems for black women, (and oppressed people in general). Meintjes (1990: 141) cites Law 1 of 1869, to provide greater freedom to women in choosing their partner at a cost of 5 pounds. The law required the registration of all marriages, a marriage fee of 5 pounds and limited the amount of cattle for lobola. It also prevented the recovery of lobola by the wife’s family if the marriage dissolved and absolved any paternal right to protect the interest of the daughter upon marriage. Many black converts to Christianity saw this as a ‘sale’ rather than marriage being a contract binding both parties to honorable behaviour as in the past. With the result, Christian marriages were superimposed on a customary exchange (Meintjes, 1990: 141). A real fear existed that women who married without lobola would be unprotected should their husbands take additional wives. This insecurity led many, including Christian converts of long-standing to return to customary unions. This explains in part the material basis for many women’s multiplicity of identities in contemporary South Africa (which we discuss in Chapters 5, 6 and 7), together with the ‘traditional’ aspects related to pre-capitalist society and ‘western’ notions associated with Christianity.

While Christianity did provide ‘new’ roles for women, Cock argues that western influence weakened the role of women within pre-colonial society but did not provide alternative roles of power and autonomy in exchange (Cock: 1990: 95). Bozzoli (1991: 236), in her book, *Women of Phokeng*, notes that embracing Christianity and schooling is not evidence merely of their colonisation or eventual impoverishment as blacks. But, this was also a means whereby the struggle within the changing pre-capitalist family-household over age, hierarchies and gender relations

could be tipped more in favour of women.

3.3 The rise of woman-headed families in South Africa

3.3.1 Black women migrate

While black women's migration to the cities must be understood in the context of the accelerating economic decline of the reserves and its inability to maintain the burgeoning population; theirs was a steady migration. Until then, black women had remained largely under the authority of traditional chiefs and headmen (Bozzoli, 1983), and continued their productive (although radically reduced), domestic and reproductive responsibilities. The turmoil in the declining reserves was reflected in different domestic struggles between women and the tribal authorities, chiefs and headmen, and generational struggles (Bozzoli, 1983; Walker, 1990a).

Migration to the towns occurred rapidly in the two decades after the 1930s, and black women, especially Basotho women, were a significant feature (Bonner, 1992).

Basotho women, especially from share-cropping families from the former Orange Free State had been forcefully thrust off the land in the 1900s and the 1910s after agricultural production had been disrupted by the Anglo-Boer war. This included women from the other side of the border, from Basotholand (Bonner, 1990: 242). By 1911, 3 000 women were recorded absent from Basotholand, and in the following decade one-quarter of the women were recorded as absent (Bonner: 229).⁷ Basotho women were proletarianised relatively earlier than other women – reflected in their migration to the cities - and it was therefore no surprise that major protests against the pass laws for women took place in 1913 in Bloemfontein (ibid).⁸

By 1936 about 356 000 black women had migrated to the cities (Delius and Glaser, 2004: 105; Walker, 1990a; and Beittel, 1992). Notwithstanding this significant migration, black women remained a minority in the cities until the 1970s, and worked

⁷ Later, Xhosa-speaking women, many from Ciskei, which rivalled the poverty in Lesotho also migrated (Moodie, 1992: 127).

⁸ Bonner (1990) highlights in particular the role of the African People's Organisation, in black women's effective resistance to carrying passes in the Orange Free State in 1913.

largely in the informal sector, in domestic work (and later in some factories) (Bozzoli, 1983; Walker, 1990a).

Ally (2009: 30-34) argues that black women's urbanisation was not voluntary and not without state control. Initially black men were domestic workers⁹ but the competition for (migrant) labour on the mines (and later the farms), was an imperative for drawing black women's labour into domestic work (ibid). In contrast, Walker (1990a) highlights contradictions within the reserves and black women's struggle for relative autonomy, which the city afforded. Both aspects are relevant and mutually reinforced the movement of women from the reserves as the dependence on wage labour increased; together with the struggles between women and the chiefs and headmen.

3.3.2 Black women, families and the cities

Black women had no access to waged labour in the cities. Up to about the 1930s domestic service in most of the Witwatersrand and Natal was done by black men, and beer-brewing was one of the few survival strategies open to women besides laundry and sex work (Bonner, 1990; Beittel, 1992). The women brewed beer, and this income – from migrants and domestic workers – was vital to the family's survival in the first four decades of the twentieth century (Bonner, 1992: 227; Beittel, 1992).

In “Desirable or undesirable Basotho women? Liquor, prostitution and the migration of Basotho women to the Rand, 1920-45”, Bonner (1990), provides an interesting account of the violent clashes with police over illicit beer-brewing and the boycotts of municipal beer halls in the 1930s (ibid: 221-223).¹⁰ The authorities tried to control black women's urbanisation and their mobility within the city (Bonner, 1990). However, black women successfully resisted attempts to subject them to carry passes until 1956.

⁹ In Van Onselen's (1985) *Small Matter of a Horse*, he discusses Nongoloza, a black male domestic worker who became the leader of one of South Africa's most notorious gangs.

¹⁰ The boycotts of municipal beerhalls occurred in Vereeniging and Johannesburg's Western townships in 1939 (ibid). This was a precursor to the popular struggles against municipal beer halls in black townships in the 1980s, part of the struggle for democracy in South Africa.

Bonner (1990) argues that given the centrality of beer-brewing for the family, it would be seductive to see the beer riots in the 1930s and 1940s as the 'defence of family', as many 'vat en sit' (living together) arrangements existed in the slum yards and had become part of the fabric of life. However, many of the women were involved in the 'most fleeting and transient relationships with men' (Bonner, 227).¹¹ Basotho women had particularly bad reputations in the towns as 'undesirable' (Bonner, 1990) and similarly Moodie (1992: 126) refers to the 'fear of the seductive potential of the so-called 'town women'.

Many women were not in 'settled family life,' but were 'refugees from marriages that had cracked under the strain of rural pauperisation and the migrant labour system' (Bonner, 1990: 227). Many were single women, migrants from the eastern Free State, southern Mozambique and especially from Lesotho. Some women had been abandoned and others had eloped without the payment of the bride-price. Often men had limited rights over their children and weak bonds existed between partners.¹² Many widows were vulnerable and had few options: they could marry male kin or remain vulnerable to all men, as often they were deprived of land allocated to young tax-payers (migrants); or be subjected to allegations of witchcraft from jealous in-laws (Bonner, 1990). Migrant labour had warped marital relations and a large number of women were married (Bonner: 1990); and consequently relations between children and their parents were also affected.

Black men were losing their control of women and Bonner (1990) argues that this was related to the state's inability to control the activities of the women until the pass laws for women were promulgated in 1956.¹³ However, 'what was promiscuity for Basotho men often represented independence for Basotho women' (Bonner, 1990: 247). Bonner (ibid) argues that Basotho women became consciously independent, and that this was based on their experience of poverty, abandonment and neglect, and the realisation that an independent income could be earned from brewing beer and sex

¹¹ Bonner's (1990: 227) discussion is based on the SA Report of the Committee to Consider Administration of Areas Which Are Becoming Urbanised, (1938-9: 19); SA Report to the Native Farm Labour Committee, (1937-9: 80).

¹² With respect to illegitimate children, in traditional terms fathers are not entitled to, or expected to have a relationship with their children. The father of an 'illegitimate' child is obliged to pay damages for the pregnancy, but has no rights to the child unless an additional fee is paid to the mother's family (Jones, 1996: 6).

¹³ See the discussion on the colonial state's attempt to control women in Bonner (1990: 247).

work. Many Basotho women, some runaway wives, came in search of their husbands, to save their marriages, but once they were finally rejected, ‘many seem to have resolved never again to become wholly dependent on men.’ (Bonner, 1990: 247). Based on their income, women supported their families independently of men (ibid: 248). This is indicative of the agency and independence of black women, cast adrift in the city, often without traditional forms of securities or any other support.

Bonner (1990) draws attention to a group of ‘promiscuous’¹⁴ Basotho women, whose behaviour was captured in the *famo* dances that many Basotho women attended. According to Bonner, ‘Despair and depression about the collapse of their marriages mingled with exhilaration at the new freedom of the towns’ (ibid: 248). These women solicited and rejected men, they invited men but also ‘spurned their authority’. The *famo* was a sexually suggestive dance and Bonner explained it as ‘a cathartic moral comment on social problems’ (ibid).

Bonner’s (1990) discussion of black women living in the city alludes to the development of their relative autonomy and independence, where they adopted different social mores in contrast to those of both pre-capitalist (Guy, 1990) and colonial societies (Cock, 1990; Meintjes, 1990).

3.3.3 Cohabitation vs. Fragmentation

When black women migrated to the cities in the 1930s and 1940s (Walker, 1990a; Beittel, 1992),

Their strategy was a mixture of assertiveness and conformism. They sought freedom from pre-capitalist controls; but they set out to use this freedom to establish themselves as active participants in and creators of households that embodied some of the values drawn from their youthful upbringing (Bozzoli, 1991: 237).

In the urban areas black men and women endured many vulnerabilities. Black men

¹⁴ Whether this was ‘promiscuous’ or an expression of sexuality, is of course debatable.

were forced to migrate to the cities earlier and had the advantage of forming ‘home-boy’ networks. Black women migrated to the cities much later and often did not have the ‘homeboy’ network to rely on, although they had access to other networks such as stokvels. While some black men were housed in single-sex compounds, housing was a major problem for black people and in particular black women, as the government did not provide formal housing for blacks, especially not for single women (Harvey, 1994). As mentioned before, for women survival often meant attachment to a male, and informal work such as sex-work and beer-brewing (Bonner, 1990; Beittel, 1992; Harvey, 1994).

Against this background, there were strong forces encouraging cohabitation as an objective means of survival. Beittel (1992) demonstrates the structured and systematic impoverishment of black workers, families and households in the cities, as wages were too low to cover their basic household expenditure. In a testimony to the Native Economic Commission in the early 1930s, men would provide about £4 (50%), women £3 (40%) from beer-brewing and £1 (10%) from other sources (contributions from other household members – and even then it was a struggle to cover sustainable expenditure (Beittel, 1992: 219). There was a marked absence of any state support to black working people.

The lack of housing for black men and women was strategically important in shaping social relationships (Van der Vliet, 1991; Beittel, 1992). In her study in Grahamstown, Van der Vliet (1991) argues that housing shortages disadvantaged ‘women’s interests’ (ibid: 235). The housing stock of 1 200 private and 1 200 local authority units was inadequate for the increasing African population of about 40 000 (ibid). The local authority, Joza, had a waiting list for the area that included 4 000 people (Mayer: 1978: 15). Van der Vliet (1991: 235) argues that women were disadvantaged because Joza housing was only leased to married men on the basis of a civil marriage certificate, and many men simply married to access accommodation.¹⁵ Given their disadvantage with respect to accessing housing, this induced many women to remain in unsatisfactory relationships (Ramphela, 1987).

¹⁵ Van der Vliet (1991) notes that this made it difficult to determine trends towards ‘western marriages’ as this practice itself encouraged western marriages.

Housing was an important instrument in the government's control of black people, and this influenced black people's social relationships.¹⁶

Once black women arrived in the cities, many did not return to the reserves. Spiegel (1996) argues that historically, black women tended to remain in urban areas because their access to land was limited in rural areas, where traditional culture favoured men. Moodie (1992: 119-120) argues that women's age and access to workable land affected women's life choices and their preference for urban settlement. Younger, recently married women were more likely to want to live in town. In contrast, women of all ages from productive areas like Pondoland did not prefer the town compared to those from unproductive areas like the Ciskei (ibid: 120). In the cities women were relatively independent from the controls of chiefs and headmen, and unlike black men, were not affected by pass laws until 1956.

Although there were structural forces enjoining black men and women to cohabit, such as housing shortages and extremely low wages (Beittel, 1992; Harvey, 1994), similarly there were forces undermining cohabitation to the extent that family relations were undermined (Walker, 1990a). Walker argued that 'the unequal sex ratios in both town and countryside, poverty, lack of political rights in townships, and insecurity undermined the structure of black families without creating the basis on which new and viable alternatives could be built' (Walker, 1990a: 42). Apartheid and more stringent influx control methods separated black families, prevented them from living together, and promoted woman-headed households in both the cities and the rural areas, although to different extents.¹⁷

Bozzoli (1983) argues that capitalism was not able to completely annihilate pre-capitalist forms, and the manner and nature in which they have survived and/or adapted under capitalism has not been adequately investigated. This may have contributed to black families' resilience, to the extent that they drew on pre-capitalist family forms, as these had not been completely obliterated.

¹⁶ The importance of housing in social relationships amongst black people in contemporary South Africa is discussed in Chapter 4.

¹⁷ See discussion in Chapter 2 in relation to households and families.

For instance, Maloka (2004: 209-210) argues that ‘labour migrancy introduced new elements into *bonyatsi*’ (discussed earlier). Maloka (ibid) discusses the work of Allan Pim who wrote in 1935, that ‘marital fidelity does not appear to have ever been a prominent Basotho characteristic but it appears to have seriously deteriorated as a result of the prolonged absence of the younger men’. Migrant labour destabilised families, social relations and cultural and sexual practices (Maloka, 2004). The practice of *bonyatsi* by both men and women (an indication of gender equity), expressed acceptable forms of sexuality within a pre-colonial society discussed above. However, myriad pressures – economic, social, emotional and psychological – under capitalist social relations, have transformed the practice of sexual tolerance. A practice once based on sexual tolerance now contains only traces of its former content, ‘the gifts’ and the ‘sex’, as historically it was transformed into its opposite, and acquired undertones of ‘prostitution’ (Maloka, 2004).¹⁸

Aspects of polygamous or multiple partners and/or *bonyatsi* have been used to explain social behaviour, often shaped by the structured social loneliness that accompanied capitalist development in South Africa. Bozzoli (1983) notes that the extent to which some pre-capitalist practices still exist is a result of people’s resistance, the ‘domestic and external struggles’ within black families and between families and the wider society; and highlights the importance of agency over functionalism. However, family forms may not always arise from ‘conscious’ resistance as much as emerging through interfacing with powerful structural forces, combined with individual agency.

A plethora of family forms emerged, reflecting the constantly shifting cohabitation or living arrangements influenced by migrant labour and influx controls. For black men during segregation and apartheid, having multiple partners may have started (objectively) as a means of survival, by having access to two family-households – one in the reserves and one in the city. Moodie (1992: 122) notes that the dependence of the rural areas on remittances for consumption rather than investment, influenced men’s fidelity and their relationships with their family whom they hardly saw during the prime of their lives. Hence many men were attracted to town women ‘as the

¹⁸ There are similar experiences of how sexual practices were turned into their opposite, into prostitution or sex work, during Britain’s colonisation of India (see Banerjee, 1998).

rewards of faithfulness to their rural families diminished' (ibid: 122). This informed the nature of black families' often precarious and fragile relationships, and/or 'serial marriages' (Moodie, 1992: 130). The notion of black men having multiple partners seems to have continued into contemporary South Africa, informing the experiences associated with 'absent fathers' and 'absent husbands'.¹⁹ For some this was seen as 'promiscuous' (Murray, 1981) or cultural polygamy (Delius and Glaser, 2004).²⁰ The rise of multiple-partner relationships seems to have been shaped by the material conditions of working and living under different capitalist regimes of accumulation that included migrant labour.

The state under segregation and later apartheid systematically undermined black people (Harvey, 1994).²¹ When the National Party came to power in 1948, key social determinants - class, colour and gender - were firmly in place. Apartheid excluded black people from South African citizenship and marginalised them to the Bantustans, allowed only into the white cities to meet the needs of capital and the white population (Wolpe, 1974). Black families were juridically and forcefully separated and prevented from living together, and woman-headed households continued to exist in the reserves (Delius, 2004) and in the cities (Bonner, 1990; Beittel, 1992). These precarious conditions militated against the nuclear family form – parents and children – emerging in rural or urban areas. The nuclear family form did not develop amongst black families in South Africa (Bozzoli, 1983), and to the extent that it did exist, the nuclear family form is weak (Russel, 2003).²²

¹⁹ It seems that black men's 'serial marriages' or multiple partnerships was historically informed by the regime of accumulation that was based on migrant labour. Social practices however do not just disappear when the pattern of accumulation changes. This may also relate to gendered roles based on unequal power relations; and this demands serious theorisation.

²⁰ See Delius and Glaser (2004) on the myths of polygamy. This is also reminiscent of Hobsbawm's (1992) 'invented traditions' discussed in Chapter 2.

²¹ In his thesis, Harvey (1994) shows how family policy in South Africa since 1930 to 1986 under successive South African governments undermined blacks in favour of white people.

²² Ziehl (2002) highlights life-cycle issues – death and children growing up – she argues that nuclear family households are common to both nuclear and extended family patterns, as with death there is a contraction of an extended family, and often children cannot all be accommodated in the parental home. Ziehl's argument however reduces the nuclear family to numbers, whereas it has strong ideological and gendered norms.

3.4 Emergence of woman-headed families

As discussed above, woman-headed households already emerged in the 1930s (Walker, 1990); and with increased migration to the city many women exercised their relative autonomy and made an independent life for themselves and their children (Bonner 1990). Pauw's (1962) informative study based in East London in 1960 is one of the few studies on black woman-heads.²³ Pauw (ibid) notes that the 'remarkable feature of the urban Bantu household is the large proportion of female-heads', more than 40% of his sample, who lived in home ownership housing (wood and iron homes), compared to male-heads who tended to live in municipal housing.²⁴

In Pauw's (1962: 146) study, the male was the head in a married couple, whereas the woman was regarded as the head in the case of cohabitation. If the couples were merely cohabiting, in all probability the woman owned the house or was the more permanent tenant. In households with unmarried adult children the woman was the head. Sometimes adults found accommodation with a woman, the original occupant, and she remained the head. The sample included a widow living with her younger brother and his wife, where she was the head. Other configurations included grandmothers as heads, and the daughter who earned the income, as the head. Age was a significant factor that influenced headship. Female-heads under 40 were predominantly unmarried mothers, and those older than 40 had been married before (Pauw, 1962: 149). There was a distinct 'fatherless' type of family that tended to be three-generational. Female-headed households tended to have a larger number of unmarried daughters who were themselves mothers compared to male-headed households (Pauw, 1962: 151). Pauw (1962: 163) argues that the trend was matrifocal because the father was dispensable 'as a link with the economic system in the town' and to an 'urban status system'. By 1960 the 'distinct type of family is mother-controlled, not because the father has disappeared from the family, but because it lacks a father altogether' (Pauw, 1962: 147). Pauw's comment is valid as much for widows, divorced and single women.²⁵

²³ I noted in Chapter 1 that the evidence on the growth of the woman-headed family form was circumstantial given the dearth of research on this family form as such.

²⁴ Pauw (1960) used the terms male and female, and it is used here in the discussion of his study.

²⁵ There is of course a case to be made for a distinction between the 'legal' and the 'social' head of the family. The discussion here though focuses on the disruption of social processes, of women as heads, through legal or juridical means associated with apartheid, and in this case, forced removals and housing policies.

Pauw (1962) continued his study twelve years later, after the apartheid 'homeland' and 'forced removal' policies had displaced black people from city townships in East London to Mdantsane. He found that the woman-headed families were less pronounced (Pauw, 1962). This is partly explained by the apartheid government's gendered housing policy: in Mdantsane the policy officially recognised and registered adult sons as tenants rather than their mothers, even though the mothers regarded themselves as the family heads (Pauw, 1962). Even though a 'distinct matrifocal type of incomplete family' still persists in Mdantsane (Pauw, 1962: 210), it is likely that the forced removals, together with other apartheid policies, disrupted the social process to the extent that woman-headed families tended to become invisible and dissolved into the extended or compound families.²⁶

The woman-headed household, however, proved to be irrepressible, and re-emerged as a significant urban household type in the 1970s (Beittel, 1992: 217).²⁷ A decidedly sharp increase in female-headed households as a proportion of all households occurred between 1962 and 1985, an increase from 14% to 29% (Beittel, 1992: 217).²⁸

Simkins (1986: 36-38) indicated that the proportion of households of which women were the de facto head was between 20-25% in small towns and farm districts, 30% in metropolitan areas and almost 60% in the Bantustans. Jones (1991: 8) notes that research in informal settlements and new metropolitan townships revealed an increase in woman-heads to be as high as between 40-50%. He argued that the sharp increase in female-headed families and domestic groups was due to urbanisation (ibid).

Beittel (1992: 229) argues that unlike the rural areas, the urban female-headed household 'cannot be explained as an effect of the migrant labour system'. The source of single woman-heads varied and included divorced, widowed and separated women and single mothers (Snyman 1991), and those who chose to rear children without the children's father (Van der Vliet, 1984). Yet, the growth of female-headed households

²⁶ A compound family is two or more distinct families living together.

²⁷ As noted in Chapter 1, the term 'feminisation of poverty' is traced to the 1970s and coincides with increasing female-headed households (see Wennerholm, 2002).

²⁸ Beittel's (1992: 218) source is the Bureau of Market Research of 1986.

was a reflection of the growth of urban black household types, besides the nuclear family form (Van der Vliet, 1984). The women who managed the household economic unit in urban areas were different to those in the reserves; they were in effect the head of 'families'. The women who now managed the household economic unit in urban areas were not waiting for a patriarch to return: *the roles of head of household and head of family were now fused.*²⁹

3.4.1 Women's Attitudes

Multiple factors, including urbanisation and proletarianisation, influenced black women's attitudes, including their escape from the authority of male figures such as chiefs (Walker, 1990). In her article, 'Traditional Husbands and Modern Wives? Constructing Marriages in a South African Township', Van der Vliet (1991) points to the different aspirations between men and women. She argues that a major cleavage developed where 'men tended to favour the more open, segregated and polygynous style associated with the traditional model of relationships'. The women, in particular the younger and more educated ones, were more likely to want the closed joint monogamous style associated with the 'modern' model of marriage (ibid: 229-230). Van der Vliet (1991) explains this as 'personal advantages', where tradition offered the man patriarchal privileges, freedom from household chores and far greater social, financial and sexual freedom (ibid: 230). This also had broader implications for the man's relationships with his male peers, who approved and admired this behavioural practice (ibid). There were even political implications for this behavioural practice, where modern marriage was associated with whites and included the connotation of white men being 'hen-pecked and emasculated' (ibid: 230).

While many women continued to marry, for some the modern marriage was associated with the rejection of the traditional marriage model, and the associated connotations of being inferior to men, being under men's control and being equivalent to a child (ibid: 230). The significance of these differences was not so much its

²⁹ The transition to woman-headed families may have occurred earlier given the emergence of woman-headed households already in the 1930s. However, the precise historical time is difficult to ascertain given the circumstantial nature of the evidence (discussed in Chapter 1).

relation to fact or reality but their social meaning for some people, and the 'political control and moral persuasion over reluctant partners' (ibid: 230).

The significance of these realities was also related to the extent that they influenced people's agency. The notion that 'double standards' (Mayer, 1978: 75) existed for men and women with regards to sex, morality, infidelity and social relationships was important, especially in the changing social and economic context in the town (and the decline of the reserves and the homesteads).

Given black women's many disadvantages with regards to housing (Van der Vliet, 1991), jobs and income (Bonner, 1992 and Beittel, 1992), and their decision to support their families once their desertion was finalised (Bonner, 1992), there seems to be substance to Cock's (1980: 116) assessment that black domestic workers in the Eastern Cape had a greater 'feminist consciousness' or insight into 'discriminations against women' compared to white women. While Cock was comparing black women to white women, the existence of this consciousness explains many black women's decision not to marry, or not to remarry once divorced, widowed or deserted and this trend was noted in earlier studies (Van der Vliet, 1984 and 1991). Van der Vliet (1991: 236) notes that for many women, from the elite to domestic workers, the option not to marry became possible with the opportunities that living in the towns afforded women (including financial independence). Van der Vliet (ibid) argues that this was the decisive factor in changing the balance of forces.

Beittel's (1992) urban female-headed households are the direct ancestors of the woman-headed family form that is being discussed in contemporary South Africa, the subject of this thesis. Unlike the woman-headed households in the reserves, they are not waiting for a male to resume his position as the traditional family-head. There are important differences (among others, psychological and emotional) in being a woman-head of a household waiting for a migrant (a husband or father or brother) to return, despite the uncertainty, compared to being a single woman-head of a family, solely responsible for the entire family.

Woman-headed families were submerged in the social landscape until democratisation in South Africa in the 1990s. The post-apartheid changes provided the basis for this family form to become more prevalent and more visible.

3.5 Democracy, political freedom and woman-headed families in contemporary South Africa

Rae Lesser Blumberg (1978: quoted in Chant, 1991: 22) recognised the international increase in woman-headed families in the 1970s and suggested five conditions that were necessary for their emergence:

- i. That the unit of compensation, labour and property accumulation must be the individual, regardless of sex,
- ii. Women must have access to the means of subsistence, even if this is personal access to waged employment or access to the earnings of children and state welfare and the right to inheritance,
- iii. It is possible to reconcile income-generation or subsistence with childcare.
- iv. Women's opportunities for subsistence must not be significantly less than men, and if they are, a final condition is that,
- v. The state either supports woman-headed households explicitly (via the provision of welfare for example) or implicitly (via lack of legal prohibition to women as titular household heads) (Blumberg, 1978: 529-39).

Blumberg's conditions assist us to understand the aspects of an enabling context for the rise of woman-headed families, and we return to these later. However, Blumberg (*ibid*) does not provide a historicised understanding of the social processes at work, in South Africa and internationally. In other words, while the conditions that Blumberg cites are useful for understanding the rise of this family form, the conditions themselves need to be located within a specific historical context. In South Africa, this context is constituted by the specific nature of the evolution of apartheid capitalism in general, and migrant labour in particular, that I have discussed above.

3.5.1 Democratisation and juridical equality in post-apartheid South Africa

Democratisation in South Africa in the 1990s and the entrenchment of women's rights in the Constitution in 1996 legalised and formalised a social process that had long been underway but had been hindered by apartheid capitalism. The Constitution of the Republic of South Africa (RSA, 1996b), entrenches non-sexism in its founding provisions, and the Bill of Rights' equality provisions (Article 9) entrench gender and sex equality: 'The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.' (RSA, 1996b).

The new democratic dispensation provides black women especially with the basis for their emergence as heads of their families: women's rights and emerging family arrangements are given a legal basis within the country's Constitution, and confirms the 'social acceptability' of the woman-headed family form. The Constitution outlaws discrimination based on marital status, and this removes an important obstacle that had prevented women from exercising their right to live alone and to have family arrangements of their choice. Against the background of South Africa's apartheid history, this was a significant breakthrough for women. The retreat of women into male-headed families in the past (discussed above with reference to Pauw, 1962) was due to the fact that access to services (like housing) and the right to live in the city were denied women who did not have husbands.³⁰ So, although socio-economic pressures militating for woman-headed families have been building up for decades, the lack of rights acted as a counter-pressure and kept many women in male-headed families. Even before the democratic transition of the 1990s, the importance of legal and political spaces for the rise of this family form can be seen in the fact that, in his study of woman-headed families, Beittel (1992) identifies 1985 as a key date in the re-emergence of this family form. This is the period when the restrictions imposed by

³⁰ This in no way undermines the important struggle of black women to live with their husbands, partners, sons and families in general, in the wake of apartheid's draconian legislation that forcefully kept black families apart.

apartheid began to weaken. Pass laws became increasingly impossible to implement, and numerous squatter settlements grew around the main cities in defiance of apartheid restrictions on black people's access to live in the city. In 1986, the need for black people to carry passes was formally abolished.³¹

3.5.2 Access to housing, inheritance and the right to ownership of assets

In South Africa all women, including black women, have the right to own property, to inherit property, to enter into individual contracts on their own behalf, and all forms of discrimination with respect to these rights have been removed. Black women are no longer minors, under the control of male kin (father, son and husband) or traditional leaders.

Since the adoption of the Constitution a number of constitutional court judgments have reinforced women's rights and their treatment as equals with men in various spheres of this patriarchal society. In 2008 the Women's Legal Centre reported several High Court and Constitutional Court cases in which the rights of women as equal to men were upheld (Women's Legal Centre News, 2008). This included the case of Ms Gabie-Hassam, where the court ruled that the 'exclusion of women in polygamous marriages from the Maintenance of Surviving Spouses Act (MSSA) and Interstate Succession Act (ISA), is unconstitutional. The High Court in Durban ruled in the case of Mrs Gumede, that the provisions of the Recognition of Customary Marriages Act also applied to customary marriages concluded before the Act; this enabled Mrs Gumede to inherit from her husband's estate (Women's Legal Centre News, 2008). In the case of Ms Govender, the exclusion of women married in Hindi rites from the Marriage Act 25 of 1961 was struck down as unconstitutional; this made it possible for Ms Govender to inherit property in terms of the law of succession (Women's Legal Centre News, 2008). These judgments reinforced women's right to inheritance and a share of the property of their husbands in a divorce. Access to these assets enabled women to live on their own; they do not need to retreat into cohabitation against their will.

³¹ The Abolition of Influx Control Act of 1986 amended the 1927 Black Administration Act in order to repeal sections relating to the forced removal of black communities and individual black persons.

Venter and Marais' (2006: 69) study in Turflaagte, Maungaung Local Municipality in the Free State, argues that women have benefited from adequate housing provision but that aspects of the state's housing policy do not always benefit women, especially female-headed households. In South Africa the government's housing policy promotes gender equality and has 'no policy-related obstacles' to women becoming homeowners' (Venter and Marais, 2006: 72).³² The General Household Survey 2006, indicated an overall increase in access to government subsidies, and that more female-headed households (11.6%) than male-headed households (8.3%) had government subsidies (Stats SA, 2007: xxvi). Black women's access to state social housing, the RDP houses, in their own capacity, without the need of any man's support has enabled women to live together with their children. Access to housing is pivotal in women achieving autonomy (Venter and Marais, 2006). The recent study of Women's Property Rights, HIV/Aids and Domestic Violence in South Africa and Uganda, illustrated that women's increased property rights reduced their vulnerability and they were in a generally stronger position to negotiate their rights with men (ICRW, HSRC, AfD, 2008). The researchers concluded that because of their overall rights, including property, South African women have a decided advantage and are less at risk than their counterparts in Uganda (ibid).

Denis (2006: 3) bemoans the decline in marriage from a Catholic Christian perspective. Marriage was defined as a 'sacrament' within the Catholic Church since the 12th century. Between 1995 and 1999, 58-60% of women between the ages of 15 and 49 never married (Denis, 2006: 4). People no longer get married because they cannot 'afford the abusively high price of *ilobolo* and not because they are 'born sinners' (Denis, 2006: 6-7).

Notwithstanding Denis' concerns, the Constitution recognises all forms of marriage - religious, civil and customary. Even 'vat en sit' or common-law living together or cohabitation is recognised, of same sexes and of heterosexuals. Importantly, the Constitution affords women important rights to independence and to live as woman-

³² An analysis of the housing subsidy scheme reveals a lack of gender sensitivity in general (Venter and Marais, 2006: 72). The government's 'incremental policy' that women can contribute to the housing process without straining their already multiple roles in the home and the community, has had a negative impact, especially on female-headed families with young children, and elderly female-headed families (Venter and Marais, 2006).

headed families with their children. Amoateng and Richter (2003: 262) argue that fewer people among the younger generation are getting married. Women are not just remaining unmarried, but they are choosing different family arrangements. Children are recognised and are no longer deemed illegitimate because they are born out of wedlock. The rights of all women are concretised in their ability to sustain and keep their families together, and access to a house is important in maintaining this independence. The women's rights achieved were part of the molecular social processes and difficult historical struggles, including black women's migration to the city – from amongst others, Mozambique, the Orange Free State and Basotholand (Bonner, 1990) - to live independently and to support their children.

3.5.3 Impact of Neoliberalism

Although they acknowledge that 'the South African government's current macroeconomic policy is guided by a neoliberal framework, the Growth Employment and Redistribution' (GEAR), Webster and Adler (1999: 363) argue that notwithstanding the power of globalisation, the country's social movements together with new institutions such as the National Economic Development and Labour Advisory Council (NEDLAC) may create a 'bargained liberalisation' (ibid: 362).³³ Webster and Adler (1999: 347) discuss the possibility of a class compromise, an economic transition oriented towards growth and redistribution commensurate with South Africa's political 'miracle' transition.

Despite left Keynesian options such as the Macro Economic Research Group Report (MERG) (1993), and the Reconstruction and Development Programme (RDP) (1994), the GEAR strategy was presented to the South African Parliament as a non-negotiable economic framework for 1996-2001 (HDR, 2003: 63).³⁴ This confirmed continuity with the Normative Economic Policy, the National Party government's strategy (formally adopted in 1993). The MERG provided for the key role of the state to provide leadership and co-ordination for broad-based economic development. The GEAR strategy in contrast, promotes 'the market', encourages fiscal discipline and a

³³ NEDLAC is a tripartite structure that includes labour, business, government and community.

³⁴ All these options were associated with progressive intellectuals and consultations with the trade unions and community movements (see Webster and Adler, 1992: 363-371, for an account of this).

reduction of the deficit, trade liberalisation, monetary control, privatisation and the deregulation of financial markets (Khanya, 1997).

Although the GEAR strategy has been contested, workplace restructuring has led to unemployment and retrenchments, and the privatisation of basic services (Lehulere, 1999; Bond, 2000; McKinley & Naidoo, 2004). Since 1994, there is a significant increase in social inequality amongst black people (Terreblanche, 2002), especially amongst black women (Hassim, 2005; Makgetla, 2004; Budlender, 2003; and Valodia, 2000); and this is linked to the GEAR (Lehulere, 1999; Bond, 2000; and Seekings and Nattrass, 2006).

At an international level, Bakker and Gill (2003) argue that neoliberalism has shifted the burden of social reproduction onto families, especially women. Writing on South Africa, Cock (2006) argues that neoliberalism is responsible for the ‘crisis of social reproduction’ and that black women have become the ‘shock absorbers’. The GEAR has placed enormous pressure on livelihoods and deepened the economic and social vulnerability of women (Budlender, 2003; Makgetla, 2004). Its symptoms are ‘the breakdown of social solidarity, intra-household and community conflict, substance abuse, domestic violence and the proliferation of other crimes’ (Webster and Von Holdt, 2005: 31-38). Already noted in Chapter 2, Webster and Von Holdt (2005) and Cock (2006) provide important insights into understanding the crisis and its impact but do not reflect on how the crisis of physical and material life impacts on the structure and social relations within the working class, on black families, and especially black woman-headed families.

3.5.4 Women’s access to waged work and the right to work

Black women’s access to income generation improved with the abolition of influx controls and apartheid discrimination, and their constitutional rights include the right to work. Black women are therefore free to participate in the labour market, subject to the broader economic limitations of neoliberal capitalism, gendered and historically specific in South Africa (Makgetla, 2004).

A comprehensive literature exists in South Africa on the nature of work restructuring, the feminisation of labour and its negative consequences for women and men in South Africa (Valodia, 2000; Budlender, 2004; Casale, 2004; Makgetla, 2004; Von Holdt and Webster, 2005).

At a broader level, in developing countries work restructuring resulted in women's increased labour participation while that of men decreased; and women's unemployment decreased while men's increased (Standing, 1999: 588). Glover and Kirton's (2006: 6) study in Britain found that economic restructuring benefited women - jobs increased in sectors traditionally associated with women's work such as services.³⁵ Although women appear to have benefited from the restructuring, they remain in vulnerable forms of work.

In South Africa, while similar restructuring processes occurred under the GEAR, there are some differences. Unemployment is significantly high for young people, and 75% of black women under 30 years old are unemployed (Makgetla, 2004; Hassim, 2006). Black women have higher rates of unemployment, almost ten times as high as for white men, and form 51% of the unemployed (Makgetla, 2004: 4; Hassim, 2006). The General Household Survey, 2006 (Stats SA, 2007: 80), indicates that the unemployment rate for black women was 42%, compared to 23% for so-called Coloured women, 22% for Asians and 10% for white women. In stark contrast, the unemployment rate for black men was 28% and 4% for white men (Stats SA, 2007: 80). At the level of the household, Stats SA (2010: 68) indicates that female-headed households are more likely than male-headed households to not have a single employed household member. Although the proportion of male- and female-headed households without employed members have been declining, more than 40% of female-households and more than one-fifth of male-headed households are affected (Stats SA, 2010). A significant number of female-headed households are older persons on old age grants, thus indicating the high levels of unemployment in households where female-heads are eligible to work (Stats SA, 2010).

³⁵ More than half of women are employed in sales, hotel work, catering, and health and education, and so they are vulnerable to economic downturns (Glover and Kirton, 2006: 23). The 'growth' in jobs has been in low-skill, low-status, part-time work, which is often the only available option (Glover and Kirton, 2006: 6).

While the resegmentation of the labour market in South Africa is moving towards atypical forms of work, black women still perform the most vulnerable, least lucrative low paid work (Valodia, 2000). In 2003 half of all women employed were engaged in domestic and sales work, and 8% were in farming (Makgetla, 2004: 7). Women are consistently paid less than men, with little promotion or training, in gender-based jobs (Kenny, 2001; Budlender, 2003; Casale, 2004; Makgetla, 2004). This contributes to the structural basis of why women's skills and development generally lags behind that of men.³⁶

In South Africa, the absence of significant training and development exacerbates the apartheid legacy that already accounts for the racial and gendered inequality in skills acumen and development with respect to black working women. The structural constraints on black-woman-headed families are hidden behind indices of poverty. The nexus of colour, class and gender inherited from apartheid remain structural factors that continue to dominate and inform the nature of black women's work and their social status and economic position (Hassim, 2006).

The informal economy is particularly gendered and racialised. Black people comprise 83% of the informal economy nationally, and black women comprise 49% of the sector (Valodia, 2000:5). Informal work is mainly in private homes (37%) and in trade and commercial services (25%) (Valodia, 2000: 5-6). Men tend to work in trade, construction and agriculture and women to work in domestic work and trade; women's skills tend to be low while men's skills relate to machine-operating and craft-related occupations. The skills base reflects the historical and gendered basis of work in South Africa.

Domestic work, although regulated by the state, forms the largest section of the informal economy, 96% are black women and 93% earn less than R1 000 a month

³⁶ Clarke's (1919) discussion of working life in the seventeenth century highlights important insights that are relevant here. Clarke (ibid) argues that once work and family was separated historically, in the transition to capitalism, women were systematically excluded from participating in work outside the home. This exclusion has continued historically, and has ultimately reduced women's skills until it becomes objectively difficult to keep up with, and participate in work, other than unskilled work (Clarke, 1919). This objectively increases the gap in the social positions of men and women, and gender inequity as a whole (Clarke, 1919).

(Makgetla, 2004: 8). Domestic workers as a single category of employment represent 6.9% of the total South African workforce (Labour Force Survey, September 2006).

In Vanderbijlpark, the town closest to Bophelong, the research site, 60% of informal traders are black women, some are self-employed and some are employees (employed by others) (Monareng, 2003: 50-51).

3.5.4.1 *Domestic work restructured*

As noted earlier, domestic work, historically associated with black women since the 1930s (Ally, 2009), has also been restructured so that it is predominantly live-out and part-time work (Ally, 2008a: 2).

Given the structural limitations and the nature of their work, domestic workers are particularly vulnerable to racism, sexism and other forms of exploitation. The South African government passed important legislation to govern labour relations and to eradicate racism and sexual harassment.³⁷ The ‘establishment of a national minimum wage together with other legislative interventions and domestic workers’ demands were accommodated, and wages and working conditions have improved’ (Ally, 2006; Ally, 2008a: 7).³⁸

The restructuring of domestic work began in the 1970s, and by 1985 most workers were employed part-time rather than full-time, as the dominant form, and prefiguring the re-organisation of work in the new South Africa by a decade (Ally, 2008a: 14). Nationally, part-time work was 55% of the workforce (Stats SA, 2003; see discussion in Ally, 2008a: 14). The restructuring within domestic work is related to changes in the regime of accumulation, although the beginning of the transition to ‘live-out’ work was linked to workers’ struggles to be with their families (see Ally, 2008a), and importantly, workers’ struggle over the length of the working day.

³⁷ The Labour Relations Act (RSA, 1995), which includes the Code of Conduct on Sexual Harassment.

³⁸ At the same time Ally (2008b: 13) argues that the state as ‘articulator, representative, and protector of domestic workers’ collective interests’ have displaced and depoliticised the union. This is debatable, and has implications for the agency of individual and potential union members, though an analysis is beyond the scope of this thesis.

Almost 50% of domestic workers work part-time; almost 80% work for one employer, suggesting that a large number of part-time workers who work only one day a week, work for a single employer (Ally, 2008a: 22). The income for domestic workers who work for one or two days a week, is very low. Makgetla (2004) suggests that part-time domestic workers face employment insecurity. Notwithstanding technological changes, the work process within the home is intensified, creating further pressure and exploitation of workers (Ally, 2008a: 21).

Within this context the potential significance of Sectoral Determination 7 (RSA, 2002), which sets minimum wages for domestic work, is objectively reduced.

3.5.5 *Care work*³⁹

While domestic work has a relatively long history in South Africa, care work is relatively new and includes childcare, therapy, and jobs providing ‘face-to-face service to clients’ (England, 2005: 383).⁴⁰ Care work has become widespread internationally. This includes providing services to people ‘that helps develop their capabilities’, including childcare and all types of health workers (England, 2005: 383). The nature of their work is ‘care as a public good’ (England, 2005: 385).⁴¹ ‘Care contributes to the intellectual, physical and emotional capabilities of recipients’ (England, 2005: 385). Like any other work, the nexus of colour, class and gender influences care work internationally; the jobs that require a college degree are done predominantly by white women and jobs that do not need education are done by women of colour (often immigrants), and are low-paid (England, 2005: 384). This is besides the overall gender gap in pay that results from men and women working in different jobs, and not just being paid differently for doing the same work (England, 2005: 382).⁴² In the debate on the devaluation of care work, some theorists argue that female-dominated work that involves care is ‘especially devalued because care is quintessentially a female-identified activity’ (England, 2005: 383).

³⁹ Care work is used in the literature to describe many different things, work in the home that is both paid and unpaid, and home-based care work similar to the ASEDI volunteers which use is accepted as such for purposes of this thesis.

⁴⁰ One needs to note that domestic work in South Africa has included caring for children, but was not categorised as ‘care work’.

⁴¹ Folbre (1994, 2001), however, points out that all care work, paid and unpaid, may create public goods.

⁴² Baker (2008) notes that the problem for the egalitarians in care work is that they reinforce a gendered division of labour.

In South Africa, care work has taken the form of volunteer work or home-based care work. The survey on home-based care work in South Africa indicated that seven out of ten households interviewed had one home-based care worker, and that 60% of home-based care workers were women (Valodia, 2000: 6).

Fayers (2005) is particularly critical of the South African public health system's incapacity to respond to the HIV/AIDS crisis and the way the South African government has shifted its responsibilities to home-based care workers. There are more than 17 000 women on the register of the Department of Social Development rendering home-based care (Fayers, 2005: 38).⁴³ Fayers (2005: 38) notes that school-leavers are 'exchanging the disillusionment of unemployment for voluntarism'. The provision of important public care services is based on women's 'martyrdom and voluntarism' (Fayers, 2005: 37). Fayers points out that the volunteers are exploited because they cannot access proper wages or social benefits, or the necessary protection provided by legislation.⁴⁴ Ultimately it is the South African government that employs the volunteers, predominantly women, and is responsible for their exploitation, the nature of their work, including the unsafe conditions, the lack of training, their precarious status as workers and their generally poor levels of remuneration. England (2005) argues that the nature of a society's care rewards impacts on gender inequality, and in South Africa the nature of this undermines substantively the struggle for gender equity, itself induced by structural poverty. That black women volunteer work under these precarious conditions in post-apartheid South Africa needs to be explained, given women's far-reaching rights enshrined in the country's Constitution.

3.5.6 Contradictions of the state's gender policy

Although Pateman's (2000) discussion on patriarchy is in the context of the welfare state in Europe, it provides a useful framework for understanding the role of the South

⁴³ The number of volunteers is considerably higher.

⁴⁴ Various pieces of labour legislation provide for workers – for example, the Basic Conditions of Employment Act and the Occupational Injuries and Diseases Act (Fayers, 2005: 38). If any home-based worker is HIV infected through the care of persons, they will not receive compensation.

African state, particularly with regards to the volunteers or home-based care workers. Similarly, Moghadam (2003: 137) discusses the 'public patriarchy' of the state (and the labour markets).

Pateman (2000: 133) argues that theoretically and historically the primary criterion for citizenship was independence, based on masculine attributes and abilities. Pateman argues that in the current context women can only be citizens as 'lesser men'.

In South Africa while the Constitution reflects the demands of the working class' anti-apartheid struggle, the post-apartheid state, infused with the legacy of apartheid and the neoliberal agenda, reflects a particular 'alliance of masculinities' (Connell, 2006) and patriarchies. This explains the inherent contradictions within the South African state: on the one hand, the state as the custodian of the country's Constitution is responsible for implementing gender equity; on the other hand, informed by its macro economic GEAR policies, the state subcontracts care work to non-government organisations that recruit black women as volunteer workers, without social benefits and the protection of labour (and other relevant) legislation. Volunteer workers do important health and social welfare work that arguably falls within the ambit of the state's Constitutional responsibilities. As the indirect employer, the state is culpable for the conditions under which volunteer women workers work.

Despite having full citizenship, the state's volunteer care-workers, in the myriad forms that they exist, express the concrete absence of rights. The new job opportunities (including care work) remain precarious, a consequence of work restructuring, the casualisation of domestic work and the HIV/AIDS pandemic. This raises important questions about the state's role: as the employer the state is inadvertently reproducing the historically gendered nature of black women's work; and as guarantor of the Constitution, and in particular the implementation of women's rights, it is falling far short of its intended role.⁴⁵

⁴⁵ However, the volunteer workers have the potential for collective mobilisation against a public employer, the state, not only to improve their conditions as workers but to concretise their rights more broadly as citizens.

Notwithstanding the limitations to the nature of their work, access to waged work is important in underwriting black working class women's ability to exercise choices, especially with regards to the family forms they feel most comfortable with (Hassim, 2008).

3.5.7 Low wages, state social grants, poverty and the rise of woman-headed families

3.5.7.1 State Grants and the rise of woman-headed families

In post-apartheid South Africa there are four major social grants in South Africa, namely the Old Age Pension (OAP) for persons 60 and over, the Foster Care Grant (FCG) for non-biological children, the Disability Grant (DG) (for adults with disabilities), the Care Dependency Grant (for children with disabilities) and the Child Support Grant (CSG). The grants are means tested and do not discriminate on the basis of colour or gender.⁴⁶ The OAP and the CSG are particularly studied in this thesis given their importance for children and the elderly.

Historically, the apartheid government's State Maintenance Grant (SMG) provided a portion of the grant to the caregiver, and in this way acknowledged the parents' contribution to care (Hassim, 2005; Lund, 2008). It was largely the mother who was engaged in full time childcare (Hassim, 2005). The post-apartheid government abolished the SMG in 1997, and introduced the CSG, extended to all children in South Africa based on an age qualification and a means test (Lund, 2008). While mothers remain predominantly responsible for childcare, as caregivers, they do not receive any state support (Hassim, 2005; Hunter and Adato, 2007; Van Driel, 2008).

The fact that the grants do supplement the income of women is the basis for the derogatory comments about women who deliberately access the 'thigh grant'

⁴⁶ This was not always the case, before the OAP was 60 for women and 65 for men. This was changed incrementally through the Social Assistance Amendment Act (Act No. 6 of 2008), and since 2010 men also access their pensions at age 60.

(Hassim, 2005) - that is, those who deliberately have babies just to access the Child Support Grant – even though research carried out by the Department of Social Development has dispelled this a myth.

Table 3.1: Social grant beneficiaries: Type of Grant/Province: April 2003-April 2007

Type of Grant	April 2003	April 2004	April 2005	April 2006	April 2007
Old Age Pensions	2 009 419	2 060 421	2 093 440	2 144 117	2 186 189
War Veterans	4 594	3 961	3 343	2 832	2 326
Disability	953 965	1 270 964	1 307 551	1 319 536	1 437 842
Foster Care	138 763	200 340	252 106	312 614	381 125
Care Dependency	58 140	77 934	88 889	94 263	103 992
Child Support	2 630 826	4 309 772	5 661 500	7 044 901	7 879 558
Total	5 808 494	7 941 562	9 406 829	10 918 263	11 991 032
Province					
Eastern Cape	1 071 448	1 501 031	1 743 007	2 094 642	2 255 034
Free State	366 979	503 063	596 083	678 522	734 145
Gauteng	701 962	976 533	1 165 679	1 318 981	1 406 375
Kwazu-Natal	1 344 936	1 836 975	2 149 969	2 498 888	2 913 720
Limpopo	808 553	1 152 621	1 412 882	1 640 032	1 750 286
Mpumlanga	395 636	580 684	704 070	836 451	893 647
Northern Cape	138 969	169 102	188 578	213 512	233 592
North West	462 418	637 312	777 722	888 065	998 382
Western Cape	517 593	584 241	668 839	749 170	805 851
Total	5 808 494	7 941 562	9 406 829	10 918 263	11 991 032

Source: Intergovernmental Fiscal Review, Socpen, National Department of Social Development, In Social Development Vote, (2007: p 334).

Between April 2003 to April 2007, the beneficiaries of state transfers increased from 5 808 494 to 11 991 032, an increase of 106% (Republic of South Africa Social Development Vote, 2007: 334). The CSG accounts mainly for this increase, from 2 630 826 in April 2003 to 7 879 558 in April 2007, an increase of 200% (ibid). The CSG is for children from indigent families, who qualify in terms of the means test. Almost 8 million children live in families with ‘low means test compliance’ income. The CSG recipients are predominantly single, black women with children, and the

grants are the main source of family income (Hassim, 2005: 8; De Koker *et. al.*, 2006; and Hunter *et. al.*, 2007). The CSG recipients were 90% black and 10% so-called Coloured, with a mean age of 36 (De Koker *et al*, 2006: 2730).

In terms of marital status, De Koker *et. al.*, found that 30% were married and 52% had never married. Sixty-six percent (66%) were biological parents and 85% were sole-caregivers. Black single women with children play a pivotal role in the care and responsibility for children, with the CSG as the main source of income.

The state grants are important in the reproduction of whole families, and not only the intended recipient; and this was supported in the recent study on the CSG (Delaney *et. al*, 2008: 30). The number of grant beneficiaries in South Africa increased from 3 million in 2000/2001 to 12.4 million in 2007/2008 (Armstrong *et. al.*, 2008: 21). Of the poorest households in South Africa, 69.4% reported that they earned income from the social grants, and grants were the main source of income for 47.1% of the poorest households (Armstrong *et. al.*, 2008: 21). The Statistics SA (2009) states that one in ten households rely on state grants for at least half the family's total income.

The income levels of the woman-headed families are extremely low (Makgetla, 2004). The only income that is derived from wages is from the women themselves, working in low income, and precarious forms of work, (discussed above). The income women earned from full time work or holding down two or three casual jobs is low; rendering the minimum wage regulation meaningless (as discussed above). For many women their income is so low that they comply with the state's means test requirements and are eligible to access the social grants. Those women with children young enough to qualify for the CSG are therefore able to supplement their income.⁴⁷

Although wages are the single most common source of income for female-headed families (46%), the combined income of remittances and social grants is the main source of income for almost half (49%) of female-headed households (Stats SA, 2010: 66). The percentage of female-heads whose main source of income was pensions and grants, is also still quite high (35%) (ibid).

⁴⁷ Similarly, Bezanson (2003: 182) found in her study in Ontario, Canada, that single women's wages were so low that they qualified for state grants to supplement their income.

Stats SA (2010: 67) notes that one-third (33%) of the members of female-headed households were grant recipients in 2009, compared to 18% of male-headed households. This is because female-headed households are more likely to be grant recipients (of the CSG or the FCG) and to contain and care for children (ibid). The mean percentage of grant recipients per household has been increasing steadily since 2002 for both male and female-headed households (Stats SA, 2010: 67).

In South Africa, households headed by elderly persons increased from 19% in 2002 to 21% in 2009 (Stats SA, 2010: 81). A significant number of households headed by elderly persons are females (ibid: 67). However, only 17% of households headed by elderly persons contain two generations while almost one-third contain three or more generations. Almost 18% of elderly-headed households can be categorised as ‘skip generation’, an elderly person likely to be living with their grandchildren. Households headed by elderly blacks persons are most likely to be ‘skip generation’. A significant number (40%) of elderly persons live in households with a monthly income of less than R1 200 month (ibid: 91). With regards to their main sources of income, 67% of elderly persons’ income was derived from pensions and grants. Between 2002 and 2009, the proportion of elderly persons who access grants fluctuated between 66% and 70%, and increased to 71% in 2009 (ibid: 92). Elderly-headed households – grant recipients - increased from one-third in 2003 to almost half (47%) in 2009. (ibid: 93); and they tend to be more female- than male-headed; and those households with children increased significantly since 2007 (ibid: 93).

Earlier, national studies indicated that Old Age Grants maintain the whole family (Tati, 2008).⁴⁸ Until recently a significant proportion of poor households were dependent on incomes derived from Old Age Grant (Stats SA, 2009: 5).⁴⁹ The mean percentage of total household income derived from the OAG has decreased from 47% in 2003 to 31% in 2007 (Stats SA, 2009: 6). This has been effected by the Child

⁴⁸ As in South Africa, in the United States grandmother-headed households tend to depend on social security and retirement income, although this is more pronounced for racial and ethnic minority groups than for whites (Snyder *et al.*, 2006:619). Grandmother-headed households tend to be poorer than households headed by single mothers (Snyder *et al.*, 2006:620). As will be evident below, in South Africa, while also true in general, this is not always the case. In the US, woman-headed families headed by grandmothers are more common among the black population, which also has the highest poverty rate (Snyder *et al.*, 2006).

⁴⁹ By 1999, already nine million people benefited from the Old Age Grant (Hassim, 2005), whereas the actual number of grant OAP recipients was far less, just over 2 million in 2003 (see Table 3.1 above).

Support Grant: the percentage of households benefiting from at least one CSG has increased significantly from 16.8% in 2003 to 29.2% in 2007 (Stats SA, 2009: 6). However, the CSG is equivalent to R210 a month, which is far below the OAG (R940 a month). The recent Stats SA (2010) report indicates an increase in grandparents, especially grandmothers, as heads of families, indicating that they carry the burden of families.

An emerging relationship exists between female-headed households (both young and older women), that the main source of their income is derived from a social grant and/or pensions. A large number of older persons (66%), and woman-heads below 60 years (35%) source their main income from a grant. More children live in female-headed households (Stats SA, 2010: 58). Indicatively, the poverty levels within woman-headed family-households are significant, especially given that they constitute 38% of total households in South Africa (and that grandmothers as woman-heads increased to 21%) (Stats SA, 2010).

3.5.7.2 Poverty and inequality

There are two aspects to the discussion here, the inequality between households within South Africa, and internal household consumption.

3.5.7.2.1 Inequality between households

According to the Income and Expenditure of Households 2005/2006, Analysis of Results (Stats SA, 2008), the total annual household consumption in South Africa was R700 billion. On average, each household spent R56 152 per year and the average household income was R74 589 per annum (ibid: 3).⁵⁰ The main household consumption expenditure was: housing, water, electricity, gas and other fuels, transport, and food and non-alcoholic beverages. On average each household spent R13 245 on housing, water, electricity, gas and other fuels through the year. Food expenditure tends to decline as a proportion of consumption expenditure, as

⁵⁰ This is about R6 215.75 a month, for twelve months.

household incomes increase. Black households spent a larger proportion on food than any other group (ibid).

The composition of household income was as follows:

The bulk of the income (74%) was from work activities with salaries and wages totalling R599.9 billion (65% of gross income); self-employment and business income totalling R90.9 billion (almost 10% of gross income); and social insurance and grants accounted for R56.8 billion (6% of gross income) (Stats SA, 2008: 8).

The contrast in household income in South Africa is staggering. The Analysis of Results (Stats SA, 2008) reveals that 10% of the population earn more than 50% of total household income in the country, and the poorest 40% account for less than 7% of household income; the poorest 20% (derived from work and social grants) accounts for less than 1.5% of income (Stats SA, 2008: 10). While the average household income is R74 589 per annum, a significant proportion of black people's income is far below this, based on a social grant.

On average, less than 1 in every 10 black households (9%) earned an annual income within the upper income quintile; almost half (49%) of black households were below the middle-income quintile (ibid: 10). In contrast, almost four out of every 5 white households (79%) earned an annual income within the upper income quintile (ibid: 10). In comparison with the other population groups: 46% of Asian/Indian and 28% of so-called Coloured households were in the upper income quintile (ibid: 10).

Poverty is still higher among black households where one in every four (25%) earned an annual income within the lowest income quintile compared to 1% of white households. The Gini Coefficient for the country was 0.80, and when social grants and taxes are included this is reduced to 0.72 (ibid: 11). Inequality in South Africa is high between population groups and within different population groups, and the nexus of colour and class remains a feature of post apartheid South Africa.

3.5.7.2.2 Inequality and woman-headed family-households

Based on the income and expenditure survey of households 2005/2006 (IES2005) (Stats SA, 2008a) and the General Household Survey 2006 (GHS2006) (Stats SA, 2007), the 'lower bound' poverty line, which includes essential food and non-food consumption, amounts to R322 per capita per month according to 2000 prices; the 'upper bound' poverty line includes an additional R271 for non-essential food items, and amounts to R593 per capita per month (Stats SA, 2008a: 8).

What does this actually mean in terms of the expenditure and consumption of woman-headed families? The IES 2005 of Statistics SA (2008a) indicates that an amount of R211 (2000 prices) per person per month is enough to satisfy the daily energy requirement of 2 261 calories with the foodstuffs available to low-income South Africans.⁵¹ This amount was the food component of the poverty line (Armstrong *et al.*, 2008: 26). An amount of R111 is allowed for essential but non-food items, bringing the total per capita monthly minimum to R322. Statistics SA used the R322 per capita per month in 2000 prices as the 'lower bound' poverty line.

The IES2005 findings confirm that poverty is high in South Africa, and that consumption levels in 33.2% of households was below the 'lower bound' poverty line, and 53.3% consumed less than the 'upper bound' poverty line (Armstrong *et al.*, 2008: 8). Poorer households tend to be bigger and when measured in terms of individuals, 47.1% and 67.6% consumed less than the 'lower bound' and the 'upper bound' poverty lines respectively. Of the poorest households, 62.3% lived in the three poorest provinces (KwaZulu-Natal, Eastern Cape and Limpopo), and poverty was higher in rural (57.1%) than urban areas. Poverty was higher among black (54.8%) and so-called coloured (34.2%) individuals than among whites (0.4%). The IES2005 reported that 45% of all female-headed households lived below the 'lower bound' poverty line, compared to 25% of male-headed households. In contrast, 76.8% of the richest households in South Africa, predominantly white households, were male-headed and 23.1% were female-headed.⁵²

⁵¹ R211 at an indicative conversion rate of R7 to US \$1.00, amounts to US \$30.

⁵² All the citations in this paragraph are from the IES2005 (Stats SA, 2008: discussed in Armstrong *et al.*, 2008: 8-13).

Poverty also increased with the age of the head of the household, and this reflected relatively high poverty rates among households headed by individuals aged 65 and older, (14.4% of total households). This clustered around recipients of state Old Age Grants (Stats SA, 2008b: 14-15). Households headed by those between the ages of 45 and 65 account for 49.6% of all poor households (Stats SA, 2008; Armstrong *et. al.*, 2008: 15) – which is significant for people still in the most productive years of their lives. Based on average household income, white households earn over seven times more than black households (Stats SA, 2008b: 19), indicative of poverty amongst black households in general, and not only woman-headed families.

Women (including woman-headed families) tend to be poor because the work they do is devalued and their wages are low (Picchio, 1992; Glover and Kirton, 2006; Makgetla, 2004; Hassim, 2008). In the social reproduction of the new generation of workers, women, and in particular woman-headed families subsidise the state (and capital) with their unpaid labour (Picchio, 1992). Picchio (1992) argues that this explains why, despite their hard work, women remain the poorest sector of the population internationally. This is demonstrated in the case of the social grants, especially the CSG, where single mothers, often unemployed, are responsible for the reproduction of children without any support for themselves. For those women who are employed, even as casuals, the grants make a difference in their poverty levels (Stats SA, 2010). Without this supplement to their income, a large section of single women with children would fall into absolute starvation, and in this context the social grants make a significant difference (Hassim, 2006; Van Driel, 2008; Ally, 2009). In this context the responsibility for children and their social reproduction falls to women, and especially the woman-headed families. Notwithstanding the Constitution and women's rights, women's objective social reproductive responsibilities confine and circumscribe their growth and development.

In the context of widespread poverty the grants play a significant role, especially in the lives of children. Notwithstanding this, the daily struggle for survival objectively habituates children to living in conditions of impoverishment, and to particular living

standards.⁵³ This affects the social reproduction of children as a whole, in this instance, working class black children, including their morale and their self-concept. This tends to curtail children's social expectations of themselves, for themselves, the nature of the work they would like to do and the lives that they expect to live.⁵⁴ The tendency to drop out of school, low achievement at school, teenage pregnancies (Department of Basic Education, 2009) and involvement in criminal activities and drug abuse (Webster and Von Holdt, 2005: 31) reflect the impact on the working class socially and at the level of the individual. In the South African context, infection rates for HIV/AIDS are high amongst youth and Hunter (2007) has pointed out the correlation of HIV/AIDS to poverty. In South Africa poverty is structural.

3.5.7.3 *Childcare, work and woman-headed families*

Given the role women have played and continue to play in rearing children, their ability to participate in the labour market requires a solution to their child-minding and child-rearing functions. In South Africa, a number of women employ the services of privately-run crèche facilities in townships, or they employ child-minders to enable them to access work opportunities. Access to child-minding facilities for some black working class women has been facilitated by state subsidies to crèches, through the Department of Social Development (Aidsbuzz, 2010).

Nakano Glenn (2007: 29) notes that despite its commodification, 'caring labour' is still treated as part of the private family, and this view is supported by Ally (2009). Ally (2009) refers to the 'dual childcare regime', where black women provide privatised care to middle class families, largely white, while their own children are cared for by family members.

⁵³ This seems to correlate with the needs of the lower segment of the labour market where the demand is for a majority with no 'accumulated technical skills' (Standing, 1999: 583).

⁵⁴ Child mortality rates are indicative of the overall well-being in a country. According to the *Limpopo Leader*, (2008:4) a University of Limpopo publication, the United Nations (UN) estimates South Africa's Under 5 Mortality Rate (UFMR) to be 69 deaths per 1 000 live births (*Limpopo Leader*, 2008:17). The major causes of death include lower respiratory tract infection, diarrhoea, severe infections and meningitis. More than 50% died from symptomatic HIV and two-thirds were malnourished. Since signing the Millennium Development Goals in 2000, South Africa is one of 12 countries where the UFMR has increased. Countries that have done better in this regard, and that do not have the resources and infrastructure that South Africa has, include Malawi, Tanzania and Mozambique (*Limpopo Leader*, 2008: 17-18).

Many more black women, however, have to care for their own children because they cannot afford to pay for childcare (Hassim, 2005; De Koker *et. al.*, 2006; Van Driel, 2008). The women's informal networks often assist with their child-minding needs. These networks include family relatives, siblings (who care for younger children), friends and neighbours (Muthwa, 1994; Ally, 2009). Hassim (2005) is critical of the South African government's promotion of familism that maintains women in gendered roles.

3.5.7.4 *Fathers and Child Maintenance*

The literature on fathers maintaining children is sparse, and a national survey is needed (Morrell, Posel and Devey, 2003). Information from studies in several countries indicate that fewer than half of all maintenance orders are complied with, and indications are that the situation in South Africa is considerably worse (Richter, 2004: 5).

In her study on the social grants in South Africa, De Koker *et. al.*, (2006) found that single women were largely responsible for maintaining children. This viewpoint was largely supported by Hassim (2006); Hunter *et. al.* (2007); Cock (2008); and Van Driel (2008). Stats SA (2010: 9) confirms that children are more likely to live with their mothers (38%) than their fathers (4%). There are more children in female-headed families, and this includes children living in skip generations who live with grandparents and/or grandmothers (Stats SA, 2010: 58).

In 1998 the government passed the Maintenance Act (RSA, 1998b), guaranteeing the socio-economic rights afforded children in the Constitution by ensuring that every child has the right to a standard of living adequate for the child's physical, mental, spiritual, moral and social development. The Act ensures that maintenance for the child is recovered from the parent. In a case at the Constitutional Court, the discussion in the Court highlighted the issues relating to especially father's maintenance of children:

"It is not only women who have these difficulties," Martin van Twisk told the court in response to arguments that mothers struggled greatly to get their

maintenance payments as a result of court inadequacies. "Men who want to apply for reductions in their maintenance orders ... are sometimes in a difficult situation where they also cannot get access to the court," he said.

"Come on, let's be realistic," Judge Johann Kriegler responded. "They [fathers] simply don't pay ... [pending the outcome of applications for reductions in maintenance payments]. Isn't that the way it still works? It is the mother who bears the burden."

Judge Albie Sachs told Van Twisk it seemed as if court inefficiency had led to delays in favour of his client – maintenance defaulter Laurie Noel Bannatyne. "It seems he later discovered the disadvantages himself," the judge said.

For his part, Judge Zak Yacoob said Bannatyne had clearly not been prejudiced. "He simply does not pay in the hope the order will be set aside."

Geoff Budlender, for the Commission for Gender Equality, argued that the Maintenance Act passed in 1998 had not removed jurisdiction in such matters from the high courts. He said the maintenance system in the lower courts was ineffective and slow, with recipients often struggling to get their money.

"We are not arguing that the system never works for nobody, but that it is slow, inefficient and unreliable. In the meantime, women live in the real world – a world which has not been transformed by an act passed in 1998," Budlender said. (NEWS 24, 2002: 32).

This brief discussion in the Constitutional Court is indicative of the problems of fathers maintaining their children. The burden is placed on women, as Judge Kriegler stated, as women are responsible for rearing children on meagre incomes and some state support.

3.5.7.5 Gender-based violence and woman-headed families

In South Africa violence against persons is very common, particularly unprecedented against women and girls, and men and boys, and is overwhelmingly perpetrated by men (MRC, 2009).⁵⁵ Despite women's constitutional rights, gender-based violence towards women and children in South Africa is extremely high. Many children are subject to physical violence at home, and more than one-third of girls experience some form of sexual violence (unwanted touching, forced sex, coerced into sex by older men), before the age of 18. Forty percent of rape reports to police are from girls under 18. In 1999 there were nearly 3 800 female homicides (24.7 per 100 000 of the overall population) – six times higher than the global average (4.2 per 100 000). Fifty percent of all women homicides in South Africa were committed by intimate male partners (Abrahams *et. al.*, 2009). Forty to fifty percent of women report having being victims of violence.⁵⁶

In one study in KwaZulu-Natal, 28% of men interviewed reported having raped a woman or girl, and non-partner rape was more common than partner rape (Jewkes *et. al.*, 2009: 3). Jewkes *et. al.* (2009) states that 10% of boys had first raped a girl when they were under 10 years old, 16% were between 10 and 14 years, and 46% were between 15 and 19 years; and many were gang rapes. Men who are physically violent towards intimate partners are likely to have HIV and this is consistent for violence, sexual risk-taking, and the finding that women who experience violence are more likely to have HIV (Jewkes *et. al.*, 2009: 5). Besides the general fear that has developed among women, the relationship of violence to HIV/AIDS and the severity of the pandemic in South Africa are major sources of concern.

In their discussion the MRC (2009) highlight the correlation of violence against women and inequality. South Africa has the worst income inequality and the highest levels of homicide found in one study of 63 countries (MRC, 2009: 1). Based on studies in South Africa and Brazil, unemployment, particularly male unemployment, correlates with high rates of femicide and assault (MRC, 2001: 1). This is linked to

⁵⁵ All statistics in this paragraph are taken from MRC (2009) unless otherwise stated.

⁵⁶ Budlender and Moyo (2004) argue that the new Maintenance Act has subjected women to increased violence – this includes secondary victimisation by the justice system, stigmatisation, physical harassment and murder.

dominant ideas of gender hierarchy and that women should submit to men (MRC, 2001: 1). Unemployment, together with the public discourse of women's rights, has emasculated and engendered fragility in black men, and their frustrations are often displaced onto women.⁵⁷ Lehmann (2000) notes that issues related to power and authority often result in mental and physical violence in marriage, in parenthood and in sexual relations.

Johnson (2005: 1127) identifies three types of intimate partner violence, a) violence enacted to control one's partner (intimate terrorism), b) violence used in response to intimate terrorism (violent resistance) and c) violence that is not a pattern of power but situational or a response to a particular conflict. All three types of violence can be frequent or infrequent, and can range from minor to major homicidal assaults (ibid). The first, intimate terrorism is gender-based and is related to 'traditional gender attitudes and misogyny' (ibid: 1128) of men wanting to control women.⁵⁸ The second type refers to women who respond or defend themselves (ibid). The third type of violence can be enacted by both men and women. Johnson's typology is useful for understanding violence within couples. In the South African context, besides violence being gendered, especially towards women and children within families, Jewkes' (2009) study with young boys points to the need for broader social analysis. Besides couple violence, there is also parental abuse and violence towards children. This includes a broad spectrum of verbal, emotional and physical abuse, and is relevant to the study of families.

The pertinent questions that arise for this particular study where fathers are predominantly absent are: to what extent if any, does violence occur in woman-headed families; and what are the modalities of violence in the woman-headed family where they do occur?

While domestic violence is high in South Africa, its relation to women becoming single-heads of their families is not clear. The literature indicates that women tend to

⁵⁷ There is a long history of systemic and structural violence in South Africa related to colonialism and the particular development of capitalism, where the migrant labour system became pervasive. See Qabula's (1989) account of his violent childhood at home and his work life.

⁵⁸ In an earlier paper Johnson referred to this as 'patriarchal terrorism' versus common couple violence that was linked to historical notions of men's 'right' to control women, a more feminist perspective (1995: 283-285).

become heads of families because of desertion, death, separation and divorce (Muthwa, 1994; Ziehl, 1994). Further research and theorisation is needed to ascertain the actual conditions of the 'separation and divorce'. This may throw light specifically on the relation between high incidence of violence and women opting for separation and divorce. I return to these issues in the course of the thesis.

3.6 Size and Structure of the woman-headed family form in South Africa

Spiegel, Watson and Wilkinson's (1996: 25) study of black households in Cape Town, although statistically unrepresentative, demonstrates diversity and fluidity among blacks that throws the model of 'the "standard" nuclear family into question'. Spiegel *et. al.* (1996: 7) notes that the issue of 'domestic fluidity' as a phenomenon has only recently acquired 'academic currency'.

Ross' (1996) study in the Western Cape confirmed that black families are flexible, diffuse and fluid. Ross (1996: 66) found that children lodged with relatives and friends while their parents were mobile, and that people ate in different units to those in which they slept. She argued that the choices made by men and women in the face of poverty were based on friendship and not necessarily because of obligations related to kin. Ross (*ibid*) concluded that the 'household' was therefore inadequate as a unit of study with regard to the 'nature of the boundaries' and 'domestic (re)production and consumption'. Ross' study points to the importance of investigating families at the level of their social relations.

In Muthwa's (1994: 4-6) study of female-headed households in the black township of Orlando East in Soweto in South Africa, she found that of the 6 000 households 40% were *de jure* female-heads and 60-70% were *de facto* female-heads.⁵⁹ The composition of the families included dependents of the female-head and members of the extended family, and a 'disproportionate number of children and elderly'. Muthwa

⁵⁹ Although the literature does not make the distinction between household and family, including both Muthwa (1994) and Dungumaro (2008), there is no family patriarch who 'returns' to reclaim his role as head of the family. In the majority of these cases, what is designated as woman-headed households is in fact woman-headed 'families'. See the discussion in Chapter 2.

argues that extended members were more likely to be unemployed, and that this influenced the family's fluid composition as increasingly the burden of urban poverty fell on women.

In South Africa female-headed households are more likely to be larger than other households, and have an average household size of 3.7 compared to 3.3 for males (Stats SA, 2010: 75). The child dependency ratio is larger for female-headed households than for males, and children on average constitute one-third of members of female-headed households compared to one-fifth of male-headed households (ibid: 75). Female-headed households are more likely to contain more elder persons, and the old aged dependency ratio is higher for female-headed households (ibid).

The size of households that only contain older persons is estimated at 4.1.⁶⁰ While the average size of the male- or female-older person household was 4, this is slightly higher than the national average of 3.5 persons per household. This tends to support the position that older people are increasingly responsible for the care and support of the household. Elderly-headed households with children had the highest dependency ratio (averaging 1.3), of all categories, compared to households headed by individuals aged between 18 and 59 (0.46), and South African households in general (0.54).

Dungumaro (2008: 446) found that female-headed households tended to be larger in size than male-headed households.⁶¹ The female-headed households tended to significantly include more elderly persons, adults and children.

Chant's (2002) study of female-headed households in Mexico also found that woman-headed families tend to be extended and she argued that the woman-heads incorporate additional kin to assist with domestic chores, childcare and income. Similarly, Smith and Wallerstein (1992) argue in general, without differentiating with regard to woman-heads, that households in developing countries tend to pool their resources.

⁶⁰ An interesting observation was that households headed by white older persons, especially females, are more likely to comprise non-related individuals than households headed by other population groups; and Stats SA argues that perhaps the elderly are combining their resources (2010: 82).

⁶¹ Dungumaro's (2008: 446) study was based on data from the South African General Household Survey (Stats SA 2002), collected primarily to inform development performances of different government projects and programmes.

Dungumaro (2008: 439-40) argues against the position that the extended family was a strategy to enable the sharing of resources, as in her study the households comprised mostly children and the elderly who depended on the head for support. However, Dungumaro (2008: 440) argues that the need for social and emotional support within female-headed families is best met by including relatives in the households. Dungumaro's (2008) argument that female-headed households are larger because historically women tend to nurture and care for the sick, the elderly and children, is convincing. What is clear in all these studies is that the composition of the woman-headed family is fluid (Muthwa, 1994; Datta *et.al.*, 2000; Chant, 2002; Dungumaro, 2008).

Tati (2008) brings a different dimension to the study of the woman-headed family. Statistics SA (2010: 98) indicates that the grandmother-headed family has increased significantly from 19% in 2002 to 21 % in 2009. Tati (*ibid*) discusses the position of grandmothers, single-woman-headed-families caring for their grandchildren because the middle generation, the 'skip generation', has died (usually as a result of AIDS). (In the context of the HIV/AIDS pandemic, the 'skip generation' needs more consistent investigation.)

Almost 18% of households headed by older persons can be categorised as skip generation households (2010: 82). Households headed by blacks (followed by so-called coloureds) are more likely to be 'skip'. 'Skip' generation households constitute 10% of all female-headed households (2010: 75). Households headed by older females have a higher total dependency ratio (on average 1) than those headed by older males (0.84) (Stats, SA, 2010: 98). This is higher than female-headed households that have a dependency ratio of 0.8 compared to 0.4 in male-headed households.

3. 7 Summing up

In this chapter the rise of woman-headed households and later their transition to woman-headed families was shaped by the particular development of capitalism in

South Africa, dispossession of land, traditional society and traditional culture, and the agency of women and men to live their lives despite adverse conditions.

The emergence of the woman-headed family form since the 1930s was not a linear one, and was further interrupted when the NP came to power and apartheid was implemented. Many of the political and juridical gains of women in the democratic post-apartheid period were prefigured during the apartheid period, by different generations of women, as a result of their daily struggles against pass laws and so forth.

Woman-headed families have become an important part of the social landscape of contemporary South Africa. The political and legal changes brought about by the end of apartheid in 1994 have created spaces for the development of this family form. The availability of RDP housing together with other democratic and juridical rights have provided an important context for the woman-headed family form to grow. There is no social stigma attached to being a woman-head as a result of women's struggles, particularly in the anti-apartheid period.

However, despite the context and gains of the new democracy, woman-headed families live under conditions of generalised poverty and hardship. The significance of this family form in South Africa today has induced contradictory responses from the state: on the one hand the state has adopted policies (like the GEAR) that have engendered and exacerbated the poverty of woman-headed families. On the other hand, the state has had to intervene through various forms of grants to prevent sections of the working class – especially woman-heads - from descending into absolute starvation.