# Desperate Co-wives

## The illegality of polygamy in the new Mozambican Family Law

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Thesis submitted in partial fulfilment of

Master of Philosophy in Anthropology of Development

DEPARTMENT OF SOCIAL ANTHROPOLOGY
UNIVERSITY OF BERGEN

Spring 2008

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*To the families that opened their homes and hearts, for transforming my thoughts into reality*

# Acknowledgements

To write acknowledgements is always complicated and unjust. There are always those who are not named and yet have contributed to the writing process. For a thesis is just like a child, it takes a whole village to raise one. For this reason I apologise before hand to all those who have contributed to this project and are not mentioned in these acknowledgements. I would like, however to acknowledge the role of the following people for their exceptional contribution to the outcome of this research and my personal growth. I am grateful to Professor Leif Manger for inspiring me on the focus and scope of the research topic; Professor Vigdis Broch-Due for her strict orientation that forced me to better structure my ideas and discipline my chaotic methods; Inge Tvedten for his thoroughness and inspiring comments; Bjørn Enge-Bertelsen for patiently providing me with strength, support and inspiration when I needed the most, and also for bringing me close to home whenever I missed it; Professor Anne Bang for introducing me to an exciting new world and all the inspiring discussions; Knut Myhre for his insightful comments and critical analysis; Karin Ask for that most needed first push and the continued curiosity that kept me going; Nordic Africa Institute for the financial support during my fieldwork and continued support during the writing process; AustralCowi, particularly Emília Mapoissa and my director Luís Magaço Jr., for all the logistical and institutional support during the fieldwork; Mr. Daniel David at STV, for his generous contribution to the opening event of this work; to the anthropologists (and sociologists) at UEM (Universidade Eduardo Mondlane) with whom I had the privilege to discuss my ongoing work, and from whom I received the most brilliant insights and comments; my mother for living the field with me and supporting me in this and other projects, for being an inspiration to my notion of womanhood; my father for providing me with a privileged intellectual background; Melita for being a sister and pulling my ears whenever I needed; and finally to three great colleagues and friends: Dirce Costa, who opened her home to me and helped me start when I did not know where to start from; Sandra Roque for many many things, but particularly for teaching me to be my most fierce critic, and how to work word documents more efficiently; last, but not least Minna Tuominen who unwittingly provided me with the theme of this research, and with whom I first discussed my ideas. I am particularly thankful to all other unnamed friends with whom I have discussed the topic, who challenged my preconceptions, pointed out my weaknesses, and forced me to mature my ideas and person. To all of you I extend my deepest gratitude. This thesis would not have existed if it was not you all.

# Glossary

| Expression | Etymology | Meaning |
| --- | --- | --- |
| Amantismo | Portuguese | To engage in extra-conjugal affairs. |
| Bairro (pl. –s) | Portuguese | Neighbourhood or borough. It is one of the smallest administrative units in the urban areas. |
| Capulana (pl. –s) | Undetermined | Length of cloth used by women for all purposes. Most commonly it is used to wrap around their waist as skirts. It is also used to carry babies, and other general uses like baby diaper, table cloth, curtains, bed sheets and so on. It is equivalent to the South and Southeast Asian sarong, and was most likely introduced in Mozambique by south Asian traders. |
| Cédula Pessoal | Portuguese | Document issued at birth required for issuing subsequent documents like identity card, marriage certificate or passport. |
| Colono (pl. –s) | Portuguese | Settler |

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| Compadre (f. Comadre) | Portuguese | Co-father or co-parent. Usually refers to a close friend with whom one shares the responsibility of raising a child. Bond often created through church, with baptism godparents. |
| Curandeiro (pl. –s) | Portuguese | Traditional healer and/or witch doctor |
| Emakwa (Makwa) | Language (People) | Language spoken throughout a considerable stretch of land, along the northern coast of Mozambique, from the Zambezi River, all the way to the Rovuma River and into the Niassa lake (Geffray 1990). |
| Esteira (pl. –s) | Portuguese | Straw mat |
| FRELIMO | Portuguese | Acronym for Frente de Libertação de Moçambique (Mozambique's Liberation Front). It is the movement that fought and won the independence war and became the ruling party after it. |
| Guano | From Quechua 'wanu' (via Spanish) | Faeces from bats and seabirds. It most often used |

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|---|---|---|
| | | as fertilizer. |
| Gwevar | Slang | Informal trade in which the trader buys products in bulk from across the border and re-sells them in informal markets in Mozambique. It is usually an activity carried out by women. |
| Hijab | Arabic | Islamic veil |
| Indígena | Portuguese | Indigenous. During their colonial rule the Portuguese created a set of institutions that differentiated between the settler citizens and the native Mozambican subjects (O'Laughlin 2000). There were three categories, the indigenous (native), the assimilated (in between native and civilised), and the European. |
| Kaya | Tsonga | House |
| Kulovola | Tsonga | It is the *lobolo* ceremony, which 'inscribes the individual in a set of kinship and affined relationships that define rights and duties' (Bagnol 2006). |

| Lobolo | Tsonga | Bridewealth. Lobolo is the Portuguese spelling of what otherwise is generally known as *lovolo* or *lovola.* |
|--------|--------|-------------|
| Machamba (pl. –s) | Undetermined. | Small field or patch of land where crops and vegetable are grown. |
| Mahari | Local derivative from the Arabic *mahr*, used in Northern Mozambique by the Muslim populations. | It is the dower or the bride-worth (Bonate 2005). It is rather an indirect form of dowry than a dower in the strict sense, since it is the man who offers it to the woman (Schlegel 1991). |
| Mahlevo | Tsonga | Gossip; to speak ill of someone without the person being present. |
| Mana (m. Mano) | Portuguese | It is short for the word 'irmã', meaning sister. Among siblings it is usually used for the elder sisters. It may also be used to refer to elder female cousins. Among non-kin it establishes a relationship of trust, confidence and equity. |
| Mehndi | Arabic/Urdu | Henna powder, used to |

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|---|---|---|
| | | paint hair and to decorate hands and nails, particularly on festive occasions. Common among Southern Asian, Middle Eastern and Maghrebi women. Islamic women over the world have also been influenced by this fashion statement. |
| Metical (pl. Meticais) | Undetermined | Mozambican currency |
| Mucume (pl. me–) | Tsonga | *Mucume* is usually two *capulanas* sown together. It is used as bed linen or to make dresses. The stitching is embroided, which makes this cloth more valuable than the simple *capulana*. |
| Muti | Tsonga | Home after marriage (see also Loforte 2000). |
| Neneca | Undetermined | Act of carrying a child on the back, wrapped in a *capulana*. |
| Nikahi | Local derivative from the Arabic *nikah*, used in Mozambique by the Muslim populations. | Marriage |
| Kimwani (Mwani) | Language (People) | Language spoken mainly in Northern Mozambican |

| | | province of Cabo Delgado. |
|---|---|---|
| Quran | Arabic | The holly book of Islam |
| Ramadan | Arabic | Holly month of fasting |
| RENAMO | Portuguese | Acronym for Resistência Nacional de Moçambique (Mozambique's National Resistence). It was the movement that fought against FRELIMO's authoritarian regime and unpopular socialist policies. It is said to have been financed my external sources, such as the South African and the Rhodesian apartheid regimes (Hall 1990, Hall and Young 1997). |
| Salaam Aleikum | Arabic | Literally it means 'peace be with you' and is the standard greeting in Arab and for Muslim people. |
| Secretário (plural –s) de bairro | Portuguese | Secretary of the borough. Usually refers to the party representative at any given administrative level. |
| Senhor (f. Senhora) | Portuguese | Respectful way to address a man (person). Equiva- |

| | | lent to mister. |
|---|---|---|
| Shariah | Arabic | Islamic rule of law |
| Sheik | Arabic | Literally it means 'elder' but usually refers to men versed on the ways of Islam. These men are among the most influential in the Islamic communities. |
| Talaqa | Local derivative from the Arabic *talaq*, used in Northern Mozambique by the Muslim populations. | Divorce. Literally it means repudiation (Bonate 2005) |
| Tsonga | | The Tsonga languages are mainly spoken in the southernmost eastern coast of Mozambique; around Maputo, Gaza, Inhambane and Southern Sofala Provinces. |
| Xilandi (Malandi) | Language (People) | Language spoken in Southern Mozambique. It is one of the dialects of the Xangana, a language from the Tsonga language group. |
| Xindau (Mandau) | Language (People) | Spoken mainly in the Southern part of Sofala and Manica provinces, as well as some areas in |

Northern Inhambane and
Zimbabwe. The language
is considered part of the
Shona language group
(Hall 1990).

# Setting up the stage

In 2004 Mozambique approved a new Family Law. The new law substituted a law instituted during the Portuguese colonial rule. It is promoted, mostly by feminist lawyers and activists, as being more in line with the Mozambican Constitution, several international legal instruments (particularly those regarding women's rights), while at the same time reflecting Mozambican culture and identity. Polygamy[1], which is a wide spread marriage practice in the country, particularly in the rural areas, remained illegal. The principal reason said to be behind the outlawing of the practice is the idea that polygamy, particularly in the Mozambican context, is a practice that is humiliating and diminishing to women. In this paper, I will argue that maintaining polygamy illegal may actually play against some of the women the law is trying to protect; particularly since the law does not eliminate per se the mechanisms of the patriarchal system that may compel women to accept, cope with and/or be trapped in polygamous relationships. I intend to explore experiences of polygamy as they are lived and how these experiences are affected by the new Family Law.

## *A mind setting event*

I had just arrived to Mozambique to conduct fieldwork when an event became widely commented both in public and private spaces, and unwittingly made its way into my field of analysis. The event seemed on one hand to illustrate the complexities of marital relations in the country, while at the same time exposing the contradictions of the Family Law and its ability to respond to people's interests; particularly those of women. It was of particular interest to my research because it was an example of how people eventually become entangled in situations that lead to polygamy. It also showed how the illegality of polygamy decreases arenas for marital negotiation where women can defend acquired rights.

The event was aired by the country's biggest private TV station as primetime news, as follows:

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[1] The common form of Polygamy in Mozambique is Polygyny by which a man may have more than one spouse. The alternative form – Polyandry – by which a woman would be able to have several spouses, is strongly rejected is generally considered unnatural and far from common local practices. This means that when the law impedes polygamous relationships it refers exclusively on polygynous ones.

*'Citizen abandons woman with whom he lived maritally for the past 12 years to marry another. However, at the place where they were to be wedded the ceremony turned into authentic chaos.' (STV, Telejornal 28.06.07)*

The news was accompanied by a picture of a man sitting and staring up with a 'busted' look in his eyes. A picture of his *de facto* wife holding an infant in her arms was then scrolled in. The journalist proceeded to explain that until the previous day the man in the picture had been living with the 'young mother' being shown in the picture, in a *de facto* relationship that had lasted 12 years and produced three children. On the day of the event the 'young mother' was confronted with news that her husband intended to marry another woman. She decided to go with her parents and other relatives to the Wedding Palace, where the ceremony was to be held, to prevent the wedding from taking place. The Wedding Palace is a remnant of the socialist secular ideology. It accommodated those who want a pompous wedding without the religious component. Jennifer McDowell (1974), one of the few authors to study religious phenomena in the Soviet socialist context explains:

*'In the course of time, the [Soviet civil] ceremonies have been intended to strengthen Soviet authority, to undermine traditional religious systems, to serve socializing agents in the incorporation of Soviet moral norms and the Soviet meaning system, and to more securely link the individual with political system. Less consciously, the ceremonies may serve as sources of social stability and the private ceremonies specifically as means of preparing individuals for different stages in the life cycle.' (McDowell 1974: 265)*

The Wedding Palace thus was the physical structure that facilitated the institution of marriage. Presently it is still part of the marriage scene in Mozambique, though religious ceremonies have regained prestige. However, mostly wealthier and prominent citizens marry in the palace, due to the fees required to rent the space and pay for the solicitor.

The appearance of a woman contesting a marriage in such a noble house was bound to attract journalists. And as 'the young mother' in the piece hoped for she got to say in public the reason she opposed the union of the couple:

*'He is my husband for 12 years now. I met him in 1995. We dated, and in 1997 we had out first child, a boy. The boy is named (x), after his father. Then I had the second child, a girl. This is when he came to my [parent's] house to introduce himself. When I met him he didn't work... He slept at home with me yesterday. He woke up in the morning...*

*he set the alarm on my [cell]phone. He woke up at 6:00 [am]. I heated water for him to bathe. Then he got dressed and left. Said he was going to work. Hours later some girls came and told me [that he was about to get married to another one].' (STV, Telejornal 28.06.08)*

She later refers to the introduction of her 'husband' at her parent's house as her 'anelamento' (engagement). The 'anelamento' is the ceremony that usually precedes the *lobolo*[2], the actual ceremony between a man and woman and their respective kin. The *lobolo* has been equated to bridewealth, by which the man becomes attached to the woman's family in a series of duties and obligations. One of the most important aspects of the *lobolo* is that it entitles the man to claim paternity of the children produced by the union (see Arnfred 2001, Bagnol 2006). For the woman this is important because she legitimises both her relationship and her children. The basic structure of the *lobolo* process has been retained throughout times, also in urban areas (Bagnol 2006).

When the journalist asked if she knew he had a relationship with another woman she dismissed his affairs as unimportant:

*'He has done so for years, but never with the same woman. At a certain point he even told me that [these relationships] didn't really matter (…) Monday he asked for my engagement letter. He asked if I still had it. And I answered that I didn't know where I had left it. Last night when he came [home], he took me in his arms and set me by his side and said: know that I never stopped loving you, I will always love you.' (STV, Telejornal 28.06.08)*

To everyone's surprise, including that of the journalist, the solicitor argued in favour of the groom. She insisted that the woman present proof that she was indeed married to the man she claimed to be her husband. Under the new law all non-civil ceremonies should be transcribed into the civil books. Traditional ceremonies such as the *lobolo* should be witnessed and sanctioned by the local leader, to be recognised as official. It was highly unlikely that at the time her engagement, in 1997 – i.e. prior to the new law, the ceremonies included the transcription or any form of formal registry. Her inability to produce a document that could prove her

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[2] Lobolo is the Portuguese spelling of what otherwise is generally known as lovolo or lovola. It is a bridewealth practice common among Southern African patrilineal groups.

claims meant that there was no legal impediment for the man to be wedded to the other woman. The solicitor explained her position in the following terms:

> *'As for the children, it is an issue for the minor's court. The minor's court will determine what the father should pay as alimony for the children. As for (…), the house and other conditions that the lady is imposing, perhaps… [pause] that should be resolved within the family or she could even contact a court. But at THIS time, what I can tell you is that 'having lived together and had children' does not constitute impediment [for the civil wedding to be carried out with another spouse].' (idem.)*

In reaction to these declarations the tension rose among the relatives of the 'mother of the children of the groom', as the journalist called her. The 'father of the mother of the children of the groom' is shown saying angrily:

> *'Listen lady [solicitor]! It is better that the wedding is not carried out. Otherwise there will be a huge row. Because he [the groom] should do EVERYTHING that I tell him. Because, not even the relatives of the [groom's] father are here. They are not here. Is this the right way to act?' (ibid.)*

The witnesses present agreed with the father of the 'wife'. A woman is seen telling the journalist: 'we are against the wedding TODAY; he first has to resolve the situation with his wife at home, and then get married to the other one', to which the crowd agrees loudly.

The end of the piece showed the bride-to-be getting into a car, with her hands covering her face, and appearing to be crying. The journalist finalises as follows:

> *'This is the bride. She came into the Wedding Palace dressed as a bride. For obvious reasons and because of all the chaos that has happened here today she is leaving in normal clothes, i.e. day-to-day clothes; under heavy police escort. All because things were not done properly.' (ibid.)*

Later the same TV channel announced that eventually the groom and bride got married at the bride's godfather's place. Although there was little public sympathy towards the groom's actions, in the eyes of the state there was nothing wrong with his marriage intentions.

## *Drama unfolding – the politics of polygamy in a postcolonial universe*

Several interesting issues arise from this event. I have transcribed the specific terms used by the different actors to illustrate how individuals construct and attach value and meaning to social acts. It is evident in this story that meanings of concepts such as husband/ wife and marriage are highly subjective and malleable. Both the journalist and the 'mother of the children' share the understanding that she is 'married' to the groom because they have shared a conjugal life for 12 years, he completed all required formalities with her kin group, and she bore him children. The journalist insistence on her status as a mother of the groom's children is central to his argument for the legitimacy of the relationship and thus to the woman's claims. However, the state representative proved them wrong by presenting what according to the state represents marriage, which does not include *de facto* marriage or bearing children as grounds for preventing a civil marriage.

## Language, meaning and action in lived worlds

To be a husband or a wife and to be married are concepts with meanings shaped by the 'situated contexts in which people live in' (Griffiths 2001: 102), as well as the social roles they happen to be playing. From this follows that all actors – the individual, the relatives, the media and the state representative – attribute different meanings to the same action, some of them concurrent, some of them conflictive, and will use discursive modes to validate their constructed meanings and legitimise the act. Validation and legitimacy are important to attain social recognition and in turn assure inherent rights to the act. On the subject of meaning it is appropriate to use Wittgenstein's notion of 'language-games' to understand how language is attached to social acts in that they are both 'governed by norms or rules that determine legitimate moves' (Myhre 2007: 303) within specific social contexts. Language is used to communication but also to inform ways to act upon. These acts are, in turn affected by individual interpretation, as well by a shared 'lexicon' of meaning between 'speaker and interlocutor' (Myhre 2007, Scruton 1986). The specific terms used by social actors encloses the value that enables the right to secure legitimacy of claims. This notion is useful in that analysis of social acts is not based on abstract assumptions of ideological unity of the social subjects under study but on 'practical interrelations and material extensions' (Myhre 2007: 325) that relate to a set of concrete and socially sanctioned meanings. The insistence by the journalist on naming

the woman as 'the young mother of the groom's children' clearly shows how age and motherhood play important roles in this social context.

An act that produces such fluid meanings also produces complex analytical domains. Early theorists in anthropology have taken marriage, and the resulting kinship allegiances, as a result of the commoditisation of women's productive and reproductive capacities (Bagnol 2006: 3, Verdon 1981: 799-800). Women as commodities could be accessed through ritual exchange such as bridewealth. These exchanges served to legitimise the relation, compensate for the bride's productivity and fertility, and thus legitimising the offspring of the relationship (Bagnol 2006: 3). This position has been criticized by those who consider that marriage and it's terms of exchange vary from area to area and depend on intricate negotiation among the parties (Bagnol 2006: 4, Griffiths 2001: 112). Currently there is a shift towards an understanding of marriage systems as an integral part of the 'societal worldview' (Bagnol 2006: 5) of specific historical and spatial contexts. The study of marriage has thus become less about the forms by which women are commoditised through marriage and more about how marriage itself is embedded in other social institutions, such as the state (idem).

I favour a notion of marriage that transcends family or kinship realms, and that is affected by local, as well as national and global events and arenas. I believe the concept of commodity is useful, though I would argue that it is applicable to both man and women. My approach to commoditisation does not necessarily entail 'objectification in some form, transforming persons and their bodies from a human category into objects of economic desire' as commoditisation theorists usually do (Sharp 2000: 293). I am more interested in how individuals convert marriage into social capital, which puts value on both men and women as potential marital partners, thus transforming them both into commodities. In Bourdieu's framework, this capital offers a potential of resources available to the individual through a 'network of more or less institutionalised relationships of mutual acquaintance and recognition' (Bourdieu 1986: 248). This means that individuals consciously work on constructing strong and favourable social networks to increase their social advantages.

In sum, each subjective construction of meaning is attached to a specific arena that legitimises marriage according to its specific rules and norms. Though aware of the norms that rule over different arenas, individuals will use discursive modes that better capitalise on their social capital. But the choice of arenas can also be fluid and contextual. For instance, the claiming party in the event described above makes use of the kinship network, to claim the woman's

married status through the presence of her family and relatives, and by stressing the absence of the 'husband's' relatives to legitimise his new wedding. At the same time they show awareness of the state law, by referencing the incident with the 'engagement letter'. Finally, the woman also resorts to the arena of sentiment and emotion to appeal to public sympathy. She reassures her legitimacy as wife by how she remained the man's partner despite multiple infidelities.

But hierarchy of authority between competing legitimising arenas is also subject to fluidity. The state's authority is acknowledged by the woman and her relatives when they decide to take the 'case' beyond the family forum into the public forum. But the actions preceding her plea – private engagement mediated by her *lobolo* – suggest that in the day-to-day life of citizens private or communal practices, rituals and religion often take precedence to any state legislation. Mozambique uses, as most other former colonies, has been inherited from its coloniser, in this case Portugal. Though the new Family Law claims to be more respectful of local culture and identity, it is still positivist in structure and format. The positivist model promotes a uniform view of the law. It also separates the social realm from the legal realm, in a hierarchical relationship that sets the legal rules apart from and above social rules and processes (Griffiths 2001: 103-104). This is why the civil marriage in the event above could be conducted, because its claim, however socially weak, was legally strong. The impartiality the formal legal system pretends to be based on allows only a particular interpretation of marriage, and it does not consider socially meaningful acts such as *lobolo* or child bearing unless properly formalised. This marriage preposition fails to recognise the 'legality' of the terms and processes in which it has been negotiated (Griffiths 2001: 106). It is also indifferent to the consequences of not recognising these processes. The solicitor, vested with the authority of the law, seems to be reacting with impartiality. Law here is presented as 'an autonomous field with immunity from everyday life' (Griffiths 2001: 104), and thus unprejudiced and devoid of culture. Culture and tradition are viewed as the emotional opposition to rational formalised legislation, when in effect we are faced with an opposition between two different 'cultural' constructs of meaning; a western rights' based culture and a 'local' social practice based culture.

## Feminist thinking in a postcolonial world

The study of any African context, particularly as regards the relationship between the state and the individual, can never been understood without contextualizing it within its colonial

past and postcolonial present. Postcolonial literature has for long now dwelt on the master narrative that is encapsulated in the modernity paradigm (Comaroff and Comaroff 1993: xii). As the Comaroff's point out:

> *'As an analytical term, it [modernity] becomes especially vague when dislodged from the ideal-typical, neo-evolutionary theoretical frame that classically encases it less in reference to the "real" world than by contrast to that other chimera, "tradition."'* (idem)

The opposition between tradition and modernity has continuously played in the background of the countless discourses and political actions that decide over the fates of postcolonial subjects everywhere. The underlying idea is that humanity advances towards a universal and ideal state; from primitive to civilised. Postcolonialist theory has challenged this master narrative and exposed the power relationship left by the colonial experience, which for the most part determine 'the terms – democracy, liberalism, rationality – by which political life the world over would be conducted' from independences on (Cooper 2005: 15). But postcolonialism, in its critical analysis of grand dynamics, has often ignored the agency of the postcolonial subject (de Broeck 1996: 80, Comaroff and Comaroff 1993: xiv, Cooper 2005: 4, Shohat 1992: 112). My position within the postcolonial framework is one that recognises the power dimensions which constraint political decisions in Mozambique, but also acknowledges the contributions and participation of the postcolonial state in the negotiation of the outcome of these decisions. I understand the new Family Law to be <u>not</u> the result of passive incorporation of the modernizing model, but as part of the postcolonial complex that congregates multiple and contradictory worldviews. This position respects the ownership claimed by Mozambican scholars, activists and citizens that participated in the discussion and/or agree with the content of the law. It also acknowledges that the content is a product not only of Western influence, targeted particularly by the postcolonial critique, but also of other cultural and historical influences. These include the Islamic presence in Mozambique, the socialist experience and a long history of trans-national trade and population mobility.

I do agree with the postcolonial preposition that the modernity paradigm is filled of fallacies. Yet I will not engage in the discussion whether there is only one or multiple modernities (see Comaroff and Comaroff 1993, Ferguson 1999). My concern is not whether tradition and modernity are at odds with each other, but rather how the new law is able to protect each citizen's interests, and how that relates to everyday practices. This brings us to the feminist elements of

the law. As I have mentioned before, the new Family Law intends to respect the Mozambican Constitution, international legal instruments including those regarding women's rights, as well as Mozambican culture and identity (Joel 2005: 1, WLSA 2003: 2). There has been a long discussion among feminists on how women's rights can be better defended. More commonly the discussion has polarised between 'north and south', where so called Third World feminist scholars find that Western feminists acknowledge the power imbalances that exist between men and women, but fail to see the power imbalances that exist also among women or those caused by other social categories such as class, race or ethnicity (Arnfred 1999, Arnfred 2002, Cowan et al. 2001, Nzegwu 2002, Oyewumi 2001).

The feminist movement has often been separated into three waves (e.g. Aronson 2003). The first wave is associated with the suffragist movement in the nineteenth and early twentieth centuries in England and the US. The major concern was to overturn legal obstacles to equality, like the right for women to vote. The second wave refers to the period roughly between the 60s and 70s, when feminists became concerned with inequalities in the private sphere. Third wave feminism stems from the postmodernist critique, and addresses the perceived failures of the second wave achievements and initiatives. Postmodernist feminists such as Judith Butler, or minority and postcolonialist feminists such as bell hooks, Aida Hurtado or Chandra Mohanty strongly criticize second wave feminism for its essentialist and ethnocentric views of what it means to be a woman (Abu-Lughod 1993: 4, Arnfred 2002: 5-6). For these authors second wave feminism, which they equate to western feminism, is based on middle class white women's experiences and don't always relate to other women's lived realities. Most of the criticism relates to how the category woman and her subordination are perceived to be universal (Oyewumi 2002: 2, Sacks 1979). Sacks (1979) seconded by Oyewumi (Arnfred 2002: 8) expose the biologic determinism behind such feminist conceptualisation of womanhood. The result is ideas on the prospects of gender equality that are irrelevant for contexts other than western and middle class.

Women's position within marriage has been discussed widely and polygyny has been attacked by feminist as a marriage form particularly detrimental to women's position and gender equality. Several initiatives tried to improve women's position. One such initiative is the Conference for the Eradication of all forms of Discrimination Against Women (CEDAW), sponsored by the United Nations. It has come under attack for failing to take adequate account of the voices, views and needs of non-western women (Griffiths 2001: 104-105). CEDAW favours

registration of marriage and the abolition of polygamy, and has pressured governments to meet these standards by reforming domestic laws. So far these reforms have demonstrated that they don't take the gendered worlds within which women live and make their choices into account (Griffiths 2001: 105-106). The new Mozambican Family Law is part of the CEDAW project, and fully supported by Mozambican feminists; which shows that Third World feminists are also not a united 'voice' in the fight for women's rights. In my opinion Fraser is absolutely right when she says that 'feminist scholars have demonstrated again and again that authoritative views purporting to be neutral and disinterested actually express the partial and interested perspectives of dominant social groups' (1989: 181). I believe in Mozambique opinions are polarised between middle-class urban educated women, and rural or impoverished urban women. This is not to say that rural women are unaware of gender inequalities they are subjected to; they simply seem to be preoccupied with a different set of needs. My intention here is not to take a relativistic approach to my analysis. Again, according to Fraser 'to say that needs are culturally constructed and discursively interpreted is not to say that any need interpretation is as good as any other' (idem).

The problem with registration of marriages in Mozambique is that the state does not have the capacity to establish relevant institutions everywhere, and where it is present people may not be willing or able to fulfil the demands of formalisation. As a result the majority of married women live in *de facto* unions (INE and MISAU 2005: 88) from the state's perspective; which does not invalidate that they might be recognised as 'formally' married within other arenas. As referred earlier, according to the new law religious and traditional ceremonies may be recognised as formal by the state, so long as the relevant data is transcribed to state registers. This has increased the number of state recognised arenas for legitimising marriage, but the example of the 12 year union without formal registry in urban Maputo, where registration institutions are readily available, implies that there are factors conditioning people's personal legal choices the state is not yet addressing.

## Agency and autonomy conditioned by structure

States have the need to register to control and govern (Curtis 2002). My interest relates to how individual preferences influence the choices among the different arenas available to them. The same way the new law is not addressing the factors conditioning the choices regarding the formalisation of marriage, it also does not take into account factors that may conduct individuals to engage in polygamous relationships. From the event presented above, it is clear that

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there is a social sanctioning for a male to engage with multiple partners. The 'mother of the children' did not seem to mind that her 'husband' cater for his lust, until it endangered her social and financial security. The assurance of the house they have 'built together' and the alimony for the children becomes central in her demands. She reinforces her right to the property insisting he was not able to maintain the family when they first met, because he didn't work. This detail implies that whatever they managed thereafter was a joint effort to which the new woman companion should not have access to. It is difficult to tell how the story would have gone had the 'mother of the children' not found out about her 'husband's' impending marriage. A possibility is that it would have become a polygamous relationship, with a wife recognised by the state and another by custom. What is certain is that despite the pro-feminist intentions of the law, it didn't quite manage to protect the interests of both women simultaneously.

Let us suppose that if the man could be legally tied to two women he would have been forth-coming in his intentions and try to negotiate with his first wife the acceptance of a co-wife. They might have not lived happily ever after, but it would decrease the feeling of uncertainty of the first wife. Impeding polygamy, the law does not protect the rights and dignity of <u>every</u> women's. Women 'trapped' in any patriarchal system have shown capacity and ability to play within its rules and both use and challenge patriarchal power (Kandiyoti 1988; Griffiths 2001). The 'mother of the groom's children' did so by bringing her father to protect her interests, who in turn demanded the presence of the groom's male parentage to fully acknowledge and negotiate the legalization of his intended marriage.

I am of course not implying that polygyny does not have elements of inequality in it. It is difficult to argue against the fact that by sanctioning male but not female multiple partnerships we are faced with a blunt example of gender inequality. But I am not convinced that polygamy creates more situations of inequality within the conjugal unions than monogamy. There are studies that expose how polygamy, particularly in the African context has contributed to the creation of autonomous female headed households with full access to land, productive means and housing (e.g. Kandiyoti 1988, Oboler 1994). In contrast, much of the feminist literature has explored the mechanisms by which monogamous marriages subordinate women (e.g. Oyewumi 2002). Instead of looking at abstract forms of equality among the sexes, we should discuss how position, power and authority are held by women within their specific

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social contexts, and whether these reveal true or just perceived inequalities. Karen Sacks discusses these concepts in the following terms:

> '*The word <u>power</u> covers a variety of meanings, including the overt and socially recognized right to make decisions for others, commonly called <u>authority</u>. (…) But authority may or may not include the ability to force others to obey. (…) Power is not the same as authority; it is the ability to force others to obey. It may be legitimately exercised from a position of authority or a personal basis, (…) but it also includes behind-the-scenes covert, and socially unrecognized abilities to make others comply and to manipulate them.*' (Sacks 1979: 72, underlined section in italic in the original)

Sacks' position stems from a Marxist point of view and she associates power with access and control of means of production. She does raise an important point, in that much power comes from 'socially unrecognised' forms of manipulating compliance. Some feminists would argue that ideally women should not have to exert covert power. Without challenging this position I would argue that this goes both for monogamous and polygamous marriages. Some of the unequal and emotionally difficult situations attributed to polygamy can happen in extended families and serial monogamies (Slonim-Nevo and Al-Krenawi 2006: 327-328). And judging from the discussions that surrounded the new Family Law, there are still significant gender inequalities in Mozambique that translate into the marital unions, not just polygamous ones.

I will now turn to another point Mozambican feminists make about the prevalence of polygamy in contemporary Mozambican society. Their position is that as modernity advances polygamy declines. I was cautioned several times not to confuse having one or several mistresses (*amantismo*) with polygamy. The institution they believe to be in decline is the formalised polygamy (e.g. da Silva et al. 2007). This decline has supposedly been brought about by modernisation and associated characteristics, such as urbanisation, monetarisation of the economy and the increasing expansion of universal rights rhetoric. Authors like the Comaroff's also mention the influence of Christianity, absence of eligible partners and diminishing resources 'to service marital obligations within an extended Family Network' (Griffiths 2001: 113). From this follows that when power is through capitalist accumulation people tend to move from polygyny to serial monogamy (idem). Other authors (see Clignet 1987, Bledsoe and Pison 1994, Arnfred 2001) argue that polygyny has not been in decline, but has been reinterpreted and recreated to fit the demands of new contexts. They defend that most analysis of polygynous practices is based on functionalist, a-historical and a-temporal models (Clignet

1987: 200), both by those who favour and those who are against the practice. Those who favour polygamy present it as a form of marriage that has evolved as a social response to compensate women for inequalities and vulnerabilities they face in their daily lives. Yet there is no lack of evidence to prove that polygynous marriages often are conflictive and emotionally stressful (e.g. Price 1984: 53, Slonim-Nevo and Al-Krenawi 2006). Those against argue that it is a practice humiliating to women, and contrary to the 'demands of mobility that characterise the soaring of a market economy' (Clignet 1987: 203), i.e. modernity. To contradict this, Clignet (1987) claims that even if functionalist thought is used, one can argue that polygyny is actually one of the ways men have found to adapt simultaneously to a rural and an urban economy, quite common in African mixed economies (see also Griffiths 2001 and Arnfred 2001). I agree with Clignet that there should be a close analysis of the evolution of the function of polygyny, without falling into the functionalist trap. It would be more constructive to look closer into the reasons that make a practice so abhorrent to 'modern' ideals survive, and recognise that it's not 'a fancy custom that you can finish off with a political declaration' (Arnfred 2001: 12) or the design of a law distant from social practice.

Women make difficult choices everyday. The following is an example used within the feminist discussion about family planning and abortion:

> *'I do not think we have a right to choose whether or not to have children. But for many of us our class and economic background pretty much makes the choice for us. We don't really have the free choice to have children when we want them.' (Francke in McDonnell 1984: 70)*

Choice, however difficult, implies agency. I use Goddard's concept of agency, which she describes as 'the capacity of individuals or groups to embark on processes of autonomous self-realisation' (Goddard 2000:27), which simultaneously is constrained by social structures and relations (Goddard 2000, Mjaaland 2004). Women are seen as more compliant with norms simply because their agency is less visible (Arnfred 2000, Mjaaland 2004, Sacks 1979). Women's agency and challenging of status quo has often gone unnoticed in the literature. On the other hand, men's visible authority erroneously leads to assumption of associated unchallengeable power.

In a marriage with several spouses or potential spouses there will be competition for access to resources, both material and emotional. Polygamy presents advantages and disadvantages to

both men and women. If we consider that polygamous marriages are more advantageous to men, we should ask why women remain in them. Partly it's because they may be structurally constrained to it, a position favouring those who blame culture. But lack of alternatives also factors into women's choices. During fieldwork I interviewed women that were in monogamous relationships before entering the polygamous relationship. Others had to face one or several new women entering their marriage and had to find ways to cope with the situation. In either case they engage in constant negotiation to defend their interests within the marriage. To paraphrase Mjaaland, whenever traditional gender roles are reproduced, instead of changed, it results from lack of alternative possibilities for negotiations in extremely pressured circumstances (2004: 116). The ability of woman to negotiate her rights, position and status has to follow socially sanctioned norms (Comaroff and Roberts 1977, Griffiths 2001, Mjaaland 2004). This does not invalidate that norms may be challenged by pragmatic choices (Kandiyoti 1988, Mjalaand 2004, Torab N.S.). Challenging of norms goes both ways. It can affect customary practices or the demands from state norms. Bledsoe and Pison (1994: 13-14) have discussed the difficulty of the concept of legitimacy in marriage, precisely due to the multiple interpretations and meanings in which it is based. This is particularly the case in a context with 'multilayered imagined communities', to borrow Anderson's concept (2006: 6), within a state that is trying to construct an ideal national cohesion composed by citizens with diverse and fragmented social, historical and spatial allegiances and experiences. Thus pragmatism is central to individual choices, even when the outcome of these choices proves unpredictable. This is evident by the multiplicity of contradictory practices people engage in, that are not equally sanctioned by all spheres with which they engage. This strategising, specifically when conflict emerges and legitimacy is challenged, was termed *integrality* by Boaventura Sousa Santos (Meneses N.S.: 3). It is based on a legal reasoning that 'operates in complex articulations with other types or styles' (Santos 2006: 59). As the case brought before the Mozambican audience by STV exemplifies,

> *'depending of the cases, the nature of the disputes or the statuses of the parties, different "layers" of formalism and informalism, of revolutionary rhetoric and pragmatic rhetoric, of practices of autonomy and practices of networking are differently combined but always inextricably intertwined.' (idem)*

There is as saying in Portuguese that 'one cannot satisfy both Greeks and Trojans'. The Mozambican state has a challenge ahead of it, not because it is a multicultural state, but because

it is still in the process of harmonising social practices and perceptions with the its own idea of state. On one hand the state cannot make concessions that will satisfy all its citizens. But neither can it keep an idea of state that permanently conflicts with that of its citizens. In the midst of this debate it should decide whether to tackle women's rights with abstract ideals or with concrete action that effectively ensue desired social change.

## *Hunting and gathering data*

The bulk of the analysis will be based in information collected through family histories of people currently living in polygamous relationships. I was particularly interested on the personal events that led the individuals to engage in this form of marriage. I therefore conducted individual interviews with each spouse. My hope was that the collection of life histories allow for unique insights into situations and alternative views on the official discourses. Crane and Angrosino mention that life histories are sometimes collected specifically for the purpose of relating the details and abstractions of ethnographic description to the lives of individuals. Detailed biographies of representative individuals provide many kinds of information, including the description of a life cycle. In combination with participant observation it may allow the researcher to present an exceptional understanding of life in the society in study (1992: 76-77). My intention was also to grasp the important categories emerging from these personal narratives, and the ways it could be understood as 'cultural practice and its implications for social interaction and individual agency' (Mjaaland 2004:117).

The information is based in only three families, each located in a different region of the country. I proposed to conduct the research in three different locations of Mozambique – South, Centre and North, due to the particular multicultural characteristic of the country. The locations were selected in relation to the generally perceived division of the country in three historically, economically, linguistically and culturally interdependent regions. As Hall explains:

> *(…) Mozambique is divided into three broad bands by the Save and Zambezi Rivers, with matrilineal groups in the northern portion historically linked to the Islamic influences of the East African coast. A diverse cultural border zone along the Zambezi Valley divides the north from the patrilineal Shona-speakers (Manyika, Ndau, Teve) of the centre, akin to the majority in neighbouring Zimbabwe. Bellow the Save River, the Tsonga and related peoples form part of a southern cultural world, linked to the Swazi and the peoples from South Africa (1990: 50).*

My decision to disperse the field research into several sites has to do with the acknowledgement that this study is also to explore contexts embedded in what Marcus calls 'a world system, historical political economies of colonialism, market regimes, State formation, and nation building' (Marcus, 1998: 80), which is to say that however distinct these regions may appear, they are still bound by the same state construction project. At the same time I feel that documentation of the variation (Hannerz, 2003: 26) within a presupposed common project is fundamental. The two approaches will ensure that the research can critically pursue interconnections that are often taken for granted (Marcus, 1998: 81) but also expose the dissention and frictions of a process that is not even and impacts differently on the different regions. In other words I was looking for commonalities as well as diversity between practices situated in different geo-historical spaces, which only have nation-state's boundaries in common.

The sample I have chosen does not intend to be representative of the country or the region in which it is inserted. Rather my intent was to explore in-depth issues that could come up in a small but diversified sample. Together with research findings from others, the issues presented by these families can add to or challenge the larger trends identified previously in each of the regions in which they are located. Rather than succumbing to trends, fixities and tendencies, I wished to regard the institution of polygamy as fluid and replenished by individual agency. One that is affected by external changes, and is reshaped by individual negotiation, manipulation or adaptation.

I also conducted in-depth interviews with people/personnel in institutions that took part in the debate for the approval of the new law, and gathered a number of reports of research undertaken that informed the decision not to legalize polygamy. My aim with these interviews and reports was to access the discourses during the debate that preceded the approval of the new law. My wished to understand to what extent the Mozambican State is willing or able to negotiate 'culture' in its commitment to a project of modernity, compliant with global integration.

I selected the cities of Maputo in the South, Beira in the Centre and Pemba in the North to conduct the fieldwork (see Figure 1 bellow). I initially selected these particular locations for logistical purposes, as I was planning to use one particular institution as a networking base to access sites, institutions and families. This institution is part of the Woman's Forum and participated in the debate to approve the new law. As it turned out, this only applied for Beira. In Maputo I used the help and prestige of the consultancy company of which I am still an employee to access institutions, and personal acquaintances to access the families. In Pemba I

accessed the families with the help of a local organisation, and the institutions through direct contact. It should be noted that except in the case of Pemba, the fieldwork with the families was not conducted in the cities. In Maputo and Beira the families interviewed lived in rural areas over 100 km away from these cities.

**Figure 1: Field site location**



## *Going about other people's business*

During the fieldwork I was faced with a number of ethical concerns and methodological challenges. This in many ways had to do with the fact that I am a Mozambican national, with privileged access, not only to an understanding of social meanings but also networks. The implication, however is that as a 'native' I am faced with very specific challenges I would not otherwise.

For one, my institutional contacts were arranged and set with the help of an administrative assistant of the company where I used to work before joining the program at UiB, and to which I am still connected. Though I never gathered information under false pretences I consciously, and in agreement with the company's managers, used the influence the company has with institutions to bypass bureaucratic difficulties. I have many times wondered whether that broke any ethical codes. Alternatively I could have used the backup of the Eduardo Mondlane University[3], but I felt I did not have enough ties with it to request formal documents to access institutions.

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[3] Eduardo Mondlane University is the biggest public university in Mozambique, and the only one with an Anthropology Department.

Another methodological concern has to do with how some of the interviews were conducted. For example in the first Family Contact was personally arranged by my mother and a colleague of hers, related to the family. She and the family relative insisted on being present. In all the times I have mentioned this detail people have cautioned me to leave it out, because it made the data gathering sound too unscientific. My argument is always that leaving this detail out is not only dishonest it is unethical. Despite the limitations that their presence may have caused in the initial contact, it is undeniable that without them I would have not found this family, and sending them away for the 'purity' of conversation and science would, in my opinion, jeopardise and compromise the future liaison with the family. My decision has been to always acknowledge this event, and insist that it has actually contributed more than disrupted the objectives of the study and the essence of the data.

Also in the contacts with some of the families the reliance on translations has limited my more in-depth grasping and possibly the exploration of certain issues. I tried to compensate this limitation with gathering information from diversified sources, and alternating translators whenever possible.

I was also faced with the issue of participation and intervention. In several instances I was asked to be more than an observer and participate in action. For instance, at one time I was asked to lie to a husband to get the wife to accompany me to a place she thought would interest my research. She assured me that was the only way she could go out with me. Luckily I ended up not having to lie, but I was not sure what to do right to the last minute. This same woman told me many things in strict confidence, and specifically asking not to repeat it elsewhere. Some of these would be very illustrative of my arguments, and I am still struggling on whether I have used this knowledge and broke my promise to her.

Anonymity, which I took for granted has also presented itself as an issue. One family has clearly forbidden any picture or name-referring of any kind. Others however have gladly posed for the camera, let me record the conversations, and even insisted that they would not mind if their names were referred in the text. These different reactions to the issue of anonymity prove problematic to me, especially if considering the possibility of sharing the final result of the research with the participant subjects. There are numerous occasions where the authors can be recognised, particularly within the families. My final decision, and in accordance with UiB's confidentiality specifications is to not use anyone's names. I have also decided that if I am to share the results of the thesis it will be in an edited form, because there are subjects

being raised by members of the family that might not have been shared with other members, especially among spouses. During one of my field visits one interlocutor made told me about *mahlevo*. It is the *Xilandi*[4] word best translatable to the term gossip. It literally means to talk about people behind their backs, or to talk about them in ways or words that they will not understand. I often wonder whether my decisions regarding anonymity and protection of source could not be interpreted as a sophisticated way of doing *mahlevo*.

Halfway throughout the research I have also presented the preliminary data and proposed line of analysis in a public forum at the Eduardo Mondlane University, as part of their regular seminar programs at the Department of Archaeology and Anthropology. My peers' major concern was that my sample for the family histories – three in total – was not enough to guarantee representation. My only defence is that I believe, as Sanjek (1990: 395) that 'ethnography is a potentially validity-rich method, fully as scientific as the reliability-rich experimental, hypothesis-testing method'. Because I am concerned with examples of processes and discourses, rather than quantifiable indicators, I believe quantitative methods are irrelevant for this research.

Finally, regarding my own positionality, I must confess that the field has challenged my own concepts of self. I was confronted with my taken for granted notions of what it means to be a young *mullatto*[5] Mozambican female doing anthropological fieldwork in her home country. Narayan (1993: 671) contends that it is often wrongly assumed that 'native' anthropologists study their own cultures (see also Becker, Boonzaier and Owen; 2005). 'Native' anthropologists when challenged by their home fields realise that, even when the field is a familiar place, it is usually located more within a shared historical and political place rather than within a shared culture (Becker et al. 2005). The anthropologist conducting fieldwork at home should rather be viewed 'in terms of shifting identifications amid a field of interpenetrating communities and power relations' (Narayan, 1993: 671) as he or she may feel as foreign to the research site and culture as a non-native anthropologist. To deal with this specific unfamiliarity in familiar territory Becker et al. (2005: 123-124) propose the concept of 'citizen' anthropologist, as opposed to 'native' anthropologist. This proposition puts the anthropologist within the

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[4] Xilandi is one of the dialects of the Xangana, a language from the Tsonga language-family. Xilandi refers to the language, whilst Malandi refers to the people.

[5] *Mulatto* is the name used in Mozambique to refer to persons of mixed 'racial' ancestry.

social milieu but outside the cultural setting, and opens to the possibility that the anthropologist at home has stronger likelihood to be surprised, evaluated and contested.

## *This is how the story goes*

The thesis will be developed in five chapters. In the first chapter I will contextualize the nature of the new Mozambican Family Law. This will lay down the foundations for contrasting new law's postures with concrete marital practices over which it intends to legislate. I will describe the trajectory of the discussion around the law until its approval, reflecting on its postcolonial nature and concentrating on its concept of marriage. Following this I introduce alternative structures and concepts of marriage. These alternative logics are drawn from the experiences of the three families whose histories are presented in the subsequent chapters.

The histories concentrate on the logics surrounding the institution of polygamy, which is illegal under the new Family Law. They are not meant to be exhaustive and typical of polygamous marriages in the country. Instead they reflect the complexity and diversity of strategies in a practice many times assumed to be uniform. I intend to reinforce this diversity by presenting stories located in different parts of the country, with asymmetrical historical and cultural processes. The story of each family will evoke different episodes of Mozambique's history. I have purposefully chosen to contextualise these episodes as they are told by the protagonists to show how macro events affect differently the lives of people in the same country. The stories reflect, among other things the way time contributes to cumulative experiences that qualitatively change relationships. The families are inserted in different structural spaces and are affected by different historical times and events. Their marriages are also in different time dimensions. This difference brings diversity in operating and strategising.

The first story is of Family S, in Southern Mozambique, where kinship and extended Family Networks make polygamy an acceptable and often preferable form of marriage. This is partly due to labour migration tradition that leaves many women with fewer male companion options. Men migrate to South Africa, while women remain in the home village tending the fields. This forces women to group around female support networks (Arnfred 2001). Lineages in this area are patrilineal and women move to the husband's homestead upon marriage. Through polygamy, co-wives construct an alternative network to their female kin. In their sisters and mothers absence women count on a sisterhood created by marriage (Arnfred 2001and Sacks 1999). The discourse that justifies polygamy in this case is production. But

marriage, polygamous or otherwise, provides a woman the means to achieve autonomy. Where in her 'family house' she is a dependant, a child; in her 'married home' she is the owner, a woman. Marriage associated with motherhood increase women's status, power and authority. These are the arenas within which women find the means to negotiate better conditions and personal security.

The second Family Case is of Family C, in Central Mozambique. Like with the family from the south, this family's marriage structures are also based on patrilineal and patrilocal practices. Again, as in the south there is a long tradition of migration, also influenced by colonial economic dynamics (Rosário 1989: 30). But transnational migration has been steadily decreasing due to historical and economic reasons, and becoming more rural to urban rather than transnational. The emphasis in marriage on the other hand, is rather on the reproductive role of women rather than the productive. This means that, at least discursively, polygamy is mostly justified in case of female infertility. Additionally, this family's history is a testament of the conflicting forces between norms and practices. The stories will testify to the complex and lengthy negotiations that precede and mediate marriage in general and polygamy in particular. Individual autonomy is strongly monitored by kin folks, and relationships are mediated by ritual. Women have limited autonomy; even they do have access to production means. This is due to the emphasis on the man's role as a provider. Where hierarchies established by kinship relations dominate the women in the first family to manage power relations, the members of this family rely on statuses acquired through rituals and over time. The changing economic context has allowed individuals to contravene customary practices. Though rituals are kept, meanings and performers are altered. The first wife, to defend her rights and status, relies on a more conservative interpretation, while the husband and second one practice a more flexible one.

The last case is that of Family N, from Northern Mozambique, where the Islamic religion legitimises the right for a man to marry up to four wives. This family's history revolves around sense of respectability and propriety. The previous families' relations, though transnational revolve mostly around the immediate community and kin relationships. For Family N, however Islam opens the family members to a sense of belonging to a larger community beyond borders and blood kin relations. Rules of behaviour are influenced by a larger Islamic community (Anderson 2006, Asad 2003: 197, Bowen 1998), both imagined and present. Religion gains gradual importance discursively and practically through the cumulative personal, and

often (socially) tragic experiences and the need for multiple 'new' beginnings. Although urban, literate and employed, the women in this family have comparatively less autonomy than the women in the southern family. Factors contributing to this reduced autonomy are the Islamic religion's patriarchal doctrine, as well as women's lack of access to strong productive means. On the other hand matrilineal practices common in Northern Mozambique counter balance the diminished autonomy. These practices also impede the family from functioning as a close-knit unit like in the South (Arnfred 2001: 27-28). Polygamy is justified by religion and solidarity towards women's less fortunate position in society. Women manage their status and power through their ability to balance propriety and sexuality. This balance is better achieved through marriage. Women might discourse about their past 'lives' and at times even the present marriage arrangement in a dispossessing manner. Yet they also reveal action and decision over their own destinies.

The final chapter will return to the discussion complex ways in which marriage is discoursed, understood and performed in practical ways, and how these discourses are created in accordance to individual needs. This stands in contrast with the new Family Law's concept of marriage which is lineal and individualising. The single most common characteristic of the family histories is that though marriage forms are relevant for lives and destinies, marriage itself is of greater importance. In the customary practices the marriage contract does not produce a relationship solely between the spouses. There is a complex marital field that is not recognised by the law. There is also a contractual flexibility within customary marriages, which is absent in the civil law marriage. Individuals subjectively construct the concept of legitimacy and use different competitive legitimising arenas available to them in connection to the multi-layers of 'imagined communities' in which they live. These arenas include the church and other spiritual realms, the family and ultimately the community, and are grounded in effective practices and thus offer more adequate responses to peoples' preoccupations. On the other hand, the new Family law, which is seemingly pro-woman's rights law by illegalising polygamy, reinforces prevailing aspects of patriarchal power and helps create new vulnerabilities for women. Admittedly polygyny as a practice is against the ideal of gender equality. But to believe it to be the result of backward traditions that can be eliminated by corrective policy measures is to be over-simplistic. This is a premise based on the usual 'axis of dichotomies' – modern/traditional-rights/culture-good/evil – that time and again have failed to address the grey areas of everyday life. This follows that the construction of a narrative of state identity and

citizenship which is not grounded in concrete social practices cannot succeed. In other words, for a state project to be successful the meeting between the 'I' – as in the individual – and the 'us' – as in the nation – is unavoidable.

# Chapter 1 – Marital Matters: contextualizing the Family Law and marriage in postcolonial Mozambique

This chapter aims to contextualise the processes of the Mozambican Family Law, right until its approval. I will present the major issues that surrounded the discussions, with emphasis on marriage in general and polygamy in particular. I will then describe different structures of marriage, as they are practiced, so as to illustrate how these contrast with the premises of the law. The structures will also serve as an introduction to the context of the three families whose histories provide the ethnographic material for the discussion at hand.

### *From legal ideals...*

The new Mozambican Family Law was approved in 2004. The law that was applicable to family affairs before was the Book IV of the Civil Code's, introduced by the Portuguese in 1964. Even if the country became independent from the Portuguese in 1975, the discussions to change law did not initiate before the 1980s. A proposal was drafted, but no consensus was reached on content. Until consensus was reached basic guidelines regarding particular issues of the family law should be released to guide court judges' decisions. The law remained a proposal, with the name of 'Family Law Project', for nearly 20 years (Arnfred 2001: 3). In the mean time the country had abandoned the socialist policies adopted after the independence and initiated the IMF promoted structural adjustments. These required, among other things, the revision of the legal system.

Much has been said about the ability of postcolonial states like Mozambican to freely and with sovereignty decide on the contents of its own laws. Considering that the change of the law was already in the agenda before the structural adjustments, it could be inferred that a certain amount of autonomy and decision existed. From its inception, however, the Mozambican state has been based on a modernising agenda, firmly rejecting practices that viewed as detrimental to development (Arnfred 2001, Sachs and Welch 1990). When the debate to change the law initiated in the 1980s the state was most concerned with eliminating practices such as *lobolo* (bridewealth), polygamy and initiation rites (Arnfred 2001: 3). FRELIMO, the group that fought against the colonial power and became the ruling party after the independence, soon realised that despite all good intentions, educative campaigns and corrective measures the population was not complying.

Soon after the independence a war broke out in the country. Although initiated with external financing from the Rhodesian and South African apartheid regimes, it was also fuelled by general peasant discontent and contestation towards some of the FRELIMO socialist modernising policies. Beside the overall contempt for customary practices these also included suppression of traditional chiefly authority; repressive attitudes towards religion and religious practitioners; centrally planned economic and agrarian policies; and compulsory villagisation (Hall, 1990: 47). With the spread of the war to the entire country with a certain measure of popular support FRELIMO eventually recognized that a certain measure of compromise was needed if the party was to retain its legitimacy to rule. As a result the party conceded to respect certain cultural practices, as long as they were compatible with the general principles of the constitution; which is to say that the civil law still retained hegemony.

Contrary to other countries in Africa, Mozambique does not have separate formal legislation for customary and non-customary practices. It is a principle of the constitution that all Mozambicans are subject to the same law. They are also equal before the law (Arnfred 2001: 5). Informal practices that persist do so without recognition by the state this gives way to plural legal arenas that people access according to needs and perception of efficacy (Bertelsen 2007, Meneses N.S., Santos 2006). The state has attempted to counter this tendency by recognizing a number of 'traditional' structures such as traditional leaderships (Buur and Kyed 2006). The same is applicable to the new Family Law. The law aims to be in line with the Mozambican Constitution. It also aims to respect international legal agreements regarding women's rights like CEDAW. At the same time the law also tries to approach social practices by accepting traditional and religious marriage, in order to reflect Mozambican culture and identity. But the law is clear that these marriages are only valid if they follow the same logic of the civil marriage.

> *'The religious and traditional monogamous marriage is recognised with equal value and efficacy as in the civil marriage, provided that they observe the requisites established by the law for the civil marriage' (Article 16(2), Law Nr. 10/2004. My translation)*

It is also clear that polygamy is not permitted in the law, although polygamous unions are recognised for the right of succession, applicable to unions of over 5 years (Article 426(1-4), Law Nr. 10/2004). The principal reason said to be behind the outlawing of the practice is the idea that polygamy is a humiliating and diminishing practice to women. It is a fact that in

principle polygamy is an unjust and unequal system for women. Research conducted by the Mozambican feminist activists found that no woman defended polygamy (WLSA 2003). The law is undeniably an improvement from the previous one, at least on paper. For example paternal power is now termed parental power; the minimum nubile age is now the same for both genders; religious and traditional unions are recognized as equivalent to civil unions; and *de facto* unions also have legal recognition (Collier 2006: 59, Joel 2005, WLSA 2003). In practical terms, however, both religious and traditional weddings are only valid if they are monogamous, and registered or transcribed. Also traditional weddings have to be witnessed by local authorities recognized by the state. And as shown in the previous chapter, de facto relationships do not constitute grounds to impede civil marriages. This means that civil marriages are still hierarchically superior, and the standard by which other forms of marriage are defined.

Common belief holds that incidence of polygamy in the country is low, and is decreasing. Several studies found results that suggest otherwise. Around 10% of married men in Mozambique are reported as having more than one spouse and at least 30% of women have co-wives (Silva and Andrade 2000, Pontara 2001, Arnaldo 2004, INE and MISAU 2005, Fox et al. 2005). The incidence is higher in rural areas but not uncommon in urban areas (Pontara 2001, INE and MISAU 2005). Contrary to popular perceptions, there is no data to support that Islam contribute more to polygamous marriages than other religious practices[6]. Polygamy as a practice is common throughout the whole country, and more so in the Christian South and Centre than in the Muslim North (Arnaldo 2004, INE and MISAU 2005). For example Arnaldo (2004: 153) found that the incidence of polygyny is higher among the Sena/Ndau speakers, in Central Mozambique, than any other group in Mozambique. Circa 40% married women in this area are in a polygamous marriage. They are followed by the Tsonga speakers in Southern Mozambique, who have an incidence of 28% of polygamous marriages. The Makwa[7]

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[6] The whole notion of religious and denominations is problematic, in the case of Mozambique. It is common that people profess a variety of religions throughout their lives and within the same household. In addition to religious professing, most people also practice some form of ancestor 'worshiping'.

[7] There are different written forms for the name Makwa. The Portuguese form is Macua. Geffray (1990b) has uses Makhuwa. I use the conventional stylization used by Mozambican linguists, who use Makwa to refer to the people and Emakwa to refer to the language.

speakers in the North have 20% incidence of women living in polygamy. The above evidences a practice that is not residual, nor a characteristic of a particular group in the country.

## ... to actual practices

The numbers above represent the only official polygamous relationships. There is a resistance, particularly by feminist activists, to consider *amantismo* as polygamy. They claim that a man with multiple partners in not necessarily polygamous. Their position is based on the fact that multiple partnerships, particularly in urban areas, are often unofficial relationships. It is thus, a position that privileges the state's mechanisms of discriminating between marital practices and arrangements. This study offers an alternative to this view. The families whose histories provide the ethnographic material for this study were identified by family and community members as polygamous. Yet, the different 'marital contracts' celebrated are a testament to how subjective represents to be 'official'. Over time and with changing social and economic conditions individuals alternate among institutions that legitimise their relationships and make them 'official'. Consequently, my ethnographic position is social and contextual, rather than legal and bureaucratic.

Most of the literature about polygamy in Africa has its roots on missionary reports that informed colonial powers of indigenous practices. The Portuguese colonial regime, influenced by Catholic values, was strongly opposed to polygamy. As a result several 'legal measures were taken to discourage and eradicate it' (Hunt 1991: 472). Later, the study of this marriage practice found its way into kinship studies. Many of which explain the practice of polygamy through a structural-functionalist approach (e.g. White et al. 1988 and White and Burton 1988). It was explained by the need to build kinship allegiances; by ecological factors; by scarcity of men brought about by migration or war; or as the best adaptive strategy to raise wealth and production (White et al. 1988). Whichever form of polygamy is considered – polygyny or polyandry – the tendency was to consider it from the point of view of the benefits it brings to men and how it represents an 'unfair deal' for women. Ultimately monogamy was always presented as the proper family organisation (Sacks 1979: 27-28). As a result polygamy is often assumed as a transitory marital form preceding the ideal monogamy.

There are notable exceptions to the above mentioned points of view. For example, Arnfred (2001) who critically discusses gender relations and changing state family policies in Mozambique; Clignet (1987) who contests approaches that consider modernity and polygamy as

mutually exclusive; and Griffiths (2001) who calls for a legal approach regarding marital affairs grounded in actual practices. I concur with these authors, and intend to distance myself from macro justifications for polygamy, and concentrate in the individual needs and benefits. I believe both men and women benefit in polygamous marriages, albeit the fact that this form of marriage has different consequences for each gender. This is not to say that polygamy is preferable to monogamy.

What the three family histories presented here have in common is that engagement in polygamy is not a static process. But they need to be contextualised in the structures within which they are inserted. Several factors contribute to the men's decision to get more than one spouse and their wives' to cope with that decision. Though the social-cultural structures of these families sanction polygamy, in no instance do they make it mandatory. Female compliance is necessary, and this is often not achieved easily, not even after the new wife arrives. Tension, friction, constant negotiation and eventually rupture occurs. Just as in any marriage. Practical considerations mediate women's decisions to stay. These can be material, emotional and social. Ultimately each story shows the different ways by which women defend, not polygamy, but their own right to be married.

Women's agency is tied to social and cultural structures within which they act in. Compliance and resistance happens in ways that are meaningful and sanctioned by other individuals around them. By understanding the structures that govern marriage processes we can understand the different ways marriage works towards women's interests. The three families interviewed are engaged in different practices of exchange rituals that inform of duties and obligations and by which they construct meaning and legitimacy of their marital relationships. Two of these families practice the *kulovola* or bridewealth system, and the other the *mahari* or Muslim dowry system.

## Kulovola emphasis on production

Family S is Xilandi speaking. Xilandi is a part of the Tsonga language group. Tsonga speaking people can be found along the southernmost east coast of Southern Africa. In Mozambique they reside mostly around Maputo, Gaza, Inhambane and Southern Sofala Provinces. The people are divided into six major language groups. According to Junod the name Thonga was used by the Ngoni (Zulu) invaders who enslaved them in the 1800s (1962: 15). It comes from the word *buronga* (dawn) to signify 'people to the east'. The Ronga speaking people to

the North of Maputo, which include the Malandi, prefer to call themselves Tsonga. They are also called Shangaan after the Zulu chief that subjugated the Tsongas of the Lower Limpopo Valley (idem).

The kinship system in this area is patrilineal. Marital relationships are legitimised by the *kulovola*, or the act of performing the *lobolo* ceremony. This ceremony 'inscribes the individual in a set of kinship and affined relationships that define rights and duties' (Bagnol 2006: xiv). The *lobolo* ceremony described to me is quite elaborated. Several acts establish the symbols that hope for a prosperous and fertile relationship. These involve exchange of cattle, money, fabrics and clothes, drinks and tobacco. The fabrics are for the women, an include *mucume*[8], *capulanas*[9], headscarves, and dress for the mother-in-law. The drinks include wine from the shop and home brewed liquor.

The *mucume* is used to make *neneca*[10] of a demijohn (5 litre container) of wine. This act symbolises the children that will be born from the couple. When the woman is being 'delivered' to her fiancée *esteiras* (straw mats) are spread on the floor, from the yard to the doorway and paper money is laid on top of them. This is the agreed *lobolo*. The 'maiden' walks into this arena covered. In order for her to uncover herself, more money should be offered. In order for her to dress the bridal gown, more money should be offered. This additional money is not part of the *lobolo* but is offered by the groom's party. In this way they show the ability of the man and his kin to take care of his future wife and children.

There are several theories which mention how *lobolo* permits 'wife-givers' to access wives themselves (Lévi-Strauss in Bagnol 2006: 3). This practice has been confirmed by my informants as well. They explained that *lobolo* creates kin networks and establishes specific kinship relations. Each kinship terminology establishes expectations of behaviour, as well as duties and obligations on all parts concerned (Dias and Dias 1970, Junod 1962, Oyewumi 2002).

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[8] *Mucume* is usually two *capulanas* sown together. It is used as bed linen or to make dresses. The stitching is embroided, which makes this cloth more valuable than the simple *capulana*.

[9] *Capulana* is a length of cloth used by women for all purposes. Most commonly it is used to wrap around their waist as skirts. It is also used to carry babies, and other general uses like baby diaper, table cloth, curtains, bed sheets and so on. It is equivalent to the South and Southeast Asian *sarong*, and was most likely introduced in Mozambique by south Asian traders.

[10] *Neneca* is the term that describes the act of carrying a child on the back, wrapped in a *capulana*.

The family will use the *lobolo* received to acquire a bride for the bride's brother. The relationship of the man who offered the original *lobolo* with his wife's mother and sisters will be playful; he will call them 'mother'. The relationship with his brother-in-law's wife, acquired with the same *lobolo* used to acquire his wife, will be of taboo. He will consider her as his 'mother-in-law'.

**Figure 2. Example of kin relations produced by *lobolo* exchange**
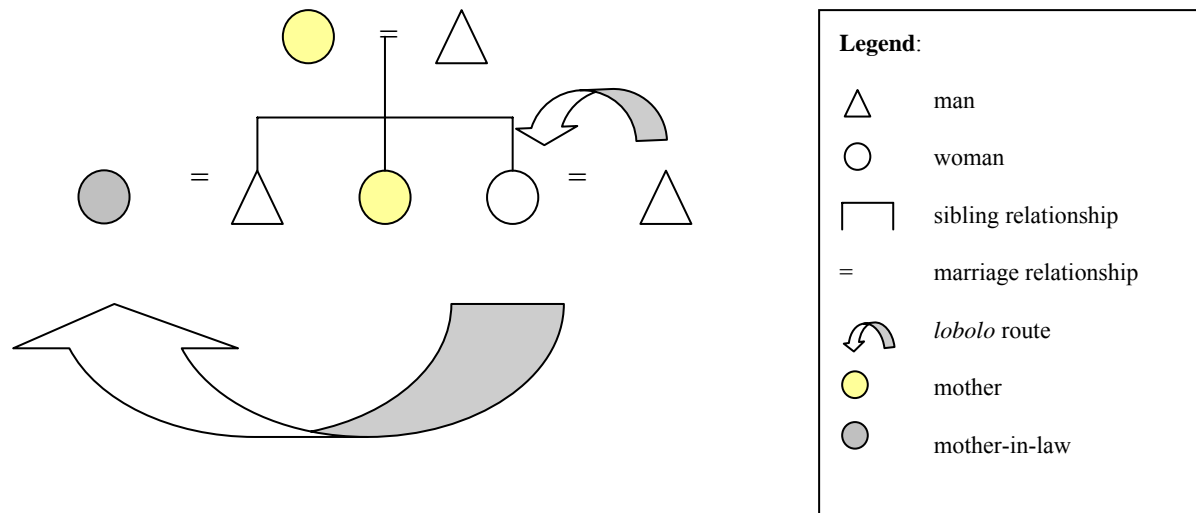


The mother-in-law taboo is usually manifested through a display of shame or outright avoidance. Junod (1962: 238-239) mentions this taboo among the Tsonga speakers in relation to the wife's mother and sisters, not the brother-in-law's wife. This implies that over time meanings and focuses of interdictions change. But the interdiction to women in the wife's kin group remains.

Another aspect to note in the establishment of kin denominations and relations is that relations of power are not necessarily gendered. Rather they are based in relational hierarchies. As Oyewumi (2002) points out, many kinship relations are rather based on seniority. In another example, I was told that women married with younger brothers are considered as 'daughters-in-law', and those married to elder brothers are 'sisters-in-law'. Also, the eldest of all brothers is called 'father'. He is expected to oversee the management of the household, property and wellbeing of family members in the absence of the patriarch or in the event of his death. Among some patrilineal groups this son is also known to 'inherit' his father's wives. The informants in Family S told me that it is not a practice among them.

Kin relations created by the *lobolo*, in this Family Create concrete material means to guarantee production and reproduction within the kin group. Children are important and are equated to wealth, but particular emphasis is put on women. For each daughter that leaves the house a daughter-in-law is expected to take her place. Without daughters there is no *lobolo* to acquire brides to produce children for the sons. Naturally it is important not to confuse complementarity with equality (Sacks 1979). Yet, with the relevance that women have in this context it is also important not to devalue the spheres of power that they acquire, mostly through seniority. Seniority may be acquired through age, by marriage, and ultimately through motherhood. Hence, relations of hierarchy among co-wives are best understood in relations to overall relations of seniority, rather as an isolated phenomenon created by a particular type of marital relation (see also Broch-Due 2000).

It is notable that despite a structural logic of meanings there is space for individual interpretation and change. This example illustrates the ways female power is accessed and exercised through the status of seniority. It also provides a basis to discuss how similar practices, such as the *lobolo* exchange, can produce different sets of relations and obligations. The *lobolo* rituals described in the example below provide a good contrast between patrilineal structures with apparently similar practices, but developing different kinds of social relations with implications to gender relations.

## Kulovola emphasis of reproduction

Family C is Ndau speaking. The Ndau speaking people occupy mainly the Southern part of Sofala and Manica provinces, as well as some areas in Northern Inhambane and Zimbabwe. The language is considered part of the Shona language group (Hall 1990). Some say the Mandau people are descendants of Soshangane, a renegade general of the Shaka Zulu army who broke away and fled eastwards to present Mozambique. According to the tale, Soshangane had two sons, Tsonga and Ndawe, who created two lineages by the same name (Moyana 2000:1), one to the north and the other to the south of the Save River. Most believe, however, that the Mandau people were subjugated by the Nguni and incorporated into their empire (Hall and Young 1997: 182). As such many of their practices, like the *kulovola* resemble that of their Tsonga 'cousins'.

In this area relatives habitually choose a bride *in absentia* of the groom. The details of the *kulovola* were explained to me stressing the differences between rural and urban settings, as

well as over time. The ritual is dominated by women. They are the ones who search and chose the future wife for the men in their family. Their choice falls on women who demonstrate propensity for hard work and within reproductive ages.

> *'People in the towns and cities have a different behaviour. With* lobolo *one must first send someone to research in an area, to see how a girl behaves. This person will bring the information [saying] if the parents are alive or dead. This person will go directly to the house to talk with the parents. Then they call the girl and the aunt talks with the girl. The person who can deal with this business is an aunt. It can be a (woman) neighbour. If the girl accepts the aunt will tell the parents that the offer was accepted. Then she (the aunt) will tell the boy.'*

It is interesting to note that before marriage the terms used for the future spouses are 'girl' and 'boy'. It is through marriage that the person is able to transit from childhood into adulthood. The kin or community network participates in ensuring that this transition is done in a proper way and with adequate partners.

> *'After this will people organise for what is needed. It is usual to give plates, scarves, and safety pins. The plates are wrapped with the scarf and secured with the safety pins. Now they also take* capulana *for the mother and a suit for the father. And there should be five litres of wine, if the girl is a virgin. It cannot be un-bottled wine. The wine symbolises that she is a virgin. She can still marry if she is not a virgin, but then there will not be any wine. A woman from the boy's side and a woman from the girl's side will verify if indeed she is a virgin.'*

Virginity confers special status to the wife, which will more likely be the characteristic of the first wife. In another family interviewed in Beira the first wife made a point to note that she was a virgin bride, while the second wife was not. In a context in which the future spouses have no autonomy of choice virginity represents the means to protect the interests of the families, who use marriage to create marital alliances (Schlegel 1991: 720). It is also a good indicator of the emphasis on reproduction, since premarital sex can lead to pregnancy. In a society where 'biological fatherhood (...) gives a man a claim on a child and its mother' families are more likely to control girls' sexuality (Schlegel 1991: 729) to avoid marriages that do not produce valuable or strong social networks and allegiances.

> *'Those who go to deliver the* lobolo *are a 'team' (a group of people). They sleep over, to give time to open the wine. The boy is not included in this team. In this ceremony they (the girl's kin) will ask for the* lobolo *amount. This depends on the family. Sometimes they ask little and say they will ask more when the girl has children. After two children they send people and ask for more. This is the true* lobolo.*'*

This suggests that brides are chosen from communities outside the groom's immediate community. This is different from the Southern example, where the women were chosen from the immediate community. The length of the process allows strengthening or breaking of bonds without jeopardising future relationships. The span of time before the 'true' *lobolo* is defined allows the couple to get to know each other and for any potential conflict to arise. Ultimately it ensures the bride's kin from having to return a big amount, in case their daughter does not conceive and the husband shuns her. Reproduction and motherhood mediates the changing status of the marital relationship. Contrary to the example from the south, there is no stress on the substitution of daughters by the 'wife giver' group.

Though many of the objects exchanged in the *lobolo* ceremony resemble, the emphasis and meaning vary somewhat. For example, the absence of cattle, substituted by plates establishes a different kind of relationships between the groom and the bride's kin. It is interesting to note that in the first family, where cattle are part of the *lobolo* emphasis is put on women's productive force. Whereas where plates are offered emphasis is put on women's reproductive value. Both situations constitute, through the objects exchanged, specific meanings to the social relationship (Myhre 2007b: 253). Where the cows are exchanged, goods of worth are given, which will produce effective change as cattle reproduce. Where the plates are offered there is no immediate value to the objects but they establish the status of each person involved in the relationship and respective rights and obligations. Rituals and the objects they utilise need not, therefore, possess actual value to confer meaning to social relations (Myhre 2007b: 254). The cattle offering people compensate the productive value with reproductive objects. The people offering plates compensate for acquiring a reproductive source by assuring that the new 'son' will be a good provider. In this manner, the bride's family forms a continuous dependency bond with the groom.

The position and power of a person is dictated by the stage in life the person is in, rather than one's gender. Naturally, this affects hierarchies in kin relations and marriage. Polygamy in this context does not increase gender inequalities. These are already in place with the lack of

autonomy of the individual in relation to the community. The woman has no autonomy in the choice of the groom, and her sexuality is also controlled. Additionally, her role as a producer is undermined by her role of procreator. The man is viewed as the sole provider of the family. This uneven position is likely to characterise the gender relations in whichever type of marriage.

In the previous example status was acquired and expressed through relational kinship ties of seniority. In this however, status is achieved trough time and changing social positions. Important social positions, power and credibility are acquired through marriage and parenthood. The following example will also deal with structures that dwell on female sexuality, but with different implications for the woman's status and social position.

## Sunnah nikahi's mahari – patriarchal customs in matrilineal lands

The social structure in which Family N is inserted is somewhat more complex than for the previous two families. The members of the family do not belong to the same language speaking groups and have social networks that extend to a vaster area. The husband is a Kimwani speaking man born in Ibo Island, son of a Christian man from Niassa and a Muslim mother from Ibo. The first wife is also Kimwani[11] speaking, from Ibo; daughter of a conservative Muslim family. The second wife is Emakwa speaking, from Nampula; daughter of a Christian father and a Muslim mother. They all practice Islam, a patrilineal religion, in a traditionally matrilineal region. This creates conflictive dynamics in the ways the structures of meanings are established or negotiated.

In matriliny, descent is established through the uterine line. Usually the first years of marriage are matrilocal, and in the event of divorce the husband moves and the wife and children stay (Helgesson 2006: 53). There is an ongoing debate over the extent of equality that matriliny actually concedes women due to the authority exerted by the maternal uncle. Another commonly held idea is that matriliny is either a transitory stage towards patriliny, or an adaptation to exceptional conditions that is not sustainable in the long run, because men will ultimately want to take charge over property and children. In the case of Northern Mozambique, the strong presence of Islam just adds to this conviction. Three authors have discussed the contra-

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[11] There are several forms of writing Kimwani. The Portuguese form is Quimwani. Here I have adopted the form used by Schadeberg (1994).

diction between Islam and matriliny. One is Liazzat Bonate (2005), who discusses how the two systems shape the perceptions of gender in Northern Mozambique. The other two are Ottenheimer and Ottenheimer (1979) who show how polygyny and matriliny are compatible systems, with the example of the Comoro Islands. They agree that what is viewed by some as a contradiction has actually developed into a syncretism with deep roots in historical processes in the area.

The Mwani people are part of two vast social-historical worlds: Swahili and by default Muslim. Spear cites Garlake on the Swahili culture in the following terms:

> *The religion was Islam and the fundamental bases of culture came from abroad. In language and the materials of everyday life local African influence was stronger. (2000: 257-258)*

Linguists agree that the Swahili language is predominantly Bantu in origin (Spear 2000, Mirza and Strobel 1989), however the Swahili people differentiate themselves from neighbouring peoples through emphasis on their 'putative descent from Persian and Arab immigrants and their own "civilized" ways' (Spear 2000: 257). Some form of Swahili is spoken from Somalia to Mozambique, and Kimwani is one of those forms. This language is spoken in Cabo Delgado, by the coastal and island people of the province. The word *Mwani* itself means 'coast', and helps distinguish these people from the inland Makwa and Makonde speaking people. The Mozambican Swahili communities have had less contact with the Swahili communities north of the Rovuma River after the Portuguese destroyed Kilwa in Tanzania in the 16th century. The ties however were not completely severed. Religious leaders still train in the North and trade boats from southern Tanzania and Zanzibar continue to arrive in Mozambique (Schadeberg 1994: 239-240). In fact the Northern Mozambican coast is still very intertwined with the Indian Ocean complex. This complex is characterised by an outward orientation to the world (da Conceição 2006).

Throughout its history Swahili has remained a mainly coastal language. It has only extended inland with the involvement of the coastal peoples in the slave trade in response to Omani Arab and European presence and demand in the area (Bonate 2005: 10, Mirza and Strobel 1989:118). Ruling Swahili Muslim lineages converted local chiefs through marriage, establishing kinship ties. These allegiances formed the basis for the construction of new 'ethnic' identities, which established who could for instance raid for slaves and who could be enslaved

(Bonate 2005:11). The concept of ethnicity opposed the 'civilised' Swahilis (i.e. Muslims) and, among others the 'uncivilised' Makwa and Lomwe (i.e. non-Muslims).

The Emakwa speaking people occupy a considerable stretch of land, along the northern coast of Mozambique, from the Zambezi River, all the way to the Rovuma River and into the Niassa lake (Geffray 1990a: 11). They are believed to have moved to the coast from the highlands of Niassa and the Zambezi valley due to the Maravi[12] invasions (Newitt 1972: 405) where they also converted into Islam.

According to informants in this family the Muslim marriage rituals are not as expensive or as elaborate as the *kulovola* or the Christian wedding. Depending on when the marriage agreement is negotiated, it is basically an agreement between the groom and the bride, though some kind of mediation of kin is always expected. This mediation of the union is important so that the kin do not resist mediating eventual conflicts.

The marriage according to Muslim custom is called *sunnah nikahi*. The marriage ceremony is celebrated by a Sheik, a person versed in the Islamic religion. A *mahari*[13] or dowry is offered to the bride, and the amount or kind should be registered in writing. By costume the man first talks with the woman he intends to marry and, only after she has agreed, with her family. The interlocutor is a senior male parent, the father or in his absence an uncle – typically the mother's brother. The man negotiates the *mahari* or dowry with the adult guardian if the girl is a virgin. Otherwise it is negotiated directly with the woman. The *mahari* is usually given in monetary form, but some mentioned that it could be the bed where the couple sleeps. The *mahari* differs from the *lobolo* in that it belongs to the woman, who is not obligated to return it upon divorce (Sachs and Welch 1990:69). However, she cannot take it with her if she is the one initiating the divorce. This means that women create strategies to force men to initiate the divorce when they wish to quit the marriage (Mirza and Strobel 1989: 10-11).

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[12] Maravi is the name given to a number of chieftaincies resulting from allegiances of different groups who are believed to have migrated from the Congo basin to the north and northeast of the Zambezi River. They are notorious for conducting several expansion excursions against neighboring peoples (Newitt 1982, Rosario 1989: 19).

[13] The term comes from the Arabic 'mahr', which is the dower or the bride-worth (Bonate 2005: 44). It is rather an indirect dowry than a dower in the strict sense, since it is not the woman who brings it into the marriage (Schlegel 1991: 720).

It is not only her *mahari* that the virgin woman is unable to negotiate. Often she is also unable to choose her first husband. Women may be married of by their guardians religiously or after the female initiation rites, which are common in this area. The second wife in Family N told about her experience of her initiation marriage in the following terms:

> *'My relatives used the ancient culture. [A man] asked my relatives to be engaged to me and when the rituals ended I was married inside and came out married. First he convinced my uncle, who in turn counselled my mother, who then talked with the elder [senior women conducting the rituals]. The elders convinced me, because we have to accept everything they say inside, out of fear.'*

The result is that women seldom remain married with their first husbands (Mirza and Strobel 1989: 10), although it still confers a certain status upon entering the marriage. And it has implications for subsequent marriages, since divorces and remarriage among populations in this area are high (Bonate 2005: 46, Mirza and Strobel 1989: 10-11).

The issue of female initiation rites has been debated at length between those who consider that they reinforce male power and domination and those who defend that they allow a certain amount of autonomy and empowerment. The critical voices show concern for certain practices that are taught with the sole purpose of enhancing the male sexual pleasure, at the expense of the female pleasure. They also suggest that these rites are either controlled by men or through the oppression of younger women by older women (e.g. Geisler 2000). The less critical voices recognise the unequal relations between younger and older women. However they view the results of the sexual teachings as an empowering tool for women who hence on take charge of their own sexuality. These rites become a part of the construction of the female person (Arnfred 2004).

Contrary to the other two cases, adulthood in this case is not achieved through marriage. Sexuality is viewed as natural; however certain control is exerted over girls' sexuality. This is exerted in twofold; by denying autonomy in the choice of partners of virgin women and through the initiation rites. However, these initiation rites also provide a measure of autonomy for subsequent sexual encounters. To counter-balance impropriety attached to sexuality, marriage grants women propriety and confers a certain measure of stability in an otherwise vulnerable situation.

The relatively uncomplicated marriage rituals and lack of obligation to return the dowry facilitate divorce and remarriage. The matrilineal system guarantees that the daughter is never a stranger among her kin. It also means that motherhood does not increase a woman's ability to negotiate her autonomy. Hence, though polygamy is justified by religion, women can easily leave the marriage if she wishes. They will not do so if the alternatives are considered worst. The married status is by all means considered preferable to that of a husbandless mother.

This case is also an example of how modernity can be performed in distinct ways. The Islamic marriage relies on a registered form of marriage, celebrated among two individuals. That one individual may concomitantly celebrate a similar contract with another individual does not invalidate the individuation of rights. This means that both the Islamic Law and the Mozambican Civil Law work within a similar framework of attribution of rights. In fact in an interview at WLSA, a strong feminist activist organisation in Southern Africa with representations in Mozambique, I was told that the arguments provided by Islamic leaders defending polygamy were viewed as stronger than those offered by mere 'traditionalists'.

## *And then there were three*

It is important to note that none of the marital practices mentioned above are static and immutable. Though there is a loose sense of cultural structures by which people seem to guide themselves, there is plenty space for people to creatively change practices. These changes are brought about by different social, economic, historical, as well as personal events.

It is also important to recognise that polygamy, rather than an outstanding and promoter of gender disparities, is inserted into a general context of inequalities and hierarchies. The three structural logics presented above are based on different relational identities that define the status and position of each individual in their community. Gender is not necessarily the most important feature to define these statuses and the differentiated power people can access through them. Rather age or parental status, but most importantly marital status.

Finally, marriage in each of the above structures constitutes a social field well beyond the bride and groom. It creates and enables a social network that provides help and support where the Mozambican state is unable to do so. In the next three chapters I will present the particular ways in which people engage in these networks, by way of polygamy. In other words, I will expose practical examples of the material ways by which polygamy makes sense and is the

best option available. In each story we need to bear in mind is that admittedly it is a difficult choice for women, but a choice nonetheless.

# Chapter 2 - Consolidated Polygyny with a twist or two… or three

My meeting with Family S was a fortuitous encounter. My mother, all caught up with my research, went out of her way to try and find polygamous families for me to interview. She contacted several people whom she thought could have access to such families, among which a junior colleague of hers. Her colleague's father happened to have a cousin who fit the profile. He lived in Xai-Xai, the capital of Gaza province some 200 km from Maputo. I was told he had three wives, and all lived in the same compound. As I set off to this first encounter I worried about whether I could guarantee isolation during the interviews, both because of the proximity of spouses and the insistence of my mother to take part in the meeting. My worries, due to my preconceptions of how a proper fieldwork should be conducted, were soon substituted by the appreciation of how her presence was instrumental for establishing my credibility and acceptance with this family.

We went to Xai-Xai; my mother, her colleague, her colleague's father and me. This made of the encounter mostly a family reunion. My mother's colleague had never been to visit the uncle's home. Because I enabled this reunion, I became highly appreciated: I had brought both a member of their family and mine. The importance of family in Africa can never be stressed enough. As social relations go, relationships are always mediated through actual or constructed kinship categories.

My mother's colleague translated the first meeting, for the most part. The reminder of the time I spent with the family, after my mother and the family's relatives left, the third son of his second wife, Nharu wa Mbiri, took over the translation role.

As it turned out the husband had a fourth wife that even his cousin was not aware of. He had only met the first two wives, which had visited his home in Maputo. And he had heard about the third wife. I later realised that the inclusion of this fourth wife was not consensual. Nharu wa Mbiri told me how his father had even considered not including her. He finally decided to include her, but not a fifth wife who also lives nearby. Because I only became aware of this last wife – and other three that live away from the compound – when I was about to leave the field, I will only discuss the relationships of the wives in the compound.

The first wife was not present to receive us, when we first arrived. She was away in the valley, where the family *machambas* (plots) are. In her absence, the duty of hosting fell onto the second wife. We were sat in front of the second wife's house, to my mother's colleague's father surprise. He explained that according to custom we should have sat in front of the first wife's house. Hierarchy among co-wives is a common rule of polygynous marriages (Arnfred 2001: 13, Slonim-Nevo and Al-Krenawi 2006: 322). Many authors consider it universal and detrimental to junior wives (Junod 1962: 285, White and Burton 1988: 884). Activists in Mozambique tend to agree with them (da Silva et al. 2007: 114). As I have argued before, this is not particular to polygamy, but the general manner by which kinship relations are established within this community.

I was stroke by the neat order in which the houses were aligned (see Figure 3), on an apparent symmetrical hierarchy: the first three wives' dwellings were aligned in order of marriage, one beside the other. The fourth wife's house was set on the back of the second wife's house. Three of the sons also had built houses in the same compound. The first son of the first wife had a house in the same line as the first three spouses. I drew the compound inspired by Jorge and Margot Dias' work on the social life of the Makonde (Dias and Dias 1970), my intent was to explore eventual hierarchies, retrievable trough observation of the disposition of households. I was, however, puzzled at the fact that the houses sat in line, instead of a circle as I had expected. I could also not find any perceivable hierarchical logic.

**Figure 3. Family S village compound**
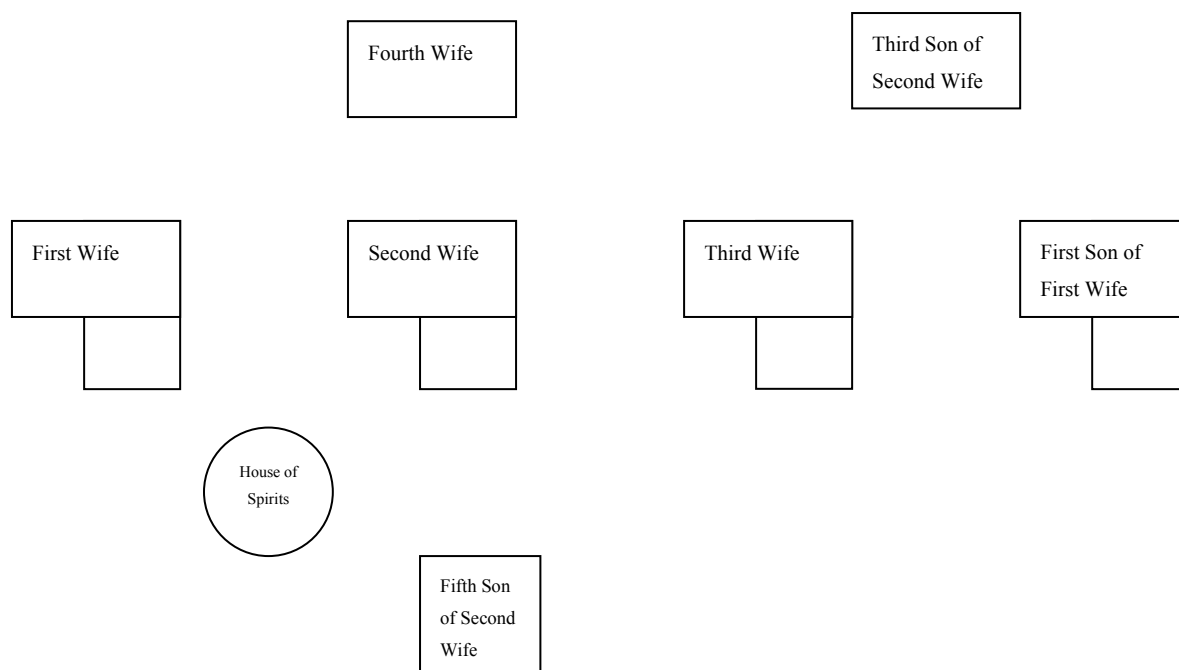
I later learned that the family had moved to this place after the floods of 2000. These floods happened in early February 2000, when heavy rains hit Southern Mozambique and caused the Umbeluzi, Incomati and the Limpopo rivers to rise to unprecedented levels. The Limpopo rise caused the towns of Chókwe and Xai-Xai to be flooded. Many people were affected, either displaced or having lost land, crops and cattle were also lost (Christie and Hanlon 2001).

Mr. S says that the family was not affected by the war as he was by the floods. The compound in the valley is located between two effluents of the Limpopo River, which made access difficult, and kept the armed guerrillas away. This suggests to me that there are selective elements of forgetting and remembering at play in his discourse. The war is still a taboo for many people, who often only mention it in passing. But it is highly unlikely that it did not have any effect to marriage exchanges and arrangements – both social and physical. The flood, however, caused clear material and quantifiable disruption. The family lost the all cattle accumulate over the years. Consequence of losing the cattle was two-fold. Production returns decreased and they lost the collateral that allowed them to buy additional food in low production years.

Before the floods the family also had two settlements; the one in the in the Limpopo river valley, where the *machambas* are located, and a town settlement closer to Xai-Xai. The 'hill' settlement – as one of the wives called it – was where they were forced to move in the 1970s during the compulsory villagisation program implemented by FRELIMO after the independence (see Hall 1990). The economic logic of FRELIMO was to modernise the country following the socialist doctrine. The traditional peasant modes of production were seen as backward and an obstacle to modern agriculture. To overcome this obstacle the party devised a two-fold strategy: state-owned communal farms and villagisation of farmers. The ultimate goal was not only the increase of output, but also the delivery of services deemed essential that a dispersed population would otherwise make difficult (Hall and Young 1997: 90-91)

It was from the 'hill' settlement that they were relocated after the floods to the village where they live now, some 30 km away from Xai-Xai. The disposition of the houses I saw was typical of a post-flood settlement. Resettlement aid after the floods privileged women. Like other women displaced by the floods, the S wives were awarded with a plot and material to rebuild their houses. They received reed for the walls, cement for the floor and to thatch the walls and tin to cover the houses.

**Picture 1. Resettlement house**



**Picture 2. Valley house**



When I finally visited the valley compound I found what I expected. The houses were disposed in a circle, and the biggest house was the one that belonged to the first wife (Figure 4), although she shared it with the third wife. The houses in the village were somewhat of an improvement to the ones in the valley. In both places they had walls made of reed. In the village, however they were thatched with cement, while in the valley they were thatched with mud. In the village the houses all have tin roofs. In the valley the two elder wives and the eldest son have tin-roofed houses; all other houses were covered with straw.

**Figure 4. Family S valley compound**
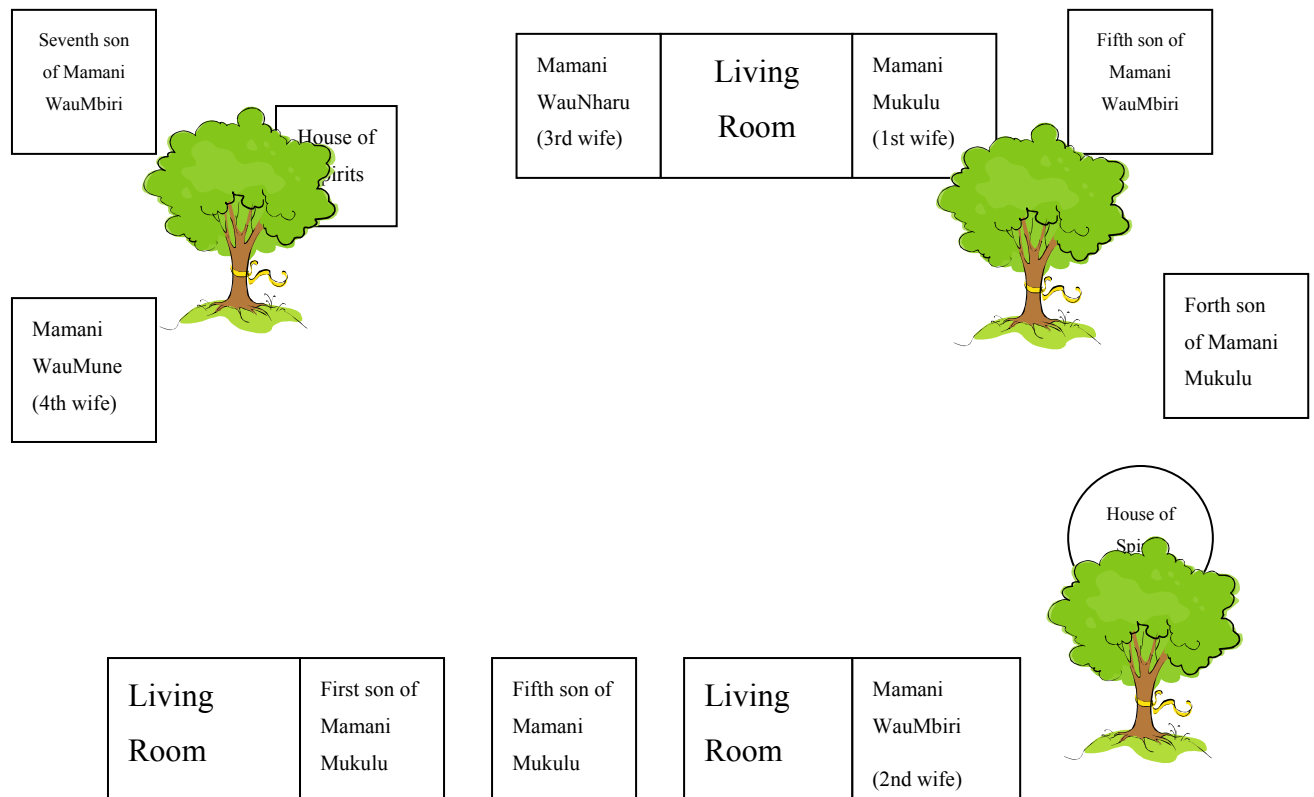
The disposition of the settlement in the valley also does not give significant insights on potential hierarchies. I did notice that in the first immediate circle of houses only the wives and the sons of the first wives have houses. Only the first two wives have adult sons, but it would be curious to see whether the younger sons would build further away, according to their mother's status. Only sons build next to their mothers, because the daughters leave the household once they get married. But for the most part the houses remain empty because with the exception of the first born, most other sons are absent in South Africa. Two live near the area from where the family was removed after the floods. And one, my translator, lives in the village compound.

I was surprised with the amount of spaces reserved to spirits. I had seen one in the village compound, and I realised that they were always located in the women's domain. 'Spirit houses' were either cooking stations or warehouses. This makes the border between the living and death tenuous. As other examples in this family history will show, spirits fulfil several functions in the lives of peoples. They may exert social control, provide explanations in difficult situations and choices, and mark a continuous protective presence. Respect for ancestors steps beyond ritual worship to mediate everyday life (Ranger and Kinambo 1972: 40).

**Picture 3. Spirit house in construction at Family S village compound**



**Picture 4. Spirit house at the Family S valley compound**

## *The restless Mr. S*

Mr. S started his story by telling me that his cattle died with the floods. He got his first cattle after returning from South Africa. These two factors are central to how marital relationships are negotiated in Southern Mozambique. As I mentioned before, cattle are an essential part of the *lobolo* offerings. Men migrated to South Africa in order for me to afford the payment of *lobolo*, including the cattle. Cattle also allows better output in production and serve as insurance in case of emergency. Hence labour migration and cattle are at the centre of family relations and social status (Arnfred 2001: 15-16, Murray 1980).

Mr. S married his first wife, Mamani Mukulu, in 1967. He moved to Maputo soon after in search of better working opportunities. He would come and go, and with the money he made he managed to buy a plough to increase his agricultural output. In 1971 he married his second wife, Mamani WauMbiri and took her to Maputo. Dual economy, by which a person has links to both rural and urban spaces, is quite common in the area. It is stimulated by scarcity of income opportunities and the tradition of migrant labour.

The first child Mr. S mentioned was the first born of his second wife; yet he had already had one from the first wife (see Figure 5). It was after the birth of this first child of his second wife that Mr. S decided to move back to Xai-Xai and dedicate exclusively to agriculture. He produced several cash crops, which allowed him to buy more cattle. After a while he could buy a second plough.

> '*I had all my children. I fed them and educated them thanks to the [agriculture] work I did. Those years it wasn't easy. There were famine years, there was drought. Because I had cattle I would sell one head and buy food that would last until the next rains*'.

It could not have been an easy job raising all the children. Mr. S has 26 children in total. He keeps record of their names and birthdates in notebook. He had to look it up, because he was not sure about the birth order of all of them. Additionally he also has three other children of his fourth wife's previous marriage in his care.

**Figure 5. Family S chronology of marriages and children**
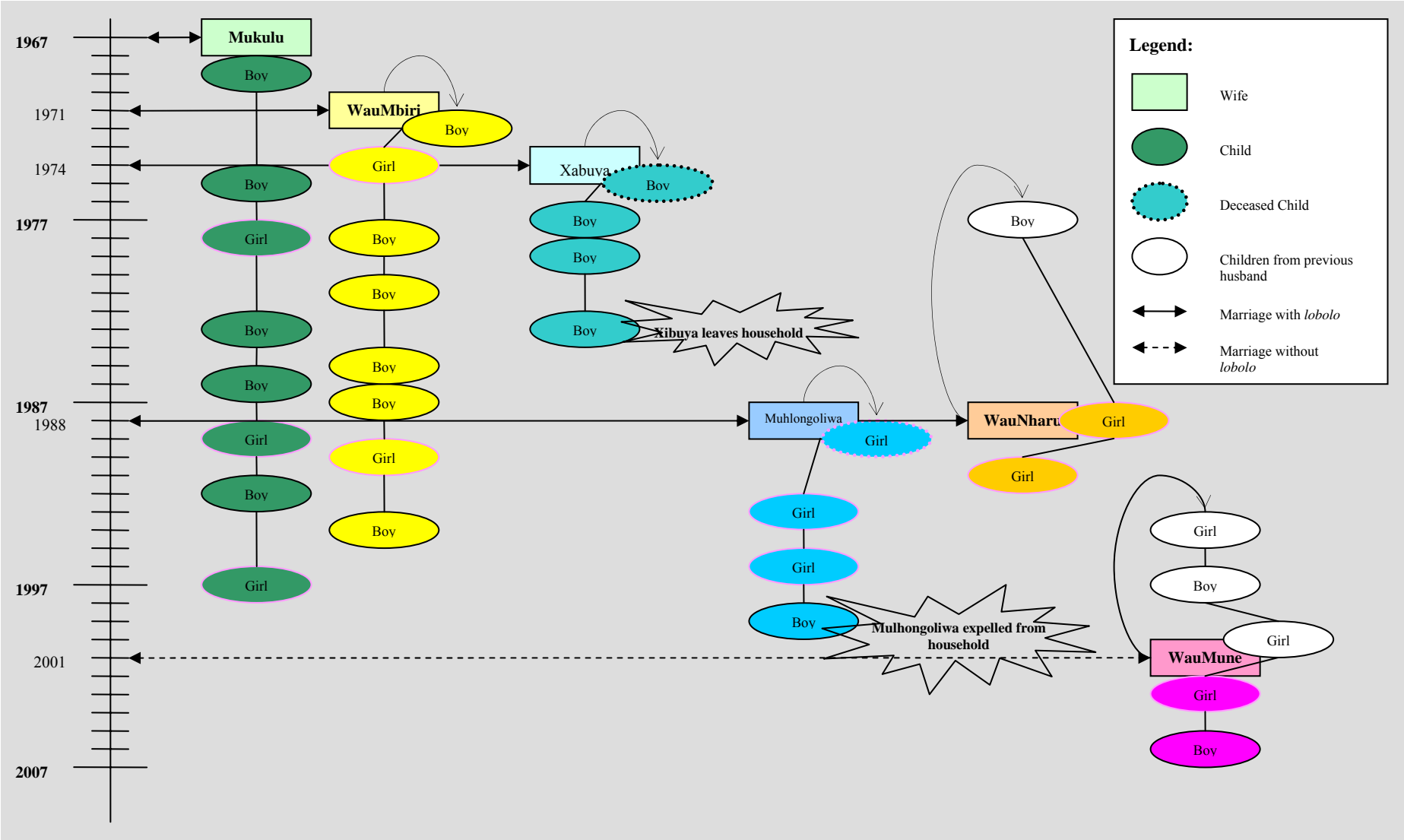
Mr. S reminisced on how, during the colonial period production was good, it was possible to sell for a good price, and there was a market for produces. Cash crops like cotton were encouraged by the *colono*[14]. Cotton could be used as currency and cotton producers had access to credit in stores. The theme of impoverishment is recurrent, and several of the wives mention their regret at the fact that their husband does not work, i.e. has not migrated to South Africa. In fact Mr. S believes that to be the reason why his first third wife abandoned the marriage.

He married his third wife in 1974. She abandoned the household in 1983. At the time all wives shared the same house in the valley. The versions vary on the reasons why this wife abandoned the marriage. Mr. S says it was because he did not work in South Africa. His son Nharu wa Mbiri and some of the other wives believe she did not like to be in a polygamous marriage. When a woman leaves her husband, unless it is for justifiable reasons, she should return the *lobolo* or leave the children. Children who are breastfeeding are allowed to remain with the mother. She not only did not repay the *lobolo*, she took one breastfeeding child and was pregnant with another. Both are still living with her. But Mr. S is not as keen to recuperate his children from this marriage then from a subsequent one that also resulted in the woman abandoning the marriage, but in less amicable circumstances.

In 1988 Mr. S took two more women into the household. He says it was to fill the void left by the one who abandoned the household. After the floods, when the family was resettled one of these wives got involved with other men from the neighbourhood. Mr. S explains:

> *'She got another husband while she was here. She didn't even stay with that husband. Now she has another one. It is in her nature. I met her the same way. I hoped she would change, but she didn't.'*

She left with a child that was still a baby, and left the other two at their father's household. These reside at the present third wife's house. Mr. S is now asking for the third child.

Mr. S remembers the differences in *lobolo* costs from one wife to another. Rituals of marriage have generally remained the same, but the content and costs of *lobolo* changed. The first mar-

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[14] This is the name by which the colonial administration and settlers were called by native Mozambicans. It literally means settler. Usually no distinction was made by native Mozambicans between the policies of the colonial state, its implementers – the administrative staff, and the settlers.

riages were more elaborated, but the later ones cost more. For example the *lobolo* for Mamani Mukulu and Mamani WauMbiri cost each 3$50 – in the old Portuguese currency, the escudo – a *mucume*, *capulanas*, headscarves, a dress for the mother-in-law, one demijohn of wine, one home brewed liquor bottle, and a flask with snuff or tobacco. When he married the 'first' third wife, Xibuya, he paid four thousand and five hundred *meticais* – in the old denomination[15]. He also paid for the bride's dress, shoes and headscarf. He offered her mother a *capulana*, *mucume*, and headscarves. By the 'second' third wife, Muhlongoliwa, he had to pay sixteen thousand *meticais*, to the bride's father. For the current third wife, Mamani WauNharu's he paid fifteen thousand *meticais* for her *lobolo*. He said to have paid to her father, but she said he paid it to her previous husband. Either way, the prices of *lobolo* have been steadily increasing, due to inflation and currency change. With all the economic oscillations Mr. S has gone through, his ability to pay for the *lobolo* has certainly become more difficult; so much that he has not yet finished paying the *lobolo* to his fourth wife, Mamani WauMune.

He took in a fourth woman he met in the resettlement area as a wife in 2000. Both she and the current third wife have children from previous husbands. I was told that they were widows, and prior to coming into the house they agreed with him that he would take care of these children too. From the chart above (Figure 5) it is perceivable that from the third wife on Mr. S first impregnated his prospective wives and then did the 'right thing' by offering *lobolo* for the children they carried. Some authors have interpreted this as evidence that *lobolo* has as one of its function to provide compensation for the children (Devisch in Bagnol 2006:4). This is why I was puzzled with the introduction of his current fourth wife into the household, since the first child I was told belonged to Mr. S was born two years after she became a wife. This haphazard way by which the children's residence after separation or introduction of new wives into the household is defined, seems to support the idea that 'customs vary (...) and are a matter of negotiation by the parties concerned' (Bagnol 2006: 4).

In Mr. S' marriage saga negotiation to take a new wife is fundamental and constant. Mr. S recognises that wives sometimes do not want to have co-wives. He has to try and convince them by any means necessary, until they accept it. Rules and norms are easily bent and rein-

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[15] The currency in Mozambique has changed in June 2006 from *metical* to *metical da nova família* (new family metical) or *metical novo* (new metical). The change comprised of the reduction of three zeros from the old currency.

terpreted. For example, the difference between the wives that do not reside in the compound and the wives in the compound is that none of the 'outside wives' has given birth to Mr. S' child or have gone through the *lobolo* process. All these women are mature women who have been married before or are widowed. Some people would consider that this means that the wives in the compound are wives, while the 'outside wives' are mistresses. They would disagree. Hence, what defines whether a man and a woman are husband and wife is not the marriage, but the sexual relation. Marriage, with the proper *kulovola*, certainly gives other obligations and benefits. That seems important mostly for younger women. Older women, who already have children and established statuses, are less concerned with propriety and rituals.

Mr. S justifies his 'need' for more wives in terms of productive 'needs' – with 30 children he can no longer claim it on reproductive 'needs'. The second wife was added to help the first with the fields, and the third to help with the domestic work while the other two work in the *machamba*.

> *'The main reason is the volume of work to develop the [agriculture] activity. [Several wives] help [each other] at the* machamba*.'*

The reality is that each additional wife actually caters for his 'need' to diversify his pull of sexual partners. Nharu wa Mbiri, his son confirmed it when I asked him why his father needed more wives when he already had so many. He shrugged his shoulders and said: 'I don't know; maybe he wants some diversity?!' Hence the decision to get another wife, in this family resides the man's will. If one wonders why men do not take the women only as their mistresses, instead of marrying them; the obvious answer is still parenthood. Being a parent entails both benefits and responsibilities. As Mr. S says, children mean wealth and security in old age; both for the mother and the father. But in order for a father to have the right to benefit from a child's future protection he has to negotiate with the mother; and this is the mother's strongest currency. For childless women, motherhood has to be created, and this can be done in several ways. Children may be adopted, siblings' children may be considered as children or co-wives children may be considered children (Mariano 2002: 29). Men have to pay *lobolo* for their children.

The above challenges several myths about the benefits of polygamy. It does not always happen to compensate for first wife's infertility, it does not always happen to increase productivity, and is often a result of unfaithfulness, which contradicts the belief that polygamous men

keep to the wives they have. But just like with cultural practices, perception of needs are not static, and they change over time. This is illustrated by the different strategies Mr. S used to manage his growing household, and how external events contributed to them.

Originally everyone produced and ate from the same *machamba*. After the floods he decided to divide the whole area into separate plots and distribute them through each wife. They could no longer farm with the plough because the cattle had drowned, and the land was too big for them to work manually. There was a difference in the amount of land attributed to each wife. It depended on her capacity, i.e. ability to mobilise manpower to produce it. Women with less or younger children are naturally in disadvantage. Their ability to produce resides in their ability to access manpower available to other wives.

Mr. S believes that separate plots improved the sustainability of each spouse. He is responsible for buying the seeds and distributing through the wives. Each wife has an independent granary, but on a bad production year she may expect support from co-wives. But no wife should give food from her granary to people outside the household without her husband's permission. For cooking, however, there is a pre-determined schedule. Everyone eats at the house that is responsible for cooking. In this way everyone has something to eat every day. There is also a schedule for where he sleeps, which Mr. S says he decides. He says each wife knows when he is expected to sleepover.

## *Mamani Mukulu and her co-wives*

As I have mentioned above, the status of the individuals are established in relation to others. Hence it is natural that co-wives relate to each other in hierarchies, according to seniority of arrival. Despite the fact that hierarchy among co-wives is common in polygamy, the way it plays out is specific to the way kinship relations operate in a social context. Co-wives relate to each other by means of seniority as all other kin folk relate to each other by means of seniority. This means that relationships are relational (Oyewumi 2002), but also transitional, because they depends either on the role that one happens to play in the moment and in relation to whom.

I illustrate the co-wives hierarchical, relational and transitional relationships through the names I chose for each of them. Though each wife has her own name, I named them according to their seniority. The first wife I call Big Mama – Mamani Mukulu in Xilandi. This is the name she is called by everyone at the compound. The remaining wives I call in relation to

Mamani Mukulu and their current position in the marriage. The second wife I call Mamani WauMbiri. Mbiri means two. The third wife is Mamani WauNharu. Nharu means three. The fourth wife is Mamani WauMune. Mune means four. The two ex-wives I have named in relation to the way they left the marriage. The first third wife I call Xibuya. This term refers to a person who leaves on her own volition. The second third wife I have called Muhlongoliwa. This refers to a person who is expelled or sent away.

Where the conversation with the men revealed the relational hierarchies at play in the familial structure, the discussion with the women revealed other particularities of the means to assert status and secure legitimacy. For women it is far more important to be married, because of the changing status of the married woman and mother, as well as increased autonomy. The women distinguish between '*kaya*' (house) and '*muti*' (home). *Kaya* is the parents' place, where the woman grows up, but from which she has and wants to leave. Marriage can be seen as an obligation, but in many ways it is also liberation. As a daughter or a sister a woman is a dependent, not completely a woman. In the words of Mamani WauNharu, the third wife:

> '*The 'right' of a woman is to go to [her]* muti. *She should not stay unmarried. In her parent's house she will suffer, because all she produces goes to her family. But at home her produce is also hers.*'

The process is lengthy because negotiations imply that both parties have to be satisfied with the agreement. A woman has to be productive and fertile. A man should be equally productive, fertile and show ability to care for the woman and her children. Though children would improve the woman's ability to create a *muti*, only the *muti* signifies that she is married. The combination of *lobolo* and children will hold her *muti*, hence her autonomy.

## Mamani Mukulu – the Big Mama

Mr. S asked Mamani Mukulu directly if she would marry him. She then told her family that there was a 'husband' interested in marrying her. The family did not oppose, they just waited for the *lobolo*. Because it is a woman's 'right' to create a *muti*, she had to choose a husband, and she 'accepted Mr. S' words'; meaning that his terms were acceptable to her.

She justifies the addition of the other wives, and to the most she finds no major objection. She found the addition of the second wife positive because there was too much land to tend for and she needed help. But I later overheard Mr. S' cousin's wife say that actually the addition of the second wife had been painful to her and she had suffered much. Because of this com-

ment and looking at the patterns of marriages I pondered other factors contributing to the addition of the new wife; none matching the options presented to me. Mamani WauMbiri's addition, must have had to do with Mr. S' moving into the city. With a second wife he was able to have someone managing the *machambas* and a wife to care for him in the city. Mamani WauMbiri, who has relatives in the city, was a good choice because she also provided a good network. Mr. S has a smaller extended family, with only one cousin who lives in Maputo. To make it in the big city, he would need a good support network, and this marriage seems to have provided it.

Additionally, Mamani Mukulu had her first child only after two years of marriage. By the time she had the second child, her co-wife Mamani WauMbiri had already given birth to her second child too. Mamani Mukulu eventually caught up and today both have the same number of children, but there could have been a moment in which Mr. S feared that Mamani Mukulu was not fertile enough. In certain contexts the amount of children also determines the perception of fertility. As such, a woman who reproduces below the ideal number may also be considered infertile (Mariano 2002: 28-29).

Although the newest addition is usually the favourite, and treated with more candour, the eldest is the one who is sure of her position. She is the lady of the house, the one who receives the visits. It is an honour to be the eldest. Mamani Mukulu's house is the House of S. When she comes from the *machamba* she sits down and everyone else works for her. Mamani WauMbiri explains Mamani Mukulu's hierarchical power and role as follows:

> *'When a visitor arrives* Papayi[16] *talks to her [Big Mama] and she thinks about how best to receive the visit. When a child is ill,* Papayi *talks with Big Mama, she will provide the money to take the child to the hospital. When* Papayi *wants to travel with one of the wives, he will let Big Mama know about it.'*

This description suggests that the first wife is an advisor and a manager. This is not enough to impress women's rights advocates. Their belief that women are not so keen about polygamy is confirmed by Mamani Mukulu. She says she would like to be the only wife,

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[16] Papayi is the name Mr. S is called at home. It is the equivalent to Mamani and means father.

*'but a woman is not able to prevent a man from taking another wife. Some women re-fuse to have co-wives and go back to their families. The man may go to bring her back to the household, and the family may decide to force her to return with her husband'.*

This is where the difficult choices come into play. According to *lobolo* rules, the children be-long to the father. In order for her to take the children, the family has to return the *lobolo*. Few are willing to do so, especially if the *lobolo* has already been used to acquire a daughter-in-law. Even if the woman finds it possible to care for herself without a husband, it is not proper for a woman to live alone. This is why the option is to return to her father's or one of her brothers' house, where she will become a dependant, a child again. Additionally, the relatives may shun her for being a burden. From the central role of wife and mother she risks becoming a marginal person with few rights and almost no voice.

Relatives are also the ones who most pressure for *lobolo*. With this they ensure their alle-giance to the couple. This allegiance is important for both spouses. It ensures that the wife's kin will do all in their power to protect the marriage. For women it is particularly important, because it ensures her family's interest in mediating conflict and protecting her interests. Mar-riages without *lobolo* are more precarious even in the event of death. Mamani Mukulu ex-plains:

*'The people in the woman's house get angry. When she becomes ill the people in her house do not care. If she dies they ask for the* lobolo *before she is buried.'*

Mr. S and his cousin also mentioned the same regarding kin groups, *lobolo* debts and death.

*'Some [families] come and take the woman and the children. The* manhambane[17] *are more complicated. [If the woman dies] they will not let you bury the woman without paying the* lobolo. *[There are people who] have started doing the same thing here. In [our] family too, the wife of a cousin died in these conditions. [But] her family let them bury her. In the eighth day they entered conversations.'*

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[17] The term *manhambane* refers to the people from Inhambane province indiscriminately. Inhambane is to the north of Gaza province. Though most of the people from the three southern provinces of Mozambique – Maputo, Gaza and Inhambane – belong to the Tsonga language group, there are linguistic and social practice distinctions between the Xangana/Malandi group to which Family S belongs to and the Matswa, Machope and Tonga groups of Inhambane.

These are testaments to the differences in practice in space and time I have mentioned earlier. It is also a reference to changes in practices and the increased perception of commoditisation of marriage. As Mr. S insists, 'nowadays marriage has become a business. Women are much more expensive now.' He remembers how '[in the old days] nothing was offered to the father.' This illustrates how marriage used to be part of the female realm, arranged and negotiated by women. A feature that is still visible in the history of the next family.

On one hand young men find it increasingly difficult to meet the *lobolo* amounts demanded by their in-laws. On the other hand agriculture is no longer as profitable as it used to be, which decreases women's power acquired by their productive value. As a consequence marital and kinship ties become feebler. Being unable to bury the dead is the ultimate disrespect, but illustrates how economic capacities have decreased and how monetary logic increasingly mediates kin relations (see also Comaroff and Comaroff 1993). Mamani Mukulu's feelings about having co-wives may have changed over time, but the conditions of women have not improved significantly that women need not be married.

## Mamani WauMbiri – the former favourite and town wife

Mamani WauMbiri started our interview by saying that life improved ever since she got married. She was also living with her parents when Mr. S proposed marriage. He told her that he was already married. The first wife visited her at her parents' house, and accepted her as her 'sister'. Mamani Mukulu is formally registered as married to Mr. S; while Mamani WauMbiri *cédula pessoal*[18] says that she is 'married but not confirmed'. This because under colonial rule different legislation applied to *indígenas* (native Mozambicans) and another for Europeans (Arnfred 2001: 5).

Mamani WauMbiri is also not so keen on polygamy. She admits would have liked to be the first wife, but she has resigned to her fate as second. She accepted the fact that Mr. S was already married, because she wanted to get married. But she was not so happy when he took Xibuya, the next wife. She resigned to the fact because she was already pregnant. But Xibuya's arrival meant that she had lost her status as favourite.

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[18] *Cédula pessoal* is a document issued at birth required for issuing subsequent documents like identity card, marriage certificate or passport.

The sense of fate, the inability to control one's destiny is often present in the women's discourse. This does not mean that Mamani WauMbiri accepted her without challenging it. She says that the best thing Mr. S did for her was to build a separate house for her. There seems to be also a tacit agreement between her and Mamani Mukulu. Mamani Mukulu spends most of her time in the valley. In her absence Mamani WauMbiri becomes the senior wife in the village compound. This way both wives manage to be a first wife. Her seniority and power is visible in small things. For example, it is customary for women to sit on *esteiras*, while men and visitors sit on chairs. The first time I had the opportunity to meet all four wives three sat on the mats, including Mamani Mukulu. Mamani WauMbiri sat on a chair. This indicates that she still holds some power, despite the fact that she is not the first wife, and no longer the favourite. This goes in line with the authors who consider that personality too can contribute to the power of a woman in her marriage (e.g. Slonim-Nevo and Al-Krenawi 2006).

## Mamani WauNharu – the domestic help

Mamani WauNharu does not enjoy the same position or power. The third wife, I was told, is the safe backup of the first two wives.

> *'The third wife is helpful because whenever anyone becomes ill there will still be some-one to help. The fourth wife is useful because she can cook while the others are at the* machamba.*'*

The fact is that Mr. S likes women. The household creates justifications to include new members. The more wives there are the higher the likelihood for increasing household size, through the birth of additional children. The implication is that the larger the household the bigger the need for additional help (see also Stenning 1969).

But Mamani WauNharu has not come in as third wife. In fact she is Mr. S' 'third' third wife, after Xibuya and Muhlongoliwa. She is also the only one that came in the year her first child from Mr. S was born. Probably Mr. S and Mamani WauNharu were mere lovers, with no intention of being married. This is an indication that decision on marriage was not taken until paternity was established or she did not have the power to negotiate her entry into marriage before the child was born.

Mamani WauNharu met Mr. S after having a child from another husband. According to her, the first husband mistreated her, hit her and finally expelled her from home. She returned to her parents' house with her child. When he went to get her back she refused to go back. Be-

cause the first husband had paid for her *lobolo*, Mr. S paid the *lobolo* to the husband and not to her family. The first husband has since passed away. I assume this is why I was told that she is a widow.

For Mamani WauNharu the monogamous relationship was certainly worse than the polygamous one. For one she was able to become pregnant again, which improved her ability to negotiate her entry in a new *muti*. It is also possible that her infertility, she only had one child by her first husband, was behind her conjugal conflicts. If children are wealth, her inability to produce them made her unworthy of her *lobolo*. While in her discourse of resignation, she is also being pragmatic. She never acts outside acceptable boundaries. She did not abandon her first husband, she was sent away. From there she could afford to refuse to return, as Mamani Mukulu also mentioned. She is the wife with fewer children, most of whom are girls who will marry and leave. In her old age she will have to rely on her 'sisters' and their children for support. This fact should also affect her present status within the household, though there is no indication that Mr. S cares less for Mamani WauNharu. With a smaller pull of manpower she must have been attributed a smaller plot to produce her food. But she does have a plot, a house and the assurance within the household that her and her children do not starve, at least as long as there is food in her co-wives' pot. So it is in her interest to protect the stability of this network of support.

Mamani WauNharu says it is easier to live with her 'sisters'. She is of the opinion that it is difficult for a woman to live alone. Unmarried women are seen as prostitutes, and they might also be seen as possessed with spirits. Both have deep and lasting consequences for women. 'It is through marriage that [a woman gets] access to land and to socially accepted motherhood' (Arnfred 2001: 7).

As she explained:

> '*When a woman is not able to get married it can be because she will become a* curandeiro. *She has to first treat the spirits, and only after that will she be able to get married. The man [who wants to marry her] will have to give the* lobolo *to the* curandeiros.'

Otherwise she is unable to ever get married, and a woman should always get married. She is aware that times are changing and new roles are being negotiated. Some women work and live alone. They usually do *gweva*, i.e. buy in bulk and re-sell products from across the bor-

der. But opportunities are still scarce and marriage continues to represents the best option for women; one that women seldom jeopardise for independence filled with uncertainty.

In this context polygamous marriage is just as good as any other marriage. Even if conflicts are in to be expected, according to Mamani WauNharu, they only occur if the husband does not know how to divide his time among all wives. In short:

> *'The problem is in the husband, if he gives more attention to the new [wife] and forgets the old one. The first will get angry and will say: this is MY house. Also the first one may want to order around and the second will say that she is not the house help. The husband has to divide himself equally and women have to obey the hierarchy among them.'*

But friction, which all authors on polygamy refer to, may exist irrespective of whether the husband is a skilful manager or not. In this case the community may intervene. If co-wives get into a fight the neighbours might step in to break it off. Wives may also try to resolve matters amongst themselves. Nharu Wa Mbiri told me that this has been the case with the fourth wife. The elder wives have sat down with her and warned her not to disturb the family harmony they had managed so far.

## Mamani WauMune – the new favourite

Mamani WauMune, the newest of Mr. S' wives, has not yet had all her agreed *lobolo* paid for. Though he has taken her with her family's consent, he has yet to pay three thousand *new meticais* and a cow the family asked for. The full payment or establishment of *lobolo* amount is often purposefully delayed. This creates relationships of 'debt, dependence and dominance' (Arnfred 2001: 9; also Griffiths 2001). But it also gives a wife grounds to exit the relationship.

This wife of Mr. S has also been married before. Her former husband also took her without paying for the *lobolo*. As result her brother was unable to get a wife for himself. This husband migrated to South Africa, and when he came back he became ill and then passed away. Her brother took her in and gave her a plot to live with her children. While living in this plot Mr. S asked her to join his household. He built a house for her near the other wives, where she moved in with her kids.

She is unable to fully join the compound because she was born in a spirit's house. As she explains that she has a special bond to spirits. People born in such houses often become *curandeiros*. Particular care is needed not to upset the balance and bond between her and the spirits of her house. There is a difference between the spirits of the house where she was born and the spirits generally protecting each household in the area. Because spirits usually inhabit spaces where people transit, but do not rest. When they share the same space as the living, the people they live with are only allowed to leave the space if they terms are met. Until the *lobolo* is paid in full she will not be able to join the other wives in the compound.

> *'Sometimes I become ill, together with her children. When I consult the curandeiros they say that my spirit is complaining because Mr. S has not yet given the lobolo cow. He has been negotiating with the spirit and asking it to be patient, but if he does not solve the problem I might have to return home to my brother.'*

Leaving without the *lobolo* being paid means that she is tied to her spirit, but they are specially separated. Illness is the way the spirit summons her to the space she and her children truly belong. She adds that she has already returned home once to recover from grave illness. The practical result is that she will not eat from the same pot as the other wives until Mr. S completes all procedures. Through her relation to the spirits Mamani WauMune is able to negotiate her position in the household. The spirits, in this case serve to insure compliance on due obligations. But they create uneasiness in everyone else. Special care should be taken so that her spirits do not affect the balance of the other spirits in the house of S. And that they not claim any life.

Favourites tend to voice their discontent louder than other wives. Like Mamani WauMbiri before her, Mamani WauMune feels she was misled by Mr. S. She claims he was not upfront about how many wives he was married to. She thought she would be the second wife. She is happy to have a *muti,* but she is also considering the option of leaving if her status does not improve. She openly confessed that she preferred the conditions with the previous husband who worked in South Africa. Now she has 5 children and does not know how to provide for commodities, because the husband does not work. Her discourse is similar to that of Xibuya, the first wife to leave the S household.

Mamanani WauMune is also threatening to take the children along if she leaves. Nharu wa Mbiri explained to me that it is not an easy decision for her because 'the S spirits would fol-

low the children and make them ill' at their uncle's place. Even though the cow has not been paid, the S sprits already consider the children as theirs. This evidences the contradictory and conflictive nature of spirits and how discourses are constructed to defend conflicting legitimacies.

## *Unmentionables – secrets under harmony veils*

The story revolves around kinship ties established through *lobolo*, prestige acquired by migration and the achievement of personal wants mediated by different strategies. While the husband relies on his ability to his way, the wives negotiate through seniority, personality, motherhood and spirits. Personal choices and strategies are conditioned by social structures as well as external events. Labour migration has for long been influencing Family Structures and dynamics, as well as kinship relations (Murray 1980). General Mozambican history has also had its role in changing family relations. An impoverished economy diminishes anyone's chances, but it affects women's opportunities even harder. Young men that gained power over elders through migration now cannot afford to pay for *lobolo*. And agriculture does not pay as well as before. Additionally, vulnerability towards natural disasters meant that the floods of 2000 seriously disrupted the family arrangements and stabilities created over time.

In the personal level people have developed discourses that explain and give meaning to the arrangements. Women strive to create a *muti*. Men may be happy with being 'husbands', but for women it is important that they get properly married. That will secure their rights and status; hence their negotiating power. Kinship is also central to the construction of this polygamous household. The justification behind it is related mostly to production but it also mediated by procreation. This form of marriage creates a larger network of support that insures wealth, health and security in old age both for men and women. And the logic is based on a hierarchy of relations that establishes status, responsibility and obligations across the different individuals, not necessarily based in gender.

Marriage is still greatly valued, but the capital women access is not necessarily economic. It is an investment that permits women to establish a status that provide them with as much autonomy and freedom as their context allows them. For this reason they reserve their right to be married and accept their fate if they become one of many co-wives. Their acceptance of this fate might change if other opportunities become available to increase their autonomy, independence and self-sustainability.

There are several conceptions of polygamy are challenged by this family's history. I found no evidence to suggest that the uncertainty of sexual intercourse in polygamy increases female infidelity. Although several of Mr. S' wives, current and former were engaged in extra-conjugal affairs, they were so both in monogamous and polygamous relationships. As Murray (1980) suggests, absent migrant husbands may contribute to this just as much as absent polygamous husbands. I also did not find evidence to support pro-polygamy claims that polygamy reduces male infidelity. Mr. S seems is an example, with the four official wives, two ex-wives, three unofficial wives and a number of occasional mistresses. However, consequences of extra-conjugality are not equal for men and women. Women should be more careful with their sexual encounters.

Finally, it is clear that macro events contribute to individual decisions. Policies have impact even when the apparent result is passive resistance or non compliance. The compulsory villagisation program and the resettlement plan after the floods are examples of the impact of state policies and actions. The impact of this law is still uncertain, but it does not serve Mamani Mukulu's co-wives interests. The law assumes that the property is the man's and ignores corporate kin property relations and structures that entitle women to land and property too in what is known as the house property complex (Broch-Due 2000: 297, Oboler 1994). However, the economic logic of this family is less corporate that the one from the family in Central Mozambique.

# Chapter 3 - Polygyny in the making

I met Family C in Búzi, in the Central Mozambican Province of Sofala. Because I was unfamiliar with the area I contacted the local administration, explained my project and asked if any of the local leaders to help identify a polygamous family. The administration staff contacted several *secretários de bairro*, but only one showed up for the meeting. A *secretário de bairro* is the best means to access the community members. They are also an ambiguous figure and typify the multiplicities of jurisdictions and arenas available to the Mozambican citizen (Bertelsen 2007). This figure was created by FRELIMO as the party representative for all administration levels, with the aim of substituting traditional authorities, considered collaborators of the colonial regime (Bertelsen 2007: 281, Geffray 1990a, Hall 1990, Hall and Young 1997). With the re-introduction of traditional leadership of traditional leadership and the *secretários* at times collide or overlap (Bertelsen 2007: 282). They are important in the community to oversee, mediate and filter some of the social conflicts at the community level. One of their new functions includes testify for the legitimacy of the 'traditional' marriages.

The Ndau speaking area is also noteworthy for its contribution to the post-independence war. RENAMO[19] (Resistência Nacional Moçambicana), the group that opposed FRELIMO policies and fomented the war, was run mostly by Ndau speaking leaders. RENAMO attacked particularly FRELIMO's opposition to traditional leadership and practices (Hall 1990, Hall and Young 1997). If anywhere in the country state policies that clash with local practices are likely to meet resistance, even from local leaders, that should be the Ndau speaking area.

There are other aspects of history that set this area aside from the other regions of the country in the relation to the state. This includes the colonial encounter. One of the ways for Portugal to exert control over the territory was to grant concessions to *companhias* (chartered companies). The Companhia de Moçambique administered present-day Manica and Sofala, as well as part of Northern Gaza. The Companhia do Nyassa covered Niassa and Cabo Delgado provinces. Companhia da Zambézia, among other smaller ones had Zambezia and Tete provinces. Nampula, Gaza, Inhambane and Maputo were the only ones administered directly by the colonial state. Most companies were established in the late 1800s, and had their licenses revoked in the early 1900s. But south of the Zambezi River the charters continued well until

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[19] The acronym stands for Resistência Nacional Moçambicana, i.e. National Mozambican Resistance.

the 1940s. Only after this was Mozambique ruled under one single administrative system (Hall and Young 1997: 3, Vail 1976). Companhia do Búzi was a sub-contractor of Companhia de Moçambique. Created in the late 1800s it signed a concession agreement to what was denominated the 'Búzi Circumscription' that later became the Búzi district (Roque and Tengler 2001). This new company remained the largest employer and capitalist venture in the district up until the independence. After independence the company was nationalised and administered by the workers, under the new socialist ideology adopted by the governing party FRELIMO.

The *secretário* selected Mr. C, who was his neighbour and was still in the process of taking a new wife. But for all effects already he was already considered polygamous by the community. The new wife was still living with her parents, but I conducted all interviews at the husband's house. I used the driver who drove me to the study area as a translator. He was chosen on purpose because he spoke Xindau, as the majority of the people in Búzi.

The House of C was considerably more impoverished than all other families I visited. The house is similar to the majority of the houses in the Valley compound of Family S. It is thatched in mud and the roof is covered with weed.

**Picture 5. Thatched house with weed roof**



The house's latrine had sailcloth for walls. The chairs where we sat came from the *secretário's* house. At the same time there were some commodities like a solar panel and hi-fi stereo equipment. Mr. C said he bought these from a *majonjon*. The term refers to a returnee migrant worker from South Africa. The etymology is believed to come from the association of

local labour migration to Johannesburg, in South Africa that attracts the most of migrant workers from the south, but at times also from the centre of Mozambique (i.e. de Vletter 2001). Trans-national migration is just as common here as in the South. Also initiated by the colonial dynamics, the difference in this area it was not fomented by agreements between colonial powers, rather it was a response to worsening of working conditions in Mozambique. Rosario describes:

> *'With the progress of the Beira Port, the construction of the railways to Southern Rhodesia and Nyasaland created(…) a progressive economic degradation of the existing centres in the Zambezi Valley, which caused a wave of migration of its populations. Most migrants went to the English possessions neighbouring Mozambique.' (1989: 29-30. My translation).*

Migration became so engrained in the local practices that it acquired cultural value. Those who did not migrate to the mines in South Africa or the farms in Rhodesia, migrated to Beira as dock or domestic workers. Mr. C is part of the latter kind.

With the war after the independence, trans-national migration in the region declined considerably, due to ambushes targeting road traffic. Additionally both South Africa and Rhodesia were the major post-independence enemies of Mozambique. As a consequence the world in which the C's circulate is smaller than the one available to Family S and Family N. Their network connections centre around kin and the immediate community. Yet they still have access to a mixed economy, because Mr. C is employed and has monetary income, the women practice agriculture.

The post-colonial economic decline that hit this area, did not recover after the war or with the structural reforms. Once a flourishing district, with revenues from agriculture and industry, Búzi now lies at the feet of a sleeping giant that no reforms have been able to awake. This giant is the alcohol factory constructed by the Companhia do Búzi, which mobilised the small-scale farmers for the production of sugarcane and provided steady income to their families. It also produced a diversity of manufacturing jobs within the factory facilities. Hence the disillusion of post industrialism, to borrow from Ferguson's (1999) concept 1999) is quite strong in this region.

Mr. C recalls what an impressive enterprise the Companhia used to be and how it declined:

> *'The Company went all the way to Estaquinha. There they had a mill, a lime factory,* guano *(bat manure) extraction from the caves, banana trees... And in Sofala they had coconut trees. The Company employed as much as 7000 workers. The factory did not stop with the war. Just the raw materials stopped coming from the countryside, where there was war. So it could not produce. The owners went away and the workers took over. The metal plates covering the buildings were taken by the workers. The production reduced until it stopped completely. But it did not stop until 92.'*

His account is characteristic of postcolonial African experiences where impoverishment has left nostalgia for the colonial past (Englund 2001:235). In fact authors like Vail (1976) are extremely critical to the economic activities of the Chartered Companies, and their effects on the indigenous populations of the areas where they operated. He argues that, in the pursuit of European profit, the African natives failed to be integrated in the local economy but superficially (idem).

The war ended precisely in 1992. More than anything it was the privatisation brought about by structural reforms that finally put an end to the ritual punch-in of the 'proletariat'. The population pressure in Búzi, from people fleeing the war contributed to the final depletion of the factory.

### Mbake Bela or Mbake Emília

Mr. C is 48 years old and was born in Estaquinha, an administrative post within the Búzi district. He studied there until third grade. His mother died when he was seven years old. He then went to Búzi with his eldest brother. He tried to work in several places, in the 70s he worked in the sugarcane farms in Mafambisse. Mafambisse, midway between Búzi and Beira, is one of the several sugarcane processing facilities that flourished along the Zambezi Valley. Sugar was, for a long time one of the biggest export of the area (see e.g. Vail and White 1978: 244). In 1980 he tried his luck in Beira. He returned to Búzi shortly after only to return to Beira in 1990. Currently Mr. C works as a guard to the re-privatised Companhia do Búzi.

It was a year after his second migration to Beira that Mr. C first decided to get married. His sister-in-law arranged for everything and selected the wife. However, his wife became pregnant before their marriage was consummated. He went to Búzi to solve the problem with her kin folks and as a consequence he lost his job in the city. He decided to stay in Búzi permanently. Mr. C's sister-in-law immediately looked for a wife to substitute the first, and she

found Maria da Perdição. She and Mr. C had five children together. Two of them died as infants. He paid the elaborate *lobolo* described above, before marrying her.

Mr. C's second wife, Juvenalda's *lobolo* ceremonies have not been completed yet. In fact the *lobolo* price has not been set. He has only offered the plates on the count of having impregnated her. According to local custom the first wife should be the one to present the plates to the family of the subsequent co-wives. This assures the woman's family that their daughter is becoming a wife with her senior co-wife knowledge and consent. The first wife's agreement is fundamental because she is the head of the household and decides on the fate of domestic affairs, including that of co-wives. A disgruntled first co-wife is someone no woman wants to go home to when she gets married. But Mr. C explained that Maria did not want to give the plates out to Juvenalda, though she did accept the money her husband gave her for taking a second wife. Mr. C could not deliver the plates until 'ceremonies' (specific rituals) were conducted with the first wife. In these 'ceremonies' a man offers money while seeking her approval. Though it is acceptable that the first wife does not deliver the plates to her future co-wife, it is inconceivable that the husband deliver the plates before the first wife accepts the money.

Mr. C says he got a second wife for his first wife's benefit. He argues that he has some land in Guara-Guara, 14 km from Búzi that he wants to explore, but the first wife is afraid to stay there alone. He reckons that a second wife can keep her company. This is a common argument for polygamous husbands. Women seldom confirm it, and Maria denied having asked for a co-wife. Here also the second wife is a result of an extra-marital affair, which resulted in pregnancy and leaving the first wife little choice but to accept the ceremonial information payment. But Maria's testament challenges her husband's decision. She also dismisses his ritual procedures as improper.

From the onset Mr. C has decided that the wife's households will be separate, as will the land that they produce. As he alleges 'no one should work for the other'. Marital have not yet been decided upon, because the second wife has not yet moved into the household. Currently Mr. C spends three days with Maria and one with Juvenalda. When the new wife moves into the household he is thinking of spending the same amount of time with each of the wives. He is aware that there can be rivalry and conflict between wives. It is his place to mediate arising conflicts. In his opinion these conflicts are more frequent when men do not keep to the agreed schedule. But there are signs that he might have more than he bargained for. The junior wife,

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though she acknowledges she needs to respect the senior co-wife, has shown some signs of defiance to customary practices. She calls her husband *Mbake* Bela (Bela's father). Bela is their daughter when she should call him *Mbake* Emília (Emília's father), his first born child. She is young, she might learn with time. This is why families prefer to mediate the relationships among their youth. After they become adults it is a whole other story. This way Mr. C's Family Chose his first wife, and he chose the second himself. For one he reached a stage in life where he could claim more autonomy. But it is also a symptom of contextual changes in the area.

These changes have not yet managed to decrease the family and community's importance, though, as shown in Figure 6 bellow. While I conducted the interviews, for instance, there were many children playing in the yard. Some were Mr. C's with his senior wife; some were children from the neighbourhood. One, I learned, was the eldest child of Mr. C's junior wife, with another man. This gave me a dimension of the networks established not only by marriage, but also by neighbourhood. Mr. C's brother and sister-in-law passed by the house while I was conducting the interviews. I thought they were coming to visit and participate of the interviews. Instead they were just passing by. In order to get to their house they had to pass through Mr. C's house. This kind of intimate special distribution is very illustrative of the nature of bonds between kin and neighbours. By which a neighbour also becomes a kin.

**Figure 6. Spatial distribution of family and community in relation to the House of C**
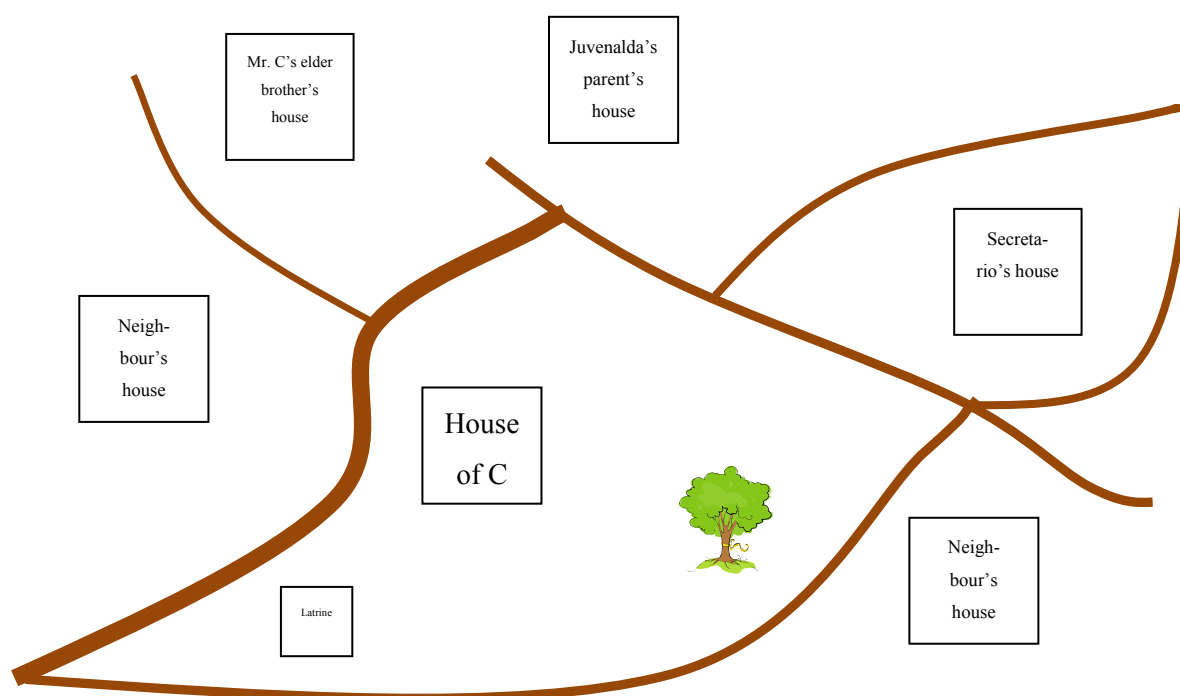
## Vatchano *Maria da Perdição and her young bride*

In some way Mr. C's senior wife, Maria da Perdição's strategies resemble that of women 'in the old days'; while the junior wife, Juvenalda's that of the girls 'nowadays'. The senior wife was born in Bândua, a locality of the Búzi district. She is not sure about her exact birth date. She says it was 'in the year FRELIMO came in', i.e. the year of the independence, 1975. She moved to Búzi when she was 10, when the war hit the country side harder. She and the rest of the family were brought by her father into the safety of the town.

By her own admission Maria married very early, by my calculations at the age of 16. Her first child was born two years into her marriage. She confirms that she met Mr. C through the in-laws. Her husband's brother and her parents frequented the same church and often prayed together at home. The brother-in-law, she says, must have seen her ways and 'liked her for a sister-in-law'. In fact they first lived at the brother-in-law's house, until he decided that it was time for them to get their own home. I find it interesting that in Mr. C's account it was his sister-in-law and not his brother the active bride seeker. This is a clear example of how even women tend to silence other women's agency in their discourse. As Sacks (1979) brilliantly points out, this sort of contradiction is what has paved the way for ethnographies to silence women's voices, because women themselves downplay their roles in the social arenas (see also Mjaaland 2004).

Maria insists her husband did not follow proper procedures for acquiring a new wife. He did indeed offer her the money requesting her permission to marry another. But he did not show her the plates he took to her future co-wife. The proper thing to do would have been to show her the plates and either she or a person indicated by her would accompany him to deliver the plates. She also says she only accepted the money because she knew that he and Juvenalda already had a commitment and because she was a neighbour. Commitment here indicates that they were already engaged in sexual intercourse. Maria complains about her lack of power to impede the new marriage:

> *'According to custom if a man wants a new wife, someone must look for her, not the man himself. I would understand that my husband wanted another wife if I did not have any children. That is the major reason to marry another wife. But men sometimes take another woman for no apparent reason. Some even force their wives to accept the situation when they are against it.*

Because her husband is not providing a compelling enough reason for the second marriage, Maria is considering her position. She is worried that their economic situation will deteriorate with the addition of the other wife. 'It is not easy with just one wife', she says. And she is also afraid that the husband might spend more time in one house, confirming the common jealousy first wives feel of newly arrived wives. But Maria has grounds for being weary. Her husband is already showing signs of favouring the younger wife. He has rented a tractor to turn the field in Juvenalda's *machamba*, ahead of the rice sowing season. For Maria he only paid people to help out. The reason is that Juvenalda had a caesarean section giving birth to Mr. C's baby, and is still recovering from it. Mr. C wants to avoid her making too much effort. But it takes only a day to turn the field with a tractor. Manually it can take up to two weeks. Juvenalda's fields will be sowed earlier. And where time is of essence for a productive season, she will be in advantage over the first wife, with less effort.

Maria knows that when Juvenalda joins the homestead they will live in separate houses and she hopes the husband instructs the younger wife to respect the senior wife. By assuring that she retains control through her hierarchical position she hopes to contravene the natural tendency of men to favour younger wives. She does not conceive equality of rights, and thinks the husband should spend according to the number of children. She believes the first wife should always take precedence over the other. For instance she has the right to decide how the revenue the husband brings will be divided. The same with the crops produced, in case of a shared *machamba*. If the *machambas* are not shared than each wife keeps her production, but should share the produce with the co-wife in case of need. Depending on the relationship among the co-wives she conceives the possibility that meals are shared, and domestic and productive chores are divided amongst the wives. As for the husband sharing schedule Maria thinks it should be a joint decision among the husband and both wives. She also expects that every time the husband sleeps at the co-wives house her co-wife will ritually offer her money in a plate. This way she will be informed where her husband is sleeping and can call for him in case of emergency. This double subordination of junior wives is one of the aspects Mozambican feminist activist are fighting against; and a major argument for activist to discourage women from entering polygamous relationships. They believe that it creates grounds for senior wives to be gate-keepers of their co-wives sexuality and overall access to their husbands. I do not disagree with their opinion. But women's reaction has not been compliance

with feminist suggestions. Instead of fleeing co-wifehood, women are creatively coping with each other's presence.

Mr C's junior wife, Juvenalda João is 18 only years old. She was born in Búzi. She has two children; one from Mr. C and another from a former husband. Ironically she separated from this husband because he would not settle with only one woman. But there is a difference between a man who does not settle for one woman and one that settles with several. The keyword being: settling. This first husband of hers did not present plates, nor paid *lobolo* for her. He was merely introduced to the in-laws. Because of this the child has remained with the mother. According to local practice without the *lobolo* the father has no claim to the children. As the Ndau saying goes: '*mombe iavia nomwana kumahavo*' – the cow has brought a calf from the pasture. This means that no one has claim to the calf but the owner of the cow; in this case the mother and her kin.

She met the first husband in a resettlement camp in Guara-Guara, following the floods of 2000, which affected this area too. Her mother is a widow, which makes it difficult for securing advantageous marital conditions for her daughter. A woman has only as much power in a patriarchal society as much male network she can gather around her. In a context where women are removed from their communities to their husband's, their network basically resumes to that of her husband's. After their death, it depends on how skilful she managed the relationship with that network.

Juvenalda is delaying her move to the House of C, near her co-wife. She alleges not to have moved because of the complicated child delivery. Because it was a delicate and potentially life-threatening procedure, she will probably be able to use that excuse for a while still; possibly until she assures a stronger position in the relationship. She may well have another child before she feels compelled to move in. After all, the *lobolo* has not been set yet.

This junior wife's discourse allows for the polygamous compromise up to certain terms. She calls her co-wife *vatchano* (elder sister), and believes that two wives can prove helpful in the sharing of domestic chores, such as sweeping the courtyard and fetching water. But as compromises go, that is as far as she goes. She is happy that each wife has her own *machamba* and does not expect to cook together with he co-wife. As for the division of the goods the husband provides, she thinks they should be divided equally. Because she has fewer children, this would be more beneficial to her than the option her co-wife prefers. Like her senior wife,

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she accepts the polygamous arrangement, but challenges some of its terms. Informality and innovative approaches to rituals and practices suit her fine. But Maria's interests are better served by a conservative stance.

## Sleeping giant – contradictory legacies between change and permanence

The stories above illustrate, among other things the concerns and uncertainty that surrounds the changing in the marriage terms. They are also evidence to the ways emotions are intertwined with practical considerations. The women in this family downplay their personal feelings and express more openly concrete concerns, such as financial sustainability in the new arrangement. They also downplay their own and other women's role in their lives and marital affairs. This in itself is a reflection of the invisibility women enjoy in this context.

Búzi's particular history, and the incipient stage in which Family C's polygamous marriage is in, exemplify the possible conflicts between individual interests and structural settings. As referred to before, women's autonomy in this area is less than in the southern family. This has to do with the lesser importance given to their productive value and higher importance of their reproductive value. To put it in Azmon's words,

> *Social recognition of women's contribution is effected by <u>linking with cultural stereotypes</u>, and women's activity is rewarded by way of fusion with these stereotypes. (1981: 554. Underlined section in italic in original)*

Even if female participation in marital affairs is stronger in this context than in the southern context, the local stereotypes mean that women's best negotiating tool is motherhood. But this means that power is not hers but to whom she becomes by bearing children. Still motherhood can work both ways. Contextual changes have been affecting people's capacity or willingness to comply with customary practices. Parenthood is no longer enough to tie a man and a woman into proper marriage. Particularly since women's sexuality has become more difficult to monitor. With equal access to education, for example youth have easier and direct access to each other. As a consequence teenage pregnancies are more likely to happen, which makes it difficult for women to engage in income generating activities aside from agriculture. Additionally men have increasingly less access to income that suffices requests for customary rituals. In a situation where income generating activities are scarce even for men, the ones who

have access to them stand a better chance to engage in proper marriage. Hence potential and proper husbands become a highly value commodity.

**Picture 6. Rundown *cantina* (colonial shop), Búzi**



**Picture 7. *Barraca* (informal stall), Búzi**



Customary structures in place are at odds with individual autonomy and play a role in reinforcing certain gender inequalities. Both men and women are constraints related to age, by which they have to undergo ritual and stage change of their status. Marriage and related rituals attached are what enables change from childhood into adulthood. Parenthood enables yet another passage. But women, marry into husbands' communities and move away from their own kin. Even if the rituals work in a way that extended and continuous contact is maintained, their kin support group is considerably weakened. Co-wives would benefit from supporting each other, but as isolate individuals that support would also be too weak. Rather an allegiance with the husband's kin is more valuable. With this, women have fewer incentives to work out conflictive interests amongst themselves. They rather invest in the relationship with her husband's kin, in order not to lose their support in time of need. Marital conflicts are more commonly mediated by kin folk anyway. Only in case of irreconcilable differences are outsiders called in to intervene. That applies to state institutions too, naturally.

Women have to find alternative means to counter their vulnerability. Mr. C's senior wife, for instance uses culturally based rituals to guaranty her rights. She is commoditising access to the husband and making a conservative interpretation of the rituals and their meaning. Rituals are important to inform of statuses, and the meanings conveyed can also inform on changes in statuses (Rappaport 1999: 107). By controlling access to her husband Maria is both asserting her status as senior wife and legitimising the junior wife's right to be with him.

The husband and the junior wife, however rely on a more flexible interpretation of the same practices. They are being considered husband and wife even before Juvenalda moves in with

her husband. The young bride also considered the father of her first child as her husband. The terms husband and wife do not necessarily relate to marriage. In this case, differently from Family S, these categories are not attributed to mere sexual rapports; they refer to shared parenthood. This challenges the idea that *amantismo* is not to be considered a form of polygamy. Many situations which would qualify as *amantismo*, like the case of Mr. C and Juvenalda, evolve into marital bonds and responsibilities; particularly if children are born from the relationship. It is in women's interest to be recognised as wives. And it is in the father's interest to claim the children as his. They will not only if they cannot afford to. However, getting a wife – i.e. having children with a woman and/or offering plates for her – is less costly than getting married – i.e. going through all the ceremonies and comply with monetary demands. The distinction in the terms used is not innocent. To be considered a spouse, particularly for women creates material changes in their lives. In this case it guarantees access to a house and plots, but also a provider.

People are affected differently by external events depending on what stage of life they are in. Women use different strategies and logics depending on what stages they passed through and statuses they were able to access. The outcome of becoming pregnant is more uncertain than marriage, or even the in between status of unmarried spouse. The next family history will show more in-depth how personal chronology may affect decisions and revert undesirable outcomes.

# Chapter 4 - Segregated Polygyny

Family N lives in Pemba, the capital of the northern province of Cabo Delgado bordering Tanzania. I found the family with the help of a local *Sheik*, referred to me by the Islamic Council in Maputo. The Islamic Council is an NGO aimed at promoting Islam. Currently they are also engaged in development initiatives, such as 'fighting absolute poverty' or 'protection of gender rights'. They were actively involved in the discussion of the family law. Because Islamic law states that men are allowed to marry up to four wives, they were one of the few organisations that defended the legalisation of polygamy.

I was able to conduct the interviews in Portuguese, though none of the family members' mother-tongue is Portuguese. As I have mentioned before, and contrary to the other two families, the spouses in this marriage are not part of the same socio-linguistic group. This creates diversified and far encompassing networks, increased by – if not caused by – affiliation to Islam. It also creates potential for conflict. Through the Islamic religion this family is inserted into a vaster set of networks and affiliations (Bang 2003, Bowen 1998) than the other two families. Affiliation to the 'imaginary Muslim community' is linked to historic relations that have connected northern Mozambique to the Muslim world, but also due to new waves of Muslim communities that are making their way to Mozambique. It follows that the transnational relations in this context are of a different nature that those examples presented from Southern and Central Mozambique.

Mr. N has two wives. His wives live in different *bairros* (neighbourhoods) in the same city. The women in this context, similarly to Family C do not seem interested in strengthening their bonds. First because production is not based on agriculture; and second because in Northern Mozambique matrilineal practices provide women with support and protection from their own kin network (Arnfred 2001, Bonate 2005).

## *Senhor N*

Senhor (Mr.) N started the interview by saying that he was African and Mozambican. This illustrates how he constructs his identity around several 'imagined communities'. He was born in Ibo Island, in the Quirimbas Archipelago. His father was sent there from Lichinga in Niassa Province, by PIDE (Polícia Internacional e de Defesa do Estado) – the Portuguese secret police. His father had studied in Malawi where he converted to Protestantism. Upon his return to

Mozambique he started a church that had strong adherence. The colonial government accused him of conspiracy. In the 1960s FRELIMO had already started its actions against the colonial regime. Action in northern Mozambique was stronger than anywhere else, both because PIDE managed to prevent action in other areas of the country, but also because Tanzania was the 'rear-base' for FRELIMO political and military action. Political action included popular mobilisation, which made the Portuguese suspicious of any native gathering. Additionally, Portugal had become under attack by the international community for holding colonies, when most African countries had already gained independence. Protestant missionaries were instrumental in describing the atrocities committed by the Portuguese, and thus their churches too were under surveillance of the Catholic Portuguese State (Hall and Young 1997: 14-15)

Mr. N's parents married in 1964 and he was born in 1966. When he was one and a half year old he contracted poliomyelitis, which paralysed his lower limbs. Today he gets around with the help of a motorised vehicle for the physically impaired (see Picture 10). When he was ten years old his father returned to Niassa where he had another wife and child, because this child was ill. He never returned to Ibo, and died in Niassa.

**Picture 8. Mr. N's motorized vehicle for the physically impaired**



The highest grade in the island was the 5th grade. He went to Pemba, to continue his studies. It was hard because he no longer had a father to help support his studies. He lived in a boarding school. Mr. N started working after he completed 9th grade because he could not afford to study any longer. He needed to provide for his mother. He is her only male child. He has an older sister, by a different father.

He got married for the first time when he was 26, according to him it was because his mother was ill. He had brought his mother to live with him and needed a woman to help care for her. His sister was not available because she had married and lived out of town. She married an older woman, who already had children from another man. He knew her from the island and thought she behaved very appropriately, which convinced him she was ideal to look after his ailing mother.. This first marriage lasted only one year. Mr. N thinks that it was due to immaturity and lack of religious practice. Religion is central all throughout Mr. N's narrative. But it is not clear to me whether he was a devout Muslim at the time of this marriage. But he was already Muslim. Because his father left when he was young he followed his mother's religion. I believe Mr. N is referring to his own immaturity as a cause for his first divorce, since the wife was older than him.

After this marriage he thought about getting married 'for real'. He did so in 1992. From this marriage he had two children. This marriage also did not last. This time the reason was 'family interference'. According to Mr. N his wife's family was excessively dependent on his income; they incited his wife into 'prostitution', and dealt with 'drugs'. Prostitution here refers to not being a proper wife and not respecting the husband. It implies that the family used the woman to access monetary benefits through the husband, without exerting pressure for her to behave properly. Handling with drugs, on the other hand refers to reliance of advice from *curandeiros*[20] (witch doctors).

In 1995 he married Nadira, his senior wife. They have four children. He described his choice in the following terms:

> *'I met her in a trip from Ibo [to Pemba]. She was with her grandmother and I liked the way she was dressed and how she behaved. She was respectful. I had never managed to impose a dressing code on the other wives.'*

Once in Pemba he kept bumping into her. He finally asked if she was married and tried to court her. She resisted at first, but he insisted until she budged.

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[20] There is some controversy around the term *curandeiro*. The term is generally used for traditional healers. However, some of these healers also act as diviners and are believed to have the power of witchcraft (Buur and Kyed 2006, Meneses N.S.).

Mr. N married with Isabela, his junior wife, in 2004. He met her at the Business School, where both were studying accounting. He seems to have followed a common pattern of the urban polygamous man, who marries the first wife at the beginning of his career, and as he improves his social status he finds one he finds more suitable (Griffiths 2001). A corollary of this is the man who has a wife in the rural areas and another in the city.

Mr. N was also attracted to the way Isabela dressed, and her proper behaviour. He fell in love. She was married at the time, but was not happy in her marriage. He was moved by her plight. They now have one child and she is expecting a second.

**Figure 7. Mr. N marriage chronology**
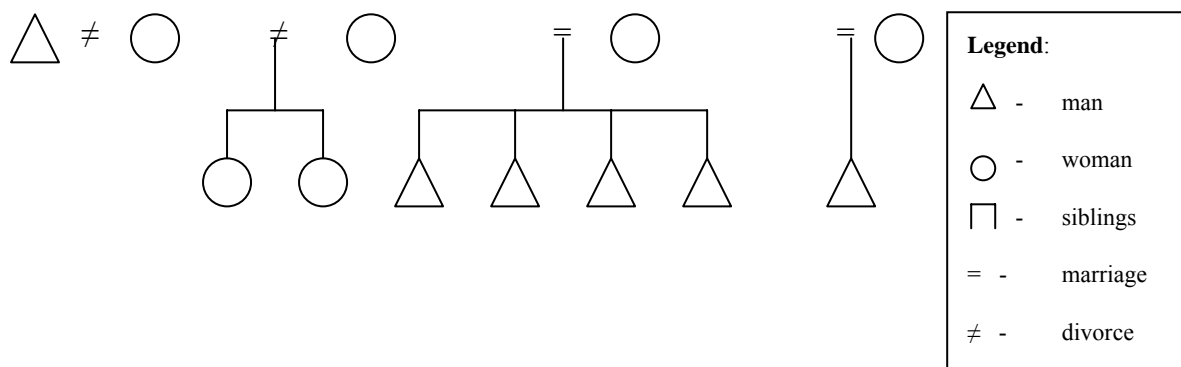


Mr. N has married all his wives through *nikahi*, the Muslim marriage ceremony. He has also paid for the *mahari*. He justifies his polygamous arrangement through religion, and because he does not believe that a new relationship should dissolve the previous one. He acknowledges that women do not accept the idea of sharing the husband easily. In his case he only informed his first wife after being married with the second wife. His first wife reaction was to challenge his actions following which she tried to cope with the situation. Both she managed through religion. Nadira told me that she asked her husband if religion did not demand him that he consulted her before marrying another woman. She also tells me that only religion gives here solace to cope.

Mr. N considers that social support and avoidance of adultery are the major advantages of polygamy. He also constructed a speech that justifies polygamy as protective of women's needs.

> *'Women have more work at home than men. If the man does not sleep at home everyday it relieves her a bit. [Also] women should have a minimum of two years rest to tend for the baby. If there is not another they will have children one after the other.'*

For Muslims having sex without being married is considered adultery. According to his words:

> *'An adulterous woman disrespects society. She will have to raise her children without support or protection. She does not have the safety of a marriage and she is vulnerable to diseases. But the adulterous man also does not organise himself. He is also vulnerable to diseases and usually is involved in confrontation with other men [for the same women].'*

Although society has given privilege of multiple partnerships to men, but women have sexual needs too. The privilege that men enjoy, as it was referred by Mr. N and other informant is related to their purchasing power And the only way they can 'properly' satisfy their needs is through marriage. It is not a coincidence that sexuality is so central to Mr. N's discourse. Both the Quran and matrilineal ideology make it central. The Quran dwells on it in several *Surahs* (Yussufali N.S.). And female initiation rites inform women of gender roles and initiate them in sexual competence and the arts of seducing men (Bonate 2005: 46). Sexuality is thus viewed as natural, as is its consequence, reproduction. But because reproduction should not be inconsequent, religion regulates it through marriage. Polygamy is particularly helpful in regulating proper sexual intercourse. A book by the prominent Mozambican Islamic scholar Sheikh Aminuddin Mohamad who has published on the rights of women under the *Shariah* law, among other things, states:

> *'Prostitution, adultery, fornication, etc. can also be controlled and discouraged by assuming polygamy, as in this way this will preserve the damage incurred by illicit sex.'*
> *(2002: 7. My translation)*

Mr. N says he has a closed polygamous marriage. This means that he only has sexual intercourse with his wives. But the testimonies from both wives suggest he started out by cheating on the first wife, before assuming the second one. Religion is used to mediate and regulate the harmony in the households. He spends equal time with both wives, as per the *Quran*:

> *'Marry women of your choice, Two or three or four; but if ye shall not be able to deal justly (with them), then only one, (…) to prevent you from doing injustice.' (Surah Annisa, Chap. 4:Ver. 3; Yusufali N.S.)*

His view on family harmony and planning is clearly influenced by Sheikh Aminuddin Mohamad teachings (2002: 60-65). The Sheik has been described as part of the global Islamic

reformist movement. The *Wahhabi*, as reformers are called, give considerable importance to the *Shariah*. They defend a strict literal interpretation of the *Quran* and consider the life of Prophet Muhammad as an ideal example of Muslims to follow. Reformists contest local African practices, other Islamic orders, such as the *tariqa* (Sufi order) as well as Western lifestyles that may contradict the Prophet's teachings (Bang 2003: 133-135, Bonate N.S.: 2-3).

The *tariqa* have been the major Islamic influence in the Swahili rim. *Sufi* teachings differ from *Wahhabi* in that the *tariqa* believe the Prophet to be divine and immortal. Many also believe that his divinity has been passed on to his descendents, who then become example to follow. Ultimately, for them union with divinity can be reached through spiritual exercise and guidance (Bang 2003: 18-20).

The written nature of Islamic teaching makes written expression a form of learning. Mr. N learns Islam not only from the *Quran*, but other different sources, such as the internet, the TV and publications. This is in line with the importance of the printed press referred by Anderson (2006) in establishing imagined communities, which has been extended and accelerated by other mass-media technological advances. Internet is one such example; it reaches a much wider audience and permits an appropriation and negotiation of a privatised manner. Overall, these scriptural references connect the family to the outside community in space and in time. With this it also provides means to break from common practice.

This means that Islam in the House of N is in ongoing construction, taught and learned every day, much in response to individual needs. Mr. N has found a discourse that resonates with his actions. Discourse gives them sense, justification and creates reality. In many ways Mr. N's discourse the sense of identity and tradition is stronger than the husbands in the two previous families. Mr. N is very clear in saying that by tradition Muslim men, as a collective are allowed to have several wives. The other two husbands however, talk more on behalf of their own experience, distancing from other men's experience.

### *Mana Nadira*

When I first met Nadira I was dazzled by her beauty. She wore a colourful *hijab* (Muslim veil) covering her head, which matched her skirt. She had bracelets dangling down her arms, and *mehndi* (henna) painted fingernails. It is possible that I was preconditioned to construct her physical features as beautiful because of beauty constructs created around Northern women, particularly those descending from or influenced by the Swahili culture. She was self-

conscious about her Portuguese, and this is why she preferred not to be taped. Otherwise she was warm and welcoming. She immediately called me *mana* (sister), establishing a rapport of trust, confidence and equity.

**Figure 8. Nadira's house plan**
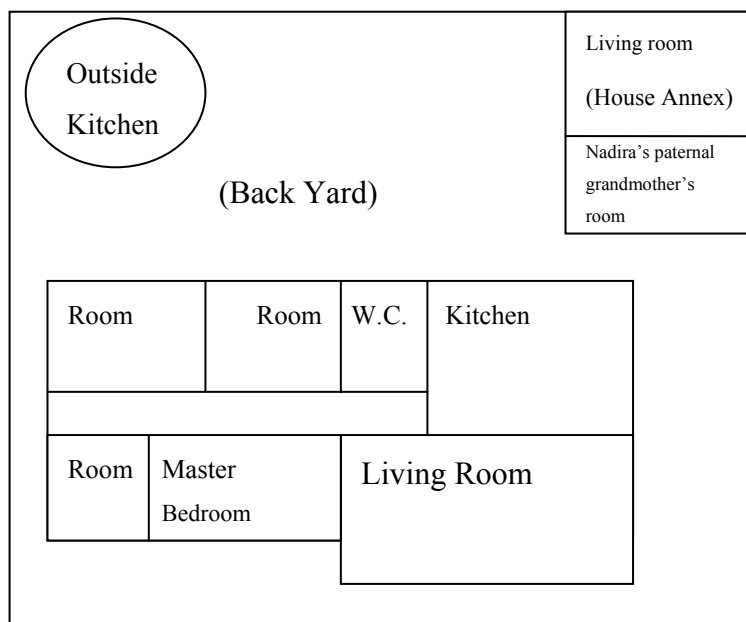


Nadira is 38 years old. She was born in Pemba, but her parents are from Ibo Island. According to her opinion, most of the people from the islands end up in Pemba. Her father was a public officer and was eventually transferred to Pemba on work. She showed her awareness of social inequalities between men and women by stating that her life has been hard, because she is a woman.

She was brought up by her grandparents. They were pious and the first language she learned was the Arabic, through the Quran, at the Madrasah – the Quranic School. She learned it before she went to regular school. She went to school in Pemba, but only completed the basic primary level. A series of events prevented her from continuing. She now realises that education could have improved her competitiveness. She seems to be referring the State's rhetoric about the importance of girl's education for development and women's education. But she may just as well be referring to the ability her co-wife, who has studied further, to negotiate entrance into the marriage. Both wives seem to have had similar misfortune with men; yet Isabela, Nadira's co-wife seems to have been able to negotiate a strong position in the present marriage, even if she is not the first wife.

After completing primary school Nadira moved in with an aunt in Nampula. It is not necessary that Nadira's aunt was her actual aunt, only that a co-parenthood bond[21] was agreed upon. The intention was to study further, but instead she became the house help. This is a fairly common practice in Mozambique, where better off relatives take in young female relatives. In exchange for their domestic services they are offered education. Usually mobility is made from rural to urban areas or from smaller to larger towns. Nampula is the largest town in Northern Mozambique. So, the same way the people from the islands end up in Pemba, people from Pemba look at Nampula as the source of better opportunities.

Nadira returned to Pemba after a year or so, but never returned to school. She started to date a boy secretly. Her intention was to get married, but they became sexually involved, and this decreased her status as a proper woman and her ability to negotiate her marriageable status. In her words:

> *'I did not [date him] because he had means. Sometimes there is the need for people to touch. My parents wanted me to marry virgin, and I always [abide by that]. In time he got involved with other women and revolted against me. Instead of talking to friends who could counsel me against it, I ended up giving in. But after he* dishonoured *me he said he did not want anything to do with me. I told my parents. They complained to the community court in Paquitequete. With this they ruined my* career.'

What this means is that women need to be able to balance between sexuality and seduction engrained in the local culture and propriety. There is the pressure to give into men's sexual desires, in order to maintain them. But this comes with uncertainty. The result might be positive, he may want to stay and marry; or negative he might chose to leave. Women are perceived as materialist, interested in marriage only for financial gain. This is natural, because in

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[21] The only work on similar practices in the Portuguese speaking world is from Maria Inês Oliveira (1996: 184-185) about the relations of *compadrio* (co-parenthood) among slaves in Bahia, Brazil. These were relationships that substituted or acted as kinship relations. They were created by the church, and were based in the spiritual connections between godparents and godchildren. Through this bond the actual parents and the spiritual parents become co-parents. The result was a social effect beyond religion, by which the parties are obliged to mutual support. For this it is essential that the godparents be socially equal or better off than the parents. In a situation of mutual dependency, and where kinship bonds are essential, if those are not created by marriage and blood, bonds may be developed through religion.

a monetarised urban economy where women are not productive their ability to negotiate equality is feeble (Azmon 1981, Sacks 1979). Though she claims to have had feelings for the boy, she does view marriage as a 'career'. But if seduction is a woman's act, sex is a man's act. A woman until her deflowering is considered innocent and the deflowerer that does not marry commits dishonour against the girl and her kin (see also Bonate 2005: 48). The true dishonour for Nadira though, is not she gave in, but that her status became public.

Nadira's powerlessness centres around her 'fall from grace'. Virginity is highly valued by Muslims, and only virgins are supposed to be able to marry properly, through the *nikahi* (Bonate 2005: 46). But Nadira's tale of her own story proves that even the toughest laws can be bent and reinterpreted.

Her next relationship was with an older man, from whom she became pregnant but also did not manage to marry. He was some kind of a lady's man, and Nadira was not his only woman. But she did not feel as used as with the previous boyfriend. She was not a 'girl' anymore. She describes this relationship in a different way; one in which she takes action. While in the previous one she claims to have given into pressure, in this case she said she seduced him. She used the term 'meter-se', which is the reflexive form of the verb 'meter' – to insert. This means she put herself in his way, inserted herself into his life. One possible reason is because she became pregnant. From the first relationship she transited into womanhood, and with this second she was transiting into motherhood.

However in charge of her sexuality Nadira may have thought to be, having a pregnant unmarried daughter was still a shame to her parents. They sent her off to her grandparents in Ibo. From there she went to Moçímboa da Praia to live with other relatives. There she met a man that was willing to marry her despite her pregnant status. She was to be his fourth wife. She married him in order not to burden her relatives and to appease her parents, though she did not love him. Nadira used the expression 'to follow the *sunnah nikahi*', which refers to tradition, the ways and the words of the Prophet. It appears to be a form of redemption, her way to recover propriety. Never mind that the *Quran* forbids men from marrying pregnant women (Yussufali N.S).

She divorced her husband right after having the baby. In fact she drove him away by making life with her unbearable. When he offered the *talaqa* (divorce) she accepted it without hard

feelings. This strategy by Muslim women to force men into divorce has been abundantly reported. This prevents them from losing their *mahari* (Bonate 2005, Mirza and Strobel 1989).

Her following husband was a cousin. Marriage among cousins is common among Muslims, particularly of Arab descent, as a way to protect property ownership (Abu-Lughod 1993, Korotayev 2000). Where there is no property to protect, custom may still prevail. Nadira's cousin took her to Maputo. She remained with him three years but was profoundly unhappy.

> *'He oppressed and oppressed me. I did not smile. He did not want me to 'give confidence'[22] even to family members.'*

She looked for an opportunity to escape. One time when he travelled to England, she fled to her brother's house. Unable to face up to his cousin, who would possibly have heard of how he mistreated his wife, her husband paid for her to return to Pemba upon his return to Mozambique. Abu-Lughod tales of the Bedouin explain very well the protective nature of male kin, under patrilineal context:

> *'To have no kin is to be vulnerable and isolated, since the family is such a crucial source of identity and support. For a woman, having brothers behind you allows you to stand tall in the world, and specially in your husband's community.' (1993:113)*

But the woman must nourish and keep healthy kin ties. And she must not extenuate them with recurrent pleads for help. So she stayed as long in this marriage because of shame; out of fear that people would comment on how she could not hold onto a husband. And after the separation she stayed single for two years and hoped to be able to increase her education.

She met Mr. N in a trip and he seemed to like her. He would ask her to pay him a visit every time they met in town. After a while he proposed and they have been married for sixteen years. She did not marry out of love. She believes love comes after the marriage, when the couple grows accustomed to one another. With her experience, no less could be expected of her.

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[22] To give confidence to someone means allowing a non-intimate person to know things, talk or act as more intimate than they are or should be.

**Figure 9. Nadira's sexual rapports and marital history**

| Type of rapport | Status | Children |
|---|---|---|
| Sexual | Main partner | - |
| Sexual | Alternative partner | △ |
| Polygamous marriage | Fourth co-wife | - |
| Monogamous marriage | Only wife | - |
| Polygamous marriage | First co-wife | △ △ △ △ |

Nadira is the actor of her history within the context of rules that supersede her and make her less powerful, but not powerless enough that she is not in charge of her destiny. She makes strategic decisions with the options available and limitations conditioning them. After all she has been through, Nadira has now a different understanding of love. She believes that she did not love her first boyfriend, the one she lost her virginity to. She compares between partners and feels that religion has changed her opportunities. When she was with her boyfriend she did not dress as modestly as today. With her son's father she felt too at ease to talk and engage in sexual intercourse. She trusts God and is 'afraid' to move away from religion, the only way she manage to regain propriety and power to negotiate an improved status.

Her discourse about sexuality also reflects her new found convictions. She did not date Mr. N for long. She claims religion and God are not in favour of dating. People tend to get involved sexually if they date for too long, and God is against that. What she wanted the most was a clean man, and God has (finally) provided her with one. He makes her happy and they get along fine. This is why she was disappointed that after all the time they were married Mr. N decided to get another wife.

> *'It's just what I [really] wanted. He never left my heart. He always praised me. He always said that as long as he was happy he would never marry [another]. I have given myself too much to him. He just disappointed me so much when he said he wanted to get married [again]. But since in the [Islamic] religion [he has] these rights I accepted it. When someone says that they want to do something it's not worth it denying it to them, because they have already thought about it.'*

Acceptance is a process, it is painful and actions are often challenged. Nadira mentioned that her husband receives e-mails on the internet on interpretations of the *Shariah*. She has looked up in the e-leaflets and consulted the *Sheiks* on whether according to the *Shariah* a man should consult the wife before marrying another. The response was that men need not consent, their obligation is to let their wife know that they have married another, make them come to terms with it and give all wives the same treatment (see also Bangstad 2007: 126, Bonate 2005: 50). She has also heard, and wants to investigate further the interpretation of the scriptures by which the wife that has more children should get more benefits. She thinks that this is the fairest interpretation, and should be the right one, because *Allah* is just. This subject is currently under debate by some of the *Sheiks* in Pemba.

One of the strongest factors into her accommodating to having a co-wife is her knowledge that life is harder for a husbandless woman than one in a polygamous marriage. 'Women live for their husbands', she says, 'and when they find someone that assumes their mistakes is better than one that never acknowledges them'. Nadira will rather have an honest man than one who hides things. She prefers to have a co-wife than hidden mistresses. At least she knows where he is sleeping when he is not home. In other words she prefers partial control to no control at all. But she admits not all women think the same way. Some prefer that the husband has mistresses rather than take another wife. Each woman has her own experiences, choices and preferences.

Nadira also admits that she will do everything in her power to keep her married status. According to her experience, compared to what she lived before this is the best situation. There are times she challenges the *status quo* and speaks out or shuns her husband. He apologises and she forgives him. She skilfully shows her discontent enough to maintain his affection, earn his attention and feed his guilt, but not enough to sever the marital ties. One effective way is to incorporate the *Shariah* in her speech.

> *'Women are like babies because they are easy to get angry. If [the couple] lives in forgiveness they can stay [together] for [many] years. But if one wants to show contempt one becomes* limited.*'*

She is quoting from the Surah An-nisah, Chap. 4: Ver. 34 (Yusufali N.S.). Making use of a characteristic expected of women, she is able to safely vent her frustrations, with the acceptance and sympathy of her husband. He shows his understanding and legitimates her right to

voice her pain – though not to challenge his decision – by asking for her pardon. In reality there is mutual forgiveness, she is forgiving him for hurting her and he is forgiving her for challenging his decision. Nadira knows how much is at stake. She says some women are over-confident and gamble on their perceived power over their husbands. These women believe that they will never lose them. But her husband has already taken another wife after so many years of happiness, for no other reason than the fact that he can. This tells her that her power over him is 'limited'. Shunning him excessively may jeopardize the little power she has left. Leaving the relationship because she is hurt is also not an option because although she has been blessed with a 'new beginning' people surely have not forgotten her past. The social finger will always hover over her head, with the haunting words: 'look at her. She can never get it right.' In other words, she is communicating that the social capital acquired and accumulated over the years with her marriage is only possible as long she remains in the marriage.

It has nothing to do with what she says or does. She tries to be a good woman, she devotes herself to God and His words, and still this happened to her. So if her fate is at God's hands she can only try to behave more and more according to His ways. At the same time she is afraid to question God's will, she is afraid to be punished for not being a true believer. Because by challenging the husband's decision she is challenging God. So she is thankful for what she has: a husband that respected her enough not to flaunt an affair, and preferred to only let her know when the mistress became a proper wife; a husband that does not abandon his children or runs away from commitment, by not divorcing her and leaving her children fatherless and not shaming a pregnant mistress. Coping is a gradual and contradictory process. While Nadira seems overtly understanding and complacent, she is deeply suspicious of her rival.

> *'I rather leave my husband be so he does not 'close'. There is so much traditional medicine out there.'*

Of course she is insinuating that Isabela might have gotten her husband's love and attention using more than her natural charm. That would be the most plausible explanation to why he would, after so many years together, and with no immediately evident reason fall in love with another person. So she fears the power of the new spouse, because she is not sure of what forces she can conjure against her, and if *Allah* is able to protect her against them. The fact that Isabela is a Makwa and was initiated, while Nadira was not, may add to this uncertainty. Isabela is perhaps perceived more skilled in the arts of seduction, as well as connected with

the secrets of the 'uncivilised'. Considering the local historical relationships among the different peoples of the area, this is another way for Nadira to continuously oppose her 'superior' background – a 'true' Muslim, imaginatively descendant of Arabs –, to that of her co-wife – a non-Muslim, imaginatively descendant of slaves.

At the lack of any other source of comfort religion becomes her only refuge; religion and the social network that it brings. She relates to the *Sheiks* in her community, but also has access to the foreign Muslim community present in Pemba. These are mainly traders from West Africa and refugees from the Great Lakes that have recently arrived to the area. They are usually affluent and have become influent among the impoverished Mozambican Muslim community. They also bring with them new practices and understandings of Islam. She has become friends with a number of Muslim women from other countries, and they have questioned her faith a number of times.

> *'How can you call yourselves Muslims and take the Portuguese culture? That is not your culture.'*

Her friends' affirmations mean that the Islamic *Shariah* supersedes that of any state, and that as Muslims they are first Muslims and then citizens of the State. Sheik Aminuddin's teachings and other Islamic scholars seem to follow a similar viewpoint. A law or a practice is only to be followed by a Muslim if it agrees with the *Shariah* law (Mohamad 2002).

> *'It's enough to see someone dressed as me. The* salaam aleikum *says everything.'*

Through the *salaam aleikum* she builds on her Muslim personhood and feels integrated into the Islamic nation.

**Picture 9. Heart with inscription in Arabic, offered to Nadira by a friend**



As an exemplary Muslim she started to wear the *hijab*. At the time she was criticized by the rest of her community, because few Mozambican women wore the *hijab*. Nowadays more women adhere to the trend. Through the 'Islamic nation' she learns to cope and the best ways of being polygamous. She thinks it would be better if both wives lived in the same house. She knows that a husband cannot treat both wives the same way. With separate houses she lacks control over what is happening in the other household. For now she asserts control by visiting the other wife now and again, and by making sure the husband keeps his schedules rigorously. She does not want to be accused of destabilising the marriage. But the other wife prefers to keep her distance. Sixteen years of marriage means that Nadira's household is more solid and organised. For Isabela to combine the households or to at least strengthen their ties as co-wives is a way for Nadira to exercise her seniority over her and show off her achievements in. Even Nadira is aware of the implications of living together and thinks it is her right to have seniority, as the first wife. She also thinks it is natural that she has a more organised house-hold, because she has been married the longest, and it takes time to organise a home. Maybe she is trying to compensate for having to share her husband's attention or genuinely looking out for the best interest of the family, or both.

Mr. N is aware of both wives difficulty in coping with the idea of sharing his devotion. He does not agree on both wives living in the same house. It is not a common practice among polygamous Northern Mozambicans, Muslims or otherwise. In the matrilineal context the way polygamy has managed to survive was by keeping co-wives apart. Many co-wives, even when

they know of each other's existence will not talk to each other. But Nadira insists that differences in reaction towards polygamy are due to differences among religions as much as to lack of religiosity among Muslims, i.e. not following the proper Muslim ways.

> *'Now, with the increase of [Muslim] religiosity some [co-wives] will talk to each other. In the bible there is nothing about polygamy; that is why [Christian] cannot [be polygamous]. [For example] the Jehovah [Witness] group does not allow abortion, just like the al-Quran. They say: why are you killing the children if you do not know why they are being brought to the world? [But] they [also] say that people who are not married and find a 'friend' to help are not committing adultery; because they are looking for bread. But in the al-Quran it is adultery. Everyone defends their [own idea].*

But Nadira's is also being practical about the new situation. She believes it is more expensive to sustain two households than only one. This knowledge she also acquired from her Senegalese, Malian and Somali friends. There are significant differences in valuation of gender and autonomy between the different Islams (Bonate 2005: 55). Nadira is believes that a unified domestic arrangement will bring harmony and financial stability. Her foreign friends represent to her how to be a 'proper' Muslim, and mimicking them may get her closer to paradise. Though 'bearing a cross' is a Christian metaphor, Muslims also believe that no one enters the paradise without suffering.

> *'There is nothing that does not hurt. Those who do not feel jealousy do not love and will not get into heaven. A woman thinks whether her love is perfect. Am I satisfying him? Other women can go on days without being with their man because he has another woman. [These women] walk with Satan. They think too much.'*

Patrilineal Islam seems to be gaining terrain with new ideas of gender and propriety spread by the newly arrived and financially better of Muslims. More men are taking their wives to their parents' home, instead of the other way around, as it was custom. Nadira prefers neo-locality, because Family Can ruin a marriage, particularly sister-in-laws. She does not think the same of a co-wife. From the experiences of her friends, one of which she made a point of introducing to me she has come to believe that jealousy arises from the other wife not being in the household.

*'Second wives always think that everything happens in the first house. Our husband used to buy everything in pairs. I divided everything equally, when possible. I could not do it always. Now I have stopped doing it.'*

## The tears and joys of Isabela Fardo

Isabela is also a very beautiful woman, though not as dazzling as her co-wife. It could have been just because of the colours she was wearing and the fact that she was feeling ill when we met, on the count of her pregnancy. She was on her first trimester. She looked somewhat withdrawn and suspicious, not as open as Nadira had been. She was wearing a black *hijab* and a matching black dress. Her house also looked considerably poorer than Nadira's. It was darker inside, with empty and cracking walls. The sofas were we set on were old and torn. There was no dinner table or fancy electric appliances as in the first wife's home. The floor was bare and carpetless. The cement floor was not waxed. I could perfectly understand how uncomfortable Isabela would feel to enter her co-wife's home.

**Figure 10. Isabela's House Plan**
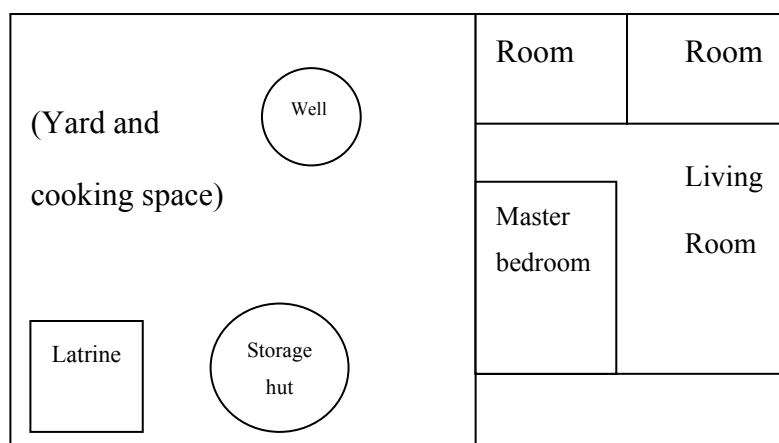


Isabela is 27 years old and was born in Nampula. She is not originally Muslim; she does not even have a Muslim name. Nadira pointed this fact to me, before I even mat Isabela. By making this point she was establishing a relationship of worthiness. If the remnants of the Swahili class system – by which non-Muslims are beneath Muslims – stands true, they should be a part in Nadira's construction of her own humiliation. Not only did her husband take another wife, he took one beneath her.

Isabela's father was from Nacaroa, in Nampula province. However he married her mother in Macomia, Cabo Delgado province. She has five siblings. Her father was a Catholic and her mother is Muslim. They agreed that three of the children would follow the father's religion

and the other three the mother's. But none of them really turned out religious. Her father was killed during the war, in an ambush to the 'column' he was travelling in from Macomia to Ancuabe, in search for food. He could not flee the attack because he was handicapped. Columns were organised travelling parties that travelled together in a column for safety purposes, hence the name. At times these columns were organised and protected by the military, other times they were organised informally by people who depended on the roads to make their living. RENAMO's guerrilla tactics included two important features; the isolation of urban areas from the food producing rural areas, by controlling the latter; and systematic attacks on communication routes to prevent circulation of domestic produce (Hall 1990: 55, 58).

Her father was a bank clerk. For this reason the family moved around frequently, from Nampula to smaller villages in the country. Her mother moved back to Nampula when he died, where she had relatives. She worked as servant at the military command. Nampula city is situated in the centre of the province, at the crossroads of all major routes. Because of its strategic location, it was built as a garrison for the Portuguese army. It was an important military town (Searle 1981: v). After independence, Mozambique adopted a socialist doctrine. As a result it became a part of the global socialist network. the 'Soviets' took over the 'military zone'. To increase the household revenue the children collected and recycled cans discarded by the 'Soviets'. Isabela also sold *jambalau*, a fruit popular with children for tainting their tongues purple.

Her mother sent her eldest daughter to live with a relative of hers in Angónia, Tete province. He was also in the military. Again, the co-parenthood bonds mentioned earlier are being used. Isabela says this 'uncle' was a relative from Macomia; a relative because he came from the same area of origin and because he worked for the same 'employer' as her mother. The other children remained with the mother, because they were too young.

Isabela's first boyfriend was a colleague from school around the time she was 11. This rapport did not include sexual intercourse. Her first sexual intercourse was with a man she met right off the initiation rites. She was in the 7th grade and would have been around 13-14. Isabela did not love this man, and though he was her first husband, she kept referring to him as her first man. Her way to get away from this marriage was to avoid sexual contact. She used a varied set of tricks to make him send her away. They had first moved in with his mother and then with his brother. It was at his brother's house that she started her resistance. So much that he even bit her to force her to have sex with him. But she did not like him and she did not enjoy

having sex with him. He finally sent her away and she moved back in with her mother. The relatives advised her that she should not do that to a man. She did not mind leaving all behind because she did not like him, as she kept stressing.

She then met a man from Zanzibar with whom she fell deeply in love. She accepted his marriage proposal and married him when she was 17. By this time, and according to costumes, she was free to choose her husband freely (Mirza and Strobel 1989: 10). Her husband travelled often between Mozambique and Zanzibar. The trading business was not flourishing as he wanted. So he moved to Maputo, where his eldest brother was, but did not take her or the daughter they had in common. She had stopped attending school because according to her 'the religion in Zanzibar' does not allow a married woman to leave the house unaccompanied. This is another evidence of the variety of Islams available in Northern Mozambique. It may also be a reaction of a foreign man to the more liberal habits of Muslim women in the area. When Isabela was 17 few women in Pemba had adhered to the more conservative proper Muslim behaviour. They would, for instance wear in western clothes instead of Muslim attires.

After waiting for her husband to return, Isabela asked her relatives to pay for her to join him, despite the fact that he had stopped contacting her altogether.

> '*I did not want to have children from different fathers, despite the fact that I was not educated.*'

She is referring to her vulnerability in negotiating her future as a husbandless less educated mother. But the family refused to help her. They reminded her that it was her husband's prerogative to decide where he wanted her, and it was also his responsibility to raise money for her trip. She should instead wait for him, and study in the mean time. What is implied here is that if he stopped contacting her, he stopped supporting her altogether. She most likely returned to live with her relatives. Though they used conservative arguments, they were progressive in intention – if they sent her to the husband she would become even more dependent on him, without her relatives around. By continuing her studies she would improve her chances in life. His abandonment of the marriage without formally divorcing the wife, and failing to support their child also made them feel insecure about his trustworthiness.

She then met a doctor that had just arrived from Cuba. He asked her if she was married. She answered that she was not. But when he asked if he could ask for her hand to her relatives, she

warned him she could still be claimed by her former husband, who had not yet given her the *talaqa*. The doctor did not mind her ambiguous situation, so she decided to live with him. But he was unemployed and this situation did not sit well with her relatives. According to Isabela, they treated her as a prostitute, for bringing into the home a useless man.

After two years this new 'husband' was finally offered a job as director of agriculture in Palma, in the extreme north of Cabo Delgado, at the border with Tanzania. By this time she was in her second year of business school. She had already met Mr. N, who was already wooing her. She did not respond to his advances because she had a husband. The fact that she was willing to go to a husband who did not support her, and endured an unemployed husband for two years convinces me that to her the social gain of being married is far greater than the need to be financially supported by a man. Her idea of womanhood includes a man, but she would rather be a wife than a lover.

In Palma, she recounts, life was different. Her power reduced considerably, most likely because she was away from her relatives. She felt the pressure of being the director's wife. She had to stop studying; she became more dependent and had to follow the husband's orders. Though she seems to be (or act) submissive she is aware which situations make her more dependant. When her husband was transferred to Pemba do be the provincial director of agriculture her situation did not improve. His status came between them. Despite her dedication and the fact that she was not all that uneducated the husband still shunned her. Several authors have mentioned how men sometimes shun their wives once their social-economic status improves (e.g. Griffiths 2001).

> *'We stayed four months [in Palma], then he was transferred back to Pemba. I stayed two months alone. When I came back he fell ill. When he got better he [woke up one day] went to work and never came back [home]. He took all the money we had saved. I was three months pregnant and it was exam time at school. [When I looked for him he asked]: "why did you come looking for me? Cannot you see I am a veterinary doctor? I can be called any time for a slaughter". This was the reason why we divorced.'*

At this point Isabela was faced with a dilemma of Mr. N's courting. On one hand she was tired of marriages going wrong.

> *'I hated men. I spent a long time without knowing what sex with a man was. The first man held me back, so did the second.'*

On the other hand she felt comforted with the idea that a man would want her despite the fact that she was pregnant by another.

> *'When I was seven months [pregnant] I looked for my colleague (current husband) and started complaining [about my luck]. He used to comfort me, advise me. But I was hurt, so when he talked about love I cut his word.'*

She tried to negotiate the best position possible, particularly because she knew he was a married man. Only after he son started walking, as tradition demands, she gave into Mr. N's advances.

> *'One day one of his nephews came to ask me to take a walk with him. I ended up in his house, entered the room and he started caressing me. He asked me why I was worried. I became even more hurt. Someone else's man. My wound hadn't healed yet. He asked me if I had another man. I answered: "for now I will not say anything, I will tell you after". He knew me and then he left. I stayed like this, without anything, without* juízo.*'*

To be without 'juízo' means behaving like a child, senselessly, without consequence. For the first time Isabela felt like she was stepping into a situation with unforeseen consequences. She could not be sure of the outcome of her gambling.

**Figure 11. Isabela's sexual encounters and marital history**

| Type of rapport | Status | Children |
|---|---|---|
| Traditional marriage | Woman | - |
| Marriage | Wife | ◯ |
| *De facto* union | Partner | △ |
| Polygamous marriage | Second co-wife | △ |

The first arrangement with Mr. N was not to her liking. He rented a house for her and they became, as she puts it 'intimate friends'. She was a mistress, when she would prefer to be a wife. Being a mistress did not provide her the safety she needed and did not permit her to be and feel a proper woman. It was about this time Isabela decided to immerse herself in Islam.

**Picture 10. A representation of the Ka'aba (cube in Mecca) and Muslim prayer beads, on Isabela's living room wall**



This was not just an epiphany; Mr. N had mentioned that they might have to separate.

> 'At this time I did not pray. I [only] participated in the Ramadan. One day I decided I should pray. I asked the dono[23] to teach me. But he would [make excuses]. So I asked a Muslim brother (from the mosque) to teach me.'

Mr. N and Isabela had been together for about three years and the rumours that Mr. N had a mistress had reached Nadira. She tried to meet this woman, but Isabela skilfully avoided her, because she had been warned that not respecting Mr. N's wife could cost her the relationship. She even had proof of that.

> 'His wife went out of her way to meet me. I would meet her [in the street] but she did not know me. Once she used a trick. She said [to the husband] that she had met his girl-friend at the shop (where Nadira works). [Mr. N] asked me if it was true and I said it was a lie. He told me I had taken the love away and that he would not be my husband.'

Isabela became pregnant around this time. For a while she was concerned about her future. A child can 'limit' a woman's perspectives. Or it can save her. The latter happened to Isabela, much to her surprise. And she thanks Allah for it.

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[23] The word *dono* literally means 'owner'. It is often used to define strong relations between people and immaterial things. In this case Isabela is implying that Mr. N, by virtue of being a Muslim, 'owns' the (knowledge of the) Islamic religion.

*'That same week he [Mr. N] decided to live with me as husband and wife. I could not believe it, because we stayed many years without that happening. He said it was better to talk with the relatives. He gave the [*mahari*] money, but he did it to please Allah and not the people.'*

The discussion about how to be fair towards both wives is an ongoing debate in the House of N. Isabela's and Nadira's interests clash. They interpret the *Shariah* according to their own interests. Equal division serves best Isabela, because she has a smaller household. Division according to the number of children serves Nadira's interests.

## Mind over Matter – conflict of mind, body and soul

In this family the religious discourse and patriarchal structures protect interests of both men and women. Alternatively, institutions run by women and designed to construct women's identity and personhood, such as the female initiation rites may work in two contrasting manners. On the one hand they empower women through their sexuality. On the other they also sustain gender inequalities and stimulate women's submissiveness. But in many ways power and submission, as well as religious performance are part of an intricate play where the stakes are high, and only the best performers have the best outcomes. It is within these frame and constraints that the women of this family find space for agency. In recapitulating their story they also manage to establish, through carefully chosen words, and associations of meanings – between God and improvement of status, for instance –, the categories of relations that help improve their condition as women.

Islamic religion provides the terms that construct the sense and reality around which the members of Family N lives. It also creates a long stretching bond with blood and constructed kin relations that help cope with difficult economic contexts. These bonds relate to people as well as geographic space. And with both a historical and contemporary influence by newly arrived Muslims, the terms of what is traditional and customary are being designed and changed every day.

Sexuality also plays a major part in the life histories, particularly of the women. Their whole language play is filled with the terms that differentiate their sexual partners and the different status they bring. Words like 'special friend', 'husband' or 'man' have different implications to the lives of women. They play the role of seducers hoping to access much needed husbands. Even when husbands are unable to provide for their women, they are still considered

valuable and marriage fundamental. This way of thinking is naturally upsetting to feminists who consider that women who depend on marriage are trapped in a cycle of dependency and submission (e.g. Geisler 2000). But in this case marriage does not serve to access proper motherhood, it is rather the proper means to access sex. Both Islamic religion and female initiation rites establish sexuality as central to the relationship between man and woman. The religion gives the men the responsibility and action in sexual encounters, while the initiation rites construct the female identity and agency of her own sexuality. Womanhood is constructed around her sexuality, and is in turn mediated by the existence of a man. Because the children belong to the women, and she enjoys a lifelong protection of her kin, motherhood is less central in the lives of the women in this family. This protection also makes cooperation among co-wives less likely.

Sexual choices have unpredictable outcomes. But women who play within the rules get the best outcomes. As such, women have developed skilful ways to manage what they want within structural constraints. For example they seduce, but pretend sexual passivity; they also provoke causes for divorce, but never initiate it. Divorces are indeed frequent. And custody arrangements have shown interesting changes in practice. In this family the husband was left with the children of his previous marriages, despite the fact that matrilineal customs allow the mothers to keep them. But both his wives also have their children with them. One can easily attribute it to the influence of Islam, or the weakening of matrilineal practices in urban areas, as suggested by Helgesson (2006: 53). I tend to believe that material conditions have a lot to do with it as well. In a situation where women do not have access to means of production, to use a Marxist viewpoint, they have to or are willing to leave the children with their fathers.

Kin folks are also not providing the same protection as in rural areas. Mobility is rather high, both for men and women. Taking advantage of the extended coreligionist network women move from the cities to rural areas where their kin is more willing to harbour them. The concept of migration does not efficiently grasp the experiences of mobility the members of this family had throughout their lives. They do not fit the typical stereotype of the labour-migrant, nor are they driven by purely economic needs. Stepputat and Sørensen (1999: 85) suggest that this type of mobility is a 'total way of life'. Under this frame of analysis multiple experiences, from economic, social, political and cultural are taken into account. Still they focus mostly on trans-national spasm, whereas I believe international immigrant movements as well as internal migratory dynamics are equally of consequence to the life of people.

On the other hand, urbanity is where monetary economy prevails. It is harder on women because they have less education and work in positions that pay less, if they work at all. Having a husband, rather than enabling access to a social network of protection, enables access to concrete material benefits. Feelings and personal wants are not less important. Both women talk about their emotions and feelings. They are clear about who they love(d) and who they do not. Except that love does not feed. And in the end materiality will overcome the emotional discourse.

Polygamous practices in this family are justified by religion and mediated by sexual desire. All spouses experienced different types of marital arrangements before settling in this one. Friction is not hidden; it is out in plain sight. Hierarchy among wives in a matrilineal or Islamic context is not formal, even though the eldest expects respect from the youngest. I found a dynamic in which the eldest is trying to establish the hierarchy, but the youngest is resisting. There is no shared discourse that justifies hierarchy, and it has become a matter of negotiation within the household. There is also no shared discourse of how to justly share the income among the two households.

Global tendencies have been affecting the lives of people in Northern Mozambique manifold. FRELIMO has initially discouraged religious manifestations, condemned polygamy and the practice of initiation rites (Arnfred 2005). This discouragement has received support from feminists worldwide. But practices were kept, because they were meaningful to people's identity, and made sense within the context they lived. On the other hand, Islam has been changing, and many new forms of Muslim practices are available. The Islamic reformist trends are trying to unify these practices. It is critical of the secular state and challenges practices and legislation that are not according to the *Shariah*. This follows that the state in general and local feminist thinkers and activists are faced with actual practices that defy their frame of understanding, as well as their legitimacy.

The three family histories presented above clearly show that the structural constraints compelling women into polygamy are as much related to social and cultural structures as economic factors. As long as effective opportunities are not available to women to substitute the social, economic and emotional value of a husband, women will want to get married, whatever the conditions. This may be difficult to accept, particularly for feminist thinkers who view marriage as space for submission, and polygamy as particularly detrimental to gender equality. But there is no reason why different frames of mind cannot be reconciled. In the following

chapter I will discuss how these seemingly incompatible positions may find ground for dialogue and collaboration.

# Chapter 5 – Big Brother(s), state formation and the encounter between 'I' and 'us'

The histories presented above illustrate how space, history, as well as social-cultural structure and practices impact differently on individual lives and choices. It is evident that the citizens of the Mozambican state transit in different communities of meanings and interactions. All histories show how individuals' fates run at a certain distance from the state, but are still affected by its policies. Meanings in the alternative arenas available to the citizen are constructed in ways that better serve personal interests, even under difficult circumstances. The map bellow illustrates the physical spaces in which each family have transited throughout their lives.

**Map 1. Families' space of reach and interaction**

The map is not only illustrative of the different spatial and life trajectories. It is also a reflection of the difference in conception of the multiple imagined communities possible. The Mozambican state is bound to borders established by the colonial power. A law like the new Family Law is instrumental for the project of a unified sense of 'Mozambicanity'. But this imagined Mozambican community is composed by individuals that have links and ties beyond the country's borders, some of which related to historical bonds preceding the creation of the present borders.

The family histories presented above bare evidence to how marriage creates social fields that transcend the boundaries of a mere contract. The ways marital arenas are created and accessed; and marriage is discoursed, understood and performed within these arenas show individual creativity and agency. They also show the malleability of 'cultural structures' within which individuals operate. In contrast, the concept of marriage based on a 'modern' has proven to have much less flexible concept of marriage, and is thus unable to address people's contextual needs. The result can only be a failure to implement the law as it was intended, because 'actions with no apparent impact may nevertheless be consequential' (Merry 1995: 23). And the state cannot afford to turn a blind eye to the fact that despite continuous ruling against polygamy, people still engage in this form of marriage.

In the following chapter I will address the contradictions between the contexts within which people live and the concerns of Mozambican legislators and feminist activists, regarding women's equality. I will discuss the fallacies and hierarchies subjacent to the present legitimising arenas allowed by the state. I will argue that the citizens' social arenas, practices and desires are not incompatible with the nation's 'modernising' project. But in order for a compromise to be reached the state must move away from unhelpful dichotomies that consider practices such as polygamy as a remnant of backward practices that prevent modernity. Instead it should look at how the interests of all involved could be defended, in the best but also meaningful way possible.

## *Waves of determination: structures binding agency*

I have constructed the main arguments of each family history around how informants chose to tell their stories and the issues they chose to emphasize. Through these stories I have learned that for Family S productive and reproductive relations are at the centre of the marriage strategies, both for women and men. Women gain autonomy with marriage and increase their

social negotiation ability with motherhood and the seniority status it provides. Children are labour assets as well as guarantee of support in old age old age, for both parents. For women with less negotiation capabilities, i.e. less children, polygamy serves as means to access a support network through co-wives' labour asset and productive outputs. There are women that may stay within a polygamous relationship until a better opportunity presents itself, or they feel secure enough to exit the marriage without compromising their social credibility and future perspectives. This requires skill and wit. A woman that does not play the 'rules of the game' risks lifelong instability. In this context it is more important to a woman that she is married rather than whether she is one of many wives. A woman wants to have someone to call husband and a *muti*. Having a husband however, does not imply that one is married. The marital process implies a long process of negotiations reinforced by bridewealth exchanges and children. Being a husband and a wife mostly implies the establishment of a relationship of regular sexual intercourse. Although some negotiation is still possible when a woman is not 'officially' married, the social recognition of the marital status increases her protective rights. In the mean time financial opportunities for young prospective spouses are deteriorating. Young men have more difficulties in complying with customary practices. The result is that the process is shortened and the steadiness of marital relationship promised by some of these practices is hampered. This does not imply that 'culture' is lost, and marriage as an institution is 'doomed'. With changing circumstances individuals still try to adapt, cope and re-arrange processes in ways that still make sense to the people. Bridewealth is still valued, but it is taking longer to be paid. Women are moving in with their husbands without proper *kulovola*, and moving out with their children without their husbands being able to claim them. Even the spirits are unsure of which kin group has the right to their future support.

Family C presents a case in which motherhood plays an important role. In fact motherhood is nearly the only way a woman can improve on her social status. This Family Shares structural similarities with Family S, yet meanings and values within these vary considerably. Family S stresses the importance women in their productive ability. This is illustrated by the use of the *lobolo* to acquire a woman to substitute the daughter/sister. For Family C's context, however the stress is on women's reproductive power. This is exemplified by the fact that the *lobolo* process is not closed until children are produced. Man and woman are considered married after the preliminary agreements, but the bong strengthens over time. The unmarried man and woman can still be considered husband and wife, but only in case they have children together.

The polygamous marriage also has different outcomes for women's autonomy and cooperation among co-wives. In Family S, where the stress is in production women enjoy more autonomous, coordinate and complement each other's production. Whereas when the stress is on reproduction women do not seem interested in complementing each other. Two factors contribute to this, the devaluing of women's productive inputs and the perception of men as providers. The impoverishment affecting Family S is also affecting the area where Family C lives. For the first family unemployment was considered the motive for young men to be able to raise money for the *lobolo*. In Family C's context unemployment still plays a part in making proper marriage procedures difficult. But boys and girls direct access to each other also play its part. Individuals are taking upon them to choose their partners; where before the senior kin had more decision power. Women are being chosen from the same community; whereas before they chosen from other communities. The immediate implication is that the structures of women's of kin ties and networks become stronger. But not enough to counter socio-economic conditions that make marriage the safest way to enjoy the status of motherhood.

Family N presents a whole different logic of relating to the marital institution, compared to the two previous families. Because they are Islamic, the formalisation of the rapport is very important. Although *de facto* marriages exist, a man and a woman are usually not considered husband and wife before the *nikahi*. The *Shariah* takes precedence over all other legal bodies. This does not mean that it cannot be reinterpreted or skilfully manipulated. The women in Family N juggle between sexual agency and need for propriety. Marriage in this case is mostly related to appropriate access to sexual intercourse. Women enter sexual relations without being married, but if they become pregnant their situation is better if they have a husband to help support the children. In impoverished conditions relatives might not have the ability to take in or support 'divorcée daughters'. Multiple divorces – so common in this area – imply many children, among other things. The women of this family are more dependent on the husband's revenue, because they do not have access to productive means of the women in the Family S and C. The cumulative marital choices also decrease the woman's ability to negotiate better situations. Contrary to Family C where children increase the woman's sense of security, in Family N they can actually compromise it. By no means does this mean that children are less important to these women. But they may condition their decision to abandon a marriage. This results that the older they get and more children they have, the less likely they

are to jeopardize a marriage. On the other hand, living in a matrilineal context where female networks with one's one kin are strong, the women in Family N also feel no need to cooperate.

These histories show how marital affairs are not just a matter for the individuals. Marriage creates a set of responsibilities and obligations, as well as ties and networks beyond the spouses. The case of Family N is perhaps the one which better isolates the marital affair from the community and kin, but it still does not eliminate their importance. Kin are still consulted before marriage and are expected to mediate conflict. And the community's opinion still affects women's decision to engage in a relationship or leave a bad marriage. The constraining structures that women work around result from factors not limited to culture. The way they negotiate their position and power is by maximising their advantage in a less advantageous position. In all cases mentioned marriage increases social advantages for women. Marriage guarantees autonomy and gives a *muti* to Mamani Mukulu and her co-wives. For Maria and Juvenalda, marriage gives them access to a provider for them and their kin in return for children to their husband's kin. It provides Nadira and Isabela with a legitimate sexual partner and security for their children. With a history of difficult love affairs, failed marriages, lack of labour opportunities polygamy is not the worse that can have happen to these women. The alternative is to be considered a prostitute, with all discrimination and vulnerability this status implies.

Marriage than equates to social capital. This capital translates into empowering spaces and resources, particularly for women who have less ways to access them. Naturally co-wives have competing interests. Whether they cooperate or remain rival depends on which of the strategies pays better in the end. These are not mechanical, cause-effect actions. These are choices mediated by practical considerations as well as emotional subjectivities. The women in the three families are able to live with the marital arrangement they are in, for now. They make sense of it through carefully constructed discourses. The words used are not fortuitous. The S wives distinguish between *kaya* and *muti* to explain where the woman's place is, as well as where she feels more empowered; i.e. where she becomes in fact a woman. The C wives are still trying to negotiate the grounds of the new marital arrangement. They will have to decide whether Mr. C is *Mbake* Bela or *Mbake* Emília. And they may never agree, but manage to work around it. The N wives distinguish between 'husband' and 'special friend' to explain the difference between relationships that improve on social status, against those that

are detrimental. The words chosen are, naturally part of a structure of understanding where they make sense and within which their meaning has to be withdrawn. It is also within this same structure of understanding that the women defend their personal interests or challenge the 'system'. For example Mamani WauMune threatens to leave the household unless the *lobolo* is paid in full, thereby appeasing the spirit to which she is attached. Maria da Perdição leans on conservative interpretations of ritual rules to guarantee her rights and to keep her husband's actions in check. She and her co-wives have a different opinion on what they are entitled to, according to what option serves each of their interests' best. Nadira consults the Sheiks and the scriptures to make sure what rights she is entitled to. She and her co-wife also disagree in the interpretation of the scriptures. For these reasons conditions and the terms of relationships are not static. The nature of marital relations undergoes constant negotiation.

## The power of words and their material consequences

Words and the meanings they convey as are important for the people who live and tell their stories in the above ethnographic accounts as much as those who will read about them. An example is the different ways the title of this thesis was interpreted. The choice of the words 'desperate co-wives' is a spin-off of the TV show called 'desperate housewives'. To the peers familiar with the show the title conveys, among other things the humour intended. To the ones unfamiliar with the show it conveyed surprising meanings. Some interpreted it as a preconception on my part that polygamy implied desperation of women. Others thought that the title assumed desperation, when women are often unaware of how desperate their situation is. My original intention however, was to hint to how the illegality of polygamy eliminated the legitimacy of second and subsequent wives, putting them in a more desperate situation then polygamy itself. Why is the discussion of these multiple interpretations relevant? Because it has parallels with the multiple worlds of reference that create meanings for the marital act in social practices. These worlds of reference do not find resonance in the Mozambican state's definition of marriage, which defines marriage as:

> *'A voluntary and singular union between a man and a woman, with the purpose of constituting a family through full communion of life.' (Article 7, Law Nr. 10/2004. My translation)*

There are two immediate problems with this conceptualisation: the full communion of life and that it is a union between a man and a woman. Both have the same implication for the

spouses, they are considered in their singularity, extracted from their social context. A full communion of life pertains to the man and the woman, ignoring how this communion affects other kin members. It also implies the share of common space, which in the histories above, even in monogamous marriages that was not always case.

The law views the statuses of people and the rights attached to them either as existent or non-existent. There is no qualitative improvement on one's status after a contract is signed, and rights are only awarded if specific conditions are met. Social practice, on the other hand, re-lies on fluid relationships that include a variety of actors and degrees of bonds. Time creates cumulative power and rights. Contracts are negotiable even after they are celebrated. In the case of marriage there is also the matter of the creation of personhood and what that entails in terms of social access. Being married is not just in the name; it is also related to what person one becomes by being married.

Marriage can be represented by a variety of symbols, like the plates offered before the *lobolo* is paid, the cows transferred as *lobolo*, or the bed presented as *mahari*. These are just as bind-ing as the signing before the state's notary. All of them translate into material realities and relationships of duties, obligations and expectations. The implication is that the bond created by marriage goes beyond the spouses. It includes multiple obligations and responsibility in relation to different categories of kin. And there create the support network relevant to face life's uncertainties. An equivalent compensation is lacking from the conditions offered after the civil ceremony. This is why people make sure ceremonies in the alternative arenas are also conducted. It is also the reason the civil ceremony may be skipped altogether.

Each of these material realities operate in arenas that produce relevant systems of meaning. It is not a question whether all people circulating within and taking advantage of these arenas understand these meanings in precisely the same ways. It is more relevant that they utilize concepts and discourses that are recognised and shared by others (Myhre 2007a, Scruton 1986). The families I interviewed do not need and do not operate within state sponsored are-nas. But these families cannot be assumed as more marginal than other citizens. The state is not entirely absent from their lives. For example Mamani Mukulu and Mamani WauMbiri both have their marriage to Mr. S registered in their *cédulas pessoais*. Even if these were reg-istered by the colonial state, it indicates a familiarity certain access to the state. The effect and reach of state policies are evident in Family S' compulsory villagisation in the 1970s and re-settlement after the 2000 floods. In Family C the husband and the junior wife are both

schooled. The family leaves in Vila de Búzi, where there is a notary and the state is represented by the District Administration. In the north all members of Family N are urban, schooled, travelled and are or were formally employment. Yet, in all this vicinity the state continues to be irrelevant to marital negotiations, unless conflicts arise that the alternative arenas do not manage to resolve. Typically the conflict is around disagreement regarding property. Even when women complain that a man wants to take another wife, the issue is either because they want leave the first wife or because he is disposing of her property instead of creating property for the new wife (e.g. Bonate 2005: 54). This does not mean that women prefer polygamy to monogamy. What they do not like is uncertainty. The arrival of a new wife is just as upsetting as the prospect of divorce. Both cases create a need for assessment of the state of affairs and consequences of the outcome. In case polygamy is considered preferable to divorce, it also does not imply cooperation among wives. But lack of cooperation also does not imply conflict. Habituation takes time, and the nature of the relationship changes as time passes. Co-wives that started friendly may end up fierce enemies, or vice-versa. They are competitors for one same commodity, a husband. 'Conflict and cooperation are historically constructed processes that are challenged and negotiated through time (Pitcher 1996: 85), whether we refer to the household or to its surrounding context.

## Law making, gender relations and the commoditisation of marriage

I do not wish to imply that women think of marriage only as a material solution to their well being. Although conflicts taken up to the public/state forum are mostly based on material considerations, other aspects are at play. Emotions are converted into material understandings that make realities easier to digest and rationalise. The fact that decisions are based on material considerations does not invalidate that emotions also play a part in the decision making process. Thus material considerations seem to take precedence over other considerations in the discourses of people. The same happens with the reasons presented to engage in polygamy. All husbands interviewed presented a reasoning that distanced them from their needs and wants, and concentrated on the benefits for the women. Most of them centred on material or other concrete benefits: help with production; help with domestic chores; spacing between births; or saving from difficult personal situations like unsupportive family or battering husbands. Only the women in the southern Family Supported partially the male reasoning. They recognise that additional women can be of help. This is reflected on how they complement each other and strive for marital harmony. The other two first wives are still trying to come to

grips with the reason their husbands chose to bring a new wife. Any of the reasons they would consider acceptable for a husband to take another wife are not present: they both provided the marriage with children and there are no major conflicts they acknowledge between them and their husbands. A new wife is a constant reminder that something is wrong with the previous one; even if not enough to grant a divorce. And to the following wives the reluctance of their husband to divorce their first wives also presents uncertainties too, because a senior wife already has her place established, can challenge a junior wife's authority, and even control access to the husband or benefits provided by him. And so rivalry among co-wives is unavoidable.

Mozambican women's rights activists are concerned with this particular aspect of polygamy; spousal rivalry. They are concerned with the emotional violence on first wives, as well and the discriminatory mechanisms towards second and subsequent wives (e.g. da Silva 2007). They are right to be concerned. But the question remains: why do women remain in these marriages? I do not believe they are unaware of the unfairness of the situation. And there are two popular reasons used to justify their choices: material needs and structural mechanisms that hinder women's rights. Both are true. Mozambique is an impoverished country, scoring low in the human development index. In this context women are particularly affected, because they have a weaker access to resources and production means. This is itself an indicator of structural discrimination. The general condoning of men with multiple partners is another. But there are evidences to suggest that if worst come to worst, women do leave marriages they are not satisfied with. This includes monogamous and polygamous marriages. And some women have experienced both. Having a battering husband is, by all accounts, worst than having a co-wife. Just as much as having a husband is better than not having one. Women will take what they can get/negotiate. Some will settle for the lover, a husband without marriage. But all will prefer to be properly married (see also Griffiths 2001). Marriage improves the quality and kind of network relationships, improves a woman's respectability, and strengthens her negotiating ability. These benefits overpower the emotional distresses of polygamy, and produce a perception of long-term stability.

No one can challenge the fact that men in Mozambique have privileged rights over women. Illegalising polygamy aims at promoting equal rights between the genders. Practices still in place by both the state and the citizens defy this objective. In theory women and men are entitled to the same rights; in practice men still get the upper hand. The law is hopeful. It hopes

that illegalising the practice will deter, particularly women from entering such relationships. The expected outcome is with woman's natural resistance to polygamy backed by the state this practice will eventually wither and disappear; as it should in any respectable modern society. A good example is how young, educated and urban women are more resistant to the practice than rural, uneducated, older women. But as the ethnographic material has shown, reality is not so linear. Resistance can occur without polygamy being threatened as an institution. Tendencies in neighbouring countries, such as South Africa and Botswana show that polygamy can be reinterpreted and re-enacted, even among the well to do affluent urban educated upper middle classes (Griffiths 2001). Sometimes it takes the form of a married man with mistresses, i.e. *amantismo*. Other times it takes the formalised form.

Many of the informants argue, in fact that poverty is more responsible for diminishing the incidence of polygamous relationships than any modernising initiatives. Many men cannot afford to prove they will be good providers to one wife, let along several. If conditions improve, and provided that structural condoning of multiple partnerships for men continues to exist, so will polygamy. As long as the different social structures present in Mozambique condone multiple partnerships in men, there cannot be effective equal rights for men and women. Admittedly the state cannot prevent men from taking lovers. In fact neither the law nor society seem to be able deter them from having multiple partners. But for women it does make a difference whether the she is a proper wife or a simple mistress.

The law is not above interpretation and manipulation. The mechanisms that allow meanings to be constructed and manipulated to fit individual interests in the arenas alternative to the state apply to the state's laws. There is no question that the new Family Law forbids polygamy (Assembleia da República 2004, Collier 2006, Joel 2005). Yet many of my informants consider that the law is in fact pro-polygamy. One example I was given regards child support. By guaranteeing the equality of status among children, irrespective of the nature of the parent's relationship, the state has inadvertently created means for polygamous arrangements to persist. As Oyewumi pointed out:

*From an African perspective and as a matter of fact, mothers by definition cannot be single. In most cultures, motherhood is defined as a relationship to progeny, not as a sexual relationship to a man. (2002)*

She goes on to explain how feminist literature is more concerned with the status of wifehood and the inequalities it produces, and forgets to explore the status of motherhood and the empowerment it allows. But this literature is just a reflection of commonly held concepts. It would be inconceivable, nowadays to discriminate a child because it was not born into a 'proper' marriage. But feminist scholars and policy makers are discriminating against women when they prevent them from being properly married into a polygamous marriage. They have failed to recognise that it is through marriage, whether monogamous or polygamous a woman accesses a wider supporting network that is witness to her right as a spouse. Practically speaking, even if she has fewer rights than the first wife, she will certainly have more than a mistress.

This discrimination means that the law works within the same motherhood-stereotype frame that values women for her reproductive value. Hence it reinforces part of the structures that it is trying to correct. By perpetuating the importance of motherhood as the woman's best negotiation tool it is discriminating against childless women. And where polygamy would ensure a certain amount of protection to these women, the state law only does it if they have registered their relationship prior to any other women. Considering that less than 50% of the citizens rely on state registered marriages it means continued vulnerabilities for women. In this way the state is 'ignoring real differences between men's and women's experiences of social and economic citizenship' (Cheater and Gaidzanwa 1996: 199) and concentrating on policies that will do little more than pay lip-service to international human and women's rights conventions.

## *Where fate meets destiny: moving away from preconceptions and dichotomies*

I have referred before that the Mozambican state project is a modernising one. But modernity is not an easy goal to attain; especially in a postcolonial context. For one because it is a project originated by Western Europe and exported to the rest of the world, mostly through the colonial encounter. In this sense, modernising projects in non-Western contexts can be said to be a mere continuation of the colonial logics. What characterises this project from any other is the ways it organises social relations, and how these are mediated by individualising access to property, commodities and rights. The implication is that western societies that form the foreground of 'modernity' become synonymous of civilisation and all other forms of social or-

ganisation stand as uncivilised (Comaroff and Comaroff 1993, Cooper 2005, Ferguson 1997). Mozambican feminist activism is partially informed by this same individuation logic. Due to social economic background of feminists, they seem to refer more to an imagined community more in line with western feminist agenda and less with Third World feminist critical stand-point of modernising agendas.

The new Family Law in Mozambique has a distinctively individuating character. Its existence in these terms is twofold: it informs the state's modernising project, and is a tool for achieving it. In its insistence in being modern, the state and its laws stand to destroy social fields, if they are not compliant with a similar vision of the world. As a result we are always offered two opposing grounds: traditionalism against modernism, and in this case culture against rights. But as I have argued before, cultural practices also claim rights albeit with a different structural logic; and 'traditional' practices do not always antagonise values of modernity.

Mozambique as a state cannot run away from its history. It cannot either ignore regional and international tendencies. There is always a limit to how much autonomy one can afford, particularly if one is poor. This applies to women as well to the country they live in. But in the interest of its citizens and its own legitimacy even the weakest state has to decide how much power it is willing to concede. The risk of a project that does not find resonance in people's practices is increased power of alternative legislating arenas.

## State ability and responsibility

In the process of respecting international conventions the Mozambican state is not respecting customary practices, as it promised to do. But in practice it is also unable to protect all women's rights. A fragile and impoverished postcolonial state like Mozambican is hardly capable of dealing with the multiple systems it is setting up to cope with the different social practices it houses. The arenas that legitimise marriage are still largely informal. Even if the new Family law now recognises religious and traditional unions as legally binding, the arenas that make these unions possible are not yet autonomous legal arenas. But it opens space for systems operating under different forms and authorities, to which informal structures, mechanisms and logics are added.

The less regarded arenas and informal institutions, such as the churches, the madrasahs and mosques; the community; as well as the extended family and ancestors are addressing their needs in a more visible way. As long as the Mozambican state is unable to substitute the

value, visibility and importance of these arenas, it cannot afford to withdraw the rights for a proper marriage, however detrimental to the ideal of equal rights they might be. If and when women have better access to production means; if they are able to control those means; if what they do, whether domestically or publicly is valued and can be transformed into source of symbolic and *de facto* empowerment or authority; if marriage decreases in value as a social capital and men as a commodity to achieve it; and if women become valued as individuals and not because they are mothers; then maybe women will be less inclined to enter polygamous relationships. It is a whole lot of if's before the ideal situation is reached. What to do until then? I am for giving a leeway to female agency and respecting women's choices, however irrational they may seem.

I am not, by any means trying to argue that polygamy is good, or that it does not represent a form of gender inequality. What I have tried to show is how social structures moulded by historical and contextual events, even if constraining to women still enable them to defend their interest; while a law distanced from these social practices and meanings does not. The family histories have shown that polygamy as an institution is not more detrimental to women's autonomy or equal rights than monogamy, in the present Mozambican context. Moreover, some problems attributed to polygamy may also arise in contexts of extended family or serial monogamy. In fact the interactions created by polygamy reflect the logic of overall relationships existent in the social structure of which this marital form is part. To challenge these relations means to challenge much more than just a marriage form.

## Closing the curtains

I believe that the Mozambican state could benefit from truly and not just figuratively, recognising the power, authority and discourses of alternative legal arenas. It could also benefit from acknowledging and reinforcing the situations by which women can effectively gain power. In the case of polygamy, it should consider how best to deter men from initiating it rather than hope that women will not accept marriage offers from men who are already married. But until many other conditions are met, prohibiting polygamy will be a lost cause. Neither women, nor men will comply.

In order to guarantee compliance and effectively move towards a more gender equal society the state should engage in effective recognition of social practices, the social fields they create and the valuable effects they produce in people's lives. Feminists activists, on the other hand

should acknowledge class distinctions between women and recognise that even in ideologically unequal situations power and autonomy can exist. In the case of Mozambican feminist activists they should critically access how their own social and economic background is preventing them from seeing the multiple perspectives presented to them. In a country with such diversified social and cultural backgrounds as Mozambique it is fundamental that feminists know when the category of gender is at play, and when are other social categories.

I do not intend to diminish the contribution of the Mozambican feminist activists towards the improvement of gender rights and equality in the country. They are at the forefront of the research that has enabled knowledge about the reality in which women live in Mozambique. In my interviews with women's rights organisations I perceived that they do have a critical attitude. They have for example realised that very little can be done if local leaders, i.e. gatekeepers are not involved in the process of change. They continue to conduct research to better understand personal rights are protected under customary practices. And they are doing this in collaboration with the state. This seems to shows willingness on the state's part to reconcile its vision of the nation with that of its citizens. This is important if the state wants to maintain legitimacy.

In this context, I argue that rights within multiple marriages, whether *de facto* or *de jure*, should continue to be debated. For the nation project to work it needs to include, not alienate its citizens. As it is now, there are many ways in which citizens may resist state policies and with it challenge state legitimacy. When it comes to gender equality, there is a difficult choice to make: do we want an abstract sense of righteousness, or instead defend actual and practical justice and fairness?

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# Appendix

To protect the identity of my informants I have changed their names. Bellow I present the logic for the choice of names for the members of the different families.

As it is self evident, the initials chosen for the families and husbands are related to the location where they are in the country. So Family (and Mr.) S is from the South, Family (and Mr.) C is from the Centre and Family (and Mr.) N is from the North.

The names chosen for the women are related to the meaning and language of their original names.

## *Family S*

The wives of this family were all named after their hierarchy in the marriage. All names are in Tsonga.

Mamani Mukulu – means Big Mother, and is the actual name by which she is called by the other members of the family.

Mamani WauMbiri – Second Mother. Mbiri means two.

Mamani WauNharu – Third Mother. Nharu means three.

Mamani WauMune – Fourth Mother. Mune means four

Nharu wa Mbiri – Third [son] of the second [wife].

## *Family C*

Maria da Perdição – Maria is a very common female name among Christians. It is the name of Jesus' mother. Perdição (Portuguese) means perdition, temptation.

Juvenalda João – Juvenalda is a play on words from the word 'jovem' (Portuguese) meaning young. João is a common Portuguese first name that in central Mozambique has become a common surname. In this area surnames are usually the father's first name.

Bela – it is a name of Latin origin and it means beautiful.

Emília – it is name of Latin and Greek origin. It means rival and emulating in one, and friendly and soft in the latter.

## *Family N*

Nadira – Nadira is an Arabic name that means precious, scarce, rare, unique.

Isabela Fardo – A variant of Isabel (Latin) meaning 'God's promise'. Bela at the end of the name (also from the Latin) means 'beautiful'. Fardo (Portuguese) it literally means weigh; it is a metaphor for carrying the weigh of the world in her shoulders.