Copyright is owned by the Author of the thesis. Permission is given for a copy to be downloaded by an individual for the purpose of research and private study only. The thesis may not be reproduced elsewhere without the permission of the Author.

# **Anomalous Children**

# Orphans and Interlineage Marriages in Malawi

A thesis presented in partial fulfilment of the requirements for the degree of
Doctor of Philosophy
in Social Anthropology
at Massey University,
Manawatū, New Zealand

Elaine Donovan 2015

#### **Abstract**

Although lineage studies have largely been forgotten by contemporary anthropology, tracing descent through either the maternal or paternal line remains a meaningful feature of everyday relatedness for people in Malawi. Following Harré's discursive approach, this thesis reconceptualises matriliny and patriliny as clusters of relatedness practices avoiding a tendency to reify lineages as social structures, ascribing them erroneously with agency. This ethnographic study explores what it is to be an orphan in Malawi today and why orphans of interlineage marriages, that is, marriages between patrilineal women and matrilineal men, seem to be rendered the most vulnerable to mistreatment.

The term orphanhood suggests a fixed state, defined by the death(s) of parent(s), from which children cannot escape until they reach adulthood. However, I found that in Malawi, being an orphan is more of a process, as people can be positioned as no longer an orphan when their living conditions improve. Being an orphan in Malawi is to be in need both materially and emotionally, having lost family support through death, illness or abandonment. It is a position often characterised by feelings of loneliness and isolation due being excluded from family sharing practices.

Orphans of interlineage marriages seem to be the most vulnerable, due to falling between two contrasting discursive constructions of children's belongingness. In matrilineal groups, children belong to their mother's family. Conversely, in patrilineal communities, children are affiliated to their father's family providing the bridewealth requirements have been fulfilled. Thus, children of interlineage marriages are anomalously positioned as belonging nowhere. Matters become more complex if the matrilineal family pay the patrilineal custom of bridewealth as they (mis)interpret it as providing indisputable rights to the children. This (mis)interpretation originates from the colonial period when bridewealth became an official and enforceable means of determining to whom children belonged, particularly in cases of interlineage marriages. Thus, matrilineal families claim

the children based on a (mis)perceived transaction-based entitlement, only to then mistreat them. They claim the children belong to them not as kin, characterised by bi-directional belonging (belonging to each other) but in terms of unidirectional (transactional) belonging, as in property.

### **Acknowledgements**

This PhD journey has taken me much longer than I ever anticipated with so many unexpected events happening along the way that I barely know where to begin with giving thanks as so many people have supported me in various ways at different stages of my journey. There are too many people to list everyone but I hope they know how grateful I am for their support. To protect the identities of all of my participants, I have used pseudonyms for all the people (and places) connected with my fieldwork in Malawi, but I am sure the people concerned will be able to work out who they are.

First of all, my heartfelt gratitude goes to my participants for sharing their thoughts, viewpoints and their stories with me. I am particularly grateful to the orphans and widows for trusting me with their personal stories - I hope that by raising awareness about their difficult circumstances, others will be able to avoid such suffering in the future.

Zikomo kwambiri to the people of 'Mapira', particularly everyone connected with the Orphan Care CBO for welcoming this mzungu into their community. I thank them for their tolerance of my numerous questions, their patience as I tried to speak Chichewa and their friendship. I would particularly like to thank, 'Mr Magwira' and 'Mr Bwanali' for organising interviews, arranging trips and the myriad of other things they did to help me. Their enthusiasm, perseverance and ability to get things done were very impressive. I am also very grateful to my two translators and assistants 'Chisomo' and 'Ruth' for their patience with me, their insights and their enthusiasm for this project. I thank 'Mr and Mrs Namasani' for welcoming me into their family compound. I would also like to thank 'Chief Ndaba' for her support and advice over my two periods of fieldwork. Likewise, I thank 'Howard and Maxine', for their friendship, hospitality and support – I am hugely grateful to 'Howard' for the loan of his car which was invaluable.

Next, I would like to thank everyone involved in my supervision, starting with University of Canterbury (UC). I am grateful to Dr Patrick McAllister for his encouragement right at the very beginning and to Dr Martin Fuchs for his advice, guidance and enthusiasm in the early stages, before he returned to Germany. I thank Dr Ruth McManus for stepping in when both of my supervisors had left UC and to Dr Lucy Johnston for her help with my transfer to Massey University.

I owe a huge debt of gratitude to Dr Carolyn Morris for her friendship and her continuous support throughout my PhD journey, starting at University of Canterbury and continuing to Massey University. I would like to thank her for continuing to believe in my ability to complete this project even when I had severe doubts and for her support through my most difficult challenges including her supportive telephone calls to me in Malawi in the days following the robbery. Carolyn's gentle but persistent encouragement helped me find the courage to resume my studies after a two year break and she helped to organise my transfer to Massey University. I would particularly like to thank Carolyn for her rigorous critique to help me articulate my ideas more clearly. Additionally, I thank Carolyn for reviewing endless pieces of writing and for showing me how to write like an anthropologist.

I am also grateful to Dr Robyn Andrews for joining my supervisory team after my transfer to Massey. I would like to thank Robyn particularly for reviewing my chapters even when she was travelling overseas and for her encouragement. It was always a pleasure meeting Carolyn and Robyn for supervisory meetings over coffee. Their enthusiasm was refreshing and their feedback was always very constructive.

I would like to thank my friends and colleagues from UC and Massey for all the helpful chats and support. There are too many to list but particular thanks go to Dr Annette Wilkes, Deborah Rhode, Eva Maureau and Nina Harding. I would particularly like to thank Marie Bannister, my close friend from the UK, for helping me find a way through when things got really tough. Special thanks also to Regina Smedley for her help with Chichewa translation when I was back in

New Zealand and to Dr Trevor Hussey for introducing me to Rom Harré's discursive approach.

I am indebted to the organisations that provided funding to support this work and finance the fieldwork trips: the UC Doctoral Scholarship in 2007 and the NZAID Postgraduate Field Research Award in 2006.

I thank The Centre of Social Research of the University of Malawi for their clearance to undertake this research in 2007 (Ref: 1/12/3/12/1) and to University of Canterbury Human Ethics Committee for their approval in 2007 (HEC Ref: 2006/125).

This work is dedicated to my parents,

Geraldine and Michael Donovan,

and my Great-Aunt,

Bridget Kavanagh,

who lived with us as an integral part of our family

Although they all died when I was a child, they gave me a strong start to life which equipped me with the resourcefulness to cope with life's challenges.

## **Contents**

LIST OF FIGURES	X
CHAPTER ONE	
INTRODUCTION	1
COMPARING HARRÉ'S AND FOUCAULT'S DISCOURSES	7
A DISCURSIVE APPROACH TO INTERLINEAGE MARRIAGES	
STRUCTURE OF THESIS	
CHAPTER TWO	
MY FIELDWORK STORY	23
Malawi	23
How It All Started	27
A FALSE START IN NANGOMBE	30
FINDING MAPIRA	
LEARNING CHICHEWA	
POSITIONING MYSELF AND BEING POSITIONED IN MAPIRA	
Working with Children	
Driving	
Being a Token Mzungu	
FIELDWORK IN MAPIRA	
Conducting the Household Survey	
Interviewing Adults	
Sharing Stories about Being Orphans	
Alarming disclosure	
Analysing Data in New Zealand	
RETURNING TO MAPIRA	
Semi-structured Interviews	
Focus Group	
New Challenges in New Zealand	
CHAPTER THREE	
REVIEWING 'KINSHIP'	65
Introduction	65
CLASSIC KINSHIP STUDIES	66
British Anthropologists	67
THE GELLNER DEBATE	71
THE CHALLENGE TO KINSHIP STUDIES	76
CHANGING PARADIGMS	
Post-Schneider Kinship	
The Denaturalisation of Kinship	
Relatedness	
Comparative Relatedness Studies	
Relatedness and Belonging	
Relatedness and Lineages	
Conclusion	

#### **CHAPTER FOUR**

'INVENTING' CUSTOMARY LAW AND LEGALISING BRIDEWEALTH	103
Introduction	103
'Inventing' Customary Law	105
Legalising Marriage and Divorce	110
Nuclearising the Family	
MATRILINY AND PATRILINY TRANSITIONS IN MALAWI	
CONTEMPORARY MALAWIAN FAMILY LAW	
DISPOSSESSING WIDOWS	
Conclusion	129
CHAPTER FIVE	
MAPIRA: A PLACE OF TRIBAL DIVERSITY	131
Introduction	131
Malawi	
Tribal Diversity	
Sena	
Lomwe	
Mang'anja Yao	
Mapira	
The Community of Mapira	
Orphans in Mapira	
Conclusion	152
CHAPTER SIX	
POSITIONING ORPHANS	155
Introduction	155
DISCURSIVELY CONSTRUCTING ORPHANNESS	158
Defining 'Orphan' in Various Malawian Languages	
Positioning Orphans in Ethnographies	162
SOCIAL WELFARE'S POSITIONING OF ORPHANS	
MAPIRA ORPHAN CARE'S POSITIONING OF ORPHANS	
MAPIRA'S ORPHANS POSITIONING THEMSELVES	
Material and Emotional Needs	
Loneliness and Exclusion	
Abusive Practices	
Appeals for Help	
CONCLUSION	183

#### **CHAPTER SEVEN**

THE MATAKA AND NAWENJE CASES: INTERLINEAGE N ABSENCE OF <i>LOBOLA</i>	
Introduction	185
INTERLINEAGE MARRIAGES: PREVALENCE, PERCEPTIONS AND INSIGHTS	187
Matrilineal Men Purposefully Searching For Patrilineal Wives	189
From the Patrilineal Perspective	
Interlineage Children's Identity	
Focus Group Discussion about Interlineage Marriages	
THE MATAKA CASE: INTERLINEAGE MARRIAGE WITHOUT LOBOLA	
Analysing the Mataka Case  The Nawenje Case: Interlineage Marriage without Lobola	
Mrs Chanika	
Mary Nawenje	
Emily Lipenga	
Robert Nawenje	
Analysing the Nawenje Case	
Conclusion	212
CHAPTER EIGHT	
THE MIKWAMBA AND TEPEKA CASES: <i>LOBOLA</i> , WIDO	
Introduction	
THE MIKWAMBA CASE: INTERLINEAGE MARRIAGE WITH LOBOLA	
Analysing the Mikwamba Case	
THE TEPEKA CASE: INTERLINEAGE MARRIAGE WITH LOBOLA	
Lency's Mistreatment Disclosure	
Reuniting Lency with her Mother in Nsanje	
Mr and Mrs Tepeka's Interlineage Marriage Story	
Analysing the Tepeka Case	
Social Welfare Manager's Perspective	258
Conclusion	258
CHAPTER NINE	
CONCLUSION	261
INTRODUCTION	
DISCURSIVELY RECONCEPTUALISING MATRILINY AND PATRILINY	
WHAT IT IS TO BE AN ORPHAN IN MALAWI	
INTERLINEAGE MARRIAGES AND ANOMALOUS CHILDREN	
REFLECTING ON MY POSITIONING	
REFERENCES	
APPENDICES	
APPENDIX I: HOUSEHOLD SURVEY, MAPIRA	285
APPENDIX II: ORPHAN STRUCTURED INTERVIEW	
GLOSSARY OF TERMS	288

# **List of Figures**

Figure 1: The Anomalous Position of Children from Interlineage Marriages	17
Figure 2: Map of Africa	25
Figure 3: Map of Malawi (Nations Online, n.d)	26
Figure 4: The Rural Area of Mapira	34
Figure 5: The More Densely Populated Area of Mapira	34
Figure 6: My Home in Mapira: A Common View of the Doorstep	35
Figure 7: Living Within My Neighbours Family Compound	36
Figure 8: The Old Orphan Care Centre and the New Orphan Care Centre	39
Figure 9: Clearing the Land	40
Figure 10: Orphans Being Fed Outside Due to the Leaky Roof	41
Figure 11: Map of Mozambique and Southern Malawi	108
Figure 12: Map of Mozambique showing original homes of Sena (A), Lomwe (B) and Yao (C).	136
Figure 13: Patrilineal Primogeniture Succession	. 138
Figure 14: Matrilineal Chieftainship Succession Passes from Brother to Brother	140
Figure 15: Matrilineal Primogeniture Succession	142
Figure 16: Rural Aspect of Mapira	143
Figure 17: Mapira's Marketplace	. 143
Figure 18: Municipal Water Taps in Mapira	. 144
Figure 19: The Main Road in Mapira	145
Figure 20: Children helping with Chores	146
Figure 21: Tribal Identity of Household Heads in Mapira	146
Figure 22: The Variety of Home Village Districts (Regions) Demonstrates Mapira's Diversity	148
Figure 23: Orphans: Children in Need	158
Figure 24: Tiwon's Picture of a Tree	175
Figure 25: Ziwa and Christopher's Dance and Mason's Dance	. 177
Figure 26: The Mataka Family from Kenford's Perspective	. 198

Figure 27.	The Nawenje Family from Robert's Perspective2	204
Figure 28.	The Mikwamba Family from Ganizani's Perspective2	217
Figure 29.	: The Tepeka Family from Lency's Perspective2	229