Content of Lecture

- African Family Structures and kinship
- Types of family
- The African Family: Hindrance or a Blessing for Development
- Family Ideology and Business management
- Property Devolution & laws of intestate succession, etc.
- Other related matters
Some Readings on the Family

Fortes M. ‘The Family: Bane or Blessing?’

Azu, Diana G. The Ga family and Social Change

Nukunya G. K. Kinship and Marriage Among the Anlo Ewe

Awedoba A. K. Culture & Development

Visit Sakai LMS on UG webpage under Quick links
Defining the African Family

Group of people related through perceived ‘blood’ ties, marriage or by adoption.

- Members identify with each other and may or may not live together,
- May cooperate on regular/irregular basis,
- Could share collective interests & sentiments
Characteristics

✓ The morality of family imposes reciprocity
   - sharing and caring for one another;
   - loyalty & commitment to members;

✓ The closer the kinship bond, the greater the commitment and the higher the degree of reciprocity is expected to be.

✓ In Africa people tend to boast about their family
Remarks

The family is **foundation** of society & culture.

• Individuals are **born into a family, grow up within a family and are socialized** to become responsible members of society.

Though less significant than in the past, Africans still value their family.

– Newspaper obituaries **celebrate** kinship and family;
– **Corpses** are transported hundreds of miles for burial in family burial grounds;
– Attachment to the family accounts for many societal and individual behaviours and attitudes.
Perceptions of the African Family

Today, we tend to compare African & European notions of family; some see the African family as a bane (hindrance) to development while for others it is a blessing and asset.

Like most social institutions, the family has both its positive and negative aspects. It provides choices, but it also denies choices.

If this is true, then we should identify its beneficial aspects and capitalize on them for the advancement of society. The undesirable features can be dealt with by finding remedies:

- rejecting the negative, if need be, or
- modifying the negative aspects.

Remember that Culture is not sacrosanct.
African Manifestations of Family

In our readings we meet labels such as ff, which suggest varied manifestations of family in Africa:

- Extended family,
- Lineage, Clan,
- Conjugal family, nuclear family, simple family
- Compound family,
- Family of procreation,
- Family of orientation,
- One-parent family,
- Matrifocal family, etc.
The nuclear family comes into existence as a result of marriage.

- It comprises husband & wife and their children, if any.

- It is family of orientation from the perspectives of the children being raised. A person’s Fam. of O comprises parents & siblings (excl. spouses & kids).

- It is family of procreation from the perspective of the parents who raise children born to them. An individual’s Family of P comprises spouse and children.

An African man may have more than one wife. His family of procreation thus becomes a compound family, though his Fam. of O may be a simple one.
A Conjugal Family: How typical?
The Extended Family

A **Network** of relatives, be they on the father or mother side, or both, or even kin acquired through marriage and adoption.

The extended family is **large** and **may/may not be formally constituted**. It **may/may not have a name**;

- **membership may be open-ended** rather than strictly defined or delimited. It may never meet at any one spot as a body;
- **it often lacks a corporate identity**, unlike other types of family;

Size and membership might depend on status and influence of the individual at centre of the network.
Demography: Family 81 yr. old Ashanti man

Chief Mourners 27

Widow: 1 [could be more]

Children: 5

Grandchildren 24

Brothers and Sisters: 17 [may include cousins]

Nephews and Nieces: 27

In-laws: 20 [incl. brothers/ sisters-in-law]

Total = 121

HOME CALL: Obituary in Daily Graphic [and counting]
The Lineage/Clan

In parts of Africa, importance is attached to tracing relationship [descent] ties through men or women to a common ancestor/ancestress.

On the basis of such ties socially recognised groups of kin are constituted; thus members claim either a common ancestor or ancestress, to whom ties are traced consistently either through mothers or fathers, depending on the society. Recognised kin groups emerge in this way.

Technical term for this kin group = lineage.

Clan is often a large lineage with dispersed membership and may have lineages within it.
Features of the Lineage

Lineages are more or less corporate with collective or joint interests and rights. Some communities are segmented into lineages.

- A lineage may have a name and a head (male / female) who administers its affairs;
- It may own property or have joint claims to assets or position/office such as that of chief;

Lineage membership may meet periodically to conduct affairs; it can be a ritual congregation with rites, appellations, totems, taboos etc.

Lineages defend themselves & their rights against encroachment by the rest of the world.
Akan people call lineage *abusua* (This is Matrilineage) *Abusua* membership includes:
one’s siblings, mother, MM, M-siblings, sister’s children and one’s own children [*if one is female*] and much more.
It excludes *spouses*, *fathers* & their siblings, one’s children [*if one is male*], etc.
Such a group claims descent through *women* i.e. Mother, MM, MMM, etc., but *not* through men.

Societies that have such family groups are described as *matrilineal*. In addition to Akans there are other African peoples who are matrilineal – *Yao* (Malawi), *Bemba* (Zambia), *Lele* (Congo DR), *Gouro* (Cote d’Ivoire) etc.
Patrilineage

When kinship groups are formed based on ties traced through fathers/men patrilineages result.

- A patrilineage may include a person, the siblings, the father, FF, F-siblings, children of males etc.
- Spouses are not core members, the children of daughters may not be members.

In this case my father’s people are my people. Societies that have large family units composed in this way are patrilineal. African examples include the Konkomba, Frafra, Ewe, Ga Yoruba, Maasai, and many others.
In comparison with ‘Western’ family the **African family** is more **inclusive** & **demographically larger**.

- It is **collective** and lends itself to projection over the wider community. The **community in some senses is the family writ large**.
  - e.g. ‘**father**’ is not only the biological father, but also his brothers and father’s sisters, and indeed people of father’s generation to whom one owes respect within the community.

Traditional African **nuclear family** lacks the autonomy the Western family enjoys. Uncles, aunts, grandparents, etc. continue to have say in affairs of the nuclear family in many parts of Africa, even today.
The African Family: Characteristics II

- **Parent-child bonds** are strong & long lasting;
- **Sibling-sibling bond** is strong and lasting;
- **Loyalty** & commitment to family is strong, even outweighing that to the state;

- The African nuclear family lives and grows while the Western family withers with time;
- African expectation is that parents will fend for their children, and children, in turn, would take care of parents in the parents’ old age.
- The African ideology emphasizes the family’s political, economic, legal, social and religious aspects.
Inter-generational Reciprocities

Reciprocities are material and non-material exchanges between parties. They could be immediate or delayed.

**AFRICAN MODEL**

Parent ↔ Child/Parent ↔ Child
Generation 1 ↔ Generation 2

**EUROPEAN MODEL**

Parents ➡️ Child/Parent ➡️ Child
Generation 1 ➡️ Generation 2

Akans say, ‘you look after a child to grow teeth so that he/she might look after you till you lose yours’.
IMPLICATIONS I

Re: Collective character of the African Family
A System of Support for the Needy
It provides social & psychological support / security in an increasingly individualistic world: ‘being your brother’s keeper.’

- Could be the means for coping with misfortune, tragedy, vulnerabilities [i.e. premature death of parents, death spouses, infertility, ageing, illness etc.]
The case of Orphans

• Who is an orphan?

• Technically, African Family ideology makes orphanage redundant. **Why?** A minor has not one but several mothers & fathers. The African Family should caters for the ‘orphan’.

• In the West the state cares for orphans through institutions like **orphanages**.

• As the African Family weakens orphanages become necessary, but how useful are they?
Abolish orphanages – Orphanaid Africa urges government


Orphanaid Africa, ... (NGO) that sponsors families to care for orphans instead of taking them to orphanages, is calling on government to abolish orphanages .... ..[O]rphanages are foreign to Ghanaian culture and even the West have abolished them because they have proven to be ineffective, ... This call comes in the wake of grave abuses and crimes against children in three orphanages in Ghana within the space of about a year.
Head of Family Support Services at Orphanaid maintains that ....

“Besides the evidence of abuse and criminal activities in orphanages, they also detach children from society and make them lose their self confidence when they become adults,” ....

“Instead of orphanages, government can create foster homes, children residential homes, temporary placements and transit points for orphans to be restored to their extended families or to foster families ....,”.
The African Family: A means for addressing social inequalities

Directly or indirectly, via the African family resources may flow from wealthier settings to deprived settings [Urban $\rightarrow$ Rural; Western world $\rightarrow$ Africa].

The family compels the well-to-do to share with the less well off. In any case, it is the basis for making claims on the well off.

The total private money transfers to Ghana for Jan-May 2011 was $4.2 billion.
remittance flows to the continent [Sub-Saharan Africa will] possibly reach.. about US$24 billion by 2012: Dilip Ratha (manager - Migration & Remittances unit, World Bank.)

The fact that remittances are so large, come in foreign currency, and go directly to house-holds, means that these transfers have a significant impact on poverty reduction, funding for housing and education, basic essential needs, and even business investments.

In absolute dollars, Nigeria is by far the top remittance recipient in Africa
IMPLICATIONS: The Under side

The African notion of family prioritizes numbers.

Large Family Sizes:
Potentially High Dependency Ratio - Multiple demands on the well-to-do [salaried adult];

Lack of autonomy for nuclear family:
Involvement of kin in management of individual’s family. Can undermine conjugal life.

Strong Loyalty to family:
Can lead to nepotism & corruption and undermine patriotism and national cohesion.
The Gated Community: fence walls & metal gates: A New Phenomenon?
Nepotism & Business management

**Strong Family Loyalty:** \( \Rightarrow \) nepotism \( \Rightarrow \) corruption.

- Where family interest clashes with official & national demands, office and country are losers.
- Embezzlement & misallocations can result.
- Family/ethnic mates are privileged in decision-making and allocation of public resources;
- Kinship requirements can undermine Bureaucratic norms in work place:
  - Inordinate respect for age can undermine work place discipline; traditional statuses can also affect exercise of authority in the work place.
Case of Ephemeral Businesses

As kinship norms are ambivalent about successors, some successful businesses do not outlive their originators because of family bickering about who should succeed.

A son/daughter, because of natural bonds, may know more about the father’s business than a nephew or uncle, yet entrepreneurs’ children may be sidestepped in choice of heir to the deceased entrepreneur. Result: successors who mismanage and kill ventures.

Also cf. land tenure and use issues in cities.
Family: Potential Business Asset

The family can however promote business.

Family norms: trust, accountability, goodwill, reciprocity etc., can be exploited to initiate and establish successful businesses.

The family can be means for pooling capital resources to establish businesses, and manage them. The trust that relatives have in each other is an asset in business establishment.

History provides many examples of how the family and family ideology have accounted for successful business ventures.
African Concepts of Property

Property is anything that is owned or can be possessed. It may be tangible or intangible:

A material object: livestock, landed property, tools, utensils, cash, clothes etc.;

• Persons - spouses, children, relatives etc.;

Property may be non-material items:

- songs, dances, ritual capacities i.e. divinatory expertise, therapeutic skills or some idea that you have invented or coined;

- An office, status or roles i.e. chieftaincy, priestship, or even a good name, etc.
The family is often a property-holding unit. How that property is managed has implications for conflicts and peace.

Societies have rules prescribing how property, whether joint or private property, should be accessed, used or distributed.

There are concerns that individual rights – children’s rights, women’s rights, etc., are sometimes infringed by the traditional inheritance & succession rules.
Property Ownerships

**Joint Property:** Collectively owned; may be vested in chiefs, the ancestors etc., and administered by the head of family or clan.

**Bona fide** group members may have access to such property, but they may not alienate it without authority. Example – land.

**Self acquired property:** personal property - is available to the individual to use as he/she likes; may dispose of it as he/she sees fit;

- Such property may become joint property. When death occurs the lineage collectively, or family, may lay claim to such self-acquired property; it may then prescribe an heir – a next of kin, a person who should take possession. Invariably, the inheritor is a member of the lineage.
The Exclusions: Mostly Women

The widow in a patrilineal society is not an inheritor; she depends on her children to provide for her. If she has no sons, then she could suffer deprivation, especially in old age.

Daughters are not regular inheritors because allowing them to inherit the deceased father’s property could mean alienation of lineage property, as the husband is often an outsider. Same goes for sisters: women may or may not inherit even women’s property.
Botswana women allowed to inherit

The Botswana High Court in 2012 overturned a customary law which prevented women from inheriting the family home. The judge ruled that the law contravened the constitution, .... Edith Mmusi and her sisters have fought a five-year legal battle after their nephew said he was the rightful owner of their house.

Simba Mhare, Harare, Zimbabwe: This happens in Zimbabwe - for many women the death of their husbands means the beginning of abject poverty.

Mabior Ayuen, South Sudan: In my tribe, the Dinka ..., any property left by parents who die gets inherited by the older son. If .. no son ... but only daughters, the sons of the daughters' uncle (their father's brother) will inherit the property. .. Women don't own properties in Dinka Bor culture.
Matrilineal Inheritance

The next of kin (for the purpose of inheritance) among matrilineal Akans:

1. The brothers /sisters of the deceased;
2. The sister’s children – nephews/nieces;
3. Some other member of the lineage.

Traditionally the lineage could select a suitable heir to inherit the property of the deceased: both assets and liabilities.

This is now changing, but these norms can still be found.
Exclusions in Matrilineal Systems

Children **do not** automatically inherit their deceased father’s property. They are not seen as members of the father’s lineage.

Widows/widowers **do not** automatically inherit the deceased spouse’s property.

The **father** cannot inherit the children’s property since he is from a different lineage; one that differs from that of the children.

As individual rights seem to be undermined laws become necessary to address injustices.
Nuclear Family vrs. Lineage

In Lineal societies where exogamy obtains, the members of the conjugal family do not all belong to one lineage. Thus conflict cannot be ruled out between conjugal family & lineage.

Conflict and contestations can centre on several factors e.g.:

- Loyalty and commitment;
- Property Rights: Entitlement to property belonging to a deceased parent or spouse (joint and individual property).
CONJUGAL FAMILY & THE MATRILINEAGE

Own Matrilineage People
- Husband’s Mother
- Husband’s siblings, husband’s sisters’ children etc.

Conjugal Family People
- Family of Procreation

HUSBAND / FATHER

WIFE / MOTHER

CHILDREN

Wife’s Lineage People
- Wife’s Mother
- Wife’s Mother’s siblings, wife’s sisters’ children etc.
The Matrilineal Man’s Loyalty

Own Matrilineage
Mother, siblings, uncles, cousins

Father’s People
EGO Male
Wife and Children
The Family in Patrilineal Society

Wife’s Patrilineage
People
Wife’s father
Wife’s father’s father, wife’s brothers, wife’s brothers’ children, etc.
Wife’s mother

Conjugal Family
WIFE / MOTHER

HUSBAND / FATHER
CHILDREN

Husband’s Lineage people
Husband’s father
Husband’s father’s sibs, husband’s siblings, husband’s brother’s children etc.
Husband’s mother
The law comes to the rescue of the nuclear family so that widows’ and orphans’ property rights are not abused.

PNDCL 111 law stipulates ff:

a) ‘. . . where the estate [of the deceased] includes only one house, the surviving spouse or child or both of them . . . shall be entitled to that house . . .’

b) ‘. . . where the estate includes more than one house, the surviving spouse or child or both of them, . . . shall determine which house of those houses shall devolve to such spouse or child . . .’
PNDCL 111 (cont.)

The law stipulates that the estate of the intestate should be shared out as follows:

- **3/16** of the estate should go to the surviving spouse. [i.e his/her share is less than a quarter].
- The surviving children take **9/16** of the estate. [i.e. more than half of the estate].
- Surviving parents take one–eighth of the deceased’s estate.
- The remaining one-eighth of the estate should be distributed in accordance with the customs of the people.
PNDCL 111 (cont.)

The law also prescribes following:

• if there is no surviving parent, then $\frac{4}{16}$ of the estate should be distributed in accordance with customary law.

• If the deceased is not survived by a spouse $\frac{3}{4}$ ($\frac{12}{16}$) of his or her estate should go to children.

• However, in the absence of a widow or widower and orphans, then the surviving parents’ share increases to $\frac{3}{4}$ ($\frac{12}{16}$).
Distribution of Estate: Prescribed by PNDCL 111 (Based on Woodman 1965)

<table>
<thead>
<tr>
<th>Section of the Law</th>
<th>Category of Kin or Affine Entitled</th>
<th>Spouse</th>
<th>Children</th>
<th>Surviving Parent</th>
<th>Customary Law</th>
<th>State</th>
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<tbody>
<tr>
<td>5</td>
<td>Spouse</td>
<td>3/16</td>
<td>9/16</td>
<td>⅛</td>
<td>⅛</td>
<td>⅛</td>
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<tr>
<td>6</td>
<td>Children</td>
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<td>¼</td>
<td>¼</td>
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<td>⅛</td>
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<tr>
<td>8</td>
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</tr>
<tr>
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<td>If Not Applicable</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>If Not Applicable</td>
<td>All</td>
</tr>
</tbody>
</table>

Based on Woodman 1965
NOTE

PNDCL 111 applies where a person dies intestate, i.e. without a will. It applies to all Ghanaians regardless of whether it is matri- or patri-lineal society.

- The law makes it possible for a large bulk of the father’s estate to go to the surviving children and the widow.
- Husbands (widowers) can claim significant portions of their deceased wives’ and children’s estates.

The surviving parent who would otherwise have to be cared for by his/her children gets a share of the deceased child’s estate.
End of Lecture

THANKS!