

AN EXPLORATORY STUDY OF MARRIAGE TERMINATION IN  
TRIBAL SOCIETIES: USING A ROLE-ANALYSIS APPROACH

by

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## ABSTRACT

Two problems are considered in this thesis. There is an attempt to explore the nature of marriage termination cross-culturally while at the same time investigate the value of basing comparative studies on analyses of systems of roles. Thus the investigation of the two problems is interdependent.

Since "marriage" is defined as establishing a series of relationships particularly for the husband and wife, "marriage termination" is seen as creating at least a change in these relationships. The focus of the study then is the point at which the marriage ceases. Six categories of the major redefinitions of roles that must occur at this point were established. The fund of ethnographic data used in this study comes from sixteen tribal societies which were selected from sixty works for their containing information in at least three of the six categories. The relevant data was coded and phrased in terms of the various problems that the husband and wife confront at the termination of their marriage. The solutions to these problems were also coded and presented as the choices made by the couples in each society. A total of sixteen problems and 243 variables were coded. It was hoped that when the variables were tabulated that some connections between the variables could be found, giving rise to principles of marriage termination which, with more research, might produce hypotheses.

In fact no relationships between the variables could be drawn. This is seen as primarily due to too small a sample and a lack of crucial data, making accurate comparisons impossible. However this study does delineate the problems in a comparative study of marriage termination and demonstrates the kind of cross-cultural tableau made possible by a role-analysis which, on logical grounds, should facilitate anthropological generalizations.



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## CHAPTER I

## INTRODUCTION

This is a comparative study that combines an inquiry into marriage termination with a new method of conducting the inquiry. Anthropological research in the field of marriage termination has produced a number of propositions none of which has been adequately explored. It is one of the premises of this study that the propositions and the standard means of testing them hinder analysis rather than nurture it, hence the necessity for new methods and new formulations.

The objectives of this study were limited to investigating the merits of the role-analysis method and in the process seeking to characterize marriage termination. Unfortunately, not even these modest aims were fully realized. Nothing conclusive was learned about marriage termination although role-analysis has, in my opinion, been shown to be a potentially dynamic process of investigation. Despite the inconclusiveness of this study, I believe that its usefulness lies in three areas.

One of its contributions is its attacking the problem of marriage termination (explanations of terms will appear shortly). I have found in the course of preparing this thesis that most ethnographers in their field studies raise the issue of marriage termination (as "divorce") but usually in a cursory fashion. This has tended to restrict analysis of the subject and where propositions have been formulated their validity has remained

untested. Furthermore, the type of information given about marriage termination has tended to follow a pattern. We are informed of the sociological causes of divorce, which spouse initiates it and how common an occurrence it is or is not, and little else. The following is one of many examples of the superficial treatment given divorce in an ethnography.

Barrenness and adultery by a wife are grounds for divorce.....About two marriages in ten end in divorce.....Divorce occurs less regularly after the birth of a child, especially a son.....If a woman is divorced, she returns to the care of her natal lineage. Middleton (1965:56-7).

Middleton has not given, among other things, any indication of what happens to the children, what changes divorce creates for both of the ex-spouses and in their relationships with relatives and affines. He does not even explain how he defines "divorce" nor attempt to differentiate between "divorces" that occur before the birth of a child and those that occur after, even though he notes that there are differences.

Virtually the only information about marriage termination which appears with some regularity in most of the ethnographies has to do with the frequency of divorce. It is for this reason that most of the relevant analyses concentrate on marital instability.

This thesis is based upon a survey of the literature on marriage termination both in ethnographies and comparative studies. In it, it is argued that discussions of marital stability do not represent a total treatment of marriage

termination. Before marital stability can become a valid subject of analysis it is necessary to outline the principles and definitions of the phenomena pertaining to the dissolution of a marriage, which can then be applied accurately in comparative analyses. Although this study does not advance our knowledge of marriage termination, it does argue for establishing priorities in the investigation of this problem and it does introduce a possible method of achieving this end.

This method of conducting comparative analyses is seen as a second useful aspect of the study. A role-analysis method was devised to suit the subject but at the same time an attempt was made to overcome the shortcomings of earlier comparative studies. This is dealt with at length in the thesis. The major feature of role-analysis is its attempt to eliminate the use of rigid categories and preconceived concepts, such as patrilineal, clans, etc. This is the ideal on which the role-analysis was structured but this ideal could not be attained in the application of the method. All too often the material in the ethnographies is presented in terms of institutions or concepts which had to be analyzed in order to extract the data necessary for the study.

The role-analysis approach is founded on the principle that the basic unit of social action is the "role" and is thus the proper basis of investigation in social anthropology. The model employed in this study sees the termination of a marriage as involving a series of role redefinitions since

the break up of a marriage is a disruptive process. It was hoped that by analyzing a series of these role redefinitions throughout a number of societies, some elements or principles could be drawn and perhaps an internal system would take shape. This system based on interacting relationships in a specific situation would yield information about marriage termination which could then be understood and explained as it occurs in a number of societies. Neither systems nor principles were extracted from this analysis due largely to the unsuitability of the ethnographic material. However the application of the role-analysis method did demonstrate that it is possible to isolate dimensions of the behaviour being investigated without regard to preconceived categories and classificatory systems. Given the necessary data and a much larger sample it should be possible to find patterns of variables repeated throughout and subsequently to formulate hypotheses from these.

A third development of this study is its directing attention to the kind of ethnographic data that would be useful in comparative studies. Not only does it discuss the type of questions that can be directed at the ethnographies to learn about marriage termination specifically but it also shows the type of data needed generally. If anthropological inquiries in the future are going to be divested of a priori concepts, then there has to be a dialogue between anthropologists doing field work and those doing comparative studies. This study upholds

the view that in order to understand and explain specific occurrences in society, the data must be suitable for cross-cultural comparisons. One method of creating this favourable base for comparative studies is to approach the data in terms of the roles that individuals play in specific situations. It is hoped that this study demonstrates the advantages of presenting the ethnographic facts on the level of interacting relationships. Furthermore it is hoped that this study shows the kind of questions that must be answered before it is possible to adequately characterize marriage termination.

The foregoing would imply that this study intends to do away with all-embracing and imprecise anthropological categories and concepts since they are not identical in all societies. This is not so. Only one concept, marriage termination, is under review here. Others such as "marriage", the "community", "affines" also need to be refined to make them applicable to a wide range of societies but it would be impossible to examine all of these while trying to fulfill the objectives of this study. Consequently, concepts other than marriage termination will be used as they appear in the literature. Also, this study is not free from some form of classification of the data. I prefer to call it ordering the data, which is a necessity in any study. What I hope the role-analysis method avoids is relying on rigid categories and reified terms that do not account for all possibilities cross-culturally.



Before defending the introduction of a new term, "marriage termination", I believe the notion used here of marriage -- that institution which defines the roles of the husband and wife -- should be established. There are many problems facing anyone wishing to depict or define "marriage". These difficulties are due not only to variation in types of marriages or "marriageness" (Goldschmidt (1966:25)) such as woman-te-woman marriage or absence of a conjugal family as amongst the Nayar, but are more basic than this. Students of this subject are faced with the problem of determining when a marriage is a marriage. Some anthropologists (such as: Radcliffe-Brown, (1922:70); Evans-Pritchard, (1951:67); Stefaniszyn, (1964:104)) have reported that a marriage is not considered consummated until the birth of the first child. The people, it might be said, thus view marriage as a process that finally takes shape after passing through a series of stages. Prior to the birth of a child the couple do have rights and duties towards each other so the union does not have the status of a concubinage. The problem that arises is how to compare these societies with a gradual marriage process with societies in which marriage is precisely demarcated. This problem does have important consequences for this study since if the couple do terminate their relationship prior to the birth of the first child, can it be said to be a marriage termination? Stefaniszyn in fact reported for the Ambo that the relationship is easy to terminate before the first child is born (1964:104). The problem has been

posed but left unanswered until some approach is found to deal with questions such as these in establishing an operational definition of marriage.

Perhaps it will be found that marriage termination occurring after the birth of a child is the only termination that need be considered since the child creates a permanent link between the two families and at this point the rupture of the marriage is a far more serious event. There was an attempt in the investigation to allow for differences created by the presence or absence of children but the lack of data prevented its being carried out successfully.

Any social anthropological definition is difficult to formulate since the definition must be general enough to be universal and yet detailed enough to actually characterize the institution. The formulation that would satisfy both criteria would have to embody Wittgenstein's notion of "family resemblances". Such a definition would include all possible characteristics of the item under scrutiny, any of which in different combinations could apply in specific situations.

The discussion of marriage that I found most sensitive to the complexities of defining marriage and therefore contains the idea of "family resemblances" is M. Douglas'. She initially depicts the essence of marriage as:

mating arrangements approved in society with special reference to the institutionalized relationships of husband and wife; also the ceremonies which establish such relationships.

Then, bearing in mind the great diversities that can occur cross-culturally, she writes:

marriage may have all or only some of the following functions: a) of establishing the legal status of the children of the parties to the marriage; b) of transferring rights to each of the parties; 1) domiciliary; 2) in the sexuality of the other; 3) in the labour and domestic services of the other; c) of establishing a joint fund of property (for the benefit of the children of the marriage); d) of establishing an alliance or relation of affinity between the kinsmen of the parties; e) of giving public recognition to the relationship. M. Douglas in "A Dictionary of the Social Sciences", J. Gould, ed. (1964:409).

It is on this notion of marriage that an investigation of marriage termination is based.

The terminology advanced in this study to denote the phenomenon of the destruction of a marriage is not "divorce", the term used in the literature, but "marriage termination". This descriptive term is preferred to "divorce" which, I contend, refers to a specific type of marriage termination found in Western industrial societies with elaborate judicial systems. In Canada, when we speak of divorce we think of it in legalistic terms, as the dictionary definition of divorce shows: "1) a legal dissolution in whole or in part of a marriage relation usually by a court or other body having competent authority". (Webster's Third New International Dictionary, 1961). The danger of misrepresentation when "divorce" is applied freely to other societies without a similar legal

process is reflected by Professor Freedman in his monograph.

He remarks:

The Chinese tend to think of themselves as a people without divorce in the sense of the Malay casualness or the English legal process. On the other hand, the dissolution of marriage "li-hun" is common enough in Singapore and is recognized to be so. I translate "li-hun" as divorce, while noting that English-speaking Chinese often identify "divorce" exclusively with the dissolution resulting from a judicial process. "Li-hun" normally refers to a signed agreement between the spouses to end their relationship. Freedman (1957:176).

Thus our concept of divorce is not universally applicable.

Divorce represents in Canadian society only one type of dissolution of a marriage. Scores of Canadians are separated from their spouses and have even engaged in a new relationship. However this new relationship is not even accorded the status of a common-law marriage but would be considered by the legal authorities as merely adultery. In fact, though, one marital relationship has terminated and a new conjugal one has been established. Still, the couple are not divorced; they are separated and no new relationship is legally recognized. Anthropologists (e.g. Goody (1962); Meggitt (1965)) have reported that in some societies a dissolution of marriage can be effected by a separation. Unlike separations in Canada, these separations under certain conditions are recognized as dissolutions or terminations of the marriage bond and new conjugal relationships are recognized as marriages. Goody (1962) reports for the Gonja that:

"Dissolution of marriage may come about through formal divorce elopement, separation or death of a husband" (1962:22). She claims that both formal divorce and elopement are rare but "more usual is the gradual transformation of an extended separation into a de facto divorce" (1962:22). This is not divorce as defined above since no formal recognition of the dissolution occurs. Similarly, Meggitt (1965:141) reports for the Mae-Enga that a "de facto" divorce is effected when a woman goes to live with another man who gives bride price to her kinsmen to validate the liaison but does not recompense the deserted husband. The people recognize this as a second marriage. And this is neither a "divorce" for the reasons stated above nor a "separation" since a new marriage was contracted.

I assert that our concepts of "divorce" and "separation" do not take cognizance of the non-judicial forms of the dissolution of marriage that do take place. I would also suggest that whether the dissolution is formally recognized or the result of an extended separation, they are in fact both dissolutions and there is no reason to distinguish between them in an analysis such as this. Consequently, I have designated the phenomenon of dissolution of marriage by whatever means, as long as it is recognized as a dissolution by the people, as "marriage termination". This new term is intended to eliminate restrictions in comparative analyses and ethnographic reporting imposed by equating "divorce" with

a judicial process and "separation" with the absence of a recognized cessation of the marriage.

Most of the ethnographies do not explain how "divorce" is being used and it is impossible for the reader to determine if all marriage terminations are labelled as "divorce" or only those which most closely parallel the dictionary definition of it. For the purposes of this study, those dissolutions of marriages reported by the anthropologists will be taken to stand for all marriage terminations. It is hoped though that anthropologists conducting field work in this area will recognize that the concept of "divorce" is a limiting one while "marriage termination" or something similar denotes all possible variations found throughout a wide range of societies and is therefore preferable.

In Chapter II there is a review of some of the propositions advanced by anthropologists seeking to explain the causes of marriage termination throughout a number of societies. However, for the reasons presented earlier (see page 2), discussions have tended to centre around frequency, why certain societies experience frequent divorce whereas in others it is rare. The anthropologists are discussing marriage termination (or divorce as they refer to it) but with an added element -- the frequency of these dissolutions -- which is referred to as "marital stability" or "instability". This designation could not be applied to the phenomenon under study here as the differences in rate are not the immediate concern of this inquiry. It is believed that an

adequate understanding of marriage termination must be achieved first before problems of frequency can be studied.

This "adequate understanding" of marriage termination was one of the objectives of this study but could not be attained. However as stated before a very general working definition used in this study is that marriage termination refers to the dissolution of marriage recognized as such by the people in the society. In particular, the focus of this paper is on the point of rupture of the marriage and what leads from there. Although no principles of marriage termination were discovered, this study does underline that not only the husband-wife relationship is altered in various ways, but other relationships as well, involving the children, one's own family, the affines and others. Any discussion of marriage termination which omits these factors is not even approaching an adequate explanation. As well, any discussion which isolates only one or two variables is untenable, for this study has shown the complexity of the subject. Although one variable may appear consistently throughout a number of societies, thus far in this limited study no concomitant variables are discernible, perhaps indicating that a great many interrelated factors constitute a marriage termination.

It may be evident already that the ideal in this analysis is to avoid the researcher's regulating the data wherever possible. However certain controls need be imposed on the study so that a certain level of homogeneity in the data may be achieved. One

such control is confining the study to tribal societies in the belief that societies which share more or less common principles of social organization will attempt to solve their problems in similar ways. "Tribal societies" refers to those societies which are neither peasant nor industrial. J.J. Honigmann characterizes the tribe as:

A system of social organization which includes several local groups -- villages, bands, districts, or lineages -- and normally includes a common territory, a common language, and a common culture. The elements constituting the tribe may or may not be coordinated by formal or centralized political power. "A Dictionary of the Social Sciences", J. Gould, ed. (1964:729).

A further demand made on the ethnographic material used to investigate marriage termination is that it be material on traditional tribal societies. This is necessary to avoid including societies which have incorporated into their social structure the judicial system of Western industrial societies where matters such as divorce are settled in a state-operated court. This method of handling marriage termination is alien to the traditional tribal society. Where the court system has been imposed on it, attitudes to marriage termination that have been developed in industrial countries or even in other tribes are being promoted. I am referring only to societies which have lost their right to decide matters of marriage termination for themselves. In some African ethnographies it is reported that disputes arising from marriage terminations which simply cannot be settled in the traditional manner are submitted to a state-controlled native court. These societies are included since



decisions in the native court are based on the traditional precepts. Thus Forde reports for the Yako that "deserted husbands, finding it difficult to obtain payment from the wives' matrikin, have been successfully making claims before the 'Yabot' and the Native Authority courts for direct recompense by the men with whom their wives have gone to live" (1964:126).

A similar issue is that of Western religion or any religion which is not indigenous to the society and which actively dictates rules of marriage and marriage termination. A survey of sixty or so ethnographies on tribal societies yielded not one case of a traditional religion regulating marriage customs. The problem arises principally with societies which have adopted Islam or Christianity, especially the latter. Christianity is a very new religion for any tribal society existing to-day and definitely so for one described forty years ago. Consequently, societies which had wholly adopted Christianity were omitted since their marriage rules are recent and in any case do not necessarily reflect the solutions to marital problems which might have arisen out of the social structure. In fact, anthropologists do indicate where Christianity has or has not caused changes in the rules governing marriage (see Fallers, 1957). Where Christianity was practised by only a segment of the population and where the ethnographer established that the customs he was reporting were traditional, then the ethnography was used.

Not so precise a case exists for Muslim societies. Although Islam directs the marriage customs it has played an integral role in most of the societies, I believe, for hundreds of years. It is not a matter of recent diffusion and the social structure has had time to adjust to the Muslim precepts. I found that in all Muslim societies a termination of the marriage was easily obtained by the husband, but for subsequent problems, such as who took the children, there were differences in the solutions. However, the religion is an international one with common codes of behaviour and certain fundamental aspects cannot be altered by one social system. In this respect Muslim tribal societies differ in an important way from other pagan tribal societies. I have not been able to determine how fundamental or significant this difference is and therefore decided to include one Muslim society in the study (the Somali, Lewis 1962).

No other factors were considered in the selection of the societies used in this study. The ethnographies making up the sample of sixteen were chosen simply because they contain much of the material needed to conduct the study. The absence of any further limitations on the material is entirely in keeping with the exploratory nature of this study. The design of the study was to refrain from too many preconceived assumptions about marriage termination in order to gather as much information as possible. The intention was to examine the merits of a role-analysis method while at the same time to formulate principles of marriage termination. Although the objectives were not fully

realized, critical issues raised in this Introduction are considered more thoroughly in the succeeding chapters.

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## CHAPTER II

FROM MARITAL INSTABILITY TO MARRIAGE TERMINATION AND THE  
ROLE-ANALYSIS APPROACH

Systematic research into the phenomena of marriage termination has been recognised (by Fallers (1957), Gibbs (1963), Leach (1963), among others) as dating back to 1950 when Max Gluckman's (1962) paper was first published. In it he compared the marriage system of the patrilineal Zulu with that of the patrilineal Lozi and suggested that marital stability was a function of the kinship structure, that divorce was rare where patrilineality was strong (1962: 191-2). His proposal is:

I....affirm tentatively that divorce is rare and difficult in those organized on a system of marked father-right, and frequent and easy to obtain in other types. Gluckman (1962:190).

Dr. Leach (1963:119) questioned Gluckman's use of the term "Father Right"<sup>1</sup> as an indication of the degree of patrilineality in a society. Leach points out that Gluckman associates marked Father Right with the degree to which the patrilineage of the woman's husband acquires rights over her but Leach suggests that a society which showed a greater degree of Father Right would be one in which the father of the girl continued to exercise legal control over all its members throughout their lives. He asks, "Surely the Father Right of a father who retains considerable control over his daughter's person

even after she is married is greater than the Father Right of a father who surrenders all such control to his daughter's husband?" (Leach 1963:119).

According to Leach (1963:119), Gluckman agreed that "Father Right" was not an acceptable term but as Leach also suggests, the problem of measuring the degrees of patrilineality still remains: "What can we mean if we say that, of two patrilineal societies, one is 'more strongly patrilineal' than the other?" (Leach 1963:119).

In the same paper Leach challenged another of Gluckman's 'hypotheses' (sic) that the "general durability of marriage.... is a function of the kinship structure as a whole" (Gluckman 1962:190). Having carried out an analysis of Gluckman's correlation by considering data from three culturally similar societies, the Ordinary Jinglypaw, the Gauri and the Lakher, Leach (1963:123) concludes that the determinants of marital stability are not found in the kinship structure per se of these unilineal descent systems but "economic and political factors" need also be considered.

Other anthropologists after Gluckman carried on this theme of the degree to which the woman was incorporated into her husband's kin grouping and severed from her natal one. David Schneider (1961:17) speaks of: "the bonds of marriage being maximized as against the bonds of descent" and where this occurs, marriage termination is less likely to occur, with the converse

also true. These are structural determinants and they affect the stability or duration of marriage. Some of the theorists who followed Gluckman embraced his original correlation but also attacked the problem of determining incorporation and severance.

Professor Fortes would use the woman's jural status outside the conjugal relationship as the significant factor and this is dependent on "the degree to which she retains her status as a daughter and sister after marriage" (1959:210).

Another indice determining the membership of the woman is Lloyd Fallers' suggestion of the "complete transfer of her child-bearing properties" (1957:121). It is when this transfer occurs, he claims, that "patriliney tends to stabilize marriage" (1957:121).

The possibility that the rights in genetrix was the key to predicting the frequency of marriage termination was pursued by both Mitchell (1961) and Southall (1961). J.C. Mitchell (1961:318) suggests that once a woman's reproductive powers were transferred to her husband's lineage permanently, then the marriage could not easily be broken. He reinforces his statement by pointing to societies with corporate matrilineages where the woman's reproductive powers are not transferred so that the wellbeing of the children is not affected by the duration of the marriage. In these societies, Mitchell claims that "divorces usually are relatively frequent" (1961:318). A very similar stand proposing that where corporate groups acquire the genetrical



rights as opposed to just individuals acquiring them, then the stability of marriage is greatest, is adopted by Southall (1961:59).

I.M. Lewis (1962) in his monograph on the Somali offers one of the most comprehensive examinations of the relevant literature. He rejects the relationship between rights in genetrix and marriage termination and cites numbers of societies which are "patrilineal, genetrixial rights are transferred, high bride-wealth is paid but marriage is unstable" (1962:41). He argues that "full genetrixial" and "permanent transfer" are different issues and not to be treated as the same. He sees no difficulty in recognizing that where the marriage contract is defined as involving the transfer of the woman's reproductive powers permanently to the husband and his group, then of course marriage must be stable (1962:42). However he takes exception to the correlation advanced between the transfer of genetrixial rights and marriage stability and in fact does not see a correlation at all. He writes:

It is merely tautological to state that in those patrilineal societies where the genetrixial rights are permanently held by a husband marriage is stable, whereas in other cases where they are not held permanently marriage is unstable. This preoccupation with the position in regard to the transfer of genetrixial rights leads eventually to an impasse. Lewis (1962:42).

Lewis' formulation on marriage stability takes up the idea of jural responsibility, advanced by Fortes (1959). He suggests that one might investigate the extent to which legal responsibility

for the woman is retained by her kin or is borne by her husband's kin. One method of determining the extent of this legal care, Lewis proposes, is by the proportion of blood-wealth that is due both of the lineages in the event of the woman's murder or the amount they would have to pay out if she were to commit murder. Lewis' formal proposition advances a correlation between marital stability and the degree to which the woman is in the legal care of her husband's kin grouping. Conversely, he suggests that where the wife retains much of her premarital jural status marriage is not stable (1962:43).

This is by no means a complete review of the ideas advanced to account for marriage termination or the lack of it. It is an indication, though, of the lines of thought with which the anthropologists have been working. There has been an emphasis, first of all, on accounting for frequency of marriage termination, why it occurs more commonly in some societies than in others. Most of the anthropologists working on this problem have sought elements in the kinship structure as the likely answer. They have suggested that the crucial factor is the degree of the wife's incorporation into her husband's kin grouping, this being measured by the allocation of her reproductive powers and/or the distribution of jural responsibility over her person. Although the concept of incorporation-severance seems to have gained wide acceptance in discussions of marriage stability, it is still obscure. Much

more research into the interchange between the two kin groups brought together by marriage must first be conducted before the validity of this approach can be learned.

I would suggest that the notion of strong patriliney as the decisive factor in marriage stability may have to be dropped since descent is characterized by a number of aspects. To speak of one society being more patrilineal than another would require a scoring of all the characteristics of descent rather than relying on one or two factors such as jural control or rights in genetricem. Gibbs (1963) proposes a system for determining "tightly structured societies" (1963:553), too involved a scheme to consider in these pages, but again there is the problem of "measuring" elements throughout a wide range of cultures. The nature of anthropological data just does not lend itself to this kind of analysis.

There is a danger too that these propositions may not provide a cause and effect relationship necessary to an understanding of marriage termination, or just of marriage stability. Lewis has already raised the point in his charge that the preoccupation with genetricial rights leads to an impasse. There is the danger of using one element in the kinship structure to explain another both of which may be the results of other non-kinship factors in the social structure. They may not form a correlation on their own nor might they be decisive factors in predicting the chances of marriage termination. As Dr. Leach (1962) suggests, socio-economic and political factors should be considered besides just

elements in the social structure. M.J. Meggitt (1965:159) strikes a similar note in his study of the Mae-Enga when he submits that their marriage stability is controlled by two variables: corporate descent groups and the ceremonial and exchange relationships linking them.

For the time being, factors such as social absorption (however it is determined) are only indicators of marriage stability or instability and as Lewis (1962:41) shows with his negative cases, are not always accurate. There is little doubt that marriage stability is normally found in societies with corporate patrilineages and instability usually in matrilineal societies (this notion is implicit in all the formulations cited). Once more information is available on the exchange relationships between the two allied lineages or on other variables that are considered related to this problem of marriage stability or termination, it is these negative cases which will provide the most useful results in refining any correlations.

This brief consideration of the types of approaches suggested to advance our knowledge of divorce shows that the main concern of a number of anthropologists is with marriage instability - an attempt to account for the differences in rate of marriage termination found among a number of societies. This emphasis on frequency should come after a clear characterization of the phenomenon has been established, after operational definitions

have been found and, most important, after a method of presenting the data has been produced that would facilitate accurate comparisons. It is for these reasons, already discussed in the Introduction, that this paper neglects the unfinished analyses of marriage instability and considers the wider aspects of marriage termination.

In considering the approach most suitable for an investigation into the nature of marriage termination, the pertinent writings of a number of anthropologists were consulted. Most of them expressed a dissatisfaction with the standard comparative methods and a few (such as: Goldschmidt (1966), Leach (1963) and Schapera (1953)) offered tentative schemes in their place. The shortcomings of past comparative studies most often discussed can, for a brief review, be classified under two headings - 'weakness of the data' and 'need for clarification'.

Among some of the anthropologists consulted there was a primary concern that at least some anthropological problems were not receiving intensive investigation because the available data was inadequate or just not available. This was reported by Udy (1959:22) who had difficulty in finding data on collective manufacturing that was suitable for "comparative institutional analysis". This was also Needham's predicament. Schneider (1965:68) quotes him as saying: "There is no adequate account of unilateral cross cousin marriage anywhere in the literature; and

until there is, there can be no great theoretical progress (Needham 1956:108)". Schneider also reports Needham's position as believing that ethnographers have been mistaken and "have failed to provide crucial information" (Schneider 1965:68). This is a serious problem as it affects the quality of comparative studies, an issue raised by Oscar Lewis. He writes: "The quality and reliability of comparative cross-cultural analysis can hardly be better than that of the original field data upon which it is based" (Lewis 1961:76).

The inadequacy of the data for comparative purposes can probably be traced back to its original preparation as a field study. The emphasis in ethnographies has been to investigate each institution as part of the wider system. This accords well with a comprehensive analysis of each culture but not in a comparative analysis when each institution has to be isolated and combined with similar ones from other cultures. Goldschmidt (1966) subscribes to this view and he refers to this predicament as the "Malinowskian dilemma". His remarks are as follows:

Malinowski was most insistent that every culture be understood in its own terms; that every institution be seen as a product of the culture within which it developed.....Yet the internal mode of analysis can never give us a basis for true generalization and offers no means of extrapolation beyond the local time and place. Goldschmidt (1966:8).

The method of analysis discussed later in these pages tries to overcome the problem of the unsuitability of the material for

comparative studies by focusing the analysis not on the institutions but on elements reported by the ethnographers. Although nothing could be done with insufficient data immediately, the intention of this study was to show the kind of questions that can be asked of ethnographical materials and hence indicate the type of data needed.

The second category of weaknesses in comparative studies is their lack of clarity. This issue has received great attention in the literature and the main concern is that categories and concepts have not been standardized and probably could not be. Again, the difficulty may partly lie in the fact that comparative studies are entirely based on the material available in ethnographies. Since the latter primarily seek to describe in detail the various patterns of social behaviour within a society, it does not matter if the institution or concept being elaborated resembles in all aspects other cultural manifestations of similar phenomena, for the differences can be detailed. The problem, though, arises when the material is looked at throughout a number of societies.

An excellent example of this dilemma is found in Max Gluckman's (1962) essay, "Kinship and Marriage Among the Lozi of Northern Rhodesia and the Zulu of Natal". Gluckman has classified both societies as "patrilineal and patrilocal" (1962:167,169) and yet the kinship and residence systems of each differ so widely that the author, before using the societies as

a basis of comparison, has to devote many pages (166-206) to describing their vast differences. Briefly, the differences are to be found in the fact that the Lozi do not have: corporate lineages; an extensive genealogical system; lineage-owned villages; rigid residence rules; clans; distinctions between lines of descent in their kinship terminology; and strict adherence to patrilineal descent. By contrast the Zulus have all of these and adhere much more strictly to patrilineality and patrilocality. Certainly the Lozi possess what Leach (1963:5) calls a "patrilineal ideology" but to incorporate them into the same category with societies that demonstrate many more dimensions of a patrilineal kinship system is not only pointless but misleading. Their structural principles are very different. No wonder the author at the end of his lengthy analysis made this statement:

Some of the difficulties are inherent in sociological analysis.....Others arise from the vague and embracing use of categories and concepts (of which I too am guilty) such as patrilineal, lineal, marriage, divorce, & c. Gluckman (1962:202).

Dr. Leach (1963) recognizes the frustrations in social anthropology caused by what he calls the "straitjacket of thought" which he claims had been imposed by the rigid use of categories (Leach 1963:3). To illustrate his stand, Leach (1963) refers to a paper of Dr. Richards' printed in African Systems of Kinship and Marriage (eds. Radcliffe-Brown and Forde, 1962). In it she asserts that "the problem" of matrilineal societies is due



primarily to conflicts between rules of exogamy and descent (i.e. conflict between the father of the children and their maternal uncle). Leach chides Dr. Richards for her ethnocentrism (vis-a-vis the matrilineal Bemba) and asks why brothers-in-law in matrilineal societies should have problems that their counterparts in patrilineal and bilateral societies do not. He cannot in this case see any significance in the use of categories such as "matrilineal". He writes:

What I object to in this is the prior category assumptions.....having selected a group of societies which have nothing in common except that they are matrilineal, she is naturally led to conclude that matrilineal descent is the major factor to which all the other items of cultural behaviour which she describes are functionally adjusted.

Her argument I am afraid is a tautology; her system of classification already implies the truth of what she claims to be demonstrating. Leach (1963:4).

Others express similar concern for this restrictive effect of concepts or categories used freely from one society to the other. Gluckman and Eggan (1966) appeal for clarification in social anthropology. They ask for an: "elimination of muddles; a clearing away of concepts that, though once useful, now appear to be too gross and to block analysis" (1966:xxv). Likewise, Marion Levy (1952) raises the issue of concepts not being consistently employed and its effect on comparative analysis.

He claims that:

Many social scientists are not in the habit of defining their major concepts at all....Many who do define them do not use their concepts consistently.....Many empirical differences will be lost sight of by such a concept (e.g. family) and in many cases attention will be focused on a unit that, from the point of view of actors in the society concerned, is not a focus of attention. Levy (1952:2-3).

Goldschmidt (1966) sees the difficulties in comparative analysis as stemming from a focus on institutions (another manner of expressing categories or concepts of patterns of social behaviour). He believes that this focus results in the establishing of taxonomies and/or terminological disputes. "The latter", according to him, "are never resolved, while the former often become so complex that each possible sub-sub type contains but a single case". (Goldschmidt 1966:16-17).

It is evident from the foregoing that methods of comparative analysis must be designed to avoid the errors discussed by the anthropologists. Care must be taken to avoid the free use of concepts, categories or institutions and, where necessary, to develop operational definitions for them that can be applied easily throughout a wide range of societies. One possible approach which is explored in this study involves the abandonment of any classificatory system of the societies in the sample and the use (where the data permits it) of the actual data reported by the ethnographer rather than the concepts or categories through which he classifies the social behaviour.

"Role-analysis approach" is the name given to the scheme and it also describes its essential feature. This method was devised to explore the nature of marriage termination, to perhaps discover principles of marriage termination which could be investigated in other societies and to apply these principles to the drafting of a satisfactory operational definition of marriage termination. Criticisms by anthropologists of the comparative method, already discussed, were examined and a serious attempt was made to eliminate those obstacles from the role-analysis method.

The basic feature embodied in role-analysis is its incorporation of the actual, basic data as reported by the ethnographer in an attempt to reflect the action of the individual-in-society. This is not a novel idea. One of its chief and earliest advocates is Talcott Parsons (1962). In the Parsonian "theory of action", the focus of his theory is on the actor's orientation - how the actor views the situation and confronts it (1962:4). This is not reducing anthropological investigations to psychological problems for the role of "culture" must not be forgotten. If culture does not determine exactly the choice that the individual makes, at least it defines the choices from which he has to choose. It is these choices or solutions that are the subject matter of the role-analysis method. According to R.J. Preston (1966), this idea of working with culturally governed, individual behaviour is what Sapir wished to accomplish: "Sapir wished to plant his conceptual

framework as close as possible to the level of the actual perception of individuals in hopes of approximating or approaching the inherent structure of individuals-in-culture" (Preston 1966:1127).

Although the use of the concept of "institutions" has been criticized as being rigid and blocking analysis in cross-cultural studies, it is seen in this study as having limited value. As long as institutions in total are not the basis of the analysis, then this concept is useful in ordering the data, in grouping together similar patterns of action. The use of "institutions" must be kept in its proper perspective as an analytic tool rather than an analytic subject. This is because the anthropologist defines the boundaries of the institution; it does not exist in a society as a distinct entity. It seems possible that the idea of separate institutions for separate functions reflects more the situation in industrial societies than in tribal ones. There does not seem to be among the latter a series of distinct institutions. Rather, tribal societies almost by definition seem to denote a certain combination of resources. The family, as just one example, functions as an economic unit, a political unit, a religious unit and an educational unit. Certainly it is all the more of these things than is the family in non-tribal societies. There does not appear to be a one-to-one relation between institution and function. Still, institutions are necessary for organizing the structural features in a culture and thus facilitating cross-cultural comparisons. They are useful as

long as they do not become reified.

A formal definition of "institution" is provided by R.C. Sheldon (1962). He writes:

an institution is thus a concept which states that many separate situations have features in common, in terms of principles of abstraction or order, and in which, in the same terms, actors exhibit the same or closely similar actions. Sheldon (1962:40).

Sheldon has described institutions as being composed of regularities of actions or of patterns of actions. Action, of course, is the focus of the method being developed in this thesis but it is not the patterns of actions that are the concern, for the reasons given above, but individual actions. The concept of patterns of actions or institutions helps focus attention on related series of actions, such as marriage or marriage termination, so that the problem can be defined. However, the analysis must examine the data reporting the actual behaviour to avoid using a priori categories and concepts.

If an institution refers to patterns of action, then it is also a system of roles. For the concept of role is the most basic unit of social action. It reflects the culture at the level of human interaction. Parsons (1962:23) considers "role" as: "the most significant unit of social structure" since it defines the actor's participation in an interactive process. It is by examining "roles" that this role-analysis approach seeks to characterize marriage termination throughout a number of tribal societies.

The importance of "role" as the basic unit of analysis is recognized by S.F. Nadel (1958) in The Theory of Social Structure. He argues that the social scientist has not really imposed this concept of role on societies as he claims that role is natural to all societies:

No society exists which does not in this sense classify its population - into fathers, priests, servants, doctors, rich men.....and so forth... In short, every society gives such linguistic notice of the differential parts individuals are expected (or 'briefed') to play. Nadel (1958:20).

Furthermore, Nadel recognizes that role is a structural feature - that it is one of the basic elements in any society. In the same work, he remarks:

We arrive at the structure of a society through abstracting from the concrete population and its behaviour the pattern or network (or 'system') of relationships obtaining 'between actors in their capacity of playing roles relative to one another'. (T. Parsons). Nadel (1958:12).

Later, Nadel adds: "We therefore regard the role system of any society with its given coherence, as the matrix of the social structure" (1958:102).

In view of the significance ascribed by Nadel and others (Parsons (1962), Sheldon (1962)) to role as the focal point in sociology, it seemed possible and productive to found this comparative analysis of marriage termination on this unit of action. What is intended is a study that is a transposition of the comparative studies criticized by the anthropologists. Rather than investigate large groupings on the level of institutions and work down, trying to find patterns of behaviour

(e.g. Where there are corporate patrilineages, marriage will tend to be stable - so group together all patrilineal and strictly patrilocal societies and look for breakdown or stability), I would prefer to work from the bottom up. This way, I would start with the individual's behaviour from the rupture of the marriage and see if patterns of actions can be found throughout a number of societies.

Again, the use of roles should be an excellent indicator of what goes on amongst and between husband and wife because role not only denotes action, but interaction. A role involves not only the way in which 'A' behaves towards 'B', but also the way in which 'B' expects 'A' to behave. There is both orientation and expectation involved and this is interaction. Since roles are governed by the society, by its norms, customs and folkways, a regularity, a constancy in the type of interrelationships would indicate that these are the accepted (at least one of them) forms of behaviour and in fact they are roles. Nadel characterizes roles as "series of interconnected ways of acting laid down by the rules of society" (Nadel, 1958:65).

It is recognized that the concept of roles is not as simple as has been expounded. It is not merely a matter of one's relationship to another - the concept contains a number of qualities. Each role can be broken down into attributes such as aims, obligations, expectations and so on. Thus a father playing that role could represent to his son both authority and

paternal care, or just one or neither of these (example taken from Nadel, 1958:102). Furthermore, social scientists to-day speak of: "overt role"; "covert role"; "prescriptive role"; "evaluative role"; "active role"; "sanctioning role", etc. (Biddle 1966:31). Once I have mentioned this, I choose to ignore it. With the type of ethnographic material available and because the analysis is to be essentially exploratory, it would simplify matters to recognize "role" as a composite of all these qualities and attempt to avoid differentiating between these attributes. "Role" as used here will denote the generic idea of the particular behaviour of given persons within specific situations of social interaction.

This study is intended to be an examination of marriage termination, using role-analysis as the key methodological tool. The reason for the digression on the structural features of society, i.e., institutions composed of role systems, is that marriage termination can be viewed within the larger context of the institution of marriage. The rupture of a marriage does not form a social system on its own, for almost by definition it is deviant behaviour. To view it structurally and locate it, one would have to designate it as a system of roles within the larger context of marriage. This is its proper setting as marriage has initially defined the roles which now must be redefined.



"Marriage", as was described in the Introduction, is essentially a relationship between husband and wife within a larger pattern of social relationships. It follows that "marriage termination" involves at least the interruption of these relationships. It cannot be said that it involves a cessation of them for it is the study of the latter that is intended. To investigate marriage termination within each society then, attention can be focused on the various roles which, at the point of rupture of the marriage, have to be redefined or readjusted.

The idea for this novel approach comes from Dr. Cyril Belshaw through discussion (1966) and in his recent paper, "Theoretical Problems in Economic Anthropology" found in Social Organization: Essays Presented to Raymond Firth, edited by M. Freedman (1967). In his essay, Dr. Belshaw is concerned with developing a method of analysis which is based not on Western society's economic principles (monetary profit and accumulation of wealth), but one which is flexible enough to determine the economic make-up of all societies. He suggests working with an abstract model founded on the "social unit act" (1967:27). He writes: "the obvious alternative (to examining role differentiation based on symbolic data, T.O.) from the point of view of economic anthropology, is to begin with the transactions (my emphasis) themselves, and by observing their flow and their implications, arrive at a functioning model of a social system" (Belshaw 1967:31).

There is no reason why Dr. Belshaw's proposals for economic anthropology should not be applied to other areas of the same discipline. Since he sees his construction of a model based on the "social unit act", there is nothing inherent in it that would restrict this basis for analysis to economic anthropology. In fact the most worthy aspect of his theoretical contribution is that it can be used in all social anthropological enquiries, both in ethnographic and comparative studies.

By now it may be obvious that my theoretical framework was initially derived from Dr. Belshaw's (1967) work attempting to develop as bias-free an abstract model as possible. The basing of the investigation of marriage termination on a study of roles is a natural outcome of Dr. Belshaw's theoretical conclusions, but also, I hope it has been adequately demonstrated in this thesis as being a proper basis for study.

Marriage, as previously discussed, establishes a series of relationships for the principals involved, particularly the husband and wife. It follows from this that a termination of the marriage produces at least a change in the relationships. Each individual who was affected by the rupture of the marriage would have to redefine his role towards another, even if the role were to remain the same, (e.g. a father to his children). In this case there still would have to be a reinforcement, a reassurance that the relationship would continue in a similar fashion and so there would be a redefinition of the role.

The new relationships or redefinitions of roles can be grouped under the following headings:

- a) new relationship to the children
- b) new relationship to the affines
- c) new relationship to one's own kin
- d) new relationship to members of the opposite sex
- e) new relationship to the community as a whole
- f) new relationship to the former spouse

It should be emphasized that each of these relationships has a number of possible contexts - through property, through jural rights, through affect or through general interaction - and each will have to be examined. This list is not intended to exhaust all possibilities but it is believed to represent the most important relationships.

An analysis of how these new relationships are defined could yield to us the new system of roles in which ego finds himself or herself. It should be stressed that no classificatory system is being employed nor is it a study of 'divorce' or 'separation'. It simply starts from the point of rupture of the marriage. It is hoped that in a cross-cultural study such as this, using a point-by-point analysis of the redefinition of roles, there would develop some consistent relationship, such as between 'a' and 'b', or 'b' and 'e'. The idea behind this study is to investigate the material in this way so that a new system could show itself to the researcher - one that was not preconceived. It is hoped that the dimensions over a number of studies will lend themselves to classification. If they do, then principles could be

formulated to express the interrelationships among a few of the dimensions. It is also possible that the dimensions or variables will group themselves in such a way as to shew a relationship with other systems in the society. If these results do materialize, then the role-analysis approach will have been useful in characterizing marriage termination and also perhaps predicting its effects on other systems of behaviour. If these results are not forthcoming then it is possible that this approach is not a fruitful device and some other means must be explored.

The method devised to isolate the dimensions or variables relevant to a study of marriage termination is to pose a series of problems and decide how ego in each society would choose in a specific situation. The choices are, of course, culturally determined and have been institutionalized into accepted patterns of behaviour. By applying the test - which choice is made - it should be possible to characterize the new system of relationships. The researcher would be delineating the choices that have to be made, but only after thorough examination of the material, making sure that all possible choices were included in the code. It would, in effect, be applying structured questionnaires to each society, but the researcher would also be answering them.

The "posing of a problem" can be illustrated with the following examples:

- 1) The children remain or go with:
  - a) father b) father's kin c) mother d) mother's kin
  - e) any of these f) none of these g) can't tell

And, in terms of the same relationship another question can be asked using the same choices as above:

- 2) In whom is the authority over the children vested?

Each problem would have to be phrased generally so that it can apply to both male and female. Thus one could ask:

- 3) Who might consider ego as a prospective spouse?
  - a) member of affinal group b) all others who might have prior to the first marriage c) doesn't remarry d) former spouse

The answers received to all these questions should operate together to characterize the new roles.

These "problems" requiring some sort of solution for both the husband and wife are most suitable for recording the redefinition of roles that must occur at the breakdown of a marriage. The problems are not weighted; they are general enough to apply to any society. So must the range of choices be applicable to all societies. They must be coded and the phrasing of the variables must be general enough to include all possible variations found within the societies and yet not too general so as to be devoid of meaning. This coding can be conducted once there is a familiarity with the ethnographic data.

Further elaboration of the problem-solving technique will  
ensue in the process of testing it. This is presented in the  
following chapter.

## Notes to Chapter II

1. Gluckman spells "father-right" with small letters and a hyphen; Leach capitalizes it and uses no hyphen. Hence the two spellings.

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## CHAPTER III

THE APPLICATION OF THE PROBLEM-SOLVING TECHNIQUE TO  
MARRIAGE TERMINATION

This chapter is devoted to a full exposition of the "problem-solving technique" of determining role redefinitions and includes an analysis of a number of societies to show how each problem was 'solved' by the coder in the context of each society.

As to be expected of a study based on a different approach (role redefinitions), the ethnographic material for it is inadequate. It is for this reason that a random sample method cannot be used. Instead, the basis of this analysis must be a "judgement sample", that is, the choice of the ethnographies to be analyzed is fully dependent on the researcher's judgement as to their containing the appropriate data. The use of this type of sample is indeed unfortunate since nothing specially conclusive can be drawn from it; it is not at all representative of tribal societies. Still, the research should continue in order to point out possible avenues of analysis and hopefully the data will then be forthcoming. The societies analyzed in this study were selected after reading through some sixty ethnographies available to the researcher<sup>1</sup>, on the basis of their containing data which seemed to provide answers to at least three of the six categories of problems. If just those studies which yielded information on all six of the problems were to be used, then only one of the societies would have been analyzed (the Gonja) while one further society yielded answers to five of them (the

Sonjo). If four categories were considered necessary there would have been an additional three societies: the Lakeside Tonga, Plateau Tonga and Mae-Enga and no decisive information could be drawn from that small a number of cases.

The societies included in the study number sixteen. They are (along with their authors in brackets): the Lakeside Tonga (Van Velsen, 1964); the Plateau Tonga<sup>2</sup> (Colson, 1958 and 1961); the Gonja (Goody, 1962); the Mae-Enga (Meggitt, 1965); the Yako (Forde, 1964); the Khasi (Sanwal, 1966); the Samburu (Spencer, 1960); the Sonjo (Gray, 1963); the Iteso (Lawrance, 1957); the Nuer (Evans-Pritchard, 1951); the Amba (Winter, 1956); the Tangu (Burridge, 1957 and 1958); the Kgatla (Schapera, 1966); the Somali (Lewis, 1962); the Ambo (Stefaniszyn, 1964)<sup>3</sup>; and the Trobrianders (Malinowski, 1957).

To reiterate: None of the societies was selected on the basis of its having a specific kinship system, or marriage pattern or any other such features. They were chosen because they contained the type of information needed to determine the problems presented. The data found in these ethnographies is still very deficient and most of the ensuing complications had to be decided by reference to a relevant comment found in the study.

Although the specific characteristics of the tribal societies had no bearing on their selection for this study, it is deemed necessary to briefly characterize each society to partially acquaint the reader with the material known to the researcher. This summation of the ethnographic details can be found in Appendix I.

The six categories of role redefinitions listed in the previous chapter are, in the researcher's thinking, a list of the major role redefinitions that must occur at the cessation of any marriage. They were arrived at intuitively, but after considerable reading in the available literature. It is recognized that each role is not a simple matter of a specific relationship towards another but that each role must be examined in different contexts such as: through property, through jural rights, through affect, or just through general interaction. In order to reflect these varied contexts, it was felt that within each category, different aspects of the problems would have to be posed. Not all the above contexts nor all relevant situations are given under each category. The problems and solutions that are presented are only those which were encountered in the sixteen ethnographies on which this study is based. This was decided so that the researcher's bias would be kept to a minimum. Since the initial six categories were "established" by the researcher, it was felt that the actual problems and solutions should be only those which presented themselves in the literature. A coding of the sixteen societies was pursued so that the researcher added no problems or solutions of her own. This reduces the amount of interference - of imposing what is thought may or should be the case, rather than what is the case as presented in the monographs.

The listing of the six basic categories describing role redefinitions is not in any particular order. This is because there is no known relationship between the categories. It is the same for the listing of the problems within each category. Furthermore, as the copy of the "questionnaire" on the following page shows, some categories are more complete than others. This demonstrates that some areas (namely, new relationship to: the affines, the members of the opposite sex, and the community as a whole) are desperately in need of investigation by the anthropologists<sup>4</sup>.

The problems presented were formulated in as general a language as possible in order to be applicable to every society. The same holds true for the "answers". Yet the code has not been so generalized that it no longer reflects accurately the choice the man or woman must make. It is virtually free from a priori categories and involves descriptive categories. The free use of "coder can't tell" is designed to indicate that the appropriate selection was neither given nor could be inferred. In all cases it is signified with an 'x'. Where the problem does not apply, a dash (-) is used to indicate such.

If possible, the problems were phrased so that they would be applicable to both the man and the woman. Clearly, there are instances where the problems must specifically refer to one or the other. In this case, if appropriate, a mirror problem was

Society: \_\_\_\_\_

### I. New Relationship To The Children

- A. Children remain with or go with:
  - a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell
- B. Absolute rights over children vested in:
  - a) father and child's patrikin b) mother and child's matrikin c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell
- C. When children live permanently with their mother, their relationship to their father:
  - a) involves both finances and interest b) ceases c) weakens x) coder can't tell
- D. When children live permanently with their father, their relationship to their mother:
  - a) involves both duties and interest b) ceases c) weakens x) coder can't tell

### II. New Relationship To The Affines

- A. The affinal bonds are:
  - a) broken b) weakened c) primarily the same x) coder can't tell
- B. The affinal bonds are especially maintained when there are children:
  - a) yes b) no x) coder can't tell

### III. New Relationship To One's Own Kin

- A. Woman returns to or remains with:
  - a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell
- B. Man returns to or remains with:
  - a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence x) coder can't tell
- C. Jural control in a woman rests with:
  - a) her father and/or her brother b) specifically a brother c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell

#### IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:
  - a) no one belonging to her ex-husband's relatives
  - b) anyone
  - x) coder can't tell

#### V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:
  - a) no longer desirable as a wife
  - b) free to remarry immediately
  - c) not expected to remarry for some years
  - x) coder can't tell

#### VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:
  - a) have no obligations
  - b) do have obligations
  - c) have obligations only in special cases
  - x) coder can't tell
- B. The man and woman can resume their conjugal duties:
  - a) even if woman is married to someone else
  - b) only if man has not taken back bride price and she is not remarried
  - c) never
  - x) coder can't tell
- C. The marriage relationship is completely dissolved even if there are children:
  - a) yes
  - b) no
  - x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:
  - a) his acceptance of the bride price repayment
  - b) is not dependent on him
  - x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:
  - a) he can seek a new husband for his ex-wife
  - b) he has no rights of disposal over her
  - x) coder can't tell



presented for the opposite sex (see I:C & D or III:A & B). Lastly, it was decided to refer to the principals involved in a cessation of their marriage as 'man' and 'woman' rather than 'ex-husband' and 'ex-wife'. This is purely arbitrary. It was felt that not using 'husband' and 'wife' would serve to reinforce the fact that the concern is with marriages that have come to an end and the specific interest is how these people re-orient themselves. As well, this choice was made because it reads more easily.

The first category referring to a role redefinition is entitled: "I. New Relationship to the Children" and the literature yielded four problems. This is a category that is handled in all of the ethnographies, yet not all four aspects are illuminated in every case. In each ethnography it is stated who claims custody of the children, but there are few details of any continuing relationship with the absent children. The category refers to the redefinition of roles towards their children that must be made by the mother and father, individually, on the cessation of their marriage.

A. Children remain or go with:

- a) father b) mother c) mother only while children are very young
- d) girls with mother; boys with father x) coder can't tell

The most pressing problem after the rupture of a marriage is always that of who claims the children. The problem was phrased as "children remain or go with" in order to apply to

both mother and father, for in all cases the children would "go with" or "remain with" their mother and the same with father, depending on the accepted residence rules of the society. Again, the choices given for this problem are only those which appeared in the ethnographies. Only "father" and "mother" were listed and not their respective kin as being possible 'foster homes' for the children, as nowhere in the literature was such indicated.

Naturally, one can assume that where the child goes with his mother he will come under the influence of his matrikin or her new husband and where he stays with his father, the patrikin will have much to do with him. The crucial choice, I believe, is between mother and father, and the relatives and new husband are secondary. In none of the sixteen societies does the child remain with his matrikin while his mother lives with a new husband. There was also an allowance made, in the choices, for the two societies (Amba (Winter, 1956:63) and Kgatla (Schapera, 1966:299)) which sent the very young with the mother and decreed that the older children (usually over age six) stay or go with father. Within this classification it is expected (according to the data) that when the children are of age they will be claimed by their father. Since this would indicate a difference in relationship to the mother unlike where the children automatically go with father, it is being included. Similarly, selection 'd' has been included to incorporate those societies which allow the mother to keep the girls with her until they marry and the father to take his sons with him. In these cases

it is the father who decides this, for ultimately he has the right to take the girls as well, but usually leaves them to help their mother.

B. Absolute rights over children vested in:

- a) father and child's patrikin b) mother and child's matrikin
- c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell

The second problem found under "I: New Relationship to Children", was whether the father or mother had the final say over the child irrespective of whether or not the child was living with him or her. It has been presented as "absolute rights" to emphasize that ultimately one or the other has been given the right to decide. In some societies (e.g. the Nuer Evans-Pritchard, 1951) it is clearly a case of absolute rights over the children but in others either the father or the mother eventually win over the other parent and dominate the child's future.

The choices are four. There is father and the child's patrikin. The latter have been included to show that upon the death of the father the child would remain under the direction of father's kin, be they father's patrikin or matrikin. The same range has been given for answer 'b'. Both mother and child's matrikin have been grouped together for the same reason.

There are a few societies where it seems that the siblings are divided: the sons go with the father and the daughters with the mother. In some, but not all of these societies, jural

control over the boys is vested in the father and the responsibility for the girls is the mother's brother's.

A fourth possible choice 'd' is one that is rare, yet has been found in the literature. It reads: "mother's new husband" and applies to those societies where the child is adopted by his step-father.

C. When children live permanently with their mother, their relationship to their father:

- a) involves both finances and interest b) ceases c) weakens
- x) coder can't tell

D. When children live permanently with their father, their relationship to their mother:

- a) involves both duties and interest b) ceases c) weakens
- x) coder can't tell

These two problems can be treated together for they are complementary. Both the problems and choices are vague and this reflects their treatment in the ethnographies; there is so little explicit material on the subject. Basically, the problems are trying to express the new relationship the child has to the parent who no longer has jural rights over him, nor with whom he resides. "Lives permanently" attempts to express these two factors. Most ethnographies do not discuss this problem and we know nothing about the child's relationship to the father or mother with whom he no longer lives. Those that have considered this, do so only in a cursory fashion and only three types of answers could be found.

When the relationship involves both "finances and interest" on the part of the father, it means he continues to provide material support and helps make some of the decisions concerning the children, besides looking out for their welfare. It would also imply that the children and father see each other with some regularity. An attempt to characterize the same sort of relatively strong relationship has been made for when the child no longer dwells with his mother. The answer 'a' was varied slightly. "Duties" was substituted for "finances" because it was less likely for a mother or her kin to make financial contributions to the children's upkeep when they were living with the father. It was recognized that mother's brother might participate in his sister's son's bridewealth payment but this was not considered on the same level as the "financial obligation" of the father and was not implied in the wording. The duties of the mother refer more specifically to "motherly support" and "motherly advice". In other words, "duties" is meant to express a continuation, to some degree, of the responsibility that the mother had to the children when she was living with them. As in problem C, the "interest" refers to the mother's participation in the children's welfare in the sense of checking that they are being treated fairly and properly by their patrikin.

The alternatives listed as 'b' represent the other extreme. It very definitely refers to a complete cessation in the relationship between father and children or mother and children.

It implies that the non-resident parent has neither obligations towards the children nor even visitation rights. Their relationship ceases and with it the parental role.

The middle choice between these two polar opposites is a very weak relationship that exists between the non-resident parent and the children. One could even say that where too the parental role has ceased to exist, or at least is highly diminished. The type of relationship that is referred to in 'c' is one where the parent has no say at all in, and contributes nothing to, the children's welfare. Some relationship does exist though, as anthropologists report that children are at times allowed to visit the other parent or the parent is interested in maintaining some ties with his children.

## II. New Relationship to the Affines

This category has been sadly ignored by all the anthropologists. No one has raised the issue and discussed whether or not there is a continuing relationship with the ex-spouse's kin and the woman or man. Or, if there is, to what degree of kin it extends. The reason that this category could be included is that a few of the ethnographies contain some hint of what takes place between the ex-spouses and the affines.

Since "affines" are never specified, it would have to include former parents, siblings, grandparents and parents' siblings of one's ex-spouse. An example of the difficulties of properly analyzing this category of affines is shown by quoting

from Stefaniszyn's work on the Ambo: "In spite of divorce men try to part on good terms with their in-laws....." (1964:113). Or, Lewis reports for the Somali that "on divorce the affinal tie is weakened....." (1962:38). Since this classification does not appear anywhere in the literature in more detailed form, it had to be left in its completely general (and rather non-informative) state.

Before proceeding to explain the two problems, I should like to expand this unsatisfactory category of affinal relationships. In keeping with the system of coding I cannot add any dimensions to the category which are not found in the sixteen categories, nor would it be of any use to do so without the data. However, since this is a speculative study with one of its aims being to indicate to the ethnographers the type of sense data required for such a study, I would draw attention to the following possible factors: the new relationship between the woman/man and their former parents-in-law; the redefinition of roles between the woman and her former husband's sisters (for in many societies she would have lived and worked with them while they were unmarried); the changed (if any) relationship between the man and his ex-wife's brothers (with whom he either worked or accounted to for the welfare of his wife). These would probably be primary considerations. As well, it might prove helpful to this type of study to investigate if there is a continuing relationship (and what

kind) with any of the other affinal relatives - ex-spouse's: grandparents, parents' siblings, parallel and cross-cousins - all those with whom he/she might have lived or worked.

Although the ethnographies yielded only trivial information within this category, it is included because it is important in the consideration of the role redefinitions that occur on the rupture of a marriage.

A. The affinal bonds are:

a) broken b) weakened c) primarily the same x) coder can't tell

This problem asks what happens to the affinal bonds between the man or woman and their ex-spouse's kin. The possibilities are simply stated as this problem is never fully discussed and the choices are all quite self-explanatory. The explanation for the distinction between "weakened" and "primarily the same" is that the latter refers to the bonds being maintained but recognizes that some changes must obviously occur, whereas "weakened" refers to a drastic change in the affinal relationship, although the bonds are never completely broken. Again, the ambiguity stems from the absence of any real discussion on the subject.

B. The affinal bonds are especially maintained when there are children:

a) yes b) no x) coder can't tell

This is the other problem presented in the readings which simply determines whether or not the continuance of the affinal bonds (presumably between the man/woman and the in-laws with whom



the child might be residing) is due to the presence of children. It is important to be far more specific than this but if it is not to be found in the literature, it cannot be contrived.

### III. New Relationship to One's Own Kin

This set of problems seeks to determine what changes in the relationship are effected between a man or a woman and their own kin once their marriage has ceased to exist. Although three problems have been found for this topic, they have only been superficially discussed in the ethnographic material and no clear picture can emerge as to the change in roles between the ex-spouse and his or her relatives. It is quite possible that there is a radical change in the role behaviour between a woman and her family, while less so between a man and his family. This could be the case since in all instances the woman's status is drastically changed. She is now a single woman! However, in polygynous societies (as are all sixteen societies), it is possible that the man's status is only slightly altered because he could still be a married man and the network of roles with which he confronts his family might be less changed than for the woman. There is no verification for this; the subject is not pursued at all. It may be only idle ethnocentric speculation on my part. It is being mentioned only as a possible consideration for investigation, nothing more.

As will be seen, reports of new residence and jural responsibility for the woman are the only sources of information on her new relationship to her kin, and there is only residence

from which to surmise the man's. The whole subject will have to be investigated in much greater detail by ethnographers to indicate specifically what changes (if any) in their roles the man and woman have to make as a returned member to their parents' home. It would also be important to learn if, having been once married, the woman in particular is allowed more freedom in her movements - if her kin treat her with respect or if they resent having to support her. It could also be investigated whether the man is treated respectfully or resentfully and if he receives from his kin any different treatment than is accorded to his ex-wife by her kin. Furthermore, it would be helpful to learn if both become full working members of the family they live with or are considered visitors. Answers of this type would indicate the new role patterns that might have to be developed by the man and woman.

A. Woman returns to or remains with:

- a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell

B. Man returns to or remains with:

- a) his father and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence x) coder can't tell

As mentioned before, these two questions are complementary. They are listed separately as there are a few differences inherent in the residence patterns of a man and a woman. The first two items (a & b) need no explanation. They refer to the set of

relatives the man or woman reside with just after their separation. In most societies in the sample it is the woman who returns to a kin's home and the husband who remains. There are a few societies where the husband does the moving; thus the wording, "returns to or remains with".

The indistinctive designation of kin as "his/her patrikin" and "his/her matrikin" is deliberate to avoid the confusion of using "patrilineal" and "matrilineal". The crucial distinction which seems to be in the monographs is whether the man or woman seeks refuge with his father's family (be they the father's matrikin or patrikin) or in the mother's family home (either mother's matrikin or patrikin). The third item "c) either" is included to account for those societies where the man or woman can choose with which parent's kin he will live.

The choices given under 'd' in both A and B reflect the different possibilities open to a man and a woman. The woman, in addition to living with specifically her father's relatives or her mother's relatives may have the choice of taking up immediate residence with a lover or new husband. In the above choices it is understood that after sojourning for a while with her relatives she will take up residence with a new spouse. The concern of this problem, however, is her immediate residence after the termination of her marriage. There are a couple of ethnographies (Yako, Forde: 1964 and Nuer, Evans-Pritchard: 1951) which state that the woman can go directly from the home of her ex-spouse to the home of a lover. In these societies the moving to a lover's residence actually effects the separation

of the spouses, whether or not it causes it. A new co-habitation was never reported for the man, probably because in most societies the residence is virilocal and polygyny is practised. But the man does have a choice of residence differing from the woman's - it is neolocal residence. He has the choice of staying in an independent (of any relative's) residence, or of establishing such a residence, and item 'd' of problem B accounts for this.

C. Jural control in a woman rests with:

- a) her father and/or her brother b) specifically a brother
- c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell

"Jural control" refers to the responsibilities, rights and duties one member of a family (representing a kinship unit) may have over another member. It is not a new concept for it often reads as "jural responsibility" (Tallensi, Fortes 1949:138); "paternal authority" (Sonjo, Gray 1963:66); "guardian" (Ambo, Stefaniszyn 1964:9); and other similar expressions. All encompass a series of duties and obligations and the context decides which these are. If reference is made to a husband's rights over his wife, one of the rights usually assumed (unless otherwise told) is that of exclusive sexual access to his wife. When a father's rights over his daughter are considered, it is thought to be in terms of the father's responsibility towards her as a protector (even if she is married) and his theoretical rights to dispose of her in marriage. The phrasing of these "rights", "duties",

"authority", and "guardianship" as "jural control" was taken from Leach's (1963) Rethinking Anthropology, where he remarks: "if Father Right is a variable at all, then in a patrilineal society, it is concerned with the degree of permanence with which the patrilineage of birth continues to exercise jural control over all its members throughout their lives" (1963:119). The use of it in this study is not intended to add any new dimensions to the subject; it was merely seen as a convenient way of denoting this idea.

The fact that the word "jural" is employed is not to imply that there are legal sanctions backing a father's or a husband's rights to or over a woman. Rather, within each society where the control is vested in the father, brother, or husband this is supported by moral sanctions as the rights of the father, etc., are recognized by the society. Fortes (1949) explains his use of "jural responsibility" in this manner: "A father's rights and duties have no legal sanctions in Tale society. They rest on a moral basis" (1949:139).

The subject of jural control or guardianship is being handled here only as it applies to the woman as none of the studies refer to jural control or any control over the man, although there must be some within his kinship group. Still, if not a single ethnography in the wider sample of sixty broached this problem then it is possible that it might not be a factor in marriage termination. Certainly whatever responsibility there is over the man would not alter as radically as with a woman. She has usually not only to change

her residence but also to seek a protector after her marriage has ceased as she does not have a voice or the exercise of power within the political structure.

More reliable data on jural responsibility over women is to be found in the literature. It does not appear as discussions on jural control but I believe that those relatives who would be responsible for assisting the woman in her termination proceedings and for making up the partial or full repayment of bridewealth, would also be the same ones invested with jural control over her. This is the assumption on which the answers to this problem will be based. Again, this same assumption had to be rejected for determining the jural control over the man because the literature does not yield any relevant information. The man's family do not have to make a repayment of the bridewealth and in fact may receive something back. They are therefore not as noticeably involved. They lend him support for his actions but when they do not commit themselves to financial backing it is difficult to determine where the jural authority lies.

In this problem the choices given are easily followed. The first attempts to locate jural control with the woman's father (and his kin) and/or her brother. The second is included especially for the Amba for whom Winter (1956:68) points out that each girl is given over to a particular older brother who has jural rights over her for the rest of her life. The 'c' item is the alternative choice to 'a'. It assigns jural control over the woman in the other set of relatives - in her mother's

brother and/or her brother. Another possibility discovered is that a woman may in some societies be comparatively free of control and be allowed to make decisions more or less on her own (as is specifically reported for the Sonjo (Gray 1963:74)). However, it is recognized that ultimately jural control must be vested in either the father's or mother's brother and this last variable is not intended to conflict with this.

These problems do not even begin to characterize one's new relationship to his kin. We cannot learn whether they view each other in the same manner as when the principal was single, or if the relationship has changed to a great degree. Are the same duties and obligations expected and provided by each? We cannot tell; we must await further research.

#### IV. New Relationship to Members of the Opposite Sex

This is still another category of role redefinitions which is very poorly documented. The analysis of this category is an attempt to determine what the new relationship of the man or woman is to potential spouses. The material only allows an attempt at designating who is now available for marriage.

A. Upon considering remarriage, a woman can marry;

- a) no one belonging to her ex-husband's relatives b) anyone
- x) coder can't tell

Only information on the possible marriageable mates for the woman could be found in the literature. This is not considered too serious. In all cases, the husband is a potential polygamist. Therefore it seems that the rules governing his

selection of wives is set and would apply to all his marriages no matter what his marital history. If a man is prohibited from marrying twice into the same clan, then this prohibition would apply throughout and the breakdown of one marriage would not result in a change of rules. The woman, however, is expected to marry only once and there probably would not exist elaborate rules defining who her second spouse could be. Therefore when she is ready to remarry (either because of widowhood or marriage termination) there must be some redefinition on her part as to who is eligible.

This interpretation is my conjecturing and may not mitigate the seriousness (to the study) of the omission of a man's new relationship to potential spouses. However the necessary data is not available.

The choices contained under the problems are not very specific or wide-ranging but are the only ones reported in the ethnographies. The first one is very vague and refers to any male who belongs to either the ex-spouse's clan or kindred. In other words, if a woman may not marry someone in this category, it is simply a matter of her not being able to marry one of her ex-husband's kin. The ability to do so is reflected in the second alternative - "anyone". It denotes that she can re-enter her ex-husband's family. With both these choices it is very important to note that they are intended to represent only the additional possibilities available to a woman on her second marriage. They are not intended to represent the original choices a woman has on her first marriage. These are understood



to remain the same throughout all marriages. So the two items given under this problem are only intended to characterize what new prohibitions may arise for a woman after the breakdown of her first marriage.

I would have liked to have been able to explore this category of role redefinitions much further. It is necessary to this study to determine who, beyond a kinship consideration, is available to the man and woman as new spouses. Are they considered as desirable husbands or wives? Or, are these men and women who have had one marriage terminate, forced into marrying the more undesirable members of their community? Must they reconcile themselves to a second marriage with a much older or physically deformed mate, one without any material means, or perhaps a sorcerer or former prostitute? In other words, can the ex-husband and wife expect to be courted by much the same type of persons they expected in the days before their marriage? It would also be beneficial to the investigation to learn if there is a difference between the kinds of second marriages the man as opposed to the woman can make. Does the fact that the man has experienced one marriage rupture make him less desirable in contracting another marriage, as it might for the woman?

#### V. New Relationship to the Community as a Whole

This is an important category for it should be able to inform us of the new status the community assigns to the man and woman whose marriage is terminated and in part could overlap

with the preceeding category. Is there a stigma attached to these people? Are they considered non-conformists or are their new statuses just accepted as a matter of fact and promptly forgotten? Again, it is not possible to represent this new attitude or relationship for the same reason - absence of any significant coverage of this subject.

The reason for using as ambiguous a term as "community" has already been given. It is intended to encompass all the variations to be found in the sixteen cases. There is no way to break down this concept without its resulting in a classification of the societies - something which I wish to avoid for the reasons given in Chapter II. This is another area in which much inquiry must take place.

A. The woman is considered by the community as:

- a) no longer desirable as a wife b) free to remarry immediately
- c) not expected to remarry for some years x) coder can't tell

Once more the ethnographies have yielded just one problem with which to depict this new relationship of the woman to the community, but again the problem only revolves around the woman. No comments concerning the new attitude of the community to the man could be found. As for the woman, the only applicable data involves the community's position on the woman's remarriage. It asks whether she is to be considered at all attractive as a wife and, if so, if it is thought proper for her to remarry right away or to wait for some years.

## VI. New Relationship to the Former Spouse

The final role change (and probably the most drastic) is the new relationship one spouse creates towards the other. Fortunately the literature delves into this subject somewhat more deeply and enabled this study to produce five problems. One still cannot make an adequate statement about this changing relationship. It was never isolated as a subject for discussion in any of the monographs and the five queries had to be drawn out. This is also the explanation for a lack of coherence in the series of problems. They do not follow upon each other. Each is merely an isolated aspect of the changing relationship.

A. With regard to conjugal duties, the man and woman:

- a) have no obligations b) do have obligations c) have obligations only in special cases x) coder can't tell

In a number of ethnographies it was indicated just what, if any, continuing obligations and reciprocal rights the ex-husband and ex-wife have towards each other on the cessation of their marriage. The items provided are quite clear and selfexplanatory. They refer to conjugal duties such as providing food, preparing food, providing shelter, protection, sex and so forth. The third alternative appears specifically for the Gonja (Goody, 1962:34) who require that an ex-wife cook her former husband's ritual feast if he has no one to do so for him.

B. The man and woman can resume their conjugal duties:

- a) even if woman is married to someone else b) only if man has not taken back bride price and she is not remarried
- c) never x) coder can't tell

The appearance of this problem is due to the fact that in some societies it seems possible for a man and woman to resume their cohabitation on a permanent basis even after their marriage has been considered ended. Where this is possible, usually it can only happen if the man has refused all claims to the bride price or has not received it yet, and the woman has not remarried. The Gonja (Goody 1962:33) are once more the exception for they claim that permanent cohabitation can recur even after the woman has remarried someone else.

C. The marriage relationship is completely dissolved even if there are children:

- a) yes b) no x) coder can't tell

This problem is a simple one. It is designed to gauge if the man and woman still think of themselves as having some type of marital relationship - if they are still united in some way. It is presented in terms of the presence of children as this is the only context in which it appeared in the studies. It is quite likely that there would be no concept of a continuing bond if there were no children. Given the problem the way it is phrased, it is a surer way of determining if there are ongoing ties between the couple as these marriages with children would have been fully established unions in all societies.

D. In order to remarry, the woman is dependent on the man for:

- a) his acceptance of the bride price repayment b) is not dependent on him x) coder can't tell

This problem is designed to determine the amount of influence a man has over his former wife, even after their marriage has ended. It is best demonstrated by inquiring into his control over her ability to remarry. The one area detailed in the literature in which he might bring pressure to bear is with regard to his accepting a refund of the bride price. If he refuses then he is in effect not really recognizing a cessation of the marriage, although the woman's family and the rest of the community may. He can make it difficult for her to remarry although she may still be able to do so. Some societies do not see the return or acceptance of the bride price payment as a bar to a woman's remarriage and thus variable 'b' is included.

E. If a man has initiated a jural termination of the marriage:

- a) he can seek a new husband for his ex-wife b) he has no rights of disposal over her x) coder can't tell

The final problem included in the category concerned with the new relationship between ex-spouses is a further attempt to determine how much control the man has over his ex-wife, but in a specific situation. In a few societies it was discovered that where a man initiates the jural termination of the marriage (throughout all the societies, the woman was more often the initiator), he has rights of disposal over her;

he can determine who will be her new spouse. This is not to say that he does in fact do this or that the wife agrees, but at least it is recognized that he has the right to do so. Where he is not the initiator of the proceedings and in all other societies (excluding the above few) the man does not have the rights of disposal over the woman as is expressed in variable 'b'. Although this problem is represented in only a few ethnographies, it is included because it does appear. Since it is a different solution it is hoped that in conjunction with all the other answers in this "questionnaire" it might be of definite value.

This last problem brings to an end a detailed account of the categories, problems and variables that were used in the analysis of marriage termination. Unfortunately the problems and variables are not adequately formulated and expressed since the data is inadequate for this new approach. As discussed in Chapter II, this study is not the only one to find omissions in the data. Udy, Needham and Oscar Lewis all remarked that inadequate anthropological reporting restricted their inquiries. I do not believe any of these scholars would hold the field worker entirely responsible for they must recognize, as do I, that the observer goes into the field with some sort of theoretical framework which guides his research. Therefore those anthropologists who are conducting comparative or cross-cultural studies must suggest to the ethnographer the kind of material that is needed. It is possible that a number of anthropologists

do have this data but have never published it, not knowing the need for it. Perhaps studies such as these can induce them to rework their field notes and publish their much needed findings. Until this is done, we cannot fully explore this method of role-analysis as a satisfactory means of characterizing marriage termination.

#### APPLICATION OF PROBLEM-SOLVING TECHNIQUE

Having completed a detailed description of each category, problem and choice (variable), it remains to further demonstrate the possible advantages and results of this technique. Its test was carried out through an analysis of the sixteen societies. It was also mentioned that the selection of the monographs was purely on the basis of their containing enough information in at least three of the six major areas of investigation. The material sought from these ethnographies was the basic data whenever possible. This study was not interested particularly in the classifications of the anthropologists as it was argued (Chapter II) that all too often the concepts used are too general to be of use or too set to be comparatively applicable. However when there was an absence of data pertaining directly to role behaviour these concepts (e.g. matrilineal, patrilocal) were analyzed.

Having already carried out a detailed, point by point explanation of the code, it was decided not to do the same for the analysis of the societies. Nor was this considered essential, as each society's "answer" appears on the "questionnaire". Where the problems were not easily decided, explanations and an account of the process of arriving at the answer is given. Conversely,

where the answer is completely self-evident, no reference was made to it, but the choice is found on the score sheets. See Appendix II.

Due to the incompleteness of the material on marriage termination, it was found in the process of "solving the problems" that a great deal of "deductive" reasoning had to be made. This approach, unfortunate as it is, seemed preferable to leaving great numbers of the problems unsolved. However, where the answer has been determined by deduction, the reasoning behind the selection is given. Those problems which seemed beyond the pale of fairly accurate guesswork are simply designated with "coder can't tell". The interpretation and application of each society within the context of the categories, problems and variables is found in Appendix III.



## Notes to Chapter III

1. At the time the research for this section was conducted, I had the use of the libraries at the University of California, San Diego and San Diego State College. The latter had a partial HRAF file which was also used.
2. C.V. Mitchell, p.v. in the Politics of Kinship, Van Velsen, 1964, claims there at least five distinct and separate peoples called "Tonga".
3. Edited by R. Apthorpe.
4. It is acknowledged that the use of such concepts as "affines" and "community" raises the question of exactly what each denotes. What degree of affines are considered here? What is a community - a hamlet, a ward, a village, a number of villages? These are of course extremely general and ambiguous terms. But it is my contention that they must be general and vague in order that comparisons can be attempted. It is not particularly important for this study who is precisely included amongst affines in each society. It lends itself more easily to comparative studies if "affines" loosely stands for the group of relations recognised as affines within each society. I cannot see that it affects the results of this investigation if "affines" is a generic term used to denote those who are recognized by the society as related through marriage. In fact if a distinction were made between the range of affines it would

create untold and unnecessary complications. Since the affinal relationships themselves are not under scrutiny in this study, "affines" will have to remain as one of the unrefined concepts.

The same arguments are being applied to the use of "community". It is acknowledged that the meaning of "community" takes shape only within the context of each society. But this is what is wanted. There is no wish to impose one circumscription of community in one society onto another. The category of community should be wide enough to encompass all possibilities within the various societies or polities. Therefore "community" is being used here to denote (for each society) the people living within a particular area and who are recognized by themselves as having common interests, or the people with whom "ego" has frequent contact and on whom he depends for moral support.

It is only after the specific aim of this research project has been carried out, namely, a more or less spontaneous classification of elements found in role redefinitions which occur at a marriage termination, that attention might be turned to the investigation of the specific bounds of "community" and "affines" as found in each of the societies which show certain similar patterns in marriage termination. This is not intended to be within the scope of this exploratory examination.

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## CHAPTER IV

THE ANALYSIS OF THE PROBLEM-SOLVING TECHNIQUE AND  
AN EVALUATION OF ROLE-ANALYSIS

The problem-solving technique was applied to determine the possible role redefinitions that occur after a marriage has ceased, in the hope of being able to characterize marriage termination. Sixteen societies were analyzed in this manner so that possible connections or relationships between or among variables could be plotted to show what marriage termination is, not what comes to mind based only on experience with it in one society.

Despite the improvement over comparisons of two to three tribes, the sample studied here was nevertheless too small to provide any conclusive results. What crippled the study most of all, though, was the necessary practice of deducing the solutions when ready answers could not be found in the literature. If this had not been done it would have encouraged a vicious cycle. Analyses such as role-analysis would not be explored until the necessary data was available while the latter could not be realized until the need for such data was shown.

Table I on the following pages is a graphic array of the solutions for the sixteen problems presented in the ethnographies and was used in determining the make-up of all subsequent tables.

Before investigating possible connections between variables, there are the general findings made possible by the percentage

KEY TO VARIABLES FOR TABLES I - VIII. New Relationship to The Children

A. Children remain or go with:

- a) father b) mother c) mother only while children are very young
- d) girls with mother; boys with father

B. Absolute rights over children vested in:

- a) father and child's patrikin b) mother and child's matrikin
- c) father over boys; mother's brother over girls d) mother's new husband

C. When children live permanently with their mother, their relationship to their father:

- a) involves both finances and interest b) ceases c) weakens

D. When children live permanently with their father, their relationship to their mother:

- a) involves both duties and interest b) ceases c) weakens

II. New Relationship to The Affines

A. The affinal bonds are:

- a) broken b) weakened c) primarily the same

B. The affinal bonds are especially maintained when there are children:

- a) yes b) no

III. New Relationship to One's Own Kin

A. Woman returns to or remains with:

- a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband

B. Man returns to or remains with:

- a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence

C. Jural control in a woman rests with:

- a) her father and/or her brother b) specifically a brother
- c) her mother's brother and/or her brother d) she is comparatively free of control

IV. New Relationship To Members Of The Opposite Sex

A. Upon considering remarriage, a woman can marry:

- a) no one belonging to her ex-husband's relatives b) anyone

V. New Relationship To The Community As A Whole

A. The woman is considered by the community as:

- a) no longer desirable as a wife b) free to remarry immediately
- c) not expected to remarry for some years

VI. New Relationship To The Former Spouse

A. With regard to conjugal duties, the man and woman:

- a) have no obligations b) do have obligations c) have obligations only in special cases

B. The man and woman can resume their conjugal duties:

- a) even if woman is married to someone else b) only if man has not taken back the bride price and she is not remarried c) never

C. The marriage relationship is completely dissolved even if  
there are children

a) yes b) no

D. In order to remarry, the woman is dependent on the man for:

a) his acceptance of the bride price repayment b) is not  
dependent on him

E. If a man had initiated a jural termination of the marriage:

a) he can seek a new husband for his ex-wife b) he has no rights  
of disposal over her

x) in all cases refers to: coder can't tell



TABLE I - PROBLEM SOLUTIONS FOR THE ROLE-ANALYSIS

	1. L.T ONG A	2. P.T ONG A	3. G ON JA	4. ME AN EG -A	5. Y A K O	6. K H A S I	7. S B A U M R U	8. S O N J O	9. I T E S O	10. N E E R	11. A M B A	12. T A N G U	13. K L A G A T -	14. S A O L M I -	15. A M B O	16. T R I O A B N D
I:																
A	b	b	d	a	d	a	b	b	a	a	c	b	c	d	b	b
B	b	b	a	a	c	a	a	d	a	a	a	x	a	a	b	b
C	a	a	a	-	b	-	b	b	-	-	-	x	-	x	c	x
D	-	-	a	x	x	x	-	-	c	x	c	-	x	c	-	-
II:																
A	c	b	c	b	x	x	x	a	x	a	b	c	c	b	b	x
B	a	a	a	x	x	x	x	b	x	b	a	b	a	a	b	x
III:																
A	a	b	c	a	c&d	a	a	a	a	a&d	a	c	a	a	b	b
B	c	c	c	a	a	a	a	a	a	a	a	d	a	a	b	a
C	c	c	a	a	c	a	a	d	a	a	b	b	a	a	c	d
IV:																
A	x	x	a	b	x	x	x	a	x	x	x	x	x	x	x	x
V:																
A	b	b	b	b	b	x	b	x	c	b	x	b	a	b	x	b
VI:																
A	a	a	c	a	a	x	x	a	a	x	x	x	x	x	x	x
B	x	x	a	b	x	b	a	b	x	b	b	x	b	x	x	x
C	b	b	b	a	x	b	x	a	x	x	b	x	b	b	x	x
D	b	a	b	a	a	a	a	a	a	a	a	x	a	b	x	b
E	b	b	b	a	b	x	b	a	b	x	b	x	x	b	x	b

table, Table II. (Percentages quoted in the description are in round figures).

Amongst the sixteen societies used in this study, a slightly greater number (44% to 38%) sent the children with their mother when a marriage breakdown occurred. These statistics show that a far greater percentage of the societies locate rights over the children in the father and his patrikin (56% as opposed to 25% of the societies with the rights vested in the matrikin). The discrepancy between the percentages for the first two similar problems referring to children's residence and jural control over them can probably be accounted for by the practice in some tribes of sending the girls with the mother and the boys with the father. This occurs in 19% of the cases, which is the difference between the number where the children live with the father (38%) and where he has absolute rights over them (56%). This would probably indicate that even where the siblings are separated, daughters going with the mother and sons with the father, the father and his patrikin would still have control over all the children.

In problems I:C and I:D the number of cases used was smaller than the sixteen since each of the problems reflects a complementary portion of the cases. The first problem (C) depends upon residence with the mother and the second (D) with the father. It will be noticed that the total number of cases yielded in these two problems is 19. The additional three responses are caused by I:A:d where the siblings are divided

TABLE II - PERCENTAGE COMPILATION OF ALL VARIABLES

No. of cases = 16

VARIABLE	NO.	%	SOCIETY
<u>I. New Relationship-Children</u>			
<u>A. Remain or go with:</u>			
a. father	4	25	Nuer
c. mother-only while young	2	12.50	MaeEnga, Khasi, Iteso
(combined a & c)	(6)	(37.50)	Amba, Kgatla
b. mother	7	43.75	L.Tonga, P.Tonga, Sambu
d. girls-mo:boys-fa.	3	18.75	Sonjo, Tangu, Ambo, Trob.
x. coder can't tell	0	0	Gonja, Yako, Somali
Total	16	100%	
<u>B. Absolute rights-children</u>			
a. father	9	56.25	Gonja, M.Enga, Khasi, Sam.
b. mother's matrikin	4	25	Iteso, Nuer, Amba, Kgatla
c. fa.-boys;mo.bro.-girls	1	6.25	Somali
d. mother's new husband	1	6.25	L.Ton, P.Ton, Ambo, Trob.
x. coder can't tell	1	6.25	Yako
Total	16	100%	Sonjo
			Tangu

No. of cases = 10

<u>C. Chldrn.relationship-fa.</u>			
a. finances and interest	3	30	L.Tonga, P.Tonga, Gonja
b. ceases	3	30	Yako, Samburu, Sonjo
c. weakens	1	10	Ambo
x. coder can't tell	3	30	Tangu, Somali, Trobrian.
Total	10	100%	

No. of cases = 9

<u>D. chldrn.relationship-mo.</u>			
a. duties and interest	1	11.11	Gonja
b. ceases	0	0	
c. weakens	3	33.33	Iteso, Amba, Somali
x. coder can't tell	5	55.56	M.Enga, Yako, Khasi,
Total	9	100%	Nuer, Kgatla

## II. New Relationship - Affines

### A. Affinal Bonds

a. broken	2	12.50	Sonjo, Nuer
b. weakened	5	31.25	P. Tonga, M. Enga, Amba Somali, Ambo
c. same	4	25	L. Ton, Gon, Tangu, Kgatla
x. coder can't tell	5	31.25	Yako, Khasi, Sam, Ite, Tro.
Total	16	100%	

### B. Affinal bonds-children

a. Yes	6	37.50	L. Tonga, P. Tonga, Gonja Amba, Kgatla, Somali
b. no	4	25	Son, Nuer, Tangu, Ambo
x. coder can't tell	6	37.50	M. Enga, Yako, Khasi, Samb Iteso, Trobriand
Total	16	100%	

## III. New Relationship - Kin

### A. Woman lives with:

a. father and patrikin	9	56.25	L. Ton, M. Enga, Khasi, Samb. Son, It, Amba, Kgatla, Somali
b. mother and matrikin	3	18.75	P. Tonga, Ambo, Trobriand
c. either	2	12.50	Gonja, Tangu
d. lover/new husband	0	0	
a. & d.	1	6.25	Nuer
c. & d.	1	6.25	Yako
x. coder can't tell	0	0	
Total	16	100%	

### B. Man lives with:

a. father and patrikin	11	68.75	M. Enga, Yak, Khas, Sam, Trob Son, It, Nuer, Amba, Kgat, Som
b. mother and matrikin	1	6.25	Ambo
c. either	3	18.75	L. Tonga, P. Tonga, Gonja
d. neolocal residence	1	6.25	Tangu
x. coder can't tell	0	0	
Total	16	100%	

### C. Jural control in woman

a. father	8	50	Gon, M. Eng, Khasi, Samb, It, Nuer, Kgatla, Somali
b. specifically a bro.	2	12.50	Amba, Tangu
c. mother's brother	4	25	L. Tonga, P. Tonga, Yak, Ambo
d. comparatively free	2	12.50	Sonjo, Trobriand
x. coder can't tell	0	0	
Total	16	100%	

IV. New Relationship-Opp.Sex

## A. Woman can marry:

a. no one of ex-husb's rel.	2	12.50	Gonja, Iteso
b. anyone	1	6.25	Mae-Enga
x. coder can't tell	13	81.25	all rem. societies
Total	16	100%	

V. New Relationship-Community

## A. Woman considered:

a. not desirable as a wife	1	6.25	Kgatla
b. free to remarry immed.	10	62.50	L.Ton, P.Ton, Gon, M.E, Yako, Samb, Nu, Tangu, Som, Trob
c. not expected to remarry	1	6.25	Iteso
x. coder can't tell	4	25	Khasi, Sonjo, Amba, Ambo
Total	16	100%	

VI. New Relationship-Ex-Spouse

## A. Conjugal duties

a. have no obligations	6	37.50	L.Ton, P.Ton, M.Enga, Yako, Sonjo, Iteso
b. have obligations	0	0	
c. special obligations	1	6.25	Gonja
x. coder can't tell	9	56.25	Khasi, Samb, Nu, Amba, Tangu, Kgatla, Som, Ambo, Trob.
Total	16	100%	

## B. Man and woman resume duties

a. even if woman remarried	2	12.50	Gonja, Samburu
b. if man not accepted br. pr. back & woman not remarried	6	37.50	Amba, Kgatla, M.Enga, Khasi, Sonjo, Nuer
c. never	0	0	
x. coder can't tell	8	50	L.Ton, P.Ton, Yako, It. Tangu, Som, Ambo, Trob.
Total	16	100%	

C. Marriage relationship  
diss. even with chldrn.

a. yes	2	12.50	Mae-Enga, Sonjo
b. no	7	43.75	L.Ton, P.Ton, Gon, Khasi, Amba, Kgatla, Somali
x. coder can't tell	7	43.75	Yako, Sam, Iteso, Nuer, Tangu, Ambo, Trob.
Total	16	100%	

D. To remarry woman depends  
on man for:

a. acceptance of br. pr.	10	62.50	P.Ton,M.E,Yak,Khasi, Sam,Son,Iteso,Nuer, Amba, Kgatla
b. is not dependent on him	4	25	L.Ton,Gonja,Som,Trob.
x. coder can't tell	2	12.50	Tangu, Ambo
Total	16	100%	

E. If man initiated jural  
termination:

a. can seek new husband for her	2	12.50	Mae-Enga, Sonjo
b. no rights of disposal	9	56.25	L.Ton,P.Ton,Gon,Yako, Sam,It,Amba,Som.Trob.
x. coder can't tell	5	31.25	Khasi,Nuer,Tangu, Kgatla, Ambo
Total	16	100%	

Total Number of Variables - 243

Total Number of "x" - 68

Percentage of "x" - 28

("x" being "coder can't tell")

between their parents. No clear-cut pattern emerges for there is a great percentage of unknowns.

Although nearly one-third of the answers in II:A, the state of the affinal bonds, could not be determined, it seems that in most of the societies the man or woman break or weaken their ties with their former affines. However in one-quarter of the societies there is an indication that these relationships continue in much the same fashion as when the couple were married. In only a little more than one-third of the ethnographies did we find that some form of affinal ties are maintained because of children. This is not a reliable figure because for the same number the answer could not be determined. What shows though is that there are more instances of the affinal ties being continued due to the presence of children. Unfortunately, it cannot be suggested that perhaps the children create these ongoing relationships. In order to answer this problem, in a few instances (e.g. the Amba), it was necessary to look to a maintenance of ties with the children when they were living at the home of the ex-spouse's family as being a probable indication of the continuance of affinal ties. Thus it would be tautological.

One of the problems taken from the literature concerning the man and woman's new relationship to their own kin was where each lived after his/her marriage terminated. For both the man and the woman the greater percentage return to live with their father and his patrikin. The figures are more reliable for this

category since every society's choice could be determined. In only two societies, the Nuer and Yako (total of 13%), was it possible for the woman to take up immediate residence with another man. Amongst the Nuer though, the woman had an alternate choice of returning to her father's and patrikin's residence, while among the Yako she could choose whether to live with either her matrikin or patrikin. In the sixteen societies investigated only one society, the Tangu, allowed its men to live neolocally - non-aligned to any kinship unit. In only one society, representing 6% of the total, was the man expected to live with his matrikin.

Half of the peoples, according to the percentage table, locate the jural control of a woman in her father (and his patrikin) and one-quarter in the mother's brother. Amongst two groups (13%), the Amba and the Tangu, the sister is the responsibility of a specific brother as is clearly noted in the respective ethnographies. The explanation for this is the fact that both groups practice sister-exchange in marriage. For two other societies, the Sonjo and Trobriand, the jural control is weakened as the ethnographers report that the woman is "comparatively free of control".

The most noteworthy development in this category of the new relationship to the kin is the fact that for both the man and the woman their father and their patrikin are the most important relatives to them at the time of their marriage termination.



No statement can really be made concerning the woman's new relationship to members of the opposite sex for information was not available for 13 of the societies or 81%. Unfortunately there was no material at all on the man's relationship to the opposite sex.

Determining the woman's new relationship to the community is somewhat more reliable though this category still contains a 25% rate of information missing. However in the majority of cases (63%), the woman is free to remarry immediately and only two societies show contrary conditions.

In the last category, composed of the problems arising out of the man and woman's relationship to their former spouses, certain general statements can be made. It must again be noted that in the first three problems the "unknown" percentage rate borders either way on fifty percent so that any general findings are far from being even descriptive. We might only think of them as tendencies. What appear to this student from a comparison of the percentages are a few things concerning the ex-spouses' ties to each other. First, it seems that for 38% of the cases, once their marriage has been considered finished, the man and woman no longer have any obligations to each other. Nor are they considered as being bound in such a way as able to resume their married life at a later date. Of eight societies for which some answer could be given only two, the Gonja and the Samburu, indicated that the original marital ties could be resumed even if the woman had

remarried. The remaining six allow it on two conditions: 1) that the man has not accepted the bride price back and 2) the woman has not remarried. As mentioned, there is a 50% "can't tell" rate and it may be that some of the societies would not allow a resumption of conjugal duties even if the two aforementioned conditions did not exist.

The marriage relationship does not seem to be completely dissolved in 44% of the societies, and children, it would appear, are a factor. If the children live with the mother and the ethnographer reports that the father has a continuing interest in them, then it could safely be assumed that the ex-spouses recognize and carry out some shadow of their former relationship.

The last two problems (VI:D & E) are concerned with the amount of control the man has over the woman and here the unknown factor is considerably reduced. Although in 63% of the societies the woman must await the man's acceptance of the bridewealth refund either from her kin or new husband, it is only in 13% (and then it is not binding) that he can determine who her new partner is to be. So it seems that once a couple have terminated their marriage, the man's control over her is considerably reduced and once he has taken the bride price back, he loses all control over her.

Obviously these general findings are useful only to see what the trends might be in the majority of societies when the marriage has ceased and the man and woman must make at least a six-fold

redefinition of their roles. The fact that they are based only on sixteen societies, with much of the material unknown, makes them useless outside this study.

To recount: The real aim of this study is to investigate the possibilities of employing in comparative studies a method which does not set up any prior categories of the material under analysis. The method chosen here is to begin with the role redefinitions that must occur when a man's and woman's marriage has ceased. I have suggested that a possible and fruitful method of examining this would be through the problem-solving technique fashioned partly after the Parsonian "pattern variables" which contain basic dilemmas. After this technique had been applied it was hoped that certain clusters of variables might appear which would indicate that under specific conditions, marriage termination takes such and such a form. Consequently, as earlier discussed, the variables were analyzed to determine what if any connections between them could be found.

I do not intend to laboriously review all the relationships that were tried. Some of the negative along with all the positive relationships will be given in order to demonstrate the process used. Special attention was devoted to the atypical variables in the hope that complementary conditions would be found particularly for them.

The two societies where the community either considered the woman no longer desirable as a wife (Kgatla) or was not expected to marry for some years (Iteso) show a paralleling of roles

TABLE III - PROBLEM SOLUTIONS OF ITESO AND KGATIA IN CONTRAST TOTHE MAE-ENGA AND NUER

VARIABLES - woman no longer desirable as a wife; not expected to remarry (V:A:a & c) in contrast to the Mae-Enga and Nuer where she can remarry (V:A:b).

	9. ITESO	13. KGATIA	4. MAE-ENGA	10. NUER
I: A children stay with	..a..... fa	....c..... mo.temp.	....a..... fa	....a..... fa
B rights - children	..a..... fa	....a..... fa	....a..... fa	....a..... fa
C children vis-a-vis fa. similar/ceases	-	-	-	-
D children vis-a-vis mother	c ..... weak	x	x	x
II: A affinal bonds	..x.....	....c..... same	....b..... weak	....a..... cease
B affinal bonds kept when children	x	a ..... yes	x	b ..... no
III: A woman lives with	..a..... fa	....a..... fa	....a..... fa	....a.&d..... fa/lover
B man lives with	..a..... fa	....a..... fa	....a..... fa	....a..... fa
C jural control-wo.	..a..... fa	....a..... fa	....a..... fa	....a..... fa
IV: A wo.can marry hu.rel.	x	x	....b..... any	x
V: A comm'ty - woman's remarriage	..c..... not expected	....a..... not desirable	....b..... free	....b..... free
VI: A couple's obligations to each other	a ..... none	x	a ..... none	x
B couple can resume duties when	x ..... not ret'd.	....b..... br. pr. not ret'd.	b ..... br. pr. not	b ..... ret'd.
C couple's rel. dissolved completely	x	....b..... no	....a..... yes	x
D to remarry, woman dependent on man	a ..... yes	a ..... yes	a ..... yes	a ..... yes
E man's rights over woman	..b..... none	x	....a..... has	x

expected and performed (see Table III) though if some of the gaps could be filled it might change. The data I have for these two groups is identical in seven problems for which there is information. It seems dubious though to advance a relationship between these six variables and the restrictive attitude towards the remarriage of women, since these two societies do not differ from others which do allow their women to marry relatively soon, e.g. the Nuer and the Mae-Enga (as well as the Khasi and Amba, both of which are less well documented).

However within the confines of this very limited study, one could say that in those societies where the community no longer deems the woman as a desirable wife, the father raises the children and is their guardian, while their mother's relationship to them probably weakens (only one response here). As well, both the man and woman reside with their respective patrikin and the woman is again the responsibility of her father. Lastly, where the community ill-regards a woman whose marriage has broken down she is dependent on the man's taking back the bridewealth before she can remarry.

The practice of sending the daughters with their mother and the sons with their father was isolated for analysis (I:A:d). It is found amongst the Gonja, the Somali and the Yako, and the results appear in Table IV on the following page.

There is a certain degree of consistency in the way the problems are solved in each of the societies which splits its

TABLE IV - PROBLEM SOLUTIONS OF GONJA, YAKO AND SOMALI

VARIABLE - the practice of sending daughters with their mother and sons with their father, (I:A:d).

	3. GONJA	5. YAKO	14. SOMALI
I: A children stay with	.....d..... mo/fa	.....d..... mo/fa	.....d..... mo/fa
B rights - children	.....a..... fa	.....c..... fa/mo.bro	.....a..... fa
C children vis-a-vis fa.similar/ceases	a ..... sim	b ..... ceases	x .....
D children vis-a-vis mother	a ..... sim	x .....	c ..... weak
II: A affinal bonds	.....c..... same	.....x.....	.....b..... weak
B affinal bonds kept when children	.....a..... yes	.....x.....	.....a..... yes
III: A woman lives with	.....c..... either	.....c&d..... either/lov	.....a..... fa
B man lives with	.....c..... either	.....a..... fa	.....a..... fa
C jural control - wo.	.....a..... fa	.....c..... mo.bro.	.....a..... fa
IV: A wo.can remarry hu.rel	.....a..... no	x	x
V: A comm'ty - woman's remarriage	b ..... free	b ..... free	b ..... free
VI: A couple's obligations to each other	c ..... special	a ..... none	x .....
B couple can resume duties when	a ..... wo.rem.	x	x
C couple's relationship dissolved completely	b ..... no	x .....	b ..... no
D to remarry, woman dependent on man	b ..... no	a ..... yes	b ..... no
E man's rights ov.wom.	.....b..... none	.....b..... none	.....b..... none

siblings between the mother and father. Both the Gonja and the Somali locate the rights in a child with the father and the child's patrikin, while the Yako divide the control to coincide with the residence: father over boys; mother over girls. The next problem with which they are fairly harmonious is III:A, concerning with whom of her kin the woman lives. The Somali woman resides with her father and her patrikin and the Gonja woman can choose between them and her mother's brother's residence. The same is true for the Yako woman except that she has an additional choice of being allowed to take up immediate residence with a lover/new husband. There is also a consistency in the man's residence (III:B) for the Yako and Somali send him to his father's and patrikin's residence and the Gonja man can choose them or his matrikin's home. Two further points of agreement are: the societies deem the woman free to remarry immediately (V:A:b) and the man has no rights of disposal over the woman (VI:E:b).

Most of the other solutions are marred by at least one society registering as "unknown", and analyses of these problems cannot be done. There are only two problems with divergent answers. One is found in category III, problem C, "Jural control in a woman rests with:". The Gonja and Somali locate it with the woman's father and his patrikin, while for the Yako it is her mother's brother. In VI:D which concerns the woman's dependence on the man to remarry, both the Gonja and Somali recognize no dependence while for the Yako the man must accept

repayment of the bride price before her subsequent marriage is initiated.

If the full aim of this study could be realized, then the material laid out in Table IV might be summed up something like this: In those societies which find it desirable to allow each of the couple to continue as a parent by splitting the offspring according to sex, we find that the man's closest supporting relatives are his father and his patrikin, though for the Gonja the man has the choice of with which set of relatives he wishes to align himself. The woman must think in terms of becoming the full responsibility of her father once again as she was prior to her marriage. This is found amongst the Gonja and Somali while the Yako woman reverts to the care of her maternal uncle. Furthermore, in all three societies the woman is not stigmatized because one marriage has terminated. She is free to remarry immediately. Her former husband does not continue to exercise any control over her by deciding whom she is to marry, although with the Yako he can possibly aggravate his former wife by refusing to accept the bride price refund.....

Such was the hope of this study, to be able to characterize the various consequences of marriage termination found in the sixteen societies by looking for certain patterns of variables turning up consistently. However, even the short characterization given above is of little heuristic value since of the three societies containing exclusively the one variable, at least one either had a varying solution for most of the problems or no



solution could be determined. This occurred in one half of the problems.

In Table V another relationship was sought based on the variable of the man and woman being able to renew their conjugal ties even if the woman had remarried (VI:B:a). This is possible only among the Gonja and the Samburu. Again, no other number of variables could be found which complement it. Both societies have different ideas about the role redefinitions that must occur. They do agree on the jural control of the woman and the children being located in the patrikin, on the woman being free to remarry and the men having no rights of disposal over them. They differ in such respects as to who raises the children, where the woman goes to live and the dependence on the husband to remarry. This last variable is worth a brief comment for it is an element in determining the couple's new roles vis-a-vis each other. It is interesting that although both peoples recognize the couple as still having some tenuous ties which could be revived completely (i.e. live together as husband and wife again), each society sees the man's control over the woman differently. The Samburu woman must await her ex-husband's acceptance of the bride price while it is not necessary for the Gonja woman to do so.

Still, the problem solutions which are in accord are no different than those of many other societies and I see no possible connection between resumption of marriage and another variable.

TABLE V - PROBLEM SOLUTIONS OF GONJA AND SAMBURU  
VARIABLE - man and woman being able to  
renew their conjugal duties  
even if woman has remarried  
(VI:B:a).

	3. GONJA	7. SAMBURU
I: A children stay with	...d..... mo/fa	...b..... mo
B rights - children	...a..... fa	...a..... fa
C children vis-a-vis fa., similar/ceases	a ..... sim	b ..... cease
D children vis-a-vis mother	a ..... sim	-
II: A affinal bonds	...c..... same	x
B affinal bonds kept when children	a ..... yes	x
III: A woman lives with	...c..... either	...a..... fa
B man lives with	...c..... either	...a..... fa
C jural control-wo.	...a..... fa	...a..... fa
IV: A wo. can marry hu. rel.	...a..... no	x
V: A comm'ty-woman's remarriage	b ..... free	b ..... free
VI: A couple's obligations to each other	c ..... special	x .....
B couple can resume duties when	a ..... wo. rem.	a ..... wo. rem.
C couple's relationship dissolved completely	b ..... no	x
D to remarry, woman dependent on man	b ..... no	a ..... yes
E man's rights over woman	b ..... none	b ..... none

There are four societies where the woman is not dependent on the man to remarry, i.e., she does not have to await the return of the bridewealth (VI:D:b). They are: the Lakeside Tonga, the Gonja, the Somali and the Trobriand as shown in Table VI on the following page. Not all are consistent but a few specific interconnections were found.

Where the woman is not prevented from remarrying by her former spouse, it seems that the woman is also not subject to his deciding her next spouse (VI:E), as could happen in other societies. Also occurring with this condition is the variable denoting some form of continuing ties between the couple (VI:C). This is found in three of the four societies and there is no information for the fourth (Trobriand). The residence of the children might be a further concomitant feature since in two cases the children dwell with their mother and in the others are divided between their mother and father (I:A). However, it must be emphasized that these are not exclusive relationships for each of these complementary conditions exist in other societies where the woman is dependent on the man to remarry. In fact all three (I:A:b/d;VI:C:b and VI:E:b) are to be found together in the Plateau Tongan society which requires the woman to wait for the husband's acceptance of the refund before remarrying. This is the only negative case but there are four other societies where the answer to the problem is unknown.

TABLE VI - PROBLEM SOLUTIONS OF THE LAKESIDE TONGA, GONJA,SOMALI AND TROBRIAND

VARIABLE - Woman is not dependent on the man to remarry  
(she does not have to await his acceptance  
of the bridewealth); (VI:D:b)

	1. L.TONGA	3. GONJA	14. SOMALI	16. TROB.
I: A children stay with	.....b..... mo	.....d..... mo/fa	.....d..... mo/fa	.....b..... mo
B rights - children	.....b..... mo	.....a..... fa	.....a..... fa	.....b..... mo
C children vis-a-vis fa.similar/ceases	a ..... sim	a ..... sim	x	x
D children vis-a-vis mother	.....f.....	.....a..... sim	.....c..... weak	.....f.....
II: A affinal bonds	.....c..... same	.....c..... same	.....b..... weak	.....x.....
B affinal bonds kept when children	a ..... yes	a ..... yes	a ..... yes	x
III: A woman lives with	.....a..... fa	.....c..... either	.....a..... fa	.....b..... mo
B man lives with	.....c..... either	.....c..... either	.....a..... fa	.....a..... fa
C jural control - wo.	.....c..... mo.bro.	.....a..... fa	.....a..... fa	.....d..... free
IV: A wo.can marry hu.rel.	x	.....a..... no	x	x
V: A comm'ty - woman's remarriage	b ..... free	b ..... free	b ..... free	b ..... free
VI: A couple's obligations to each other	a ..... none	c ..... special	x	x
B couple can resume duties when	x	.....a..... wo.rem.	x	x
C couple's relationship dissolved completely	b ..... no	b ..... no	b ..... no	x
D to remarry, woman dependent on man	.....b..... no	.....b..... no	.....b..... no	.....b..... no
E man's rights over wo.	.....b..... none	.....b..... none	.....b..... none	.....b..... none

Table VII involves the analysis of seven societies and three variables, as one combination of role redefinitions was discovered. It seems that when the children go to live with their mother permanently (I:A:b) and less so temporarily, there is a continuing relationship in a strong or weak form between the children and the absent father (I:C:a/c), the affines (II:A:b/c) and the former spouses (VI:C:b). In other words, in those societies which hand over the children to the mother some provision is made for on-going relationships. Perhaps one can say that marriage termination is not that severe an occurrence. The contrary also seems to hold - that where the children are sent permanently with their father, all other relationships are either completely severed or considerably weakened. These statements are being made in the full realization that there is a considerable degree of researcher bias, for the researcher would sometimes look to the solution of one problem to help solve another. The seriousness of this very unscientific approach is realized but as explained previously, it could not have been otherwise. It is possible that the relationships of variables singled out here are genuine as they hold for each society for which there is sufficient material.

The societies on which this relationship was tested are the: Lakeside Tonga, Plateau Tonga, Gonja, Mae-Enga, Sonjo, Amba, and Somali. Nine of the sample of sixteen societies had to be omitted because there was no data for at least one or more of the three relationships being tested (I:C:D; II:A; VI:C).

TABLE VII - PROBLEM SOLUTIONS OF THE LAKESIDE TONGA, PLATEAU  
TONGA, GONJA, MAE-ENGA, SONJO, AMBA AND SOMALI

VARIABLES - continuing relationships with children;  
 affines; and former spouses. (I:C,D; II:A;VI:C)

	1. L. TONGA	2. P. TONGA	3. GONJA	4. MAE- ENGA	8. SONJO	11. AMBA	14. SO- MALI
I: A children stay with	....b... mo	....b... mo	....d... mo/fa	....a... fa	....b... mo	....c... mo.tem	....d... mo/fa
B rights-children	....b... mo	....b... mo	....a... fa	....a... fa	....d... step.fa	....a... fa	....a... fa
C children vis-a-vis fa.similar/ceases	..... sim	..... sim	..... sim	..... ceases	..... ceases	..... -	..... x
D children vis-a-vis mother	..... -	..... -	..... sim	..... x	..... -	..... c weak	..... c weak
II: A affinal bonds	....c... same	....b... weak	....c... same	....b... weak	....a... cease	....b... weak	....b... weak
B affinal bonds kept when children	....a... yes	....a... yes	....a... yes	....x... -	....b... no	....a... yes	....a... yes
III: A woman lives with	....a... fa	....b... mo	....c... either	....a... fa	....a... fa	....a... fa	....a... fa
B man lives with	....c... either	....c... either	....c... either	....a... fa	....a... fa	....a... fa	....a... fa
C jural control - wo.	....c... mo.bro	....c... mo.bro	....a... fa	....a... fa	....d... free	....b... bro	....a... fa
IV: A wo.can marry hu.rel.	....x... -	....x... -	....a... no	....b... any	....a... no	....x... -	....x... -
V: A comm'ty - wom. rem.	....b... free	....b... free	....b... free	....b... free	....x... -	....x... -	....b... free
VI: A couple's obligations to each other	..... none	..... none	..... have	..... none	..... none	..... x	..... x
B couple can resume duties when	..... x	..... x	..... wo.rem	..... br.pr	..... not	..... ret'd	..... x
C couple's relationship dissolved completely	..... no	..... no	..... no	..... yes	..... yes	..... no	..... no
D to remarry, woman dependent on man	..... no	..... yes	..... no	..... yes	..... yes	..... yes	..... no
E man's rights over woman	..... none	..... none	..... none	..... has	..... has	..... none	..... none

As can be seen in Table VII the societies which send their children to their mother permanently (the Lakeside Tonga and Plateau Tonga) have continuing strong ties between the children and the father, the affines (weaker for the Plateau Tonga) and the former spouses. In those societies where the boys go with their father, but the girls remain with their mother (the Gonja and the Somali), the Gonja have very strong continuing affiliations while the Somali have weaker ones. The Amba people send their children only temporarily to the mother and all their continuing ties appear to be weak. The Mae-Enga require that the children remain with the father and their ties are broken though the affinal ones are weakened. The Sonjo society is the one negative case. Although the Sonjo send their children to their mother permanently, all the former affiliations cease. The probable explanation for this is that the children are completely adopted by their step-father, but of course there is still the question of why, unlike other societies, this adoption occurs.

This was the one other set of variable combinations that was discovered and this one too is suspect as its verification is dependent on less than half the sample, besides the fact that the results reflect researcher bias.

The remaining searches for variable connections will not be illuminated here as nothing could possibly be reaped from them. The rather small number of tables isolating various relationships is the unfortunate outcome of having an unknown variable rate of 28%. To have continued showing other arrangements of the various

elements of role redefinitions in this test would be pointless.

It must be reiterated that the purpose of this study has not been only to formulate marriage termination principles. It was known from the beginning that this would likely never be. I do not intend to recapitulate the few possible correlations that were extracted since they are not genuine and nothing about marriage termination can be learned from them. Throughout this whole chapter I have stressed that many of the answers were deduced and the holes in the tables were too great to lead to fruitful comments. Anything that could be said about marriage termination based on these results would be just guesswork. Nevertheless it is hoped that the lack of results has not detracted from the proposed comparative method of role-analysis as developed here. This student is still very much excited by its possibilities. Table I is a testimony to that. Here graphically arrayed is a means of delving into an aspect of an institution, marriage termination in this case, and dissecting it so that it becomes possible to see the phenomenon in much the same way that the various peoples studied see it. With data presented that is more sensitive to the demands of role-analysis, the problem-solving technique developed may well be able to chart the actual behaviour of the people. With this model of society it should also be possible to examine, over a wide range of cultures, the different and various means by which the people themselves define marriage termination and how they go about re-adjusting to it.



The failure of this particular exploration to divulge some concrete relationships (given that where 'y' is present, 'z' will occur) should not lead to an abandonment of this approach. Rather, its ineffectuality should be understood. All would agree that to describe even a small part of a social structure is a very complicated procedure for there are numerous interconnections. To be able to see these networks repeating themselves when only a small sample of sixteen was used, with a good number of their problems being indeterminate, is asking too much. Such a study as this should have used many more cases so that definite patterns could be traced. This would have been attempted had there been the material.

In light of my argument that there was insufficient data and therefore the role-analysis procedure should not be condemned, one might charge that the problem-solving technique should not have been applied knowing that the material was wanting. Instead, a problem with a known wealth of data should have been explored to examine the benefits of both the role-analysis and problem-solving techniques. My answer to this charge is that this type of study is most necessary even though nothing conclusive was derived from it. Ethnographers must be shown the type of analysis that can be conducted and the kind of basic data needed for these studies. I do not believe this study was a wasted effort. I recognize the importance of bringing the analysis down to the level of the actual sense

data and now seeing that it could probably be done, I hope to persuade others.

## CHAPTER V

## CONCLUSION

In summarising and restating the results of this study, little can be presented that is conclusive. To a great degree the dual tasks of this study (investigating marriage termination and testing role-analysis) interfered with each other and neither has been sufficiently documented to generate further areas of investigation. Although there are no positive results for either problem, what has emerged, I believe, are some observations which have meaning in the context of comparative anthropological investigations.

It is recognized that the ethnographer's primary obligation is to adequately describe the society he is studying and only then to concern himself with comparisons. It is also necessary that anthropologists wishing to construct cross-cultural studies should provide the field worker with the theory by which he can structure his study. In the past this theory has conformed to what Goldschmidt (1966:15) refers to as the "functionalist" approach where the social behaviour has been neatly classified into categories and concepts that usually apply accurately to only a few societies and has tended to block analysis. Dr. Leach (1963) aptly portrays this idea when he comments: "The difficulty of achieving comparative generalizations is directly linked with the problem of escaping from ethnocentric bias" (1963:1).

This study attempted to derive some concrete notions of marriage termination as it occurs throughout a wide range of societies by not focusing the study upon "prior category assumptions" (Leach 1963:4). There were assumptions in this study which naturally mould the results but I do not view them as resulting from ethnocentric bias. For instance, the suggestions that the most constructive point at which to begin a study of marriage termination is the rupture of the marriage or that there are six basic categories of role redefinitions differ in kind from such category assumptions as classifying the data according to descent principles or residence rules. Both types of assumptions impose on the data the researcher's sense of what is important. The assumptions in this study attach importance to specific aspects, but uniformly, throughout all the societies in the sample. However in the "functionalist" type of comparative studies special significance is attributed to features in societies, creating divisions within the sample prior to knowing if these divisions are warranted. It seems that such classification should follow a comprehensive investigation rather than precede it.

What has been learned from this examination of marriage termination is that a study can be conducted without regard to many preconceived concepts, without paying homage to the belief that matrilineality and patrilineality are significant anthropological categories. Although the position has not been confirmed by positive results, it would seem that lack of rigid classifications does not affect the actual handling and

processing of the data and in fact should rationally be a far more productive approach.

Another feature of this thesis is that it has shown the lack of descriptive material on marriage termination in the ethnographies. Even if the particular role-analysis of role redefinitions was found to be fruitless it still has contributed by demonstrating the large gaps there are in the ethnographic fund of material on marriage termination. Either the anthropologist has this material in his field notes and has not seen any need for publishing it or he has not yet conducted an investigation of the phenomenon. In either case, this study still indicates the kind of data that is not available for examining marriage termination and possibly for comparative studies in general -- a full detailed account of the social behaviour occasioned by specific events occurring more or less universally.

There is no need to itemize the kind of data on marriage termination that the ethnographer should either publish or research. The thesis has produced a total of sixteen problems and 243 variables which could serve as a guide to the kind of information it is possible to produce.

As has been mentioned, there are other aspects to marriage termination which are not discussed in this paper and the categories of role redefinitions could not direct the researcher to the appropriate material. Problems relating to the sociological causes of marriage termination, such as the status of co-wives and the socio-economic level, have to be explored as well as rate. In order to deal with this

problem of frequency the ethnographies must yield more reliable statistics than "divorce is frequent" (Krader 1963:40) and "it (divorce,T.O.) is rare" (Hogbin 1964:29). J.A. Barnes (1949) discussed this problem and suggested a standardized method of collecting statistics on marriage termination. Although this occurred in 1949 few (as illustrated in the above quotes) have carried out his recommendations.

Another related area of investigation is suggested by Evans-Pritchard's (1951) report of Nuer stability in jural (re-marriage) relations but instability in conjugal relations. Research would have to be conducted to determine if this occurs in other societies and an explanation of the discrepancy between marriage break-down and marriage termination could be sought.

A further inquiry might focus on whether the solutions to problems created by marriage termination (as discussed in Chapter III) are peculiar to this event or are the same as solutions to the similar considerations that must occur for both the husband and wife on the death of their spouses. This would help in further understanding marriage termination by establishing if certain practices are restricted to it and why they are.

These are some of the considerations that have to be explored but, as discussed in the Introduction, this paper

argues for priorities. Before these peripheral questions can be examined there must be established an adequate characterization and definition of marriage termination. Students of this subject must understand the phenomenon before basing further cross-cultural studies on it.

Although the mode of inquiry documented in this thesis did not produce conclusive results, I would maintain the view, until it is proven otherwise, that a role-analysis is a most promising method. I hope it has been shown that by analyzing specific anthropological problems in terms of their constituent systems of roles, the student is able to work with the data that most closely documents the basic interacting relationships. Furthermore, and most important, by organizing the data in terms of the units of social interaction, one is working with ethnographic data that is comparable.

Since "roles" reflect this basic unit of action they can be likened to building blocks in the sense that they can be arranged and re-arranged in various ways to suit different problems and different methods of testing them. The ethnographic data, once expressed in terms of roles, holds out the possibility of experimentation; it may be that these variables can be manipulated so that the effects of the absence or presence of certain ones can be traced.

In addition to the general applicability and flexibility of the data when produced from an analysis of roles, a new element can be added which greatly increases its supremacy over conventional methods. Because a role-analysis can reduce the data to a coherent arrangement of variables, much as was done in the problem-solving technique, then it may be possible to explore the results by substituting mathematical terms for these variables. The advantages to using mathematical models are argued by Leach (1963) more knowledgeably and convincingly than can I. However, the use of mathematics is seen as eliminating the need for either profusions of taxonomies or lengthy descriptions which have always been necessary to account for the numerous variations found in comparative studies. Moreover, mathematical expressions could be useful in isolating specific relationships of variables. For example, if this study had been able to produce a more comprehensive account of marriage termination in many more societies, mathematical expressions of the variables could have been used with more accuracy to discover connections between variables. A further consideration would be how computers can best be used to the benefit of social anthropology. In order to take advantage of these new scientific techniques in analysis, I would stress the importance of using data that represents basic units of action, i.e., roles.



This position does assume that societies can be compared.

Evans-Pritchard (1965) raises the likelihood of this not being the case. He wonders if it would be "temerarious" to:

ask ourselves if we should not question whether the basic assumption which has so long been taken for granted, that there are any sociological laws of the kind sought; whether social facts, besides being remarkably complex, are not so totally different from those studied by the inorganic and organic sciences, that neither the comparative method nor any other is likely to lead to the formulation of generalizations comparable to the laws of those sciences. We have to deal with values, sentiments, purposes, will, reason, choice, as well as with historical circumstances. Evans-Pritchard (1965:33).

I cannot dispute Evans-Pritchard; nor can anyone at this stage in anthropological research. Yet, it seems that he may be wrong, that we may compare with benefit. We must remember that it is not comparable institutions which are found from one society to the other, but common human problems which are consistent. Consequently there must be some regularity in the human solutions to these problems. We need, not studies based on comparing institutions and other rigid categories, but studies probing social action. I think then we may be able to dispel Evans-Pritchard's fears.

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## APPENDIX I

## Ethnographic Details

1. Lakeside Tonga are described by J. Van Velsen in his book, The Politics of Kinship: A Study in Social Manipulation Among the Lakeside Tonga of Nyasaland, 1964. The anthropologist's thesis is that Tonga stability is achieved through a series of complicated relationships and cross exchanges. The Lakeside Tonga economy is based on a subsistence food production of cassava (no cattle kept) produced mainly by women. Their chief export is labour. There is no overall tribal authority and the important socio-political unit is the village, an amorphous entity composed of a series of hamlets which interact with one another. There are village headmen but the office lacks "subsistence and sanction". Of the two lines of filiation, the matrilineal one is more important but is tempered by strongly patrilineal links, for the wife lives in her husband's chosen village. He can take up residence with either his patrilineal or matrilineal groups of kin and Van Velsen reports that "The struggle for control over offspring and particularly their residential allegiance is one of the central themes of Tonga life" (1964:82). However, the pull to the matrilineal village seems to be slightly stronger. Amongst the Lakeside Tonga, it is the payment or non-payment of bridewealth which gives a marriage its tangible content. The bridewealth is supplied by the relatives of the man's village and it is shared by the bride's patrikin and matrikin. Either party can initiate the 'divorce' proceedings (divorce rate is high) and if the husband is entitled to a return of the bridewealth he has paid, he often forfeits it in order

not to break his relationship with his children.

2. Plateau Tonga in Marriage and the Family Among the Plateau Tonga of Northern Rhodesia, 1958 and "Plateau Tonga" in Matrilineal Kinship

(eds., Schneider and Gough 1961) are recorded by Elizabeth Colson.

The focus of her major study is on the way in which changing economic and social conditions are impinging upon the Tonga family and the regulation of marriage. The Plateau Tonga economy has changed from one of subsistence farming to cash-crop farming supplemented by cattle raising. The most enduring units in the Plateau Tonga society are the clans which are named, dispersed, exogamous units in which membership is derived through matrilineal descent; they are not corporate bodies. Each clan consists of a number of kinship groups referred to by the author as matrilineal groups. The groups are dispersed but control inheritance, succession, provision and sharing of bridewealth. There is no rigid structuring of the kinship groups within the clan. Each person is also an "honorary member" of his father's matrilineal group but the ties between an individual's patrikin and matrikin lapse at his death. Both kin groups co-operate in matters concerning the individual. The largest indigenous local units are the neighbourhoods which consist of four to eight villages. This membership is often more significant than membership within the matrilineal group since the land is held in common by this unit without any kinship basis. The neighbourhood is composed of a number of homesteads whose heads participate in decisions relating to common interests. Residence is a matter of personal preference and changes throughout the couples' lives. There is

a tendency for men to join their matrilineal kinsmen later in life but it is not very great. A full marriage is created over a period of time and involves the final bridewealth payment and rituals. Elizabeth Colson writes that "at the present time the divorce rate appears to be relatively high" (1958:175). The divorce is effected by the return of the bridewealth and Colson indicates that it is easier for the wife to initiate it since her kin holds the bridewealth and will have to return it.

3. Gonja are described by Esther N. Goody in a paper entitled, "Conjugal Separation and Divorce Among the Gonja of Northern Ghana" which is found in the Fortes book, Marriage in Tribal Societies, 1962. The Gonja are subsistence farmers who grow millet and guinea corn and keep a small number of cattle. The Gonja are stratified into three estates - a ruling group, a small Muslim estate and a third social one consisting of several commoner groups. Both the commoners and rulers are pagan. Marriage between the estates is permitted and it occurs frequently. Kinship is based on agnatic principles, though the mother's brother has obligations to his nephews. The Gonja live in permanent villages of 60 to 100 people and several villages are often clustered around divisional capitals. Residence is virilocal, either with the man's patrikin or matrikin. The marriage is effected by a small bridewealth payment. Goody reports that there is frequent divorce (half of the women over 40 have had 2 or more husbands) during the early years of marriage and it is more a de facto divorce (gradual transformation of an extended separation) than a formal divorce.

4. Mae-Enga from M.J. Meggitt's monograph, The Lineage System of the Mae-Enga of New Guinea, 1965. The Mae-Enga live in the Western Highlands of Australian New Guinea and are subsistence agriculturalists. The phratry is the largest patrilineal descent group that the people recognize and it is a land occupying unit. The eight or more clans of the phratry usually occupy a continuous area. All male members of the phratry are recognized as brothers. The clans are in turn composed of patrilineages whose land is scattered throughout the clan holdings. Residence, then, is patrilocal. A long series of transactions over bridewealth form the Mae-Enga prelude to a marriage. Leviratic marriage is also a custom. Meggitt reports that there is a low incidence of divorce but distinguishes between two forms of divorce. There is the more common jural divorce which is a bilateral annulment and part of the bridewealth is repaid to the man's agnatic kin. As well, Meggitt discovered another type - de facto divorce which is unilateral. The woman goes to live with another man who gives brideprice to her agnatic kin but does not recompense the former husband. This sometimes results in a feud. Inasmuch as Meggitt reported that divorce was not frequent and that this last type of de facto divorce was not common, this study will only consider the "jural divorce" and its ramifications.

5. Yako - Yako Studies by Daryll Forde. The Yako are a people living in the middle Cross River region of Eastern Nigeria. They are subsistence farmers growing mainly yams and subsidiary crops. The Yako tend to live in rather large villages of up to 11,000 people, which are divided into wards occupied by patrilineal kin groupings.

Within these kin groupings are patrilineages and the men of each usually farm on the same path. There is a matrilineal organization which is also of great importance in the village government and is responsible for rituals of prestige. Whereas the patrilineal kin group holds the economic resources, the matrilineal kin distribute the accumulated wealth and moveable property. Forde labels the Yako descent system as "double descent" since there is "full and simultaneous development of both patrilineal and matrilineal groups" (1964:86). The residence of the young married couple is usually with the husband's patrikin, i.e. patrilocal. The marriage is contracted with the parents of the girl but after the marriage it is her mother's brother who takes responsibility and it is her matrikin who receive the largest share of the bride price. The payment is the responsibility of the boy's father though his mother's brother may also contribute. Forde reports that divorce is frequent and comes about through the return of the bride price either by her matrikin or from a man with whom she may take up residence.

6. Khasi This Society is discussed by R.D. Sanwal in MAN, New Series, Vol., 1, in an article entitled "Bridewealth and Marriage Stability Among the Khasi of Kumaon". Sanwal states that he is going to discuss it in the context of the discussions by Schneider, Gluckman, Leach, etc. These people live in Kumaon, a north-west province of India in the Himalayan district. Their economy is based on subsistence agriculture. The majority of the Khasi belong to the Rajput caste. Their social



structure is cut across by a large number of patri-clans which are sometimes not even exogamous and are not socially important. The Khasi live in small villages of about twenty-five households usually belonging to the same agnatic lineage which owns all the land. The lineages are exogamous. Interaction between neighbouring villages, even if they are inhabited by different lineages of the same clan is never intense. Residence is patrilocal. A woman does not participate in the religious activities of her husband's lineage nor is there a relationship between her agnatic kin and her husband's until a child is born. A marriage is created by the payment of a bride price to the woman's agnatic kin. There is a token religious ceremony but it is not essential. Marriage among the Khasi does not have a sacramental basis given to it by Hindu scriptures. Whatever form the marriage takes, it can be easily dissolved and involves partial return of the bridewealth only if the woman has initiated the proceedings.

7. Samburu. Paul Spencer wrote this ethnography entitled, The Samburu: A Study of Gerontocracy in a Nomadic Tribe, 1965.

He is interested in analyzing Samburu society as one in which power is essentially in the hands of older men. The Samburu are a pastoral people, raising cattle, small stock and donkeys in the Kenyan Highlands. They live in small settlements of 4-10 stock owners and their families and herds. As they are migratory, the clusters of settlements form as people group and regroup themselves. The homestead is the basic economic unit in the society, consisting of a stockowner, his wives, his

unmarried children or siblings and possibly married sons. The Samburu tribe is subdivided into important patrilineal clans ~~wand~~ is composed of a number of local clan groups. It is the latter which is the social group offering the individual security and help. A man's relationship to his mother's clan can vary from mistrust to trust and goodwill depending largely on the way it has developed during his lifetime. Their residence is virilocal for a man may live with his affines, but he usually resides with a clan member which could be his father, brothers, or other relatives. Marriage for a man creates a debt to his wife's relatives which can never be entirely repaid. The bridewealth is accepted as an initial payment to be followed by an indefinite number of other gifts. Spencer reports that marriage is brittle in its early stages but after children are born, in theory, divorce is impossible. However, a husband can force a divorce by demanding back all the bridewealth payments. According to him, the first husband can make bids for the return of his wife and her children by her second husband, until the oldest of these children has been circumcised (usually around the age of puberty).

8. Sonjo. are described by Robert F. Gray in his work, The Sonjo of Tanganyika: An Anthropological Study of an Irrigation-Based Society, 1963. They are subsistence crop cultivators in Northern Tanzania (formerly Tanganyika) and the only ones in East Africa who are wholly dependent on the practice of irrigation in their agriculture. The most important social unit in Sonjo society is the village which is both economically self-sufficient and politically

autonomous. Even defence was a village matter. Still there is a prevailing sense of solidarity throughout the tribe. The Sonjo villages are divided into three to six territorial sub-divisions or wards. The wards are synonymous with clans which are based on patrilineal descent and are exogamous units. Making up the clan are small lineage groups which are based on adjacent households and common ownership of property. Residence is patrilocal. The full payment of the brideprice is never refunded. The father of the boy and his kin are responsible for making the payment and the boy's mother's brother may make a token contribution. Either the man or woman may initiate the divorce proceedings which involves the woman's new husband paying the former one the bride price.

9. Iteso. This tribe was recorded by J.C.D. Lawrance in his 1957 monograph, The Iteso: Fifty Years of Change in a Nilo-Hamitic Tribe of Uganda. The people practice both subsistence farming and animal husbandry. There are two distinct social groupings in Teso society. There is the grouping through kinship based on the patrilineal principle. It is composed of the family, the extended family (with a recognized head) and the clan which is not exogamous. The second grouping has a territorial basis and is composed of the people who come together to discuss matters in common. This grouping is composed of the people of a number of clans. In earlier days there was an hereditary chief now replaced by a government appointed official. Beyond this territorially based group is still a larger locality of undefined size and roughly corresponds to a dialect group.

Residence is patrilocal. The payment of the bride price is the essential element of marriage. Lawrance states that "divorce was formerly very rare" (1957:211), which would imply that it is more common now. In cases of mutual consent the divorce may be regularized by clan leaders without recourse to constituted native courts. In these uncontested cases, the bride price must be repaid.

10. Nuer. The information on the Nuer is taken from E.E. Evans-Pritchard's study, Kinship and Marriage Among the Nuer, 1951. They are a Nilotic people living near the Upper Nile in the Sudan. Their economy is based on the raising of cattle and consequently they lead a transhumant life. The Nuer can be divided into a number of tribes, each segmented into exogamous clans and lineages with agnatic affiliation being the dominant feature. The smallest corporate grouping is the village which is associated with a lineage. Also important to the Nuer are the relationships with close kin who are not agnatically aligned, such as the relatives of the mother and the father, the maternal kin, the paternal kin and the affines. Some of these may be dwelling in a man's village. Nuer families often change villages for a number of years at a time and they can be easily incorporated into the new community through one or more kinship links. Among the Nuer, marriage is brought about by the payment of bride-wealth and the performance of ceremonial rites, but the marriage is not considered consummated until the birth of the first child. It is only after this occurs and when the child is weaned that the Nuer husband brings his wife to his father's homestead and builds her a hut.

The Nuer practice a variation of leviratic marriage where the woman is considered still married to her dead husband, but his brother or son may serve as a pro-husband. Evans-Pritchard reports that most of the broken marriages occur during or shortly after the wedding ceremonies and adds that one cannot properly speak of divorce at this stage. He says that after a year or two of their co-habiting, divorce is very unusual. Nuer divorce involves a partial repayment of the bridewealth.

11. Amba. A tribe studied by E.H. Winter and documented in his 1956 ethnography Bwamba. It is a description and analysis of the social structure of Bwamba with attention focused upon the group structure. The people inhabit an area in West Uganda, on the border of the Belgian Congo. They are subsistence cultivators of plantain. The most important social units is the series of local communities for they are the largest corporate groups and are structured on maximal lineages. Winter divides Amba society into maximal and minimal lineages which are patrilineally determined. Residence is usually patrilocal. Outside a man's maximal lineage, the man has a warm and enduring relationship with his mother's brother and it is common for a man to join his uncle. The payment of the bridewealth or the exchange of women is a significant part of the marriage. Not only the husband but also the maximal lineage are considered to have secured exclusive rights of sexual access to the woman. The bridewealth payment is not split into many shares for normally her

brothers receive it. Divorce is very common and the Amba are notorious for it amongst their neighbours. Divorce is effected only through the repayment of the bridewealth.

12. Tangu. The material was taken from two articles in OCEANIA by K.O.L. Burridge. In 1957 he wrote "Descent in Tangu" and in 1958, "Marriage in Tangu". The society is located on the north coast of New Guinea. They are a hunting, gathering and gardening people. The population of 2,000 is grouped into four neighbourhoods, each distinguishable by various criteria. Some 50-60 years ago the social structure was different. There was a jural group known as the "gagai" based on residential connections, kin affiliations and explicit choice. In three of the neighbourhoods it appears to have been mainly matrilineal and in the one other, mainly patrilineal. Partly due to historical event but also to the element of choice in "gagai" membership, Burridge claims that these groups have ceased to be of social, economic and political significance. "To-day, the basic and most permanent co-operative social unit is the household ..... In no part of Tangu is descent the familiar formal constant. Its value as a sociological category is variable and depends upon a variety of claims made good in certain contexts" (1957:86). Usually a number of households whose husbands as brothers or classificatory brothers or whose wives with similar qualifications are sisters, will co-operate in the exchanging of gardening and hunting land, fruits, and feasting exchanges. Ego, male, should marry a girl in the category of mother's brother's daughter (not first cousin) and there should be an exchange of spouse's siblings of different sex in a second marriage. If a

woman does not like her husband, she leaves him and goes back to her parents or remains a responsibility on her brothers. No stigma is attached to a first marriage termination. No obligations remain outstanding except that if a brother and sister exchange has been completed the brothers of the dissatisfied wife should provide the husband with another sister as a wife and the exchange relationship lapses.

13. Kgatla. Married Life in an African Tribe, 1965, is I. Schapera's monograph about Kgatla marriage and family life. They dwell in the south east of Botswana (formerly Bechuanaland Protectorate) and are subsistence agriculturalists, with animal husbandry and hunting as supplemental activities. Politically, all Kgatla are under the authority of the tribal chief who is their representative and spokesman. His power has been reduced over the years but he is still the tribe's ruler and judge. The principal administrative and social units are the wards, a collection of households occupying a well defined portion of a village under the authority of an hereditary headman. Wards are usually based on lineage segments, patrilineally aligned. The patrilineal kin are most important for a man but his maternal uncles are intimately attached to him by various economic and ritual ties and have an important say in the regulation of his domestic affairs. The residence is patrilocal. No marriage is considered really complete until it produces offspring. When a marriage is crumbling, Schapera reports that every effort is made to bring a couple back together and that divorce is not at all frequent.

14. Somali. A Muslim Hamitic people recorded by I.M. Lewis in his work, Marriage and the Family in Northern Somaliland, 1962. They are pastoral nomads with some cultivation. The Somali have a segmentary lineage organization with descent being patrilineal. Lewis reports nine clans further divided into a series of component lineages which are jural and political groups. The Somali live in nomadic and fluctuating hamlets and these are composed of a group of nuclear families whose heads are closely related agnatic kin, though affines and non-agnates are frequently included. Bridewealth is essential to the establishing of a marriage and the father of the boy is mainly responsible for it, with some assistance from wealthy agnatic kin. Residence is patrilocal and the woman never really identifies with her husband's agnatic kin. Leviratic marriage is practised. Divorce, according to Lewis, is easy for the husband and frequent and he notes a 24% divorce rate. The divorce procedure follows the Muslim one of the pronouncement by the husband and the ensuing approval of the sheikh.

It will be recalled that at the beginning of this study I questioned the wisdom of including into this investigation those societies where marriage (and therefore marriage termination) is a religious matter. The objection was raised because it would seem that once a religion has assumed command of an institution, especially if that religion were imposed on the social structure at some time, then the institution would no longer be entirely subject to the 'control' of the rest of the social structure. Nevertheless, I have not been able to resolve this issue and am willing to include in this exploratory



investigation, a Muslim society. It is hoped that some interesting aspects will come to the fore.

15. Ambo. Bronislaw Stefaniszyn is the anthropologist who produced Social and Ritual Life of the Ambo of Northern Rhodesia. The book, however, was edited by Raymond Apthorpe in 1964. The Ambo are a Bantu speaking group of about 10,000. They grow maize, a cash crop of tobacco and raise chickens. The structure of the society is segmented by a descent system based on matrilineal principles. The clans are exogamous and comprise a number of major matrilineages which have a prominent headman but are not residential units. Making up each of these major matrilineages are exogamous minor matrilineages which reach back to a common ancestress of three to four generations. The ownership of a village by a minor matrilineage is desirable but not always the situation. Residence is at first uxori-local but after the birth of the first child the husband has the choice of the domicile. Stefaniszyn mentions that often conflict occurs because the wife opposes living virilocally but he also indicates that siblings tend to live in their own village and return to it whenever they can. Thus matrilocal residence would seem to be the case. The girl's mother is reported to have the last word in her daughter's marriage which is effected by a token bridewealth payment (the man also works for the girl's parents) to the girl's senior maternal uncle, but the marriage is not really complete until the first child is born. The ethnographer quotes a divorce rate of 18.9% and states that the very young and the very old are most divorce prone. The men initiate the divorce and Stefaniszyn says it is easy.

16. Trobriander. Bronislaw Malinowski's famous work, The Sexual Life of Savages, 1959, is the source of the material for the Trobriand society. As is well known, the Trobriand Islands are situated off eastern New Guinea and the inhabitants grow yams, hunt, fish and gather shells and fruits. Trobriand society is divided into four matrilineal exogamous clans which are again sub-divided into a series of ranked sub-clans (or lineages?) each of which owns a village. The head of the sub-clan, if he is of high rank, may have a number of villages under his authority, each of which is ruled by a lower ranking headman. Residence is uxori-local, but a man would continue to consider his mother's brother's village as his natural home. Each nuclear family produces its own food, though there is considerable gift exchange. In contracting a marriage a boy has a free choice for his family do not take an interest and it is the girl's father who has the most say. A substantial bride price is given by the groom's family which is never returned, but also a cycle of gift-giving is established. Malinowski reports that divorce is not infrequent, that it is the wife who usually initiates it. Divorce occurs when the wife refuses her husband's "peace offerings" but her new spouse is expected to recompense the former one for his original bride price.

## APPENDIX II - Work Sheets

Society: 1. Lakeside Tonga

## I. New Relationship To The Children

## A. Children remain with or go with:

a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell b

## B. Absolute rights over children vested in:

a) father and child's patrikin b) mother and child's matrikin c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell b

## C. When children live permanently with their mother, their relationship to their father:

a) involves both finances and interest b) ceases c) weakens x) coder can't tell a

## D. When children live permanently with their father, their relationship to their mother:

a) involves both duties and interest b) ceases c) weakens x) coder can't tell -

## II. New Relationship To The Affines

## A. The affinal bonds are:

a) broken b) weakened c) primarily the same x) coder can't tell c

## B. The affinal bonds are especially maintained when there are children:

a) yes b) no x) coder can't tell a

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell a

## B. Man returns to or remains with:

a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence x) coder can't tell c

## C. Jural control in a woman rests with:

a) her father and/or her brother b) specifically a brother c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell c

## Society continued: L. Lakeside Tonga

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry immediately c) not expected to remarry for some years  
 x) coder can't tell

b

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no rights of disposal over her x) coder can't tell

axbbb

Society: 2. Plateau Tonga

## I. New Relationship To The Children

## A. Children remain with or go with:

- a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell b

## B. Absolute rights over children vested in:

- a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell b

## C. When children live permanently with their mother, their relationship to their father:

- a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell a

## D. When children live permanently with their father, their relationship to their mother:

- a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell -

## II. New Relationship To The Affines

## A. The affinal bonds are:

- a) broken b) weakened c) primarily the same x) coder can't tell b

## B. The affinal bonds are especially maintained when there are children:

- a) yes b) no x) coder can't tell a

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

- a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell b

## B. Man returns to or remains with:

- a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell c

## C. Jural control in a woman rests with:

- a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell c

## Society continued: 2. Plateau Tonga

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

b

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

axbab

Society: 3. Gonja

## I. New Relationship To The Children

## A. Children remain with or go with:

- a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell d

## B. Absolute rights over children vested in:

- a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell a

## C. When children live permanently with their mother, their relationship to their father:

- a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell a

## D. When children live permanently with their father, their relationship to their mother:

- a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell a

## II. New Relationship To The Affines

## A. The affinal bonds are:

- a) broken b) weakened c) primarily the same x) coder can't tell c

## B. The affinal bonds are especially maintained when there are children:

- a) yes b) no x) coder can't tell a

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

- a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell c

## B. Man returns to or remains with:

- a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell c

## C. Jural control in a woman rests with:

- a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell a

## Society continued: 3. Gonja

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

a

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

b

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

cabbb



Society: 4. Mae-Enga

## I. New Relationship To The Children

## A. Children remain with or go with:

a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell a

## B. Absolute rights over children vested in:

a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell a

## C. When children live permanently with their mother, their relationship to their father:

a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell -

## D. When children live permanently with their father, their relationship to their mother:

a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell x

## II. New Relationship To The Affines

## A. The affinal bonds are:

a) broken b) weakened c) primarily the same x) coder can't tell b

## B. The affinal bonds are especially maintained when there are children:

a) yes b) no x) coder can't tell x

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell a

## B. Man returns to or remains with:

a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell a

## C. Jural control in a woman rests with:

a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell a

## Society continued: 4. Mae-Enga

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

b

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

b

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

abaaa

Society: 5. Yako

## I. New Relationship To The Children

## A. Children remain with or go with:

- a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell d

## B. Absolute rights over children vested in:

- a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell c

## C. When children live permanently with their mother, their relationship to their father:

- a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell b

## D. When children live permanently with their father, their relationship to their mother:

- a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell x

## II. New Relationship To The Affines

## A. The affinal bonds are:

- a) broken b) weakened c) primarily the same x) coder can't tell x

## B. The affinal bonds are especially maintained when there are children:

- a) yes b) no x) coder can't tell x

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

- a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell c & d

## B. Man returns to or remains with:

- a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell a

## C. Jural control in a woman rests with:

- a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell c

## Society continued: 5. Yako

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

b

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

axxab

Society: 6. Khasi

## I. New Relationship To The Children

## A. Children remain with or go with:

a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell a

## B. Absolute rights over children vested in:

a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell a

## C. When children live permanently with their mother, their relationship to their father:

a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell -

## D. When children live permanently with their father, their relationship to their mother:

a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell x

## II. New Relationship To The Affines

## A. The affinal bonds are:

a) broken b) weakened c) primarily the same x) coder can't tell x

## B. The affinal bonds are especially maintained when there are children:

a) yes b) no x) coder can't tell x

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell a

## B. Man returns to or remains with:

a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell a

## C. Jural control in a woman rests with:

a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell a

## Society continued: 6. Khasi

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

x

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

xbbax

Society: 7. Samburu

## I. New Relationship To The Children

## A. Children remain with or go with:

a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell b

## B. Absolute rights over children vested in:

a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell a

## C. When children live permanently with their mother, their relationship to their father:

a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell b

## D. When children live permanently with their father, their relationship to their mother:

a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell -

## II. New Relationship To The Affines

## A. The affinal bonds are:

a) broken b) weakened c) primarily the same x) coder can't tell x

## B. The affinal bonds are especially maintained when there are children:

a) yes b) no x) coder can't tell x

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell a

## B. Man returns to or remains with:

a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell a

## C. Jural control in a woman rests with:

a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell a

## Society continued: 7. Samburu

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

b

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

xaxab



Society: 8. Sonjo

## I. New Relationship To The Children

## A. Children remain with or go with:

a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell b

## B. Absolute rights over children vested in:

a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell d

## C. When children live permanently with their mother, their relationship to their father:

a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell b

## D. When children live permanently with their father, their relationship to their mother:

a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell -

## II. New Relationship To The Affines

## A. The affinal bonds are:

a) broken b) weakened c) primarily the same x) coder can't tell a

## B. The affinal bonds are especially maintained when there are children:

a) yes b) no x) coder can't tell b

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell a

## B. Man returns to or remains with:

a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell a

## C. Jural control in a woman rests with:

a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell d

## Society continued: 8. Sonjo

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

a

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

x

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

abaaa

Society: 9. Iteso

## I. New Relationship To The Children

## A. Children remain with or go with:

- a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell a

## B. Absolute rights over children vested in:

- a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell a

## C. When children live permanently with their mother, their relationship to their father:

- a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell -

## D. When children live permanently with their father, their relationship to their mother:

- a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell c

## II. New Relationship To The Affines

## A. The affinal bonds are:

- a) broken b) weakened c) primarily the same x) coder can't tell x

## B. The affinal bonds are especially maintained when there are children:

- a) yes b) no x) coder can't tell x

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

- a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell a

## B. Man returns to or remains with:

- a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell a

## C. Jural control in a woman rests with:

- a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell a

## Society continued: 9. Iteso

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry immediately c) not expected to remarry for some years  
 x) coder can't tell

c

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no rights of disposal over her x) coder can't tell

axxab

Society: 10. Nuer

## I. New Relationship To The Children

## A. Children remain with or go with:

a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell a

## B. Absolute rights over children vested in:

a) father and child's patrikin b) mother and child's matrikin c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell a

## C. When children live permanently with their mother, their relationship to their father:

a) involves both finances and interest b) ceases c) weakens x) coder can't tell -

## D. When children live permanently with their father, their relationship to their mother:

a) involves both duties and interest b) ceases c) weakens x) coder can't tell x

## II. New Relationship To The Affines

## A. The affinal bonds are:

a) broken b) weakened c) primarily the same x) coder can't tell a

## B. The affinal bonds are especially maintained when there are children:

a) yes b) no x) coder can't tell b

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell a & d

## B. Man returns to or remains with:

a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence x) coder can't tell a

## C. Jural control in a woman rests with:

a) her father and/or her brother b) specifically a brother c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell a

## Society continued: 10. Nuer

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

b

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

xbxax

Society: 11. Amba

## I. New Relationship To The Children

## A. Children remain with or go with:

- a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell c

## B. Absolute rights over children vested in:

- a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell a

## C. When children live permanently with their mother, their relationship to their father:

- a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell -

## D. When children live permanently with their father, their relationship to their mother:

- a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell c

## II. New Relationship To The Affines

## A. The affinal bonds are:

- a) broken b) weakened c) primarily the same x) coder can't tell b

## B. The affinal bonds are especially maintained when there are children:

- a) yes b) no x) coder can't tell a

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

- a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell a

## B. Man returns to or remains with:

- a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell a

## C. Jural control in a woman rests with:

- a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell b

Society continued: 11. Amba

#### IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

#### V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

x

#### VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

x

b

b

a

b



Society: 12. Tangu

## I. New Relationship To The Children

- A. Children remain with or go with:  
 a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell b
- B. Absolute rights over children vested in:  
 a) father and child's patrikin b) mother and child's matrikin c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell x
- C. When children live permanently with their mother, their relationship to their father:  
 a) involves both finances and interest b) ceases c) weakens x) coder can't tell x
- D. When children live permanently with their father, their relationship to their mother:  
 a) involves both duties and interest b) ceases c) weakens x) coder can't tell -

## II. New Relationship To The Affines

- A. The affinal bonds are:  
 a) broken b) weakened c) primarily the same x) coder can't tell c
- B. The affinal bonds are especially maintained when there are children:  
 a) yes b) no x) coder can't tell b

## III. New Relationship To One's Own Kin

- A. Woman returns to or remains with:  
 a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell c
- B. Man returns to or remains with:  
 a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence x) coder can't tell d
- C. Jural control in a woman rests with:  
 a) her father and/or her brother b) specifically a brother c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell b

## Society continued: 12. Tangu

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

b

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

xxxxx

Society: 13. Kgatla

## I. New Relationship To The Children

## A. Children remain with or go with:

- a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell c

## B. Absolute rights over children vested in:

- a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell a

## C. When children live permanently with their mother, their relationship to their father:

- a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell c

## D. When children live permanently with their father, their relationship to their mother:

- a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell x

## II. New Relationship To The Affines

## A. The affinal bonds are:

- a) broken b) weakened c) primarily the same x) coder can't tell c

## B. The affinal bonds are especially maintained when there are children:

- a) yes b) no x) coder can't tell a

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

- a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell a

## B. Man returns to or remains with:

- a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell a

## C. Jural control in a woman rests with:

- a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell a

## Society continued:13. Kgatla

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

a

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

xbbax

Society: 14. Somali

## I. New Relationship To The Children

## A. Children remain with or go with:

- a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell d

## B. Absolute rights over children vested in:

- a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell a

## C. When children live permanently with their mother, their relationship to their father:

- a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell x

## D. When children live permanently with their father, their relationship to their mother:

- a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell c

## II. New Relationship To The Affines

## A. The affinal bonds are:

- a) broken b) weakened c) primarily the same x) coder can't tell b

## B. The affinal bonds are especially maintained when there are children:

- a) yes b) no x) coder can't tell a

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

- a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell a

## B. Man returns to or remains with:

- a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell a

## C. Jural control in a woman rests with:

- a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell a

## Society continued: 14. Somali

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

b

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

xxbbb

Society: 15. Ambo

## I. New Relationship To The Children

- A. Children remain with or go with:  
 a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell b
- B. Absolute rights over children vested in:  
 a) father and child's patrikin b) mother and child's matrikin c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell b
- C. When children live permanently with their mother, their relationship to their father:  
 a) involves both finances and interest b) ceases c) weakens x) coder can't tell c
- D. When children live permanently with their father, their relationship to their mother:  
 a) involves both duties and interest b) ceases c) weakens x) coder can't tell -

## II. New Relationship To The Affines

- A. The affinal bonds are:  
 a) broken b) weakened c) primarily the same x) coder can't tell b
- B. The affinal bonds are especially maintained when there are children:  
 a) yes b) no x) coder can't tell b

## III. New Relationship To One's Own Kin

- A. Woman returns to or remains with:  
 a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell b
- B. Man returns to or remains with:  
 a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence x) coder can't tell b
- C. Jural control in a woman rests with:  
 a) her father and/or her brother b) specifically a brother c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell c

Society continued: 15. Ambo

IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

x

VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

x

x

x

x

x



Society: 16. Trobriander

## I. New Relationship To The Children

## A. Children remain with or go with:

- a) father b) mother c) mother only while children are very young d) girls with mother; boys with father x) coder can't tell b

## B. Absolute rights over children vested in:

- a) father and child's patrikin b) mother and child's matrikin  
c) father over boys; mother's brother over girls d) mother's new husband x) coder can't tell b

## C. When children live permanently with their mother, their relationship to their father:

- a) involves both finances and interest b) ceases c) weakens  
x) coder can't tell x

## D. When children live permanently with their father, their relationship to their mother:

- a) involves both duties and interest b) ceases c) weakens  
x) coder can't tell -

## II. New Relationship To The Affines

## A. The affinal bonds are:

- a) broken b) weakened c) primarily the same x) coder can't tell x

## B. The affinal bonds are especially maintained when there are children:

- a) yes b) no x) coder can't tell x

## III. New Relationship To One's Own Kin

## A. Woman returns to or remains with:

- a) her father's and her patrikin's residence b) her mother's and her matrikin's residence c) either d) takes up immediate residence with a lover or new husband x) coder can't tell b

## B. Man returns to or remains with:

- a) his father's and his patrikin's residence b) his mother's and his matrikin's residence c) either d) neolocal residence  
x) coder can't tell a

## C. Jural control in a woman rests with:

- a) her father and/or her brother b) specifically a brother  
c) her mother's brother and/or her brother d) she is comparatively free of control x) coder can't tell d

## Society continued: 16. Trobriander

## IV. New Relationship To Members Of The Opposite Sex

- A. Upon considering remarriage, a woman can marry:  
 a) no one belonging to her ex-husband's relatives  
 b) anyone x) coder can't tell

x

## V. New Relationship To The Community As A Whole

- A. The woman is considered by the community as:  
 a) no longer desirable as a wife b) free to remarry  
 immediately c) not expected to remarry for some years  
 x) coder can't tell

b

## VI. New Relationship To The Former Spouse

- A. With regard to conjugal duties, the man and woman:  
 a) have no obligations b) do have obligations c) have  
 obligations only in special cases x) coder can't tell
- B. The man and woman can resume their conjugal duties:  
 a) even if woman is married to someone else b) only if man has  
 not taken back bride price and she is not remarried c) never  
 x) coder can't tell
- C. The marriage relationship is completely dissolved even if  
 there are children:  
 a) yes b) no x) coder can't tell
- D. In order to remarry, the woman is dependent on the man for:  
 a) his acceptance of the bride price repayment b) is not  
 dependent on him x) coder can't tell
- E. If a man had initiated a jural termination of the marriage:  
 a) he can seek a new husband for his ex-wife b) he has no  
 rights of disposal over her x) coder can't tell

xxxbb

APPENDIX III

## Explanation For The Choice of Variable Where Material Was Vague

1. Lakeside Tonga. The first difficulty encountered in this analysis is that of determining with whom the child goes (I:A). J. Van Velsen writes that the woman "generally takes the children with her, especially if they are still young" (1964:107). Throughout the rest of his discussion, he seems to assume that the woman claims the children. However, residence is 'virilocal' with a 'matrilocal' bias (1964:3) and he later reports that there is a struggle between the children's matrilineal and patrilineal relatives for the children's residential allegiance. But, I take this last statement to refer specifically to when the sons are grown and ready to make a new home for themselves. And, of course, the concern of this category is which parent claims the children when they are still minors. Their subsequent housing, upon establishing separate households, would not be a relevant consideration.

The second problem (I:B) also requires some explanation. The literature never really states who has absolute rights over the children. However, we know that the children go more or less permanently with the mother (have to be won back by the father) and the anthropologist states that "matrilineal descent matters but patrilineal kinship also creates ties which unites individuals" (1964:41). It seems here that J. Van Velsen is stressing the importance of the woman's matrikin over the children and the children's patrikin assume secondary importance. One more item of evidence appears in the form of "a man has a say in his

daughter's marriage ..... (1964:108). Note, the words, "a say" and not something like "final word". Thus, I see no reason to avoid indicating that absolute rights over the children lie with a mother and the children's matrikin.

Similarly, there is a need to determine jural control over a woman (III:C). Unfortunately, no mention is made of the return of the bridewealth payment, but we know that both a woman's patrikin and matrikin share in receiving it. All J. Van Velsen writes is that a woman returns to her own village, which would be her father's. However, for the same reasons as stated in the foregoing paragraph, it would appear that the jural control over the woman is vested in her mother's brother and/or brother.

The relationship to the community as a whole was not discussed in any respect (V:A). However, because mention of a woman's new husband soon after the cessation of the marriage appears a few times (e.g. "For if at divorce, the children follow their mother to her new husband's village ..... (1964:106), and because the anthropologist notes that "there is a high rate of divorce", it was decided that the appropriate choice for this problem would be: "Free to remarry immediately".

2. Plateau Tonga. The decisions to be made in the first category concerning the new relationships to the children are all clear-cut. The first question arises in the new relationship to the affines (II:A). Colson never delves into this area but it is surmised that the affinal bonds are considerably weakened as she reports that "The ancestors of the husband .... no longer serve as guardians to the household of the

wife. She has left them behind with her marriage" (1958:209). However, it was felt that the affinal bonds could not be completely severed as the father continues to have obligations to assist the sons with bridewealth and to meet the cost of their damages, and so on, all of which would seem to indicate that some relationship must continue between the children's patrikin and matrikin. It is for this reason that II:B was adjudged to be affirmative - that affinal bonds are maintained because of the children.

The residence of the man at the cessation of his marriage is unclear. Colson states that residence is usually virilocal, but there is no real rule. "There is a tendency for a man to join matrilineal kinsmen in later life .... and the tendency is not very great" (1961:42). Thus it seemed as though the proper answer for this dilemma would be "either".

There is no definite statement for V:A - the community's attitude to the woman but since Colson simply mentions that divorce is frequent, it seemed fair to assume that the woman is "free to remarry immediately".

With respect to the new roles developed by the former spouses, the question arises concerning the complete dissolution of the marriage relationship (VI:C). Without any data on this, the researcher took a stand based on the information that the man, the father of the children, has continuing obligations and duties towards the sons. So, it seemed probable that there is some sort of tie between the spouses because of their mutual interest in the children.

It appears as though the Plateau Tonga woman is dependent on her husband's acceptance of the bridewealth repayment (VI:D) and he has control over her subsequent remarriage, for Colson states that "divorce comes about through the return of the bridewealth. Until then the husband can sue lovers for adultery" (1958:176).

3. Gonja. This following treatment of the Gonja, results not so much from insufficient information, but more because some of the answers are highly unusual and I wish to document them. Indeed, Esther Goody's study is by far the most comprehensive study of marriage termination.

The first question is due, however, to lack of specific reference. It concerns absolute rights over the children (I:B) and I singled out "father and child's patrikin" as being the correct one. The Gonja seem to split up their sibling groups and the girls go with the mother, while the boys over seven years of age, with the father. Goody makes statements to the effect that both parents have continuing interests in the children and claims on them, as well as the fact that both kinship ties "tend to be significant for life" (1962:34). But, on the next page she writes "Within the context of divorce, whatever arrangement is made for boys during childhood and adolescence, they are expected to return to their agnatic kin" (1962:35). It is this statement, along with the one: "Marriage is marked by the transfer by the groom's representative to the father or guardian of the bride of twelve.....which formally legalizes the union" (1962:17), that might indicate that the absolute rights over the daughter are likely to be found with the "father and child's patrikin". She does say that rights to the custody of the children are imprecisely defined.

Likewise, Goody says nothing of jural control over the woman (III:C) and the same evidence can be used to select: "a) her father and/or her brother".

As for the "New Relationship to the Community", this too is not indicated, but since divorce is frequent and she claims that "The prevalence of simple conjugal separation followed by remarriage....." (1962:30), it appears that a woman is free to remarry immediately.

Among the Gonja, the man and woman do have obligations, but only in specific cases (VI:A) for Goody reports that "If the ex-husband has not remarried, the ex-wife will prepare a sacrificial meal for her husband's ancestors....." (1962:34).

The Gonja answer to VI:B is indeed an unusual one. It is reported that the Gonja man and woman can resume their duties toward each other even if the woman is married to someone else. "The possibility that an estranged wife who has remarried may some day return to her first husband is a real one and older men, particularly, speak hopefully of it ..... some wives do actually return" (1962:33).

One further clarification remains for VI:D referring to the woman's dependence on the man to remarry. It seems as though there is none for we read the following: "The prevalence of simple conjugal separation followed by remarriage as a means of ending a marriage suggests that a formal termination of or retransfer of conjugal duties is not of great importance to the Gonja" (1962:30).

4. Mae-Enga. This ethnography is fairly comprehensive, but there are two areas where the information is lacking, namely the relationship between the man and woman, and of both of them to the children.

The children go essentially with their father ("the ex-husband is entitled to retain the offspring of the union" (1965:140), but Meggitt reports that depending upon the children's age and sex, "He may allow some of them to remain permanently with their mother and are later affiliated with the agnatic group of their mother's brother or of their step-father" (1965:140). Still, since the decision was the father's and Meggitt made other statements referring to the mother's relinquishing the offspring, it was felt that clearly the children remain with the father. Unfortunately, there was absolutely no indication of what the relationship is to the mother when the children live permanently with their father.

As mentioned previously, Meggitt does not develop the relationship with the affines. It seems, though, that the affinal bonds are considerably weakened, if not broken. This decision was based on the fact that the ethnographer repeatedly stresses that marriage is seen as widening relations and for this reason the Mae-Enga frown upon "divorce". He writes: "The people strongly disapprove of divorce or any form of marital separation likely to endanger the inter-group links that initially depend on marriage" (1965:159). Whether or not the affinal bond is maintained without children, just could not be determined.



The next category that must be investigated is V:A, concerning the woman's relationship to the community. Although Meggitt states that most people strongly disapprove of both divorce and people who seek divorce, still it seems possible for a woman to be remarried. In a few instances she just goes to live with another man who pays her agnates bride price. Also, he writes that: "A divorcee rarely has to wait long for an offer....." (1965: 146).

Within the last category (relationship of the spouses) there are a number of difficulties. The first one involves the conjugal duties. Meggitt makes no direct statement about this, but one is led to infer that the marital relationship comes to an abrupt end. Nor, is there any evidence as to whether or not the man and woman can resume their conjugal duties. However, it is stated that a jural termination occurs only with a partial repayment of the bridewealth and so it is possible that the couple would be allowed to resume their marital relationship provided that the husband had not received the bride price repayment and the woman had not remarried.

Lastly, problem D has been solved in terms of the woman being dependent on the man to remarry, on his acceptance of the bridewealth. As mentioned earlier, there is amongst the Mae-Enga a "de facto" divorce created when the wife takes up residence with another man and he only makes a bridewealth payment to the woman's agnatic kin and does not recompense the former husband. However, Meggitt reports that this is not at all common, that the jural divorce is three times more frequent, so only

this latter type is being considered. This "editing" is being done most reluctantly, but this being an exploratory study it was felt to be too complicated to handle two different variables for one problem. Fortunately, this is the only instance of having to "ignore" some of the evidence.

5. Yako. Unfortunately, Forde's ethnography contains many omissions that would be relevant to this study, and a few other choices are problematic.

We do know that the girls go with their mother and the boys with their father. Forde also tells us that the 'kepun' (corporate patrilineage) is important and that the sons usually settle with their fathers. So we are certain that jural control over the sons is vested in the fathers and the son's patrikin (I:B:a). But, he does not say who has rights over the daughters. So, we interpret this statement: "Girls, however, always accompany mother and the matrilineal kin normally accept responsibility for her marriage, receiving the bridewealth" (1964:81), as indicating that jural rights in the daughters are vested in mother's brother.

When the son lives permanently with either his mother's family or her new husband (I:C) his relationship to his father must cease, for Forde says he is "likely to associate himself permanently with the keptun of his foster-father" (1964:82). And, we know that the daughter ceases to be the responsibility of her father.

As far as the woman's relationship to the community, we are only given that divorce is frequent and that a woman can go through several marriages, so it seems reasonable to assume that she is free to remarry immediately.

6. Khasi. The discussion of this analysis will be brief due to the fact that there are few choices that could be determined from the literature. And, those selections that were made, were all rather clear-cut, except for one. It is the problem concerning the ability of the man and woman to resume their conjugal duties (VI:B). The author makes no mention of this, but he does indicate that the woman can only remarry after a jural dissolution of her marriage. This statement, then, would support the view that they could resume duties if the man has not taken back the bride price and the woman is not remarried.

7. Samburu. Mr. Spencer's account does not give explicit answers to many of the problems, but some of them can be quite easily ascertained.

Upon the cessation of the marriage, he does not state with whom the children actually go, but he remarks that "a boy who grows up among his maternal kin ... because his mother has returned there....." (1965:38). At least we know that it is permissible for the children to go with the mother, and that it does occur.

The question of absolute rights over the children is less difficult to ascertain as there are statements to the effect that: a) "it is a difficult process to incorporate a man into his maternal clan" (1965:40), and b) "if a boy returns to his paternal kin he can expect substantial help in building up a herd" (1965:38). It seems that control over the daughters must also be with her patrikin, as there is never any importance ascribed to the matrikin.

When the children live permanently with their mother (I:C) it must be the case that the relationship to their father ceases for, difficult as the process is, they are incorporated into the mother's kin group. Unfortunately, there is no indication of the relationship with the mother when the children align themselves with their father.

Problem V:A is concerned with the community's sanction concerning her remarriage. Again, little is said. We learn from our reading of the Samburu that "in theory divorce is impossible once a woman has had a pregnancy" (1965:46), yet Spencer does refer to remarriage and second husbands. It seems as though women can remarry and most likely (since there is no mention to the contrary) can do so quite soon after.

Within the context of the "new relationship to the former spouse", the solution to problem B, that of a man and woman resuming their conjugal duties, is being described not because it is questionable but because it is unusual. According to Spencer, "A first husband can make bids for the return of his wife and her children by her second husband, until the oldest of these children has been circumcised" (1965:46). He also claims that this has happened, but it is not common since it produces bad feelings between clans.

8. Sonjo. By contrast, Gray's recording offers much more detail about marriage termination and most of the problems are easily solved.

I:B is not at all problematic, but is being commented on here because its solution is, thus far, unique. The Sonjo children all go with their mother, and Gray explicitly states that by Sonjo law

"her children go with her and are adopted by the new husband ....." (1963:75). Furthermore, the new husband has full rights over the children and "assumes the responsibility of providing bride price for the stepsons' wives". Property inheritance is also through the stepfather. The children are assimilated into his clan and automatically acquire the same kinship bonds that his ..... own children have" (1963:76).

A problem that does arise in this analysis of Sonjo marriage termination is with regard to jural control. Although the woman returns to her father's home, Gray says she is "comparatively free from the control of her father or other relatives and they do not directly intervene in any divorce proceedings" (1963:74). In fact, the woman is not dependent on her relatives for the return of the bridewealth, for it is made by her second husband.

One last item requiring clarification is VI:B. We do not know definitely that a Sonjo man and woman can resume their conjugal duties, but it does seem a possibility. The clue for this is found in Gray's claim that a woman cannot be remarried until the second husband pays the first one, bridewealth. It is likely, that the once-separated couple can renew their bonds up to the point that the man accepts a bridewealth payment.

9. Iteso. This ethnography contains little information on marriage cessation, but the statements made in this connection are all clear. Lawrance does not say which parent has absolute rights over the children (I:B), but there is no doubt that it is the father and

child's patrikin because Lawrence writes, "All children, whatever the grounds of divorce belong to the husband" (1957:216), and "A mother can always claim the right to see her child" (1957:217). These statements clearly show that the children are totally bound over to their father's care.

In order to determine the woman's residence and the locus of jural control over her we have to rely on Lawrence's statements that patrilocality is the Iteso norm. Because the wife has to rely on her parents to initiate the proceedings, it would certainly be the case that her father and her patrikin have ultimate rights over her.

10. Nuer. Although Evans-Pritchard's study has been long hailed as a classic, it is, unfortunately, ill-suited to this investigation as the number of "x's" on the tables portray. The researcher wished to include it because this society is always singled out in any discussion of marital instability as one with a very low divorce rate but high frequency of adultery and conjugal separation. So the purpose of using it here is to see how it compares to the other societies. Even though much data is missing, it is possible, in keeping with the exploratory nature of this paper, that some features may show up as being peculiar to the Nuer.

The anthropologist does not answer all of our questions, such as jural control, residence of woman and so on. However, in view of this monograph's widespread familiarity, it was felt unnecessary to explain in all cases why certain answers were selected. There are only three which need be briefly mentioned.

III:B (man's residence): Evans-Pritchard mentions that the Nuer move about much and can take up residence in any village in which they can establish kinship links. However, since villages are lineage based and since the first home the husband builds for his wife after the birth of the first child is in his father's homestead, it is deemed probable that the Nuer man recognizes this as his permanent home.

The second refers to the community's attitude to the woman (V:A). It seems quite appropriate to say that the woman is free to remarry immediately, for Evans-Pritchard writes: "Wedding and consummation ceremonies are held even for a girl who is pregnant or one who has been divorced and is being married a second time ....." (1951:70). In light of this statement it appears that the women are not ostracized and even their second marriages are publicly celebrated.

The third difficulty is to determine if the man and woman can resume their conjugal duties (VI:B). It might very well be the case, for the Nuer require that a man must accept a portion of the bridewealth back before the woman rewed, indicating that up until this point they could still have claims to each other as spouses.

11. Amba. There is somewhat more information in this monograph on which to base the selections. However, explanations of the choices must be given since they are not specific. It was deemed likely that the affinal bonds between the child's matrikin and

patrikin do continue (II:A&B), though in a very weakened form. This conclusion is based on the statements that the woman is able to have contact with her children and they are allowed to visit their mother from time to time. This would imply some relationship among the affines, but specifically when there are children.

As for both residences referred to in III:A&B, we again must rely on the simple statement made by E.H. Winter that the Amba people are "patrilineal and patrilocal". This argues strongly for selecting their residences, upon the cessation of their marriage, as their father's and their patrikin's.

Determining who holds jural control in a woman is not at all problematic - it is specifically a brother. Winter states that "the father formally presents each daughter to a particular son ....." (1956:68) and earlier he tells us that it is the brother who must repay his sister's bridewealth, that she is "almost completely dependent upon her brother" (1956:68).

Finally it was decided that the marriage relationship is not completely dissolved when there are children (VI:C) for, as stated above, the woman does maintain contact with her children and they are allowed to make short visits. Thus it seems likely that both parents would have some contact in the process of making arrangements for these visits and more so, in discussing the welfare of their mutual offspring.



12. Tangu. These people are not at all sufficiently documented for our study, and as a borderline case are being included for the interesting problems created by their favoring exchange relationships between two sets of brothers.

Although category II - "New Relationship to the Affines" was not at all handled in the monograph, the Tangu stress of exchange relationships would seem to indicate that even though the marriage ties were broken (II:A), the affinal bond would still very much continue, in fact could not be escaped, as the woman's brother would be married to her ex-husband's sister. Likewise it is certain that the affinal ties would remain even without children.

The residential choice of the woman (III:B) is not given - just that she returns to her parents. Since Burridge also indicates that the Tangu are bilineal it would appear accurate to select her residence as "either". He does state though, that the man's residence is 'neolocal'.

There is as well an uncertainty about the jural control over the woman. Because there are these exchange relationships, Burridge claims the brother or brothers have a stake in the success of her marriage, and are anxious for her to enter a new one if she becomes unattached. He writes: "and remains a responsibility on the brothers" (1958:57). Surely, then, we can conclude that the authority over a woman is vested in her brother(s).

Burridge also stresses that there is pressure on the woman to remarry (V:A), not only from her brothers, but from the community, for they believe an unattached woman causes trouble and rivalries which lead into sorcery. It is likely then that the woman is "free to remarry". However, Burridge points out that it is difficult to find a third husband for her.

13. Kgatla. There are a few problems here and a few omissions. Schapera says nothing of the continuing state of the affinal bonds, but we presume they are maintained in somewhat the same fashion. Our reasoning is based on the statement that the children, when young, go with the mother but that the father supports his children at this stage and visits them. Besides indicating that the marriage relationship is not completely dissolved (VI:C) it also could be argued that the affinal ties are not ruptured completely, for both families would have in common the welfare of the children and hence the bonds are primarily the same (II:A).

There is another question concerning the woman's dependence on the man to remarry (VI:D). This seems the situation for not only must the ex-husband take back the bride price, but Schapera reports that he often does make it impossible for her to rewed. Furthermore, he claims that "the women are not regarded with favour as possible wives" (1965:301).

14. Somali. The Somali ethnography by Lewis presented few difficulties in the analysis, although there is a lack of information about relationships to members of the opposite sex and to the former spouse.

It is only for this last category (VI) that the solutions need be deduced. It is most likely the case that the marriage relationship is never completely dissolved. Lewis explains that the woman keeps the boys until age six and the girls until they marry, but the father has absolute rights over them and while they are raised by their mother, he makes financial contributions. The parents must view themselves as having some tie as they must come together to discuss their children's welfare.

The last two problems are less easily inferred. According to Lewis, marriage cessation is a very simple matter and all the man need do is proclaim it three times in front of witnesses. The woman can protest but Lewis says she seldom does; she is usually anxious to remarry and can do so after receiving a letter from the sheikh informing her that "they are divorced" (1962:38). In view of this it is unlikely that the woman is dependent on the man for his consent or acceptance of the bride price in order to remarry. As well, since the man is the only one who can seek a jural termination to the marriage, and Lewis does not mention that he has rights of disposal over the woman, it is likely that he does not.

15. Ambo. Only the problems in the first three categories could be solved. For the last three categories there was not enough data on which to base the answers and rather than make unsupported guesses, it was decided to just omit them. Therefore, there is only one problem requiring some elaboration. It concerns jural control over the woman.

Stefaniszyn notes that "the eldest brother will act as a guardian of his sibling" (1964:9). He also states that "the brother is the guardian of his sister, after her mother's brother" (1964:9) and so primarily, it must be her mother's brother who has authority over the woman and it is only after his death that her brother receives this authority. This is the reasoning behind the selection of the "mother's brother and/or brother" as being the correct one rather than "Specifically a brother".

16. Trobriander. As evidenced by the score sheet the Trobriand ethnography is another one not particularly adaptable to this study. It is being included because it meets the one requirement, namely, that there be sufficient data to investigate at least three of the six problems. As with the Nuer monograph, Malinowski's treatment of the Trobrianders is also a famous document and we need not be as detailed as with the other works.

As will be quoted later, we find that in Trobriand society, the brother is her guardian. Still, it seemed correct to show in III:C that the woman is relatively free of jural control even of her brother, since her new spouse recompenses his predecessor and not her brother or her mother's brother.

Malinowski never suggests what the community attitude to the remarriage of the unattached woman is but it is highly probable that she can rewed immediately. Malinowski writes that "the woman resumes the life of an unmarried girl" (1957:121) and follows this statement

with a discussion of the new spouse's obligations. And, since "divorce... is not infrequent" (1957:121) it is doubtful that the community would require a woman to wait a few years to remarry or even would not allow her to do so.

The last variable requiring clarification is VI:E:b, referring to the man having no rights of disposal over the woman. The opposite could not be the case for Malinowski describes the man as commanding very little power or authority. "The husband is only partially the head of a household; he is only partially its provider. His wife's brother, who according to tribal law remains the guardian of the wife and children ...." (1957:110). This statement seems to indicate that the Trobriander man is little more than a begetter who would hardly control his wife's ability to remarry.