



UNIVERSITY OF CAPE TOWN

*Exploring the influence of intlawulo on father Involvement among
Xhosa speaking black South African fathers raised and living in
Cape Town*

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ABSTRACT

Studies on African fatherhood represent African fathers as problematic and in South Africa, they are identified as “emotionally disengaged, physically absent, abusive and do not pay for their children’s upkeep” (Morrell & Ritcher, 2006:81). Many studies link the high rates of absent fathers to poverty and irresponsibility. Such literature is devoid of cultural factors that might be contributing to the high rates of absent fathers in most African communities. Across Southern Africa, intlawulo, a customary practice that involves the paying of a fine by a man responsible for impregnating a woman out of wedlock and his family to the pregnant woman’s family. Historically, intlawulo served as a critical means of regulating and mediating unmarried fathers’ involvement in their children’s lives. Therefore, this explorative qualitative research project explores African fathers’ experiences of intlawulo and its subsequent links to father involvement. To gauge their experiences and interpretation of intlawulo and father involvement, I conducted face-to-face in-depth qualitative interviews with a purposive sample of 8 black Xhosa speaking South African fathers from Cape Town who have gone through the intlawulo negotiations for the past five years or less. This study aimed to explore how the customary practice of intlawulo or ‘paying damages’ influences a father’s involvement in his child’s life in Khayelitsha, an urban township within Cape Town. It argued that the payment of intlawulo regulates a father’s involvement in childrearing, his interaction with and access to his child. In contrast to how fathering has been described in previous literature, this thesis argues that becoming a father is a process and intlawulo is the entry point where it can be denied, stopped and negotiated.

Keywords: intlawulo, paying damages, customary law, absent fathers, paternity, fatherhood, fathering, unmarried, childcare, father involvement.

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Chapter One: Introduction

Earlier debates on African fatherhood looked at residential living arrangements and found many children particularly in South Africa lived separately from one or both of their biological parents particularly their fathers (Morrell, 1998; Murray, 1981; Mboya & Nsengani, 1999; Anderson et al., 1999). The debate then shifted to not only looking at living arrangements but also contact and care (Nkani, 2017; Nathane, 2018; Hosegood et al., 2014; Mvune, 2017; Rabe, 2006; Morrell & Richter 2006; Swartz & Bhana, 2009). A key omission in these sets of literature is cultural conditions to becoming a father and relating. This key omission speaks to both sets of literature because whilst there is literature explaining lobola as a reason among other things why some fathers cannot marry (Mkhize, 2006; Mvune, 2017; Makusha & Ritcher, 2016; Madhavan et al, 2008; Mkhwanazi & Block, 2016) it is the fulfilment of cultural conditions that unlocks a father's opportunity to perform fathering. Literature on African fatherhood has completely overlooked a key component of being a father; that is in the becoming process which is about negotiating fathering through the cultural practice of intlawulo. Literature to date has failed to show how customary practices influence fathering and the kind of father one can be or its links to becoming a father.

In this thesis, I explore influences of customary practices on father involvement in child care amongst a sample of isiXhosa fathers, using intlawulo (Xhosa) or 'paying damages'. In the thesis, I use the word 'father' to refer to black isiXhosa fathers and I specifically focus on their fathering role in relation to their biological child whilst not denying they may be social fathers to other children. I argue that the payment of intlawulo regulates a father's involvement in childrearing as well as his interaction with and access to his children. I reveal and further argue that becoming a father is a process that involves multiple social actors and intlawulo is the entry point where it can be denied, stopped, negotiated or permitted. I argue that it is this early stage of becoming and being able to be a father through intlawulo that is a gateway to fathering. The process of intlawulo unlocks the opportunity for fathering debates outlined in the earlier and current literature on fatherhood to occur. A father needs to fulfil cultural conditions of "the fathering process" for him to have access to his children and be involved in their upbringing. Once cultural conditions have been fulfilled, fathering is permitted but will still have to be negotiated through relating with his child's mother's family particularly in relation to making arrangements to spend time with their children. Should a man not be able to fulfil this cultural condition, and depending on the child's mother's family, his fathering can be denied and stopped.

In mapping out the findings, the thesis focused on how it opens up opportunities for fathers to relate to the child, mothers, and mothers' families. In doing so, it illustrated possible gendered consequences of the customary practice of *intlawulo* where specific social actors possess power over others at certain stages of the *intlawulo* process.

There have been debates in the literature about who a father is (Rabe, 2004; Lesejane, 2006; Morrell, 2006; Mkhize, 2006) and literature (Madhavan et Roy, 2012; Richardson, 2009; Budlender & Lund, 2011) that has looked at communal understandings of fathers i.e. biological and social fathers. In this thesis, I use fathers in terms of their relationship with their biological children. I use *fathering* and *father involvement* simultaneously to refer to the actual practice of doing *fathering* which involves practical activities like engaging in school preparation activities. *Childcare* refers to the provision of the emotional, physical, material etc., needs of the child and *fatherhood* as the institution. I do not deny that many men act as social fathers to children, such as stepfathers or the *Balome* or maternal uncles (Nathane 2018). Through outlining how one becomes a father, in chapter four, I show the process of becoming a father through the customary practice of *intlawulo* and in chapter five I show the practice of *fathering* by looking at good *fathering* and what being a good father means to the interviewed fathers.

The customary practice of *intlawulo* is widely observed among several black African communities throughout Southern Africa (Nkani, 2017) under a different name. Even though processes involved might be different among many communities in Southern Africa, the conceptual understanding of *intlawulo* within customary law is very similar. *Intlawulo* is also known as 'paying damages' as it involves paying a fine to the family of the woman who has been impregnated outside the confines of marriage. According to Nkani (2017:109), "it involves the payment of a fine, either cows or cash, by a genitor to the family of a woman who has been impregnated out of wedlock." Historically, the customary practice of *intlawulo* served as a critical means of regulating and mediating unmarried fathers' involvement in their children's lives (Nkani, 2017:109) and still is the case in some communities today (Mvune, 2017). Through the payment of *intlawulo* a father's involvement in childbearing is recognized "even in the face of a conflictual relationship with the child's mother" (Makusha & Richter, 2016: 317 - 318). Further supporting this study's argument that becoming a father is a process and *intlawulo* enables this process by facilitating the opening up and maintaining of relationships between both families. Particularly because in many African communities, families are considered communal and not individualistic; families are not just about father-

child-mother relationships but involve relationships with multiple players including elders, kins, etc.

This project is an explorative qualitative research aimed at exploring experiences of fathers who have experienced or participated in the customary practice of intlawulo. To gauge their experiences and interpretation of intlawulo in relation to fathering, I conducted face-to-face in-depth qualitative interviews with a purposive sample of 8 formally employed black Xhosa speaking South African men who were raised in Cape Town and currently live in Khayelitsha, Cape Town. These men became fathers by impregnating their child's mother outside marriage and have gone through intlawulo negotiations in the past five years or less. This purposive sample of employed fathers means they will generally have the means to complete intlawulo payments. Therefore, economic reasons for not completing the intlawulo process and not being involved in their children's lives may be less significant. Hence, by focussing on fathers who potentially have the means to undertake this cultural practice, the study focuses on ways in which participation in the process facilitates fathering. Besides, I am not focusing on the monetary aspect of fathering, so drawing on the experiences of a group of employed fathers allows me to examine fathering beyond the economic provision of care. I also decided to limit my sample to only isiXhosa fathers to unpack the stories of each individual's experiences of intlawulo and to understand intlawulo in their own cultural context.

For the purposes of this thesis, the main research question that I explored is as follows;

Research Question:

How does the customary practice of intlawulo or 'paying damages' influence and regulate a father's involvement in his child's life?

While exploring this main research question on the impact of intlawulo on fathering in South Africa, I explored the following specific research questions;

- How is the intlawulo fine negotiated or determined? What is the process?
- Who is involved in the process and what does it mean for them? How do fathers experience this?
- How do fathers, who have participated in the process, father? This includes a focus the financial, emotional and practical support for their children?
- How do kin involvement/networks facilitate their fathering?

- How does intlawulo regulate their fathering?
- What are the possible gendered consequences of the practice?

These questions help build a framework to understand the process of intlawulo and the participating fathers' practices of fathering after the intlawulo negotiations.

Researcher's Motivation for the Study

My experiences as a mother who has had a child out of wedlock and have witnessed my child's father and his family going through the customary practice of 'paying damages' in Zambia, inspired me to research this question. I was especially motivated because, for the past five years of raising my son as a single mother, I have taken up both mothering and fathering roles regardless of the agreements reached during the negotiations. When it comes to childcare, my son's father has been very seasonal. He supports when he wants and as an orphan with little family involvement, there is no one from my family to regulate his involvement. Consequently, single motherhood has not been an easy journey.

The sample of employed men who have children out of wedlock is personally inspired as my son's father is a lecturer in Zambia. His inconsistency in father involvement as well as his employment status raises interesting and difficult questions about literature on absent fathers and the dominant narratives of their absence supposedly linked to economic disadvantage and poverty. This thesis, therefore is personal and close to my heart.

However, although the sample is personally inspired, I choose to focus on this group of men because I want to develop a greater understanding on the topic. By looking at employed men who have performed intlawulo, we get to find out how meaningful the customary practice is as well as gain more insights on its influence on fathering. There is extensive literature on men who cannot perform intlawulo due to financial constraints and often, the literature focuses on the financial responsibility and a provider status of unmarried fathers which are unobtainable for many. Looking at a group of employed fathers who have performed intlawulo permits us to move away from the monetary component of the process and examine fathering beyond financial responsibility.

Moreover, as one of the twelve student Researchers at the Families and Societies Research Unit (FaSRU) in the Centre for Social Science Research, UCT, my passion about issues affecting families keeps growing and I see my membership as an opportunity to conduct my project on intlawulo and fathers' involvement in childcare.

Chapter Two: Literature Review

This chapter reviews literature on the customary practice of intlawulo. The chapter begins by conceptualizing power in the process of intlawulo by mainly drawing on Lukes' (1974) and Gramsci's (1971) concepts of power. Then reviewing the historical shaping of fathering in South Africa and concludes by looking at fathering practices in times of residence, financial support and practical care.

2.1 Conceptualizing power in the customary practice of intlawulo

The thesis focuses on power mechanisms and processes rather than specific outcomes. The thesis draws on Lukes' (1974) three-dimensional concept of power, and Gramsci's (1971) notion of ideological hegemony. Lukes' (1989) one-dimensional perspective on power is rooted in Weber's (1968) conception of power entailing the ability to enforce one's will even against resistance (Komter, 1989). Power involves who makes decisions and controls participation in decision making (Komter, 1989). Power is based on "the assumption that power is exercised in a direct, observable conflict over issues recognised as relevant" (Komter 1989:189). Lukes' (1974) two-dimensional perspective on power however recognises the power in inaction or invisible conflict. He argues that power does not need to be empirically verifiable to exist (Komter, 1989). Lukes' (1974) third-dimension power perspective adds latent conflict resulting from those with less power expressing their desires and wants (Komter, 1989). It focuses on the discrepancies of interest of dominate and subordinates.

Gramsci's (1971) hegemonic ideology contributes to the conception of power within gender relationships. According to Komter (1989: 191 citing Van den Brink, 1978), an ideology becomes hegemonic when it forms part of everyday thought, promotes social cohesion by presenting contradictions as unitary and necessity as freedom. In hegemonic ideology, interests of dominant groups are presented as general interests and should be accepted freely by subordinate groups (Komter, 1989). For example, the patriarchal set-up in many African societies was not forcibly imposed on women. Men gained hegemonic control in society by experiencing ideologies on the gendered division of labour within households and the workplace as norms (Gramsci, 1971). Hegemonic ideologies about gender roles are institutionalised through customary practices like intlawulo. This has seen the birth of patriarchy and patriarchal practices that continue to be stumbling blocks for women's rights while privileging men.

In this thesis, I am not necessarily focusing on who has more or less power, but at what point of interaction in the process of intlawulo are men and women disadvantaged or advantaged and what power mechanisms come in play. By so doing, the invisible and informal power mechanisms and processes were uncovered. Research (Komter, 1989; Roscigno, 2011; Lukes, 1989) reveals that hidden power in gender relationships exist. In the context of intlawulo, hidden power may include but not limited to inaction particularly when a pregnant woman and her family decide not to approach the man and his family to begin the intlawulo negotiations. Power in this thesis was studied within the contexts of interpersonal relationships between men and women involved in intlawulo. In this thesis, I argue that power is not only gendered but relational. Power is relational because it “entails often-assumed interpersonal interactions but also the capacities of actors to invoke structure (and thus leverage) and legitimate inequality through a two-pronged process of symbolic vilification and amplification” (Roscigno, 2011:340).

2.2 Historical Shaping of fathering in South Africa

Colonialization and apartheid had a severe impact on families in many parts of Africa particularly on fathering in African families in South Africa and today, these effects can still be felt. It intentionally disrupted the practice of fathering in complicated ways (Moore, 2018:17). It disrupted all aspects of family life by using migrant labour and the poverty produced by a racialized labour market to shape patterns of fathering (Ramphela & Ritcher, 2006; Wilson, 2006; Budlender & al, 2011; Morrell, 1998; Murray, 1981). There were policies enforced to promote poverty and disempowerment within African communities in South Africa. Policies such as the 1913 Land Act particularly ensured that blacks were deprived of owning land except within the scheduled native areas (Rabe, 2006; Crush, 1995). There were further policies of racial segregation drawn solely on racial lines to intentionally cluster people in certain residential areas based on the colour of their skins; black communities were restricted to ‘Bantustans’ or ‘homelands’ which were remote, rural and impoverished areas (Moore, 2018; Lesejane, 2006; Clark et al., 2015; Crush et al., 1991; Murray, 1981). The policies facilitated the availability of cheap labour for whites since black people mostly men, were only allowed to migrate to the ‘white areas’ as labourers working as annual labour contractors in mines, factories and on commercial farms (Himonga, C., et al, 2014; Himonga & Moore, 2015; Budlender & Lund, 2011).

This introduced patterns of absent fatherhood within black families in South Africa since men engaging in migrant labour to provide for their families’ needs meant that they became

physically absent from their families (Budlender & Lund, 2011; Wilson, 2006; Murray, 1981). According to Wilson (2006:46), a father frequently needed to be away from home in order to earn an income to feed his family and by 1993 between 42- 45 percent of black children were not living at home with their fathers. Besides, the “Urban Areas Act of the apartheid legislation prevented the majority of black labourers to live with their families and children often stayed behind in rural areas, living within larger kin structures” (Moore, 2018:18). They were housed in single-sex compounds far away from their families during their eleven-month contracts of migrant labour (Budlender & Lund, 2011; Ramphele & Ritcher, 2006; Rabe, 2006). This disruption in the family meant that women had to fulfil both roles of a breadwinner and caregiver and today some women continue to do so in challenging circumstances of high unemployment and limited economic opportunities (Budlender & Lund, 2011). Thus, although apartheid policies of segregation were lifted following South Africa’s independence, the consequences of labour related migration and non-residential fathering remains a reality for families that continue to be faced with economic challenges (Moore, 2018:18). Budlender & Lund (2011:942) believe that “colonialism and apartheid left South African society with a legacy of disrupted family life which has, and will continue to have, long-term consequences on care givers’ responsibilities and ability to care for children.”

During the apartheid era, parenting and fathering took place within the larger context of African kin systems as fathers depended on their kin networks to provide care for their families (Delius & Glaser, 2002; Moore, 2018). Kinship networks served as “sources of security to children whose lives were treacherously insecure” (Ramphele & Ritcher, 2006:86), and today, they continue to sustain the families of non-resident fathers in various ways. A social father is often recruited from the kinship network to assist a biological father to secure his position in the family as well as to meet his culturally sanctioned practices of fathering (Madhavan & Roy, 2012; Richardson, 2009; Budlender & Lund, 2011). A social father is a term used to describe a maternal or paternal male figure, namely, uncles, grandfathers and brothers who take up all the child-rearing roles, activities, duties and responsibilities that a biological father is expected to perform and fulfil (Nathane, 2018 citing Makusha, 2013; Madhavan et al, 2014; Clowes et al, 2013; Madhavan et Roy, 2012). During the intlawulo negotiations, unwed fathers’ gateway to care and access to their children is negotiated by social fathers (Madhavan & Roy, 2012). The understanding of a father in black families goes beyond procreation. A father is conceptualised as a man who takes up the

responsibility of providing care to and protecting children (Nathane, 2018; Ritcher & Morrell, 2008). Moreover, fathering in many African communities is viewed as a collective social responsibility of the family which means that members of the family can “take an active responsibility for the wellbeing of their relatives” (Mkhize, 2006:187). However, not all members of the family can take up the responsibility of providing care in the physical absence of the biological father as social fathers. They have to be responsible and capable of providing care. In the Zulu culture, for example, a father’s younger brother (*ubaba omncane*) or his elder brother (*ubaba omkhulu*) can serve as social fathers as they are culturally referred to as the child’s junior or senior father and are expected to provide father care to their brothers’ children in his physical absence (Nathane, 2018:19; Hunter, 2006).

2.3 Fathering practices

Earlier literature (Morrell, 1998; Mboya & Nsengani, 1999; Anderson et al. 1999) and some recent literature (Mkhize, 2006; Morrell & Richter 2006; Seekings & Moore, 2014) on African fathers focused on fathers’ residential arrangements and financial support while current literature looks at what fathers are actually doing and what good fathering is in their eyes (Nkani, 2017; Nathane, 2018; Hosegood & Madhavan, 2012; Mvune, 2017; Rabe, 2006). In this section, I will be discussing some of these sets of literature’s findings as well as identifying the missing gaps or key omissions on black fatherhood in South Africa.

2.3.1 Fathering and financial provision of care

Fathering continues to be tied to the economic provision of care. Financial support can be viewed as material care because it often involves material objects and money. Thus, for a man to be considered as a good father, he should provide food, clothing and, basic necessities for his family (Mkhize, 2006; Rabe, 2006). In the context of *intlawulo*, for a man to be considered as a good father, he must first fulfil the cultural conditions of fathering by completing his *intlawulo* payments and then continue providing money to his children. This means that a man and his family would need to have some resources often in monetary form to enact fathering and have access to his children. Additionally, a man can expand his breadwinning roles by providing his children with a stable home through marriage is considered as a good father. A man who impregnates a woman out of wedlock and decides to marry her would, therefore be considered as a good and responsible father. Nonetheless, society expects a father to be involved in child care by mainly providing financial support irrespective of his marital status to the child’s mother (Moore, 2018). Hence men dedicate

their efforts to the labour market that will generate them income to financially support their families (Rabe, 2006).

Therefore, although women still take on the largest bulk of childcare in families (Posel & Hatch, 2018), it does not mean that men are not involved (Nathane, 2018:22). In the past, once a father and his family had completed the *intlawulo* payments, he could not be held liable to pay maintenance under common law (Moore, 2018; Dlamini, 1984). Today, most black fathers in South Africa are financially supporting their children by remitting money to their child's mother or kin (Rabe, 2006). Khunon (2018:39) believes that child support is significant in how fathers think about their involvement in children's lives, hence their active engagement in the financial practice of care. Not only does it foster a sense of dignity and pride (Mvune, 2017; Langa & Smith, 2012), it is also an essential aspect of masculine identity and responsibility (Morrell, 2006).

However, when a father fails to pay maintenance, the financial responsibility for children by default becomes the child's mother and maternal kins' responsibility (Moore, 2018). At times, the state, through the Maintenance Act of 1998 might intervene to ensure that the financial needs of the child are catered for (Himonga, C., et al, 2014). The court ensures that a portion of the money earned by fathers is transferred to the control of their children's mothers (Khunou, 2012). However, regulating father involvement through the maintenance system might prevent poor fathers from getting involved in the lives of their children (Makusha & Richter, 2018). This is because it views fathers' involvement only in monetary terms, which perpetuates the normative conception of fathering as an economic provider. According to Khunou (2018:72) "it does not take into account the other forms of support fathers may be or need to be providing such as psychosocial and emotional support, being available, accessible and engaged." Khunou's (2012) study discovered that the maintenance system can create a sense of resentment in fathers towards their children's mothers and sometimes even to the children. This hatred then prevents them from forming genuine relations with their children's mothers, maternal kins as well as their children.

Nonetheless, (Hatch & Posel, 2018:279)'s research reveals that both the primary physical and financial care of children are highly gendered; women are identified as primary caregivers. Unwed fathers who are considered to be part of the household are more likely to fulfil their caring responsibilities than absent fathers. So if the literature is telling us that unwed fathers are not fulfilling their financial caring responsibilities, what are the possible gendered

consequences of that? Who carries the responsibility of care? This thesis aims to explore the ways in which unwed fathers, who have paid damages, provide financial support to their children and how this is negotiated and regulated through the customary practice of *intlawulo*.

2.3.2 Fathering and Residence

There has been growing concern that fathers and children in South Africa do not reside together. Hall (2017:27) in particular is concerned that “men are absent not only absent from many families but also from the discourse around families.” Besides, compared to other countries around the world, South Africa has the highest rate of absent fathers and parents (Hall, 2017:16 citing Posel & Devey 2006). This raises concern since a father’s involvement in child care is equally vital in contributing to the health and wellbeing of their children as well as the general wellbeing of their families (Makusha & Richter, 2016; Makusha & el., 2012).

The literature is telling us that there are possible gendered consequences of care as a result of children and fathers not living together. In South Africa, there is a growing trend of single female-headed households. These low rates of paternal co-residence are predominantly attributed to the historical male labour migration coupled with urban housing constraints (Budlender & Lund 2011). In 2011, the percentage of black children living with their fathers in South Africa decreased from 44 to 31 percent (Stats SA, 2011). According to Seekings & Moore (2014), a higher percentage (45%) of children between the ages of 0-6 years live with their mothers only while only 3% of children live with their fathers only. Seekings & Moore (2014) also discovered that only 34% of children between the ages of 0-6 years live with both parents and approximately 1% live with neither parents. However, this does not mean that children living with their mothers but not their fathers are necessarily living in single-parent households. In South Africa, grandparents, particularly maternal grandmothers have become the main substitute caregivers for children (Madhavan et al. 2012). They are more likely to take on the primary responsibility of rearing children even when the child’s mother is in the household (Hatch & Posel, 2018; Madhavan & Roy, 2012; Ramphele & Ritcher, 2006).

However, there seems to be missing gaps and misrepresentation in the literature about black fathers in South Africa. Most literature has categorised all non-resident fathers as absent and irresponsible (Morrell et al., 2016; Hall, 2017). The gaps in the literature might lead to a misrepresentation of black fathers as “it is often assumed that children automatically benefit

materially and emotionally if there is a father present in the household, while, the physical absence of a father from the household is commonly equated with the absence of paternal support” (Hall 2017: 82 citing Hosegood & Madhavan, 2012, Richter et al. 2012). This is probably because of the gendered ideologies and role expectations in care which are part and parcel of the daily expression of family life in many African families in Southern Africa as they are largely viewed as patriarchal (Bourdillon, 1998). Nonetheless, Rabe’s (2006) research shows that non-resident fathers are fathering and are engaging in physical activities with their children like the school preparation activities. She found that “despite the physical distance between men and their children, there is good variation in relationship men have with their children” (Rabe, 2006:225). Madhavan et al.’s (2008) findings on father-child connections and paternal support also found that nonresident fathers were in fact more engaged and available to their children. It is therefore important that non-residential fathers should be discussed separately from absent fathers. Besides, most of the literature on nonresident fathers is devoid of other factors such as customary practices that might be useful in understanding the ways in which fathering is shaped.

2.3.3 Fathering and authority figure

For many black fathers in South Africa, fathering practices are shaped by normative conceptions of good fathering which involve taking up the socially constructed fathering roles such as a disciplinarian. For a man to be considered a good father, he has to be a role model to his children and a source of moral authority, guidance and protection (Morrell, 2006). Taking up this role entails guiding children and defending them in situations where they needed protection in the community (Nathane, 2018:20). In the same light, a good father is seen as a source of moral authority in that he teaches his children moral values as well as disciplines them when they do not behave well (Rabe, 2006). In other words, a good father should “have the power to discipline the children, assuming the role of authority figure and acting as a guide and role model on matters such as how to behave” (Mvune, 2017:136). Performing the roles of a disciplinarian and source of moral authority can take various forms but often can involve physically enacting some form of punishment on the child like flogging (Mvune, 2017). However, fathering within the context of *intlawulo* is much more complicated than this.

2.4 Gap: Cultural conditions of being a father

Nkani's (2017) contribution to the understanding of the customary practice found that people hold multiple understandings of intlawulo and these meanings differ from one social group to another. Since pregnancy out of wedlock is viewed as a shameful event in many African communities, and the pregnant woman's family would have to bear the stigma, shame and embarrassment associated with unwed mothers, and the concomitant loss of respect in the community, the payment of intlawulo then restores her womanhood, respect, and dignity (Nkani, 2017:113). Nkani's (2017) research further found that a man's acknowledgement of paternity is very critical in the intlawulo process as negotiations cannot proceed if he denies paternity. When paternity is denied, the child is often considered to be illegitimate since the child is not granted kinship rights into his paternal family (Mvune, 2017; Madhavan, 2010). According to Nkani (2017:115), "a kinship system based on the father's lineage and recorded through the surname becomes an important means through which patrilineality is reproduced." Although this is not always the case, a child whose paternity has been acknowledged may take on a father's surname. Often if a father does not pay intlawulo has no say in the naming of his child nor does his child take up his surname.

Moreover, many African communities in South Africa are governed by customary law, as such; their capability to perform fathering as well as his access to his child was linked to the payment of intlawulo or lobola (Moore, 2018). Failure to pay intlawulo has serious implications, particularly in relation to a father's access to his child. A man who fails to pay intlawulo may not be recognised as the child's father and as a result, restrictions in terms of access to his child may be imposed on him by the family of his child's mother (Nkani, 2017; Mvune, 2017; Madhavan et al, 2008; Makusha, 2016; Makusha & Ritcher, 2016). However, the practice is increasingly becoming flexible which means that and this flexibility means that a father might be allowed to be involved in his child's life even though intlawulo has not been paid (Nkani, 2017).

In this thesis, I argue that becoming a father is a process that involves multiple social actors and intlawulo is the first step that either allows fathers to get involved or doesn't. This is because fathering within the context of intlawulo is not only about the biological father and mother, but about bringing the families involved together. It is essentially about the opening up and building of relationships among the families involved and a father's ability to father is linked to the maintenance of these relations. Hence, fathering is not only attained by

completing the intlawulo payments but also through relating to the child's mother and her family during this process.

The practice of intlawulo opens up the possibility of unwed fathers to engage in care including the possibility to reside. In many African communities in South Africa, lobola was used to formalise a union and legitimise children from that union (Mvune, 2017: 132). However, the prevalence of unemployment and poverty made it difficult for many young men to afford marriage. According to Mvune (2017:136 citing Mkhwanazi & Block, 2016), "the rate of formally acknowledged unions have declined in Southern Africa and this could be related to limited job opportunities available to men, hindering them from paying lobola and thus denying them paternity rights."

The process of becoming a father involves complex negotiations of acknowledgement and access. This is particularly because the initial stages of the customary practice of intlawulo are essentially about acknowledging paternity as much as granting permission to a father and his family to be involved in the child's life (Bhana, & Nkani, 2016; Human, 2018; Madhavan & Roy, 2012). The man's kin plays a significant role in securing his fathering by negotiating the acknowledgement of paternity on his behalf (Madhavan & Roy, 2012), making family involvement vital for his financial capability, access to care and involvement. Hence, although the payment of intlawulo served as a means of mediating and regulating a father's involvement in his child's life (Muvue, 2017; Moore, 2018; Human, 2018), "cultural processes, ideas and rules are sometimes the main bridge to be crossed by fathers and the paternal family to gain access to their biological children" (Human, 2018:38). In other words, intlawulo and family relations might be barriers to adequate fathering or fathers' involvement in childrearing.

I also argue that there are potential gendered consequences of the intlawulo process as it involves informal power dynamics at different stages of the practice. As will be outlined in more detail below, the thesis draws on power mechanisms and processes as a way to conceptualise power. The thesis is specifically interested in the ways in which informal ways of sustaining and reproducing power inequality between women, men, maternal and paternal kin are evident through this customary practice.

Chapter Three: Methodology

3.1 Research Design

This study adopted a qualitative approach to research. Qualitative research is the most suitable approach for this project because of its exploratory nature when it comes to understanding human behaviour, people's experiences, and their everyday life. According to Punch (2005), qualitative research places a specific focus on studying human behaviour that occurs within a social context in order to build explanatory theories about people, society, and human behaviour. Hence, since the aim of this research study is to explore in detail the ways in which intlawulo regulates fathers' involvement in childcare, qualitative research then is the most appropriate method to use as it permits the researcher to understand the influence of intlawulo on fathering from the sampled fathers' own experiences. Also, since the study did not define the meaning of childcare to 'involved' fathers, qualitative research is the most appropriate method for generating a deeper understanding of issues relating to intlawulo and father's involvement as well as explore its nuances (Ritchie & Lewis, 2003). Qualitative research methods allow researchers to attach meaning to participants' experiences by gaining a deeper understanding of the experience being shared.

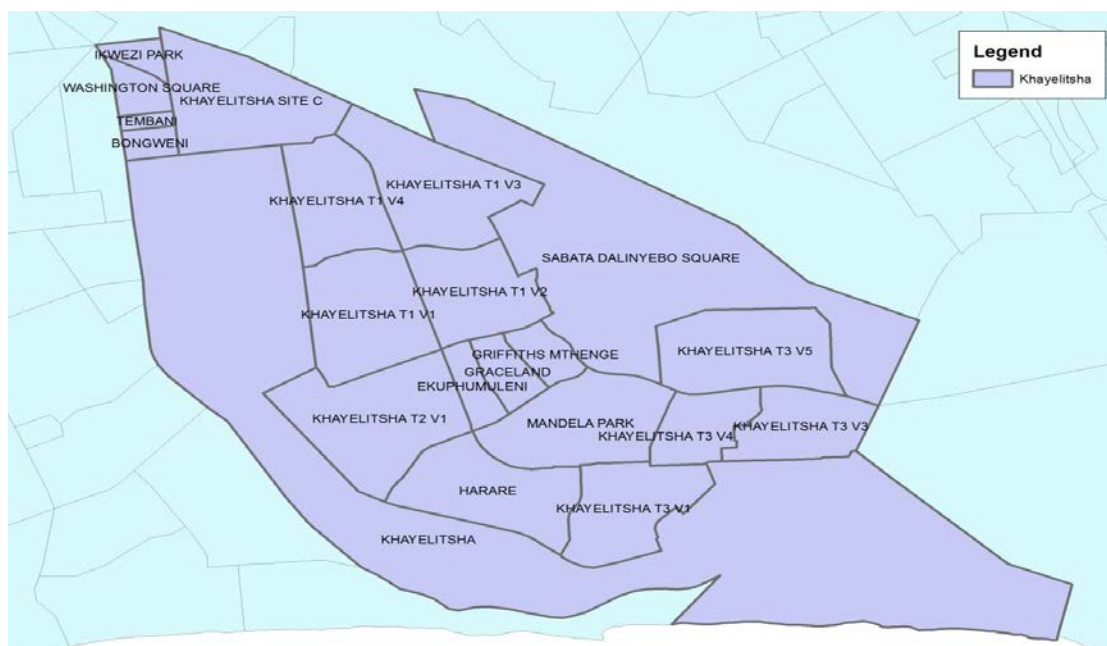
3.2 The Research Site

This study was conducted in Khayelitsha, one of the informal settlements located within the province of the Western Cape, on the south-east of Cape Town's metropolitan area. Khayelitsha is a peri-urban township situated 30 kilometres outside Cape Town. It was established in 1983 during apartheid as a dormitory area for mostly Black people migrating to Cape Town in search of work and greener pastures. According to Seekings (2013), the majority of the adult population in Khayelitsha migrated from Eastern Cape, and continue to maintain close links to rural areas. According to the population census of 2011, Khayelitsha which means 'new home' in Xhosa has been home to a population of about 400,000 people with one half of them living in formal houses and another half in shacks mainly in informal settlements rather than backyards (Seekings (2013).

Khayelitsha is one of the largest townships in South Africa and by neighbourhood, as defined by Statistics SA, "it comprises 28 "sub places", each of which comprises a large number of distinct enumeration areas. For example, the sub place Ikwezi Park comprises 71 enumeration areas, of which thirteen of these sub places accounted for almost the entire population"

(Seekings, 2013:4). The 2011 census data permitted Seekings (2013) to divide Khayelitsha into its three police precincts: Khayelitsha, comprising the northern and oldest parts; Lingeletu West, comprising the central area; and Harare, comprising the eastern and southern parts. My data was collected in Town 2 which includes Mandela Park, Harare, and Endlovini, Site C which includes the B section and BT section, an informal settlement of site C and site B or Town 1 which includes Victoria Mxenge and Nonqubela. These specific research sites were not predetermined but were rather a result of the residential location of my snowballed participants.

To further illuminate these subplaces, below is a map adopted from a *Report for the Commission of Inquiry into Allegations of Police Inefficiency in Khayelitsha and a Breakdown in Relations between the Community and the Police in Khayelitsha* prepared by Jeremy Seekings (2013:27):



3.3 Data Collection Technique: The Interviews

This study adopts face-to-face in-depth interviews as a data collection technique to help the researcher explore the ways in which fatherhood is regulated through the customary practice of intlawulo or ‘paying damages’ among Xhosa speaking Black South African fathers living in Cape Town. In-depth interviews are the most suitable data collection technique because the study is interested in mining information on participants’ perceptions, experiences, feelings, and opinions (Ritchie & Lewis, 2003; Punch, 2014) about intlawulo and father involvement. Also, knowledge about intlawulo and fathers’ involvement is personal, situational as well as

contextual, and many qualitative researchers consider interviews to be a social situation just as any other interaction (Manson, 2002). Besides, the nature of the project's aim, which is to deepen our understanding of the level of complexities involved in negotiating fathering and its cultural conditions, can only be adequately addressed by conversing with participants. In other words, they "enable you to collect "rich" data, data that are detailed and varied enough that they provide a full and revealing picture of what is going on" (Maxwell, 2005:110).

Some topics covered in the interviews included the process and meaning of intlawulo, fathering norms and practices as well as father involvement after the intlawulo negotiations among many other topics.

3.4 Sampling strategy: Study Participants and Recruitment

The sampling strategy adopted for this research project is purposive sampling through snowballing. Purposive sampling can be viewed as a deliberate choice of an informant due to the qualities in what the informant possesses. Purposive sampling permits the researcher to decide the sorts of characteristics participants needed for the study should possess (Etikan *et al.*, 2016). This is because; purposive sampling strategies are designed to enhance understandings of selected individuals in the population (Devers and Frankel, 2000). Researchers use purposive sampling to select participants who will provide the greatest insight into their research study.

Purposive sampling is the most suitable sampling strategy for this research study because it had a set of criteria that participants had to satisfy before participating in the study. To participate in this study, the participant must be an 18 years and older Black Xhosa speaking South African man, raised and still residing in Cape Town, South Africa. Additionally, he must have become a father as a result of impregnating a woman out of wedlock and in less than 5 years ago, must have gone through the intlawulo negotiations and process. Finally, the participant must be employed. All the eight interviewed fathers fully satisfied this criterion. This is a small sample that should be treated with caution but enriches the presentation of the findings. This is because, aside from time constraints that are a part of a smaller research project, the study is interested in depth rather than breadth of experiences, and a small sample of eight will allow me to go deeper with each participant to uncover the meaning of intlawulo and father involvement in more detail.

However, because I did not have a readily available sample of potential participants, I had to rely on the technique of snowballing for the recruitment of participants for this study. To

employ the snowballing technique, I had to appeal to an interviewed participant to refer me to another father they might know who falls within the study criteria. In the appendix, I have included a short biography of each participant. In summary, all men were between the ages of 20-40, they were all employed, most of them were single but two were married.

Table 2: Brief factual background describing Research Participants

Below is a brief description of the research participants. The names of the participants have been changed to protect their identification.

Pseudonym	Age	Marital Status	Job type at time of child's birth	Current Employment status	Current Income per month	Intlawulo fine (per child)	Place of residence	Place of birth	Highest level of education	Number of children & age
Aphiwe Matyeni	32	Married	Waiter	Tool Maker	R7500	R7500 Waiting ¹	Town 2, Khayelitsha	Mount Frere, Eastern Cape	Post- matric (toolmaking)	2 children, 5 & 1 year
Xolani Bonbe	30	Single	Credit Associate	Garage Admin	R9600	R7500	Site B, Khayelitsha	Khayelitsha, Cape Town	Matric	1 child, 3 years
Shaba Mosalaza	33	Single	Gardener, Painter & Car wash	Transportation business owner		R6000 R5000 waiting	Site C, B section, Khayelitsha	Tsolo Village, Eastern Cape	Tertiary (education)	3 children, 4, 2 years & 4 months
Thandisizwe Nkhane	28	Single	Sailor/Navy	Sailor/Navy	R15000	R8500	Site C, B section, Khayelitsha	Potchefstroom, North West	Matric & navy training	1 child, 6 years
Nyambe Bulana	31	Single	Student & paid volunteer	Technician	R25000	R7500	Site C, B Section, Khayelitsha	Tsolo village, Eastern Cape	Tertiary (Electrical engineering)	1 child, 5 years
Victor Bixa	29	Single	Agent at a Car Dealership	Truck Driver	R6000	3 cows R3000	BT section, Khayelitsha	Mount Frere, Eastern Cape	Matric	2 children, 12 & 2 years
Themba Dutyulwo	38	Single	Community Mobiliser	Patient Navigator	R7500	R5000	Harare, Khayelitsha	Queenstown, Eastern Cape	Matric	1 child, 5years
Israel Mangwana	38	Married	Community Mobiliser	Community Mobiliser	R7000	R5000	Harare, Khayelitsha	Qumbu, Eastern Cape	Tertiary (Environmental Management)	4 children, 5, 8, 11 & 14 years

¹ Participant is waiting for his child's maternal family to approach his family. According to Xhosa culture, it is the child's maternal family's responsibility to initiate intlawulo discussions with his family.

3.5 Data analysis Technique: Thematic Data Analysis

This research study adopted a thematic data analysis approach to make meaning of the qualitative data to be collected from the in-depth interviews. This approach is the most suitable method to analyse the collected data for this study because of the following reasons:

The sample is specific, it consists of men who became parents before marriage and have experienced in-law negotiations and the interview questions are driven by these criteria and the overall research questions. Participants' experiences, perceptions etc., were analysed using thematic data analysis method because it focuses on generating meanings and concepts from data.

Thematic data analysis requires that the collected data is organised into smaller and more condensed elements or reduced to core themes and meanings. To achieve this, I first had to read the transcribed interviews to familiarise myself with them in order to generate codes that would help me to generate ideas and theory. Assigning descriptive codes to units of the data within the interviews allows me to thoroughly engage with the data by grouping it into themes that are guided by the study objectives but also constructed according to issues raised in the interviews. To ensure that I deducted relevant meanings and codes, I coded the transcripts before writing descriptive accounts behind the data. I manually numbered each line in the transcribed interviews and grouped lines that speak to the same code together. To get to the theme of financial provision of care for example, I grouped every data that spoke to this theme together. I then looked across this data and broke the theme of financial support further. I created sub-themes by grouping data speaking to experiences and meaning for example together.

3.6 Fieldwork challenges and ethical Considerations

As with all social research, there are always fieldwork challenges and ethical considerations. I detail these briefly below.

The main problem experienced during the research was that of access to the sample. When proposing this research study, I was of the belief that limiting my sample to fathers in Khayelitsha would present me with a plethora of a readily available sample particularly because Khayelitsha is one of the largest Black populated townships in South Africa. To fully pursue this thesis objective, I had to speak to at least 10 fathers at the minimum but due to lack of access, I only managed to interview 8 participants. This is a small sample and should be treated with caution.

I believe that my positionality as a researcher further contributed to this lack of a readily available sample. Khayelitsha is one of the most unsafe areas in Cape Town and as such, my safety as a young Black foreign woman is not guaranteed. At the time of this study, there were outbreaks of xenophobic attacks in some parts of the country as well as the death of Uyinene Mrwetyana, a first-year UCT student, whose body was dumped and discovered in Khayelitsha. Hence, for my own safety, I could not visit the research site on my own. I relied heavily on a local resident of Khayelitsha who is a Research Assistant within CSSR for my data collection. Additionally, having a Research Assistant was vital in my data collection process because not only did he accompany me during my fieldwork, he also assisted me with finding the 'snowballed' participants as well as making arrangements with them for my interviews.

Finally, prior to my data collection, I imagined the language barrier to be a limitation due to my positionality as a non-Xhosa speaking individual. On the contrary, communication was not a challenge perhaps because of my purposive sampling criteria. Although I was interviewing Xhosa men, English was the main medium of communication and all the interviewed fathers were fluent in it.

All research studies conducted within social science involve *ethical issues* because they involve collecting data about people from people (Punch, 2005). It is therefore fundamental to anticipate and consider some of the ethical issues that might arise during the research and consider ways of dealing with them. Hence, in a research project, I outline some of the ethical issues I considered in this study below:

Parenting practices particularly for people who became parents out of wedlock is a sensitive topic as it delves into sensitive matters of the interviewed individuals' lives. Thus, interviewers might be intruding into their intimate lives. Conducting such an intimate study might involve dilemmas and conflicts which require negotiation and reconciliation rather than an application of rules. Hence, before starting the interview, I had to thoroughly brief participants about the research topic to ensure a smooth proceeding of the interview. This helped in ensuring that participants fully understand the topic, which also helped me to ask questions in a manner that accommodates the meanings and interpretations that they had attached to this research topic. This inevitably helped me to accurately and thoughtfully capture and represent their experiences.

Additionally, I am fully aware that my positionality and experiences might potentially be considered researcher bias and subjectivity danger. This is because I come into this study with some predetermined ideas about intlawulo and father involvement, which makes me a part of the world that I am studying. To minimize my bias in this study, I ensured that I avoided asking leading questions in the interviews. According to Maxwell (2005), it is difficult to deal with these threats by simply eliminating the researcher's predetermined ideas and beliefs about inhlawulo and father involvement. Moreover, the aim of qualitative research is not to minimize or eliminate researchers' values and expectations they bring to the study (Maxwell, 2005), it is rather about understanding how a researcher's positionality might be influencing the conduct (such as asking leading questions) and conclusions of the study, which eventually affects its validity. I did this by acknowledging my identity as a mother who had her child out of wedlock and has experienced the process of 'paying damages' through my child's father. My acknowledgment further when participants shared their experiences especially on child care and it resonated with me, I shared my experiences with them as well. Besides, I did not go into the interview trying to confirm my understanding of or affirm my experiences of the customary practice of intlawulo but rather to understand the interviewed fathers' experiences, understanding, and perception of intlawulo and its influence on their involvement in their children's lives.

Also, I observed certain ethical obligations such as gaining full consent from my participants before conducting any interviews with them. Aside from my Supervisor of whom I only discussed the collected data and the findings, I did not disclose details of the data or the research project to anybody, except when provided with express permission to do so. I also maintained the participants' privacy and anonymity; protecting participants by ensuring privacy, anonymity and confidentiality is every researcher's ethical obligation. I did so by keeping the data in a secure location and by also changing the interviewees' names when discussing their responses in the research report.

Additionally, I ensured that the study did not cause any harm or put participants at risk. Besides, the interviews were all conducted at a place convenient and recommended by the participants. The research project is worth exploring because they rather help fathers to think of more means of getting involved in childcare after the intlawulo negotiations.

Chapter Four: Becoming a father: understanding fathering as a process

This chapter begins by first describing the practice of the customary practice of intlawulo as experienced and understood by the sampled fathers. It then proceeds to interpret its meaning and reveals a picture of becoming a father as a process rather than just a mere biological transition. I argue that if fathers do not perform this crucial cultural practice, there is very little chance of mothers and fathers living together or relating or participation of the father or the paternal kin in caring for the child. Nonetheless, performing this customary practice will not guarantee co-residential status in many parts of African communities as living together is mostly practiced and acceptable upon marriage and following lobola negotiations. It is this early stage of becoming and being able to be a father through intlawulo that serves as a gateway for a man to being a father.

With the exception of two fathers who are still waiting upon the woman's families to approach their family, all the sampled fathers have paid and some are still paying off their intlawulo fine of at least five cows, a minimum standard charge according to Xhosa culture. According to the data collected, each cow is equivalent to R1500, and all of the participants, with the exception of Victor whose father actually paid cows in the Eastern Cape, paid their intlawulo fine in monetary form. The most dominant method of payment among the participants was a non-fixed instalment plan which is payable over a period of 12 months or more depending on both families' agreement.

All of their children are using their mothers' surnames as the payment of the intlawulo fine does not automatically translate to total paternal ownership of the child and so does it not buy them the option for their children to use their surnames. According to the participants, for a child to adopt their surnames, they must earn this right by paying lobola. One father is waiting until the child is old enough to decide if they would like to adopt their father's surname but this process would involve several other customary practices.

Additionally, with the exception of Thandisizwe who lives with his daughter and her mother, they are all non-resident fathers. Aside from Aphiwe who is married to a different woman, all the participants are still in a relationship with their children's mothers and are currently thinking of paying lobola so they may be married to them. They are all financially maintaining their children and are in regular physical contact with them. They all reported their experiences of co-parenting to be satisfying with minor challenges relating to their

desire for more hands-on fathering or physical contact. All fathers identified not living with their children as the main hindrance to this version of fatherhood.

Finally, all the participants featured in this study are educated and employed or running their own businesses. This study, therefore looks at fathers who have the capacity to fulfil their role as economic providers, which according to Khunou (2018:72) is a normative conception of fathering within many African families and choose to do so but yearn for a fathering experience beyond this norm. In other words, this research study reveals a purposive case of black fatherhood: a case when all circumstances to become a father are met. The data collected from this purposive sample reveals a story rarely told about black fathers. This is a story of African fathers who are hands-on fathers with the capacity to perform the conventional and aspirational aspects of fathering.

4.1 The Negotiations and Process of Intlawulo

When a man impregnates a woman out of wedlock, the process that follows thereafter varies from one family to another and from community to community as well as from ethnicity to ethnicity. Therefore, in as much as this study aims to depict the process of intlawulo in the Xhosa culture as practiced in an urban environment like Khayelitsha, there are refined variations from family to family. However, according to the data collected, the following steps form the intlawulo negotiations and process within the Xhosa culture:

4.1.2: Step 1: Initiating Intlawulo discussions

According to the sampled Xhosa men, it is the responsibility of the pregnant woman's family to initiate intlawulo discussions. Her family must approach the family of the man responsible for the pregnancy to report the case. According to the participants:

'Her uncles have to come and report it' Aphiwe & Thandisizwe if the woman or her family does not initiate the negotiations, the woman can either conceal or deny the father access to the child. This can happen for a range of reasons and only talking to mothers and maternal kin would I be able to speculate the ways in which women participate in the practice and exercise agency in that regard. Once the woman's family decides to initiate the discussion, there are no women involved in the intlawulo negotiation. The discussion delegation consists of only male representatives specifically fathers, uncles, and sometimes brothers from both the man's and pregnant woman's family. Nyambe further confirms this when he says that *'she came with her father, her uncle and her young brother – all men!'* Besides, in

the isiXhosa culture, “*when you are pregnant, it’s not your mum that’s going to come with your family, it’s going to be your uncles and your dad and sometimes your brothers, they are going to talk about you*’ Victor adds. Xolani’s description of the process of intlawulo in which the pregnant woman’s family initiates discussions as he experienced it further confirms it. He says that;

‘She will be taken to the boyfriend’s family to find out and they will come very early in the morning, even before you even wake up, you will hear the knock, then you will hear ‘we are here with this particular girl, they call her name and is so and so here? Is [Xolani] home?’ and then they say yeah he is home. then they will go and wake up. If you are sleeping outside, they will go and wake you up and then you come and gather your elders, your fathers, your uncles, if you don’t have uncles your brothers. You gather the elders of your family - the males of your family.’

Aside from Themba who was trying to know the sort of people her uncles were and how much he could be charged, many of the sampled fathers did not even discuss the intlawulo process with their children’s mothers because *‘in their culture women are not involved at all so there was no need to discuss it’ Nyambe*. This moment of interaction in the intlawulo negotiation reveals potential power dynamics and gendered consequences of the practice. Some people might view the pregnant women’s absence at the intlawulo negotiation table where she remains the centre of the discussion as gendered and patriarchal. However, the woman can also inform her elders of what she expects from the negotiations. Moreover, in some cases, negotiations take place over time, and elderly women can be updated during the process as described in Aphiwe’s case where his girlfriend’s mother had the final say regarding the fine that he must pay. This supports and illustrates the argument about women and their families holding certain powers in the intlawulo process and negotiations. It is evident through the power of the present absent or the invisible power that women can hold. This is because according to Aphiwe *‘even though she doesn’t get to sit in the negotiations, she still decides’* on the final amount the man ought to be charged. In other words, although she does not sit at the negotiation table, she still holds the power to influence the progress of the negotiations and in Aphiwe’s case, his girlfriend’s uncles had to consult with her before agreeing to anything as they were representing the interests of her only surviving parent i.e. her mother. Aphiwe says that *‘they came to us to report and then they negotiated and then they went back to the mother because the final decision must be the parents.’* It took approximately 1 week for them to get back to his family before the intlawulo process would proceed to the final step of making the payments. A more detailed investigation of the process and the involvement of female members of the maternal and paternal family would be required to elaborate on these findings. When analysing the moments of interactions while

thinking of the gender dynamics involved, we have to consider the negotiations as a site, people involved and the calling of the negotiations. These are different parts of the intlawulo negotiations and process which reveal various gender and power dynamics. When looking at negotiations as a site, men indeed hold the power but just because women are not present at the discussion table does not mean that they are not involved in the intlawulo process at all and do not hold any power. Moreover, the purpose of this quote is not that women are not involved but rather reminding us that there are other people involved in the negotiation that a man needs to relate with in order for him to have a relationship with his children. It is about families coming together not just a man and woman coming together to have a child.

Besides, intlawulo is a process-based and so is becoming a father and the customary practice of intlawulo is an entry point where fathering can either be denied or facilitated. Many African customary practices such as intlawulo are about opening up family connections, starting, building and maintaining relations and women play a vital role in facilitating this process which shows that they hold power. For instance, in Nyambe's case, his girlfriend's mother is the one who noticed the pregnancy and gathered the family for the negotiations even though she was not present at the discussion table, which outlines the key role of the maternal grandmother in the process. Pregnant women and their families hold the power to call or not call the negotiations which is pivotal to the intlawulo process. Equally, a woman might choose to or not reveal the identity of the man responsible for her pregnancy to her family which is another way of enacting power over the father of her child.

Additionally, in the Xhosa culture, the intlawulo process often only takes place after three months of pregnancy. Thus, the pregnant woman's family has to wait until after three months before initiating intlawulo discussions with the man's family. All the sampled fathers only had their intlawulo negotiations three months after discovering that their girlfriends' were pregnant. According to their knowledge:

'three months you are out of risk, so it is a right time to be taken to the boyfriend's family' Xolani

Victor then raises a very interesting question that needs further exploration; *'So, if they can come to my place within the 3 months, then I pay for the whole damages and then she gets the miscarriage, then what?'* Indeed, what then happens in the circumstance that the woman miscarries? Do the families involved proceed with intlawulo negotiations carry on with the process? Moreover, women can also choose to terminate the pregnancy before the pregnancy is known to either their family or the father or the father's family.

This first step is vital in getting intlawulo conversations between the two families involved started. So what then happens when the pregnant woman's family does not approach the family of the man responsible for the pregnancy? In the case where the family does not report the pregnancy to the man's family, absolutely nothing happens as this is the first step towards intlawulo. The man's family can only wait until they are approached by the pregnant woman's family. Aphiwe has not yet had his intlawulo discussions for his last born because *'unfortunately, the parents didn't come to report'* he says. This further supports that argument that women hold the power to call or not call for negotiations which is vital to the intlawulo process and a father's entry to fatherhood. The pregnant woman and her family have the dominant role to play in getting the conversation started. When I asked him what this meant in terms of intlawulo, he said that *'then there is nothing that I am going to do. I am not going to volunteer and go and pay intlawulo. They must come. That's how it's done'* Aphiwe. He says that *'they [pregnant woman's family] can come at a later stage'* when they are ready but until then, the intlawulo process cannot take place.

Similarly, Shaba is equally waiting upon the family of his last-born child to approach his family but he is planning on negotiating for both damages and lobola for Nile. He says that combining the two is much more affordable. He is clearly strategizing and thinking ways through which he can navigate this to not only afford it but to also recognize the importance of going beyond the payment of damages. Evidently, the men are not also just bystanders; they are clearly influencing their families and strategizing in preparing to respond to the meetings.

4.1.2: Step 2: The acknowledgement or denial of paternity by the potential father

This is a very crucial stage in the customary practice of not only intlawulo in the Xhosa culture but the general practice of 'paying damages' among many African communities across Southern Africa. This is the stage where the acknowledgement of paternity is either acknowledged or denied by the man identified to be responsible for the woman's pregnancy. The man is called in by the representatives to answer a couple of questions. It is important to note that the man responsible for the pregnancy does not fully participate in the intlawulo negotiations nor does he have any influence on the outcomes. Nyambe confirms this when he shares his experiences saying:

I wasn't even involved in the talk but you know it's similar to the process of lobola when it's been paid, families have to come together and present the case and talk. My uncles had to come to discuss with her uncles and decide on the number that I must pay.'

According to Aphiwe *'the first question they ask is do you know her? They mean did you make her pregnant? So, if you know that you did not you say no, if you know that you did you say yes. And then they take it from there.'* Most men identified as potential fathers across Southern Africa are asked this question before proceeding to the next segment of the intlawulo process. The remaining steps in the intlawulo process are dependent on this particular phase of the intlawulo process. This is because, should the man deny paternity of the unborn child, the negotiations are immediately adjourned. The intlawulo negotiations can only proceed if the potential father's answer to the above-stated question is yes. Once they get a positive response from the potential father, then they proceed to ask him questions relating to marriage and intlawulo fines such as:

'Do you want to make her your wife? Or do you just want to pay the damages?' says Aphiwe. Should the man *'just want to pay damages, then they negotiate how many cows for the damages'* Aphiwe explains. The man is then released from the area where the discussion is taking place while the two families proceed to the next step which is the intlawulo negotiations. When it comes to gender dynamics and power, this moment of interaction is more challenging for the woman and her family. The woman and her family have taken the first step and initiated the discussions but the power of proceeding to the next step lies in the man's court. They are particularly more vulnerable because of the man's ability to deny it and easily get away with it as well as the responsibilities involved. In the court within the judicial system, there are particular ways of verifying paternity and a woman can request for a DNA to be conducted to determine the paternity of the child and the woman can make child maintenance claims thereafter, which is not the case within customary law particularly in relation to intlawulo. There are no particular ways of verifying the paternity of the child within the process of intlawulo when a man denies the responsibility of impregnating a woman.

Additionally, there are moral implications on the pregnant woman and her family when a man denies paternity, which goes back to the argument about the gender and power dynamics in this moment of interaction that leaves the woman vulnerable. According to Victor, *'when you say I know this girl and I am the one who made her pregnant, you are giving dignity to the woman.'* Therefore, when a father accepts paternity, there is a restoration of a woman and her family's dignity and respect as well as her womanhood. Conversely, there are several interpretations to a man's denial of paternity but the most common is one that has to do with

the moral assessment of a woman. When a man denies responsibility for her pregnancy, it means that the woman is sexually loose in that she engages in sexual intercourse with various men.

Nonetheless, the other aspect that this moment of interaction reveals is responsibility: when a man denies paternity, it means that the child belongs to the woman's family, which means that the woman and her family are responsible for the child. This moment of interaction can also serve as a testament to the man's character as a father. It gives the woman and her family the opportunity to assess the kind of father the man will become. The test allows the woman to assess whether the man would be a responsible or irresponsible father. In other words, although the child belongs to the woman's family until marriage, acknowledging responsibility is vital and this step gives the woman and her family a sense of direction in terms of whether or not the man will partake in this responsibility.

4.1.3: Stage 3: The Intlawulo fine negotiations

This is the final phase where the actual intlawulo fine negotiations take place. This is where both families meet to discuss the intlawulo fine that the man responsible for impregnating a woman out of wedlock will be charged. The pregnant woman's family agrees on a certain amount to be charged prior to the negotiations. In this discussion, they then inform the man's family of the fine and then the fine negotiations begin. Most of the participants were charged the standard according to the flexible customary law applied by the families of the sampled Xhosa fathers in Khayelitsha. The minimum standard charge according to Xhosa culture is 5 cows. The customary practice of intlawulo has therefore evolved with time and geographical setting. Even though Xhosa people are maintaining the charge in terms of cows, the cows are consequently converted into monetary value. Aphiwe confirms this when he says '*but now we are in Cape Town we pay cows as cash.*' In modern intlawulo practice, each cow is priced at R1500 which adds to a total of R7500 for the standard charge of 5 cows. Participants confirm this when they say:

'My girlfriend's family told me that in their culture [Xhosa] if I did what I did, I pay 5 cows.'
Nyambe

The discussions surrounding the damages are known as negotiations because the man's family is given an opportunity to negotiate the damages that the woman's family determines. However, the family will keep their eyes on what is at stake particularly in terms of the woman and the family's decency and respect, and walking away with anything below the minimum would mean changing the value of woman and family's standing. Hence, while the

man's family has the opportunity to negotiate, the woman's family will be thinking of walking away with the bare minimum or more. On the other hand, the man's family will be thinking of negotiating for the lowest charge. Therefore, the final fine that the man responsible for impregnating a woman out of wedlock ends up paying really depends on the negotiating power of his family. In other words, because they are all aware of the dominantly charged intlawulo fine, the man and his family discuss how much he can afford and since he is not involved in the intlawulo negotiations, it becomes the responsibility of his family to negotiate the damage on his behalf. Some of the participants confirm this by saying:

'I wasn't even involved in the talk but you know it's similar to the process of lobola when it's been paid, families have to come together and present the case and talk. My uncles had to come to discuss with her uncles and decide on the number that I must pay.' Thandisizwe

Nonetheless, every intlawulo experience is different depending on the families involved. For some, the negotiation process can take more than just one meeting or discussion. This is because both families have to come to some sort of agreement on the fine charged and sometimes it might not be as smooth as expected. Also, because the man's family would often negotiate for a lesser fine, the pregnant woman's family might not have enough time to consult each other about the negotiated fine in the presence of the man's family. Hence, they might request that the meeting be postponed to a later date.

4.1.4: Final Step: The Payment of the Fine

The intlawulo process is concluded when the intlawulo fine is paid off in full. Once the fine has been negotiated, the man then needs to make the payments to the pregnant woman's family according to the negotiated payment plan and amount. Once the fine has been made, the intlawulo process is then considered as complete.

The most dominant method of payment within Xhosa culture is a monthly non-fixed or flexible instalment plan which is often payable over a period of 12 months or more depending on both families' agreement. However, the first cow is compulsory and the man responsible for the pregnancy is often given a specific date when this payment ought to be made. This first cow is referred to as *inkomo yobulungaa* meaning a cow that reconciles which supports the argument about intlawulo opening up relationships between families Israel's own words, *'it's about creating relationships between the two families so that you can have access to your child and be involved in their upbringing.'* Themba agrees with Israel and says that intlawulo *'is the way of creating a relationship with that family so that when you need to see your child, you will not have to stand on the street waiting for the mother to bring the child to you, but*

you have the right to say I am coming on Saturday, can I get my child there won't be any problems.' The most common intlawulo fine is 5 cows which according to the data collected seems to be the standard charge in Xhosa culture within Khayelitsha.

Nyambe, Xolani, and Aphiwe were all charged the standard fine of 5 cows valued at R1500 each and amounting to a total of R7500 according to modern intlawulo practices. Nyambe says that he was charged this amount because his girlfriend's family is originally *'from Nombo, Eastern Cape and that is their standard and the first cow is compulsory.'* He was given a month to pay off the compulsory cow *'then the rest was in instalments but still on a monthly basis though.'* It took him 7 months to complete paying off his intlawulo fine. Aphiwe on the other hand split his standard intlawulo fine into half and paid the first half at the negotiation table and the other half a month after. As a result, there was no discussion of the first compulsory cow payment in his case. He describes how he found the intlawulo process to be *'smooth. There were no arguments or whatever, it was very smooth.'* Xolani however has currently just paid R1500 for the compulsory first cow and is still paying off the balance.

Nyambe believes that *'when you impregnate a girl, it means you have disrespected her parents so you have to pay'* to restore her dignity and that of her family. Xolani agrees with Nyambe as he equally believes that the first cow is compulsory because it signifies the restoration of the pregnant woman's and her family's dignity, pride and respect because *'once you impregnate a girl, you have disrespected her father's wishes and robbed him of his dignity and pride.'* According to Xolani, the first cow is referred to as *ubuso bentombi* which directly translates to *'break woman's virginity.'* Xolani agrees with Xolani about the significance of the first cow and intlawulo at large. He says that *'as a Xhosa man, I need to do it. It wouldn't be alright if I don't do it. Even if I take 100 years, it doesn't matter but I must do it as a respect to your family.'* The supports the argument that the process of becoming a father is not individualistic but communal and that fathering is not about the father-child dyad, or the mother, father-child triad, but rather involves multiple social actors from both families and that the process of intlawulo facilitates the opening up, building and maintaining of relations between both families.

The rest of the sampled fathers were charged differently. Shaba was charged R6000 for his first son, Olumiyo, and has completed paying damages over a period of two years and is still paying off the R5000 he was charged for his second-born son, Thando. He experienced his

first intlawulo process to be challenging while his second to be smooth because of the expectation from the woman's family that he was going to marry their daughter. Seemingly *'there is always that assumption that once you make someone pregnant, you will marry her. There is that hope that one day you might want to take the mother as a wife'* argues Themba. Interestingly, because of this marital expectation from the woman's family, Shaba was charged less, possibly because of the belief that more money would be paid to the family in the form of lobola shortly after the intlawulo negotiations. Hence, although Shaba happens to be in a better financial circumstance at the time of his child's birth, he was charged less as an incentive for him to marry the woman. Although not as an incentive for marriage, Themba and Israel were also charged R5000. It took Israel two months to pay off his intlawulo fine. He initially paid R2500 at the negotiation table and the remaining half was paid in the following month. Israel found the intlawulo process to be straight forward. He says that *'it was a straight forward discussion because they [both families] knew what they wanted.'* Themba equally found the experience to be smooth and fortunately for him, his child's mother's family was so flexible and accommodating. He says that *'they were giving me enough time saying no no don't rush take your time. Just call us when you are ready.'* Although he did not pay in instalments, it took him six months to raise the funds to make his off intlawulo payments. When he finally managed to raise the stipulated amount within the six months, he informed his child's mother to inform her uncles that he is ready to come. Themba found the experience to be smooth and relaxed as they did not expect him to pay off the money immediately. Themba believes that the R5000 that he was charged *'is a bit of a big discount because it used to be a cow and if culturally we can stick on that, it would be way beyond that. You know how much is a cow right now?!'*

Interestingly, Victor's first experience of intlawulo was in the Eastern Cape. Hence, unlike the other participants, his intlawulo fine of 3 cows for his first child was not converted into monetary value. The cows were immediately paid off from the herd of cows that his father had in the Eastern Cape. Victor's father supporting him with the payments of intlawulo further supports the argument of the process of becoming a father been a communal process rather than an individualistic one. Besides, at the time Victor impregnated the mother of his child, he was neither financially capable of taking on the financial responsibilities of a father nor was he capable of paying off the intlawulo fine without his father's assistance. He was a 17 year old teenager doing matric. Hence, getting support from his father therefore was

necessary. However, for his second child who was born in Cape Town, Victor was charged R7500 and has so far only paid R2000.

Thandisizwe on the other hand was charged the most in comparison to the other seven fathers featured in this study. He was charged R8500 for damages of which he paid off immediately at the negotiation table as he was already employed in the navy, earning R15000 per month at the time of his daughter's birth. Thandisizwe also found the experience to be smooth particularly because he was not concern about the amount of money that he was going to be charged. This is probably because he was financially capable of paying off whatever fine stipulated at the time of the negotiations. Thandisizwe confirms this by saying that *'they could have gone higher, I think it wouldn't have been a problem. I would do anything for the kid even if they said R10k I would have probably paid it off.'* This suggests that he was prepared and was in a good financial circumstance to immediately pay off any stipulated amount that the woman's family demanded like he did and did not need to make use of the flexible instalment payment plans that the other fathers used to complete their payments.

Clearly, the intlawulo process is flexible when it comes to payments. It can be adjusted, accommodated, and recreated depending on the specific circumstances and beliefs of the families involved (Nkani, 2017). Interestingly, there are no facilitators involved in gatekeeping intlawulo payments. In many customary practices within African communities, men often are not held accountable for what happens beyond the formal family meetings. For example, once the intlawulo fine has been negotiated and a concession has been reached in the formal meeting, I speculate that it is left to the man to decide on how to split the total amount across the given payable period. Therefore, even though the pregnant woman's family might agree that the fine needs to be paid every month, they are not aware of the actual amount that they will receive per month. The flexible instalment payment plan gives the fathers the freedom to make that decision according to what he can afford in that month.

4.2 Understanding the Customary Practice of Intlawulo

In what follows, I unpack the significance of the customary practice of intlawulo as experienced and understood by the research participants. It begins by discussing the factors that might often influence the intlawulo fine then progresses to discussing the meaning of this fine and finally addresses the question of surnames for children born out of wedlock.

4.2.1 Factors determining the intlawulo fine

Historically, a woman's virginity as a perceived indicator of her morality plays a fundamental role in determining the damage or fine a man responsible for impregnating her would pay particularly among the Zulu culture in South Africa. Many young women are still strongly encouraged to keep their virginity until marriage as it symbolizes respect to elders and authority figures especially parents (Nkani, 2017; Blake, 2017; Hunter, 2010; Scorgie, 2002). Besides, "despite the changes in cultural and gender norms, virginity remains prized among AmaZulu's and is associated with fetching a higher price for bridewealth" (Nkani, 2017:112 citing Hunter, 2010) and in this context a higher inhlawulo (isiZulu). Thus, the purity and virginity of a young Zulu woman is critical to inhlawulo negotiations, as it determines the amount that the man responsible for impregnating her will be made to pay. However, this research reveals a different pattern among the Xhosa people of Khayelitsha. When the sampled fathers were asked about the factors that determine the intlawulo fine, none of them mentioned virginity. Even after further probing, most fathers believe that it does not necessarily determine the fine. However, according to Aphiwe and Nyambe, a woman's virginity can be used to determine the fine if her family were aware of her virginity before she became pregnant.

'if you made the girl pregnant while she was a virgin and her parents knew about it.'
Aphiwe

Therefore, if this happens to be the case, then *'surely those cows won't be 5. There are more cows to pay and each cow is gonna be more expensive'* adds Nyambe. This suggests that the woman's family can indeed use virginity to negotiate a higher intlawulo fine as *'they will claim that you broke her [showing breasts]. So, first it will be for breaking, then she was untouched – there is a cow for that one and then there will be the rest plus the standard 5 cows. It would go up to maybe 8 or 9 cows'* argues Nyambe. Xolani agrees with Nyambe and explains that *'in Xhosa, they would say intombazana yethu yophuke ibele, yonzakalisiwe apha'* which directly translates to *'our girl has broken a breast, she was harmed here.'* According to Xolani, this implies that *'she is not a virgin anymore and even though she wasn't a virgin, she is not a full girl anymore now because she is pregnant and her breasts have fallen.* Although it is often referred to as a fine connoting punishment, the process is centred on reconciling and connecting the man and woman's family together and building relations among them. Thus, as already alluded to intlawulo facilitates a man's entry into fatherhood since in Israel's words, *'I am not going to pay and disappear. I will need to come back and support the child'* and for him to successfully be involved, he must be introduced to the woman's family. Therefore, if

intlawulo was a punishment, then most men would pay it and disappear which is not the case for all the sampled fathers in this study.

Nonetheless, although virginity wasn't the major determining factor among the sampled Xhosa speaking fathers of Khayelitsha, they do acknowledge that virginity has the potential to play a crucial role in determining the intlawulo fine. Interestingly, although the man's male representatives report to the woman's home with the aim of negotiating for the lowest fine as discussed in 4.1.3, it seems as though once the family confirms their awareness about her virginity, it is not negotiated or contested. Virginity is used to fetch a higher intlawulo fine by the woman's family in the same way as it is used in the lobola negotiations. In other words, virginity is of utmost importance to the pregnant woman's family and that they might push the fine up especially if they are aware of her virginity can be used to negotiate a higher fine in many African communities.

However, the man's family might also use the lack of virginity prior to having intimacy with their son to obtain a lesser charge. This is because closely linked to virginity, are the character, value, purity, and moral assessment of the pregnant woman which goes beyond her sexuality. Virginity is neither only indicative of a woman's indulgence in sex nor is it only restricted to the assessment of her sexual activities, rather, it is used to assess her reputation, conduct, and character in society, the kind of company she keeps etc. This is supported by Thandisizwe when he says that *'intlawulo is a little bit similar to ilobola. They said she's beautiful. She only had 2 boyfriends in her life. She doesn't move around at night. The community knows her. She conducts herself well and is very respectful.'* This, therefore means that virginity is not only indicative of a woman's ability to preserve her bodily purity but also indicative of her ability to live a morally upright life by upholding societal values and norms as prescribed, defined, or understood by the elders involved in the intlawulo negotiations. Even so, a woman who falls pregnant before marriage is viewed as sexually active and deviant in many African communities despite her virginity. What makes her case unique is the fact that a higher intlawulo fine becomes a reward for maintaining her status quo. All in all, intlawulo is also unmistakably closely linked to the assessment of the value and moral character of the pregnant woman.

Nonetheless, the study on fathers in Khayelitsha reveals other factors used to determine the intlawulo fine. This includes the pregnant woman's level of education, her current

employment status as well as her position within her family particularly if she is the breadwinner. In the voice of the sampled fathers:

'most families charge according to the girl's current status. So is the girl still in school or is the girl working or doing nothing or did the girl finish varsity? I think they charge like that.' Aphiwe

'As for me, they said because the lady had qualifications, and the lady was already well established, so they said to me, you have broken a lot from her so you have to pay for it. In fact they wanted to give me more of a price, so they said they considered the education and the job that she has, what else? Also that she is the only person responsible for the family.' Shaba

Perhaps this highlights the changes taking place in the position of women within some African communities and not necessarily the urbanisation of the customary practice of intlawulo. In Israel's case, for example, both of his children's mothers were working at the time they became pregnant. One of them was working as a Cashier at Shoprite and the other was working with him at Treatment Action Campaign (TAC), a civil society organisations active on AIDS as a Community Mobiliser. Historically, women and young girls in many African communities were traditionally prepared to become wives.

4.2.2 The Meaning of Intlawulo or paying damages

Intlawulo just like lobola means different things for different individuals. This section outlines what intlawulo means for the people involved i.e. the man and his family as well as the pregnant woman and her family.

Firstly, for the man and his family, just like lobola, intlawulo is a token of appreciation to the pregnant woman's parents for raising such a wonderful woman. In other words, *'it is you saying thank you, parents, for raising her; I have got a good wife because of you.'* Victor Thandisizwe agrees with Victor that intlawulo is *'like a sign of gratefulness, to thank the family of the mother for having provided you with the one who has given you this blessing (child).'*

Secondly for the man and his family, paying intlawulo means that they have accepted the child as their own and as a result, there will be a relationship between the two families. In Aphiwe's words, intlawulo is just like *'when you are getting married to a girl, you are combing the two families. I think it's like your family knowing the other family that ok we have a child Thus intlawulo formally introduces the man and woman's family to each other.'* Nyambe agrees that intlawulo is about *'getting to know your family cos the 2 families becomes one.'* Thandisizwe equally agrees that intlawulo is a means of *'families coming together and knowing each other.'* In a nutshell, paying intlawulo means that *'we are a*

family, we have that link now because I paid everything that is why you must pay something so that you have that dignity' adds Shaba. According to Victor, when it comes to fathers' involvement in their children's lives, it is essential for the two families to get to know each other. This is because intlawulo:

'is for peace sake when it comes to the child because even if we fight with the mother of the child, I can go to the house and see my child because everyone knows that I am the father and they know that I paid the fine mos. And even when you have problems, you can phone the family and say we have problems like this and maybe they are gonna help you both.'
Victor

This further supports this study's argument that the process of becoming a father is not individualistic or father-child centred but rather family centred. Intlawulo is a means of introducing the two families together and the sampled fathers acknowledge this imperative communal aspect of the customary practice of intlawulo. Intlawulo acts as an entry point for father involvement in their children's lives because according to Themba, once you pay the intlawulo, 'you can go anytime to visit and ask to get him at least for a weekend or a week if you are off or if you are on leave so you can stay with him and spend quality time with him.'

Thirdly, for the man, intlawulo is a means of taking responsibility for their actions (impregnating a woman out of wedlock) as well as apologizing to her parents for their actions. This can be linked back to the second step where the man acknowledges paternity but extends it by rendering an apology in the form of intlawulo to the pregnant woman's family. In the participants' own voices, intlawulo means:

'Admitting that I am so responsible for my actions and I am sorry.' Aphiwe

'I am sorry, I admit I have wronged you guys, I went there broke every furniture in the house that I was not even supposed to be touching but then I have touched, so I have damaged so I am sorry.' Victor

Besides, in some many African communities, 'when a girl gets pregnant before marriage, it's like an embarrassment, that's why you need to pay the damages. You see – just to take that embarrassment from her' says Aphiwe. Thus, although Khayelitsha is within an urban setting and single motherhood is rampant, this urban life has not changed this perception. In African communities like Khayelitsha, young women are strongly encouraged to keep their virginity until marriage as discussed in 4.2.1. This is because, virginity symbolizes respect to elders and authority figures especially parents, and preserving their virginity is an indication of their good conduct and moral behavior (Nkani, 2017; Blake, 2017; Hunter, 2010; Scorgie, 2002). As a result, discussions about sexuality are very difficult to take place as they are generally closeted and muted. Hence, when a woman gets pregnant out of wedlock, she becomes

reluctant and uncomfortable to disclose any information about her sexuality to her parents. She would rather wait until their parents notice a difference in their appearance (Nkani, 2017:110).

Additionally, in many African communities, including urbanised communities like Khayelitsha, pregnancy out of wedlock is viewed as a shameful event shared within a family. This is because the pregnant woman and her family would have to bare the stigma, shame, and embarrassment associated with unwed mothers, and the concomitant loss of respect in the community (Nkani, 2017:113). Furthermore, the child is often considered to be illegitimate especially when the father and his family refuse to acknowledge paternity since the child is not granted kinship rights into his paternal family (Mvune, 2017; Madhavan, 2010). Therefore, for the pregnant woman and her family, intlawulo becomes a process of cleansing as well as redeeming themselves from this shame and embarrassment of falling pregnant out of wedlock. In the Xhosa culture, this cleansing through intlawulo is achieved when the man responsible for the pregnancy acknowledges paternity and pays the first compulsory cow.

4.2.3 Intlawulo and the question of the child's surname

Although all the fathers have accepted paternity of their children and are in the process of completing their intlawulo payments while others have settled the complete fine, all their children are still using their mothers' surnames. This is because the payment of intlawulo does not automatically translate to paternal custody/ownership of the child. In other words, paying intlawulo does not automatically grant unmarried fathers the power for their children to adopt their surname. According to the participants, for a child to adopt their surnames, they must buy or earn this option through marriage. This section outlines the various ways unmarried fathers can earn this option as revealed by the collected data. The adoption and use of surnames indicate which lineage and clan a child belongs to, as Mkhize and Muthuki (2019, 87) outline

It signifies to outsiders the individual's identity, clan origins, the family dynamics as well as their destiny. In Zulu culture, rarely do the parents of the child name their child; instead extended family members are the name-givers. A name highlights the bearers' historical and social background as well as the circumstances surrounding their birth.

Firstly, a father can attain the privilege of having his child adopt his surname by paying lobola. In marriage, children automatically adopt their father's surname. However, according to Aphiwe, *'if you guys are not married, the child must use their mother's surname.'* When

asked if there was an exception for fathers who have completed their intlawulo payments, he said *'it doesn't matter. The child can only use your surname when you marry the mother.'* Victor and Thandisizwe whose children all use their mothers' surnames agree with Aphiwe. They are both thinking of paying lobola soon not only in order for them to become a complete family but also so that their children can adopt their surnames. Victor bluntly confirms that if as a father, you want your children to adopt your surname, *'you must pay if you want the child to belong to you permanently so that when you want to change the surname from his mother's to yours, you can freely do so.'* This is because completing the intlawulo payments does not automatically buy unmarried fathers the power for their children to adopt their surnames. The woman's family at Themba's intlawulo negotiation unequivocally informed him that *'this R5000 doesn't mean this baby belongs to you. In Xhosa, if you are not married, the child belongs to the mother's family. So we just created a relationship for you and your son'* so that you can freely be involved in your child's upbringing. This further supports the argument becoming a father is a communal or family centred process that involves multiple players and intlawulo serves as a process that facilitates their entry into fatherhood. Speaking from experience and in agreement with the woman's family, Israel further supports this argument saying that:

'Intlawulo is about welcoming you into the family because now you have that agreement that you can come and see the child or take the child for the weekend. I think it's a way to open that space because remember that before that you couldn't come into the house, I was always standing outside but now you can come in spend time, etc.'

The payments of intlawulo therefore, grants the father permission to be involved in his child's life without having to sneak around particularly because of connections made between the families involved through the process of intlawulo which facilitates family relations and a father's entrance into fatherhood.

Secondly, a father can be granted the honour of having his child adopt his surname once his child personally decides to take up his surname. According to the data collected, when a child is old enough, he or she can decide to adopt their fathers' surname. This is the current situation surrounding Victor and his 12 years first-born son, Lihlumise, who lives with his grandmother from his father's side in Eastern Cape. Victor has always wanted his child to use his surname, but could not explore this option because of not being married to his child's mother. Fortunately, this option can now potentially become a reality for Victor because his child *'is old now, so if he wants to change his surname he can change his surname now.'* Nonetheless, this option may only be granted, if he has completed his intlawulo payments.

Depending on the families involved, often when a father has not paid intlawulo, he has no say in the naming of his child nor does his child take up his surname at a later stage. For some male children, adopting their fathers' surname often happens when they reach a certain age where they have to undergo a traditional ritual called *ukwaluka* which includes traditional circumcision. Victor is hoping that his first-born son will change his surname before he is taken to initiation school. He believes that it is important for his child to adopt his name so that he knows his roots. In his own words:

'So that he knows that he doesn't belong to the mother's family but to us. He can't use his mother's surname while I am still here because it's me who is going to take him to initiation school.'

Victor views the attribution of a father's surname to their children as a way of integrating them into their father's family and places them in the family lineage in full relationship with other forefathers or ancestors (Mkhize, 2006). Besides, fathers play a crucial role in making sure that their children know their roots and familiarise themselves with their culture, particularly by taking male children to initiation school once they reach puberty (Eddy, M.M., et al, 2013:20).

However, it also mainly depends on the father's involvement in his child's life as well as his relationship with the woman's family. This goes back to the argument about events and processes following pregnancy been communal because although this is an option that a child involved is permitted to explore and although the father might be in a good relationship with the child's mother, they cannot make this decision without the consent and involvement of her family. Victor can envisage earning this option now that his child is ready for *ukwaluka* because he is actively involved in his child's life by consistently sending financial assistance as well as staying in constant communication with his and his mother's family. The father to Themba's nephew on the other hand cannot explore this option although his child is also ready for *ukwaluka* because *'the father was not involved. He never came here to see the child you know absent fathers'* says Themba. According to Themba:

'this December, he is going to the mountain in the EC, we are taking him as ours. We won't discuss that with that guy [his father] because he has been absent for a very long time and we are here as his uncles, we need to make a decision. We will assist his mother taking him to the mountain in the EC with our culture, out resources.'

This further highlights the communalistic nature of families in African communities and the significant roles that families, particularly maternal families play in female-headed households with non-resident fathers. The role that Themba plays in taking active responsibility for the wellbeing of his nephew demonstrates fathering as a collective social

responsibility of the family (Mkhize, 2006:187). The mother is not left alone because when a father denies paternity in the inlawulo process or when he decides not to pitch when summoned, the burden of care does not fall on the child's mother only but her family as well.

This chapter examined what the customary practice entails and how it was experienced by the participants. So now that they have gone through the practice, does it put them in a better position to be involved in their children's lives? The next chapter shows that as a result of going through the stages of the practice, the possibilities for a man to father, participate in fathering activities, and forge a relationship with his biological children have now opened up. It shows that these possibilities have now become real choices and these fathers have chosen to take up this opportunity by forging relations with the families involved to secure a link to their children. A link they intentionally nurture and develop through their fathering choices.

Chapter Five: Fathering Practices and Being a Good Father

As already highlighted in the earlier chapters, most of the older literature on African fatherhood has overlooked a key component of fathering which is the becoming process and cultural conditions of being a father which is about negotiating fathering with crucial cultural practices. Most of the literature has had a focus on residential and living arrangements and its relevance in relation to child care without examining the cultural conditions of living together and relating. This chapter argues that *intlawulo* is a gateway for him being a father as it opens up the possibilities for him to fathering his biological children. This thesis' sample of employed men, were in the position to become fathers, go through that process, and be there. However, just because they are salaried does not mean they had it easy; they chose to be engaged, and participate in fathering activities with their children because going through the practice turns these possibilities into real choices. It rather shows that their choices are less constrained by financial restrictions. Going through the process mapped out in chapter four meant that the fathering processes could begin to be enabled or unlocked because they had gone through the first steps and began relating with the families involved. Through this process, they were able to be there; they were able to be responsible; they were able to be attentive, and they were able to reflect on how they were fathered and be different from what they experienced from their fathers. They were able to become the kind of fathers that they wanted of their own fathers. Forging a relationship with the mother and her family secured a link to their children, but that link still had to be nurtured, and developed through maintaining these relations.

This chapter in essence is about being a good father and what that means to the study participants. It describes and discusses the sampled fathers' perception of care and good fathering which has influenced their fathering choices and practices. It also describes and discusses their fathering practices in terms of their contact with their children and how they financially, emotionally, and morally support them. The chapter first begins by giving a picture of the fathers, how many children they have, where their children live as well as their relationship with their children, their children's mothers, and her family. It then goes out to discuss the process of becoming a father through relating, being responsible, attentive and different. By so doing, the chapter continues to highlight the argument that becoming a father is a process that requires the opening up and maintaining of relations between the families involved.

Six out of the eight interviewed fathers are non-resident fathers. However, being a non-resident father does not automatically translate into absent fatherhood as older literature has presented it. Most of the sampled fathers in Khayelitsha live within close proximity from their children and are actively involved in their children's lives and they all aspire for more hands-on father involvement which requires regular physical contact with their children. However, although all the fathers are now able to be fathers and be there for their children as a result of going through the process of intlawulo that opens up the process of becoming a father by opening up relationships between the families involved, a few of the fathers feel that their physical contact and interaction with their children are at times limited, merely because they sometimes cannot have immediate access to their children whenever they want and they attribute this "limitation" to the fact that they do not stay with their children and are not married to their children's mothers. Nyambe is a father to his 5 year old daughter named Amila who lives with her mother in Site B Khayelitsha which is about 4km away from site C where he stays. As typical of most fathers not living with their children, but filled with a strong desire to be actively involved in their children's lives, Nyambe says that:

'There are a lot of things that I would like to do and see as she grows up, however, due to Xhosa culture and their ways of doing things, I cannot' but 'there's limitations – like I cannot stay with my baby for the weekend.'

These fathers have a strong desire to be fully involved in their children's lives and expected the payment of intlawulo to give them access to their children whenever they desired. However, only paying intlawulo does not provide them such rights; they must still go through the process of lobola which is a fundamental cultural component of the formation of an African marriage. Meanwhile, they have to negotiate fathering with the cultural constraints that come with the customary practice of intlawulo until they marry their children's mothers. Besides, Nyambe just like all the sampled fathers understand and see paying lobola to marry their children's mothers as the only way that such restrictions placed on hands-on fathering can be lifted. Nyambe's daughter only sleeps over at his place when his girlfriend's parents are in Eastern Cape because he believes that:

'They are avoiding me feeling like I am a father or I have a family without paying lobola. They are trying to draw a solid line saying if you are going to marry my daughter, you are going to pay twice. You will first pay for lobola – you want a wife and the next thing you are going to pay for your daughter. Even though I was supporting every month, giving money [2.5], when I want to marry it's not gonna count. I will pay twice.'

Aphiwe, a father of two girls, Onika aged 5 and Entle aged 1 from different women. Both of his girls live with their mothers within Khayelitsha. Aphiwe's youngest child lives a few

houses down from his on the same road while the older child lives in Macassar which is about 4.2 km away from where he stays. He is fully involved in his daughters' upbringing but believes that his involvement is limited because of being a non-resident father. *'I would like them both to stay with me under one roof. We can stay together. I want to be with my kids 24/7.'*

Shaba is also a father of three boys from two different women. His 4 years old first-born son, Olumiyo and his 2 year old second born son, Thando share one mother, Bulelwa, a Xhosa speaking woman, while his 4 months last-born Zindidi is from his current relationship with Nile, a Sotho speaking woman. Shaba's first 2 boys live with their maternal grandmother in Eastern Cape while Zindidi stays with her mother within Site C Khayelitsha as well.

Victor is also a father of two boys aged 12 and 2 years old from different Xhosa women. His first-born son, Lihlumise is staying with his paternal grandmother in PE while his-last born, Nhlume lives with her mother in Philippi which is about 40 minutes away from Khayelitsha.

Nonetheless, experiences of fathering vary from father to father. Take Xolani, a father of a 3 year old son, Thando who lives with his mother in Site C, Khayelitsha which is about 4 km away from where Xolani stays for example. He is still in a relationship with his son's mother and is thinking of paying lobola for her soon. Xolani is a hands-on father to his son and desires for more. While other fathers might experience non-residence as a hindrance to hand-on-fathering, Xolani says, *'there are no limitations. Just that I don't have transport. I don't have limitations, now even at 1 o'clock at night I can go.'*

On the other hand, Themba a father of a 5 year old son, Lucky, has not physically seen his son since 2017 when he visited him in Cape Town for the December holiday. Themba stayed with his son in Harare, Khayelitsha for the first 2 years of his life until his maternal grandparents decided to take him in Tsolo Village, Eastern Cape. Themba tried to avoid this living arrangement but *"his grandparents said no, let us look after him now. They wanted him there. Apparently, he is the only boy there. There are lots of girls so they wanted him very much.'* Themba yearns to change this situation but acknowledges that where his child lives *'doesn't depend on me or his mother, it depends on the elderly people [grandparents].'* Thus, although he tried to advocate for his son's stay in Cape Town, he is aware that his maternal family has the final say. This further supports the argument that becoming a father is a communal process and although one has completed the intlawulo payment, it does not

automatically translate into ownership of the child. Themba finds his living arrangement with his son to be:

'very expensive- yoh yoh it's costly. Because each and every time you receive a call it's the boy is not feeling well, can you please send a certain amount for medication you see. So if he was here, you would know what is needed to be done not you being an ATM father all the time.'

Israel also is a father of four children, two of whom he had from his current marriage while the other two from different women out of wedlock. His 11 year old daughter, Joy is staying with her mother in Langa which is about 18 minutes' drive away from Khayelitsha while his 14 year old son, Sinoxolo, is also staying with his mother in Qumbu, Eastern Cape. Just like the rest of the fathers who live within close proximity to their children, this living arrangement does not restrict his involvement in his daughter's life. However, when it comes to his son living in Eastern Cape, he shares similar experiences with Themba particularly, because *'the contact is only telephonic'* and his involvement is mainly financial, making father involvement for him very limited. Israel admits that his relationship with his son *'is not very good and it is not that often. He only calls by the end of the month when he needs something. So if I see the call I know he wants something.'*

The conversation of the influence that not living with children has on fathering is similarly foreign to Thandisizwe. Thandisizwe is a resident father to his 6 year old daughter. Although he is not married to his girlfriend Buthle yet, he lives with her and their daughter in Macassar Khayelitsha. Thandisizwe met Buthle in 2012 during his training and had their daughter the following year. He has always been fully involved in his daughter's life since pregnancy.

Nonetheless, regardless of the fathering challenges that come with not living under the same roof as their children, all the sampled fathers are satisfactorily involvement in their children's lives even though they aspire for more involvements.

5.1. Fathering through relating

As already alluded to in the previous chapter, fathering is a process that involves multiple players. For fathers to be fully involved in their children's lives, they must build and maintain relations with their children's mothers and her family. They must communicate with their child's mother and her family to make arrangements for fathering. In some instances, mothers and their families may restrict a father's access to his children due to various reasons such as conflict (Makusha & Ritcher, 2018), and fathers and mothers not been married. However, this does not seem to be the case for most of the sampled fathers particularly because they have gone through the customary practice of *intlawulo* which has unlocked their process of

becoming fathers, being fathers and being there for their children, through opening up relations with their children's mothers' families. A few of the fathers are also are still maintaining intimate relationships with their children's mothers.

According to the data collected, a father's access to his children is secured when he has a good relationship with his child's mother and her family. Interestingly, with the exception of Themba, all of the non-married sampled fathers are still in intimate relationships with their children's mothers. Maintaining these relations seems to give them more access to their children particularly for the very few who have not yet undergone the intlawulo negotiations. Many times when the mothers are visiting their children's fathers as girlfriends, they take the children along giving fathers an opportunity to spend time with their children as well. In these cases then, the chance of obtaining hands-on fathering for a non-resident father who is still in an intimate relationship with his child's mother seems to be very high. In other words, a relationship that goes beyond the parental one secures a father's position in his child's life regardless of their living arrangements. Perhaps, the quality of these relations so far might explain why many of the unmarried fathers are thinking of paying lobola for their children's mothers.

Nonetheless, all of the sampled fathers, including the married father and those not in intimate relationships with their children's mothers describe their co-parenting relationships with their children's mothers and her family to be satisfactory. Themba's intimate relationship with his child's mother for instance ended before the child was born, but because he maintains a good co-parenting relationship with her and her family, he enjoyed similar opportunities to father involvement as fathers still maintaining intimate relationships with their children's mothers. Themba got to see his son for the very first time before the intlawulo negotiations and his child's mother facilitated this meeting without the knowledge of her family. Themba confesses that when his son was born:

'she called me saying that you can come and see the baby. Then I went there by myself. Trying to cut some corners – I was afraid to enter the house knowing that I haven't paid, so we sneaked around. We tried to find some quiet place for me to have some quality time with him.'

This further supports the argument that becoming a father is neither an individualistic process nor a father-mother process because even though the child's mother facilitated his initial involvement, he could not freely and completely be involved as a result of not been introduced to the families involved through intlawulo. Themba nonetheless

continued to enjoy other multiple informal meetings facilitated by his child's mother before he was officially welcomed into the family through intlawulo such as:

'When she took the baby to Eastern Cape, I told my parents that I am going to a 2 weeks training trip not telling them that I am going to see the baby. So I organised an Airbnb at Queenstown for 2 weeks and went there and the Airbnb I was staying in was not far from where they were so they were managing to come and visit me.'

Moreover, unmarried parents' intimate relationships can sometimes, become complicated and disadvantage children as it might lead to limited, restricted, or supervised access for one parent typically fathers. Themba believes that the children should always be the priority and as parents *'we have to understand each other one way or the other because we are co-parenting. So, we have to cooperate for the sake of the children'* Aphiwe adds.

Interestingly, in Nyambe's case, maintaining an intimate relationship with his daughter's mother and good relations with her family does not always guarantee him access to his daughter. His good relationship with his child's mother and her family rather at times disadvantages him as he is often reminded that they are not married. There are times when his efforts to have physical contact with his daughter have been blocked because of this For example:

'last year November it was my daughter's birthday and I planned something, I wanted her to come, the mother said no. no reasons she just said no and I couldn't do anything and then my girlfriend was reminding me as well that remember we are not married' Nyambe

Nyambe's case also reveals that not living with your children and not been married to their mothers regardless of the quality of relationships you have with her and her family can seldom serve as a barrier to father involvement. This further supports the argument that lobola is still an integral component of parenting and paying intlawulo does not replace it. These limitations sometimes evoke multifaceted emotions in Nyambe, leading him to question his fathering capabilities. In his own words, Nyambe confesses that:

'I don't feel like I am a father yet. I feel like I am someone who's supporting a baby to grow up and get better education etc. I don't feel like I am part of her life. I cannot show how much I care because I don't have enough time with her'

Nyambe continues to maintain an intimate relationship with his daughter's mother regardless of the pressure to marry her and just like other sampled fathers, he is thinking of paying lobola to make her his wife which secures his position as his daughter's father. It is interesting that although Nyambe has not yet completed his intlawulo payments, his girlfriend's family only reminds him about his non-marital relationship with their daughter with the hint of marrying her. There is diverse literature on absent fathers coined along the

lines of their access to the economy but very little is written about the influence that such cultural constraints, family dynamics, and relationships have on father involvement.

The question of the customary practice of intlawulo regulating a father's involvement in childcare is flexible and dependent on the pregnant woman's family. In other words, depending on the woman's family, a father might have to negotiate his involvement in his children's lives as the woman's family might choose to regulate his involvement particularly if he fails to complete his intlawulo payments. Nevertheless, when it comes to the case of all the sampled fathers, their children's maternal family has not restricted their access to their children, although a few fathers feel that the time they spend with their children is not enough. According to Xolani, *'they have opened their hearts; they have opened their house for me. There is nothing that is blocking me being involved in my child's life'* which further supports the argument that becoming a father as a process that involves multiple players and intlawulo serves as a critical means of entry into fatherhood. Similarly, like many other fathers, Nyambe can relate to Xolani's experiences as suggested in his statement below:

'I now go there when I want to see my child and I see her. I see her maybe twice a week depending on the day. The family that side is not refusing me from seeing her. Whenever I want to see her I can go. I can see her at any time because I have paid' Nyambe

Clearly, the process of intlawulo is *'about creating relationships between the two families so that you can have access to your child and be involved in their upbringing'* Israel emphasises. Intlawulo therefore, serves as a critical means of becoming an involved father by introducing men responsible for the pregnancy to the woman's family who in turn either deny or permit their entry into fatherhood. Besides, the family connections unlocked by this customary practice of intlawulo are also vital in times of conflict between the man and the woman as discussed in 4.2.2 of chapter four. In other words, the opening up, building, and maintaining of family relations also means that when you [a father] want to see your child *'you can now even speak to the elderly people, not only talking to the girl. So you do not have to sneak around'* admits Israel. Thus, intlawulo, particularly the earlier stages discussed in chapter four serves as a gateway to becoming a father and is essential in enabling them being fathers even in the face of conflict with their children's mothers. This is why Themba strongly believes that the payment of intlawulo is *'the right thing to do especially now that there are fathers who are running away from their responsibilities.'*

5.2. Being there: Physical Presence and Cultural Restraints

These fathers might define hands-on fathering differently but they all understand fathering to be beyond the financial provision of care. Aside financially supporting their children, all the fathers maintain regular physical contact with their children spending quality time together and engaging in various activities. Aphiwe for example takes his oldest daughter, Onika who lives in Macassar which is about 4.2 km away from his residency in Town 2, Khayelitsha, to stay with him every weekend, while he sees his youngest one, Entle every day as she stays just two houses away from him. The activities that he engages with them range from just chatting to having meals at KFC or window shopping at the Khayelitsha Mall. For Aphiwe seeing his children happy is what brings satisfaction to him as a father and as a result he would *'do whatever it takes just to cheer them up.'* For Xolani, hands-on fathering means *'seeing him, being there, giving him a hug, it means everything. Giving him a hug, it is everything to him.'* Physical contact with his son is vital to him and intrinsically ensures that this happens every weekend when he is off from work. To enhance the quality of his contact time with his son, he makes sure that they engage in physical contact activities which range from staying indoors watching TV, walking to his mother and friends' house, or just like Aphiwe, window-shopping at the Mall.

Shaba, whose boys are in Eastern Cape, also stresses the importance of fathers maintaining close physical contact with their children. For Shaba, *'being a good father is not just about sending your children money; you need to have a relationship with them.'* When Shaba's boys are in Cape Town, he takes them out to the Mall to eat and ride toy cars. Zindidi, who is within Khayelitsha, on the other hand, does not visit much as he is still very young and fragile. According to Shaba, *'he was born at 7 months. Then he stayed at the hospital for about 3 to 4 months.'* Israel also stresses on the fact that good fathering is not just about the financial provision of care, which is the sort of relationship he currently has with his son in Eastern Cape, whom he only gets to see in December. According to Israel, this has become a needs-based relationship because *'our contact is only telephonic, so it's not very good and it is not that often. He only calls by the end of the month when she needs something. So if I see the call I know she wants something.'* On the contrary, he spends the weekends with his daughter in Langa and engages in physical contact activities similar to the rest of the fathers. Israel enjoys spending time with his daughter and is amused at the kind of activities that his daughter is interested in. In his own words, Israel says that *'the one here is a girl but likes*

soccer so we play soccer and now she surprised me and asked for a bicycle so over the weekend we go to the park and ride our bicycles.'

Nyambe also acknowledges the importance of maintaining physical contact with his daughter and does so by seeing her twice a week and engaging in activities that promote physical contact with her. Their activities include going out to watch movies, eating at Panarottis, her favourite pizza restaurant, taking her to play on slides and jumping castles as well as visiting the aquarium. In as much as Nyambe makes the most of every little opportunity he gets to spend time with his daughter, he yearns for more physical contact with her. Victor spends every weekend with his last born Nhlume. Nhlume's mother always brings him to Khayelitsha for the whole weekend. He however, only gets to see Lihlumise who lives with his paternal grandmother in Eastern Cape during the school holidays when he is Cape Town. He remains in contact with him via new digital media as *'I call my mother to speak to him. Then we talk about anything.'*

Themba views physical contact as *'being there for your child, spending time with your child. Those are the responsibilities that you are supposed to do'* and he finds it to be *'much better than only sending the money.'* Physical contact is vital to him what it did to him at his first encounter with his son as suggested in his statement below:

'The first time I saw the baby, it was 3 months, and it just happened that I fell in love with him especially that he is a boy. I wanted a boy. I took him, carried him, I watched him by myself and just felt a bit of connection.'

After this encounter, he immediately knew that he wanted more hands-on fathering just like all the other fathers, *'so he ended up signing a contract with his mother that every Saturday I will visit and spend at least 2 hours with her and the baby'* Fortunately for him, he was given the opportunity to strengthen his bond with his son by raising for the first two years of his life, a rare scenario for non-resident fathers he describes as *'quite an experience, we created a strong bond.'* Themba, just like Thandisizwe, who has been living with his child's mother since her birth, experienced hands-on fathering earlier compared to the rest of the sampled fathers. He says that *'when he started crawling, I was there. When he started walking I was there. When he started saying mama, dada I was there. It was such a great experience that most fathers miss.'* This suggests that he witnessed and participated in his son's developmental stages, which according to him is a rare opportunity afforded to non-resident fathers. Now that his son is in Eastern Cape, he talks to him once in a week and when he was

in Cape Town in 2017 their physical activities included playing computer games, soccer, and visits to the park.

These fathers constantly have to negotiate and navigate their roles specifically in relation to maintaining close physical contact with their children from a distance depending on the socio-cultural and economic contexts. Co-parenting for these fathers can be difficult at times especially because they have to negotiate fathering with family relations and cultural constraints. Shaba's experience of co-parenting is good and describes the communication with the mothers of his children as satisfactory. However, the two women are *'not getting along very well because of the breakup. Bulelwa thinks that Nile was the influencer of the breakup'* which if not well resolved might affect his access to the child he shares with Bulelwa. These men's aspirational lives as fathers challenges the hegemonic understanding of fatherhood and manhood among African fathers in South Africa. It is an invention to begin to deconstruct manhood and fatherhood within African communities. Clearly, these sampled fathers value spending time and bonding with their children, more than merely sending money towards their basic needs. Take for example Aphiwe, when he recently saw his daughter, he says that:

'We didn't go out because I was working on a Saturday and I knocked off at 5. So, I just came back, fetched her from my home [his mother's house], bathed her, prepared dinner and we slept. Then on Sunday, I took her back because I had to go to work on Monday again.'

5.3 Being Responsible: Financial Support and Maintenance

The normative conception of good fathering is closely linked to the economic provision of care. Care in many African communities is gendered and the gender stereotypes on fathering are closely related to the expectations that men financially provide for their children (Human, 2018). As a result, "many men are under enormous pressure to live up to ideals of being economic providers" (Nathane, 2018:19). Primarily associating fatherhood to the role of being a material provider might contribute to the high rates of absent fathers. For some fathers who have no access to economic means, providing material care to their children might be perceived to be an obligation. However, for these sampled fathers who have access to economic means, the financial provision of care is anything but an obligation. Aphiwe says that *'I don't do it out of obligation but because it's the right thing to do. I do it because it is my responsibility.'* Nyambe strongly agrees with Aphiwe when he explicitly declares that *'taking care of my daughter is my responsibility. I am not obliged.* Clearly, these fathers do not view the financial provision of care as an obligation but rather as a responsibility. For

instance, Xolani admits that *'my son didn't ask to be born. It was out of our carelessness'* hence, he ought to financially support him. Likewise, Israel believes that the birth of his children *'was not a mistake. It was a God-given thing so I feel I have a responsibility to take care of my children.'* Besides, care is an integrated process with interconnected phases including financial support, and perceiving the financial phase as a responsibility and in isolation permits fathers to focus their attention on how they feel when they are financially supporting their children rather than on the money involved. Most of the fathers enjoy supporting their children and confirmed in Xolani's own words when he says:

'I enjoy doing things for my son. I enjoy supporting my son. There is not even a single day that I will fight with them [child's maternal family] that this and that is not there, and you are not providing and all that. I enjoy supporting my son' Xolani

This suggests that Xolani is invested in ensuring that his child's financial needs are met such that he does not require reminders or follow-ups from his mother and her family. Indistinguishable from Xolani, many of the sampled fathers financially support their children because they want to do it and actually enjoy doing it. For most of them, performing their roles as financial providers, offer them a sense of pride, pleasure, satisfaction, and accomplishment. This is evidently embedded in their responses below to the question of how they feel financially supporting their children:

'I can do anything for my kids you know. I don't even feel pain when I am sending them money' Shaba

'I feel very proud actually for supporting her. I am playing a very important role in my daughter's development' Nyambe

'It feels lovely. It's a feeling that I don't understand but it's beautiful. Every time I see that person happy, I become happy' Thandisizwe

Themba equally shares these fathers' sentiments as he admits that providing for his child's financial needs *'makes him very happy'* particularly *'because of this thing #menaretrash,'* a movement that highlights the dangerous effects of toxic masculinity such as GBV. This suggests that Themba's everyday fathering practice is shaped by the dominant discourse on manhood. This does not come as a surprise considering the sort of work in does as a Community Mobiliser where he advocates for the practice of safe sex, end of GBV among many other things. However, it also suggests that he intentionally strives to go against it by doing what being a good father means to him. Themba's words are his response to the national and perhaps international discourse on toxic masculinity and men who are not involved in their children's lives. Hence, by fulfilling his financial responsibilities, he hopes that he can prove that *'he is not one of them'* suggesting that not all men are irresponsible and

absent in their children's lives. While other fathers who are within close proximity to their children view money in isolation when it comes to child care, Themba whose child is in Eastern Cape sees it as an intrinsic aspect and says that *'I try my best even in times of difficulties, I rather sacrifice my transport than to not send him money and just give stories'* he says.

The payment of intlawulo does not relieve a man of his responsibilities as an economic provider. All the sampled fathers are financially involved in their children's lives. For instance, Aphiwe financially supports his children by sending between R2000 - R3000 directly to their mothers for food and other basic needs. He then deposits his children's school fees into the school's bank account and makes arrangements with a private company for their transportation. Shaba is equally financially involved in his children's lives by sending R4000 every month to their grandmother for their upkeep and school. Shaba understood the importance of being financially involved in his children's lives from the time his first child Olumiyo was born. Although Shaba was a student on the NASFAS bursary at that time, he still managed to satisfy his daughter's financial needs by getting a range of part-time jobs such as a car wash labourer, gardener, and painter. And whenever he couldn't find a job, his mother assisted him to continue securing his position as his daughter's financial provider. Nyambe has also similarly always been financially involved in his daughter's life since birth. He too was a student trying to complete his diploma at CPUT at the time of her birth. While studying, he worked as a paid volunteer at Wildenma in Muizenberg, earning about R4000 a month which helped him secure his position as his daughter's breadwinner. Today, he continues to financially support her by sending R2500 or more per month depending on the budget presented to him by her mother.

Themba and Israel have also always performed their role as financial providers since the birth of their children. At the birth of their children, they were both working at Treatment Action Company (TAC) as Community Mobilisers. Themba was earning a salary of R5 500 per month. After his child left for Eastern Cape, Themba began sending R800 per month for his maintenance but now sends R1000. Israel on the other hand was earning R3500 per month as an entry-level rate and was sending R600 per month as maintenance to each child. He now earns R7000 and sends R1500 per month for each child in support of their financial needs.

Although intlawulo was meant to recognise, mediate, and facilitate father involvement, it is fairly flexible and child maintenance is divorced from the intlawulo process. Discussions on

the payments of the intlawulo fine which is the final step of the intlawulo process reveal that the process of intlawulo in terms of the completion of payments is equally fairly flexible and there are no facilitators involved in gatekeeping the payment process post the negotiations and the same applies to child maintenance. Thus, although all the fathers financially support their children on a monthly basis, some enjoy some level of flexibility similar to the one described in the final stage of the intlawulo process. Some fathers have no set amount of child maintenance that they need to give to their children. For instance, Xolani does not have a fixed formal monthly child maintenance system that he must follow. He responds according to the needs presented to him and is capable of supporting his child at any given time. Also, not only does he provide financial support, he too occasionally buys whatever he believes the child needs without waiting to be told. In his own words, Xolani says that:

'there is no amount that I must pay every month. I can even give them R200 because whenever I see something I buy, I can even give them a R1000. There are no limitations as to a standard amount that I must give.'

Luckily for Xolani's child's mother and her family, he understands that she is currently unemployed and as a result fully embraces his role as a financial provider to ensure that his child's financial needs are met. According to Xolani, *'she is planning to go to school to further her studies.'* Victor equally understands that although *'his mother does have a job now, sometimes she does have a job within a year, so now it's me who is in a difficult position every time but I must provide.'* The fluidity in these fathers' child maintenance arrangements is not purely based on their labour market experiences but the understanding between them and their children's mothers; the understanding that when they have a job they need to pay more and when she has secured a job, she can subsidize his maintenance. Also, in cases where the father loses his job, the woman and her family can take care of the child's financial needs. Besides, most of the sampled fathers do not necessarily have secure jobs, so there is a potential for them to lose their jobs depending on the labour market conditions. This fluidity is therefore not only created by the cultural practice that does not address the issue of child maintenance but it is also about adjusting to labour conditions and changes.

Nonetheless, in some cases, a high level of flexibility in financial support would also mean that some fathers can easily skip some months of child maintenance, leaving the burden of care to fall wholly on the child's mother and her family particularly because there are no gatekeepers in child maintenance after the intlawulo negotiations. Hence, when it comes to issues of gender dynamics and power, this flexibility as well as the lack of gatekeepers in turn

makes the woman and her family vulnerable and insecure. Nyambe and Aphiwe acknowledge this possibility when they confess that:

'Sometimes I cannot afford to send anything. At least they know that I provide for them. There are those times when you are in the corner and you cannot provide, the mothers meet me half way because they know that I always provide. They know that I am responsible and that I provide for my kids. So, during that time they know what they must do' Aphiwe

'if I feel like I have my own plans, like if this month I am supposed to do this and that and I don't have enough money, I can always talk to my girlfriend and mother and explain to them and say listen, I won't have enough this month because of this and that and they will be like ah why!' Nyambe

The sampled fathers are responsible by fulfilling the customary practice and financially supporting their child, but two participants particularly question and discuss how the customary practice links to child maintenance. Although not an ovate criticism of the customary practice, Shaba and Thandisizwe reflect and invite a discussion on the cultural practice of intlawulo and its influence on child care. They believe that intlawulo should place child maintenance at the centre. They find the fact that the intlawulo process is devoid of child maintenance problematic as suggested in their own words below:

'My problem is with the intlawulo is that that money is not going to the kids but to the family and I have done nothing to the family, I have done something to their child so that's my problem with the whole thing of paying damages' Shaba

'I feel like the money could have been used towards supporting the child because this is why we came together. I don't understand why uncles want to keep the money. It doesn't make sense to me. I mean they could have used that money for the child' Thandisizwe

Clearly, Shaba and Thandisizwe seem to be of the view that intlawulo does not directly benefit the child. Thandisizwe in particular believes that the money is split among the woman's male representatives and nothing is invested into the needs of the child. Although they both make a valid point about child maintenance which seems to be a missing conversation in the intlawulo process, this kind of thinking does not reflect the argument that this study makes that they might have not reflected on. According to the collected data, becoming a father is a process that involves multiple players and intlawulo serves as an entry point at which fatherhood can either be denied or permitted. Thus the process of intlawulo facilitates the process of becoming a father by opening up relations between the two families involved as revealed in section 4.2.2 of chapter four. The child therefore, benefits because intlawulo has opened up relations that will enable the child's father to become a father and be there. Besides, in Chapter four, Shaba acknowledges that the payment of intlawulo connects the families involved when he says that paying intlawulo means that *'we are a family now, we have that link now'* which suggests that Shaba is aware that becoming a father is a non-

individualist but communal process and it is through this process that he was able to become the kind of father that he desired of his own father. The payment of intlawulo is therefore not only about the child but also about connecting the families involved.

Moreover, *'intlawulo is not only about money but about taking responsibility for your actions because once you make someone pregnant you need to take responsibility. So it's something that you can't run away from, you have to understand it and follow it'* says Israel. This suggests that since there are no facilitators of child maintenance post-intlawulo negotiations, the onus is upon the father to get involved in his children's lives. He has to want and take the necessary steps to get involved in the upbringing of his children once his entry into fatherhood has been granted through intlawulo. Themba and Israel's views then invite us to revisit Shaba and Thandisizwe's argument about child maintenance within the process of intlawulo. They argue that the issue of child maintenance is divorced from the intlawulo process and just like there are no gatekeepers to ensure that the payment of intlawulo is fulfilled, there are no gatekeepers for child maintenance as well. Perhaps, the process of intlawulo is devoid of child maintenance to avoid the complications that might arise from converting intlawulo into a once off child maintenance system. For instance, according to Aphiwe:

'there are some men that won't just be there for their children. There are some guys that would say 'if I pay this [intlawulo], then I am not going to support. They just do that and run away which is very bad.'

This suggests that converting intlawulo into a once-off child maintenance payment system might just contribute to the pandemic of absent fathers in most African communities in South Africa that motivated this research project in the first place. The aim of intlawulo as revealed by the data collected is to open up relationships between the families involved and welcome men into fatherhood. Therefore, according to the evidence revealed in this research study, one can argue that the customary practice of intlawulo is not a major contributing factor to absent fatherhood in South Africa. The regulation of father involvement through intlawulo is dependent on the pregnant woman's family. It is also important to note that intlawulo does not directly address the question of absent fatherhood or father involvement. According to the evidence presented in this study, other factors such as living arrangements and the father and mother not being married for example are some of the major barriers to father involvement.

5.4 Being Attentive: Emotional and Moral Support

To understand the participating fathers' perception of childcare and good fathering, we first have to understand how these fathers, especially unmarried fathers provide care for their children as well as how kin networks facilitate this provision of care. Being a good father and providing care means different yet similar things to many people.

According to Nyambe, good fathers are protectors and sources of emotional support. He says that being a good father means *'being a provider of security, peace of mind.'* He believes that *'having a father is like having a personal assistant whenever you need it. It's like you have insurance, so for me being a father like being basically a hero to your child.'* He acknowledges that achieving this sort of fathering practice does not come easy. It requires certain skills and engagement with your children. In his own words, as a good father:

'you have to now sharpen your leadership skills. You have to have a well informed and working relationship with your kids such that you can even tell when there is something different or something happening in their lives. Ok say normally you pick up your kids from school when something different happens to them without your child telling you, you can pick it up and say you are mingling with wrong people, you went there and there without him/her telling you. So being a good father it's like basically a hero or a god to your children' Nyambe

Clearly, these fathers are responsible as they are reflective of their fathering practices and what it would mean to be a good father within their own contexts. In Nyambe's case, being a good father requires a certain level of awareness and engagement: a good father is always attentive to both the spoken and unspoken needs of his children. And according to Nyambe, this awareness is ignited when a father creates a close relationship with his children and takes time to intentionally learn his children more. By so doing, he would be able to notice any behavioural changes or 'red flags' that they might be exhibiting. This would then permit him to reflect on the sort of interventions that he might employ in that particular circumstance. Being a "good father" is therefore a process and ongoing and in Nyambe's case, it is a reflective process that leads to deliberate or intentional practice. Israel's understanding of good fathering further supports this argument and is in agreement with Nyambe's understanding of what it means to be a good father. According to Israel, being a good father requires you to be:

'more supportive. Know the values of the child. What the child likes and hates. And how the child should look after herself or himself especially this time when GBV is treading so you're always checking where your child is safe especially for the lady.'

This also suggests that a good father should be protective of his children by looking out for them but also by teaching particularly the female children how to protect themselves. By so doing, the children are given some level of independence and self-confidence to take

initiative. Thandisizwe's understanding of the importance of *'letting children develop by themselves and just guiding them to get to where they want to become'* further supports this argument. Thus, in as much as protective fathers who are actively involved in the decision-making of their children can be considered as good fathers, it is important to allow some level of independence to children so that they can learn from their own experiences and in Israel's case, be able to defend themselves should need be.

Themba equally emphasises on the importance of fathers having a relationship with their children and believes that *'it's much better than sending the money'* because as a father, *'even if you are financially unstable, you have to be there for your child, spending time with your child. Be there when they need you.'* So, just like Nyambe and Israel, he too is reflecting on fathering beyond financial support when he says that a good father:

'supports his children psychologically, emotionally, spoiling them sometimes a little bit you know. Just give them the resources that they need to grow then you are a good father and a provider.' He understands that 'sometimes children also want to brag about their parents you know just present yourself as that superman to them.'

Thandisizwe's understanding of good fathering further depicts the other fathers' argument that good fathering goes beyond the financial provision of care. It reflects the argument that a good father creates a close relationship with his children that permits him to get to know them better and leads to a reflective and deliberate fathering practice. Shaba and Aphiwe view care and good fathering as:

'Being there for your kids. Just give your all to your kids. Give everything that you have, spent time with your kids; make sure that you make them happy when they are with you. Make sure you do that. That is what care means for me.' Shaba

'Caring to me doesn't mean money. To me, to care for your kids, even if you don't have a cent in your pockets, just show your kids love' Aphiwe

Thus, to be considered a good father, you must be a provider of children's various needs both material and emotional care. For Shaba, the most important resource that a father can provide his child is education. He says:

'As a good father, I must invest in her education, provide her with access to information. I think it's very important for her to play with those books of mine so that she can decide which positions she wants to subscribe to.'

From Xolani's perspective, for a man to be considered a good father, he must be a source of moral authority and guardianship. Mvune (2017:136) agrees with Xolani that a good father must "have the power to discipline the children, assuming the role of authority figure and acting as a guide and role model on matters such as how to behave." In Xolani's words, *'being a good father means that I must discipline my child. I mustn't clap for him even if he*

breaks a glass.' In many African communities, the role of a father as a disciplinarian is often understood in terms of physical punishment which includes spanking a child. However, for Xolani, being a disciplinarian *'doesn't mean I must hit him, I must sit him down, make him understand the consequences of doing wrong.'* For instance,

'If you break the glass now, that glass won't be put back together at the end of the day. The risk of breaking that glass is that you can even cut yourself from breaking the glass. So, on the fragile things, you don't play on that up until you understand how to care for them. Sitting him down, not always beating him – it's a discipline. Talk to him. Make him understand' Xolani

Besides, *'you must respect your child, how you talk to them. That mind-set of wanting to be bosses over your children needs to change, you must be friends with them'* agrees Victor.

Similarly, when it comes to role-modelling through fatherhood, for a man to be considered a good father, he has to be a role model for his children. He needs to live an exemplary life that he would like his children to also adopt in their adult life. According to Victor:

You know if you are a good father, you are going to see your children wanting to follow your footprints. They are going to say 'I want to be like my dad' you see because you are a good father. You are an example [mos]. They can see that you do things differently. For example, let's say I have a brother and he is smoking, drinking in front of the children if I am not smoking or drinking in front the children, so they are going to say ok my dad doesn't smoke and drink you see you are doing something different from others.

Although Victor does consume alcoholic beverages, he does not do so in front of his children because he does not them to see that and normalise drinking. It is easier to tell a child not to do something that they have never seen you do in front of them.

Some fathers such as Aphiwe had reservations identifying themselves as good fathers mainly because of his living arrangement with his children. He says that *'if I was staying with my kids under the same roof, then I would say I am a good father.'* Thandisizwe agrees with Aphiwe's conception of good fatherhood. He also believes that care and being a good father:

'means been there physically for your kids, been there for her when she needs you like physically when she is going to school you know sometimes when – she has transport from school but sometimes I will just go with her to school, move around with her in school, meet her friends that she made, ensure that she doesn't suffer unnecessarily you know.'

5.5 Being Different: Reflecting on being fathered

This study reveals that engaged fathering is fast becoming a valued component of hegemonic masculinity as men are increasingly becoming involved in childcare beyond economic means. All the sampled fathers have a strong motivation to be fully involved in their children's lives. For many, this motivation emits from their own personal experiences of negative models of fatherhood or growing up in a fatherless household. Some fathers like Victor who was raised

by both parents until he left their household, Aphiwe whose father was active in his life but occasionally absent due to labour migration and Shaba's father was involved till he passed away in 2011 when he was about 23 years old were exposed to positive models of fatherhood. On the other hand, the rest of the sampled fathers had fathers who were not involved in their lives and had to teach themselves positive fathering. These fathers' experiences of non-involved fathers are encapsulated in the following quotes:

'My mother was never married to my father. My father was not really present in my life. He was not present. Ah! He could come maybe like once after a month or 2 months' Xolani

'My dad is around but he has never been present in my life really. They were not married. I don't know what happened and I never asked' Thandiswe

'Hmm he is playing around. He is wherever he is. He's being himself' Nyambe

'And I didn't grow around my father like all the time. Okay, most of the time, me and my mother were in EC and my father and the older ones were here in Cape Town. So, I spent a lot of time with my mother' Aphiwe

Although not the focus of this paper, the effects of the lack of father involvement differ from child to child. For example, though Thandisizwe acknowledges that *'[his] mum did her best with the less that she had. I could see that this person is working hard. She is trying to give us the best in life as much as possible.'* Life was still difficult for him and ignited some uncomfortable emotions as suggested in his confession below:

'I think I grew up very angry. Like did we have to go through all this? I think I blamed my father a lot because I approached him many times as I was growing to ask for help but he was married. Wait I think he was not yet married but he was living with that his wife, he didn't want his wife to hear us talking about that thing.'

These fathers are continuously reflecting on being fathered and how they might become different fathers from their own fathers. Hence, unlike their own fathers, they have all made an intentional decision not to be disengaged in their children's lives. Xolani captures many of the sampled fathers' decision to do better in his quote:

'I watched my father the way he did things, being with us after 2 months maybe 3 months, then I made a vow that whenever I have got my own children, this is not the type of father I want to be. I want to be a better father than he is to me even though I don't know how to be a father.'

These fathers' various historical trajectories of fatherhood particularly stemming from their own background of growing up in a fatherless household have shaped their current fathering practices and choices. When asked what factors influence their fathering practices, below is what they had to say:

'The fact that I don't want to have children with different mothers. And the fact that I don't want to see my child once after many months and the fact that I know that I don't have money, but I won't let that be a stabbing block – be a wall between my son and I. I will be there, moneyless or with money, I will be there!' Xolani

'Seeing happy families you know there are happy families that you grew up seeing and saying that ah one day I want to be like that family - so that's also in an influence to me. And also, you know the dreams that I have for them is another factor that influences me to be the father that I am today' Shaba:

'I grew up with only my mom, I wouldn't want my daughter to experience the same. So I am actually maintaining support because I want to, hence I am proud of myself' Nyambe

'My father because he took care of us. You see when you are grown, you are representing what you have been taught while growing up. My father was a very perfect example' Aphiwe

'I love my children. I don't want my children to feel like I am not available when I am still alive.'

Although “a father’s physical presence is not necessarily a desirable outcome in itself as fatherhood goes beyond a father’s mere physical presence” (Eddy, M.M., et al, 2013:11) since “a father might well be physically present, but emotionally absent, or physically absent but emotionally supportive” (Richter & Morrell, 2006:18), it is of absolute importance to the sampled fathers. Besides, as revealed in their conception of good fathering, being physically involved in their children’s lives is viewed as good fathering and a necessity. Nonetheless, although these men’s involvement might not be to the same degree as women, they are in general far more involved in childcare compared to their fathers. Besides, although they are fully involved in their children’s upbringing, they do not feel like their involvement is adequate because they are non-resident fathers. They desire for more hands-on fathering, which for non-resident fathers is unfortunately often uncommon within African communities, a situation which they intend to change by pursuing lobola.

This chapter showed that the customary practice of intlawulo is an essential cultural condition in the process of becoming a father. It showed how going through the practice opens up the possibilities for a man to be involved in his child’s life. His access and link to his child are secured by maintaining relations with his child’s mother and her family which is enabled by the customary practice of intlawulo.

Chapter six: Discussion and Conclusions

This thesis explored the influence of the customary practices of *intlawulo* or ‘paying damages’ on father involvement. It revealed and argued that becoming a father is a process that involves multiple social actors and *intlawulo* is the entry point where it can be denied, stopped, and negotiated. It showed that *intlawulo* is an essential cultural condition in the process of becoming a father. Thus, for a father to have access to his children and be involved in their upbringing, he needs to fulfil the cultural conditions of fathering and relating. Once the cultural conditions have been fulfilled, his fathering is permitted but it will still have to be negotiated through relating with his child’s mother and the mother’s family, particularly in relation to making arrangements to spend time with their children. Should a man not be able to fulfil this cultural condition, his fathering can be denied and stopped. The thesis showed how going through the practice opens up the possibilities and opportunities for a man to be involved in his child’s life. His access and link to his child are secured by maintaining relations with his child’s mother and her family which is enabled by *intlawulo*.

The collected data demonstrated fathers financially, emotionally, and physically getting involved in their children’s lives since *intlawulo* secured a link to their children. However, they had to nurture and develop this link by forging a relationship with the mother and her family through their fathering choices. As a result, they were able to be there, responsible attentive and they were able to reflect on how they were fathered and be different from what they experienced from their fathers. They were able to become the kind of fathers that they wanted of their own fathers. Most of the interviewed men grew up in female-headed households as their own fathers were absent in their lives. Nonetheless, since all the interviewed fathers were employed, they were able to conform to their vision of good fathering, particularly financial support even though it was not their sole criterion central to their understanding of a good father (Rabe, 2006:272). It shows that these possibilities have now become real choices and these fathers have chosen to take up this opportunity by forging relations with the families involved to secure a link to their children.

The thesis argues that the literature on fathering in South Africa has overlooked a critical part of the process of becoming a father. The earlier literature on residential arrangements and the more recent literature on father’s involvement in care have failed to examine how fathers, who live according to customary law, have to engage in the cultural practice of *inhlawulo* before becoming a father. The findings in this thesis demonstrate how this process takes place and how the process is experienced and the meanings ascribed to the process. The failure of

existing literature to consider the cultural conditions of fathering has two serious problems. Firstly, it adeptly mainly Western-centred understanding of how one achieves the status of a father but secondly, it also overlooked the way in which men have to become a father. Understanding the process of becoming a father shifts the attention to the formal and informal mechanisms of power that take place during this process. The thesis provides one story, of men who could participate, did accept paternity, and did choose to get involved in fathering. The author acknowledges that there are many different ways in which events during the process to be recognised as a father could unfold. One obvious example is the economic constraints of engaging in this process. Men who are unemployed and of lesser financial means may face a disadvantage in starting and undertaking this process. The author calls for more work on father involvement and fathering studies in Southern Africa to pay attention to the cultural conditions of becoming a father and to decentre mainly Western conceptions of fathering and good fathering.

While unpacking the moments of interactions in the intlawulo process, the author also illustrated some possible gendered consequences of the customary practice of intlawulo where certain people possessed certain levels of power than others at certain stages of the intlawulo process. For example, a man has the power to get away from fathering responsibilities during the acknowledgment of paternity stage which would mean the child belongs to the woman's family. The woman and her family will be responsible for the child. On the other hand, this moment of interaction can also serve as a testament to the man's character as a father and gives the woman and her family the opportunity to assess the kind of father he will become. The woman and her family can then choose if they still want the man to be involved in the child's life. Besides, according to Lukes' (1974) concept of power, power can be used to prevent issues from being raised (Komter, 1989).

The woman and her family hold invisible power which does not necessarily surface in overt behaviour or latent grievances but can be a result of inaction (Komter, 1989:193 citing Lukes, 1974). For example, two out of the eight interviewed fathers have not yet gone through intlawulo because *'her uncles have to come and report it'* says Aphiwe & Thandisizwe. If the woman or her family does not initiate the negotiations, the woman can either conceal or deny the father access to the child. Once the woman's family decides to initiate the discussion, there are no women involved in the intlawulo negotiation. However, though women were not involved in Aphiwe's intlawulo negotiations, his girlfriend's mother had the final say regarding the fine. She held the power of the present absent because *'even though she doesn't*

get to sit in the negotiations, she still decides' says Aphiwe. The uncles had to consult with her before agreeing to anything which shows that women hold the power to influence the progress of the negotiations.

The study also found that there are gendered consequences produced by the fluidity in the intlawulo payments. With the exception of Thandisizwe, all the participants paid their intlawulo in instalments. This study found that there are no facilitators involved in gatekeeping intlawulo payments. Once the intlawulo fine has been negotiated, the man is free to decide on how he will complete the payments. It affords men more power and leaves women potentially vulnerable. It has the potential of briefly relieving men of the financial pressure by allowing them to pay what they can afford at a time. It also gives men an opportunity to go through phases of unemployment or precarity while still maintaining fathering. In contrast, this flexibility has the potential of making the woman and her family vulnerable and insecure in that when a man decides to skip financial support, the burden of care falls on her and her family. Mothers are exposed to the risk of having a father that can potentially easily get away with not paying child maintenance.

Bibliography

- Anderson, K.G., Kaplan, H., Lam, D. and Lancaster, J. (1999). Paternal care by genetic fathers and stepfathers II: Reports by Xhosa high school students. *Evolution and human Behavior*, 20(6), pp.433-451.
- Babbie, E. & Mouton, J. (2001). *The Practice of Social Research*. Part 3:10, Qualitative Studies, pp. 269 – 311. Cape Town: Oxford University Press Southern Africa.
- Bhana, D. and Nkani, N. (2016). ‘What can I do, the child is already here?’ Caregivers, gender, poverty and the contradiction of care in supporting teenage mothers at school. *South African Review of Sociology*, 47(2), pp.3-18.
- Budlender, D. and Lund, F. (2011). South Africa: A legacy of family disruption. *Development and Change*, 42(4), pp.925-946.
- Clark, S., Cotton, C., & Marteleto, L.J. (2015). Family ties and young fathers’ engagement in Cape Town, South Africa. *Journal of Family and Marriage*, 77(2): 575-589.
- Clowes, L., Ratele, K., & Shefer, T. (2013). Who needs a father? South African men reflect on being fathered. *Journal of Gender Studies*, 22(3), 255-267.
- Chauke, P., & Khunou, G. (2015). Child Support and Fatherhood in the South African media. *Open Family Studies Journal*
- Chikovore J., Makusha T., Richter L. (2013) Father Involvement in Young Children’s Care and Education in Southern Africa. In: Pattnaik J. (eds) *Father Involvement in Young Children’s Lives. Educating the Young Child (Advances in Theory and Research, Implications for Practice)*, vol 6. Springer, Dordrecht
- Crush, J. (1995). Mine migrancy in the contemporary era. *Crossing Boundaries: Mine Migrancy in a Democratic South Africa*, pp.14-32.
- Crush, J., Jeeves, A., & Yudelman, D. (1991). *South Africa’s labor empire. A history of Black migrancy to the gold mines*. Cape Town: David Phillip. P. 29.
- Delius, P., & Glaser, C. (2002). Sexual socialisation in South Africa: A historical perspective. *African Studies*, 61(1), 27-54.
- Devers, K.J. and Frankel, R.M. (2000). Study design in qualitative research--2: Sampling and data collection strategies. *Education for health*, 13(2):263
- Dlamini, C.R.M. (1984). The role of the courts in updating customary law to meet socio-economic changes. *South African Law Journal*, 101: 346-362
- Eddy, M.M., Thomson-de Boor, H. and Mphaka, K. (2013). *So we are ATM fathers. A Study of Absent Fathers in Johannesburg, South Africa*. Johannesburg, South Africa: Centre for Social Development in Africa, University of Johannesburg
- Etikan, I., Musa S. A., & Alkassim, R.S. (2016). Comparison of Convenience Sampling and Purposive Sampling. *American Journal of Theoretical and Applied Statistics*. 5(1): 1-4.

- Gramsci, A. and Hoare, Q. (1971). Selections from the prison notebooks (p. 350). London: Lawrence and Wishart.
- Hatch, M. and Posel, D. (2018). Who cares for children? A quantitative study of childcare in South Africa. *Development Southern Africa*, 35(2), pp.267-282.
- Hall, K. (2017). Children's Spatial Mobility and Household Transitions: A study of child mobility and care arrangements in the context of maternal migration. Doctorate Dissertation for University of the Witwatersrand, Johannesburg.
- Himonga, C., & Moore, E. (2015). Reform of customary marriage, divorce and succession in South Africa: Living customary law and social realities. Cape Town: Juta.
- Himonga, C., Maithufi, I. P., Mofokeng, L., Ndima, D., Nhlapo, T., & Weeks, S.M. (2014). *African Customary Law in South Africa: Post-Apartheid and Living Law Perspectives*. Oxford University Press Southern Africa (pty) Ltd.
- Hosegood, V., & Madhavan, S. (2012). Understanding fatherhood and father involvement in South Africa: Insights from surveys and population cohorts. *Fathering: A Journal of Theory, Research, and Practice about Men as Fathers*, 10(3):257-273.
- Human, L. (2018). Non-residential fathers' custody arrangements and father-child Contact. In the state of South Africa's Fathers 2018 Report. Sonke Gender Justice & Human Science Research Council. Pp 35 – 39.
- Hunter, M. (2006). Fathers without amandla: Zulu speaking men and fatherhood. In L. Richter & R. Morrell (Eds.), *Baba: Men and fatherhood*. (pp. 99-107). Pretoria, Republic of South Africa: Human Sciences Research Council Press
- (2010). *Love in the time of AIDS: Inequality, gender, and rights in South Africa*. Indiana: Indiana University Press.
- Khunou, G. (2006). Chapter on "Fathers Don't Stand a Chance: experiences of Custody, Access and Maintenance", published in Richter, L and Morrel, R. (eds). 2006. The book *Baba? Men and fatherhood in South Africa*. HSRC Press
- (2012). Money and Gender Relations in the South African Maintenance system. *South African Review of Sociology*. 43(1).
- (2018). Fathers and child maintenance in South Africa. In the state of South Africa's Fathers 2018 Report. Sonke Gender Justice & Human Science Research Council. Pp 39 – 46.
- Komter, A. (1989). Hidden power in marriage. *Gender & society*, 3(2), pp.187-216.
- Langa, M. and Smith, N. (2012). Responsible teenage fatherhood in a South African historically disadvantaged community. *Journal of Psychology in Africa*, 22(2), pp.255-258.
- Lesejane, D. (2006). Fatherhood from an African cultural perspective. In L. Richter, & R. Morrell (Eds.), *Baba: Men and fatherhood in South Africa*. pp. 173- 182.
- Lukes, S. (2004). *Power: A radical view*. Macmillan International Higher Education.
- Madhavan, S. (2010). Early childbearing and kin connectivity in rural South Africa: *International Journal of Sociology of the Family*. 36(2): 139-157.

- Madhavan, S., Townsend, N.W., & Garey, A I. (2008). 'Absent breadwinners': Father-child connections and paternal support in rural South Africa. *Journal of Southern African Studies*, 34(3):647-663.
- Madhavan, S., Harrison, A., & Sennott, C. (2013). Management of non-marital fertility in two South African communities. *Culture, Health & Sexuality*, 15(5), 614-628.
- Madhavan, S., & Roy, K. (2012). Securing fatherhood through kin work: A comparison of black low-income fathers and families in South Africa and the United States. *Journal of Family Issues*, 33(6). 801-822.
- Madhavan, S., Richter, L., Norris, S., & Hosegood, V. (2014). Fathers' financial support of children in a low income community in South Africa. *Journal of family and economic issues*, 35(4), 452-463.
- Makusha, T. (2013). Determinants of father involvement: Children, women and men's experiences of support children receive from men in KwaZulu- Natal (doctoral dissertation). University of KwaZulu-Natal, Durban.
- Makusha. T., Richter. L. & Bhana, D. (2016). Gatekeeping and its impact on father involvement among Black South Africans in rural KwaZulu-Natal, *Culture, Health & Sexuality*, 18(3):308-320.
- Makusha, T. & Richter, L. (2014). The role of black fathers in the lives of children in South Africa.
- Mason, J. (2002). Qualitative Interviewing. Chapter 4 in *Qualitative researching*, 2nd ed. London: Sage Publications.
- Maxwell, J. (2005). How might you be wrong? Chapter 6 in *Qualitative Research Design: An Interactive Approach*, 2nd ed. Sage Publications, London.
- Mboya, M.M. and Nesengani, R.I. (1999). Migrant labor in South Africa: A comparative analysis of the academic achievement of father-present and father-absent adolescents. *Adolescence*, 34(136), pp.763-763.
- Mkhize, N. (2006). African Traditions and the Social, Economic and Moral Dimensions of Fatherhood, in L. Richter and R. Morrell, eds., *Baba: Men and Fatherhood in South Africa*, Cape Town: Pretoria, Republic of South Africa: Human Sciences Research Council Press.
- Mkhize, Z. and Muthuki, J. (2019). Zulu names and their impact on gender identity Construction of adults raised in polygynous families in KwaZulu-Natal, South Africa. *Nomina Africana: Journal of African Onomastics*, 33(2), pp.87-98.
- Mkhwanazi, N. & Block, E. (2016). Paternity matters: Premarital Childbearing and belonging in Nyanga East and Mokhotlong. *Social Dynamics*. 42(2): 273-358
- Moore, E. (2018). Fatherhood and customary marriage dissolution. In the state of South Africa's Fathers 2018 Report. Sonke Gender Justice & Human Science Research Council. Pp 15 -18.

Morrell, R. (2006). Fathers, fatherhood and masculinity in South Africa. In R. Morrell & L. Richter (Eds.), *Baba: Men and fatherhood in South Africa*. Pretoria, Republic of South Africa: Human Sciences Research Council Press. Pp. pp. 13-25

----- (1998). Of boys and men: Masculinity and gender in southern African studies. *Journal of Southern African Studies*, 24, 605–630.

Morrell, R., & Richter, L. (Eds.). (2006). *Baba: Men and fatherhood in South Africa*. Pretoria, Republic of South Africa: Human Sciences Research Council Press.

Morrell, R., Dunkle, K., Ibragimov, U. and Jewkes, R. (2016). Fathers who care and those that don't: Men and childcare in South Africa. *South African Review of Sociology*, 47(4), pp.80-105.

Murray, C. (1981). *Families divided: The impact of migrant labour in Lesotho*. Cambridge: Cambridge University Press.

Mvune. N. (2017). 'Ubaba ukhona kodwa angikabi namandla': Navigating teenage fatherhood in rural KwaZulu-Natal. In N. Mkhwanazi, & D. Bhana, D. (Eds.), *Young families: Gender, sexuality and care*. Cape Town: HSRC Press. Human Science Research Council. Pp. 131-143.

Nathane. M. (2018). Maternal uncles' significance in female-headed households with non-resident fathers. In the state of South Africa's Fathers 2018 Report. Sonke Gender Justice & Human Science Research Council. Pp 19 - 23

Nkani, N. (2017). Rethinking and mediating fathers' involvement in families: The negotiation of intlawulo. In N. Mkhwanazi & D. Bhana (Eds.), *Young families: Gender, sexuality and care*. Cape Town: HSRC Press. Pp. 109-118.

Posey, D., & Devey, R. (2006). The demographics of fathers in South Africa: an analysis of survey data, 1993-2002. In R. Morrell & L. Richter (Eds.), *Baba: Men and fatherhood in South Africa* (pp. 38-52). Pretoria, Republic of South Africa: Human Sciences Research Council Press.

Punch, K. (2005). *Introduction to Social Research: Quantitative and Qualitative Approaches*. London: Sage (pp.262-268).

Punch, K. (2014). *Qualitative Research Design*. Chapter 7 in *Introduction to Social Research. Quantitative and Qualitative Approaches*, 3rd Edition, pp.113-141. London: Sage

Rabe, M. (2006). *Black mineworkers' conceptualisations of fatherhood, A sociological exploration in the South African goldmine industry* (PhD thesis). University of South Africa, Pretoria.

Ramphele, M., & Richter, L. (2006). Migrancy, family dissolution and fatherhood. In R. Morrell & L. Richter (Eds.), *Baba: Men and fatherhood in South Africa* (pp. 73-81). Pretoria, Republic of South Africa: Human Sciences Research Council Press.

Ratele, K. 2018. An Overview of fatherhood in South Africa. In the state of South Africa's Fathers 2018 Report. Sonke Gender Justice & Human Science Research Council. Pp 29 – 46.

- Ritchie, J., & Lewis, J. (2003) 'In-Depth Interviews', Chapter 6 in *Qualitative Research Practice: A Guide for Social Science Students and Researchers*. London, Sage. (Chapter 5)
- Ritchie, J., & Lewis, J. (2003). *Designing and Selecting Samples in Qualitative Research Practice: A guide for social science students and researchers*. Ch.4, pp 77-108.
- Richter, L., & Morrell, R. (2008). *Fathering: The role of men in raising children in Africa – Holding up the other half of the sky*. In M. Garcia, A. Pence & J. Evans (Eds.), *Africa's future, Africa's challenge: Early childhood care and development in sub-Saharan Africa*. Washington, D. C.: World Bank.
- Richardson, J. (2009). *Men do matter: Ethnographic insights on the socially supportive role of the African American uncle in the lives of inner-city African American male youth*. *Journal of Family Issues*, 9, 1041-1069.
- Roscigno, V.J. (2011). *Power, Revisited*. Oxford University Press Vol. 90 (2), pp. 349-374.
- Scorgie, F. (2002). *Virginity testing and the politics of sexual responsibility: Implications for AIDS interventions*. *African Studies*. 61(1):55-75
- Seekings, J & Moore, E. 2014. *Kinship, market and state in the provision of care in South Africa*. In: *Sozial Welt Sonderband 20, Nomos: Baden-Baden*. Pp. 435-451 (p.439
- Stats SA. (2011). *General household survey 2010: Statistical release PO318*. Pretoria: Statistics South Africa.
- Swartz, S., & Bhana, A. (2009). *Teenage tata: Voices of young fathers in South Africa*. Pretoria: HSRC Press.
- Wilson, F. (2006). *On being a father and poor in southern Africa today*. *Baba*, pp.26-37.
- Woodman, G.R. (1999). *Customary laws and customary legal rights: A comparative consideration of their nature and of the relationship between laws*. In Svensson, T.G. (1999). *On Customary law and the Saami Rights process in Norway* Skriftserie. No. 8 Tromso: University of Tromso
- Van den Brink, G., 1978. *Ideologie en Hegemonie bij Gramsci*. *Te Elfder ure*, 24, pp.10-58.

Appendix one: brief biography of study participants

Participant 1: Aphiwe Matyeni

Aphiwe is 32 years old and a father of two girls, Onika aged 5 and Entle aged 1. The children have different mothers. Aside from his children, he does not have any dependents. He lives alone in a formal house in Town 2, Khayelitsha but originally from Mount Frere in Eastern Cape. He comes from a household where his mother was a house-wife while his father was a labourer at a construction company. Aphiwe stayed in Eastern Cape with his mother up until he completed his primary education. He then joined his father and siblings in Khayelitsha, Cape Town where he completed his secondary education at Matthew Goniwe High school in Site B. After Aphiwe matriculated in 2007, he started working as a waiter. Then in 2013, he went back to school to study toolmaking at North Link College. During his studies he was employed by his current employer Cable Springs, an engineering company in Epping, Cape Town as a Tool Maker earning R7500 per month. It took Aphiwe two months to complete his intlawulo payments of R7500. He is yet to undergo the intlawulo process for his younger daughter because he is waiting for her mother's family to approach him and his family.

Participant 2: Xolani Bonbe

Xolani is a 30 year old father of a 3 year old boy Thando. He lives alone in an informal house in Site B, Khayelitsha. He was born in Cape Town but spent the majority of his childhood in Eastern Cape with his grandmother, while his mother who never married his

father, worked as a domestic worker in Cape Town to raise money for his upkeep. Xolani came back to Cape Town in 2003 to complete his secondary education and matriculated from Matthew Goniwe High school. He then immediately enrolled for tertiary education at UNISA in 2007 but could not finish because during that time, he was working as a Credit Associate at one of the stores in Athlone and he couldn't balance his job and school. Currently, he is working at a Garage in Black Heath as an Administrator, earning R9600 per month. Xolani was also charged R7500 for his son and has only paid R1500 so far. Aside from his son, Xolani also supports his mother and his two young sisters living together in a formal house with groceries, electricity and general upkeep.

Participant 3: Shaba Mosalaza

Shaba is a 33 year old father of 3 boys from two different women. He lives alone in a formal house in Khayelitsha Site C, B Section. He is originally from Tsolo Village, Eastern Cape but was raised in Cape Town by both of his parents in their matrimonial home until his father passed on in 1989. Shaba completed his primary and secondary education in Khayelitsha and proceeded to Cape College and CPUT to pursue a tertiary qualification in education. However, he did not follow through his professional career as a Teacher. He is currently runs a small scale transportation business. He owns small buses that he hires out for private functions. He drives one of the taxis and has a driver for the other one. He does not have a fixed earning per month as it depends on business. Shaba completed his first intlawulo payments over 2 years and is still paying for his

second child. Just like Aphiwe, he too is yet to undergo the intlawulo negotiations for his last born. As a last born, Shaba does not necessarily have any other dependents aside from his children but helps his mother out with groceries per month.

Participant 4: Thandisizwe Nkhane

Thandisizwe is a 29 year old father of 6 year old Lintle. He was born on a farm in the North West, Potchefstroom on the 22rd June, 1991. He was only taken to Potchefstroom hospital after he was born where his grandmother served as a midwife. He moved to Cape Town at the age of 6 with his parents who were looking for employment and a better chance at life. He now lives with his daughter and her mother in a formal house in Khayelitsha, Site C, B Section. Thandisiwe's parents never married and his father left when he was only 8 months old. He currently forms part of the South African Defence force as a Sailor in the navy earning R15000 per month which permitted him to immediately pay off his R8500 intlawulo fine at the negotiation table. Aside from his daughter, Thandisizwe also financially supports his 35 year brother with Down syndrome currently living with his mother.

Participant 5: Nyambe Bulana

Nyambe was born in 1988 in Tsolo village in Eastern Cape. He is a first born in a family of 4 boys, each 2 years apart all financially independent. Nyambe currently resides in formal house in Site C, B Section Khayelitsha, where he was raised and schooled. When Nyambe was about 5 years old in 1993, he moved to Cape Town with his mother following her separation from his father. According to him, *'she came here to start afresh, to seek resources, better education and employment.'* After matric, Nyambe pursued a diploma in electrical engineering at CPUT and is currently only left with 2 modules to complete. He is employed as a Technician at a

private company called Rutech Solutions based in Simons Town, which services marine or navy equipments. He earns a salary of R25000 per month. He is also a father to a 5 year old daughter, Amila. Aside from his daughter, Nyambe assists his mother with basic needs like groceries and electricity. It took Nyambe 7 months to complete his intlawulo payments of R7500.

Participant 6: Victor Bixa

Victor is a father of 2 boys aged 12 and 2 years old from different women. He lives alone in BT section, an informal settlement of B Section, Khayelitsha. He was born in 1990 in Mount Frere, Eastern Cape. He moved to Cape Town at the age of 3 but went back to Easter Cape until after completing matric when he decided to return to Cape Town in search for employment opportunities. Unlike the rest of the participants featured in this study, Victor did not pursue further studies after matriculating. He rather opted to work at the airport as a car rental agent. He is currently working for Value Logistics, a transportation company in Kulis River, Cape Town as a Truck Driver. He earns R1500 a week which amounts to approximately R6000 a month that he uses to support his children as his only dependents.

Participant 7: Themba Dutyulwo

Themba was born in 1981 in Queenstown, Eastern Cape. Along with his family, Themba at the age of 5, moved to Harare, Khayelitsha Cape Town where he was raised and schooled. Like Victor, Themba did not pursue further education after matriculating. Themba lives alone in a 2 bedroomed Shack situated between his elder sister's and young brother's shacks, and in front of his shack is his parents' formal house. Themba works for Doctors Without Borders (MSF) at Michael Mapongwana Community Health Centre as a Patient Navigator, earning R7500 per month. He began his career with

Treatment Action Company (TAC) as a Community Mobiliser in 2004 shortly after serving a 1.5 year sentence for armed robbery. He had joined TAC 'because he saw the necessity for men to assist in condom distribution and fighting for disease prevention' but also because 'he wanted to turn his life around.' Themba is also a father of a 5 year old boy named Simikilwe who is currently residing with his maternal grandparents in Eastern Cape. He took six months to complete paying the R5000 intlawulo fine charged. Aside his son, Themba has two nephews who depend on him for support.

Participant 8: Israel Mangwana

Israel was born in 1981 in Qumbu, Eastern Cape. He is the first born in a family of 5. Together with his siblings, Israel was raised by his married parents in a 3 bedroomed Shack. In the early 80s, he moved to Harare, Khayelitsha in Cape Town with his family where he matriculated. After his matric, he pursued tertiary education in Environmental Management at UCT. Presently, he is working as a Community Mobiliser at Movement for Change and Social Justice in Gugulethu, Cape Town and is earning R7000 per month. Israel is a married father of 4 children. His first two children, 11 year old daughter, Joy and 14 year Sinoxolo were obtained out of marriage from different women and are both staying with their mothers. Joy stays in Langa while Sinoxolo stays in Eastern Cape. He lives in his own 3 bedroomed shack with his wife and their children. Israel paid and was charged R5000 in intlawulo for each child and for each child, it took him two months to complete making his intlawulo payments.

Appendix two: interview schedule

Inhlawulo & Father Involvement: Interview Guide

So, kindly tell me a little about yourself?

- Probe: age, highest level of qualification, occupation, job position/title, place of work

Life History

Tell me about your childhood and general family background.

- Probe: living arrangement, extended family, primary care provider etc.

What were your experiences of care as a child?

- Probe: fond memory, primary care provider

Could you please tell me what you know about inhlawulo?

Did you learn about it growing up?

What about your father? (if talks about being raised in a FHH).

Present Circumstance

So, tell me a bit about your family?

- Probe about: living arrangements, different children, wider kin group,

Tell me about your children?

- Probe: age and economic circumstances around first child?
- Probe: Employment status when you had your child?

How old are your children now?

Can you tell me about the relationship with the mother of your child?

- Probe: if they are still together, quality, communication, satisfaction, challenges

Can you tell me a bit about your contact with your child or children?

- Probe: frequency, quality, form

Inhlawulo process & its meaning

Can you tell me how you experienced the process of inhlawulo?

What happened?

How did the negotiations take place?

- Meanings for negotiations...

Who was involved in the process?

Did you discuss it with the mother of the child?

How did you experience the process of Inhlawulo?

- Probe: what does it mean for you?

How is the Inhlawulo fine negotiated or determined?

What does it mean for the people involved in the process?

What happens when you cannot afford to pay the fine?

Looking back now, how did you experience it?

Father involvement (childcare), fathering norms and practice	
Practices/experiences	<p>Could you please tell me how you are involved in your child's upbringing?</p> <p>What are your experiences of child care so far after Inhlawulo negotiations?</p> <p>Has any of your kin facilitated in your provision of care?</p> <p>If yes, please explain how?</p>
Feelings and motivations	<p>How do you feel about providing care to your child or children?</p> <p>Are there any factors that influence your choice of these caring practices?</p> <p>In what ways do you think you can improve?</p>
Physical Contact	<p>Tell me about the visits to see your child?</p> <ul style="list-style-type: none"> • Probe: how often, procedures if not married <p>When you see your child, tell me about the time you spend time together?</p> <ul style="list-style-type: none"> • Probe: length of time per day <p>What are the activities that you normally do when you are with your child?</p> <p>Can you tell me about the last time you were with your child?</p> <ul style="list-style-type: none"> • Probe: fond memory
Fathers as financial supporters	<p>So, tell me how you financially support your child.</p> <ul style="list-style-type: none"> • Probe: means i.e. giving to child's mother or kins <p>Tell me how financially supporting your child makes you feel.</p> <p>How has this changed over the last 5 years?</p> <p>How do you see this changing in the future?</p>
Fathers as emotional/psychological supporters	<p>Tell me how you psychologically and emotionally support your child</p> <p>Please explain your experiences of trying to provide emotional and psychologically care to your child.</p> <p>Are there any challenges in doing this?</p> <p>How can this change?</p>
Perceptions and Attitudes	<p>What is your understanding of care in relation to your child or children?</p> <p>What does been a good father mean to you?</p> <p>What does it mean to be a good supporter or provider?</p>

Father involvement & Inhlawulo

What have been your experiences of child care after Inhlawulo negotiations?

What do you think the purpose of Inhlawulo in relation to fathering is?

- Probe: does it regulate fatherhood

How do you think Inhlawulo affects or influences your involvement in your child's life?

Do you think it regulates your involvement?

- If yes how so?

How do you feel about Inhlawulo regulating a father's involvement in his child's life?

- Probe: what does it mean for you?

Child Maintenance & support after Inhlawulo negotiations

Please tell me what happens in terms of child support after the Inhlawulo negotiations have been concluded?

- Probe: who is involved, how is it regulated, means of remitting support etc.

Concluding the interview

Do you have any additional comments?

Do you have any suggestions to add to this research question?