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IsiXhosa-speaking Single Mothers' Experiences of *Intlawulo* (paying the damages)

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ABSTRACT

Almost half of all South African mothers between the ages of 25 and 34 are never-married single mothers, with most of these single mothers belonging to the African population. Single mothers face various challenges. Cultural customs, such as *intlawulo*, or "paying the damages", may add to the complexities of single motherhood. Past research has not dealt with single mothers' direct experiences of this custom within the Xhosa culture. Consequently, this study's research question is: What are IsiXhosa-speaking single mothers' experiences of *intlawulo*? Twelve IsiXhosa-speaking single mothers from the Cape Town metropole, South Africa were recruited through non-probability snowball sampling. Data were collected through semi-structured interviews. Interviews were transcribed verbatim and the data were analysed thematically. The participants' experiences of *intlawulo* varied greatly and were often contingent upon whether their partners had acknowledged paternity and/or paid *intlawulo* to their family. Positive experiences included improvements in self-esteem, positive emotions, and improvements in relationships and communication amongst the families. Participants whose partners had neither paid *intlawulo* nor acknowledged paternity generally reported negative experiences of the custom. These findings hold practical and social relevance within the South African context, as premarital pregnancies, and the practice of *intlawulo*, affect individuals and entire families.

Keywords: experiences; impregnation; IsiXhosa-speaking; paying damages; single mothers

INTRODUCTION

Single motherhood is by far the most prevalent form of parenting amongst South African families. In 2022, it was reported that 44.1% of South African children were living with only their mothers, while 3.7% were living with only their fathers, 32.7% with both parents, and 19.5% living with neither of their biological parents (Statistics South Africa [StatsSA], 2022). Most single mothers in South Africa fall within the African population, with as many as 4 in every 10 African children living without fathers present in the home (StatsSA, 2018).

Single mothers face various challenges that women with cohabiting partners/husbands do not (Anderson, 2016). For instance, they are more likely to experience poverty, financial hardship and emotional distress compared to mothers in two-parent households (Raniga et al., 2019). These challenges often go hand in hand with – and are compounded by – increased difficulty balancing work, childcare and personal time (Arumugam, 2023). Sometimes, cultural customs such as *intlawulo* may add to the complexities of single motherhood.

Intlawulo, or "paying the damages", is a custom whereby a man is expected to pay an agreed-upon amount of money to a woman's family if he admits to having impregnated her out of wedlock (Nkani, 2017). The custom is practised within – but is not limited to – Xhosa culture. The same practice of "paying the damages" is observed in Zulu culture, but practised differently. In Zulu culture *intlawulo* can be paid with a cow or a goat, while money is considered a last resort and is used only if both families agree (Bhana & Salvi, 2022; Makusha & Richter, 2016). Amongst the Basotho people of Lesotho this practise is referred to as *litsenyehelo* (Kaufman et al., 2001).

Reasons for an *intlawulo* payment are varied, depending on the family's interpretation of it, but generally serves as compensation for the "damages" done by a man either to the woman's reputation, to her family's reputation, or to her virginity (De Goede, 2018). The amount to be paid is decided during a negotiation process that takes place between the two families – generally the men in the families – and depends largely on how much the man's family can afford (Patel & Mavungu, 2016). Historically, in Xhosa culture, the identity of a child born outside of wedlock remains maternal until the father of the child acknowledges paternity and pays *intlawulo*; only then can the child be introduced to his father's ancestors through traditional ways (Nathane-Taulela & Nduna, 2014).

In cases where a man does not acknowledge paternity and/or fails to pay *intlawulo*, he is generally dismissed by the woman's family as irresponsible (Eddy, Thomson-de Boor and Mphaka (2013). Some families are more tolerant than others and might allow a father to be involved in his child's life even if he has not paid *intlawulo* (De Goede, 2018). Although an *intlawulo* payment tends to validate the relationship between a man and a woman in the eyes of their elders and the community, it has been found that never-married mothers will usually prefer that the father is present in the child's life and generally wish to continue their relationship with him (Wilson, 2006).

BACKGROUND TO THIS STUDY

For IsiXhosa-speaking single mothers *intlawulo* can have a significant influence on their overall experiences during pregnancy, and on their new identity as single mothers. Nduna and Jewkes (2012) found that denial and rejection of paternal responsibility by the father of the child was the most hurtful source of distress for young women during pregnancy. Often young men do not have the financial means to pay *intlawulo*, and in many instances they are not allowed to reside with or meet their children until the payment has been made to the woman's family. It may be for this reason that some studies have pointed to *intlawulo's* tendency to be an impediment to poor or unemployed men who wish to have access to and/or co-reside with their partners and children, leading to eventual estrangement (Makusha & Richter, 2016; Malinga & Ratele, 2022; Patel & Mavungu, 2016). This not only has a negative effect on the father of the child, but also on the mother and child.

What can be found across the literature is a recurring theme of "devaluation" that is often associated with young women who engage in premarital sex, and how this threatens their family's reputation and honour (De Wet, 2012; Phoofolo, 2007; Zaidi & Shuraydi, 2002). When men deny fatherhood or disappear altogether in the wake of an unplanned pregnancy, accusations of promiscuity by the family, friends and the community have been found to worsen a mother's shame and distress during pregnancy (Nduna & Jewkes, 2012). This sort of stigmatisation faced by single mothers has a significant effect on their self-esteem, psychological wellbeing and quality of life (Anderson, 2016; De Goede, 2018).

Although previous South African studies have referred to the practice of *intlawulo* (Moore & Samukimba, 2022; Nathane-Taulela & Nduna, 2014; Nduna & Sikweyiya, 2015; Nell & Lesch, 2024; Nkani, 2017), the focus has mainly been on father absenteeism. Except for a few studies in countries in Africa (Kaufman et al., 2001; Langa & Smith, 2012; Makusha & Richter, 2016), no other international research was found that refers to or deals directly with a practice such as *intlawulo.*

This absence of research on single mothers' direct experiences of *intlawulo* necessitated an exploration of the experiences of IsiXhosa-speaking single mothers regarding this custom. Consequently, the aim of this study was to answer the following research question: How do IsiXhosa-speaking single mothers experience the custom of *intlawulo*?

METHOD

An exploratory qualitative research design, informed by a relativist ontology and social-constructivist epistemology, was used to explore IsiXhosa-speaking single mothers' experiences of *intlawulo*. Participants were recruited through non-probability sampling and data were collected by means of semi-structured interviews.

Participants

All 12 participants were residents of informal settlements in the Cape Town metropole, South Africa. Participants were recruited through non-probability snowball sampling based on the following inclusion criteria: they had to (1) self-identify as a single mother; (2) be a mother-tongue IsiXhosa speaker; (3) never have been married; (4) reside in the Cape Town

Metropolitan region; (5) be between the ages of 18 and 35; and (6) have had their first child in the last five years.

Participants’ ages ranged from 18 to 30 years (mean age = 23.3). The ages of the participants’ eldest child ranged from 16 months to 5 years. Participants identified themselves as single mothers for different reasons. Some said that they were single mothers because they were not married, and/or because they had broken up with or did not have a relationship with the father of their child. Others identified as single mothers because even though the father of their child was their only a means of financial support, he did not reside with or provide any physical assistance. Some other participants said that they were single mothers because they were raising a child alone, that they were the primary caretaker, and/or that the father was not a part of or involved in the child’s life. All participants were mother-tongue IsiXhosa speakers who were also proficient in English. Ten of the participants were born in Cape Town (Western Cape province) and two in the Eastern Cape province.

Most participants were still living with one or both of their parents. Four of the participants were living with neither her mother nor her father. Five participants were living with their mothers; nine had one or more siblings residing with them in the home; five had members of their extended family living with them (grandmothers, cousins, nieces or nephews); and one participant was living completely alone with only her child.

Measures

Semi-structured interviews were conducted in this exploratory study, as they allowed participants to report on their subjective experiences of *intlawulo* (Adeoye-Olatunde & Olenik, 2021). Only one open-ended question was asked to capture the participants’ experiences of events that took place during *intlawulo*, such as her feelings, reactions, relationship changes, or anything else she wanted to mention. Probes were used to elicit more detailed responses or explanations.

Procedure

An experienced IsiXhosa-speaking female fieldworker was appointed and trained during several sessions about the focus, objectives and procedures of this study. Participants were identified and recruited by the fieldworker herself, either through her community networks or through referrals by other participants. The fieldworker contacted potential participants telephonically or in person, depending on which method was most cost and time effective in each case. Every participant was visited twice by the fieldworker, the first time to establish rapport and to make the participant more familiar with the study, and the second time to conduct the interview. Upon first contact, the fieldworker briefly introduced herself and provided a basic summary of what the study entailed. If the woman wanted to participate, the fieldworker finalised a date and time that were most suitable for conducting the interview.

Interviews took place in quiet spaces that afforded the interviewer and interviewees the necessary privacy. Before interviewing commenced, the participants were provided with a participant information and consent form to review and sign. Participants were then required to capture their biographical details with the assistance of the fieldworker. The fieldworker

next commenced with the interview, guided by the interview schedule. The open-ended question and probes contained in the interview schedule were mapped from the relevant literature.

Interviews were audio-recorded with the necessary consent from the participants. Participants were told that they could use English or IsiXhosa words or phrases at any time if it allowed them to express themselves better, or for the purpose of conveying a point more clearly. Interviews were translated into English with the assistance of the fieldworker to ensure that no information in the dataset was lost or mistranslated.

Interviews lasted approximately 40 minutes to an hour. Data collection continued until data saturation was reached, which occurred after the twelfth interview (Guest, Namey, & Chen, 2020). The recruitment of participants, the conducting of interviews and the transcription of data therefore occurred concurrently. Using the audio-recordings, each interview was transcribed verbatim in Microsoft Word and stored on a password-protected laptop and accessible only to the first two authors.

Data analysis

The six phases of thematic analysis, outlined by Braun and Clarke (2006), were conducted to analyse the data and the ATLAS.ti version 8 (Scientific Software Development, 2016) software program was used to organise, code and visually display the data. I (first author) first familiarised myself with the data by re-reading the interview transcripts several times. Second, I began to create codes – i.e. *generating initial codes* – during which I attached labels to certain words or phrases, either to capture their surface meaning (semantic codes) or to identify hidden meanings (latent codes). With the use of ATLAS.ti I was able to conduct this step by selecting words and/or phrases within the transcribed text and assigning new or existing codes to them from an automatically generated list of codes. Third, I established themes by seeking out broader patterns of meaning across the coded data. The list of codes, which were generated automatically by ATLAS.ti, allowed me to group similar codes together into "families". Fourth, I weighed up the different themes that I had created to determine the relevance of each to the research question and its overall applicability to the data. This phase entailed refining the themes developed in phase three. I decided which of the themes contained enough data to stand as independent themes, and which could be merged with other themes that were more suitable. For this phase, I created a mind map/network of potential themes to represent my data visually, thereby allowing me to connect patterns in the data and refine the overall dataset. Once meaningful themes had been chosen, I conducted the fifth phase of the analysis – finalising a name for each theme – and provided detailed definitions for each to capture their essence. Finally, during the sixth phase, I analysed the themes and refined the dataset by incorporating existing theory and literature, thereby strengthening the validity of the findings.

Ethical considerations

Before recruitment and data collection commenced, ethics approval was obtained from the Research Ethics Committee: Human Research (Humanities) at Stellenbosch University (protocol PSY-2018-7721). The following ethical principles were adhered to: informed consent; voluntary participation/right to self-determination; anonymity (pseudonyms were chosen by

the participants themselves) and confidentiality; and risk management. The fieldworker was briefed on ethical considerations, recruitment and the data-collection protocol. The possibility that some participants may require psychological or emotional support after taking part in the study was acknowledged, and the contact details of free counselling services in the participants' communities were made available to them.

RESULTS

Seven themes were identified relating to single mothers' experiences of *intlawulo*. These themes are: (1) "I'm damaged goods"; (2) Distress and negative emotional affect; (3) Positive feelings and improved self-esteem; (4) *Intlawulo* a source of conflict; (5) *Intlawulo* a barrier between father and child; (6) Improved relationships; and (7) Barriers to *intlawulo*, which consisted of the subthemes financial constraints, scepticism over paternity claims, and differences in families' adherence to culture and tradition.

Theme one: "I'm damaged goods"

This theme centred on feelings of shame, stigmatisation and reduced self-worth that were experienced by participants throughout the *intlawulo* negotiations. Some participants evidently took the term "paying the damages" literally and came to view themselves as damaged women or "damaged goods". Pretty was asked why she thought *intlawulo* was called "damages", and whether she had come to think of herself as damaged. She said:

> *I think, me as a girl, I'm damaged now, because I know what motherhood is, and stuff, you see? … I'm damaged goods, as they say.*

Pretty viewed herself as "damaged" on the premise that she knows what motherhood is, almost as if her motherhood is symbolic of her loss of innocence in her passage from one phase of her life to another (girlhood to womanhood). Pretty underwent major changes in terms of her identity and the roles she plays within her microsystem (Bronfenbrenner, 1979). Instead of feeling a sense of pride about being a mother, some women may feel that their self-worth is inextricably linked to their virginity, which may serve to be problematic for some young mothers (De Goede, 2018; Swaartbooi-Xabadiya & Nduna, 2014).

For some participants, the stigma that they experienced came from family members, with participants often feeling as if they were labelled in their household as "the one who was not paid for". According to Aziphile, such comments came up often in conversations amongst members of her immediate family:

> *It is still always my father who would always give those type of ugly comments like 'sis this thing that was not even paid for'. Then I would feel very ashamed and hurt.*

Another form of stigmatisation reported by participants came from people outside of the immediate family, perceived by the participants as judgements made by the broader community. Naledi made the following comment about how she believed society viewed single Xhosa mothers whose partners had not paid *intlawulo*:

> *Sometimes, uhm, for example, maybe the child is a drug addict stealing from other people – they are making those comments, saying it's because the father's not paying, because all that bad luck is going on the child. So that, that's the type of remarks, uhm, the community give.*

These kinds of accusations often worsen a woman's shame and distress during pregnancy (Nduna & Jewkes, 2012). These women may come to see themselves as "damaged goods", altering their sense of self and making the transition to motherhood even more daunting than it already is. Furthermore, it may affect these single mothers' sense of self-worth and their psychological wellbeing.

Theme two: Distress and negative emotional affect

For several participants, their experiences of *intlawulo* involved some degree of distress and negative emotional affect. Aziphile, for example, experienced insulting comments from her father due to unpaid *intlawulo*. When hearing these derogatory comments by her father, she reported having felt shame, emotional "hurt", stress and sadness:

I would feel very ashamed and hurt. … It [remarks made by others] *was really stressing me, because all the time it would come up.*

For Aziphile, feelings of emotional pain and shame resulted from her father's demeaning comments. Her partner's inability to pay *intlawulo* was causing Aziphile ongoing turmoil, and she felt a sense of powerlessness in wanting to change something that was outside of her control.

Anger was a feeling that several participants experienced in the wake of *intlawulo*. Sipokazi not only reported anger, but also conveyed a sense of resentment towards her partner for not acknowledging paternity of their child. When asked how she felt about the refusal of her child's father to accept paternity, she responded as follows:

> *It makes me angry. It makes me angry every time I'm thinking about it* [denial of paternity from partner]*, but I'm having one silent prayer. I'm having one silent prayer, that, in my heart I want God to punish him very hard.*

Sipokazi's comment demonstrates how *intlawulo* – a custom that generally takes place over a short period of time – can result in long-term interpersonal and intrapsychic consequences for some single mothers.

Two participants became emotional during these interviews and showed strong negative affect while reflecting on their experiences. Natasha said:

> *Yoh, it broke me down. It broke me, in such a way that* [pause] *I, I told myself that I would never forgive him. … that's the sad part, now, because I knew I was loyal. I was like, no man, I don't deserve this, it's too much. It was too much, I (voice breaking) don't lie. Ja.* (Starts crying).

Natasha showed strong emotions when reflecting on her past and present experiences. While her partner had acknowledged paternity of their child, his mother continued to deny the possibility of this and rejected Natasha persistently. Natasha's voice broke as she spoke of the

denial she faced which, along with her noticeable crying, indicated that the process had caused her great sadness and heartache.

Based on these findings, it became evident that it was not only participants who experienced distress during the *intlawulo* negotiations, but their partners and family members as well. The *intlawulo* process appears to have caused various negative emotions among the participants' partners such as stress, shock, fear and even self-loathing. This shows how *intlawulo* may also hold implications for the self-esteem and psychological wellbeing of both parents.

Theme three: Positive feelings and improved self-esteem

When asked about *intlawulo*, several participants reported positive feelings within themselves and those closest to them, and some even conveyed that there had been improvements in their self-esteem and sense of identity throughout this process.

Naledi not only mentioned how happy the payment of *intlawulo* had made her father, but also described how happy her partner's cooperation and commitment had made her feel:

> *He* [partner] *made me feel so happy at that moment, because I thought he was going to fight against my father, but he didn't hesitate, he took the five thousand out. … Hey, I'm like, in the sky floating. At that moment I felt like a princess.*

Naledi had felt happiness and experienced overall satisfaction with the outcome of the *intlawulo* negotiations.

Two of the 12 participants expressed great pride about the fact that their *intlawulo* had been paid. Zoe was one such participant and said the following when asked whether she thought that her *intlawulo* payment had changed society's perception of her:

> *I used to brag about that, you understand? So that's the only thing that will make me feel proud and I can say against the people around me.*

Zoe felt that *intlawulo* buffered her against ridicule and judgement by people around her because of her premarital pregnancy, and this made her feel proud of the payment.

Theme four: Intlawulo a source of conflict

Conflict was reported by four of the participants. An example of how the *intlawulo* negotiations caused conflict between Lhoza and her partner can be identified in the following excerpt:

> *It affected my relationship* [with partner]. *Because at that time, when there was a conflict between our families, we didn't talk too much. Like there was a gap. Because I was angry at him. … I didn't answer his calls because I was angry.*

Conflict between families often ensued when the two families had different views on and beliefs about *intlawulo* (e.g. how it should be done and even whether it should be done). For example, Lhoza believed that the conflict between her and her partner's family could have been avoided if only it had not been for *intlawulo*:

> […] *this* intlawulo *thing, I think, cause conflict. Because if there, there was no* intlawulo*, there will be nothing of this conflict.*

Natasha added:

> *At some time it, it, it ripped us* [she and her partner] *apart, at some time because, uhm, after I went to his mother* [partner's mother]*, after I told him – I gave her a piece of my mind … he was not himself, he was like, he had too much. He said to me with (pause) 'I've had enough of this catfight'.*

Natasha went on to say:

> *So, for him* [partner] *… – yes it was a triangle, he was caught in the middle. Because I would tell – like my mother said this, and this, – and then the mother on the other side was saying 'Natasha is doing this, and this'. Then it was tough for him* [partner].

In the comments Natasha was reflecting on how the conflict between her and her partner's mother had caused her partner to become distant from her (Natasha), as he excluded himself as much as possible from the ongoing "catfight" between them. This had a destructive effect on their relationship, as may be inferred from the words "it ripped us apart".

Lhoza and Natasha were two of several participants who viewed *intlawulo* as a source of conflict. This conflict generally took place with her partner or immediate family, and may have made an already stressful situation (i.e. premarital pregnancy) even more difficult to cope with.

Theme five: Intlawulo as a barrier between father and child

Most of the participants emphasised that male partners and their families were only granted access to the child once they had paid *intlawulo.* According to the participants, families who followed the *intlawulo* custom more strictly often did not allow the man to see his child or to visit their home if he had not paid damages, whilst more lenient families allowed fathers to see their children if they were paying some sort of maintenance. In most cases, however, participants spoke of how the father of their child was not allowed to see his child before the payment had been made, as this was one of the traditional rules of the custom that had to be followed. Pretty, whose family had received an *intlawulo* payment from her partner, spoke of how strictly the rules of *intlawulo* were enforced by her father:

> *Traditionally it's like that, if you don't pay* intlawulo, *then you're not allowed to see the baby at all. My boyfriend never saw his baby for a month, so he only got to see the baby after* intlawulo *was paid.*

Naledi also spoke about this issue:

> *Sometimes it's sad when your child's father doesn't pay damages* [intlawulo]*, which means the child can't go to his father's culture – maybe one day, if it's a boy – go to bush, or if it's a girl she can't, … we're making it difficult for the child.*

This finding (*intlawulo* as a barrier between father and child) is consistent with previous South African studies, which have highlighted the tendency of *intlawulo* to serve as an impediment to poor or unemployed men who wish to be involved with or co-reside with their partners and children (Makusha & Richter, 2016; Malinga & Ratele, 2022; Nduna & Sikweyiya, 2015). This is also in line with previous studies that indicated that unmarried men often became estranged

from their children for not fulfilling *intlawulo*, despite attempts to be fully involved in their children's lives (Makusha & Richter, 2016; Patel & Mavungu, 2016).

Theme six: Improved relationships

Several participants said that the *intlawulo* process had facilitated positive changes within their close relationships. What should be noted, however, is that acknowledgement of paternity and the payment of *intlawulo* were not the sole causes of improved personal relationships. The quality of relationships before the pregnancy and *intlawulo* negotiations also played a role in whether the participants' relationships withstood the challenges that came with *intlawulo*, and whether these relationships improved over time. Therefore, it is possible that relationships that were already strong and healthy may have been more resilient, and thus helped individuals to better navigate the complexities of the *intlawulo* process.

Pretty said how the *intlawulo* process made her relationship with her partner stronger, whilst also facilitating contact between her partner's family and the baby:

> *It* [intlawulo] *made us* [her and partner] *stronger. … We got close, we got to spend a lot of time together, went out, did everything together. We were much closer than before. … and now his family could see the baby and stuff. And we were all just fine after that.*

From Pretty's experience, it is apparent that *intlawulo* facilitated positive changes in her and her partner's relationship.

Two participants said that their families had treated them better after their *intlawulo* was paid. Sisanda was one of these participants and said the following about her family's attitude towards her after they had received an *intlawulo* payment from her partner:

> *Yeah, they treated me different because they knew the father, and the father was taking responsibility. … So, they were being softer than they'd been before.*

Sisanda evidently felt that her family was being considerate to her after she had been paid for, and more supportive of and loving towards her child, which meant a great deal to her.

The findings reported in relation to this theme have highlighted that several participants considered *intlawulo* as a means of facilitating positive changes within relationships. However, it is possible that the nature of the relationships before pregnancy and the *intlawulo* negotiations may have played a role in the participants' overall experiences of the custom. Furthermore, participants who had reported positive changes in their relationship were typically women whose partners had paid *intlawulo*, whilst those who reported negative experiences, such as conflict, were often women whose partners had not paid.

Theme seven: Barriers to intlawulo

Based on the accounts that were given by the participants in this study, several factors prevented *intlawulo* from being paid, and therefore led some participants to have more negative experiences of the custom. These barriers were financial constraints, scepticism over paternity claims, and differences in families' adherence to culture and tradition.

Subtheme: Financial constraints

The first barrier to *intlawulo* that was identified was a lack of financial resources available to the man's family. This was reported as a barrier by four of the six participants whose families had not received their full *intlawulo* payment. Even in cases where the male partner had the intention to pay *intlawulo*, his family simply did not have the financial means to do so. Lhoza gave the following response when asked how the *intlawulo* process had affected her relationship with her partner:

> *But he didn't have money, he doesn't have money so he can't pay it* [intlawulo]*, because he doesn't have money. … So, I was angry to him, but as time goes on, I decided to make peace, because he can't change that, and he didn't have money. Even if he has money, he will pay the damages, I know.*

For several male partners' families, the payment of *intlawulo* was not financially possible, and some preferred to provide the funds they had available to support the child. In these cases, it was more practical to support the child continuously through maintenance than to make a large, once-off payment. Lisa's response explains this:

> *But then they* [partner's family] *said they didn't have even a small amount* [of money]. *Ja* [yes] *... but they are going to support the child every step of the way. … she* [partner's mother] *said she doesn't have* intlawulo*, money. So, she's going to see – she's going to buy everything for the baby.*

Even in cases where participants had received an *intlawulo* payment, the payment was often less than what the woman and her family had requested, but it was accepted nonetheless, because they were aware of the male partner's – and his family's – financial constraints and had sympathy for the situation.

For some participants, the male partner's family did have the financial means to pay for *intlawulo*, but expected their son to pay it himself. Natasha said:

> *The mother* [partner's mother] *said 'uhm, the boyfriend is still in school' …, so he will pay himself whenever he gets finished with the school, and then whenever he gets a job – because she's not going to pay for his damages.*

This lack of financial independence was mentioned as a barrier to *intlawulo* by five of the participants, and served as an impediment to the male partners who wished to pay *intlawulo*. In most of these cases, the young fathers were still fully dependent on their parents.

Many people in South Africa live in impoverished circumstances, and this impedes many young men's best intentions to adhere to cultural customs such as *intlawulo*. The present study's finding is therefore consistent with that of previous studies, which found that young men often do not have the financial means to pay *intlawulo*, even if they have the intention to do so (Makusha & Richter, 2016; Malinga & Ratele, 2022; Nduna & Sikweyiya, 2015).

Subtheme: Scepticism over paternity claims

Several participants reported that scepticism among their partner's family about the child's paternity was a factor that had the potential to delay or completely hinder the *intlawulo* payment. In such cases, participants said that their partners' families had been reluctant to believe that their son was truly the father of the baby, and thought it possible that the participant was lying. Because of this scepticism, the male partner's family sometimes requested to see the child so that they could examine the child's physical features, and confirm that the child truly belonged to their family's lineage, before going forward with any negotiations.

Of the 12 participants, there was one whose partner had denied paternity of his child, and another participant whose partner's mother denied paternity. Sipokazi, whose partner had denied paternity of her child, reported that any attempt by her family to claim damages would have been pointless, as her partner did not want the child and refused to acknowledge that he was the father:

> *... it's difficult, to make your family understand. On the other side, like, look guys, we can't go there* [to the partner's house]*, because the guy doesn't want* [the child].

Sipokazi knew that her partner was denying fatherhood of the child, and she found it daunting to convey this to her family.

Natasha, however, had reported feelings of great relief about the fact that she had not been denied by her partner in front of her family, saying that denial from him would have been devastating. She indicated non-acceptance (of paternity) as her main fear in the *intlawulo* process, stating the following:

> *… at least now I'm relieved – that he agreed that he's the one who impregnated me. Because that was my only fear that he was going to deny me in front of my family! Like, taking my, like – it's like dragging my name through the mud. So, I was relieved, at least I was like, ok it's fine.*

It follows from Natasha's comment that the acceptance by her male partner was a defining moment for her in the *intlawulo* process. However, there was more at stake than merely losing the *intlawulo* money. Through her use of the words, "like dragging my name through the mud", Natasha made it clear that denial by her partner would have caused her great embarrassment and humiliation in front of her family and others who were present. Had her partner denied her, she may have experienced even more public shaming than she already had upon the initial disclosure of her having had premarital sex. Her comment illustrates how a partner's acknowledgement or denial of paternity can affect a woman's sense of dignity.

Natasha was one of several participants who listed suspicions of promiscuity as a barrier to *intlawulo*. One participant reported that the scepticism and distrust from her partner's family were not related to issues of promiscuity, but rather to matters of financial gain. Pretty said her partner's father was sceptical of her true intentions, believing that she was just an opportunist who wanted to work her way into their family for financial gain:

But like, I think that since he [partner's father] *has this business and he makes so much money, so he thought that maybe I'm just an opportunist, I want to make money, I want to be able to get money from his family. So, I was kind of like shocked, but I still expected it anyway. Because everyone knows how his father is.*

What was prominent in this subtheme is that single mothers tend to face scepticism because of a lack of trust between them and their partners, and between them and their partners' family members. It also became clear that *intlawulo* is a complex, multigenerational custom, which involves many people and not just the couple themselves.

Subtheme: Differences in families' adherence to culture and tradition

The findings reveal three instances in which the participants' and partner's families held different views of *intlawulo*, and therefore struggled to reach agreement on making the payment. Different views on *intlawulo* were either because of the two families belonging to different AmaXhosa clans, or simply because the two families had different traditional beliefs regarding the custom. For example, Nikkie and her partner belonged to different AmaXhosa clans, and her partner claimed that his family (as Mpondos) had a different way of doing things than did her family:

Interviewer: *And as your baby's daddy is Mpondo, it made it difficult for …*

Nikkie: *Mm* [yes]

Interviewer: *– you to accept their way of doing … –*

Nikkie: *– and I didn't even understand how they do it* [intlawulo] *… my boyfriend even explained to my mother before, how they do it. They don't do like us.*

Although Nikkie's family eventually received a portion of the anticipated *intlawulo* settlement, the process was tedious, as it took a while to convince her partner's family that the paying of *intlawulo* was important to her family, and a precondition for him to see his child.

Sometimes, even when two families belong to the same AmaXhosa clan, there are inconsistencies in their respective views of *intlawulo*. Lhoza's account, for example, demonstrates the difficulty of reaching consensus when two families are from different backgrounds and hold different views on the importance of paying *intlawulo*:

My boyfriend – he is from one place, and I am from another place. So, we have different, we have different cultural [ways of doing things]. *In his side they don't pay damages, they just support the baby, he told me so. We can't, I can't – he can't do* intlawulo *and this stuff, he will support the baby only.*

In Lhoza's case, her family and her partner's family held very different views on *intlawulo*, with her family viewing the custom as important, while her partner's family preferred rather to support the child through maintenance. Based on the accounts of the participants in this study, it follows that families who attributed more value to *intlawulo* payments often had a difficult time accepting that it was not a priority for the other family. In most cases, however, it appeared that the women's families who followed *intlawulo* more strictly eventually came to accept the

other family’s inability to pay, especially considering the financial context in which the events were taking place (i.e. lower socio-economic context in which child maintenance was of more practical value).

DISCUSSION

The aim of this study was to explore how IsiXhosa-speaking single mothers experienced the practice of *intlawulo*. Their experiences varied substantially, with positive experiences generally reported by women who had received acknowledgement of paternity and/or an *intlawulo* payment from their partners, whilst those who had not received such payment generally spoke more negatively of their experiences of the custom. Positive experiences included improved self-esteem, positive emotions (e.g. happiness, pride), and improvements in relationships and communication amongst families. Negative experiences of *intlawulo* were generally linked to conflict, father-child separation, stigmatisation and feelings of distress, sadness and anger.

Previous studies have found that many young men often do not have the financial means to pay *intlawulo*, even when they have the best intentions to do so. This points to *intlawulo*’s tendency to act as an impediment to poor or unemployed men who wish to co-reside with their partners and children (Makusha & Richter, 2016; Malinga & Ratele, 2022; Nduna & Sikweyiya, 2015). These findings are consistent with those of the present study, as most of the participants in this study emphasised that their male partners and their families had only been granted access to their child once they had paid *intlawulo*.

A considerable number of the participants placed emphasis on the importance of their partner’s acknowledgement of paternity, as this was a defining factor in terms of whether *intlawulo* could go forward. The possibility of being denied by their partners distressed many participants and their families, with reported feelings of shame and/or hurt. This is consistent with the findings of Nduna and Jewkes (2012). Several participants in the current study reported having experienced stress and negative emotions, such as sadness, shame and anger around the *intlawulo* negotiations. However, this was usually in instances where the male partners failed to accept paternity or pay *intlawulo*.

Furthermore, Nduna and Jewkes (2012) found that it was common for young men to deny paternity or to disappear altogether in the wake of an unplanned pregnancy, which often led to the women being accused of promiscuity by family, friends and community, thereby worsening their shame and distress during the pregnancy. Similarly, it was found in the current study that some participants had grappled with feelings of shame, stigmatisation and reduced self-worth, particularly in cases where male partners had neither paid *intlawulo* nor accepted paternity. While some of these participants had taken the term “paying the damages” literally, and had come to view themselves as damaged women or “damaged goods”, others were stigmatised by immediate family members or members of their communities. This is consistent with a recurring theme in the literature – that of “devaluation”, which is often associated with young women who engage in premarital sex, on the premise that it threatens their family’s reputation and honour (De Wet, 2012; Phoofolo, 2007; Zaidi & Shuraydi, 2002). Furthermore, De Goede

(2018) found that IsiXhosa-speaking single mothers viewed *intlawulo* as a symbol of their "damaged" reputation and diminished worth as women.

Although stigmatisation in the face of pre-marital pregnancy has been documented extensively in the past, a unique finding in this study is that some of the single mothers had managed to mitigate these feelings of stigmatisation, or even avoid them altogether, if the partner had honoured the *intlawulo* agreement with her parents.

Several barriers to *intlawulo* were identified in this study that had hindered the payment or slowed down the negotiation process. These factors include financial constraints, scepticism over paternity claims, and differences in beliefs or views on *intlawulo* between families. Financial constraints have the potential to negatively affect single mothers' overall experience of *intlawulo*, as they prevent her family from receiving *intlawulo* altogether. Other participants struggled to secure an *intlawulo* payment as a result of the scepticism of the partner and/or his family regarding the authenticity of her paternity claim. Scepticism about paternity claims was often linked to suspicions of promiscuity, and sometimes to suspicions of the young women seeking financial gain from the man's family. Lastly, families sometimes held different beliefs about *intlawulo*. The participants and their families did not always agree with their partner and his family's way of going about the custom of *intlawulo*.

Some participants, however, experienced improved communication and a sense of unity between the families in the wake of *intlawulo*. It was also found that male partners' denial of paternity not only had the potential to worsen, or alleviate, a single mother's experience of stigma and shame surrounding her "damages", but that his acknowledgement also affected her sense of dignity and self-worth. Therefore, it could be argued that the sudden transition from girlhood to motherhood may be more daunting for women who experience stigma and denial because of their partner not acknowledging paternity or not paying *intlawulo*, whilst women who received acknowledgement and/or compensation for damages from their partner may view *intlawulo* as restorative to their dignity within the context of their unplanned, out-of-wedlock pregnancy.

The vastly different experiences of *intlawulo* that were reported by participants demonstrate the complexity of the custom, and their nuanced views on and experiences of it.

RECOMMENDATIONS AND IMPLICATIONS FOR PRACTICE

Within the South African context, social workers and other mental health practitioners should be mindful of the fact that almost half of young adult women in the country are unmarried, single mothers. When working with clients, there should be an awareness of the possible stigma they are facing in their family or community, particularly within their specific cultural context.

It is good practice to familiarise oneself with the culture and cultural customs of a client so that their cultural milieu can be better understood, and so that cultural sensitivity can be integrated into the treatment or support plan. Is the single mother still living with her parents? Who is the primary caretaker of their household? What does their current support network look like? And who are the key players in this support network? Available support resources must be identified and utilised during this significant time in the single mother's life.

Social workers should be aware of how the *intlawulo* custom may affect the client's overall experience of pregnancy and her self-esteem in different ways. For many young women, their new identity as mothers may be affected by narratives of devaluation, which in this study centred on feelings of shame, stigmatisation and reduced self-worth. When a client presents with emotional turmoil or low self-esteem in the wake of such complex negotiations, the social worker plays an important role in helping her to challenge her negative beliefs or thought patterns.

In some cases, the single mothers' family members may aggravate the shame and guilt through unwanted comments in the home, and single mothers might internalise these comments and feel labelled, isolated, and unsupported by their family. In these instances, social workers can remind clients that they are not defined by the words or labels of others, and help them to rather focus on their strengths and qualities that will make them a proud and resilient mother.

When two families hold different beliefs about *intlawulo* it can lead to various kinds of conflict. Social workers can help single mothers to understand their place in the conflict, and help them navigate the negative emotions that may result from disagreements. The social worker can also help the single mother reframe the conflict as something external to the self, something which she cannot control and for which she is not responsible. This may help alleviate possible shame and feelings of guilt.

It is evident from this study that male partners' acceptance of paternity and/or payment of *intlawulo* carried great weight in the overall experience that single mothers had with the custom. The single mother has little to no agency in the outcome of the negotiations, and the custom ultimately poses the risk that her feelings of self-worth will be contingent upon her partner's decisions and actions. Training programmes or workshops offered to single mothers within such contexts could benefit them greatly to gain awareness of these issues. This should not only provide these women with guidance on basic parenting techniques, but also teach them how to navigate through the complexities of cultural customs such as *intlawulo*.

In terms of individual counselling, the social worker may be pivotal in helping the single mother reflect on what is within her control and what is not, as this can help her redirect her energy and resources to that which brings her peace and happiness. This, in turn, may help prevent possible long-term interpersonal and intrapsychic consequences.

When the father of the child does not have the financial means to pay *intlawulo*, subsequent estrangement between the child and the father may have psychological and relational implications for all parties involved. This dilemma should be understood and viewed through a culturally sensitive lens, and the social worker should be conscious of the added implications of a Xhosa child being cut off from their paternal line of ancestry.

While *intlawulo* negotiations evidently lead to a lot of turmoil and distress for some IsiXhosa-speaking single mothers, others may have positive experiences of it. For some, the negotiation process could facilitate positive changes in the relationship between the single mother and her partner, or even unite their two families. This underlines the importance of taking a strengths-based approach to counselling and social work, in which we do not always try to pathologize something, but instead focus on the resources and inbuilt strengths that are available. Some

positive experiences reported in this study, and which can be developed further by social workers, include improvements in self-esteem, positive emotions, improvements in relationships, and communication within and amongst families.

Young Xhosa men do not always have the financial means to pay both *intlawulo* and maintenance, and the requirement of them to do so by law can therefore be problematic. In customary law, as well as in Section 21 (1) (b) of the Children's Act No. 38 of 2005, both the payment of *intlawulo* and the payment of maintenance are deemed necessary (Republic of South Africa, 2006). If, however, a father cannot fulfil both, he can claim paternity in terms of Section 26 of the Children's Act, No. 38 of 2005, as directed in Section 21, (1)(b)(i) of this same act ("consents to be identified or successfully applies in terms of section 26 to be identified as the child's father", p. 26) (Ozah & Skelton, 2018; Republic of South Africa, 2006).

Because the South African Constitution recognises such a vast range of different legal systems, children may grow up with more than one legal system regulating their everyday lives and their relationships with family members (Ozah & Skelton, 2018). Evidently, both civil and customary law stress maintenance as a prerequisite for a father to have parental rights to his child. *Intlawulo* – although also a prerequisite stressed in customary law – is not considered to be sufficient on its own and maintenance is also required for a father to have parental rights. Adherence to the custom is nonetheless also laid out as a requirement in Section 21 of the Children's Act, No. 38 of 2005. It has been established that these laws may be problematic for many fathers who do not have the financial means to pay *intlawulo*.

LIMITATIONS OF THIS STUDY

This study explored only single mothers' experiences of *intlawulo* and not their partners' or family members' experiences of the custom. These findings therefore may represent only a partial view of a much more complicated construct.

Furthermore, participants in this study were all residing in an urban informal settlement (in the Cape Town Metropolitan region), and their experiences of *intlawulo* therefore can be said to have been influenced by socio-economic factors such as poverty, globalisation, and modernisation. Single mothers residing in rural areas would likely have a different experience of the custom or might find that there is stronger insistence that the custom be honoured in these communities than in urban ones.

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