

## In Search of Gender Justice

Ideas about gender and human rights have exerted considerable influence over African policymakers and civil society organisations in recent years, and Malawi is no exception. There, concerted efforts at civic education have made the concepts of human and women's rights widely accessible to the rural poor, albeit in modified form. In this book, Jessica Johnson listens to the voices of ordinary Malawian citizens as they strive to resolve disputes and achieve successful gender and marital relations. Through nuanced ethnographic descriptions of aspirations for gender and marital relationships, extended analysis of dispute resolution processes, and an examination of the ways in which the approaches of chiefs, police officers, and magistrates intersect, this study puts relationships between law, custom, rights, and justice under the spotlight.

JESSICA JOHNSON is a lecturer in the Department of African Studies and Anthropology at the University of Birmingham. Her research has been published in the journals *Africa*, *Journal of the Royal Anthropological Institute*, and *Review of African Political Economy*. She is an editor of the *Journal of Southern African Studies*, and co-editor of *Pursuing Justice in Africa: competing imaginaries and contested practices* with George Karekwaivanane (Ohio University Press, 2018).

## THE INTERNATIONAL AFRICAN LIBRARY

### *General Editors*

LESLIE BANK, *Human Sciences Research Council, South Africa*

HARRI ENGLUND, *University of Cambridge*

ADELINE MASQUELIER, *Tulane University, Louisiana*

BENJAMIN SOARES, *University of Florida, Gainesville*

---

The International African Library is a major monograph series from the International African Institute. Theoretically informed ethnographies, and studies of social relations ‘on the ground’ which are sensitive to local cultural forms, have long been central to the Institute’s publications programme. The IAL maintains this strength and extends it into new areas of contemporary concern, both practical and intellectual. It includes works focused on the linkages between local, national and global levels of society; writings on political economy and power; studies at the interface of the socio-cultural and the environmental; analyses of the roles of religion, cosmology, and ritual in social organisation; and historical studies, especially those of a social, cultural or interdisciplinary character.

*For a list of titles published in the series, please see the end of the book.*

# In Search of Gender Justice

*Rights and Relationships in Matrilineal Malawi*

---

Jessica Johnson  
University of Birmingham

International African Institute, London  
*and*



**CAMBRIDGE**  
UNIVERSITY PRESS

Cambridge University Press  
978-1-108-47370-5 — In Search of Gender Justice  
Jessica Johnson  
Frontmatter  
[More Information](#)

## CAMBRIDGE UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom  
One Liberty Plaza, 20th Floor, New York, NY 10006, USA  
477 Williamstown Road, Port Melbourne, VIC 3207, Australia  
314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre,  
New Delhi – 110025, India  
79 Anson Road, #06–04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

[www.cambridge.org](http://www.cambridge.org)  
Information on this title: [www.cambridge.org/9781108473705](http://www.cambridge.org/9781108473705)  
DOI: 10.1017/9781108563031

© Jessica Johnson 2018

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2018

Printed and bound in Great Britain by Clays, St Ives plc, Elcograf S.p.A.

*A catalogue record for this publication is available from the British Library.*

*Library of Congress Cataloging-in-Publication Data*

Names: Johnson, Jessica, 1984-, author.

Title: In search of gender justice : rights and relationships in matrilineal Malawi / Jessica Johnson, University of Birmingham.

Description: New York : Cambridge University Press, 2018. |

Includes bibliographical references and index.

Identifiers: LCCN 2018021299 | ISBN 9781108473705 (hardback : alk. paper) | ISBN 9781108462471 (pbk. : alk. paper)

Subjects: LCSH: Sex discrimination against women—Law and legislation—Malawi. | Equality before the law—Malawi. | Matriarchy—Malawi. | Women's rights—Malawi.

Classification: LCC KSS210.8 .J64 2018 | DDC 342.689708/78—dc23

LC record available at <https://lccn.loc.gov/2018021299>

ISBN 978-1-108-47370-5 Hardback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

For my two Janes

Cambridge University Press  
978-1-108-47370-5 — In Search of Gender Justice  
Jessica Johnson  
Frontmatter  
[More Information](#)

---

## Contents

---

<i>List of figures</i>	<i>page</i> viii
<i>List of maps</i>	ix
<i>List of tables</i>	x
<i>Acknowledgements</i>	xi
<i>Glossary of Chichewa terms</i>	xiv
<i>List of abbreviations and acronyms</i>	xvi
Introduction	1
1 Love, marriage, and matriliney	30
2 Marital disputes and the legal search for justice	52
3 Navigating <i>ufulu</i>	75
4 Gender justice?	94
5 Handling violence	121
6 Justice in motion	147
Conclusion	166
<i>Bibliography</i>	176
<i>Index</i>	196

## Figures

---

2.1 Poster in the VSU	<i>page</i> 63
3.1 VSU register entry	81
4.1 <i>Amayi angathe!</i>	96



## Maps

---

- |   |               |
|---|---------------|
| 1 Malawi  | <i>page 3</i> |
| 2 The Southern Region showing district boundaries | 4             |

## Tables

---

1.1 Household headship in Malawi	<i>page</i> 48
1.2 Percentages of women aged 20–24 and 45–49 currently divorced in 2001	49

## Acknowledgements

---

*Ndingathokoze bwanji anthu onse amene anandilandira kuMalawiko? Poyambirira*, Tiffany Banda eased me into the language and culture of Malawi, opening up her home to me in the year before I began fieldwork and offering expert Chichewa tuition. It was through Tiffany that I met Lynda and Talumba Chilinkhwambe, who went out of their way to welcome me upon my arrival in Malawi. *Zikomo kwambiri!*

During fieldwork, I was affiliated to the Centre for Social Research at the University of Malawi, where Annie Sigere and Alistair Munthali provided crucial advice and administrative support. I also enjoyed many hours of Chichewa tuition with Mario Thodi at the Centre for Language Studies. My thanks also to the History Department for allowing me to live in the Mulunguzi house while I found my feet. At the house, Andrew was invaluable company and I thank him for all that he did to make my stay comfortable and secure. Ngeyi Kanyongolo was instrumental in helping me secure my retreat from the comforts of Zomba to village life in Chiradzulu. She acted instinctively, helping a foreign researcher simply because she could. I suspect she did not realise how much she was doing for me, or how grateful I was. I could never thank her enough for facilitating my transition, all the more so because the village she helped me locate became such a happy home.

Soon after my arrival in the village, my thinly disguised favouritism towards a four-year-old boy living in the same compound was quickly recognised and he became known as my 'husband'. Through him, I acquired ramifying relationships of affinity with a great many of my fellow villagers; it is to my many *alamu* and *apongozi* that I owe the largest debt of gratitude. I also thank all the villagers who welcomed me into their homes and compounds, their committees, meetings, celebrations, and conversations. In addition, I am profoundly grateful to the local traditional authorities who gave their consent to my unusual project and offered their protection. My thanks also to the *alangizi* (initiators), NGO workers, the sheikh, police officers, magistrates, and court staff who were similarly accommodating as they carried out their important work. Sadly, I cannot name them here, but I hope that my commitment to these ongoing relationships expresses at least some of my immense

xii Acknowledgements

appreciation. My closest companion in my village home knows who she is. More than anyone else, she made my life and research in Malawi possible.

This book would have been much improved by the contributions of two women who tragically passed away during my fieldwork. The first had become a valued friend, the second died before I had the opportunity to get to know her as well as I would have liked. I hope that my presentation of their work in the initiation camps and magistrates' courts of rural Chiradzulu does some justice to their memory.

In the end, my efforts to work with a research assistant were not successful, but I am extremely grateful to Diana for persevering with me, and I hope that I will have the chance to thank her again in person.

Harri Englund helped nurture this project from its earliest inception. An inspirational teacher, writer, and researcher, I am sure that I will always be guided by the example he has set. Perveez Mody and Deborah James also provided valuable feedback. I am grateful to Marilyn Strathern, who was a tremendous faculty adviser, generous with her time and her comments on my work. Barbara Bodenhorn first introduced me to social anthropology as an undergraduate student, and if it weren't for her personal warmth and guidance, it is highly unlikely that I would have followed this path. Pauline Peters listened to my excited and rambling early accounts of my field experience and encouraged me to think anthropologically, while Megan Vaughan reminded me of the importance of history. George Karekwaivanane shared my interest in justice in Africa, and our collaboration has doubtless strengthened my research. I cannot thank Dorothy Hodgson enough for her hospitality and her attentive engagement with my work during a three-month research visit to Rutgers University in late 2011. My thanks also go to my hosts at the Institute for Research on Women and the members of their weekly seminar group. Faculty, staff, and students in the Rutgers Anthropology Department also made me feel welcome on campus, for which I am grateful. I imagine that all those mentioned here would want to push me further than I have so far managed to go; I can only hope that our conversations will extend into the future.

A number of lasting friendships blossomed in the Cambridge anthropology basement as this project was taking shape. In particular, the camaraderie of Ela Drazkiewicz, Jialing Luo, Chloe Nahum-Claudel, and Alice Wilson was much appreciated. Above ground, participants in the writing-up seminar offered constructive and provocative feedback on drafts of several chapters, and the friendship of Liana Chua Zoë Groves, Chris Kaplonski, Nayanika Mathur, and Anthony Pickles kept me going through my postdoctoral research and beyond. This book would not have come to fruition without the support of Ron, who has long awaited the sound of it dropping through his letterbox.

Since leaving Cambridge I have had the good fortune of joining a community of Africanists in Birmingham who have engaged thoughtfully with my work. My thanks to Karin Barber, Maxim Bolt, Reginald Cline-Cole, Juliet Gilbert, Rebecca Jones, Insa Nolte, Benedetta Rossi, Keith Shear, and Kate Skinner.

For financial support, I gratefully acknowledge the Economic and Social Research Council; Pembroke College, Cambridge; the Cambridge Department of Social Anthropology; the Gibbs Travelling Research Fund at Newnham College, Cambridge; and the William Wyse Fund at Trinity College, Cambridge.

Sections of Chapter 1 appear in an article published by *Journal of the Royal Anthropological Institute* (Johnson 2018). Earlier versions of Chapter 3 and Chapter 6 appear in *Personal Autonomy in Plural Societies: a principle and its paradoxes* (Johnson 2018), and the journal *Africa* (Johnson 2012), respectively.

Throughout this project, I have relied on my family for all kinds of material and immaterial support. My thanks to Len and Tina Miller for opening up their homes to me and providing a refuge in South Africa. Their care and concern were much appreciated, as was their patience in listening to my unstoppable tales of Malawi. I am also grateful to Amanda Schoua, who saw me at my worst, hobbled by mysterious bacteria and poor company for my worried aunt and mother who were supposed to be on holiday. Sheelah Wilson was gloriously unconcerned by the practicalities of this project; her instinctive pride and steadfast love have been the greatest gifts. My mother, Jane, and late father, Bill, were ever supportive. Their unconditional love is a constant source of inspiration. As this project comes to an end, I am entering a future quite different from anything I could have imagined when I first set out for Malawi. To Tom, and to our future, with love.

## Glossary of Chichewa terms

---

<i>akamwini</i>	in-marrying husbands (singular: <i>mkamwini</i> )
<i>alamu</i>	brothers-/sisters-in-law (singular: <i>mlamu</i> )
<i>Amayi angathe</i>	women are able (women's radio listening group)
<i>ambuye</i>	grandmother or senior maternal uncle
<i>amfumu</i>	chiefs (singular: <i>mfumu</i> )
<i>amuna</i>	men, husbands (singular: <i>mwamuna</i> )
<i>ankhoswe</i>	marriage guardians, advocates (singular: <i>nkhoswe</i> )
<i>apongozi</i>	mothers-/fathers-/sons-/daughters-in-law (singular: <i>mpongozi</i> )
<i>banja</i>	marriage, family, household (plural: <i>mabanja</i> )
<i>boma</i>	government, district, administrative centre of a district
<i>bwalo</i>	chief's court, village meeting place
<i>chibwenzi</i>	boy-/girlfriend, sexual partner (plural: <i>zibwenzi</i> )
<i>chikamwini</i>	uxorilocal marriage, bride-service
<i>chikhalidwe</i>	culture, behaviour
<i>chikondi</i>	love
<i>chilungamo</i>	justice, truth, righteousness
<i>chinamwali</i>	initiation rites
<i>chinkhoswe</i>	customary marriage formalities and ceremony during which <i>ankhoswe</i> are appointed, sometimes translated as 'engagement ceremony'
<i>chitukuko</i>	development
<i>ganyu</i>	piecework
<i>jenda</i>	gender
<i>kachasu</i>	locally distilled spirit
<i>kufunsira</i>	to propose
<i>kukonda</i>	to love
<i>kutsala</i>	to leave behind

## Glossary of Chichewa terms

xv

<i>kutsalidwa</i>	to be left behind
<i>kuyang'anitsa</i>	to be vigilant
<i>kwarwo</i>	his/her/their home
<i>mabanja</i>	marriages, families, households (singular: <i>banja</i> )
<i>maufulu</i>	rights, freedoms (singular: <i>ufulu</i> )
<i>mbeta</i>	unmarried woman
<i>mbumba</i>	minimal matrilineage, matrilineal extended family
<i>mfumu</i>	chief (plural: <i>amfumu</i> )
<i>mfundo</i>	clan name, inherited from one's father
<i>mitala</i>	polygamy
<i>miyambo</i>	customs, traditions, rites (singular: <i>mzwambo</i> )
<i>mkamwini</i>	in-marrying husband (plural: <i>akamwini</i> )
<i>mlamu</i>	brother-/sister-in-law (plural: <i>alamu</i> )
<i>mpongozi</i>	mother-/father-/son-/daughter-in-law (plural: <i>apongozi</i> )
<i>mtendere</i>	peace, harmony, freedom
<i>mtundu</i>	tribe, kind, type
<i>mzwambo</i>	custom, tradition, rite (plural: <i>miyambo</i> )
<i>mzwamuna</i>	man, husband (plural: <i>amuna</i> )
<i>mwini</i>	owner
<i>ndiwo</i>	relish, accompaniment to <i>nsima</i>
<i>ndondomeko</i>	programme, procedure, structure, plan
<i>nkhanza</i>	cruelty, violence, commonly used to refer to gender-based violence
<i>nkhekwe</i>	granary for the storage of dried maize
<i>nkhoswe</i>	marriage guardian, advocate (plural: <i>ankhoswe</i> )
<i>nsima</i>	staple food, a stiff porridge made from maize flour
<i>ubale</i>	kinship
<i>udindo</i>	responsibility
<i>ufulu</i>	right, freedom (plural: <i>maufulu</i> )
<i>ufulu wachibadwidwe</i>	human rights (the freedom one is born with)
<i>ufumu</i>	chieftaincy
<i>ukwati</i>	marriage, wedding
<i>ulemu</i>	respect
<i>unkhoswe</i>	the institution of <i>chinkhoswe</i> , including the assignment of <i>ankhoswe</i> (marriage guardians)
<i>zibwenzi</i>	boy-/girlfriends, sexual partners (singular: <i>chibwenzi</i> )

## Abbreviations and acronyms

---

AIDS	acquired immune deficiency syndrome
ARV	antiretroviral (medication)
CBO	community-based organisation
CPSB	Community Policing Services Branch
CVSU	community victim support unit
DFID	Department for International Development (UK)
FGM	first-grade magistrate
GVH	group village head
HIV	human immunodeficiency virus
NGO	non-governmental organisation
SGM	second-grade magistrate
Sub-T/A	Sub-Traditional Authority
T/A	Traditional Authority
TGM	third-grade magistrate
UK	United Kingdom
UNICEF	United Nations Children's Fund
VH	village head
VSU	victim support unit
WLSA	Women and Law in Southern Africa