

(RE)PRESENTING 'THE FAMILY'- FAMILIST DISCOURSES, WELFARE AND THE STATE

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Introduction

1994 has been declared the International Year of the Family and towards this end numerous organisations, both governmental and non-governmental, have issued statements on the need to focus on 'the family'. A number of conferences on 'the family' are being convened, publications are giving this concept special attention and the United Nations has even had a theme song released for this year's long event.¹

The election of the first democratic government in South Africa and the drafting of a new constitution has stimulated debates on the development of new social policies. 'The family' has been a recurring theme in these policy discussions.

We believe that there is a need to deconstruct the notion of 'the family' in the South African context. We suggest that an understanding of the complexity of familial forms in South Africa is required if new policy proposals are to address the welfare needs of the country. In this paper we explore the familism inherent in existing social policies and trace the philosophical premises upon which familism is based, namely 'the family' as a natural category and possessive individualism. Thereafter we discuss social policies which incorporate these premises, examine examples of current familist discourses in South Africa, and identify issues for consideration in new South African social policies.

People's experiences of families in South Africa differ greatly according to their respective gender, race, class, cultural and age positions. These positions are embedded in a complex of interactive relations of power. As a result one cannot speak about 'the family' in South Africa as there are many family forms and hence the notion of 'families' is more appropriate.

In the past people have been differentially accommodated by social policies in South Africa. The policies of separate development of the apartheid government deliberately excluded African families from welfare service provision. This provision has historically focused on the white population with most of the Health and Welfare budget being allocated towards this end. Following the institution of the Tri-Cameral system, Indian and coloured families were accommodated to a greater extent.

Very few countries, including South Africa, have explicit family policies (Dominelli, 1991). However, although often not acknowledged as part of family policy, social, health, housing and economic policies impact on relationships within families and between families and the state. What is characteristic of many of the existing social policies within South Africa is the familism inherent in these policies.

'Familism' is an ideological construction, emphasising the naturalness of the family as a unit and shaping perceptions of family forms in a context-specific way. The form that this ideology will take differs in various contexts because it intersects historically with the particular constellation of social relations operating in a society. For example, in historically western societies familism asserts that the nuclear family is a universal norm.

Underlying familist assumptions is a distinctive philosophical reflection of ideas about the power relationships between individuals within the family and between families and the state. Through the assertion of familist notions in a society, knowledge claims and normative assumptions about 'the family' are expressed through popular discourses as 'commonsense'. These ideas become enshrined in state policies on a number of levels and reflect specific understandings of the questions of citizenship and government. Familist ideology operates on the level of ideas and as a consequence affects the way in which people organise their lives, that is, on a material level. It also operates in all spheres of people's lives, in what has been referred to as the 'public' and the 'private' spheres. This division in the social relations of human organisation has been strongly contested by feminists amongst others who have argued that it is in fact a false distinction, when in reality these two spheres are integrally related (Dalley, 1988:34).

As noted above, familism as it has been expressed in Western society assumes that 'the family' is the natural 'unit' of social organisation and implicitly posits the heterosexual, nuclear family as the (desired) norm. The explicitness of the articulation of this ideology varies. In some instances proponents may vigorously deny any such assumptions. However, it is our contention that a closer reading of many of these policies reveals an allegiance to familism. Furthermore, whilst the form that familist ideology takes in societies differs, it is our contention that the cultural imperialism of the West has led to the expression of western notions of familism globally.

Two key philosophical premises upon which familism is based are the idea of the family as a natural category, and possessive individualism.

The Family as a 'Natural' Category

The family is assumed to be the natural form for human social organisation and as such, is a fixed entity. This articulation of familism gives rise to a number of erroneous assumptions which have been legitimated through state policies.

It assumes that one can define what is meant by 'the family'. The fact that numerous family forms exist and that 'the family' is a socially constructed concept remains hidden. This is well illustrated by the way in which the term 'the family' is interpreted. In South Africa, until 1994, the definition of what constitutes a family differed according to the various departments dealing with the different population groups. For example, although all recognise a state marriage as marriage, the Cape Provincial Administration (CPA), responsible in the past for the African population, also recognised customary unions as marriages. Similarly the former Houses of Representatives and of Delegates recognised Muslim and Hindu marriages.

In addition, the concept of children was differentially defined, highlighting the way in which this concept has been socially constructed. Whilst all the other Departments regarded 18 as the age at which a child's maintenance grant should be terminated, the CPA terminated this at 16 for African children (Burman and Barratt, 1993:29). This reflection of attitudes towards African children has been prevalent in everyday discourses on children in South Africa in which black adolescents are referred to as 'black youth' whereas their white counterparts are referred to as teenagers.²

The Western nuclear family, held up as the norm in much of the world due to the hegemony of Western imperialism, continues to form the basis of many social policies despite the fact that this family form is not a reality. In Britain it is estimated that only two percent of the population live in nuclear families (Bernades, 1993:35). In South Africa accurate statistics are difficult to access because of the bantustan policies, however recent indications suggest that the majority of rural women live in woman headed households (Segar and White, 1992). The Medical Officer of Health in Cape Town indicated in 1989-90 that 68.2 per cent of African children in the Western Cape are born to women who are not married or living with a man in a relationship (Burman, 1991:215). Despite these statistics familist policies continue to present this as the norm.

In the past state welfare policies assumed a male head of household who was a wage earner and who provided for his family. This was reflected, for example, in the provision of maintenance benefits. Burman and Barratt (1993:31) found that all four departments of welfare issuing maintenance grants assumed fathers to be bread winners. This meant that fathers could never receive a parent's grant, and could receive a children's grant only in exceptional circumstances as they were normally assumed to be earning enough to support their families. Mothers

who had children out of wedlock were deliberately penalised by familist welfare policies. These mothers qualified to receive a grant for only one child, whereas a married mother was eligible to receive grants for up to four children. Unmarried mothers were often compelled to attend family planning lectures and welfare officials would be more insistent upon these mothers looking for work (Burman and Barratt, 1993:51-52).

Whilst this has changed with more recent legislation, intrinsic in state policy on maintenance is the state's reluctance to acknowledge caring for children as legitimate work which deserves compensation.

Individualism

Arising out of the view of the family as the natural unit of social organisation is the philosophical tradition of individualism which has laid the foundation for much of western social and political thought.

This philosophy of individualism 'harks back to the dawn of modern political theory and its contract model of citizenship' (Young, 1992:9). It encompasses the belief that the individual is responsible for (him)self and is independent of others. Through this freedom from dependence on others one's freedom is ensured. In this conception of the freedom of the individual, the individual referred to is male. Women and children are dependent on men, and obtain their status through men's position in relation to society.

Young (1992) identifies the origins of citizenship in this conceptualisation:

In this image the republican citizen is a self-sufficient head of household, who supports himself and his dependents by means of his own property and labour. On this burger model, women, children, servants, and others without independent means of producing a living, all those unable to work, are essentially dependent, either not citizens at all, or not full citizens (Young, 1992:9-10).

This idea of citizenship has been the foundation upon which South African state policy has rested. It has shaped the relationship between the state and the individual and with it, the question of responsibility for the provision of resources.

Closely allied to the philosophy of possessive individualism is the belief that the state should not interfere in the lives of citizens, and hence citizens should provide for themselves and their 'dependents'. In terms of social policy this reflects a residual approach to the provision of welfare as opposed to an institutional approach. Under a residual approach the state does not provide generalised welfare services for its people, services are only provided if what is considered to be the 'normal' mechanisms of care fail (Wilensky and Lebeaux,

1958 in McKendrick, 1987:22).

The consequence of this has been the assumption in state policy that dependents will be provided for by 'the family', ie the male bread winner. In South Africa a residual model of social welfare provision has existed but with several critical qualifications. The Nationalist government historically provided a great deal of support to the white population through a number of mechanisms such as job reservation policies, provision of financial aid to the poor whites, subsidised housing, maintenance grants, disability and sick benefits. The state worked closely with welfare organisations to ensure the provision of other services to white families in a number of different sectors such as Child and Family, Mental Health and Disability. Notwithstanding this provision, the Department of Health and Welfare House of Assembly officials still adopted a stern approach when it came to actually assisting those in need, particularly unmarried mothers. This attitude is still evident and was succinctly summed up recently at a conference on 'the family' in the Cape by Dr Maryann Green who recommended that women's attitudes should be 'I can change. I have the capabilities and I won't wait for Pretoria to help me out' (Green, 1994 in Bozalek, 1994:49).

State policy in South Africa has excluded black families from welfare provision through its overtly racist policies. Although some of these services were theoretically available to Indian and Coloured families, it was often extremely difficult for them to exercise their rights in this regard. An example of this is seen in the extent of the use of maintenance grants. Simkins and Dlamini (1987 in Burman and Barratt, 1993:4) found that the percentage of maintenance grants paid for children born out of wedlock was small for all populations groups. In 1987 approximately 37 per cent of white children were covered, 36 per cent of Asian children, 24 per cent of Coloured children and 0,3 per cent of African children.

As noted above this residual approach to welfare is closely linked to the notion of citizenship. This has several specific implications in the South African context. Prior to the election in April 1994 the black population as a whole was denied the right to exercise their rights as citizens. Further, as discussed above, the notion of citizenship inherent in the concept of possessive individualism excludes the entitlement of women. Whilst this philosophical concept has been challenged by women and women subsequently have attained legal recognition of their citizenship rights, the ideology of the nuclear family with a male head of household persists particularly in the west and in western dominated contexts.

Traditionally individuals within a family have been subsumed under this head of household and the family is assumed to be a homogeneous unit in so far as the head of household's needs and concerns reflect those of 'the family'. This process of aggregation has been prevalent throughout state policies on matters pertaining to families. As a consequence of this process of aggregation women

and children's needs and interests remained hidden.

More recently there has been a growing awareness of the need to examine the concept 'households' in a more nuanced way. However, the fact that women remain largely responsible for all the caring work is seldom acknowledged.

This aspect of familist ideology, that is, viewing the family as traditionally dependent on a male breadwinner, has been differentially experienced by, and applied to, women and men in South Africa. Whilst it has been commonly accepted by those in government and industry that white men needed a family wage in order to provide for their dependents, black families have been excluded from this provision. The state attempted to justify this by portraying the system of migrant labour as supplementing the black population's existence in the rural areas, and by denying the fact that families depended on the miners in order to survive. Further, black women have been drawn into specific forms of wage labour, primarily into the service sector as domestic workers.

Through the perpetuation of the family wage myth, the state has been able to ignore all those in society who were unable to enter wage labour and who were therefore dependent on others for care. President Mandela's commitment to women's equal participation in all spheres of life in his inaugural address raises the hope that this will change, however concern still exists. Even in countries such as China where women have been strongly encouraged to enter the labour market, women continue to be responsible for most of the labour in the domestic sphere, including the care of children and dependents (Dominelli, 1991:123).

Women as Carers

Closely linked to the above and intrinsic in the notion of the nuclear family as well as other patriarchal family forms is the concept of women as natural carers and men as natural providers. In familism 'caring for' and 'caring about' are assumed to be an integral part of women's nature and these two concepts become fused (Dalley, 1988:8). This ideology is so pervasive in everyday discourses that women internalise these expectations of themselves and fail to differentiate between 'caring for' and 'caring about'. Women are expected to do unpaid work in the home in the form of servicing and 'caring for' all the family members, in particular for those who are dependent such as children and those with physical or mental disabilities. If they fail to do so they are regarded negatively in that they have failed to 'care about' their next of kin.

This has implications for all women in South Africa, but their experience of it is mediated by social differences such as race, class, age, ethnicity and disability. For example, many black women have been employed in domestic service, primarily for white families. These women are paid low wages and have not been protected by any labour legislation.

Community Care

Politicians, policy makers and also those in the welfare field on both the Left and the Right have argued that care for the differently abled, children and elderly should preferably be provided in and by the community. The term 'community' is used by politicians, and by those in the social services and in the media in an amorphous way. What is not acknowledged by them is that it is largely women who are providing this 'community' care, and that they are expected to do this on an unpaid basis.

Locating Structural Problems within the Family

The question of responsibility for family welfare is placed firmly in the private domain ie. on women. The belief that the state should only intervene when families 'fail' existed, and there was no acceptance of the state's responsibility in providing resources to ensure the welfare of all families. In an interview undertaken by Burman and Barratt (1993) one state official said that:

In his view, welfare payments are a favour the state bestows on its citizens: people should be deeply grateful for what they receive and not act unreasonably by asking for more than this, nor complain if they do not qualify for a grant (Burman and Barratt, 1993:54).

This attitude is reflected in existing Child Welfare legislation. It is the parents' duty to provide for their children and only if they 'fail' to do this, or are 'unfit' or 'unable', will the state assume this responsibility (Child Care Act 74 of 1983).

Debates about the disintegration of family life have linked social problems such as child abuse and neglect, delinquency and juvenile crime, to the crisis in the family. Historically child abuse has been seen as a family problem, or family dysfunction, rather than as recognising that structural factors play a major part. Because caring for children has fallen into the private domain, it has been primarily regarded as the mother's responsibility; implicit in this is blaming the mother should problems such as 'latch key kids', truancy or child abuse occur. These women inevitably become 'welfare clients' with the associated stigma. They fall under the surveillance of the state welfare apparatus which denies the reality of their lives (Young, 1992a). They are regarded as 'dependents' and lose their rights as citizens. For example, in the past, women applying for a maintenance grant had to attend lectures on contraception, social workers investigated their home circumstances and information provided by neighbours could be used to assess a woman's eligibility for a grant (Burman and Barratt, 1993).

Fraser (1989) notes that women have become the primary subjects of social welfare policies, they are the primary 'clients' and as such are not regarded as citizens in their own rights.

As clients, then, recipients of relief are the negatives of possessive individuals. Largely excluded from the market both as workers and consumers, claiming benefits not as individuals but as members of 'failed' families, these recipients are effectively denied the trappings of social citizenship as it is defined within male-dominated, capitalist societies (Fraser, 1989:153).

Resource Allocation

The feminisation of poverty has been well documented (Dominelli, 1991; Cannan, 1992). It is suggested that, if the welfare of the family rests in the hands of women who do the 'caring', problems in the family are closely linked to the economic welfare of the family. Research has indicated that social welfare, more specifically child and family welfare, is directly linked to women's welfare. Furthermore, research in the United Kingdom suggests that a link exists between the quality of family life and poverty (Cannan, 1992:119).

Within families resources are differentially allocated, and the aggregation of family needs tends to obscure the fact that women and children's access to resources is dependent on particular power relations within the family.

Violence within the Family

Familist policies portray 'the family' as a harmonious unit, thereby hiding the extent of violence within the family towards women, the elderly, the differently abled and children. Rather than an aberrant form this is common place. The state's refusal to become involved in matters that are regarded as 'private' arises out of the concept of 'possessive individualism' which is central to familist ideology. This approach has shifted more recently with the Prevention of Family Violence Act of 1993. However, women's experience of violence differs as does their access to resources to deal with it. If legislation is to be effective, the state needs to become more actively involved in the provision of services that empower women to exercise their rights.

Current Familist Discourses in South Africa

As noted at the beginning of this paper, numerous statements are being made about 'the family' as part of the United Nations International Year of The Family, and the focus of these statements in South Africa has been characterised by familist ideology. Discourses on the family from a variety of sources reflect these familist assumptions. One of the most apparent is that of a racist, colonial notion of black families which is revealed through statements on the role of Welfare bodies in this Year of the Family. This racism is expressed through the imagery used to describe the situation of families in South Africa.

For example, at a family conference held in the Cape recently, the Chairperson for the South African Welfare Council Committee, Professor Fransisco-La Grange asked whether welfare policy should 'pull families out of the swamps' or should help to 'drain the swamps'...She called for the need to 'humanise and civilise' families....the link with colonial imagery of the 'civilised humans' dragging the 'inhuman' - read 'uncivilised' - out of the swamps and 'civilising' them is apparent (Fransisco-La Grange, 1994). Racism has also been expressed in literature and policies that portray any forms other than that of white, middle class heterosexuality as pathological (Jackson, 1993).

The past few years have seen an increase in the number of statements made by the state and other bodies in which 'the family' is seen as responsible for the many social problems facing the country such as child abuse, violence etc. More specifically the term 'the disintegration of the Family' is used to identify the cause of numerous problems. The family as it has been conceptualised in western philosophical and political thought is regarded as being in a state of 'crisis' (Gittins, 1985:155). The family is portrayed as having both caused the 'crisis' facing society and also as having the power to solve this crisis.

A distinct medical discourse underlies the notion of the family in crisis or the 'sick' society - the family is regarded as the organ or unit that is 'dysfunctional'. This image was reflected by Professor Fransisco-La Grange at the above-mentioned conference on 'the Family'. 'The time has come to have structures that concentrate on the well-being and wellness of family life' (in Bozalek, 1994).

Yet another discourse draws on current political terminology and theoretical frameworks as a means of explaining current family forms. This discourse describes the family as the 'smallest democracy in society', a slogan used by the United Nations, thereby reinforcing the concept of possessive individualism discussed above, in which the concept of 'the family' is central to societal structures and notions of citizenship. Despite calls to avoid romanticising the family through slogans such as 'the family is the primary unit in society', Professor Fransisco-La Grange echoed the United Nations slogan when she referred to the family as 'the smallest democracy in our society' (in Bozalek, 1994:49). How is this reconciled with high statistics of violence towards women and children in South African families?

In a newsletter dated November 1993 the South African Welfare Council Committee for Marriage and Family Life urges people to:

Take measures through private and public sectors to provide support and counselling to families with problems to enable them to function as desired (ie. single parent families, families of migrant workers, families affected by unemployment and families with disabled members) (SA Family Mirror, 1993:2).

The above example highlights several aspects of the familist policies that are currently shaping welfare planning in this country, namely:

- (1) The idea that it is the responsibility of the public and private sectors to provide support to families.
- (2) That the cause of problems is necessarily located within families and that these problems would be alleviated by 'support and counselling',
- (3) That this will enable them to function as 'desired', while the notion of desired is not explained.
- (4) That an example of a family with problems and which was not functioning as 'desired' would be a single parent family.

In an additional example of the belief that families are responsible for the state of the nation the document states:

How can we as a family choose to live in peace with our fellow-man (sic)? By setting an example of empathy, tolerance and forgiveness also to others. Cherish the family: Live together in peace. Lets talk PEACE and do PEACE. In this way we as a family unit, can help build a strong and healthy society, and be part of the winning team.

This call to the family reinforces the notion that the family could choose to live in peace, ie. that living with violence is a choice that families are making, and secondly that the family can 'help build a strong and healthy society'. Implicit in these statements is the assumption that 'the family' is a unified, universal concept. The use of the word 'healthy' embodies connotations of a sick society, while the call to be part of a 'winning' team reflects notions of competition.

This competitive aspect is, however, limited to the contribution that families can make to society. Any focus on individual rights within the family is regarded as selfish:

Emphasis on individual rights generates individualism which in turn generates self centredness. We, although delighted with the emphasis on human rights, should realise that family cohesiveness is our aim and individual rights should subsume this (Francisco-La Grange, in Bozalek, 1994:50).

These examples clearly illustrate the way in which policy making bodies use familist ideology in everyday discourses. The broadsheet containing these passages is meant to be an accessible document and has been distributed widely.

The Future

Acknowledging Diversity in Families

In South Africa the experience of families has been mediated by gender, race, class, language, age and ethnic power relations. A critical starting point for a new welfare system in this country is the need to recognise the political and historical significance of family life in South Africa, as well as to acknowledge the nature of different family structures in this country. The existence of large numbers of single parent families, extended and other types of families that do not fit into the nuclear family norm must be recognised.

Moreover even categories such as single parent families need to be analysed in a more nuanced way. The category 'single parent' does not reflect the diversity within this group, for example, single by choice, teenage parenthood, divorce, death of spouse, enforced separation such as migrant labour. Cannan (1992:121) argues that diversity needs to be viewed as a feature of society and of life cycle: lone parenthood is a stage, and individuals move through different forms of family and household, rather than being fixed in a certain type of family.

Research needs to capture the complexity of resource allocation within families, for example in some cases children are providing resources for their parents, in others grand-parents are supporting the family. Unless this is accommodated in policy planning, the effectiveness of future welfare policy will be jeopardised.

(Re)defining the Relationship between Families and the State

The problems experienced by South African families are multifactorial in causation: gender oppression, racism, poverty, unemployment, lack of access to resources. Given these factors, the only means of addressing these underlying structural problems will be the involvement of the state in service provision. There has been a call for the constitutional rights of the family to be included in a new constitution in South Africa (Sachs, 1990). The constitutional rights for families, women and children under a new constitution in South Africa will not be sufficient in themselves to ensure the welfare of all members of the family, or of all families. For, as noted by Lister:

Citizenship rights may be endowed by the state, but there must be certain social and economic conditions which make them effective. Poverty undermines the exercise of citizenship, and poverty is underscored by divisions of race, class, gender, age, disability and employment status (in Cannan, 1992:154).

As well as providing the conditions necessary to ensure that citizen's rights are attainable, the state needs to become actively involved, not only in the provision

of caring services so that this burden is shifted from women, but also in the reconceptualisation of notions of citizenship.

Fraser (1989) notes that women have become the primary subjects of social welfare policies, they are the primary 'clients' and as such are not regarded as citizens in their own rights. The provision of welfare services to all individuals, irrespective of their familial relationships, should be a right rather than a privilege. A shift from a 'residual' model of welfare provision, which only comes into operation when individuals have been pathologised by the welfare system, needs to be replaced by one that actively strives to provide preventative, supportive services and that enhances the development of all citizens. For example, those in the helping professions need to be retrained to abandon the clinical model which only deals with people in crisis, and to develop a model which encompasses welfare as a universal right.

The stigma of being a welfare recipient in this country is a pervasive one; a 'welfare client' is regarded negatively as someone who has failed, one who has not been part of a 'winning team'. There is an urgent need for the relationship between the state welfare bureaucracy and citizens to be reconstructed. The legacy of apartheid has been one of surveillance and disempowerment in which 'welfare clients' were extremely powerless recipients rather than being participants in a process of welfare provision. The opportunities for citizens to organise collectively around their concerns, and to fight for the type of service to which they are entitled to, should be made possible in the welfare structure.

Closely linked to the provision of services is the question of the interpretation of welfare needs of different groups of citizens. Nancy Fraser (1989) reminds us of the political nature of the interpretation of needs, and calls for welfare discourses that are oriented to the 'politics of need interpretation'. Fraser emphasises the discursive or ideological dimension of social welfare policies through which normative assumptions become constitutive of welfare practice. The process of how, and by whom, needs are interpreted should be made transparent.

In this paper we have highlighted a few examples of the way in which familist ideology is incorporated into welfare policies and practice in South Africa, and it is these assumptions that a new Department of Health and Welfare will inherit. We suggest that there is a need for an explicit family policy in South Africa that integrates a non-oppressive framework into all policies and legal provisions affecting individuals in families. This would include a wide range of policies such as land and housing, employment policies and benefits, child care provisions, care of the elderly and differently abled. In addition, those policies impacting on legal structures, in particular Family Law, should be reconsidered.

A few specific issues demand emphasis. Firstly, policy should disaggregate the

members of families and acknowledge women as individuals in their own right. Women's right to earn a living wage independent from that of a man needs to be recognised. Towards this end provision has to be made for women to enter the labour market. This demand extends beyond the provision of equal opportunities with men. As Young (1992a) has noted, because of particular power relations operating, certain groups have specific needs. Policies that focus on equality without acknowledging these differences will not achieve equity.

Young argues for a model of equality based on acceptance which aims to: include formerly disadvantaged or discriminated against persons and groups in all major educational, economic, political and social institutions on terms that provide them as much opportunity for self-development as more privileged groups. It recognises that in order to do so the institutions must publicly recognise the plurality of needs and cultures they include, and must accommodate institutional norms, rules and practices to those varying needs and cultures (Young, 1992a:6).

The recognition of the need to acknowledge women's rights as individuals must not deny the interdependency of citizens. At times in the life cycle all citizens go through periods of dependency. This dependency may be prolonged for certain groups, either temporarily or permanently. The state has to accommodate responsibility for the provision of care to those who are dependent, thereby removing this responsibility from women. The provision of child care for all should be a universal right, not a privilege. In this way child care needs to become a collective rather than a private 'women's issue'.

Research is urgently required into the feasibility of different forms of social assistance to families. It would be critical that this assistance is not means tested in such a way as to reinforce women's dependency on men, or their responsibility for unpaid caring.

Creating an 'Ethic of Care'

Several feminists have proposed the need for an 'ethic of care' and have developed theories as to what an ethic of care would constitute (Young, 1992b, Tronto, 1993). An ethic of care would demand that social policy acknowledges both the interconnectedness of all human beings, and an understanding of who cares for whom and how this is linked to power relations in our society. It follows from this that those who are vulnerable or in positions of dependency should be protected by society.

The legal framework needs to accommodate women's rights with regard to reproduction as well as to provide appropriate protection from violence both within and outside the family. This has critical implications for the way in which

the legal process defines and responds to violence against women and children.

Integrally related to all the above issues is the need for the state to prioritise attempts to change oppressive patriarchal perceptions of women's role and rights, both within families and in society at large. This demands recognition of the way in which concepts such as that of 'the family' are socially constructed. Only if this process of (re)construction is made transparent and if oppressive practices are systematically eliminated, will a new Department of Welfare be able to begin an appropriate process of reconstruction and development, one that meets the needs of all individuals in South Africa.

NOTES

- 1 The Family and Democracy Conference in Stellenbosch, April 1994, the Union of Jewish Women's Symposium on The Family in Cape Town, August 1994 and The Cradles of Peace and Development Conference, Midrand, October 1994. Two South African journals, *Social Work/Maatskaplike Werk* and *Agenda*, published a special issue on the theme of 'the Family'.
- 2 An example of this is the Child Psychiatry Conference held at the University of Cape Town in September 1993 where professionals made numerous references to black 'youth' and white 'teenagers'.

REFERENCES

- African National Congress, 1994, *ANC National Social Welfare and Development Planning Framework*, Belville, ANC Social Welfare Department
- Barrott M and McIntosh M, 1982, *The Anti-social Family*, Verso, London
- Bozalek V, 1994, The Smallest Democracy - The Politics of Familist and Domestic Discourses, *Agenda*, 22
- Burden D S, 1987, 'Women in the New Family', in Burden D S and Gottlieb N, (eds), *The Woman Client. Providing Human Services in a Changing World*, Tavistock, London
- Burman S, 1991, Capitalising on African Strengths: Women, Welfare, and the Law, *South African Journal on Human Rights*, 7 (2)
- Burman S, and Barratt A, 1993, Welfare Law and Bureaucracy in a Changing South Africa: A Case Study of State Maintenance Grants for the Illegitimate, *Working Paper 19*, Centre for Applied Legal Studies, University of the Witwatersrand, Johannesburg
- Cannan C, 1992, *Changing Families changing Welfare*, Harvester Wheatsheaf, London
- Carby H, 1982, 'White Women Listen! Black Feminism and the Boundaries of Sisterhood', *The Empire Strikes Back: Race and Racism in the 70s Britain*, Hutchinson, London
- Child Care Act, No.74 of 1983*, Government Printer, Pretoria
- Collins P, 1991, *Black Feminist Thought*, Routledge, London
- Dalley G, 1988, *Ideologies of Caring. Rethinking Community and Collectivism*, Macmillan, London
- Dominelli L, 1991, *Women across Continents. Feminist Social Policy*, Harvester Wheatsheaf, London
- Family Mirror Newsletter*, November 1993, 1 (4)
- Fernandes J, 1993, Responsibilities in Studying Postmodern Families, *Journal of Family Issues*, 14, (1)
- Frazer N, 1989, *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory*, Polity Press, Cambridge
- Gittins D, 1985, *The Family in Question. Changing Households and Familiar Ideologies*, Macmillan, London
- Graham H, 1993, Social Divisions in Caring, *Women's Studies International Forum*, 16 (5)
- Green M, 1994, Family Resource Management, Unpublished Paper presented at The Family and Democracy Conference, University of Stellenbosch, April

Holmes G E and Saleebey D, 1993, Empowerment, the Medical Model, and the Politics of

- Clienthood, *Journal of Progressive Human Services*, 4 (1)
- Hooks B, 1984 *From Margin to Centre*, South End Press, Boston
- Hutchinson E D, 1992, Child Welfare as a Women's Issue, *Families in Society: The Journal of Contemporary Human Services*, 19
- Jackson S, 1993, 'Women and the Family', in Richardson D and Robinson V (eds), *Introducing Women's Studies*, Macmillan, London
- Kissman K and Silva M O S, 1994, Women in Chile: Wage Labor and Child Care in Families headed by Mothers, *International Social Work*, 37
- Langan M, 1985, 'The Unitary Approach: A Feminist Critique', in Brook E and Davis A (eds), *Women, the Family and Social Work*, Tavistock, London
- Morgan D H J, 1985, *The Family, Politics and Social Theory*, Routledge and Kegan Paul, London
- Prevention of Family Violence Act, 1993 (Act 133 of 1993)
- Sachs A, 1990, *Protecting Human Rights in a New South Africa*, Oxford University Press, Cape Town
- Segar J and White C, 1992, Family Matters and the State, *Transformation*, 20
- South African Family Mirror*, 1993, Newsletter of Department of National Health and Population Development
- Stainton R and W, 1992, *Stories of Childhood. Shifting Agendas of Child Concern*, Harvester Wheatsheaf, London
- Tronto J C, 1993, *Moral Boundaries. A Political Argument for an Ethic of Care*, Routledge, London
- Wilensky H L and Lebeaux C L, 1958, *Industrial Society and Social Welfare*, Russel Sage, New York
- Young I M, 1992a, Equality, Empowerment, and Social Services: Some Questions and Problems, Unpublished Paper presented to the Netherlands Institute for Care and Welfare, Amsterdam
- Young I M, 1992b, Punishment, Treatment, Empowerment: Three Approaches to Policy for Pregnant Addicts, Unpublished Paper, Graduate School of Public and International Affairs, University of Pittsburgh.