

**Armstrong Alice K.** *Struggling Over Scarce Resources: Women and Maintenance in Southern Africa*, 1997, 148 pp

- Maintenance laws in Zimbabwe, Zambia, Swaziland, Mozambique, Lesotho and Botswana.
- Legal obligations of parents to maintain their children and spouses to maintain each other.
- Definition of maintenance and content and effectiveness of current maintenance laws and the meaning of maintenance and the duty of maintenance both under the general system of law and customary law in the Southern African countries.
- Suggestions for legal, administrative and policy changes to increase family income level and ensure that women and children get their fair share of the scarce resources available.
- Community attitudes towards men who do not contribute towards the maintenance of their children and wives and the role of the community elders in presiding over and deciding on matters pertaining to maintenance.
- Recommendations for review and reform of maintenance laws

**Coordinating Assembly of Non-governmental Organisations (CANGO) / Umchumanisi Link Action Research Network (ULARN)**, *Social Protection of the Elderly in Swaziland*, 2003, 53 pp

- Definition of social protection as those policies and interventions that both protect and promote the livelihoods and welfare of the poor people and serve to reduce poverty and vulnerability by promoting efficient labour markets, diminishing people's exposure to risks, and enhancing their capacity to protect themselves against hazards and interruption/loss of income.
- The categories of social protection in Swaziland and welfare service programmes benefiting, single mothers, rural women, the homeless, the elderly and persons with mental or physical disabilities.
- Problems faced by the elderly in Swaziland, especially in the rural areas which include poverty, lack of maintenance, abuse by their children, being remembered only during election time by politicians, as well as HIV/AIDS.
- Recommendations to improve the social welfare of the elderly in Swaziland such as a policy on the elderly; improvement in criteria to determining eligibility for

assistance; the formulation of strategies for elderly friendly procedures; acknowledgment of the role of the elderly in the welfare of families, particularly children; assistance of the elderly with other services such as houses and water; recognition of the elderly as caregivers to the sick and orphaned in policies and programmes on HIV/AIDS; the introduction of the culture of saving amongst young people in preparation for old age, the collaboration of stakeholders and the establishment or initiation of community based efforts to provide food for the elderly.

**The Forum for African Women Educationalists Swaziland (FAWESWA) and the Ministry of Health and Social Welfare Services (MOHSW), November 2000**, *Needs Assessment Report for Young/Teenage Mothers of Lobamba, Mafutseni and Motshane Tinkhundla in Swaziland*.

- Problems faced by teenage mothers in the three Tinkhundla areas such as poverty, illiteracy, unemployment and lack of maintenance.
- Maintenance as a universal problem for most women in Swaziland, whether single, teenage, or married women in rural and urban areas.
- High rates of crime and the high incidence of street children as implications of non-provision of maintenance.
- Recommendations for a review of Swaziland's Maintenance Act to address contemporary problem.

**Government of the Kingdom of Swaziland**, *The Draft Constitution of Swaziland*, 2003, 151pp

- The provisions of Swaziland's Draft Constitution address various areas of the law including the fundamental human rights and freedoms of the citizenry. In addition, the Draft stipulates the manner in which the country's resources, including land, minerals and water, are to be administered.
- Issues of maintenance are specifically addressed in draft section 30 providing that parents have an obligation to maintain their children and that children have the duty to respect their parents and to maintain those parents in case of need.

**Holm Gretelise**, *Women and Law in Southern Africa* Ministry of Foreign Affairs Danida 1995, 52 pp

- The dual nature of the law and its reflection of social and cultural patterns and power structures Swaziland,

Botswana, Mozambique, Zambia, Zimbabwe, Lesotho and Malawi.

- Women's sexual and reproductive rights, women's access to land, property rights of women, as well as women's and children's access to maintenance.
- Maintenance within the context of different family situations the relationship between maintenance and the cash economy.
- The reasons why women do not claim maintenance from their husbands and the fathers of their children which include fear of violence from their husbands, fear that the child will be "bought" and thus taken away, fear of losing their homes and failing at their marriage.

**Kaseke Edwin Dr.**, *A Study of Social Welfare Services in Swaziland* - September 1998. 61 pages

- Situational analysis of social welfare services and review of the extent to which the current staff of the Social Welfare Department effectively carry out their duties and responsibilities within the present organisational structure and reporting procedures using the Maintenance Act of 1970.
- A strategic plan for the development of social welfare services in Swaziland, including a plan of action and practical proposals for the implementation of the strategic plan.
- Current child welfare practices that are not in harmony with the provisions of the UN Convention on the Rights of the Child.
- Recommendations on improving and strengthening maintenance claim procedures.

**Ndlela Makhosazana Lungile**, *Analysis of the Problems Faced by Single Mothers in Selected Areas of Swaziland* (Submitted in partial fulfilment of the Bachelor of Arts Degree in Home Economics), University of Swaziland-Faculty of Agriculture, 1996

- The high incidence of maintenance problems in Swaziland, affecting single women and women in rural areas and urban areas.
- Illegitimate children as the most affected by maintenance problems and the attitude of single women towards men who refuse to maintain their children.
- Reasons why most women do not take legal steps

against men who refuse to support their children which include that most women want to protect their relationships with the men, the fear of violence by the men, lack of confidence in the law and the courts, cultural norms and values, threats to buy or claim custody of the child by the father and witchcraft.

- Recommendations for the establishment of a Maintenance/ Family Court to ensure expedient and effective ways of dealing with maintenance cases, capacity building of the Welfare Department, holding of maintenance cases in camera and the appointment of Maintenance officers.

**Ndlovu Fikile Joyce**, *Street Children in Selected Urban Areas of Swaziland: Mbabane and Manzini* (Submitted in partial fulfillment of Bachelor of Arts Degree in Home Economics) University of Swaziland, 1999

- Poverty, maintenance problems, physical abuse of children and sexual abuse of children, death of parents and witchcraft as reasons for the high occurrence of street children in the Swazi cities of Mbabane and Manzini.
- Maintenance problems where the children are staying with the father, the mother or any other relatives as well as where the parents are unemployed, married, unmarried, divorced or deceased.
- Statistics on the incidence of street children as a direct cause of maintenance problems.

**Women in Law in Development in Africa**, *The Status of Women In Swaziland: The Laws of Swaziland and their Impact on Women* (Compiled for the Coordinating Assembly of Non-Governmental Organisations - CANGO), 51 pp

- Various laws and their implications for women
- Maintenance within the context of marriage, and inheritance laws
- The implications of maintenance problems and their diverse negative impact on both children women alike.

**Women and Law in Southern Africa Research and Educational Trust**, *Charting the Maze: Women in pursuit of Justice* WLSASwaziland, 2000, 219pp

- The concept of justice as it exists in Swaziland and whether or not people's conceptualisation of justice determines their choice of where to seek justice delivery.

- Different justice delivery structures and how peoples' expectations are met or fail therein.
- Maintenance as a problem in Swaziland transcending the marital status and social class of women.
- The particular difficulties faced by rural women in trying to access maintenance.
- The reasons why fathers are unwilling to maintain their children.
- The issue of poverty in relation to child maintenance.

**Women and Law in Southern Africa Research and Educational Trust**, *Comparative Report on Maintenance Law in Southern Africa*, 1991, 124 pp

- Women's disproportionate maintenance responsibility regardless of marital status.
- The factors that influence maintenance including knowledge of the law, customary beliefs, social and economic factors.
- The reasons for not applying for maintenance are recorded as financial and practical problems, frustration, pride, tradeoffs, disappearance of the men, illness, fear of violence and witchcraft.
- Comparison between out of court settlements and litigation as insofar as their effectiveness and identifiable areas of improvement.
- Recommendations to improve the maintenance situation of women.

**Women and Law in Southern Africa Research and Educational Trust**, *Domestic Violence Culminating in Spousal Murder*, Preliminary Report: Stage II Research on Crimes Committed By And Against Women, 2000, 71 pp

- Conceptualisation of domestic violence, spousal murder and crime and definitions of abusive acts, physical domestic violence and emotional abuse.
- The problems arising from the lack of maintenance of children abandoned by their parents and those raised by abusive step-parents

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# Women & Maintenance

## AN ANNOTATED BIBLIOGRAPHY

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