



In the Shadow of Marriage: Gender and Justice in an African Community

Anne M. O. Griffiths

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Anne Griffiths originally went to Botswana to establish a university course in family law. But independent fieldwork in Botswana convinced her of the central role of the traditional customary legal system that stands alongside the colonial common law of courts and magistrates she was examining in her course. In the first comparative work on these two systems, Griffiths shows how the structure of both legal institutions is based on power and gender relations that heavily favor males.

Griffiths's analysis is based on careful observation of how people actually experience the law as well as the more standard tools of statutes and cases familiar to Western legal scholars. She explains how women's access to law is determined by social relations over which they have little control. In this powerful feminist critique of law and anthropology, Griffiths shows how law and custom are inseparable for Kwena women. Both colonial common law and customary law pose comparable and constant challenges to Kwena women's attempts to improve their positions in society.

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