

# African Life with Known and Unknown Love Partners



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By

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## FOREWORD

It has long seemed to me problematic, and even very sad, that the public debate about the STI and HIV/AIDS scourge and its connection with the ways of loving, sexual practice and relationships in Africa is primarily initiated and conducted by non-Africans. Issues of promiscuity, sexual relationship patterns and negligence to STI and HIV/AIDS in Africa have been dealt with in most situations from a Western perspective and construct. African and non-African people trying to understand the dynamics of STI and HIV/AIDS in Africa have been confused by this misguided discourse. This book clearly leads the reader through an appropriate path and elaborates on African sexual habits and cultural beliefs within the STI and HIV/AIDS debate.

This is quite a book written by an African academic intellectual who understands the importance of such a book. He has the guts to research intensively and discusses the STI and HIV/AIDS issues with his academic counterparts and has developed an excellent framework for the book. Though he is not the first writer on the STI and HIV/AIDS scourge in Africa, never have the issues of the STI and HIV/AIDS epidemic been discussed with such simplicity and seriousness. The author's writing style is unique, informed by Christian history, African traditional beliefs, Roman history, orthodox Islamic beliefs and a good number of accounts that are closer to human behaviour but full of humour.

In *"African Life with Known and Unknown Love Partners,"* the author tackles the subject of cohabitation. "Though cohabitation relationships may seem similar to marital ones," he writes "in reality they are distinct in several ways. Although these differences have become less pronounced, there has been an increase in cohabitation in modern societies throughout the world." He identifies a number of characteristics which define the essential boundaries between cohabitation and marriage, which include: age, fertility, stability, social acceptance and state recognition. He thus asks the question, "Why do people prefer to cohabit instead of getting married?" But he contends that there is a plethora of reasons for this option and these vary from one country to another. The author explores cohabitation upfront in the book in order to sound a caveat that there is no

established connection between cohabitation and the issue of infidelity in the realm of adulthood and marital status.

He deals with issues of infidelity and what constitutes it in South Africa. He embarks on an informative journey and explores some of the reasons people have extra-marital affairs in their life time. These range from a spouse cheating to get attention, or just cheating irrespective of what one does. By using South Africa as a laboratory, he digs deep into various studies and comments on infidelity quantum, where “Multiple, concurrent partnerships” is a catch phrase in the STI and HIV/AIDS lexicon, which experts have found to be a key driver of Southern Africa’s devastating STI and HIV/AIDS epidemic. Without beating about the bush, he argues that the Southern Africa account of infidelity could be extrapolated to most parts of the African continent from Cape to Cairo.

In Chapter four, under the title, *Viva Polygamous Marriages!* He takes a magnifying glass and explores polygamy. He defines the practice, gives a historic account of polygamy and illustrates how serious an issue it is in Africa. He concludes that, “From an African perspective, the arguments for polygamous marriages outweigh those that are against.” He is convinced that these kinds of marriages, irrespective of how prevalent they are now, will continue to be an integral part of African tradition and culture. The fact that there are a growing number of African countries that are legitimizing the practice through codification in their constitutions, he argues, is not an exception.

Furthermore, he takes a closer look at the practice of “*concubinage*” that evolved from time immemorial. He dissects the practice from ancient cultures and reflects on the practice by using two prominent religious books, the Bible and the Quran. On the issue of practice endorsement by the two religions, he takes the view that “the conclusion that one could make is that people will always look for reasons to discredit something they do not agree with like “concubinage,” despite its open practice by some people or its positive confirmation in the Bible and the Quran (sic).” He is convinced that the winning argument in most situations comes from people who are in power economically.

Furthermore, he takes a cross-section of practices in Zimbabwe of “girlfriends or concubines (‘small house’); and girlfriends or concubines (‘abomakhwapheni’) practices in South Africa.” He is strongly convinced that although generally Africans are more polygamous than any other

society in the world, secretly more men harbour the desire to have more than one partner as evidenced by the number of sex scandals we read about in both religious and political high circles.

Taking the bull by the horns, as they say, he reflects on the underlying theme of the book– “Uncontrolled Sexual Relationships, Their impact on the STI and HIV/AIDS Spread and Management.” After analysing all the STI and HIV/AIDS statistics, he stares at realities and doesn’t pull his punches. The issue of intercourse across formal, informal relationships, as it pervades all social classes and age groups, he writes, has become a case of entertainment as opposed to its sacred domain in the marriage milieu. He strongly believes that awareness campaigns on the danger of STI and HIV/AIDS have reached the masses and what remains is for people across all social groups to take heed and start to behave accordingly.

A number of initiatives to curb the STI and HIV/AIDS scourge are revisited in Uganda, Zimbabwe and South Africa and success and failures are reported. Once again, he advances his strong opinion on the Government’s STI and HIV/AIDS testing drive in South Africa, which he considers to be a burden to responsible citizens. “The Government should not spend our tax money, (he quotes a commentator), to sponsor the lifestyle of the lustful. Rather it should use money to fix the run down public hospitals and schools.” He concludes his arguments on the need for appropriate solutions by posing a soul-searching question to those people he refers to as irresponsible to the Government. “If you sleep around knowing that you will get an infection, how can that be Government’s problem?”

Where to from here? This is the theme of the last chapter entitled, “*What then and whereunto from now?*” First of all, he is convinced from his observation that “*Africans life with known and unknown love partners*” and he is in a position to conclude with confidence that this is “a way of life or custom.” In other words, he doesn’t see the light at the end of the tunnel from the current thinking of only creating awareness and teaching people life skills about the STI and HIV/AIDS scourge. He is convinced that a custom is an ingrained practice that has a history and an ideological background to justify its existence and importance. He feels strongly that the current initiatives are trying to encourage people to dump a custom. “To encourage people to dump a custom,” he writes, “needs an elaborate behaviour change process similar to the one instituted by behaviour specialists.” But his radical argument comes in the form of a direct critique

of African customs. “African people have appropriate and inappropriate customs and practices, etc. and some of them have been overtaken by the current social, health, economic and political changing circumstances to the extent that they are being abrogated as useless and counterproductive.” He refers to this sorry state as “cultural degeneration” which is characterized by the deliberate abandonment of some of the good African values and customs such as “*ubuntu*.” He is convinced that a significant number of Africans are losing their moral ground and are consistently becoming confused on most issues. He advocates for a paradigm shift solution, the need for radical self-behaviour change programs and the issues articulated in Chapter 7. This is a radical recommendation, but no one who reads “*African Life with Known and Unknown Love Partners*” will doubt his primary conviction is to address the pandemic of STI and HIV/AIDS appropriately and aim for sustainable solutions. The result is a book with a clear scope. I was left wanting a lot more from this son of Africa and thanked his ancestors for designing the foundation of his brain.

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## PREFACE

This book is an outcome of discussions with friends, academic counterparts and some personal observations as well as a review over a period of time of the literature on the issues of general sexual relationships and patterns amongst the African people in Southern Africa. The idea for this exploration emanated from the hypothesis that “*African life with known and unknown love partners*” is opposed to people from Western civilisations. Though the latter have had an immense impact on African’ current relationships, culture and way of life, nonetheless, Africans still retain their unique ways of how they view and practice sexual relationships and ultimately their various marriages. Therefore, the subsequent account invariably and without doubt confirmed my assumption that Africans have their own unique ways of loving and practicing sexual relationships with one or more women without qualms or reservations.

The caveat is that Africans need to do some introspection about their sexual habits and some cultural practices in relation to the goal of surviving the STI and HIV/AIDS scourge. The choice is very clear as to what they should go for. However, the tendency is to undermine the significance of making this choice, opting to argue and to obviate or excuse their sexual habits and some cultural practices as being entirely responsible for the spread of the pandemic.

Notwithstanding the STI and HIV/AIDS scourge, Africans are now in the throes of deciding how to drastically change their entrenched sexual behaviour patterns in response to the pandemic. The battle looks insurmountable as most, if not all, Africans are reticent to abandon their habits as indicated by the growing infections and death rates from STI and HIV/AIDS related diseases. However, despite this untenable situation, there are interventions that could be conceived and applied to remedy the predicament in the short, medium and long term.

The author is indebted to friends, colleagues and academic counterparts. I greatly acknowledge the latter for their open mindedness and valuable input in building this account.

I would also like to thank Professor P. D. Rwelamila for his incisive review of the book and his encouragement to prospective readers of the value of the book.

My family is the source and inspiration for my hypothesis that led to the exploration and final drafting of this book. It is their respect, love, happiness and support that I really appreciated.

**PART ONE:**  
**HISTORICAL BACKGROUND AND CONTEXT**



# CHAPTER ONE

## INTRODUCTION AND BACKGROUND

*Lots of people want to ride with you in the limo,  
but what you want is someone  
who will take the bus with you  
when the limo breaks down.*

—Oprah Winfrey

The narrative in the Bible as reflected in Genesis 2:18 is that God made man and later a woman to afford man a life partner. Then the Lord God said, “*It is not good for the man to live alone. I will make a suitable companion to help him.*” God’s plan from the beginning was for human beings not to live in solitude. Bearing that in mind, the question arises whether man should live a monogamous life. This issue of monogamy as a natural or unnatural way of life has been a raging debate over the centuries. Various authors and researchers have explored whether man was intended to stick to one partner for the rest of his life. Man’s behaviour over the centuries has fuelled this debate and the question arises of whether our diversified morals, values and principles play a part. Throughout the world, men and women bound by their marriage vows are increasingly victims of infidelity or accused of it. Lately, we have also been inundated amongst others with reports of the Roman Catholic Church clergy, who took an oath of celibacy and have since fallen victim to their urges resulting in sexual molestation of children in various parishes all over the world. If God had intended for men and women to have one partner, are humans therefore living against their nature and imposing on themselves monogamous relationships?

To explore the issue and respond to whether man can live a monogamous life, it is important to look at sex from a moral perspective as it seems to be the undertone of the monogamy and multiple partner argument. In the 21<sup>st</sup> century, I am surprised by people who state that engaging in sex is a moral issue. The moralists espouse the ‘sex after marriage’ notion. Engagement in sex on any occasion is viewed as immoral.

If you live with a partner, you cannot engage in sex because you are not married. If you are only dating, heaven forbid that you engage in sex. The worst crime is a one-night stand, and that will definitely place one on the dammed list. Under-age sexual activity is forbidden, and in some countries, it is a crime.

Abstaining from sex, or chastity, is such a moralistic and seemingly far-fetched concept. It is alleged that chastity was aimed at keeping wives faithful while men gallivanted around taking part in a myriad of wars and jousting tournaments, etc. He of course did not have to abide by the same rules. Furthermore, chastity was also meant to ensure that young girls would not be soiled before marriage. All of the above have one purpose. The man's possession, the wife present or future, was truly his and untouched by anybody else. On the other hand, it could also have started when Christianity first came onto the scene in South Africa. The medieval rulers, the Romans and the Greek philosophers, certainly did not share the same moral issues about sex. So the same practice has continued to this day. Young men are allowed and even encouraged in some societies to sow their oats before marriage. It is a matter of great pride as to how many women a young man has had sex with in some societies.

In most societies, a sexually active woman with multiple partners is often frowned upon and the behaviour is considered shameful. Amongst the more orthodox Muslims and Jews, a woman's infidelity, whether actual or even just suspected, can lead to a kangaroo-type court with the verdict being death by stoning. If the idea of morality and sex is so ancient, why do people still believe in it? Actually for the same reason, men want their women to belong to them and only to them, period.

The Christian churches support this principle and the orthodox Muslims even have a death penalty to discourage a woman from leaving her husband or being unfaithful. And guess what, the churches and mosques are led by men who look after their turf and further create barriers to prevent women ministers. And as for the orthodox Muslims, they would roll around laughing at the idea of a woman taking office in their faith.

I read a story of an unmarried pastor who held a senior position in the Church of England and had to quit this top job because she was pregnant. It is bizarre that such a natural thing as child bearing is such a sin, that she could not continue to work in the Church. She might not even have had sex to fall pregnant, bearing in mind the available medical technology of artificial insemination with donor sperm. I suppose if the church believes

it is a sin, they cannot be seen to condone it with one of their senior staff members. Pregnancy is fairly obvious and not that easy to hide. Other acts such as sexual abuse and molestation of young boys can be concealed. This issue of morality and sex then brings its weight to bear on one of the consequences, pregnancy.

If sexual activity prior to marriage is immoral, one can obviously not admit to being active. This means that no birth control may be used, as its use would invariably confirm the intent of engaging in sex. This is especially confusing for young people. They are unable to comprehend the morality of the issue. Young women do not perceive themselves to be owned by men and do not believe in preserving themselves for a future husband. The notion of sex being immoral is therefore not a logical one. Abstinence for young men is even more ludicrous. Throughout their childhood they are socialised by their fathers or older brothers and peers that to score with girls is manly. They spend their adolescent years constantly discussing this topic. Some statistics even show that the average young boy thinks of sex every few minutes.

Furthermore, world media perpetuate thoughts of sex through photographs, films, videos, pornography, social media and the internet. Reality TV often depicts fairly detailed sexual encounters. Films portray sex, often in full detail, and not many films show that the couple in question need to have been married first. The moral issue of sex is not often discussed. Sex is shown as part of life. Moral issues are left to the discussion of faithfulness to one's partner

The consequences of unwanted pregnancies that lead to abortion elicit heated discussion amongst pro-lifers and lifers. If one were to remove the moral issue, and put all girls onto birth control, abortion would not be an issue. Would birth control make any difference in the levels of sexual activity? If it is not immoral would it matter?

However, focusing on sex and morality within a marriage one observes that the diversified guidelines on a marriage or relationship between two partners, as prescribed by the Bible or the Quran have been there since the existence of man. The divergent interpretations and practices by different cultures in the world are mind boggling, one has no clear and unadulterated cognitive blueprint on what the real situation is for monogamy or solitude. Resultantly, people in the world continue to vilify and demean each other based on their respective standards, values and beliefs on life and relationships. This unwarranted conflict or cold war on

which views are standard or correct, more often than not ends up being a fight between the haves and the have-nots of this world. Presumably, the economic dominance of those who have led the standpoint becomes the accepted view. The fact of the matter is that what is good for one nation is not necessarily good for the other. Or what works for you does not obviously work for the other person. The theme of this account focuses specifically on how Africans live with one or more partners amidst the conflicting standards and values of Western civilisation and other cultures. This has gradually eroded the African cultural norms and traditions. The African continent, rich in natural resources, the cradle of mankind, still remains a Third World continent in terms of Western civilisation economic standards. However, the African people, by virtue of their nature and culture have evolved one of the best values and morals of co-existence ever found in the world, among others: the sacred “*ubuntu*” (i.e. compassion). Notwithstanding, the African people still battle to rise above their self-imposed poverty (I will imagine), despite their “*ubuntu*” way of living and doing things together as well as their wealth of natural resources. The latter is exploited by the Western world and brought back to us to buy at exorbitant prices. Be that as it may, my concern is that the African people appear to have adopted a defeatist attitude with regard to promoting their “*ubuntu*” and other related traditional morals and value systems. A glaring tendency is to increasingly adopt the Western civilisation cultures wholesale as part of their education and development, instead of retaining the best aspects of their dynamic African culture and incorporating only the Western civilisation knowledge and morals that add value to the African way of living.

To this end, I noticed an increasing proclivity that anything that is African, being its values, “*ubuntu*,” their way of life or any other African practices, is viewed with suspicion by the outside world because it is normally judged by Western civilisation standards and conceptual frameworks. Thus it is the purpose of this account to unreservedly and without shame, inform whoever about what “*African life with known and unknown love partners*” is in the realm of adulthood and marital status unmindful of the repercussions that may be too gustily to contemplate, especially now in the 21<sup>st</sup> century.

**Confusion Reigns when you do not Simplify Things!**

*A Priest kept chickens at his village parish.*

*One evening the cock went missing.*

*At mass the priest asked,*

*Who has a cock?*

*All the men got up.*

*No! I meant who has seen a cock?*

*All the women got up.*

*No, No! Who has seen a cock that is not theirs?*

*Half the women got up.*

*Oh for goodness sake! Who has seen my cock?*

*All the nuns got up!*



## CHAPTER TWO

### COHABITATION: AFRICAN TRENDS AND PATTERNS

*You cannot be lonely  
if you like the person you're alone with.*  
—Wayne W. Dyer

It is prudent for me to touch on the subject of cohabitation, its trends and patterns, as the theme of this account is influenced by this practice. The rationale of this approach emanates from the belief that a marital relationship is normally informed by what happened before it. In other words, the courtship and/or pre-marital counselling that a couple engage in prior to tying the knot serve as a formidable foundation for the marriage that ensues. Since cohabitation is a practice that sometimes people embark on prior to marriage, it is therefore opportune to review the extent to which it influences the subsequent marital relationship.

First it is important to explore its conceptual meaning. Cohabitation, sometimes called “*consensual union*” or “*de facto marriage*,” refers to unmarried heterosexual couples living together in an intimate relationship. Perhaps it is significant to point out at the outset that cohabitation is not synonymous to the boyfriend and girlfriend love relationship. The latter relationship, in terms of its nature and purpose, may be similar in most cultures and is basically characterised by a love relationship of mostly young people. The relationship does not graduate from ordinary smooching and touching to a sexual relationship before marriage. However, for love partners who engage in a sexual relationship, it is not surprising if they ultimately cohabit. Cohabitation as such is not a new phenomenon. It has, however, developed into a novel family form in contrast with conventional marriage. Part of this change is associated with the absolute rise in cohabitation relationships. Since the 1970s, many countries, particularly those in North America and Europe, have experienced rapid growth of cohabitation rates. Although these numbers generally remain small relative to families composed of married couples, the absolute numbers of cohabiting couples have increased dramatically.

Cohabitation was obscure and a taboo throughout the existence of man until now. Non-marital unions have become common because the meaning of the family has been altered by individualistic social values that have progressively matured over the centuries. As post-war trends illustrate, marriage is no longer the sanctified, permanent institution it once was.

The proliferation of divorce, remarriage, stepfamilies and single parenthood have transformed the institution of the family. These structural changes led to attitudes towards non-marital unions becoming increasingly permissive. As cohabitation involves a shared household between intimate partners, it has characteristics in common with marriage. Similarities include pooled economic resources, a gender division of labour in the household and sexual exclusivity. However, even though the day-to-day interaction between cohabiting couples parallels that of married couples in several ways, important distinctions remain. While some argue that cohabitation has become a variant of marriage, the available evidence does not support this position. Some experts point out that if cohabitation were simply a variant of marriage then its increased prevalence vis-à-vis marriage would lack significance. Sociologists treat cohabitation as a distinct occurrence not because it has displaced marriage, but represents a structural change in family relationships.

Though cohabitation relationships may seem similar to marital ones, in reality they are distinct in several crucial ways. Throughout the world these differences have become less pronounced with the increase in cohabitation. The following characteristics define the essential boundaries between cohabitation and marriage.

θ *Age.*

People in cohabitation relationships tend to be younger than those in marital relationships. This supports the argument that cohabitation is often an antecedent to marriage. The majority of cohabitation relationships dissolve because the couples involved get married or just simply call it off.

θ *Fertility.*

Children are less likely to be born into cohabitation relationships than they are into marital relationships. This is simply because the parties are not committed to that.

### θ *Stability.*

Cohabitation relationships are short-lived compared to marital relationships. It was reported in the World Council of Health Report (2014), that for instance, a recent survey done in Canada evinced that only about 12% of cohabitations are expected to last ten years. By comparison, 90% of first marriages are expected to last this long. By the rule of thumb, it is observed that in South Africa the majority of cohabitation relationships terminate within five years. Although many of these relationships end because of marriage or simple dissolution, the lack of longevity in cohabitations as such illustrates that these relationships have yet to develop into a normative variant of marriage (Cohabitation in South Africa, 2016).

### θ *Social Acceptance.*

Even with its numerical growth and spread throughout society, cohabitation is not as socially acceptable as marriage in most countries including South Africa. Due to the continued breakdown of our societal values, cohabitation is socially tolerated in part because it is expected that cohabiting partners will eventually become married. Indeed, even parents of a female cohabiter turn to condone cohabitation due to their unfavourable economic circumstances. In South Africa the following situation is prevalent. The youthful profile of cohabitation shows that marriage is still the preferred choice of union for most couples. If cohabitation were a variant of marriage, it would have a larger prevalence in older cohorts. Although many people have chosen to delay marriage, most have not rejected it completely. A major reason cohabitations have lower fertility than marriage is because couples tend to abandon cohabitation when children are in the immediate future. However, in most countries including South Africa, marriage is perceived as the most secure and legitimate union when children are involved (Cohabitation in South Africa, 2016).

### θ *State Recognition.*

In South Africa, unlike marriage cohabitation is not sanctioned by any legislation, and persons in non-marital unions do not necessarily acquire specific legal rights and obligations through their union. With the newly revised marriage legislation, without a formal ceremony and legal documentation, a couple is not married even if they have lived together for many years. However, after a set period of time (usually one or two years),

cohabiting couples are recognized as common-law partners in some countries. In such instances, common-law partners can have similar rights and obligations as they would in a legal marriage. But even where cohabiters do have rights, these are often unknown to cohabiters and more complicated to exercise than they are for married persons. In many cases, the rights that cohabiting couples possess have been established by court decisions rather than by state law, as they are for married couples. Perhaps the most crucial legal distinction between these unions is the absence of shared property rights in common-law relationships. Married couples acquire shared property rights upon establishing their union, but cohabiting couples must do so through the law of contracts or the courts. In sum, no uniform and guaranteed set of rights applies to cohabitation. This deficiency shows that in most countries, cohabitation is not yet perceived as a legitimate variant to marriage from the perspective of the state (Cohabitation in South Africa, 2016).

Why do people prefer to cohabit instead of getting married? There are a plethora of reasons for this option varying from one country to the other. These may include wanting to test compatibility or to establish financial security before marrying. It may also be because they are unable to legally marry, because for example same-sex or lesbian, gay, bisexual, transsexual (LGBT) and some interracial or inter-religious marriages are not legal or permitted in some countries. Other reasons include living with someone before marriage in an effort to avoid divorce; a way for polygamists to avoid breaking the law; a way to avoid the higher income taxes paid by some two-income married couples as in the United States; a way to avoid negative effects on pension payments among older people; philosophical opposition to the institution of marriage and seeing little difference between the commitment to live together and the commitment to a marriage.

Some individuals also may choose cohabitation because they see their relationships as being private and personal matters, and not to be controlled by political, religious or patriarchal institutions. Some couples prefer cohabitation because it does not legally commit them for an extended period, and because it is easier to establish and dissolve without the legal costs often associated with a divorce. Today, cohabitation is a common pattern among people in the Western world including some countries in Africa, especially for those who desire marriage but whose financial situation temporarily precludes it, or who wish to prepare for what married life will be like before actually getting married, or who see no benefit or value offered by marriage. More and more couples choose to

have long-term relationships without marriage and cohabit as a permanent arrangement.

### **“Vat en Sit,” the South African Version of Cohabitation**

As Siphe Macanda noted in a *Sunday Times* article on June 19, 2016, some South African men are using ‘*ilobola*’ (dowry) for a layby marriage. They treat it as an account that can be paid off over time whilst living with the woman as their wife, making it a grand version of ‘*vat en sit*.’ For instance, some pay half of the dowry and then hope to drag out payments for years. In this way they hope to enjoy the perks of married life without the prospect of going through a divorce when they want to break up.

But little do they know that “*ilobola*” is binding according to Dr. Nokuzola Mndende of the University of South Africa as asserted in the *City Press* article on August 8, 2016. The learned doctor insinuated that, once you engage in the “*ilobola*” process, and the other family has accepted your proposal, you have created expectations that are legally binding. The learned doctor went further and commented that, however, even the paying of an “*ilobola*” deposit means nothing because the bride’s parents have the right to call back their daughter if you show signs of not meeting your obligations.

The whole issue of “*ilobola*” and traditional marriages is still abused, or it confuses some South Africans despite it being streamlined by the new Marriage Act. The core problem is that young couples think of “*ilobola*” in terms of the Western way of life; they see it as money and not as “*a sacred cow*.” The South African traditional “*ilobola*” status is that even after you have finished paying it, the woman still belongs to her clan. On the other hand, children born before “*ilobola*” has been paid for in full belong to the mother and not the father until a proper African marriage ritual has taken place.

### ***To Shag or not to Shag a Friend***

One sexual practice reminiscent of cohabitation is the recent fashion called to “*Shag or not to Shag*” a friend that is pervading South African youth like a storm. For instance, some South Africans are jumping into the sack with their friends, challenging the idea of platonic relationships between men and women, as confirmed by new a study (Morgan Mashilo, 2016). The National Communication Survey on STI and HIV/AIDS as noted in

the *Sunday Times* article on April 10, 2016, found that out of 9730 people interviewed, 10% of men and 4% of women admitted to having sex with people they described as friends. The study was conducted among people aged 16 to 55 in nine provinces. The article went further to state that some men and women speaking on condition of anonymity said having sex with their friends has its pros and cons. The main benefits are great sex with no emotions or cuddling afterwards. Just pure adult fun! A 20-year-old girl reported that it starts with normal chatting on a friendly basis, and then it develops into flirting and then an informal relationship. At first it is normally passionate sex and quickies here and there, but with time one person starts to get emotionally attached, which ruins the whole thing. The article insinuated that one 24-year-old junior hotel manager in Johannesburg had a friendship with an older female that turned sexual a few weeks after they met. He said it boosted his ego and bank balance. *"I will tell her I need to go out with the guys and she will happily oblige. I needed the money. She would give me R500 here and R500 there. But after a while she developed feelings for me. I explained I had a steady girlfriend."* The downside is that one of the parties gets hurt in the long run. They start acting as if they were dating and forget that it was only just shagging (Morgan Mashilo, 2016).

Another similar example of shagging is that of a 25-year-old Durban media planner who slept with a friend despite being in a steady relationship with someone. The ground rules between the woman and her friend included a complete ban on the words *"I love you."* Not even in the heat of passion she said, we would just be there when one needed the other; nothing more, nothing less. There was no jealousy, no night calls, it was always about sex; the most enjoyable thing was that we enjoyed each other's company and we could have sex whenever we felt the need to do so; when there are emotions involved, it complicated things; sleeping with a friend is acceptable as long as there are rules and boundaries.

Life and relationship coach Shelly Lewin (2016) said women often had more expectations from this type of sexual relationship than men. She reported that it is known that women are aroused sexually when they are emotionally connected to someone. For them it is a bit of a non-brainer to sleep with a friend they are connected with emotionally. But generally men do not need to have the emotional bond to feel sexually connected to someone. So for them if they slept with a friend, it probably would not be because they are emotionally connected. It would just be an added bonus for them. It is almost like a cherry on top.

Grace Molemane, a columnist in the *Sunday Times* article on June 19 made an interesting comment on what love and shagging meant to cosmopolitan African women. She insinuated that if you are still waiting at the station for that thing called love, the gravy train is just going to pass you by. Living in a cosmopolitan city like Johannesburg, you witness many trends which come and go with the seasons. She reckoned that a few years ago the upwardly mobile women in the City were all about independence and building a career. Then the baby boom came! They were falling over themselves to bear children and raise them on their own. Soon that fad partly passed and babies were replaced with “*chihuahuas*” and miniature “*schnauzers*.” After a while, the sisters got bored with their neon-coloured “*empowerment tools*” and “*Roger Rabbit*” was banished to the back of the closet and replaced by a real man as the ladies took to shagging up. Now that fad is supported by fiancés and endless bachelor and spinster parties to pick up shagging partners.

I find myself out in the cold on this one and I have decided to pause, look around and take stock of this novelty of empowered women. There are three choices these women seem to think they have if they want to avoid spinsterhood: the *BEE sugar daddy*, the older white man and the moneyed male who are disguised as a polygamist or perhaps the so-called *blersers*! (Usually a man of financial means who showers his beneficiary or lessee with gifts that can range from clothes and cars to houses and exotic holidays. However, *blesser* and *blessee* are not gender-specific terms.)

On the flip side, there are divergent views on cohabitation as expressed by people based on their normative and cultural background. As observed in South Africa the following are typical objections raised with regard to cohabitation across the colour lines. Some come mainly from religious groups, but also some from factions of feminists as well. Opponents of cohabitation usually argue that living together in this fashion is less stable and hence harmful. According to one argument, the total and unconditional commitment of marriage strengthens a couple's bond and makes the partners feel more secure, more relaxed, and happier than those that have chosen cohabitation. Opponents of cohabitation commonly cite statistics which indicate that couples who have lived together before marriage are more likely to divorce, and that unhappiness, ill health, poverty, and domestic violence are more common amongst unmarried couples than in married ones.

The feminist argument against cohabitation centres on the fact that many possessive, jealous and undeserving men can use the situation to keep an

eye on the female and make attacks on her autonomy and rights. Cohabitation advocates - mostly the young generation, in turn cite limited research that either disproves these claims or indicates that the statistical differences are due to other factors than the fact of cohabitation itself. Since cohabitation has no legal standing in South Africa, it is interesting to explore what the courts say in case of a dispute arising from the cohabiters' situation. During the past ten years the Constitutional Court has provided protection to parties but only where the circumstances have been exceptional and obviously only where they were approached by a party. Unfortunately, not every person can (for financial reasons) approach the courts to fight for rights that should be protected by the Constitution (Section 9 of the Human Rights Charter).

Because of the growing number of cohabitation relationships in South Africa, the South African Law Reform Commission (SALRC) is considering new laws recognising and regulating such relationships. This proposed change in the arena of family law is inevitable but the situation at present, and in the near future, remains unchanged, namely that parties to cohabitation relationships are to a very large extent unprotected. Most legal experts suggest that parties to a cohabitation relationship should enter into a cohabitation (partnership) agreement to cover among other things, the following:

- distribution of property in case of death or break-up,
- payment of debt,
- defining support, custody and visitation rights for minor children, although these are not binding.

Such an agreement can be tailored to the specific needs of each couple and can enable them to enforce their rights relating to property, unjustified enrichment and contractual obligations. This creates a catch-22 situation as most of the couples who choose cohabitation above marriage do so to avoid the paperwork involved and subsequent legal fees. Unfortunately these parties have no choice, for should they not enter into such an agreement they have absolutely no legal protection.

To sum up, though cohabitation is an anti-social practice with no legal standing in South Africa, its proliferation among youth continues unabated. Whether it is the easiest or cheapest way to enjoy "marriage," is a debatable point. Whether it could be attributed to our values or principles that have gone out of the window, is also a moot point. However, the fact that those unmarried partners are cohabiting or are just in love and meet

occasionally to smooch and have sex, is one point. The other point that concerns every right-thinking person is that sex has been downgraded to a general social past-time without any age restrictions or inhibitions. It has lost its sacred status of procreation preserved for married people only. The results of the cohabitation dilemma are the growing number of pregnancies amongst youth, children born without knowing their biological fathers, broken family values and discipline and the spread of sexually transmitted diseases and STI and HIV/AIDS. These problems, fortunately, are not African problems but are universal. They pervade all cultures and communities indiscriminately. Solutions to the problems should be sought objectively without pointing a finger at any race or group. One can only venture that the cause of this cohabitation dilemma is, among others, the proliferation of pornography in electronic and social media across the world and the breakdown of family values and mores.

The reason why cohabitation is explored upfront in this account is to sound a caveat that there is no established connection between cohabitation and the issue of infidelity in the realm of adulthood and marital status which are the theme of discussion. However, in some instances it might be a precursor to this phenomenon on account of the fact that old habits are hard to kill.

The following episode is the downside of occasional shagging across the age limit.

**Subject: Old Lady in Court**

*Defence Attorney:  
Will you please state your age?*

*Old Lady:  
I am 94 years old.*

*Defence Attorney:  
Will you tell us, in your own words, what happened the night of April 1st?*

*Old Lady:  
There I was, sitting there in my swing on my front porch on a warm spring evening, when a young man came creeping up on the porch and sat down beside me.*

*Defence Attorney:  
Did you know him?*

## Chapter Two

*Old Lady:*  
*No, but he sure was friendly.*

*Defence Attorney:*  
*What happened after he sat down?*

*Old Lady:*  
*He started to rub my thigh.*

*Defence Attorney:*  
*Did you stop him?*

*Old Lady:*  
*No, I didn't stop him.*

*Defence Attorney:*  
*Why not?*

*Old Lady:*  
*It felt good. Nobody had done that since my Albert died some thirty years ago.*

*Defence Attorney:*  
*What happened next?*

*Old Lady:*  
*He began to rub all over of my body.*

*Defence Attorney:*  
*Did you stop him then?*

*Old Lady:*  
*No, I did not stop him.*

*Defence Attorney:*  
*Why not?*

*Old Lady:*  
*His rubbing made me feel all alive and excited. I haven't felt that good in years!*

*Defence Attorney:*  
*What happened next?*

*Old Lady:*  
*Well, by then, I was feeling so 'spicy' that I just lay down and told him, take me, young man; take me now!*