CHAPTER ONE

INTRODUCTION AND BACKGROUND OF THE STUDY

1.1 Introduction

Stripping widows of property is a huge social problem in Zimbabwe especially with the escalating death toll due to Human Immunodeficiency Virus (HIV) and Acquired Immunodeficiency Syndrome (AIDS). Customary laws have been unable to address the problem which suggests that extra-legal interventions might be necessary. Social work intervention is necessary to preserve the widow’s worth and dignity as a human being, which is the principal value of social work. A widow is a woman who has lost a husband by death and has not remarried, according to The South African Concise Oxford Dictionary. Property stripping refers to depriving someone of acquired or inherited movable or immovable possessions that rightfully and legally belong to that person (The South African Concise Oxford Dictionary; Kuenyehia 2003). This study uses stripping and grabbing interchangeably as referring to the same act. Basing their studies in Ikot Idem in Nigeria, Okunmadewa, Aina, Ayoola, Mamman, Nweze, Odebiyi, Shedu and Zacha (2002:106) maintain:

[W]omen’s wellbeing often deteriorates quickly after the loss of their husbands, when they suffer threats of both their physical security and property. A widow often loses her husband’s property to the in-laws in accordance with family traditional rules.

This study proposes to explore the widows’ experiences of property inheritance in the Binga District, in the North West of Zimbabwe. Economically, people in Binga practice subsistence farming, animal rearing, and gathering natural fruits. People also enjoy the liberty of fishing in the Zambezi River and this is why they are called Basilwizi, that is people of the great river. The educational level in the district is low, more so among women in all population age groups. Socio-culturally, the Tonga people adhere strongly to
their culture and do not easily accept unexplained outside influence towards change. Polygamy and levirate marriage are strong cultural practices in the district despite HIV and AIDS. Customary marriage is very common among the people and women are generally a subordinate population in many sectors of life as a result of the patriarchal nature of the society (Gopal and Salim 1998).

Year after year widows and their children in Binga are left socially and economically disadvantaged due to property stripping when their husbands die intestate, having no written will (Anglophone Africa 1997). Interactions with the widows in the community by the researcher revealed this problem. The researcher’s work experience with the Tonga people in the Binga District increased his sense of the gravity of property stripping as a social problem especially in view of the mounting death toll due to the HIV and AIDS pandemic. This situation acted as an impetus for this research, which studies the social problems resulting from property stripping.

1.2 Rationale for the study

Even though the Intestate Succession Act, which prevents property stripping from widows, was enacted in Zimbabwe on the 1st of November 1997, property stripping is still a problem (Coldham 1998). This is due to the tension that exists between the jurisprudence of general law and customary law. The general law guarantees the right of the surviving spouse and children to inherit property. Customary law on the other hand gives power to various ethnic groups to administer estates according to their customs and traditions resulting in widows suffering. The ambiguity of the law causes confusion in property claims and the administration of estates. These laws are a legacy of colonialism and have been a problem for women since British colonial rule (Banda 2007).

The hardships that widows encounter result from the application of the ambiguous and sometimes ‘contradictory rules of customary law’ in Zimbabwe and other countries like Kenya, Zambia and Malawi where it also applies (Gopal and Salim 1998:108). Gopal and Salim (1998) criticise the rules of the law of succession that determine who benefits from
the estate of a deceased person for having many ‘grey areas’ and failing to address the inheritance problems of widows (De Waal and Schoeman-Malan 2003).

The social problems emanating from customary laws mean that most policies do not serve to address the problems and so give reason for this study which conceptualises these problems and formulates social work intervention strategies. Binga district is of particular interest to the researcher. Here people adhere strongly to oppressive cultural beliefs and traditions used to dispossess widows of land and property. The researcher perceived this as a lamentable gap that needs to be closed through social research brought to light as a problem for social work intervention.

This study is informed by three major international institutional reforms which are respected worldwide as advocating for social change, Human rights and the rights of women in particular. These are the Convention on the Elimination of All forms of Discrimination against Women, United Nations Commission on Human Rights Resolution 2002/49 and the Beijing Platform for Action. Steinzor (2003:40) maintains:

> [T]he importance of ongoing research was also emphasised at the 58\textsuperscript{th} (April 2002) session of the United Nations Commission on Human Rights, which observed that the complexity of issues involving women’s ownership of, access to, and control over land property..... makes the need for more substantive research all the more evident.

The study is further informed by the Zimbabwean National Gender Policy which creates institutional, social and legal capacity for dealing with gender violence, inheritance and property rights. Paradoxically in the same country, widows are obliged to submit to traditional practices that prohibit them from inheriting their husbands’ estates with little recourse to redress. This exposes the weaknesses of property inheritance legislation in Zimbabwe and calls social work intervention. If it is true that property rights are women’s rights and women’s rights are human rights, then depriving women of property is oppression of women which needs social work intervention. There is therefore a need to
give widows a rare chance to recount their experiences of property stripping, hence the focus of this study.

1.3 Statement of the research problem

Widows become increasingly vulnerable as the deceased husbands’ immediate family members grab property and deprive widows of their inheritance rights (Gopal and Salim 1998). The problem is more pronounced in customary marriages which are exclusive to Africans and oppressive in nature for the powerless widows (Anglophone Africa 1997). It is worth noting that whether registered or unregistered, customary marriages are common in the country constituting 82% of the marriages in 1997 (Anglophone Africa 2004). The high rate of customary marriages in Zimbabwe increases the problem of property stripping from widows, as customary laws prove to be ineffective and exacerbate the problem.

Stemming from customary laws’ inability to address it, property stripping from widows reduces drastically their social and economic resources and results in untold social consequences. The problems resulting from property stripping include the widows’ inability to care for themselves and their orphaned children, inability to mitigate and fight the Acquired Immunodeficiency Syndrome (AIDS), destitution and stress (Izumi 2006).

1.4 Research questions

The research questions that are pertinent to the study are as follows:
1. What are the property inheritance experiences of widows when their husbands die intestate?
2. What are the empowerment needs of the widows who experienced property inheritance problems?
3. How can social workers intervene in situations of property stripping?

In order to answer these research questions, goals are formulated that guide the research. These are briefly discussed in the paragraphs that follow.
1.5 Goals and objectives of the study

The overall goal of the study is to shed light on how property stripping affects widows in order to find possible alternative solutions and intervention strategies for social work practice. In order to achieve the goal, the following specific objectives are set:

i) To gain insight into the experiences of widows concerning property inheritance.

ii) To conceptualise the empowerment needs of widows against property stripping.

iii) To formulate intervention strategies that can be used by social work practitioners to combat property stripping.

1.6 Conceptual and theoretical framework

Social work literature that discusses widowhood and property inheritance *per se* is scanty. The literature that explores the problem is drawn from legal studies whilst the problems addressed by such literature are perceived to be best intervened through social work practice. Literature that is reviewed in the study has both social work and legal orientation. From that perspective, the researcher perceives it necessary to draw a link between social work and law.

‘Social work is social order’ (Payne 2005:16). Social work’s roles and values, namely to enhance the worth and dignity of individuals and equality, are mediated through the law and the organisations within which social work is practised (Payne 2005). The laws that are in question, namely customary laws are centred on norms, customs and traditions which in the researcher’s view are social constructions and fall within the main domain championed by social work that of trying to maintain social order. Law and social agencies, according to Payne, are social work’s context, making it a social order that is part of a wider social order because it is partly constructed by the sources from which it gains its authority to act.
Various qualitative studies about property inheritance reveal experience of property grabbing as a social problem faced by the widows whose husbands die intestate (Patrie, Roth & Mazvimavi 2003; Strickland 2004; von Struensee2004; Izumi 2006).

According to Patrie et al’s (2003) study of *Seeking Women Land owners and Ownership in Zimbabwe: Case studies of Women’s Access to Land and Land Use*, widows’ rights to inheritance of property and land have been compromised before the law, particularly where customary law took precedence. The inability of women to find protection in customary law and be able to inherit property was seen by Strickland (2004:10) to be the cause of social problems such as failure to ‘prevent HIV/ AIDS or mitigate its impact’.

Strickland (2004:13) focuses on the importance of widows inheriting property in the context of HIV/AIDS and comments further that:

> [L]and, housing and other property constitute a resource base from which the household can draw to cover HIV/AIDS related costs including the costs of medical treatment, provision of care and services related to deaths and funerals.

In a feminist study of *The Land and Property Rights of Widows and Other Vulnerable Women in Zimbabwe*, Izumi (2006) found that widows were forced to vacate their matrimonial homes and lost livestock to their husband’s relatives.

Evicting widows from their homes causes problems of homelessness and destitution of the widows and their children. Livestock in rural areas are a sign of wealth, are used for farming to obtain food and also are a source of income. When livestock is taken away from the widows, poverty and hunger loom large among the social problems to be faced. The problems emanating from property inheritance turn the widows into social welfare cases. Social welfare according to Bernstein & Gray, (1997:5) includes ‘those provisions and processes directly concerned with the treatment and prevention of social problems, and the improvement of the quality of people’s lives’. The principal profession for
administering welfare services to the people is social work (Bernstein & Gray 1997; Potgieter 1998) and hence this study is germane to the field of social work.

Inheritance of property has also led to acts of violence against widows; this is another social problem that needs to be addressed by social workers. For example, in the Buhera site, according to Izumi, (2006) widows were reported to have received threats of property stripping while five were beaten by their in-laws. Problems facing widows need to be understood and addressed from certain theoretical perspectives. Theories that try to explain the unjust treatment of widows as a social problem take the ‘violence against women perspective’ as a point of departure. Radical Feminist theory, Rights theory and Cultural theory are among the theories that explain violence against women (Randall 2003). These theories were utilised to conceptualise the genesis of property stripping as violence against women and such an understanding is seen by the researcher as crucial for intervention in social work. Having conceptualised the aetiology of property stripping, the study employs the empowerment approach as a basis for social work intervention and the formulation of intervention strategies.

1.6.1 Radical feminist theory

The study embraced Radical feminist theory to explain that violence against women is a result of power imbalances that exists in society. According to Randall (2003; Malley-Morrison and Hines 2004) the position of Radical feminist theorists is that oppression of women stems from the patriarchal norms and values of the society.

Code (2000) points out that Radical feminist theory contend that patriarchal societies socialize women in accordance with the required role and status in society to serve the needs of the dominant group. Following that line of thought, it means that women have been socialized in such a way that they cannot voice their rights to inheritance of property against their in-laws. Also, women’s expected behaviour and place within marriage institutions is decidedly subordinate (Chalk and King 1998).
Institutionalization of this inequality is further perpetuated by customary law which seeks to protect some unfair practices in Zimbabwe. This study notes that legal cases for example, the case of Magaya versus Magaya, in which Vennia was not accorded heirship because she was a woman, was glossed over by the theory (Coldham 1999; Banda 2007). The theory tends to explain, in depth, violence in the social and intimate relationships of a heterosexual nature whilst giving property stripping minimal attention (Gopal and Salim 1998; Heath 2001; Randall 2003). Since property grabbing is a result of patriarchy, oppression of women due to the fact that society has placed women subordinate to men, this study’s position is that Radical feminist theory needs to consider it as violence against women. This study would have radical feminist theory contribute to the body of emancipatory theory and holds that property stripping is ‘violence’ that needs as much critical analysis as does any other form of violence. Radical feminist perspective sees the need for emancipation of women from patriarchal oppression which can translate into easing the social problems associated with the practice; it is central to the study.

1.6.2 Cultural theory

The Cultural theory in this study is very important and useful in explaining property grabbing as violence against women stemming from culture. According to Heath (2001), the term “culture” is often used to describe patterns of beliefs and behaviour shared by a social group.

Cultural theories emphasize the power of tradition and norms within African culture as explaining the widespread incidence of violence against women in general and property stripping from widows in particular (Randall 2003). Cultural theorists see the connection between traditional norms and violence against women as a direct, arguing that wife battering is for example is regarded as normal and property grabbing is seen as culturally accepted. Randall (2003:4) observed the ‘uneven distribution of power within African marriages, the impact of polygamy, the power of the extended family over the married couple, and the universal institution of bride price as underlying the widespread of abuse of women’.
This study takes it that cultural theory is an offshoot of radical feminist theory because of its emphasis on traditional norms and powers which are products of patriarchy as expounded by radical feminist theory.

1.6.3 The Rights theory

The Rights theory follows Western models based upon individual rights. Most African countries have ratified international covenants that interpret depriving women of property rights as a form of violation of human rights (Randall 2003).

Rights theorists advocate for the abolition of patriarchal norms, traditions and practices and focus on legal reforms as a ways to realize the goal of affording women the right to property inheritance. The Rights theory relies heavily on human rights guarantees in international charters. This approach however, is more of an intervention strategy to the problem of property inheritance than it is a framework for understanding the complex problem facing the widows (Oxfam UK and Ireland 2005). The Rights theory is here used as an intervention strategy befitting the empowerment approach

1.6.4 Empowerment approach

People with less power such as widows whose property has been stripped have been helped through the empowerment approach to social work practice. The empowerment approach is a dramatic departure from traditional social work practice and concentrates on the strength of the victim towards liberation from his or her social problems (Saleeby 2002).

The approach was useful for this study as it helped to explore ways in which the widows may utilize their own strength to move from their current position towards adjustment. Empowerment in itself has a liberating function which ‘unleashes human energy and spirit, critical thinking, the questioning of authority, challenges to the conventional wisdom, and adds new ways of being and doing’ (Saleeby 2002:7). The researcher utilized
the empowerment approach for formulating intervention strategies as it is in line with the radical feminist theoretical framework which informs the study.

1.7 Anticipated value of the study

The study will be of value in various ways and below is a discussion of how this study will be of value.

- The study will give information to social work practitioners concerning intervention strategies.
- The study will contribute to social work advocacy initiatives to pinpoint loopholes in society.
- The study will provide information that informs community based gender organisations about possible empowerment strategies for widows experiencing property stripping.
- The study will also contribute to radical feminist theory and highlight the need for further research concerning widows’ property inheritance problems with reference to African societies.

1.8 Research methodology

The methodology of the study is influenced by the phenomenon under investigation and requires that participants give personal experiences and accounts. Below is a brief explanation of the research methodology, more is explained in chapter four.

A qualitative research method is utilised in this study to capture descriptions of the property inheritance experiences of the participants. Thyer (2001:257) explains that ‘a qualitative research aims at describing, making sense of, interpreting or reconstructing in terms of the meanings that the subjects express’. This research is the most suitable method where data collected is in the form of stories of the respondents’ experiences. The method is consistent with the feminist research to which this study is committed.
The study is done in two phases. The first phase comprises of individual interviews and the second phase will be done as focus group interviews. The population comprises of widows and social service providers from Sikalenge ward.

The study utilises a **non-probability purposive sampling** (Alston & Bowels 2003) strategy to find fifteen participants, comprising of ten widows to participate in individual interviews and five social service providers who will participate in focus group interviews. Greef (2002:306) defines a focus group as ‘a carefully planned discussion designed to obtain perceptions on a defined area of interest in a non-threatening environment’. This sampling strategy is appropriate and ensures that the widows participating in the study have experienced property stripping and so can share actual experiences. Not more than ten widows need participate in individual interviews of this study since they share in-depth about their inheritance experiences.

In the focus group interviews, the sampling method ensures that participants are social service providers. The interviewees are well selected and able to provide empowerment needs of the widows. Other sampling methods would not ensure this.

The five focus group interview participants, namely a policeman, a magistrate, the chief, a representative of one non-governmental gender-based organisation and a social worker, have knowledge about the empowerment needs of the widows through their work experience with the widows whose property was grabbed. The functions of these social service providers in dealing with these widows make them suitable respondents in the study. So the police arrest people violating the inheritance laws; the magistrate mediates legally in resolving property inheritance disputes; the chief is the most powerful political person contacted in the community when people have property inheritance conflicts; non-governmental gender-based organisations sensitise women to their rights and offer advice, counselling and needed support; lastly, social workers intervene in a variety of social problems and offer support, counselling services and assist with grants applications.
The researcher utilised the Programme Officer of Ntengwe for Community Development Trust as an intermediary to locate the participants’ homes as the organisation has various programmes for the widows within the same ward. This also served to create trust between the researcher and the participants, enabling the latter to open up and tell their stories.

Consistent with feminist research, the study utilises semi-structured face-to-face one-off interviews to collect data from widows who have experienced property stripping. Greef (2002), shares that semi-structured interviews are suitable for this study as they will enable participants to tell in depth their experiences while the interview unfolds and acknowledging them as experts in their own experiences.

The researcher designed an interview schedule, attached as Annexure B for individual interviews and Annexure C for focus group interviews, a research instrument that guides the interviews. The interview questions are organized around particular themes to enable participants to give a full picture of their experiences.

The researcher utilised prompts to gain a deeper understanding of the problems and experiences of the participants. For individual interviews, the interviews conducted were in the Tonga language, the language spoken in Binga so as to prevent communication problems and enable widows to express themselves well. The interviews were audio taped and later translated into English for data analysis and presentation of findings. The individual Tonga audio taped interviews are labelled ‘Tonga’ on the tapes. The interview schedule was not tested as the topic is emotionally sensitive. In chapter four, the contents of the interview schedule are explained in detail.

The focus group interviews were done in English because the participants were conversant with English language. The audio taped interviews are labelled ‘English’. The themes for the focus group interviews were well chosen and questions centred on them. The interview schedule, Annexure C’s contents are dealt with in detail in chapter four.
In both interviews, the researcher administered the interviews himself in order to know the environment and develop an empathic understanding of the participants’ feelings.

Data analysis refers to ‘the process of bringing order, structure and meaning to the mass of collected data’ (De Vos 2002:339). **Analysis of data** was done directly by the researcher in listening to the audio taped stories of the participants to take in the meaning of their experiences. On a more pragmatic level, the property inheritance experiences of the widows were analysed for similarities, differences and emerging themes against the background of existing theory. Findings from the stories of the widows and the interviews with the focus group was grouped thematically and then presented in writing to produce a research report.

### 1.9. Ethical considerations

‘Ethical guidelines serve as standards and as the basis on which each researcher ought to evaluate his own conduct’ (Strydom 2002:63). Consistent with the ethical requirements of research, the researcher observed the following ethics: gaining access, informed consent, confidentiality and privacy and deception of respondents.

In gaining access to the participants the researcher gained permission from the Local Government, The Rural District Council, the Police, and the Gender Office before conducting interviews. Ntengwe for Community Development Trust was also contacted for help in locating participants in individual interviews since this organisation is active in this same ward. Permission was gained in this ward from the Chief, the Councillor and the village heads to conduct the interviews.

Consistent with informed consent, the participants were informed about the goal of the study and the approximate amount time the interviews would take (Schurink 1998; Strydom 1998). The potential of the research to act as an impetus for social work intervention and provide pertinent information was also communicated to the respondents.
Nonetheless, respondents were informed that the study could be emotionally involving and that participation was voluntary. Participants were told that a tape recorder would be used. Participants were also informed that they could withdraw at any time without penalty. Lastly, each of the participants signed a consent form (Annexure A).

To observe the requirements of confidentiality and privacy, the researcher did not seek the identities or physical and postal addresses of the participants. Pseudo names are used for individual interviewees so as to ensure that the participants’ personal identities remain secure and confidential. As for focus group interview participants, titles were use and no personal details were taken from them. Participants from both the individual interviews and focus group interviews were told that the information will only be used for research purposes.

To prevent deception of respondents, all the necessary information was presented to the respondents. Information about the goal of the study, the role of the respondents, and that the study could be taxing was given to the participants before hand (Strydom 1998).

2. Validity and Reliability

In any research process, validity and reliability need to be taken into account.

In qualitative research, the concept of validity has been adopted to mean more appropriate terms such as quality, rigor and trustworthiness (Stenbacka 2001; Seale 1999). To increase validity, the interview schedules used in the study were constructed around relevant and important thematic areas. Prompts were then used to make sure important issues in the study were not left out from the responses of the participants. The results are of quality, more credible, trustworthy and can be generalized (Stenbacka 2001) to a large population.

Seale (1999) explains that to be more specific with the term of reliability in qualitative research, use of the term “dependability” is more appropriate. To make the results of the
study more dependable, the research was carried out in two phases. The first phase comprised of individual interviews and the second phase comprised of focus group interviews. Interpretation of data was done according to the thematic areas. Close attention was paid to raw data and the data reduction process. Engaging such multiple methods to collect data such as individual interviews and focus group interviews leads to more reliable construction of realities (Creswell & Miller 2000).

3. Outline of chapters

The study comprises of the following chapters,

- **Chapter 1:** Introduction to the study;
- **Chapter 2:** The property inheritance experiences of widows;
- **Chapter 3:** The empowerment approach, the empowerment needs of widows, and the role and intervention strategies of social workers in empowering widows;
- **Chapter 4:** Data collection, analysis and interpretation of the findings;
- **Chapter 5:** Conclusions and recommendations.

In the chapter that follows, a review of relevant literature is made to show some of the experiences of the widows and to illustrate the extent of the problem.
CHAPTER TWO

PROPERTY INHERITANCE EXPERIENCES OF THE WIDOWS

2.1 Introduction

This chapter will review various international, institutional and legislative instruments for human rights addressing property grabbing. Also literature about property inheritance experiences of widows in Sub-Saharan Africa will be discussed. The legislative measures about property inheritance and loopholes that exist in Zimbabwe will be highlighted. The current situation among the widows will also be described.

The literature covered in the study is drawn from both the legal field and the field of social work because social work literature per se on property inheritance is scanty. It covers concerns of the international community about women’s property rights as extensively discussed in international human rights instruments. Due to the fact that such instruments act as frameworks for protecting women against violence, the provisions of the instruments will be discussed in the literature.

In the literature reviewed on the problem of property grabbing, special attention is given to the situation in Zimbabwe on the experiences of women in general and widows in particular. The theoretical framework in which the study is located is also discussed.

2.2 The international instruments for human rights

There are various human rights instruments that address the issue of violence against women, discrimination practices, property inheritance and property grabbing. The key human rights instruments containing provisions relevant to women’s property and inheritance rights are the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), The International Covenant on Economic, Social and Cultural Rights (1966), and the Convention on the Elimination of All Forms


2.2.1 Convention on the Elimination of All Forms of Discrimination against Women (1979)

Among many international instruments that stress non-discriminatory practices towards women is the Convention on the Elimination of All Forms of Discrimination against Women (1979). According to this instrument, men and women are to be treated equal and to enjoy the same economic, social, cultural, civil and political rights (Banda 2007). The convention stressed that in situations of poverty, women have the least access to food, health, education, training and opportunities for employment and other opportunities. Banda (2007) asserts that Article 2 (a) of the same convention encouraged equality of men and women as a principle in constitutions and other appropriate legislation. Article 5 (a) of the convention urged state parties to modify the social and cultural patterns of conduct and to eliminate prejudices and customary practices which consider women to be inferior to men.

Discrimination against women can clearly be noticed in rights to inheritance of property for widowed women. The convention covered gender equality and sensitivity as
components that need to be considered in affording women social recognition. Although equality was clearly outlined, property and inheritance rights for widows deserve a special mention essential to their decent life after the death of their husbands. This urges African nations to address the issue of property stripping with urgency. So, the convention provided an important starting point for the consideration of women in various spheres of society.

2.2.2 The Beijing Platform of Action (1995)

Another important instrument that resulted in reducing oppression of women is The Beijing Platform of Action (1995), which also took a significant stand as far as women’s rights are concerned (Centre on Housing Rights and Evictions (COHRE) 2003). It was noticed that despite the call by the Convention on the Elimination of All Forms of Discrimination against Women, that there was no significant change in the way women were treated and that violence against women was on the upsurge. COHRE (2003) points out that the governments, the international community, and civil society including non-governmental organizations were called upon to take women’s issues seriously. Amongst the critical areas of concern, strategic action in areas such as persistent poverty, violence against women and persistent discrimination and violation of women were high (Beijing Platform of Action Fourth World Conference on Women, 15 September 1995). According to the Beijing Platform of Action’s (1995) strategic objective A. 2, there is a need to revise laws and administrative practices to ensure women’s equal rights and access to economic resources. Governments were given the responsibility to actively:

[U]ndertake legislative and administrative reforms to give women full and equal access to economic resources, including the right to inheritance and the ownership of land and other property.

It has been shown that inability of women to access economic resources is related to poverty among women (Beijing Platform of Action 1995). Property stripping is another factor that contributes to poverty among widowed African women. Strategic objective A.4
of the Beijing Platform of Action (1995) called upon governments, intergovernmental organisations, and academic and research institutions to develop gender-based methodologies and conduct research to address the feminisation of poverty.

2.2.3 Commission on human Rights resolution 2002/49

It was seen by the human rights organizations that more human rights instruments need to be put in place in order to make more comprehensive protection of women from oppression and abuse. A more elaborate institutional reform proposal was that of the Commission on human Rights resolution 2002/49 which centred on Women’s equal ownership, access to and control over land and the equal rights to own property and to enjoy adequate housing. According to the Commission on Human Rights resolution 2002/49, the Human Rights commission recognised that:

…..laws, policies, customs and traditions……. prevent women from owning and inheriting land, property and housing and exclude women from participating fully in development, are discriminatory and may contribute to the feminization of property.

The Commission on Human Rights affirmed that discrimination in law against women with respect to having access to land, property and housing is a violation of women’s human right to protection. The Commission also encouraged governments to take active roles in supporting women. According to the Commission, governments need to:

….. support the transformation of customs and traditions that discriminate against women and deny women security of tenure and equal ownership of, access to and control over land and equal rights to own property…….

Many African States realized the need to protect women from abuse and oppression which culminated into the need for more instruments specific to African countries. The Protocol of the African Charter on Human and People’s Rights on the Rights of Women in Africa (2003) was another important instrument that was put in place (COHRE 2003; Banda 2007). This protocol underscores the principles of non-discrimination and urges States to “enact and effectively implement and monitor legislative or regulatory measures that prohibit and curb discrimination of all forms…” (Article 2). The protocol further calls for appropriate national legislative measures that encourage monogamy as a preferred form of marriage. It requires marriages to be recorded in writing according to national laws to ensure legal recognition (Article 6).

When it comes to property inheritance rights, the protocol obliges States to take all appropriate measures to promote the access by women to productive resources like land and guarantee their right to property (Article 19). In terms of the treatment of widows, custody of children and remarriage, the Protocol stipulates that:

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\text{...a widow shall have the right to an equitable share in the inheritance of property of her husband. A widow shall have the right to continue to live in the matrimonial house. In case of remarriage, she shall retain this right to live in the house if the house belongs to her or she has inherited it (Article 21).}
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Due to such provisions, the Protocol to the African Charter has been hailed as a landmark “human rights instrument redefining and clarifying the current policy context in Africa on matters of property ownership and inheritance. It also represents an important tool for the future advocacy on these issues” (Strickland 2004:64).

Despite the fact that the government of Zimbabwe and other nations ratified the conventions, widows’ property rights have not received much attention (Gopal and Salim 1998). Ratifications of conventions have proved to be an easier task for governments than application of the ratified conventions and effecting of the reformed laws. Where legal reform has been undertaken, it is meagre, selective and ignores pertinent aspects such as addressing discrimination against sex, for example section 23 of the constitution of Zimbabwe (Banda 2006). This allowed for major loopholes in the way laws are reformed and observed.

The struggle for law observance is further choked and obstructed by overdoses of respect to traditional and cultural practices (Gopal and Salim 1998) intertwined with oppressive ritual practices. Widows are on the receiving end of oppression, have been discriminated against and have been practically secluded from property inheritance as a further review of literature will show. This study brings together evidence for this contention from studies conducted in various African countries. Further, the study will gather practical evidence from the Binga district and the property inheritance experiences of the widows there.

2.4 Inheritance experiences of widows in Sub-Saharan Africa

There has been extensive legal reforms in Sub-Saharan Africa aimed at addressing property grabbing among widows. However, Gopal and Salim argue that legal reform can not be achieved by merely amending the laws on the books, much more has to be done if laws are to be applied in fact. Without great effort and commitment on the part of the
government, mere amendment of laws ‘will only legitimize the process of reform and will have no impact on women’ (Gopal and Salim 1998:11). Worthy of note is the fact that even though legal reform may be effected, knowledge about law reforms is very scant in countries with high levels of illiteracy, scarce resources, and where women have limited access to information.

It has been revealed that widows are affected adversely by property stripping in many corners of the continent despite the international calls to change the laws that disadvantage women. This seriously destabilises the lives of widows. Strickland (2004) asserts that it has been shown that various corners of the continent reveal that widows are not considered as heirs to property when their husbands die intestate. There is evidence from countries like Kenya, Zambia, Namibia, and South Africa that property stripping is still rampant in Southern Africa.

According to studies by Strickland (2004), in the sub-Saharan region, women are still denied property inheritance. Property stripping is worsened by the heightened rate of deaths due to HIV and AIDS in the region. This is exacerbated by wife inheritance (levirate marriage) which is a common practice in Africa and now proving to be a dangerous practice for prospective wife inheritors. Widows are sent away to their natural families by in-laws or other immediate members of the deceased’s family without sustenance (Izumi 2006). This is most true of HIV positive widows who are in critical need of essential resources with which to improve their health.

The Human Rights Watch reveals that in Kenya a large number of violations of women’s property and inheritance rights occur in households affected by HIV and AIDS (Strickland 2004). A woman in Kenya revealed that:

“[T]hey took farm equipment, livestock, cooking pans, bank records, pension documents, house utensils, blankets and clothes…. This happened in the three months after my husband died. They said they had bought me [with the dowry] and had no voice in that home…. My land and last few
possessions were taken. I was destitute. The land was supposed to be mine. My husband had verbally willed it to me. My in-laws knew that it was mine, but they didn't care” (Strickland 2004:19).

While this situation is experienced most in rural areas in Kenya, those in urban areas are not spared property grabbing as they too are deprived of pension benefits, and bank accounts. In Kenya, whether the widow is a rural or urban dweller, property grabbing knows no boundary and widows fall victims to the act (Strickland 2004).

Studies by Women and Law in Southern Africa (WLSA) as cited by Strickland reveal that most disputes in Zambia are over land and women no longer have the privilege to own land once they married the nephew of the husband after being widowed. For fear of contracting HIV and AIDS, relatives no longer inherit widows. They now leave them to rejoin their natal families and in the process they loose land to their in-laws. The study further reveals that in areas where livestock represents an important asset, the preceding five years have seen forty one percent of widow-headed households with orphans lose all their cattle while many had lost all their pigs.

In Namibia too, as elsewhere in Africa, widows are victims of property stripping. The Namibian of 16 June 2004, in its article “Property ‘grabbing’ from widows continues”, revealed that traditional and community leaders acknowledged that property stripping still affected widows and their children. This was revealed in a three-day seminar on property, inheritance rights gender and livelihood strategies in Namibia organised by the Food and Agricultural Organisation (F.A.O).

Despite the fact that South Africa has gone a long way in implementing human rights and democracy for every citizen, women still have for to go to catch up with their male counterparts as far as property inheritance rights are concerned (WIN News 2006). Women are still treated as minors in South Africa if they marry according to the African traditional law. According to reports on Equality of Sexes, the legal age of majority in South Africa is twenty-one (21), yet under traditional laws, women are permanent
‘minors’ and remain under the control of their husbands. This is a feature of Bantu traditional law still followed today. Further, traditional laws decree that inheritance goes from man to man: women have no inheritance rights (Women’s International Network News 2006). More disturbingly for the widows:

‘All property, the family home and everything in it goes to the family of the deceased husband; the widow gets nothing: she is put under the ‘guardianship’ of her dead husband’s family’ (Women’s International Network News 2006:78).

On the same subject, the Women’s International Network News, highlighted on an incident involving a widow who owned household goods. The widow paid funeral expenses for the deceased husband, yet the in-laws went on to appropriate everything she owned. The widow could not oppose them for fear of ‘trouble’. Even though women have access to lawyers, most women do not know their rights and would be ostracised by their families and communities for taking action (Women’s International News Network 2006).

Even though the Parliament adopted some revolutionary measures, ‘implementation is lacking and nothing is done to translate the theoretical rights into rights’ (Women’s International Network News 2006:78).

2.5 Historical roots of property stripping in Zimbabwe

Property stripping in Zimbabwe can be traced and explained in terms of the colonial past. Many laws that governed inheritance in the colonial era favoured the colonialist and disadvantaged Africans and their women. To that end a dual legal system, in which different laws applied to different races was enforced Hellum (2000). Despite its complexity in application, the discriminatory dual legal system which prevailed in the colonial era still applies in Zimbabwe even though the country is independent. The implication is that the oppressive elements of the laws are still in use and entrenched in the country.
According to Mate (2002), White colonial administrators believed that Chiefs had absolute control over their people, such they used them to control the people. They believed them not to be accountable to their subjects and that once in power they could not be removed. This explains why most of the customs of Zimbabwean communities are controlled by the Chiefs who are highly respected. Most of the inheritance cases were settled and are still settled by Chiefs. Colonialists therefore harnessed these perceived powers for their purpose, namely stability and governability of blacks in rural areas. Only customs not offensive to the colonial establishment’s moral senses were admissible (Mate 2002).

In Zimbabwe, rural leadership such as Chiefdom and village headmanship are traditionally inherited and not elected. Inheritance is mostly patrilineal. Women can hardly inherit Chiefdom and headmanship. The reason for women not inheriting such kind of leadership is because they were regarded as ‘perpetual minors’ (Women’s International News Network 2006:78) and because they would not be able to look after their original family because of commitment to their new marital family (WIN News 2000).

2.6 The law and property inheritance in Zimbabwe

Zimbabwean widows are also exposed to property stripping which has been rampant and a topical issue in the country. The rights of women are at the centre of the debates as women activists and advocates push for the rights of women against the concrete and hard-to-break patriarchal system.

The legal system in effect during the colonial past included both General Law and the Customary Law. Despite its effect on women, the Zimbabwean government adopted this colonial dual legal system still in effect today. The duality of laws complicates the administration of estate upon the death of the owner (Coldham 1999). It also causes uncertainty and confusion and compounds existing exploitative practices in property inheritance such as property grabbing.
2.6.1 General Law

There are general laws, which govern civil marriages in Zimbabwe, under which the wife of the deceased may automatically be the owner of the property upon death of the husband. This applies if the deceased was married according to civil law, which is ‘a registered marriage often called Chapter 37 Marriage’ (Woman and Law in Southern Africa 2000:08). It is important to point out that this type of marriage is not prevalent in Zimbabwe, despite its advantages for widows and women in general.

2.6.2 Customary Law

It has been noted that the customary laws are at the root cause of property inheritance problems among women in Zimbabwe. Under the Customary Marriages Act which governs customary marriage, families decide the best way to devolve property, according to Women and Law in Southern Africa (2000). Property is also devolved according to the customs and usages of the tribe to which it applies (Gopal and Salim 1998). Section 23 (3) (a) (b) of the constitution of Zimbabwe has proved to be at the heart of the problems with property inheritance in Zimbabwe Banda (2007). In many situations it disadvantages widows and makes them victims of customs and traditions. Customs and traditions in Zimbabwe are consistent with the fact that widows and female children traditionally have little right to inherit property from their husbands’ and fathers’ estates (Gopal and Salim 1998). Even if the property was acquired during the marriage union widows can not inherit it from a traditional perspective.

Customary laws, which govern the succession of movable property, vary throughout Zimbabwe. There is therefore no uniformity in the way property is shared among different tribes. Moreover, in 1997, 82 percent of marriages in Zimbabwe were unregistered customary marriages according to Anglophone Africa (2004:140). This means that the majority of women face serious property inheritance problems and find themselves without any recourse to redress.
Typically under the Ndebele culture, ‘the property a woman has received through the marriage of her daughters (inkomo yohlanga) passes to her eldest daughter and any property she has earned passes to her eldest son’ (Anglophone Africa 1997:142). By contrast, under the Shona culture, ‘the property a woman has received through the marriage of her daughters (mombe yeumai) is inherited by her brothers’ (Anglophone Africa 1997:142).

The worst of the traditions and customs raising the eyebrows of many social services practitioners come into play when a man dies intestate. When a man dies, under both the Ndebele and Shona laws, property devolves to his eldest child. ‘Widows do not inherit from their husbands’, estates (Anglophone Africa 1997:143, Centre for Reproductive Rights 2003) [online].

Shona and Ndebele represent the major tribes in Zimbabwe. There are various other tribes like Tonga, Kalanga, Nambia, Nyanja, Venda, Sutu and Xhosa. Devolving of property upon death of the husband varies from tribe to tribe. Property inheritance according to customary law therefore does not allow for uniformity across the nation. It is important however, to note that, generally widows can not inherit from the estate of their husbands.

Against this background, the Government of Zimbabwe did enact legislation that considers women in terms of property rights. These include the Legal Age of Majority Act 1982 and the Administration of Estates Amendment Act, 1997.

i) The Legal Age Majority Act of 1982 and property stripping

In 1982, Zimbabwe made it constitutional that women be equal before the law with men and remove perpetual minority status. With property inheritance being almost impossible for women, better measures were seen as a necessity.

More than fifteen years ago, Zimbabwe became a beacon of hope by passing a law that eliminated women's minority status under its multiple legal systems. The Legal Age of
Majority Act (LAMA), adopted in 1982 shortly after independence, provided that all Zimbabweans - female, male, African, white - attain full adult status at the age of eighteen, for all purposes, including customary law. Ostensibly, this Act was supposed to remove the minority status of women and put them on par with their male counterparts before the law.

A product of the independence revolution, LAMA was in itself revolutionary in addressing the central issue of women's disadvantage under African customary law. This of their total lack of capacity to act as legally recognized adults, capable of owning property, of entering into contracts, and making legally enforceable decisions without male consent (Gopal and Salim 1998). However, Anglophone Africa (2004:140) argues that ‘the Act fails to address the right of women married under customary laws to own property jointly with their husbands’.

The Zimbabwean government did more and passed the Administration of Estate Amendment Act, 1997. This was meant to close the legal loopholes in relation to the rights of women.

**ii) The Administration of Estates Amendment Act 1997 and property stripping**

Another law also came into place to compliment the existing laws in 1997. This saw the enactment of The Administration of Estates Amendment Act 1997. This law abolished customary laws of succession that discriminated against women and considers ‘principles that favour the surviving spouse and children of the deceased and concentrates on inheritance rights within the nuclear patrilineal family’ (Coldham 1998:02).

The Act was enacted because customary laws were clearly not well-suited to modern urban life conditions. These left the widow particularly vulnerable (Coldham 1998). This marked a further step in the right direction. However, customary law itself was not removed from the constitution and is still operational and observed. Determination of which law is operational, and when, has been left in the hands of those presiding over cases of property inheritance.
2.7 Property inheritance experiences of widows in Zimbabwe

It has been shown that property inheritance experiences of widows in Zimbabwe to be quite complex and shows the patriarchal nature of the Zimbabwean community to be detrimental not only to widows, but to women in general, since it strips them of their property rights. In inheritance matters, the debate about tradition, culture and custom has been most intense (Centre for Reproductive Rights 2003).

Under the Ndebele and Shona culture, women do not inherit property anything when they husbands die intestate (Centre for Reproductive Rights 2003). This also applies to other cultures like the Tonga, Njanja, Kalanga and Nambia. According to Anglophone Africa (2004), when men die intestate, the traditions and customs of these cultures provides that property either is taken by relatives of the husband or the eldest son in the family gets it. The widow does not inherit from the husband’s estate

Widows in Zimbabwe have had their property stripped away by in-laws thereby exacerbating the economic hardships for them that already exist in the country. Although there are no hard statistics on women’s inheritance problems in Zimbabwe, studies, media and workshop reports provide useful information and proof of sad situations in which widows have had property stripped away.

Various experiences were presented by widows at a seminar in Harare as testimony to the critical conditions that widows are exposed to (Walker, Mhambi & Izumi 2004). One widow had this to say:

...[w]hen he [husband] passed away the relatives had intense conflicctional relationship for me and had to ask me to vacate our marital home after I refused to have the young brother come in as my husband. I was forced to join my ailing mother who had a hut in Tsholotsho where my other children are (p4).
Simangalisiwe Gumbi, a thirty year old widow (on 28 June 2004) with three children, testified that relatives of the deceased husband ordered her to vacate the house and leave their matrimonial property including livestock and accused her of bewitching her husband (Walker et al 2004).

In many instances, widows can not inherit from their husband’s estates even if their marriage was registered. Traditions and customs of various cultures take precedence and belief in them becomes is very strong to an extent that they override legal preference (Anglophone Africa 2004).

Izumi (2006) found that in Zimbabwe widows with registered or unregistered marriages were deprived of their property after the death of their husbands. In Bulawayo, Izumi found eight women married according to either Customary or General Law were deprived of their assets. In the Chimanimani area, a widow with a marriage certificate was deprived of property, while in Seke village four widows and four orphans faced serious property disputes.

The need to harmonise the laws in Zimbabwe has been revealed by the media as crucial because current laws have an inclination towards discrimination on the basis of sex. The Zimbabwean Herald (Friday 19 May 2006) comments:

"Our marriage laws in Zimbabwe are not harmonized, for example Section 23 of the Constitution discriminates against women. Zimbabwe ratified various treaties and conventions to promote equality between men and women but in some cases those were not observed.

Information is power and lack of information can translate into powerlessness for women. The Zimbabwean Herald (Friday 19 May 2006) featured a report entitled ‘Information on inheritance inaccessible to women.’ The reporter explained clearly that ‘most women lack access to information on laws and rights, in particular those to do with inheritance.’
However, it is worth noting that media coverage is disseminated only in urban areas not in remote areas of which Binga is one. The inheritance experiences of African widows in Binga District can hardly be revealed by media reports as it is located in the remotest area of the country. This study seeks to give voice to property inheritance victims not heard before.

Ironically, legal practitioners, supposed custodians of the law, creditably qualified to protect women and to serve justice can also discriminate against women on grounds of sex. That is clear from a juxtaposition of legal provisions in Zimbabwe with practice. Practice, the literature tells us, does not reflect protection of the women in general and widows in particular before the law. Due to inconsistencies in the adjudication of matters of inheritance, some critics have slated the legal system of Zimbabwe as being sexist (WIN News 2000).

Discrimination of women has been aided by legal duality. The contradictions of legal duality have allowed officials and individuals to manipulate situations to meet their ends with women being frequent losers. The Supreme Court as the highest court in the land and charged with the responsibility of interpreting laws has not been able to ensure the realization of women’s rights at law in Zimbabwe (WIN News 2000).

This was evident in the “Magaya versus Magaya” case following amendment of the laws to accord women of inheritance.

In the summer of 1999 the inheritance case “Magaya versus Magaya” resulted in a ruling by the Supreme Court of Zimbabwe, which in essence stripped women of all the legal rights gained over the past years according to WIN News (2000).

The Supreme Court finding resulted from an inheritance case and ruled that Venia Magaya could not inherit her father's estate, even though Zimbabwean laws and international treaties clearly backed her claim. The court gave the estate to her half-brother. The judges said the ‘nature of African society’ relegates women to a lesser status,
especially in the home. “A woman should not be considered an adult within the family, according to the court, but only as a ‘junior male’” (WIN News 2000:59).

The controversy had begun when the deceased, Shonhiwa Lennon Magaya, died without leaving a will. The deceased had two wives. Venia was the daughter of the deceased and his only child by his first wife. The second wife had three children all sons. Nakayi was the second son. He claimed heirship because his older brother, who was the oldest son of the deceased, declined to claim heirship being unable to look after the family. The heir of a deceased man in customary law has an obligation to support the family of the deceased.

The question of heirship was initially decided by a magistrate as follows: ‘Venia is a lady and therefore cannot be appointed heir to her father's estate when there is a male’ (WIN News 2000:59).

The struggle for heirship continued from this decision when Venia appealed against the decision of the magistrate to the Supreme Court. The Supreme Court supported the decision of the magistrate, citing several reasons to the disadvantage of women even today in Zimbabwe.

Firstly, the judge was of the view that the customary law of the Shona and the Ndebele gives preference to males as heirs. Secondly, the judge expressed the view that although the preference of males was discriminatory, it was not contrary to the anti-discrimination clause in Zimbabwe's constitution (Section 23) because the provision did not forbid discrimination based on sex.

The Zimbabwe Supreme Court ruled that the Legal Age of Majority Act does not in fact provide for women to be treated as adults under customary law. The judge went on to point out that ‘devolution of property on death’ and issues relating to the application of African customary law are specifically excluded from the anti-discrimination provision (WIN News 2000:59). Thirdly, in matters of inheritance the judge concluded that daughters would not be able to look after their original family because of their commitment to the new (marital) family.
The implication of the judge’s decision affects many women, especially widows, in Zimbabwe. The decision whether or not customary law applies to the estate depends on the type of marriage contracted by the deceased.

The Supreme Court’s approval of the constitutional provisions that support discrimination based on sex in the area of customary law poses a threat to women's rights in Zimbabwe. Women can no longer expect to use the constitution to challenge discriminatory customary law. The Supreme Court indicated, by its decision and views, that it will not be sympathetic to challenges by women.

The decision made by the judge seems to agree with the comment that there is ‘narrow interpretation of the rights of women to inherit under customary law, if combined with many distortions and misinterpretations of custom’ (Gopal and Salim 1998:108).

Reviewed literature has clearly indicated that taking legal measures against socially enforced injustice will not resolve the social problems. More is needed if intervention is to be comprehensive and responsive to the daily social problems of the widows. It is necessary therefore to allow widows to express their experiences concerning inheritance to establish the shocking social facts that may occasion intervention in support of women and their rights.

The current study therefore involves widows who experienced property grabbing and people who provide social services to widows who fall victim to property stripping. The study will take the social work approach of reaching for the feelings of the affected by collecting first hand information from the victims and informants working with the widows, which is critical in coming to grips with how social injustices, violence and abuse affect widows.

2.8 Various theoretical approaches to property stripping

There are various theoretical explanations to property stripping that adopt a ‘violence against women’ perspective. Radical Feminist theory, Cultural theory, Rights theory and Culture of violence theory are among the theories that will be discussed in this study.
i) Radical Feminist theory

Explicitly radical feminist explanations abound in violence against women literature (Randall 2003). In their epistemology of violence against women, the radical feminists have explained much in terms of heterosexual relationships. However, they have glossed over the problem of property grabbing as violence against women.

Malley-Morrison and Hines (2004) asserts that Radical feminist theories blame patriarchy for violence against women in society. An interpretation of this violence in Africa is aligned to pervasive gender inequality and criticizes the patriarchal order subordinating women (Chalk and King 1998). Patriarchal theory maintains that the primary element of patriarchy is a relationship of dominance, where one party is dominant and exploits the other party for their own benefit. At the centre of exploiting the subordinate group is the use of patriarchal tools such as culture, traditions and norms which members of a given group are obliged to observe. Radical feminists have claimed that men use social systems and other methods of control to keep women suppressed (Continuing Psychology Education 2005).

David (2003) maintains that the intellects of radical feminism believe that eliminating patriarchy, and other systems which perpetuate the domination of one group over another, will liberate women from an unjust society (Pilcher & Whelehan 2004). The theorists critically postulate that institutionalization of inequality remains common in African customary law, which must be abolished. However, they did not critique property inheritance within the institution of customary law where women have no right to inherit from their husbands, are not regarded as sharing ownership of marital property, are excluded from ownership of land, and are almost without remedy upon divorce (Gopal and Salim 1998).

According to Roberts (2006), the historical roots of radical feminism can be traced back to the United States’s Civil Rights Movement, particularly the Student Non-Violent Coordinating Committee. Many feminist pioneers of the second wave (Shulamith Firestone, Kathie Sarachild, Carol Hanisch, Judith Brown, and others) were active as
volunteers in the struggle against racism in the early and mid-1960s (Dawn 2002). Using a method called “testifying” and “telling it like it is” they developed consciousness arising directly from experiences in the black-led Civil Rights Movement (Messer-Davidow 2002).

Despite the Eurocentric nature of radical feminism (Roth 2004), the theoretical framework remains important for the current study, as the study will contribute to the theoretical body of knowledge from the perspective of property inheritance within the rural African context.

ii) Cultural theory

Randall, who has written extensively about violence against women, asserts that cultural theory emphasizes the power of tradition and norms within African culture to explain the widespread incidence of violence against women in general and property stripping from widows in particular. The term ‘culture’ is often used to describe patterns of beliefs and behaviors shared by a social group (Heath 2001). Culture observes particular traditions and norms that control the behaviour of people built upon, cemented and inherent in patriarchal attitudes and beliefs (Nayak, Christina, Mutsumi & Anna 2003).

In Heath’s view, cultural theorists see the connection between traditional norms and violence against women as a direct one, arguing that wife battering is regarded as normal within traditional African culture. In corroboration of the point, more indirect cultural explanations have been given, pointing, for example, to the uneven distribution of power within traditional African marriages, the ‘impact of polygamy, the power of the extended family over the married couple, and the almost universal institution of bride price as underlying the widespread abuse of women’ (Randall 2003:04).

The cultural theory finds its basis for explaining violence against women in traditions and norms within the patriarchal system so criticized by radical feminist theories. Culture so criticized is within a patriarchal society and hence this cultural theory augments the classical argument of radical feminist theory to which the current study also subscribes.
iii) Culture of Violence Explanations

It may be argued that the history of any society pave way to how people conduct themselves in the future (Mate 2002). This may be attributed to the fact that history may have a strong bearing on the values and behaviour of the people concerned.

Some observers attribute part of the blame for domestic violence, and violence against women in general, to an alleged ‘culture of violence’ in modern Africa. Violence is accepted as a way to resolve disputes, and many links are drawn to the colonial heritage. So Randall postulates that Africans were treated coercively and violently by their colonizers and hence inherited the harsh treatment towards others from the colonial masters’ practices. Lengthy civil wars and the repressive practices of many post-colonial regimes continue this culture of violence in family situations with women suffering the most (Randal 2003).

Mate (2002) postulates that inherent in the ideologies of colonization are power inequalities and oppression of one powerless group to the advantage of the other. The powerful group controls the less powerful and manipulates it with the intention of gaining and acquiring resources to the detriment of the colonized. The concept of power inequalities and oppression of one group (usually women) has been fiercely criticized by the radical feminist intellectuals usually who attribute it to patriarchy as the chief system for entrenching inequality in society. From this standpoint radical feminist theory could be expected to conceptualize the act of property grabbing as an act of violence against women (Anglophone Africa 2004).

iv) The Rights theory

Women’s property rights and the rights theory fit together well when trying to explore the problem of property grabbing in Africa. The Rights theory is fundamentally useful in this study which explores women’s property rights.

The Rights theory is entirely based upon individual rights. Randall explains that most African countries have ratified numerous international covenants that either explicitly or
implicitly, interpret stripping women of property rights as a form of violation of human rights (Heath 2001). Despite this fact, theories about violence against women based on the assertion of individual human rights are minimal in African literature.

In Africa, while a link may be drawn between freedom from violence and human rights guarantees in various international charters, the rights-based arguments often appear to be tacked on and to fit uneasily with the researcher’s overall analysis of the problem. For example, Fitnat N-A Adjetey, as quoted by Randall (2003), discussed domestic violence in Ghana as one small part of a much larger pattern of violence against women, including female genital mutilation, rape, child marriage, widowhood rites, widow inheritance, and female religious bondage (trokosi). The writer gives advice about how specific provisions of international human rights conventions may be used to accomplish piecemeal legal reforms. Yet if depriving women of property inheritance is just one manifestation of a much larger phenomenon of gender inequality and violent treatment of women (Anglophone Africa 2004), then surely piecemeal legal reforms are unlikely to provide an effective remedy for African societies.

Following the line of argument and the position of the rights theory, it can be argued that the theory is more an intervention strategy to counter violence against women than a theoretical framework for understanding the phenomenon. The study will utilize the rights-based approach as an intervention strategy in instances of property grabbing in the empowerment model which is discussed in detail in the next chapter.

This study is located in the radical feminist theoretical framework as it offers a comprehensive understanding of patriarchal attitudes towards women apparent in widows’ property and inheritance problems and in acts of property grabbing. Central to the problem of property grabbing is the society’s oppressive nature inherent in patriarchal understanding of the position of women as mostly criticized by radical feminism.

2.9 Conclusion

Despite the conventions and national laws that protect women against property stripping, women still continue to be robbed of their legitimate rights as the literature has revealed.
This is inconsistent with the inheritance laws. Necessary is that social phenomenon be understood not only from a legal perspective but from a social work perspective as well. Consistent with radical feminist research, it is important to understand the problem from the views of those affected in an interview setting in order to gather thick data about the problem.

This chapter has dealt much about the women’s property inheritance experiences, the next chapter will deal with widows’ empowerment needs.
CHAPTER THREE
EMPOWERMENT OF WIDOWS

3.1 Introduction

This chapter will extensively discuss the empowerment needs of widows and the strategies that can be used to assist them with issues of property stripping. The empowerment approach will be used in formulating the strategies.

3.2 The empowerment approach

Individuals who experience property stripping may need to be empowered. The term empowerment has different meanings in different socio-cultural and political contexts. Due to the fact that empowerment has definitional impression, Lymbery and Buttler (2004) warn that the term empowerment is likely to be a debased term or to have its value lowered yet empowerment is very important in the context of social work practice. However, when usage of the term is explored in local terms around the world, it has the following features that appear to be common according to United Nations Children’s Fund (UNICEF) (2001:9)

[S]elf-strength, control, self-power, self-reliance, own choice, life of dignity in accordance with ones values, capable of fighting for one's own rights, independence, own decision making, being free, awakening and capacity..

Zastrow (2004:431) defines empowerment as ‘the process of helping individuals, families, groups and communities increase their personal, interpersonal, socioeconomic, and political strength and influence toward improving their circumstances’.

Griffen (2005:118) argues that a proper understanding of empowerment requires a sense of what ‘power’ means because the word means ‘adding to women’s power’. This notion
of power is a controversial one because it allows for the possibility that power and dominance can operate through consent and complicity as well as through coercion and conflict. However, Griffen (2005) defines power as:

.. [h]aving control, having a say and being listened to, being able to define and create from a woman’s perspective, being able to influence social choices and decisions affecting the whole society and being recognised and respected as equal citizens and human beings with a contribution to make.

3.2.1 Power

Griffen (2005) is of the opinion that the ability to choose is also central to the concept of power. However, choice has been qualified in a number of ways to make it relevant to the concept of power. The consequences of choice can be further evaluated in terms of their transformatory significance, the extent to which the choices made have the potential for challenging and destabilizing social inequalities and status quo in society that disadvantage women and widows particularly (Narayan 2002). Choices available to widows should not extend and merely express and reproduce these inequalities. It is important to note that choices which express the fundamental inequalities of a society and infringe the rights of others or which systematically devalue the self are not compatible with the notion of empowerment. In many instances widows are not allowed to have choices that do not deprive them of their rights as human beings. This highlights the need for empowerment.

It is necessary to incorporate the structural dimensions of choice into the analysis of the concept (Griffen 2005). Structures operate through the rules, norms and practices of different institutions to determine the resources, agency and achievement possibilities available to different groups of individuals in a society. If women have to be empowered, rules, norms and practices of the society have to allow them to willfully make choices in their lives that are within a range of alternatives which make their lives better (Narayan 2002).
Our contention is that empowerment is fully achieved when the cognitions of the widows concerning themselves are changed such that they accept the conditions they are in and work toward removing internalised oppression (Trevithick 2005). Further, empowerment should start within the individual widows before it can be felt by people and structures around them. This will enable them to have confidence in exercising their rights to inherit property which makes Trevithick assert that they will ‘gain greater control over their lives and their circumstances’ (p 219). The researcher also argues that any form of empowerment approach that can work properly for the widows, has to start with changing their world view and the view of themselves for the positive. This will enable them to use to advantage any empowerment activity or programme that is directed towards them.

3.3 Empowerment strategies and needs of widows stripped of property

Consistent with the model of empowerment, it is important to determine the empowerment needs of the widows so that appropriate empowerment strategies can be determined.

Widowhood is associated with various deficiencies and needs that cause life to be difficult for widowed women. From the research conducted by Safieddin (1999), in North Cairo Zone of Egypt and Rao Gupter (2000), widows’ needs have been found to be economic, social, health, educational, and psychological in nature. Rao Gupter (2000) argues that these are the sources or components of power that are amenable to policy intervention and therefore form the basic empowerment needs of widows. Rao Gupter (2000)’s argument resonates with the goals of National Gender Policy for Zimbabwe.

3.3.1 Information and education as an empowerment need

Education and information has a liberating function in everyday life. Due to its liberation function, education is very important Rao Gupter (2000), not only to widows but to women in general. In Zimbabwe the adult literacy rate is 86 percent but women constitute
60 percent of the illiterate population (National Gender Policy of Zimbabwe article 6.2.1). Women need to be in the know about their inheritance rights. Information is power and women have the right to receive it (Rao Gupter 2000). Education has been described by Medel-Anonuevo (1999) as empowering and is needed to enable the widows to have more self-help skills, more information and more knowledge about how the society they live in works. Further, Safieddin (1999) is of the opinion that education raises widows’ awareness of government institutions and non-governmental organizations that can provide them with assistance when they face difficult circumstances, such as property grabbing.

Women can face extra difficulties as heads of households if they do not have an adequate educational background or are prevented from obtaining further education; this can, for example, restrict their capacity to find work. Women are also in need of skills necessary to use and exercise their inheritance rights which could be achieved by making them rights literate. They need training on communication about legal rights to inheritance so they can foster interfamily communication (Rao Gupter 2000).

Chinkin (2001:67) suggests ‘public education and advocacy’ as crucial for educating not only widows but the public about the rights of widows. Chinkin (2001)’s argument is that there is a need to use multiple and broad strategies in educating stakeholders, especially decision-makers and civil society at all levels. ‘Education and training should be extended to state officials in positions of power over women, for example social workers’ (Chinkin 2001: 67).

3.3.2 Economic resources as an empowerment need

Literature in the field of economics reveals the accepted wisdom that clearly indicates the importance of improvement of women’s access to economic resources which cannot be overemphasized. According to Safieddin (1999) in North Cairo, economic needs rate first among the needs of the widows according to their own experience. Widows need to enjoy property and inheritance rights because property is the source for a decent life for most African widows where they had relied on their husbands for family income. A further step
can be to enable them to have access to micro credit (Rao Gupter 2000) which can help them meet immediate financial needs and start small businesses. This does not only help to provide regular sustenance but also gives widows esteem in the eyes of society.

Rao Gupter’s view of micro-credit as economically empowering for widows is contrary to Kabeer’s view of micro-credit and empowerment of women. Kabeer [undated], as quoted by Sisask (2000), argues that separating out women’s economic contribution reduced the impact of women’s access to credit, but the independent impact of access to credit on the empowerment indicators remained significant. In other words, access to credit and the size of reported economic contributions were each sufficient but not necessary for the achievement of empowerment.

The two contrasting ideas of the researchers are very important to the current study as they will act as an impetus for a close analysis of economic empowerment and micro credit facilities afforded to widows. This is a gap that this study will attempt to close in order to explore whether giving widows access to micro-credit in Binga District in fact empowers them economically.

Land-owning widows must have access to agricultural extension services to ensure the highest yield from their land. It is noteworthy that women are the primary producers of agricultural products in Zimbabwe.

Strickland (2004) argues that ownership of land, housing and other property provides a secure place to live, the means to livelihood, and a measure of wealth or capital by which additional economic resources can be leveraged. It is argued from this perspective that giving widows land and property ownership can liberate them from economic hardships. The majority of the widows are sent back to their family of origin after the death of their husbands leaving behind land and property they used to own with their late husbands to the immediate family members of the husbands. With due consideration that the majority of widows in Zimbabwe affected by property stripping reside in the rural areas, where the pillar of the economy is agriculture (Gopal and Salim 1998), it follows that inability to access land leads to economic hardships (Strickland 2004).
In rural Zimbabwe land ownership is regulated by customary laws or cultural barriers and women often do not have the right to own land and property (Gopal and Salim 1998). In situations where a conflict has led to the destruction of traditional coping mechanisms, the researcher is of the opinion that the implications may be that widowed women may be unable to support themselves and their dependants.

Most widowhood situations in Africa are affected and caused by the Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) pandemic. From the perspective of the HIV and AIDS pandemic, Strickland argues that where women’s property and inheritance rights are upheld, women acting as heads or primary care givers of HIV and AIDS – affected households are better able to mitigate the negative economic consequences of AIDS. Promoting women’s economic security also helps prevent the spread of HIV and AIDS through unsafe sex and domestic violence. It is further argued that deprivation of property inheritance ‘drastically reduces the capacity for households to mitigate the consequences should a member be infected with HIV’ (Strickland 2004:10). Strickland (2004:5) maintains that ‘AIDS related losses can reduce household incomes by up to 80% and food consumption by an estimate of 30%’. The situation is aggravated for widowhood as a result of HIV and AIDS coupled with property grabbing. The situation is described to be desperate for those who must assume responsibility for dependent family members (International Committee of the Red Cross 2006). Due to the fact that widows become prone to economic hardship because of property grabbing, widows must be empowered economically to cope with this vulnerable situation they suddenly face. Widows who have the necessary educational qualifications, they need to have access to formal sector employment and protection in the informal sector from exploitation and abuse (International Committee of the Red Cross 2006).

To give widows power requires gender policies and constitutions that are designed to empower women. Policies that aim to decrease the gender gap in education, improve women's access to economic resources, increase women's political participation, and protect women from violence are key elements in meeting the empowerment needs of women.
3.3.3 Health needs and empowerment

The health aspects cannot be overlooked in a consideration of the empowerment needs of widows. Health is predominantly a woman’s world. Women provide the vast majority of unpaid and often unrecognized health care within the family, in the community and in health care institutions (Foster 1996). Women also form the majority of paid health care providers and the main consumers of health care services. This signifies how important health is to women.

Within the sub-Saharan region, 60% of the women, widows included, live positively (Strickland 2004). Zimbabwe is one of the countries where widowhood is mainly due to HIV and AIDS pandemic meaning that they need protection from property grabbing because it reduces economic resources they need to fight the disease. The widows’ health usually deteriorates due to inability to access medication because of economic hardships. In support of this notion, Rao Gupter (2000:4) emphasizes that there is a need to ‘ensure that women have access to health services and that they have HIV and Sexually Transmitted Infections (STIs) prevention technologies that they can control, such as the female condom and microbicides’. From the study conducted by Safieddin (1999) in North Cairo, health needs constituted rank high in the perspective of the widows.

Strickland (2004) draws a link between the HIV and AIDS pandemic and property ownership. The writer argues that the research questions and intervention strategies are only beginning to explore the relationship between property ownership and inheritance, and HIV prevention and mitigation of the impact of AIDS. In our view, the health of HIV positive women is compromised when they are deprived of the right to inherit property.

The epidemic places many more women and children in this position than ever before because AIDS leaves many relatively young widows with orphans to look after, an additional stressor. On another level, however, the specific manner in which HIV and AIDS impoverishes households means that upon finding herself a widow, a woman has few resources left, after property stripping with which to resist outside pressures and health demands in fighting the epidemic (Rao Gupter 2000).
Levirate marriages and sexual cleansing are also dangerous practices in African cultures that expose women to HIV and AIDS and other related sexually transmitted diseases. Such practices are very common in the Binga District of Zimbabwe where people believe that a wife can be inherited after the death of a relative. A study from South Africa shows that women who experience forced sex (such as in sexual cleansing) are nearly six times more likely to use condoms inconsistently as compared to those who are not coerced (Strickland 2004). Inconstant use of condoms is a possible mode of transmitting HIV and AIDS and a health risk for widows.

3.3.4 Social empowerment

Social status and networks is of paramount importance to the widows and needs to be enhanced. The International Committee of the Red Cross (2006) maintains that women can be left entirely without social status when they lose their husbands, especially in patriarchal societies. The death of the main breadwinner can cause a breakdown in the familiar socialization processes for women when they take on roles traditionally reserved only for men. Safieddin (1999) found social needs to rank third highest for widows in the North Cairo Zone.

Rao Gupter (2000) advocates for the importance of increasing social support for widows who struggle to change existing gender norms by giving them opportunities to meet in groups that are visible in communities. There is also a need to strengthen local women’s organizations by providing them with adequate resources that will enable them to promote specialized community members’ functional social and family interactions.

A different view is to give widows a voice by providing them with the opportunity to create a group identity separate from that of the family because for many women the family is often the social institution that enforces strict adherence to traditional gender norms that hinder women’s rights, Rao Gupter (2000). Further, it is important to promote women’s decision-making at the household, community, and national level by promoting women’s leadership and participation.
There is a need to move the topic of violence against women in the context of property stripping from the private sphere to the public sphere. This is not a personal issue. It is a gross violation of women’s rights and has significant negative implications for the social development and health of widows in communities as well as for economic development.

Widows need social encouragement to get over traumas and pick up the threads of life again in terms of taking up careers. Of greatest immediate importance is that ‘widows require a time and space to meet, organize and unleash their own power for change’ (Rao Gupter 2000:7). It is also necessary to build social awareness and to change the mind of people towards widows. Furthermore, as Safieddin (1999) maintains, there is a need for social services that include solutions to family problems and programmes on how to raise children and deal with them. These were seen to be among the empowerment needs by widows.

### 3.3.5 Psychological needs and empowerment

Widows need to be helped to deal with the psychological effects and insecurity that stem from loosing husbands. In addition, they need to be helped to deal with direct consequences such as not being able to inherit property and not being able to remarry. Furthermore, ‘they often feel unable to talk about their loss, as they fear ostracism and other punishments from the society’ (International Committee of the Red Cross 2006:2). Isolation, stigmatization, anxiety and fear are also prominent psychological problems that widows face time and again (Safieddin 1999:2).

As a result, widows grieve in silence often with the added burden of raising a family alone. Those with dependent children often see their main reason for going on with life as the responsibility of raising their children. These children, particularly girls, may themselves be subjected to discrimination and unfair treatment because of their mother's status (International Committee of the Red Cross 2006).

The recommended solutions include the need to provide specialists to help widows deal with the psychological problems. Safieddin (1999) suggests the need to activate family counselling to solve widows’ psychological problems.
In determining the empowerment needs of African widows, the study conducted by Safieddin (1999) in North Cairo Zone proves to be useful. However, Safieddin (1999)’s administration of the research instruments used to collect data in the study is questionable. In the study, Safieddin used a questionnaire for widows and heads of social units while for the directors of the social affairs department Safieddin (1999) used semi-structured interviews. Safieddin should have used the same research instrument with all the participants unless he used both research instruments for all the research participants ‘to increase the validity of the results’ (Alston and Bowles 2003:137).

Secondly, Safieddin (1999)’s study would have produced more significant information if the semi-structured interviews had been administered to the widows because they have more to say concerning their needs than the directors of social units who might have subjective biases concerning the empowerment needs of the widows. Due to these methodological flaws the current study uses a different methodology in the Binga District of Zimbabwe in to determine the needs of the widows.

4. Elements of empowerment

It is important to outline the elements of empowerment if one is to fully comprehend empowerment of women. These are intertwined and act in synergy or in combination as a measuring rod for any empowerment endeavor given to the widows.

The elements that need to be incorporated in the empowerment process of the widows include access to information, inclusion and participation, accountability and local organizational capacity (Narayan 2002).

4.1 Access to information

Access to information as discussed earlier will enable widows to be better equipped to take advantage of any opportunity, access services, exercise their rights and negotiate effectively for inheritance of property. Narayan (2002) criticizes most projects and institutional reform projects, whether at community level, national level or global level for
underestimating the need for information and underinvestment in information disclosure to widows.

4.2 Inclusion and participation

Widows need to be included in priority settings and decision making. An effort to sustain informed participation requires changing the rules to provide space for women to participate directly in local and national priority settings (Narayan 2004). However, it is noteworthy that participatory decision-making is not always harmonious so that conflict resolution mechanisms should be in place.

4.3 Accountability

Accountability refers to the ability to call public officials and people with power in the community or service providers to account on their policies, rules and laws in contexts of property grabbing. Narayan (2002) identifies corruption as a major source of pain the women encounter with people in public offices. According to the same author, incorporating accountability counts a major move towards fairness.

4.4 Local organizational capacity

Since time immemorial, groups have organized themselves to take care of themselves and each other. Local organizational capacity refers to ‘to the ability of people to work together, organize themselves and mobilize resources to solve problems of common interest’ (Narayan 2002:21). Widows need to be given an opportunity to form groups which will increase the likelihood that they have their voices heard and that their demands met as they will not be without organization.

5. The empowerment experiences of the widow as a person

A widow needs power for both body and mind to resist, regenerate and heal when faced with difficulties. She needs strategies that will help her deal with traumatic social problems resulting from the death of the husband and property grabbing such as trauma. Saleeby (2002:11) maintains that this can result from a ‘beneficial relationship between
the individual and the larger social and physical environment’. In their search for support and power to gain control over their lives and be able to deal with their sad experiences, widows have sought the indispensable services of legal practitioners, Non-Governmental Organizations (NGOs), Counsellors and the Church.

5.1 Legal action

Legal action has been a clear-cut course of action for widows deprived of property when their husbands died. The hope, in legal action, has been has been to regain property or at least a share of it. Izumi (2006) maintains that at ‘the Harare Civil Courts, for instance, the clerks will write to the in-laws, calling them to appear for an edict meeting at which the administrator will be appointed’. This has helped widows to inherit their husbands’ estates. Legal action has proved to be expensive for economically weak widows who then tend to see it as beyond their means (Women’s International Network News 1999).

However, in rural areas, widows seek legal advice from Chiefs who have played a pivotal role in assisting the widows. One widow got assistance from the Chief to get back her 25 head of cattle in the Nyanga District of the Manicaland Province and the Chief offered help to find transport for her cattle to Seke, her home (Izumi 2006). The Chief’s powers in Zimbabwe are informed by Chapter 19:17 of the Traditional Leaders Act of 1998 of the constitution of Zimbabwe. According to Makumbe (1998) chiefs in Zimbabwe are appointed to preside over communities and to perform functions of their office as leaders of the communities, one of which is to enforce statutory law.

5.2 Non-Governmental Organizations (NGOs)

NGOs play a vital and pivotal role in the empowerment process of the widows. NGOs have remained reliable in terms of their economic, psychosocial and legal empowerment agendas to the widows. NGOs also play a mediating role in the families and help widows access legal assistance which may be beyond their reach given their economic hardships. Izumi (2006:31) in her documented testimony of a widow writes:
The relatives... had sold their vehicle, taken ownership of the house in Harare, and taken over their 63 head of cattle. Her brother together with the support of an NGO (not named) helped the widow to seek legal assistance. As a result, she managed to recover 41 of the 63 cattle...

NGOs also provide facilities where widows form support groups to share their experiences. They also share information on survival skills. This has proved to be very important for widows who have been able join support groups. Walker et al (2004:7) in a seminar report on Women, HIV/ AIDS, Property Rights and Livelihood in Zimbabwe (28 June 2004) quotes the testimony of Simbnanai Munguwa aged 36 with 4 children, who had this to say:

[I] am empowered as I am in the network and have shared experiences with some widows who suffered more than I did.... I accept that problems are part of life.

5.3 Individual Counselling and empowerment

Counselling also count high among strategies employed by widows in their endeavours to seek empowerment. Due to the fact that property stripping affects the widows psychologically, counseling has been important in empowering widows. The study conducted by Safieddin (1999) in North Cairo in Egypt, points to psychological needs as very significant. Walker et al (20044)’s seminar report on Women, HIV/ AIDS, Property Rights and Livelihood in Zimbabwe (28 June 2004) recounts the experience of Simangalisiwe Gumbi aged 30 with 3 children and also HIV positive. In her testimony, Simangalisiwe had this to say:

[I] went through a number of sessions in counselling, and I was tempted to commit suicide. I am now an empowered woman and I have accepted my positive status. I am lodging in Bulawayo and I am selling craft with the Matabeleland Widows Association, a group that I have joined and taught me to be self-reliant. My in-laws refused to give me his death certificate and I have obtained birth certificates for my children using my maiden
name through assistance from Mrs Madondo through her wide experience in counseling and networking.

5.4 The Church and empowerment

The church is a powerful institution for widow’s empowerment. Some widows have sought strength from God to adjust to the psychological trauma they have suffered. Sanelisiwe Ncube, a widow said this:

*By the grace of the Lord we [she and her child] have survived and did not lose anything apart from the clothes. My strength is in the Lord and I have forgiven my in-laws…. My wish is to forget about this totally.*  
(Walker et al 2004:8).

The involvement of the church in issues that affect women has made it possible for widows to be empowered in spiritual dimensions as well. The St. Augustine Diocese of the Anglican Church is a typical example of a church that empowers widows economically (International Anglican Family Network 2003 (IAFM)) [online]. The increase in the number of widows seeking assistance form St. Augustine Diocese has caused the church to develop special programmes for them. The Mothers’ Union (MU) has a widow’s revolving fund which assists widows’ groups which make up 50% of the MU members to start income generating projects after undergoing training in basic business (IAFM 2003).

Widows have also sought economic empowerment from the Catholic Agency for Overseas Development (CAFOD) of the Catholic Church. The church has intervened through support of women farmers, for example the livelihood projects, and promotion of gender equality and justice (CAFOD (undated) [online]).
6. Empowerment strategies and roles of social workers

Widows whose property has been stripped by the relatives of the husband can be empowered using appropriate intervention strategies. A strategy is defined as ‘the broad course of action you will follow to achieve your goal’ (Weyers 1997:34). Social workers when applying intervention strategies should realize that women whose property has been stripped feel trapped as if they are in a cage where they can not get out; they can get out with appropriate help. Despite the feeling of entrapment, widows need to express themselves in a manner that will enable them to be heard. They need also to exercise their rights like any other citizen and member of the community.

Apart from widows taking action themselves, social workers can assist the widows in dealing with problems thereby making use of various strategies and playing different roles depending on the strategy adopted. It is important to note that which ever strategy the social worker employs in assisting widows stripped of property, the social worker should tap the strengths of the widows in dealing with the problem. Saleeby (2002) is of the opinion that strengths of the individuals and communities are renewable and expandable resources that can be used successfully in a process of empowering and assisting the people concerned. If the strengths perspective can be utilized in empowerment strategies for women, results can be meaningful and have lasting effects for them as they will be part of the solution finding process.

The principles that guide practice in empowerment using the strengths of people are outlined by Saleeby (2002) as follows:

*Every individual, group, family and community has strengths.* This should inform the social worker that the widow in need of help possesses assets, resources, wisdom, and knowledge that at the outset the social worker may not have (p 14). These resources at the outset need to be treated with respect because of their potential for easing pain and achieving goals. The task of the social work practitioner is to be interested in the stories and experiences of the widows so that they can have a guide for practice.
Trauma and abuse, illness and struggle may be injurious but they may also be sources of challenge and opportunity. Even though widows have been stripped of property, there is dignity to be drawn from undergoing such life challenges to their growth and maturing. It is important to note that such challenges can be an impetus for change. Widows only need capacities, knowledge and skills for them to develop.

Assume that you do not know the upper limits of the capacity to grow and change and take individual, group and community aspirations seriously. Despite the fact that widows have suffered from violence and unjust treatment by the relatives of the husband, still social workers must hold high widows’ expectations and align themselves with their hopes, visions and values.

We best serve our clients by collaborating with them. Consistent with the strengths perspective, social workers must be collaborators or consultants for the widows because of their specialized education and experience to be resourced in offering help. They need to work together and move with them through their problems to realize of their aspirations.

Every environment is full of resources. In their surrounding whence the problems seem to emanate, there are useful elements that can be utilized for problem solving. Informal systems of individuals, families, groups, and social circuits of peers can be used for empowerment. ‘No matter how harsh an environment can be, how it may test the mettle of its inhabitants, it can be understood to be a potentially lush topography of resources and possibilities’ (Saleeby 2002:17).

Caring, caretaking and context. Social work is about care and caretaking. Weick (2000) as cited by Saleeby (2002) maintains that ‘social caretaking is the profession’s hidden voice, hidden because it is also woman’s voice’. Social caretaking and social work in the strengths perspective denote the revolutionary possibility of hope which is strengthened through social relationships in the family, neighbourhood and community. This denotes that the social worker can utilize people from the family and neighbourhood to assist the widows.
Cooke and Ellis (2004), who have written extensively on oppressed and disadvantaged people, advise the use of the *exit, voice and rights* strategies (p148) in empowering the oppressed and disadvantaged. These three strategies empower widows in different ways that can help them minimize the impact of property stripping.

### 6.1 The Exit strategy and empowerment

Seeing themselves overcoming the problem of property grabbing has always been the wishes of many widows. However, when they experience this problem, the widows find themselves entangled with the problem and therefore the exit strategy may be seen useful in this regard.

The *exit* strategy is applied to make widows challenge their problems and turn them into new perspectives that help them see the problems or undeveloped opportunities in a different light. In other words, widows who experience property inheritance problems need to have their problems solved but they experience blockages in their endeavours to find the way out of the ‘maze of trouble’. At times they develop ‘blind spots’ and can only see problems and overlook opportunities which makes them fixated on the problems (Egan 2002). This strategy calls for concentration on opportunities that are there or that arise as a way of overcoming property inheritance problems. The way out of this problem will act as an exit door out of their situation. Applying this strategy implies that it is essential for social workers to help widows move away from a problem focus to a solution focus.

#### 6.1. (a) The roles of the social worker

i) The roles of outreach worker and collaborator

A role refers to the ways in which a social worker can act (Weyers 1997). The social worker can assume many roles depending on the problem being dealt with or depending on the needs of the client. In the exit strategy, the social worker may assume the role of an
outreach worker where the social worker reaches out to detect widows with problems so that they can be helped to find solutions. The social worker will then assume the role of a collaborator in which the social worker will work together with the widows to solve the problem. The social worker may refer the clients to other service providers if the problem can be solved by other professionals. For example, in the case of women whose property has been stripped, the social worker can refer them to legal practitioners for legal advice. The social worker can then make a follow up to make sure their problem has been attended to.

ii) The role of guide

While widows struggle to find solutions for their problems, the social worker needs to occupy the role of a guide so that they will be able to find helpful solutions. In describing this role in relation to community work, Swanepoel (1997:40) advises that:

> [C]ommunity workers know of pitfalls and obstacles the people are not aware of. It is therefore their task to guide the people through these pitfalls towards objectives that may be somewhat murky to the action groups... At the same time, their positions should never make the people dependent on them. Therefore their role does not entitle them to lead from the front. They are not guiding blind or crippled people. At best, community workers are ‘co-travelers’ on the road of discovery.

iii) The role of enabler

Social workers’ aim is to ‘enable the people to fulfill their abstract human needs, to enhance their learning processes and to help them gain meaningful empowerment’ (Swanepoel1997:42). In their enabling role, social workers must remove obstacles, steer clear of trouble and provide know-how to make it possible for widows to act and move out of the problem themselves - they are there to make things happen without being active themselves (p 42).
iv) The role of facilitator

Social workers can also be *facilitators.* The concern for social workers is to help widows make rational decisions, in taking the initiative, to help them to discover their resources and to help them to plan and act. Swanepoel (1997:43) sums up the definition of facilitation and asserts that it involves ‘helping, assisting, aiding, enabling- nothing more than that!’

6.2 The Voice strategy and empowerment

It has always a concern for advocates that widows who experience property grabbing have not been accorded the opportunity to voice their concerns. Due to this reason the voice strategy can be most useful.

Cooke and Ellis (2004) contend that empowerment through *voice* uses a democratic approach where widows are allowed and given an opportunity to speak out about their problems. Using this strategy will enable widows to express their opinions concerning property inheritance. This requires an atmosphere and an environment where widows are free to articulate their concerns. However, in cases where widows can not speak for themselves, the social worker can speak on their behalf, advocating for their needs and concerns.

The development of advocacy as an additive to empowerment strategies has been described by Cooke and Ellis (2004:150) as ‘a process aiming to help people access supports, articulate their needs, receive the services they require, and secure their rights’. Articulation of needs and securing of rights by women is central to women’s property inheritance issues. This process has been termed self-advocacy (Cooke and Ellis 2004) and is linked, through self-determination, to empowerment, both individually and collectively (p 150). On the other hand Cooke and Ellis (2004) expressed a contradicting
view of self – advocacy in that merely being offered an opportunity to express an opinion does not necessarily equate to having the power to effect change.

6.2 (a) The roles of the social worker

i) The role of advocate

Trevithick (2005) comments that where there is a need for voices of the widows to be heard by people who seem to be unresponsive, the social worker may assume the role of an advocate. Unresponsive people may be people occupying very important and influential social positions such as local village heads, chiefs and legal Practitioners. Advocacy is a term borrowed from the field of law in which the social advocate obtains authority from a given mandatory power or goal of the organization by which he is employed to plead and fight for services, policies, rules, regulations and laws for clients’ benefit (Farley, Smith and Boyle 2006). It involves representing the interests of the widows when they are unable to do so themselves. It is important to note that in situations where widows may take the initiative for advocacy themselves, the social worker empowers them by becoming a supporter.

According to Lombard (1991) the social worker occupying the advocacy role is not an impartial enabler, broker, expert, consultant, guide or social therapist: he is a partisan who supports and fights for the inheritance rights of the widows. The role of an advocate can be equated with the role of a biased supporter. When occupying this role, the social worker has to play the role of defendant of the rights and interests of the widows (Farley et. al. 2006).

A key concept in advocacy is that of representation, in which the social worker supports the widows in representing themselves, argues their views and needs, interprets or represents the views, needs, concerns and their interests and develops appropriate skills for understanding such as listening and negotiating skills, empathy, assertiveness skills and being clear and focused (Trevithick 2005).
Representation of other people can take many forms. Payne (1997:269) as quoted by Trevithick (2005) summarizes representation as *case advocacy* where a professional, volunteer or peer advocates on behalf of another person for resources, services or opportunities and *cause advocacy* which involves arguing for changes in policies or procedures and other forms of reform. This can be a more direct form of advocacy that can bring changes in the practice of property stripping in African societies. *Self- advocacy* on the other hand puts more responsibility and power on the affected person or group of people to speak and represent themselves. Widows may find ways of speaking for themselves in order to protect their rights and to advance their own interests. This links to self-help, group and peer advocacy. In *peer advocacy the widows need to* work together to represent each other’s interests. This type of representation involves the formation of groups such as self-help groups or support groups in the advocacy process. This can be equated to membership which is critical for the empowerment of the clients in social work. To describe the value and role of membership, Saleeby (2002:10) argues that:

> [T]o be without membership is to be alienated, to be at risk for marginalization and oppression. …… people must band together to make their voices heard, to get their needs met, to redress inequalities and to reach their dreams.

One other important form of advocacy is *citizen advocacy* which involves volunteers in developing relationships with isolated people, understanding and representing their needs. However, it is important to note that this kind of advocacy will be possible to undertake where people understand that property stripping is violence and oppressive and that there is a need to represent the victims.

Trevithick argues that advocacy is a very helpful social work role that can help women to inherit property when their husbands die intestate. The argument is strengthened by the most important professional consideration that social workers have the necessary knowledge and professional contacts which can be used for spearheading the success of advocacy activities. Swanepoel (1997: 41) supports this notion and puts an optimistic
view of social workers’ role by maintaining that ‘they [social workers] know how to deal with the authorities, where to go and who to see to get approval and obtain concessions’.

ii) The role of activist

This role can be understood to be a step beyond that of an advocate and has a strong political component. The concept “activist” means amongst others ‘crusader, fighter and champion’ (Lombard 1991, Farley et. al 2006). Activism arises when the social worker realizes that his efforts on behalf of the widows demand partiality and taking sides (Farley et. al. 2006). Thus the social worker occupying this role has to be on the side of the widows.

6.3 The Rights strategy and empowerment

Widows’ property inheritance rights have been reverberated in the study. Due to this reason, this strategy is at the core on which widows’ rights to property inheritance rests. It is the backbone of all the strategies that can be used to empower widows with the problem of property stripping. The rights theorists contend that this strategy has backing of international legal and institutional reforms. Yet they are underutilized in African communities due to the patriarchal nature of the society.

Means and Smith (1998) as cited by Cooke and Ellis (2004) suggest that for many people empowerment can only be achieved though a process of ‘struggle’ in challenging the realities of power relations. It is however, important to acknowledge the fact that in African societies, rights advocacy is everywhere up against the patriarchal nature of society.
Taylor et. al. (1992) as quoted by Cooke and Ellis (2004) defined empowerment by using a ‘ladder’ which outlines the degree of power given or taken by users. Figure 1 on below illustrates the empowerment continuum.

**HIGH**

- Users have the authority to take decisions
- Users have the authority to take some decisions
- Users have an opportunity to influence decisions
- Decisions are publicized and explained before implementation
- Information is given about decisions made

**LOW**

Figure 1 Ladder of empowerment (Taylor et.al. 1992 p3 as adapted by Coke and Ellis 2004:149).

People are empowered to different degrees when they have access to information, control over resources alongside power and authority to use them in achieving their purposes as can be illustrated by Figure 1 above. ‘While all these represent rungs on a ‘ladder’, the social worker needs to ensure that each user is as near the top as possible’ (Cooke and Ellis 2004:150).

The rights strategy taps the mission of the Beijing Platform of Action (1995) which respects and values the full diversity of women’s situations and conditions and recognizes
that some women face particular barriers to their empowerment. When using this strategy, it is important to take into cognizance that full realization of all human rights and fundamental freedoms of all women is essential for the empowerment of women. Social workers need to make sure that women’s rights are considered to the highest possible degree. Social workers have a vital role to play in the struggle that widows face as they can be deployed either to assist or to obstruct that struggle (Cooke and Ellis 2004).

6.3 (a) Roles of the social worker

The rights of women have become a concern for conventional social work practice in African society because of increasing violation of their rights. The roles social workers play when applying the rights strategy are very fundamental and crucial as the majority of women in our society are deprived of information because they are not educated or have received limited education. The discussion that follows will outline the roles social workers can play when applying the rights strategy.

i) The role of educator

As an educator, the social worker assists women in determining the causes of property stripping and in considering possible solutions. Farley et. al. (2006:123) describe this as having an important component of ‘increasing human capacity’ which is integral to the philosophy behind social work. Increasing the capacity of the widows can in itself be a strong tool for enabling them to solve the problem of property stripping. The social worker discusses the rights of widows to inherit property as provided by the constitution and succession laws. Further, the social worker can teach them about their rights and responsibilities. This aspect of educating women about their right to inherit property is very fundamental as women continue to be deprived of their rights in Zimbabwe. This alludes to the fact that education on the rights of women needs to be strengthened.
ii) The role of advisor

Due to their greater knowledge and broader view, social workers must give advice to the widows. Swanepoel (1997:41) warns that ‘empowerment becomes hollow rhetoric if people are starved of information to the extent that they can not make informed decisions’. Playing this role will mean that social workers advise women of the choices within their rights and the consequences of such choices. The social worker may for example, refer the widows to legal practitioners for legal advice if widows decide to take legal action. They need to be conduits, passing information on to the widows but Swanepoel (1997) warns social workers never to tell people what to do and not to do.

7. Social work skills central to empowerment strategies

For proper execution of the strategies for empowering widows who experience property grabbing, the social workers have to be equipped various skills. In this regard, it is important to understand the meaning of the word skill. Authorities have written widely about the definition of a skill. The word skill is usually used interchangeably with concepts like ‘competence, intervention and techniques’ (O’Hagan 1996:12). However, Trevithick (2005:63) gives an outline of the characteristics of a skill as follows:

- they involve an organized and coordinated activity in relation to an objectivity or situation in ways that underlie performance;
- skills are learned gradually, through repeated experience; and
- they involve actions that are ordered and coordinated in a temporal sequence or in chronological order.

For the purpose of this study, skills may be defined as ‘the actions we perform to influence events’ which are very important for applying strategies for intervention Trevithick (2005). The discourse that follow outline the skills of negotiation, mediation and networking that are central to the application of empowerment strategies.
7.1 Negotiation skills

This skill is directed at achieving some form of agreement or understanding. Trevithick describes negotiation skills as tools that establish the climate of shared decision-making and collaboration and particularly important in situations of disagreement. The skills of negotiation are important when assisting widows because relatives of the husband tend to ‘hold key resources’ that widows need for affording a decent life. The social worker needs to create a climate for shared decision-making between parties in conflict. When a climate for shared decision-making has been created, widows will be able to have a word in the appropriation of their husbands’ property which they are otherwise denied. A climate of shared decision-making can only be created if the social worker is highly skilled in negotiation.

7.2 Mediation skills

‘Mediation skills have a particular part to play in dispute resolution between parties to help them reconcile differences, find compromises, or reach mutually satisfactory agreements’ (Barker 2003:266). Trevithick (2005:231) describes a mediator as a ‘go-between’. It involves the social worker taking up a neutral role between the widow and the in-laws rather than taking up the case of one party against the other. The social worker has to be a good go-between in assisting the widows to have rights to their husband’s property and to help the perpetrators understand why she has the right to inherit property.

7.3 Networking skills

According to Seed (1990:19) as quoted by Trevithick (2005:226), a network is a ‘system of or pattern of links…. which have particular meaning’. Networks are divided into formal and informal networks. In describing formal networks, Trevithick (2005) gives examples of planned formal support groups, while the writer describes informal networks as ‘natural networks’ provided by natural roles like those of family members, friends and neighbours (p 226). In social work intervention, both the formal and informal networks are important
in dealing with the property inheritance problems widows encounter. The groups give the widows support and comfort them in the problems they encounter. When intervening in property inheritance problems of the widows, social workers can use three networking strategies.

The three strategies are *network therapy, problem-solving network meetings and network construction.*

- **Network therapy** uses the group work skills approach to help widows who have suffered property grabbing by bringing together their network to act as change agents (Trevithick 2005).

- **Problem-solving network meetings** bring together formal and informal carers to unravel who is doing what. This may involve various professionals like Legal Practitioners, the Police, Community Developers, Counsellors, Church Ministers (Reverends, Pastors and Priests), Health Professionals, and other concerned parties and stakeholders in public and private sectors (Non-Governmental Organizations). Further, Local leadership structures including Chiefs, Kraal heads and Village heads can also form a very important group within the problem solving network meetings to unravel issues of property inheritance.

- **Network construction** involves building new networks and sustaining or changing existing networks (Trevithick 2005). Widows may be linked to others who are in the same situation in order to share experiences and information on survival skills.

Networks are important for the widows as they continuously empower them. One widow who was empowered through the Zimbabwe AIDS Network (ZAN) had this to say: ‘I wish to mention that by joining the network, our eyes have been opened and we have abundant hope’.
8. Conclusion

For life to be fulfilling, people need to meet their needs. It is important therefore to have widows’ empowerment needs met for their life to be satisfactory to them. Worth noting is the fact that the main form of intervention strategies that have been used are legal in nature while social work intervention strategies as outlined can play an indescribably pivotal role. Social work intervention strategies have been described as a ‘favoured, cheaper and more flexible alternative to court processes, especially in the context of family matters’ (Chinkin 2001:69).

This chapter has extensively dealt with the empowerment needs of the widows, the chapter that follows will discuss the methodology of the study.
CHAPTER FOUR

RESEARCH METHODOLOGY

4.1 Introduction

The design and methodology of the study was briefly outlined in the first chapter. It is influenced by radical feminist theory which attributes the suffering of women to the power imbalances in society. From the radical feminist perspective, women need to be emancipated from the patriarchal systems of the society which oppresses them (Collins 2000), one of which is customary law.

Fouche (2005) acknowledges the ambiguity that rests in the definitions of the term research design. However, for the purpose of this study, research design will refer to ‘all the decisions a researcher makes in planning the study’ (Babbie 2001, in Fouche 2005:268). Criswell (1998:2) as quoted by Fouche (2005) extends this definition and defines a research design as an ‘entire process of research from conceptualising a problem to writing a narrative’.

The research design and methodology sought to answer the research questions centred on the property inheritance experiences of widows, the empowerment needs of widows and how social workers could intervene in situations of property stripping. The researcher divided it into the following categories: research method, population and sampling strategy, data collection, data analysis, ethical considerations and methodological limitations.

4.2 Research method

A qualitative method was utilised for the purpose of this study. Qualitative research involves ‘systematic investigations that include inductive, in-depth, nonquantitative studies of individuals, groups, organisations, or communities’ (Thyer 2001:257). It is aimed at ‘describing, making sense of, interpreting or reconstructing in terms of the
meanings that the subjects attach to it’ (Schurink 1998:240). A qualitative research approach was applicable and suitable for this study because the researcher seeks to understand the lived experiences of the widows.

4.3 The Population

Gray (2005:82) defines a population as ‘the total number of possible units or elements that are included in the study’. Robson (2002:260) provides a summary definition when he defines a population as referring to ‘all the cases’. The population for this study is comprised of all widows residing in the Sikalenge ward and the social service providers who help widows experiencing property grabbing in the Binga district. Since the researcher could not interview all the widows from Sikalenge ward or all the social service providers, a sample was drawn from them to determine participants for this study.

4.3.1 Sampling strategy

Strydom (2005:194) defines a sample as ‘elements of the population considered for actual inclusion in the study, or it can be viewed as a subsequent of measurements drawn from a population in which we are interested’. Strydom (p194) also defines a sample as ‘a small portion of the total set of objects, events or persons which together comprise the subjects of our study’ (Fouche and De Vos1998; Bless and Higson-Smith 2000).

The study utilised a non-probability purposive sampling strategy to involve fifteen participants in the study. Of the fifteen participants, ten who participated in individual interviews of the first phase of the study were widows who have experienced property grabbing and living in Sikalenge ward. Not all the widows were part of the study, they were chosen purposefully to include those whose husbands died after the year 1997, the year of the enactment of the Intestate Succession Law of Zimbabwe which protects women from property grabbing. Five participants in focus groups of the second phase of the study were social service providers to widows who experienced property grabbing. Their role is also fully explained in the research design and methodology of the first
chapter of the study. Greef (2002:306) defines a focus group as ‘a carefully planned discussion designed to obtain perceptions on a defined area of interest in a non-threatening environment’. The general aim of the researcher was to secure more in-depth information from the participants. Such a number of participants is favoured by Shearfor and Horejsi (2006:614) who maintain that ‘5 to 10 participants is seen as a sufficient sample size in a qualitative study’.

Purposive sampling is based on the ‘judgement of the researcher that a sample has typical elements which contain the most typical attributes of the population’ (Strydom and De Vos 1998:198; Alston and Bowles 2003). The ten widows were accessed through Ntengwe for Community Development Trust, an organisation in Binga District, which runs several projects for widows and orphans. The researcher accessed the offices of the focus group members through personal visits as they are located close to each other along the main road. The researcher also had to visit the chief who was far in remote rural area to invite him to participate in the focus group interviews.

The arrangements for contacts in the homes of the ten widows were made through the Programme Officer of Ntengwe for Community Development Trust. This was conducive to a trusting relationship between the researcher and the participants, enabling the participants to have confidence in the researcher which was crucial to information gathering (Schurink 1998). However, snowballing (Gray 2005, Strydom 2005) was to a particular extent used as widows who participated in the study were also helpful in locating other homes of fellow participants that the researcher and the programme officer of Ntengwe for Community Development Trust could not locate themselves for appointments.

4.4 Data collection

This study utilised semi-structured one-on-one interviews as an instrument to collect data from the participants. The interview questions were organized around particular themes to enable participants to give a fuller picture of their experiences. Interviews as a method of
collecting data were suitable as the researcher was interested in getting first hand information from the participants as they related their property inheritance experiences. Further, the interviews enabled the researcher to understand the world from the participants’ point of view and uncover their lived experiences (Greeff 2005). This research stance seemed to be consistent with that of Seidman (1998:1) as quoted by Greeff (2005:287) who maintains that ‘you interview because you are interested in other people’s stories’. Before data were collected by the researcher, prior arrangements for the date and time of the interviews were made with each participant of the individual interview and due consideration was given to privacy, confidentiality and a non-condemning atmosphere (Cournoyer and Klein 2000).

The instrument used to collect data was the interview schedule (see Annexure B for the individual interviews and C for the focus group interviews) and the interviews were semi-structured. The researcher utilised prompts to gain a deeper understanding of the problems and experiences of the ten respondents. The interview schedule for the ten respondents was divided into three columns which contained the themes, questions asked and prompts used during the interviews. Further, the interview schedule was divided into four rows which had thematic areas that included the following:

1. Personal details of participants,
2. Property inheritance experiences of the widows,
3. Intervention networks,
   (a) Informal intervention networks
   (b) Formal intervention networks
4. Empowerment needs of the widows.

Corresponding to each thematic area, sets of relevant questions were asked with appropriate prompts. The prompts on the interview schedule were read out to the interviewees by the researcher so that the researcher would obtain the appropriate response (Robson 2002). The interview schedule was not tested as the topic was emotionally sensitive.
The interview schedule for the second phase of the study was also prepared (see Annexure C). The instrument was prepared for the focus group interviews for five participants and contained questions related to the causes of property grabbing, their views of the laws and policies that would curtail property grabbing, the services they provide to the widows and what they felt were the empowerment needs of the widows. The interviews enabled them to give their knowledge from experience in practice of the causes of property grabbing and the empowerment needs of the widows. The four themes that made part of this interview schedule are:

1. Causes of property grabbing,
2. Views on existing legal policies dealing with property inheritance,
3. Help offered to victims of property grabbing,
4. What can be done to enhance coping strategies of the victims of property grabbing

The researcher administered both individual and focus group interviews himself in order to control the environment and to develop an empathic understanding of the participants’ feelings (Alston and Bowles 2003). By administering the interviews himself, the researcher was able to observe the behaviour and body language such as gestures of the respondents (Gray 2005). The individual interviews with the widows were done in the Tonga language, the language spoken in Binga so as to prevent communication problems and enable participants to express themselves well. The focus group interviews were done in English because the participants were conversant with the English language.

The researcher conducted the individual interviews in the homes of the participants while the focus group interviews were done at offices of Ntengwe for Community Development Trust and each participant was interviewed only once. The interviews were audio taped by the researcher and latter transcribed. The individual Tonga audio taped interviews are labelled ‘Tonga’ on the tapes while those for the focus group interviews are labelled ‘English’. Robson (2002:289) encourages the use of tapes in interviews when he argues
that ‘the tape provides a permanent record and allows you to concentrate on the interview’.

During data collection, some of the questions on the interview schedule for the widows could not be asked because of a response given to a preceding question. Questions such as “How can you describe the role they played in intervening in your situation?” and “Can you please explain to me how you felt about the legal intervention offered to you?” were omitted in cases where the respondent did not get any such intervention. Omitting the questions by the researcher is supported by Greeff (2005:297) who advises that during the interview ‘not every question has to be asked’.

The fifteen audio taped and translated interviews were transcribed verbatim into English by the researcher (see Annexure D). During the making of transcriptions, the researcher merged the answers to the prompts with those to the main question since prompts aid the researcher to get the right answer for the main question. Transcriptions were proof read by the Schools Psychological Services and Special Needs Education Officer at the Binga Ministry of Education Office. Pseudo names were used to maintain confidentiality of the widows (Alston and Bowels 2003) whilst for focus group participants, titles only were used. However, the researcher’s experience was that the participants among the widows wanted to use their real names until he explained why pseudo-names could be used.

Table 1: Key to transcriptions

<table>
<thead>
<tr>
<th>Descriptions of behaviour</th>
<th>Shown in parentheses, for example (frowns) (Cries).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interruptions</td>
<td>Indicated by hyphen (-) where an interruption occurred</td>
</tr>
<tr>
<td>Emphasis</td>
<td>Caps were used to denote strong emphasis on a particular point, for example, “IT PAINS ME VERY MUCH”.</td>
</tr>
<tr>
<td>Held sounds</td>
<td>Held sounds are repeated and separated by hyphens, for example, “Ha-a-a-a-a-a”</td>
</tr>
<tr>
<td>Pauses</td>
<td>Shown by a series of dots (….).</td>
</tr>
</tbody>
</table>
4.5 Data analysis

Data was analysed directly by listening to tapes and then placing information according to the four categories of the thematic areas of the individual interview schedule that included personal details of the respondents, property inheritance experiences of the widows, intervention networks and empowerment needs of the widows. For the focus group interviews, the information was placed under the following themes, causes of property grabbing, views on existing legal policies dealing with property inheritance, help offered to victims of property grabbing, what can be done to enhance coping strategies of the victims of property grabbing.

Using an interpretive approach, analysis of data from both individual and focus group interviews started with data reduction, data organisation and then data interpretation with the back up of existing theory (Alston and Bowles 2003). From the literature read on property inheritance and widowhood, the researcher was able to find the link between the responses of the participants and the findings from other research studies and theoretical positions of other writers. Consultation of literature served as a control and helped the researcher to identify similarities and differences between the findings and the consulted literature.

In data reduction, data were summarised and categorised in order to identify important aspects of the issue being researched (Alston and Bowles 2003). Summarising and categorising data began soon after the researcher had made some transcripts and listened carefully to the participants’ information to generate themes or issues (Bazeley and Richards 2006). The process also involved picking up words, phrases and ideas directly from the text as the participants expressed themselves and the data were labelled or given their tags (Robson 2002).

The researcher then began to organise data according to certain themes and sub-themes that had emerged in the transcripts. Data organisation concerns ‘assembling the information on certain themes and points, and presenting the results in text form’ (Alston
and Bowles 2003:207). In this process, the researcher captured descriptive information such as where or when property grabbing may happen and what participants reported in terms of their feelings and experience. The identified themes were then cross referenced and then summarized on A4 paper. The categories were integrated in order to come up with consolidated research information.

4.6 Ethical considerations

Every professional researcher has an obligation to observe research ethics. Robson (2002:65) defines ethics as ‘the rules of conduct; typically, to conformity to a code or a set of principles…..or what one ought to do’. During the research process, the researcher observed the following research ethics that are consistent with the requirements of professional research:

4.6.1 Gaining access

Schurink (1998) maintains that the researcher needs to have literature knowledge of the research problem, cultures, languages and the value system of the inhabitants. The researcher was able to gain access to the participants because of his fluency in their language, Tonga, which is the language spoken in the Binga District where the research was conducted. The researcher also respected the cultures of the Tonga people which they value so much and understands the cultures and traditions of the Tonga people.

Before conducting the research, the researcher sought permission from the Local Government, The Rural District Council, the Police, and Gender Office as a matter of protocol. Ntengwe for Community Development Trust was contacted to help in locating participants since the organisation operates in the same ward. The chief was contacted for permission to conduct the research in his ward and he also became a participant in the focus group interviews of the study.
4.6.2 Informed consent

As aspects of informed consent, the participants were informed of the goal of the study and the approximate amount of time the interviews would take (Strydom 1998). The potential of the research to act as an impetus towards legal reforms and to provide information for intervention were also communicated to the participants as advantages of the study.

Also, participants were informed that the study may be emotionally trying and that their participation in the study was voluntary. The use of a tape recorder was made known to the participants and they were informed that if they wish, they could ‘withdraw at any time without penalty’ (Cournoyer and Klein 2000:27). This information was written on the consent forms (Annexure A) that the researcher himself read to the participants, checked for clarity and understanding and that was signed by the participants before they could be interviewed.

4.6.3 Privacy and confidentiality

Strydom (1998) and Alston and Bowles (2003) define privacy as that which is not intended for others to observe or analyse. Furthermore, confidentiality is defined by Strydom (1998) as ‘a continuation of privacy which refers to agreement between persons that limits others’ access to private information except in reporting research results as agreed and that the information will not be used for any purpose other than research (p28)’. The researcher did not seek identities and postal addresses of the participants in order to observe the confidentiality of the respondents (Cournoyer and Klein 2000).

Pseudo names were used for participants of the individual interviews so that personal identities of participants could be secure even where information could be used by third parties. As for focus group interview participants, titles were use and no personal details were taken from them. Participants from both the individual interviews and focus group interviews were told that the information will only be used for research purposes.
However, the researcher’s experience was that the participants in individual interviews were a little sceptical of the use of pseudo names and wanted to use their real names. The researcher explained to the participants why there was a need to use the pseudo-names.

4.6.4 Deception of respondents

According to Strydom (1998), deception involves deliberately misrepresenting facts in order to make another person believe what is not true and withholding information to ensure participation of respondents when they would otherwise possibly refuse. All necessary information was presented to the participants. The goal of the study and the role of the participants were explained before engaging participants in the study as well as before conducting the interviews.

4.6.5 Restoration of respondents

According to Strydom (1998:33), ‘debriefing sessions during which subjects get the opportunity, after the study, to work through their experience and aftermath, are one way in which the researcher can assist respondents and minimise harm’. The researcher provided counselling to the participants who were involved emotionally since the topic was sensitive.

4.7 Validity and Reliability

There is the need to consider reliability and validity in any research process. A discussion of how validity and reliability was dealt with is provided below.

4.7.1 Validity

In qualitative research, the concept of validity has been adopted to mean more appropriate terms such as quality, rigor and trustworthiness (Stenbacka 2001; Seale 1999). To increase
validity, both of the interview schedules used in the study were constructed around relevant and important thematic areas. Prompts were then used to make sure important issues in the study were not left out from the responses of the participants. The results are of quality, more credible, trustworthy and can be generalized (Stenbacka 2001) to a large population.

4.7.2 Reliability

Seale (1999) explains that to be more specific with the term of reliability in qualitative research, use of the term “dependability” is more appropriate. To make the results of the study more dependable, the research was carried out in two phases. The first phase comprised of individual interviews and the second phase comprised of focus group interviews. Interpretation of data in both phases of the interviews was done according to the thematic areas. Close attention was paid to raw data and the data reduction process which was explained in the data analysis section of this chapter. Engaging such multiple methods to collect data such as individual interviews and focus group interviews leads to more reliable construction of realities (Creswell & Miller 2000).

4.8 Limitations of the study

As always is the case with research, the researcher experienced some limitations during the study. The researcher however, tried various ways to eliminate the problems so that the study could be successfully concluded. Fouche (2005:119) writes ‘problems are never completely eliminated from any study in the caring professions; the researcher must spell out the various means by which he tries to limit the problems’.

Although the researcher could speak and write Tonga, he had problems with the translation of the English interview schedule into Tonga to be used in individual interviews, as some of the English words and phrases are not available in our African languages. Likewise, translating the individual Tonga interviews transcripts into English was also a problem as some words were difficult to put into English. The researcher took
the translated interview schedule and transcripts for proof reading to the Schools Psychological Services and Special Needs Education Officer at the Binga Ministry of Education Office.

Carrying out research in the homes of the participants involved distractions such as crying of babies, calling of the mother by other children and distractions from domestic animals in the homestead. The participants had to attend to such stimuli and then continue with the interviews. Participants sometimes lost concentration in such instances. The researcher had to play back the tape in the recorder to remind the participant where the interview should continue from. This nonetheless changed the feelings of the participant, the gestures and even the tone the participant used. The researcher then used prompting as a way of getting the participant in the same mood as before the distractions and to continue from where they had left. In Trevithick (2005:172)’s view, prompting takes many forms such as:

…..inviting further comment through direct suggestion, by providing a link between one statement and another in order to encourage further dialogue or by helping the individual to return to the unfinished sentences or comments.

The researcher also had problems in physically locating the homes of the participants of individual interviews. The participants were from a rural type of settlement where homes were far apart and the researcher could not know where to go. The researcher used snowballing as a way of locating the participants and making appointments for the interviews. This means purposive sampling was important for determining who would be involved in the study but snowballing could also be integrated to augment the sampling procedure. Robson (2002:266) describes a snowball sample as ‘a particular type of purposive sample’ and hence it could be integrated without distorting the sampling procedure.
The interviews carried out in the homes of the participants involved travelling which placed high financial demands on the researcher. Making appointments with respondents sometimes involved travelling more than once because some participants could not be found on the first day of the researcher’s visit. This was common among participants of the focus group interviews due to commitments. The researcher was relieved of such financial implications by Ntengwe for Community Development Trust which could most often offer the researcher a lift as they had various community projects in the same ward. The Programme Officer for Ntengwe for Community Development and other staff members of the organisation helped the researcher locate some of the participants for the study. As for the participants of the focus group interviews, proper planning was done and an arrangement was made of the date were every participant would be available (Strydom 2005). This saved the researcher both in time and costs.

Some participants were married outside the District of Binga where they experienced property inheritance problems. They were married to different tribes such as Shona, Ndebele and Nambia and lived far away from Binga. The widows came back to Binga their district of origin after their husbands died. Some came only to settle in Binga from various places in Zimbabwe. What they experienced could not be a true reflection of the practices of the Tonga people in Binga. However, the researcher interviewed such people and regarded the information as enriching the study as it is not only intended to benefit people from Binga but the entire country of Zimbabwe and beyond the borders. The interviews with Nancy and Braitha are cases in point.

The topic of the study was very sensitive and during the interviews most of the participants in individual interviews were emotionally involved as the study reminded them of their beloved ones who had died and the painful experiences of property stripping. The researcher provided counselling to such participants and constantly checked how they felt by asking questions that reflected how they felt at various points during the interviews. The researcher provided debriefing sessions at the end of the interview and reminded the emotionally involved participant how they could benefit (Strydom 2005).
4.9 Conclusion

This chapter covered how the research was conducted, the research design and methods, the problems that were encountered during the study and how they were dealt with. The research provided the researcher with more insight about the nature of qualitative studies and the skills to be developed in order to be a more competent researcher.

In the next chapter, the findings from data analysis will be presented.
CHAPTER FIVE
PRESENTATION AND DISCUSSION OF FINDINGS

5.1 INTRODUCTION

This chapter will discuss the themes that emerged from the information given by fifteen participants in the two phases in which this study was conducted. Ten participants in the study were widows who told stories about their property inheritance experiences and participated in individual interviews of the first phase of the study. Five of the participants were focus group interviews participants and participated in the second phase of the study. These were the police, the magistrate, the Chief, Programs Officer for Ntengwe for Community Development Trust (gender-based NGO) and the Social worker. For the ten widows who were participants in individual interviews, questions centred on the four main thematic areas with each theme having relevant questions. The major themes of the study were personal details of the participants, property inheritance experiences of the widows, intervention networks and empowerment needs of the widows.

The focus group that comprised social service providers answered questions related to the causes of property grabbing, services they provide to the widows and their empowerment needs. The main aim for having these themes be central to the study was to explore experiences of African widows concerning property inheritance, to gain insight of widows’ views concerning property stripping, and their inheritance rights as well as to conceptualise the empowerment needs of African widows in the face of property stripping.

This chapter is mainly structured around the main themes and subsequent sub-themes that emerged from the respondents’ stories. Firstly the findings from the stories of the ten widows will be presented and these are followed by the findings from the social service providers. Thus presentation of findings will mainly be done according to the themes central to the study and the emergent sub-themes. It is also important to note that the names of the ten widows used in this study are pseudonyms for the purposes of anonymity and confidentiality.
The focus group interviewees used their titles and office portfolios in the study. The portfolios were important in that they are directly related to the work each focus group participant does and the rank occupied in the service organisations. These have been important in that they have a bearing on the expertise and knowledge of each focus group member in terms of the knowledge of the causes of property stripping and the empowerment needs of the widows from practice experience.

5.2 PHASE ONE OF THE STUDY

The first phase of the study comprised of individual interviews from the ten windows. A discussion is done of the findings of the first phase of the study which centred on these themes: personal details of the participants, property inheritance experiences of the widows, intervention networks and empowerment needs of the widows. Sub-themes that emerged in the study are also discussed.

5.2.1 THEME ONE: PERSONAL DETAILS OF THE PARTICIPANTS

The ten participants in the individual interviews were asked to give their personal details. These are shown in table 2 on page 83.
Table 2: Personal details of participants

<table>
<thead>
<tr>
<th>Names of participants</th>
<th>Ages</th>
<th>Place of residence</th>
<th>Number of children</th>
<th>Sexes of the children</th>
<th>People respondents stay with</th>
<th>Level of education</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nomia</td>
<td>32</td>
<td>Training Centre</td>
<td>2</td>
<td>1 boy 1 girl</td>
<td>Children</td>
<td>Form 2</td>
</tr>
<tr>
<td>Nomai</td>
<td>35</td>
<td>Damba</td>
<td>3</td>
<td>1 boy 2 girls</td>
<td>Children</td>
<td>Grade 7</td>
</tr>
<tr>
<td>Mary</td>
<td>39</td>
<td>Chilila Donga</td>
<td>3</td>
<td>3 girls</td>
<td>Sister and children</td>
<td>Grade 5</td>
</tr>
<tr>
<td>Julia</td>
<td>39</td>
<td>Damba</td>
<td>4</td>
<td>4 boys</td>
<td>Children</td>
<td>Grade 7</td>
</tr>
<tr>
<td>Otilia</td>
<td>32</td>
<td>Chilila</td>
<td>3</td>
<td>1 boy 2 girls</td>
<td>Mother and children</td>
<td>Grade 7</td>
</tr>
<tr>
<td>Sophia</td>
<td>30</td>
<td>Musenampongo</td>
<td>2</td>
<td>2 girls</td>
<td>Children</td>
<td>Form 2</td>
</tr>
<tr>
<td>Nancy</td>
<td>40</td>
<td>Binga Centre</td>
<td>5</td>
<td>3 boys 2 girls</td>
<td>Children</td>
<td>Form 4 or ‘O’ level</td>
</tr>
<tr>
<td>Chipo</td>
<td>32</td>
<td>Damba</td>
<td>1</td>
<td>1 girl</td>
<td>Sisters and daughter</td>
<td>Form 4 or ‘O’ level</td>
</tr>
<tr>
<td>Braitha</td>
<td>38</td>
<td>Binga Centre</td>
<td>1</td>
<td>1 girl</td>
<td>Daughter</td>
<td>Form 4 or ‘O’ level</td>
</tr>
<tr>
<td>Zamani</td>
<td>42</td>
<td>Nsenga</td>
<td>7</td>
<td>2 boys 5 girls</td>
<td>Children</td>
<td>Standard six</td>
</tr>
</tbody>
</table>

The ten widows gave their personal details which are presented in table 2 above. The personal details helped to create a brief biographical ‘picture’ of them. The personal details included names of the participants, ages, places of residence, the number of children the participants had, sexes of children, the people the respondent stayed with and their educational level.

The age of the participants ranged from thirty to forty two years. The majority of the widows (eight of ten) who experienced property stripping were between thirty and thirty nine years and only two of ten participants were forty years or older (Nancy and Zamani)
The findings however seem to be in line with those of Izumi (2006) [online] in which forty percent of her study sample where between the ages of twenty three and forty four year.

The participants came from various areas of the Si Kalenge ward. Three participants indicated that they came from Damba (Nomai, Julia and Chipo) while two (Mary and Otilia) indicated that they came from Chilila. Two participants (Nancy, originally from Kwekwe, and Braitha, originally from Tinde,) indicated that they came from Binga Centre. The Training Centre, Musenampongo and Nsenga areas had one participant each which were Nomia, Sophia and Zamani respectively.

All ten participants had children. Many of the children were of school going age as evidenced by the participants’ concern for financial resources for educating their children. In her study in Seke village, Izumi (2006) [online] found that the average age of the orphans left behind was eleven comma six which is among the ages postulated to be in need of support for food, education and health.

The question of sex also has a negative impact in terms of inheriting property from the deceased. One such negative impact stems from the provisions of the Zimbabwean constitution. Coldham (1999) sees Section 23 of the constitution of Zimbabwe as being protective in terms of race, tribe, and place of origin, political opinions and colour whilst it does not outlaw discrimination against sex. Significantly, a large number (seven of ten) of the participants had more girls than boys as children whilst one participant had an equal number of birth sexes, one participant had boys only and one had more boys than girls. This could put widows at risk of losing property to in-laws given the discriminative cultural notion that girls can not inherit from their father’s estate.

Another important issue for the study was to find out who the widows stayed with after the death of their husband. The key finding was that many widows stayed with their children. Of the ten participants, the majority (seven of ten) indicated that they lived with their children since the time of the death of their husbands and happened to be breadwinners of their families. This was also the case in Izumi’s (2006) [online] study at Chinambwa in Chimanimani region.
where there were a hundred households and sixty two percent of them were headed by women. In another study conducted in Zambia, female-headed households caring for orphans have been found to be having ‘limited coping capacity with which to re-establish self-sustaining livelihoods’ (Strickland 2004:24). Only three of ten participants in this study indicated to have been living with other relatives.

A fundamental aspect in the personal details of the participants was their education level. The majority (seven of ten) participants indicated to have received minimal education whilst only minority (three of ten) participants indicated to have received better education; at least they had done their ordinary level (form four). The main reason the participants gave for not having proceeded to higher levels of education were lack of financial resources on the part of their parents, for example Nomai said:

‘I got education up to grade seven (primary education) only because my parents had no money for furthering my education’.

Steady (2006:80) argues that ‘educational deficiencies are a reflection of the pattern of underdevelopment’ which is prevalent in African countries. Steady sees the gender gap in education closing in most parts of the world except for sub-Saharan Africa where it is argued to be widening. In her study of Land and Property rights of widows and other vulnerable women in Zimbabwe, Izumi (2006:10) [online] maintains that ‘...low educational levels … led widows to abandon fighting for their rights’. Dispossession of property was found to be common among women who ‘were poorly educated and could not articulate their rights and take appropriate action’ in Bulawayo (Izumi 2006:42).

5.2.2 THEME TWO: PROPERTY INHERITANCE EXPERIENCES OF THE WIDOWS

Participants were asked questions about their property inheritance experiences as widows and the themes of their responses are in table 3 on page 86.
Table 3: Property inheritance experiences of the widows and emergent sub-themes

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5.2.2.1 Sub-theme: Type of marriage

When asked the question concerning the type of marriage that the participants entered into, these were their responses:

‘I was married customarily but I was the only wife to my husband’, (Nomia).
‘I was in customary marriage. However, my husband had only one wife’, (herself)
(Nomai)
‘I was customarily married. However, I was not in a polygamous marriage’, (Mary).
‘I was in customary marriage but I was the only wife to him’, (Julia).
‘I was in customary marriage. My husband had 4 wives. As time went on, two of us remained married and the other two were divorced’, (Otilia).
‘I was in customary marriage and the only wife to my husband’, (Sophia).
‘I was customarily married and his (husband) only wife after he divorced his first wife’, (Chipo).

‘I was in a polygamous customary marriage. My husband had three wives’, (Zamani).

The study made manifest that the women who were in customary marriages were in the majority among the participants. Of the ten participants of the study, eight of the participants indicated that they were in customary marriages. Some of the widows indicated that they were in monogamous marriages even though they were married customarily whilst others were in customary polygamous marriages. According to the Centre for Reproductive Rights’ (2003) [online] report, customary marriages in Zimbabwe are most frequent among the citizens and constitute eight two percent of the total number of marriages in the country in 1997.

‘I was in civil marriage’, (Nancy).

‘I had a civil marriage. I got married in 1988’, (Braitha).

Two of the ten participants of the study had been in civil marriages. Walker et al (2004) add that even where marriage is formally registered, inheritance laws fail to protect the women’s property rights.

However, the study revealed that the major concern for the widows, except for Zamani, was that they were affected adversely by property stripping and that also holds true of the two widows (Nancy and Braitha) who were in civil marriages.

5.2.2.2 Sub-theme: Husband’s death

The ten participants of the study were asked to give accounts of their husbands’ death. In response to the question, this is what they said:

‘He was ill for one day only, Friday and on Saturday he was dead. He died on the 10th of August 2003’, (Sophia).
‘My husband was ill for quite a long time before he died’ (Nomai).

‘I can’t really tell how it happened even today. My husband worked in Chicago in the United States of America. ………. They did not tell me about it until I had to find out myself because I was wondering why he could not call me anymore as he used to call on a daily basis. After calling the people at the house he used to stay, I was shocked to be told that they had buried him 2 days ago’, (Braitha).

‘[H]a-a-a-a! It’s difficult to explain how he died. He was transferred at work. From Binga to Bulawayo and he got ill there. He was then taken to his parents’ rural home whilst I was in Binga Centre. So it’s hard to explain how he died. I was just phoned by his relatives to come and his sister gave me some money to board the bus. When I went there he was already buried. So it’s hard to explain how he died (Mary).

The participants experienced the deaths of their husbands differently. Some of the widows’ husbands died after a short illness, for example the case of Sophia whose husband died after being ill for one day only, while other widows’ husbands became ill long before death (Nomai’s case). Izumi (2006) explains that most men die of AIDS related illness and documents the testimony of Rudo Chiwandire whose husband died of such an illness. Also Walker et al.’s (2004) report documents testimonies of women whose husbands died after a long illness and disclosed that the illness was mainly due to Immune suppression. Of the widows whose husbands died instantly, one widow (Nancy) indicated that her husband was involved in a car accident.

Some widows did not know how their husbands died due to complexity of the issues involved in their deaths. Another factor that emerged from the study was the distance that the wife away from the husband. In some instances, the ill husband would rejoin his family leaving the widow without any knowledge about his health. This led to incidences where the widow would get second hand news about the husband’s death and hence the arrival of the widow at her in-laws’ home after the burial of her husband to pay condolences. This is was the case with Braitha and Mary.
Some participants were not able to tell what exactly led to the death of their husbands. What they were able to say about the death of their husbands is that they died from unfamiliar illnesses.

‘My husband suffered from the illness we do not know well’, (Zamani).

The International Committee of the Red Cross (2005) argues that widows often feel unable to talk about their loss, as they fear ostracism and other punishments. Further, the widow fears that she can be extremely vulnerable to intimidation, violence or abuse, or even repudiation by society.

5.2.2.3 Sub-theme: Experiences of the widows after the death and funeral of the husband

Participants were asked about their experiences after the death and funeral of their husband. In response, the participants said:

‘When my husband died, there was no money left. His relatives did nothing to help me. The children needed food, clothing and school fees’ (Nomia).

‘When I met my husband’s family after his death, nothing was said about what the children could get. They shared everything the way they wanted and the children got nothing. Even today, they have totally forgotten about the children’, (Mary).

‘[P]roperty was not even shared. They GRABBED EVERYTHING and we remained with nothing. My mother in-law was responsible for the whole process of grabbing property’, (Sophia).
Deere, Diana & Leon (2001) see the property inheritance problems of women as a distinctive social dilemma which places them at an economic disadvantage. It appears from the study that when their husbands die widows are left without any money to sustain them and the orphaned children. Much money would have been spent on treatment of the husband’s illness. In-laws gave no help to the widow during the time of the husband’s illness and to support the children who became orphans after the death of their father. As a result, widows have been faced with the challenge of meeting the needs of the children alone. In relation to the question of getting help from in-laws to support the orphaned children, Izumi (2006) [online] found that even in instances where orphaned children stayed with their immediate relatives, such as in Seke village, they could not support them in all their basic needs.

Grabbing of property from widows by in-laws also emerged as a problematic experience among the widows from the study. The in-laws would forcibly take the property left behind by the deceased. This was the case with Sophia and Nomia.

Nomai’s experience was one of being manipulated and the in-laws did not give her a chance to inherit property. They blocked all her effort to inherit and she tells the story as follows:

‘[W]e waited for the traditional cleansing ceremony to pass on which I was not told to attend. I went there myself to get some things I was entitled to but his parents did not allow me. They said that he was not my son. They further said that it was their son who worked for the property. They questioned me why I wanted property as if I worked for it. I then asked for his death certificate in order to claim NSSA funds. I did not get it even today I did not benefit from NSSA because of that’.

Strickland (2004) explains that in-laws and other relatives use manipulative decision-making to deny the widow her right to inherit property. When in-laws manipulate the widows, adverse
consequences are felt by the widows as they lose assets including land and domesticated animals to the deceased spouse’s relatives through customary and traditional practices such as property grabbing. It was evident from the participants’ stories that the most saddening aspect in the process of grabbing of property is that the orphaned children tend to be forgotten and hence they can not benefit from their father’s property.

Rights theorists’ epistemology takes denying people their fundamental rights as violence (Randal 2003). Accordingly, grabbing property from widows which denies them and their orphaned children the right to property inheritance is violence against widows and orphaned children.

Some widows indicated that they tried to stand their ground and resist property grabbing but their efforts were in vain. This usually happened when the widows owned property through their own effort. One participant in the study put it as follows:

‘I tried to convince them that the cow belonged to me and I bought it with my own money... The land, the donkeys and the cattle were taken away from me.’, (Otilia).

Even in instances where there was written evidence proving that the property belonged to the widow either as personal property or as heiress with the children, in-laws seemed not to understand continued to grab property so as to leave the widow with nothing. Deere et al (2001) posits that in few African countries, laws providing for the co-ownership of marital property such as the family or other assets have proven very difficult to enforce against the cultural practices. The Women’s International News Network (1999) documents a saddening story in South Africa where a woman owned all the household goods and furthermore paid all the funeral expenses of the husband, only to have merciless in-laws appropriating everything she owned. In extreme cases, in-laws even ordered the widow to leave the home leaving the widow destitute as also the children especially when her relatives could not accept her back (the case of Sophia).

In some instances the widows’ husbands prior to death verbalized their will or write an informal will. Unfortunately the verbalized will would be known to the widow alone and lacked validity.
so as to protect the widow from property strippers. From the widows’ experience it is plain that property strippers do not respect verbal wills. So in the case of Julia who had this to say:

‘[H]is relatives sold all the cattle. I tried to complain about it because he had written down on a small paper that the property belonged to the children. He had also stated that his parents got their shares before he died so that was no reason for them to interfere anymore. When the parents heard about it, they refused that that does not work. We tried settling the issue with the elders but it did not work’.

According to the study carried out by the Gilborn & Nyonyintono in Uganda in 2003, wills are traditionally verbal, not written. Gilborn & Nyonyintono (2003) noted an important reason why people do not like to write wills in Uganda. In Uganda, there is a widespread belief that it is a form of preparing for death and helps to bring it about.

It appears from the study that despite HIV and AIDS, in some families, levirate marriage is still the practice. Resistance to the concomitant inheritance culture could have negative consequences for the wife such as being ordered to go to the natal home. Sophia had such an experience where one of the relatives of the husband wanted to inherit her as a wife. She had this to say:

‘The main reason my husband’s relatives ordered me to leave is that one of them wanted to marry me (through levirate marriage) and I refused’.

Just so von Struensee (2004:5) found that in Tanzania, widows experienced ‘disinheritance and forceful deprivation of property for failing to comply with the mandatory observance of rituals’.

Cultural explanations posit that the power of tradition and norms in African culture is the point of departure for explaining widespread violence in homes. Traditions such as the power given to the extended family over marriage couples and the universal institution of paying bride price are a root cause of the abuse of women (Randal 2003). It explains why relatives of the deceased have power to appropriate property in disregard of the widow.
Studies in other parts of Zimbabwe and in Zambia have come up with contradictory findings. Izumi (2004:44) [online] found that in Buhera (Zimbabwe), two young widows were forced off the land not because they did not succumb to levirate marriage but because they were ‘accused of enticing their late husband’s brothers to have sex with them so that they could deliberately infect them’. Another study in Zambia, by Malungo (2001) [online], found that people had abandoned the cultural practice of levirate marriage because it had been implicated in the transmission of HIV and AIDS.

One case in our study indicated that cultural marriage practices continued unabated in extended families. Even in cases where traditional cleansing practices needed to be observed, it was evident that hatred of an unfavourable marriage outside the extended family outweighed the need for the culturally compulsory sexual cleansing of the widow. Chipo’s in-laws were not happy when their son married her because they wanted him to marry his niece whom he divorced before marrying Chipo. This resulted in hatred of Chipo by her in-laws. The anger of the late husband’s parents even continued beyond over their son’s death. His parents left all the property for her, but in protest. Furthermore, they never bothered with cleansing of the widow as a way to restore her.

Another theme that emerged from the study concerned the paying of condolences by the widow to her in-laws. Apparently, the death of the widows’ husband was considered more of a loss to his natal family than to the widow. This was particularly the case where the widow did not know about the illness of her husband or his whereabouts due to the distance separating them (as was the case with Braitha). In these instances the husband took ill far away from his own family and then joined his natal family without the knowledge of his wife. The trend from the respondents’ stories was that they got to know the shocking news from their in-laws that their husbands had passed away and been buried belatedly (as was the case with Mary). On arrival to pay condolences, the mourning widow would be ignored by the in-laws. In-laws took advantage in such cases to deny the widow her property inheritance rights.

From the widows’ stories, it appears that family talks have featured prominently as a way in which to solve conflicts of property inheritance between the two parties. This is in line with the
new law (Administration of Estates) in Zimbabwe where the affected parties can settle and come to terms about the distribution of property (Coldham 1998). Coldham (1998:131) critically comments that the law could have set out ‘the inheritance rights of various categories of beneficiaries’ because the stories of the widows have indicated that family talk do not solve anything.

Some widows experienced a Chief’s intervention, but still relatives of the late husband continued to bother the widow. The powerless and defenseless widow may then give up and rejoin her natal family. This was the case with Otilia who explains her situation this way:

‘This issue went as far as Chief Sikalenge for intervention. The land, the donkeys and the cattle were taken away from me and I had to leave and rejoin my family’.

According to Makumbe (1998) chiefs in Zimbabwe are appointed to preside over communities and to perform functions of their office as leaders of the communities, one of which is to enforce statutory law. However, in her study of The Land and Property Rights of Women and Orphans in Zimbabwe, Izumi (2006) [online] reports about the brave but unusual stance taken by one empowered widow in Buhera who stood her ground until the in-laws gave up.

5.2.2.4 Sub-theme: Property and amenities owned by widows and their husbands

The widows also commented on the various types of amenities and property they owned before their husbands’ death. Some of the property consisted of assets used for production whilst others were used in their everyday lives at home.

As basic to survival and to normal living, the widows considered household goods both furniture and kitchen utensils. Furniture included beds, wardrobes, tables and chairs.

The rural type of setting from which the participants came makes for the keeping of domestic animals. Seven of the ten widows indicated that they owned domestic animals. These included cattle, goats and donkeys. Cattle and donkeys were used for farming to get food, whilst goats
were used for meat and to generate income when sold. Owning domestics animals such as pigs, oxen, sheep and goats was a sign of wealth in the Bwa families of Bereba village in Burkina Faso (Kevane 2004).

Another finding of this study is that the assets owned before the death of their husbands were for farming such as agricultural equipment and land. The agricultural equipment mentioned were ploughs and scotch carts. Perhaps they owned ploughs and scotch carts because they practiced peasant, hand-to-mouth, or subsistence farming. Land is the main asset for most African families as it is used for multiple purposes one of which is food production. Kevane (2004:47) attests to the high value given to land by people in Africa by quoting Nelson Mandela during the first inauguration ceremony as South Africa’s first democratically elected president:

\[
\text{[E]ach of us is intimately attached to the soil of this beautiful country. Each time one of us touches the soil of this land, we feel a sense of personal renewal.}
\]

The study revealed that some widows who lived in town before their husbands died had a rural home which they had built themselves (the case of Nancy). In towns where they lived, they had built themselves houses (Zamani’s case). Braitha had a well-off husband who had motor vehicles and electrical appliances both in Zimbabwe and in America.

The study found that some widows (Nomai, Ottilia and Nancy) had money in their bank accounts, some of which was given them by the National Social Security Authority (NSSA) after the death of their husbands. In all but Nancy’s case the money in the bank belonged to the husband, Nancy had joint accounts with her husband. Having a husband owning bank accounts could be one reason why some widows had no money after the death of their husbands. In support of these findings, Mookodi (2005) found that in Manyana widows confessed to the fact that their late husbands had been the primary income earners in their households.
5.2.2.5 Sub-theme: Will-writing of the husband before death

Most of the widows’ husbands had not written wills before death. Of the ten widows interviewed in the study, six observed that their husbands had not written any will before they died despite the fact that some were ill for quite a long time and others had chronic illnesses like sugar diabetes. A few men had prepared for their children and wives’ future before death by writing wills. Gilborn and Nyonyintono (2003:5) found that in Ugandan culture ‘writing a will is one of the most difficult things a person can do. It is seen as bad luck and a final sacrament’.

In the study, only three women alluded to the fact that before death their husbands had written wills while one widow indicated that the husband had not written down the will but had verbalized the way he wanted property to be shared among the wives and children.

An important point picked up by the study concerning the validity of the wills was that the testators themselves had signed the wills and validated them, while Nancy’s husband had involved the police and lawyers. The question arising from the way testators made their wills is whether the wills meet the necessary conditions to be valid. The study shows that two wills were signed in the absence of witnesses and the commissioners of oaths so that they lacked legal validity. De Waal & Schoeman (2003) advise that for a will to be valid, it should be signed by the testator in the presence of two competent witnesses present at the same time. Furthermore, the will should be signed in the presence of the commissioner of oaths who then certifies the will.

Even though the wills were written by the husbands themselves and without external influence, some variations in the way the wills were kept and the main beneficiaries of the estates indicated were noted. Julia’s husband kept it in the house. Otilia’s husband made two copies, one he kept to himself and the other was given to his sister. Of the three widows in possession of written wills, only Nancy’s husband had kept the will safely with the police and also in diary notes, perhaps because he was a police officer and had knowledge about the keeping of wills. The reason given by the widows for their husbands keeping the wills at homes was lack of knowledge about safekeeping of wills. Except for Julias’ husband who named the first born the major
beneficiary, the other men (those of Otilia and Nancy), named the wives and their children as major beneficiaries.

The wills were kept secret from their wives by the husbands. Some widows knew about the wills only after their husband’s death while others came across them accidentally.

The study shows that the wills not kept by law enforcers such as the police as De Waal & Schoeman (2003) warn and as such they were not respected by the in-laws. This was the case in Julia and Otilia’s experience with such wills.

‘However, it was surprising that his relatives never respected the will and did not even read it’, (Julia).

‘It is unfortunate that the relatives did not respect the will’, (Otilia).

Respect and belief in the authenticity of the will by the in-laws was present where the law enforcers and legal Practitioners were involved. Nancy had this to say:

‘[A]t first, the relatives disbelieved that he wrote the will without my influence, they thought I had forced him to write that way. They believed after the police told them about it. Also I was saved by one of his relatives who is a lawyer’.

5.2.2.6 Sub-theme: Appropriation of the property of the deceased

Various themes emerged in relation to sharing of property of the deceased. One major emergent theme was that appropriation of property did not take place and in-laws took everything from the widow leaving her and the orphaned children without anything. Important documents such as death certificates of the deceased were also reported to be taken away from the widows. Deprivation of access to important documents paralyzed the widow’s effort to access relevant services such as receiving a pension and getting birth certificates for the orphaned children.

The study found that traditional practices were omnipresent in the appropriation of property. One such practice emerging from the study was the active participation of the blood relatives of the
deceased in appropriating property. In Mary’s case the sister-in-law was responsible for appropriating property whilst the eldest son of the family in played an active role in Otilia’s case. The relatives of the widow have no traditional part to play in appropriating property and, worse still, the widow’s mouth would be practically shut and unable to give vent to her property rights. Sakala (1998) sees this as a misinterpretation of tradition for people’s own personal gains. In analyzing violence against women in Southern Africa, Sakala (1998:40) takes a different view and blames incidences of such violence on long standing traditional beliefs about women being accepted by women themselves, and writes:

...[i]n the region women, especially rural women, are the hardest to convince that women deserve equal rights because for generations women have watched their mothers, sisters, aunts, cousins and friends being abused. They grow to believe that it is a way of life and ought to be expected.

In one extreme case (Nomai’s case), the widow was not invited to attend the long awaited traditional ceremony of cleansing before the property was appropriated. Her attempt to gain benefits faced serious opposition:

‘They said that he was not my son. They questioned me why I wanted property as if I worked for It’, (Nomai).

Sakala (1998) alludes to the fact that in African culture, ‘it is regarded as shameful for a woman to be seen to be interested in the family property’. Such antagonism from the in-laws instilled a sense of hopelessness in the widow and caused her to give up efforts to rightfully benefit from her husband’s estate.

Where in-laws could not benefit from the property left behind by the deceased, they protested that by leaving all the property to the widow (the case with Chipo) the traditional cleansing of the widow and the property in question was circumvented. This created psychological discomfort for the widow concerned. Anxiety, depression and fear are common among widows (Sakala 1998).
5.2.2.7 Sub-theme: Widows’ views on property appropriation

When the participants were asked for their views on property appropriation, the main idea that emerged was that the widows should have benefited together with the orphaned children. One widow (Mary) was human enough to think also of the children of the wives who were divorced by the late husband, something the in-laws never gave a thought.

The widows suggested that the in-laws should have been humane enough to at least give them something (a house in the case of Braitha and a cow in the case of Sophia) even if they took other property. Braitha indicated that she was prepared to share with the in-laws if she had inherited all the property.

Zimbabwe’s inheritance laws the widows said should also be considered. These laws include the Intestate Succession Laws of Zimbabwe in case the deceased left no written will, while in cases where the deceased left a written will, it should be used to devolve property. The Intestate Succession Law of Zimbabwe considers that the surviving spouse be automatically the owner of the property or the domestic premises that was occupied by the couple (Women and Law in Southern Africa 2000).

For the widows who had civil marriages, such as Braitha and Nancy, civil marriage caters appropriately for devolving property. Here, the widows were supposed to be the automatic owners of property since the marriages they were in legally entitle them as property owners.

5.2.2.8 Sub-theme: Widows’ feelings about property grabbing

Widows expressed a variety of feelings about the circumstances they experienced. These were indicated either verbally, or by gestures, or both. The participants had this to say:

‘It PAINS, (...) EVEN TODAY IT PAINS ME’, (Nomia).
‘It still pains me because I am finding difficulties in caring for the children yet I could get something from the property left when my husband died’, (Nomai).

The key finding of the study is that the widows experienced pain during property grabbing. Some of the widows were still hurting when the time the study was conducted. Nomia and Nomai were some of the widows who were still hurting. The circumstances that allowed for the continuation of pain reflected the fact that widows became unable to fend for their children as their husbands had been providers and breadwinners of the family. Because of having difficulties in fending for the children, the widows indicated that they were continuously worried about care for the children. Comments like Nomai’s, express these feelings.

The other major feeling the widows expressed was that they had adapted and managed to live despite the property grabbing in its consequences for them. This feeling of the widows can be explained in terms of Saleeby’s (1997) concepts of resilience and healing and wholeness. Saleeby (1997:9) explains resilience as:

\[ ... \text{the ability to bear up. ...the continuing growth and articulation of capacities, knowledge, insight, and virtues derived through meeting the demands and challenges of one’s world... } \]

When it comes to healing and wholeness, Saleeby (1997:10) views the body and mind as having the ‘inborn facility to generate and resist when faced with disorder, disease and disruption’.

Whilst the other widows were able to articulate their feelings, Braitha was unable to articulate and describe her feelings about property grabbing at the time it happened. To describe the intensity of the pain she was in at the time of the incident, Braitha used a metaphor, comparing her tears to blood and said:

‘I WAS CRYING BLOOD INSTEAD OF TEARS (emphasized with hands gestures and frowning)’.
Two widows (Chipo and Zamani) reported failure to cope with their circumstances. Chipo was failing to cope because the in-laws left all the property in her ownership under protest and at the time study was conducted they had not conducted the traditional ceremony of cleansing the widow in order to ‘make her free’. Cleansing the widow allows her to be free to move on with her life or to re-marry a man of her choice. In the case of Zamani, failure to cope emanated from the death of her husband which was recent when the study was conducted.

5.2.3 THEME THREE: INTERVENTION NETWORKS

The research also sought to discover which intervention networks were available to the widows who were victims of property stripping. These intervention networks were analyzed from local community level (informal intervention networks) to formal professional legal intervention. The themes that emerged from the responses of the participants are shown in table 4 on 102.
Table 4: Intervention networks

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5.2.3.1 Main sub-theme: Informal intervention networks

With regard to informal intervention networks, the study sought to discover interventions available to the widows in their local communities. A myriad of responses were given by the widows with regard to intervention in their communities.

5.2.3.1.1 Sub-theme: People approached by widows for help in the community

Some widows (Nomia, Mary, Julia Chipo and Zamani) reported that they did not approach anybody to seek help in intervening in their situations. Some of the reasons for not seeking help were that they felt that they were among people who were not related to them and hence could
not be motivated to help (Nomia). In Chipo’s case, her parents warned her not to pursue the issue further and as such she could not approach anybody for help.

According to the WIN News (1999) report women in South Africa could not pursue their cases because they feared to be ostracized by their communities and families even though they had access to lawyers. This contrasts with Turner, Ndira, Akello & Bukare’s (2003) findings during the Mifumi Project in Uganda where women were reported to be gaining significant support in seeking their rights and in bringing forward cases of violence and abuse for intervention (p14).

Belief in witchcraft may also not be overlooked in conflict situations within African communities. Braitha did not pursue her case against property grabbing because her mother feared that she might be bewitched in the process.

‘My mother assisted me and comforted me. She also warned me not to follow up the issue anymore because I may be bewitched because she also believes in witchcraft’, (Braitha).

The study revealed that some widows seek intervention by their families and relatives who back them up and give them advice about pursuing matters with the relevant authorities. The findings show that some female relatives (such as sisters, in the case of Nancy and mothers, in the case of Braitha) seemed to be responsive to the situations of the widows. Nomai was one such respondent who made an effort to get help from the husband’s relatives first and failing with them from her own family members, though unsuccessfully here as well. She failed because she did not know the procedure for reporting. Otilia’s family did not intervene as such but gave her comfort in her circumstances. In Nancy’s case, her sisters were always with her and supportive. Izumi’s (2006) research findings support the results of the present study showing that widows went back to their natal homes where they would find support from their relatives when the property they depended upon was grabbed by in-laws. Hence it seems that widows are always willing to have property disputes settled amicably through dialogue. The quotation that ‘widows would often seek to have property disputes to be resolved within the family through dialogue with the marital family’ (Izumi 2006:36), seems to be confirmed.
While relatives could be a source of help to some widows, Sophia had a bad experience with her relative who could not offer help; she was rather denied a place to stay with her children and that led her into destitution (von Struensee 2004). In India families can not accept their daughters, return in case of experiencing violence for fear of having repay the bride price (Turner et al 2003:19) On the other hand Chipo was warned by her mother to keep quiet about her problem and as such she became a passive victim (Elson 2002). The effect of being a passive victim is that it leads to ‘psychological problems such as anxiety, depression or fear’ for both the widow and her children (Sakala 1998:47).

People from beyond the family also aided some of the widows. These included friends (Braitha’s case), neighbours and other community members (Nancy’s case). Sophia reported to have considered the option of approaching the neighbours though she could not find the necessary help expected due to lack of knowledge of ways in which the desperately needy widow could be helped. She had this to say:

‘I just tried to get help from my neighbours who were also unable to assist me because they had no knowledge on how to intervene’, (Sophia).

Religious institutions also proved to be a source intervention and solace for the widows. The power of prayer and support provided by church leaders and members of the congregations was reportedly intervention in nature. Nancy’s story is illustrative. She had this to say:

‘The church members were also supportive and managed to intervene, for example, they helped in paying school fees for my children’.

With regard to the helpful nature of the church, Kunfaa, Dogbe, MacKay & Marshall (2002:36) quote Catholic women in Tabe Ere of Ghana saying ‘Even though the father does not hold power, he leads us in prayer as a means of protection’. The priest is said to provide help when needed particularly food to feed the children. Kunfaa et al (2002) found that in Twabidi village of Ghana women and men rank the priest highest among institutions because the priest gives them moral and material support when needed. In Sierra Leone, Krio Women who belonged to
the Christian Women’s Associations have enjoyed benefits such as being healed from illnesses and stresses by provision of the ‘psychological component necessary for the mind-body interaction in the healing of the total person’ (Steady 2006:137).

5.2.3.1.2 Sub-theme: Descriptions of intervention roles played at community level

There was diversity in the responses given by widows about intervention on the part of the communities. A variety of experiences with intervention at that level came to the fore.

Nomai described the intervention role played at community level as unhelpful. The relatives who intervened in her situation criticized her for being a victim of property grabbing and as such she had hurt feelings. This is what she had to say:

‘Their role did not get me anywhere. At times my relatives laid the blame on me and called me ‘FOOL’. This PAINS ME A LOT’.

In describing the feelings of abused women in relating to situations where people have been unhelpful to the victim, Sakala (1998:39) writes:

[I]n our situation in Southern Africa, often relatives, neighbours, friends at times… turn a blind eye… and a woman no longer believes herself capable of getting out of the situation on her own. Guilt and embarrassment push her further and further into isolation, and her extreme lack of self-esteem makes her think that no one will listen to her, believe her or respect her.

In contrast to what Nomai felt about the intervention offered to her, Otilia and Nancy described the roles played by those who intervened in their situations as helpful. The widows felt empowered by the intervention and encouraged to go on with life even though they had been victims of property grabbing. This was the case with Otilia who was empowered to work hard for the improvement of her life whilst Nancy described the role played by church members as life-saving for her and her children. Nancy managed to obtain the basic needs for her life and to
overcome the psychological stress associated with property grabbing. This is what the two participants had to say:

‘My family members comforted me and also encouraged me to be strong and fend for my children’, (Otilia).

‘In my family, my sisters were always with me and assisting me. The church members were also supportive and managed to intervene, for example, they helped in paying school fees for my children. The community members from Binga Centre also helped me’, (Nancy).

According to Izumi’s (2006) [online] research findings of The Land and Property Rights of Widows and Orphans in Zimbabwe, the majority of the widows who where dispossessed of property and land joined their natal homes where they were comforted and taken care of by their family members. This underlines how important and helpful the caring family as an institution can be to its members in need of support in situations of distress and hopelessness.

5.2.3.1.3 Sub-theme People approached by widows for community-based legal intervention

When the participants in the study were asked about the people they approached for community-based legal interventions, they gave varied responses. The legal intervention intended included intervention by the Chiefs, village heads, and church leaders, like pastors and councillors ordained with the power to settle disputes within the community villages.

In responding to the question of community-based legal interventions, one major theme that emerged was that participants did not seek community-based legal intervention, simply because they had no knowledge about the availability of community-based legal intervention. Some of the participants’ responses are:

‘I did not ask for help because I did not know that help could be provided in our community’, (Nomai).
'I did not ask for any help’, (Mary).

‘I approached the Chief who told us to go back talk about it. The Church leaders and the village head also emphasized that the property belonged to me and the children. It is unfortunate that they had already sold the cattle and I could not do anything’, (Julia).

‘Nobody. I never went that far’, (Chipo).

Leaders in the villages, such as Chiefs, village heads and pastors appeared to be major interventionists in the study as the participants alluded to the fact that they played a pivotal role in intervening in their situations.

‘I approached the Chief who tried to solve the problem. Unfortunately, the

persistent until I gave up in everything’, (Otilia).

‘My Pastor who has now moved to Australia was surprised about the issue and tried his best to intervene but we could not get hold of them. They moved from one place to another’, (Braitha).

In Adaboya community of Ghana, Kunfaa et al (2002:35) found that people there regard chiefs highly and ‘remark their important role of settling household disputes…’ The Krio women of Sierra Leone found solutions to their social problems through the power of prayer by their church leaders (Steady 2006).

Although village heads should be intervening in the situations of property grabbing that faces the widows, Izumi (2006) found that in Buhera district of Zimbabwe, one village head was involved in grabbing the arable field from the widow.

5.2.3.2 Main sub-theme: Formal intervention networks

Legal intervention is a possibly important form of intervention that widows could exploit. With regard to legal intervention, the participants in this study came with differing responses.
5.2.3.2.1. Sub-theme: People approached by widows for legal intervention

Participants were asked about the people they approached for legal intervention. The study found that of the ten participants interviewed, seven did not seek legal intervention to regain their property from grabbers and only three did to seek legal intervention. This suggests that they quietly submitted to property stripping. The widows’ beliefs seem to have contributed greatly to their avoidance of legal intervention which left them victims of abuse. The case of Julia is typical of how strong beliefs can be so as to instill fear and prevent action against the perpetrators of property grabbing. Julia, for example observed:

‘I did not approach anybody for professional help because I was afraid that if I persist, I will be BEWITCHED’.

The strength of belief in witchcraft can also have remarkably diverse consequences, always leaving the widow on the receiving end. Izumi’s (2006) study highlighted that in-laws also believed that widows bewitched their sons and hence blamed on them, and used this to justify dispossession of property from the widows.

Lack of power to pursue legal intervention contributed to their inability to seek legal redress. The psychological effect (Sakala 1998) associated with property grabbing is so intense that widows felt overwhelmed by it and failed to approach legal Practitioners and law enforcers (Sophia’s case). This finding contradicts with the one at Seke site in Zimbabwe where one HIV positive widow demonstrated resilience, power and courage in reporting the in-laws who wanted to evict her from the land she owned. The matter was reported to the District Administrator who stopped the eviction (Izumi 2006).

One important factor that emerged during the study was related to costs involved in pursuing legal intervention. Given the economic hardships facing the widows, obtaining legal intervention became a nightmare for Braitha as the costs involved foreign currency. This was because the in-laws were rich and able to have the matter processed in the United States of America where the late husband had worked and his sister, active in the case, stayed. This paralyzed all her efforts to continue with legal action. According to the report from the Women’s International Network News
(1999), women in South Africa who suffered property stripping could also not afford to hire lawyers for intervention.

Three of the ten widows were able to get intervention by law enforcers in their cases. Of the law enforcement agencies, the police seemed to be most accessible to the widows for intervention. Nancy and Zamani reported to have got intervention from the police who were also instrumental when her case was taken to the High Court. The lawyer (in Nancy’s case) and the magistrate (in Zamani’s case) also seemed to be of help in intervening in property disputes.

In some instances, it was found that non-governmental organizations (NGOs) were of much help as well. Nancy received some advice from an organization called Ntengwe for Community Development Trust as to what to do about the property stripping she suffered. In corroboration of the importance of NGOs, Walker et al (2004) [online] report testimonies by Josephine Nkomo, Simbnanai Munguwa and Sanelisiwe Ncube in Zimbabwe as to intervention received from Zimbabwe AIDS Network (ZAN) and Matabeleland Widows Association.

**5.2.3.2.2. Sub-theme: Feelings of the widows about the legal intervention**

The widows expressed different feelings about the legal intervention offered to them. The widows’ experiences of the legal process differed.

Some widows felt empowered with the legal advice offered to them. Nancy had given up on her case and after obtaining legal advice, she felt a new lease of power to tackle the problem she faced. Also, the advice received was described as encouraging cooperation between her and the in-laws. Nancy felt that in her case the police had been very helpful throughout the entire legal proceedings. Sanelisiwe Ncube’s testimony (Walker et al 2004) is another such experience where the legal intervention proved helpful as she was able to register the death of her husband and hence became the rightful heir to his property.

Whilst intervention offered at lower levels of the legal process were said to helpful, the experience at the High Court level was different. Nancy felt that the legal process at High Court level was
very slow. The first difficulty experienced by widows was completing the forms not being offered any help in doing so. Considering the limited experience of legal documents and the accuracy and correctness needed in completing them, widows found it difficulty. Required documents, such as the letter of authority, were also said to take long to be issued to the widows.

In other disappointing instances, files of the case disappeared and nothing could be processed without them (in the case of Nancy). A saddening experience was that of the widow summoned to attend the court only to find that the Master of the High Court was not present to handle the case. Given the high cost of traveling in Zimbabwe, the widows felt that money was wasted in such cases. The widows felt that the High Court was inconsiderate of the cost they incurred in traveling and as that discouraged them from proceeding. Further, widows felt that the legal intervention held out for them was not at all in line with what really happens at the High Courts. Nancy had this to say in relation to her experience with legal intervention at the High Court (emphasis added):

[W]HAT THEY TELL US IS DIFFERENT FROM WHAT YOU WILL FIND AT THEIR FRONT OFFICE. WHAT THEY SAY IS AS EASY AS ABC YET WHEN YOU GO TO THEIR FRONT OFFICE YOU FIND A DIFFERENT THING. WHAT THEY TELL US DOES NOT EXIST IN REALITY!! (adds more emphasis by clapping hands).

Izumi’s (2006) study found that in Bulawayo one widow’s case was handled by the High Court and the in-laws were prevented from taking her marital home. However, it is important to note that even though she got redress from the High Court, her entire experience and feelings about the legal process involved was not reported.

5.2.3.2.3 Sub-theme: Awareness of property inheritance laws of Zimbabwe among widows

The participants were asked whether they were aware of the property inheritance laws of Zimbabwe. The participants’ responses were:

‘I had no knowledge about the legal provisions of Zimbabwe which concerns property stripping and Intestate Succession’, (Nomia).
‘No-o-o-o, I was not aware of it and had no knowledge about it’, (Nomai).

‘I was not aware of the legal provisions and I had no knowledge about the Intestate Succession Law’, (Mary).

‘No, I was not aware of it. I did not even know my rights when it comes to property. I did not even know that I have a right to get his death certificate in order to be able to get other services since most of my documents were changed to his surname until service providers told me about my rights’, (Braitha).

The study plainly shows that these widows are not aware of the inheritance laws of Zimbabwe. Seven of the ten participants were not aware of the laws pertaining to succession of property in the event its owner dies. Only three of the ten participants were aware of the law of succession. The participants also alluded to the fact that they had no knowledge about their right to property and to important documents such as death certificates that enable them to obtain their children’s birth certificates. The Zimbabwean Herald’s report of 19 May 2006 [online] corroborates lack of knowledge among women about the inheritance laws in Zimbabwe. The report slates lack of knowledge as largely due to influence of traditional beliefs among the people, most of them reported to be discriminatory for women.

Three participants in the study indicated that they knowledge about the Intestate Succession Laws of Zimbabwe. These were their responses from the interviews:

‘Yes, I was aware of the legal provisions since my husband used to tell me about it. He warned me that if he died, I should not allow anybody to take the property because it belongs to me and the children’, (Julia).

‘Of course I had knowledge because my husband had taught me about it and he emphasized that I should not fear anything. He told me that I should challenge them and never allow them to take property. The problem is that my parents told me to leave everything for them’, (Otilia).
‘I was aware but did not know it very well. At times when you have encountered the problem, you will tell yourself that it is for those whose husbands have died. When in actual fact all of us should know about it’, (Nancy).

The three participants who knew of the Intestate Succession Law got to know about it from their husbands who alerted them about it. This finding affirms the feminist theorists’ classical argument that men dominate in giving ideas and making important family decisions including decisions that affect women in the absence of men (Anderson 1997, Phillips 2002). The study shows one obstacle to widows getting to know the law was that before they were widowed, they thought the Succession laws applied to those embroiled in property disputes only once husbands had died. They had not given it much attention as they could not see themselves as widows to be. Nancy had this to say:

‘At times when you have not encountered the problem, you will tell yourself that it is for those whose husbands have died’.

5.2.4 THEME FOUR: EMPOWERMENT NEEDS OF THE WIDOWS

The participants were asked about their empowerment needs. During the interviews, the participants’ responses had themes tabled on page 113.
Table 5: Empowerment needs of the widows

<table>
<thead>
<tr>
<th>Sub-themes</th>
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<tbody>
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<td>• Economic empowerment needs,</td>
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<td>• Social empowerment needs,</td>
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<td>• Health empowerment needs,</td>
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<td>• Psychological empowerment needs,</td>
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<td>• Educational empowerment needs.</td>
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<tr>
<td>• Feelings of the widows about property grabbing</td>
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</table>

5.2.4.1 Sub-theme: Economic empowerment needs

The participants were asked their need for economic empowerment. The responses were:

‘I need money to start a small business that will help me generate income for my daily needs such as food and many other things. This will caution against the economic hardships I am facing now’, (Nomai).

‘Economically, I need money to start self-help projects. This will help me generate income for daily needs’, (Otilia).

All ten participants said they needed economic empowerment. All indicated that they needed finance for various purposes. Three participants needed money to buy food, children’s clothes and to pay for their children’s education. Seven participants wanted money for starting self-help and income generating projects like small businesses to relieve themselves from poverty. Wilcox (2006) argues that economic independence among women will result in a decrease of violence against women and a wider alleviation of poverty.
5.2.4.2 Sub-theme: Social empowerment

The participants were asked to describe their social empowerment needs. Of the ten participants, five said their social life was satisfying. They said they were not experiencing any problems in interacting with other people. By contrast, the International Committee of the Red Cross (2006) maintains that women can be left entirely without social status when they lose their husbands, especially in patriarchal societies and may be stigmatized by other members of society.

Five participants, however, indicated that they needed social empowerment. They evinced reduced self-esteem and poor interaction with other people. Among the practical needs the widows said they needed social skills and wished also to be able to mix with married people so as not to feel so different from them. The participants were stigmatized as widows. The stigma was worsened by property grabbing leaving them in poverty. Rao Gupter (2000) recommends the importance of increasing social support for widows by giving them opportunities to meet in groups that are visible in communities to discuss matters affecting their wellbeing.

5.2.4.3 Sub-theme: Health empowerment needs

When asked about their health empowerment needs, seven participants indicated that they needed health empowerment. The participants had various worries concerning their health. Among the health problems were asthma cases, HIV cases, heart problems and backaches. Braitha had this to say concerning her health status:

\[
\text{My health has been disturbed as well. At times I feel that my heart is tired. I will say that, IF I THINK ABOUT IT, IT GIVES ME HEART PROBLEMS.}
\]

The widows were also worried about their life expectancy as they complained that they could not afford the medical expenses and special diets. Inability to pay for medication and special diets led other participants to think that they would not live long enough to see their children grow.

With reference to the women in Twabidi in Ghana, Kunfaa, Dogbe, MacKay and Marshall (2002:33) argue that:
Physical health is vital for the types of livelihoods on which poor people depend, and they worry immensely about the prospect of illness or injury, which are costly in terms of both lost earnings and medical care.

5.2.4.4 Sub-theme: Psychological empowerment

The participants were asked about their psychological needs. Their responses were:

‘Psychologically, I think I need help from other people especially on the ever troubling thoughts of educating my children. I feel counseling on this one will lower my thoughts because my children’s education troubles me very much. I ask myself several questions some of which I can not answer’, (Mary).

‘I have psychological instability as well. This is brought about by ever bombarding thoughts of how to manage the diet, medication and money for my daughter’s education. These cris-cross in my mind and give me psychological problems. I think I need counseling here’, (Chipo).

Abused women suffer serious psychological harm. Even in instances where abuse has been physical, the extent of psychological damage can not be overemphasized. There is then a need for psychological empowerment. All ten respondents said they needed psychological empowerment. Psychological pain began with the death of their husbands and was then exacerbated by property grabbing. The widows also reported psychological pain to be a result of thinking hard about caring for the orphaned children.

In an endeavour to deal with the psychological problems of the widows, Safieddin (1999) suggests the need to activate family counseling to solve widows’ psychological problems.

The widows reported prayer to be powerful enough for them to cope with the problem of property grabbing. The power of prayer led Mary to resort to prayers as a coping tool. Mary had this to say:
‘I survive through PRAYERS (emphasized) from my church until I feel better’.

Miller (2003) sees the importance of prayer and recommends its use where the client uses religion to cope and does not doubt the use of prayer during counselling sessions.

5.2.4.5 Sub-theme: Educational empowerment needs

The educational need also needs consideration in view of the nature of society and its patriarchal attitudes towards women. Given greater illiteracy and the skewed gender preference for education in our society, Kevane (2004:145) slates that an ‘investment in education will yield high social returns and investments in girls even more so’.

Little education among women impacts negatively in a dynamic society and keeps them uninformed about new laws and policies as well as about means for survival. Ishengoma (2005) found that in Morogoro Region of Tanzania sixty percent of the women provided farm labour, yet agricultural and development-related work by passed them and they lacked information on further training. In the study, the participants had this to say:

‘In terms of education, I need to be taught on will-writing so that when I die my children will not have these few things that I have, chicken, goats, pots and blankets, stripped away from them’, (Nomai).

‘Educationally, I need help because nowadays one can not have a prosperous life without education. I want to learn cutting and designing so that I can use my own hands to help myself’, (Nomia).

‘In terms of education, I need education in agriculture so that I can be able to grow food for my children. I need special education in growing vegetables in the garden so that I know how best to grow them. Vegetables are a good source of income’, (Mary).

Nine of the participants indicated the ir need for educational empowerment. Only one widow said she did not need any education given her age. Steady (2006) argues that educating women
enables and increases their chances of being independent from men economically and hence it is very important for women.

The need for education centred on sustenance. Self-help projects such as cutting and designing, education in agriculture for growing food and starting small businesses were some areas where women needed empowerment. Another important part of their educational empowerment concerned knowledge building among the widows. These included formal educational aspects such as computer courses to enable young widows to be employed. The other form of education needed was knowledge about will writing so as to safeguard their children from property grabbing. In Wilcox’s (2006:175) view, ‘training and further education would also be vital to encourage women to develop more advanced skills to ultimately gain economic independence’.

5.2.4. 6 Sub-theme: Feelings of the widows about property grabbing

The participants in the study were asked to give their feelings about property grabbing. Of the ten participants in individual interviews, half of them (five of ten) reported feeling hurt after thoughts about the incidents of property grabbing. The widows were more stressed still when thinking about educating their children. The incidents were traumatic and evoke pain when thought about. This is how the participants were feeling when this study was conducted:

‘It pains me A LOT, especially if I think about it’, (Nomia).

‘It pains me A LOT but I always advise my young children that when they face such a problem in the future, they must report to the relevant authorities’, (Nomai).

‘It pains me A LOT’, (Mary).

On the other hand some widows showed strong coping abilities. Five of ten had adapted to the situation. However, they reported that they felt an obligation to improve their lives. The interview itself proved to be a powerful pain reliever as experiences were shared. For Braitha, it became more of a counselling session and, with emphasis, she had this to say about the interview conversation:
‘THE MORE I TALK ABOUT IT, THE MORE I FEEL BETTER. I FEEL AS IF YOU ARE COUNSELING ME RIGHT NOW!’

Braitha managed to identify and accept her feelings during the interview session which Burnard (1999:77) described as ‘positive ways of coping with emotions’ and managing stress.

5.3 PHASE TWO OF THE STUDY: FINDINGS FROM THE FOCUS GROUP INTERVIEWS

5.3.1 THEME ONE: THE CAUSES OF PROPERTY GRABBING

The participants were asked about the causes of property grabbing and their responses are thematically presented in table 6 below:

Table 6: Causes of property grabbing

<table>
<thead>
<tr>
<th>Theme one: The causes of property grabbing</th>
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<tbody>
<tr>
<td>Sub-themes</td>
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<tr>
<td>• Poverty</td>
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<tr>
<td>• Greed</td>
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<tr>
<td>• Culture</td>
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</tbody>
</table>

5.3.1.1 Sub-theme: Poverty

The study revealed that poverty was one of the causes of property grabbing. Members of the kinship or extended families, so very common in Zimbabwe, rely heavily on a well-off family member for economic support. In the event such a person dies, they all want to benefit and will not allow the widow to take the property of the deceased husband.
‘Poverty within kinship or extended families. The families within the extended family take advantage of the widow to take property when their relative dies especially when he was the only one working’, (Ntengwe Programme Officer)

‘Mainly property grabbing happens because people need property of the deceased. This is especially so where families extended have been looking forward to that person as a provider’, (Police Officer).

Poverty in the context of extended families was found to be a contributing factor towards property grabbing in Izumi’s (2006) study of *The Land and Property Rights of Widows and Other Vulnerable Women in Zimbabwe*. In relation to property grabbing from the widows, Deere (2001) comments that widespread poverty has impacted not only on family relations and the stresses felt by the family but also on governmental capacity to deal effectively with domestic violence, in which property grabbing is a form of. Poverty has also been blamed for having wives trapped in abusive marriages and unable to support themselves independently.

### 5.3.1.2 Sub-theme: Greed

Greed also plays a part according to the study. In-laws or kinship members may have property but they just want more. At times people envy the property of the deceased and take advantage of the widow who happens to be powerless to gain ownership of the property. The monetary value of the property is one cause of property grabbing. In-laws want the property so that they can sell it and get money for their personal use in disregard of the widow and the orphaned children. This is what the participants said:

‘Greediness also is another thing. People may have their own property but still want to take property from the widow orphaned children to support their own families’, (Ntengwe Programme Officer).
'Sometimes they have the property but they just become greedy and want more even if they do not have the right to do so', (Chief Sikalenge).

In his analysis of property grabbing in Zambia, Mwale (2006) confirms the fact that greed is another factor leading to property grabbing. Mwale’s view is that people may have their own property but they feel a driving force to have more by grabbing property of the deceased.

5.3.1.3 Sub-theme: Culture

The participants pointed to culture as a cause of property grabbing (Izumi 2006; Strickland 2004; Centre on Housing Rights and Evictions 2003 (COHRE)). The customs and traditions of the Tonga people allow for property grabbing. Sharing of property among kinship members is the norm when the owner has died. More important is the relationship of the kinship members to the deceased than that of the widow to the late husband. There is little regard of the relationship that exists between the widow and her late husband and because of that, the widow has no say over the property of her late husband.

The study also identified the cultural practice of lobola (bride price) to be a contributing factor to property grabbing. The woman is considered as acquired, like any other asset. Moreover, when a woman is married, she joins the marital family with nothing and in case of divorce or death of the husband, she is expected to join her natal family without anything- exactly the way she joined the marital family. The Social worker had this to say:

‘The conception of the in-laws is that SHE CAME WITH NOTHING AND HENCE MUST LEAVE WITH NOTHING!’

The practice of bride price has been condemned and criticized for being a contributing factor in escalating incidences of violence among women and at times drives them to commit suicide (Tuner et. al 2003). Randall (2003) also points out the fact that prides price has widely led to violence against women because of the perception that they have been paid for just like any property in the homestead.
5.4.1 THEME TWO: VIEWS ON LEGAL POLICIES AND LAWS THAT DEAL WITH PROPERTY GRABBING

The participants were asked to give their views about the existing legal policies that deal with the problem of property grabbing. Their responses are represented in the themes in table 7 below.

Table 7: Views on laws and policies that deal with property grabbing

<table>
<thead>
<tr>
<th>Theme two: Views on laws and policies that deal with property grabbing</th>
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<tbody>
<tr>
<td>Sub-themes:</td>
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<tr>
<td>• Implementation of laws and policies</td>
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<tr>
<td>• Legal protection</td>
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5.4.1.1 Sub-theme: Implementation of laws and policies

Gender-based organizations point out that laws and policies are not being implemented for the benefit of those they are supposed to protect. Furthermore they say, information as to the laws is not disseminated properly, especially in remote areas where people are less literate. As a result legal policies remain paper documents and do not help the intended consumers. Office Headquarters formulates policies and laws but at grassroots level people can not access the information. Ntengwe programme Officer had this to say:

‘Legal policies are in place but being implemented, especially in remote rural areas. The information about the Intestate Succession Law is not being disseminated properly especially considering the fact that most of the people in these remote areas illiterate.'
Most of the issues are dealt with at provincial headquarters meaning that the distance involved is very huge. These policies then become not accessible to the people in the rural areas. Also it is difficult to implement the policies by those with the capacity to do so for unknown reasons. Even if they know the policies it seems that they can’t implement them’.

According to COHRE (2003) sees implementing the laws protecting women against property grabbing in African countries as the most difficulty process. COHRE maintains that the difficulty of implementation arises from constitutions which are still not clear on how to deal with the problem.

5.4.1.2 Sub-theme: Legal protection

The participants were also asked about the legal protection of the widows against property grabbing. In their responses the participants said the laws are there and can serve to curtail property grabbing. The Magistrate considers property grabbing to be theft punishable by a fine of one million Zimbabwean dollars or two years imprisonment (at the time the study was conducted). Such punishment conforms to objective 3.9 of the National Gender Policy of the Republic of Zimbabwe which provides for ‘the strengthening of the institutional and legal capacity to deal with gender violence, inheritance and property rights’. The Chief thought that the laws are good as they enable property to be inherited by the right people (Women and Law in Southern Africa 2000). The social worker’s opinion was that the laws are there to protect the people; the problem is that people are unaware of the laws and sometimes are afraid to report cases of property grabbing. The participants had this to say:

‘Law is clear on property grabbing. It is regarded as theft. Laws are many that try to curtail property grabbing but it still happens in the African culture. An example is section 10 of the Deceased Persons’ Family Maintenance Act. The laws are enough to protect the widow and children and also to punish the offender by sending them to
prison for one year. This is done for deterrence. Offenders also pay a fine which is always changing due to the currency’, (Magistrate).

‘The inheritance laws are very fine in that they allow the rightful people to inherit property. If the owner of the property dies, it must go to the right people and the laws looks at that’, (Chief Sikalenge).

‘Policies and laws are there in Zimbabwe, a lot of them. An example is The children’s Protection and Adoption Act to protect even in instances where property is grabbed. We also have inheritance laws. But in as much as these laws and policies are there, the people of Binga community are either unaware of them, or are afraid to come and report cases of property grabbing’, (Social worker).

5.5.1 THEME THREE: HELP OFFERED TO THE WIDOWS WITH THE PROBLEM OF PROPERTY GRABBING

The five participants in the focus group interviews were asked about the help they offer widows with the problem of property grabbing and their responses are thematically tabled as follows:

Table 8: Help offered to the widows with the problem of property grabbing

<table>
<thead>
<tr>
<th>Theme three: Help offered to the widows with the problem of property grabbing</th>
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</thead>
<tbody>
<tr>
<td><strong>Sub-themes</strong></td>
</tr>
<tr>
<td>• Education</td>
</tr>
<tr>
<td>• Advice</td>
</tr>
<tr>
<td>• Counselling</td>
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</table>
5.4.1.1. Sub-theme: Education

Among the participants of the study, gender-based Non-governmental Organizations indicated that they seek to educate women by way of raising awareness among widows of inheritance laws of their property. This helps to spread information among the local people, particularly about women’s right to inherit property.

‘We do awareness raising among women so that they can also go out to also raise awareness on property and inheritance issues. We also allow success stories to be told in workshops so that other can learn from the story.

We also educate people through films shot from success stories. These are used as educational tools for community intervention’, (Ntengwe Programme Officer).

It is noteworthy that National and international NGOs have ever more success in reaching the rural population of Africa. Among their other roles, NGOs often facilitate the exchange of information, train leaders in people's organizations, and promote cooperation among governments and donor agencies on policy issues (The Global Coalition for Women and AIDS 2007).

5.4.1.2 Sub-theme: Advice

In the study, the participants also showed their extended help to victims of property grabbing when they indicated that they offer advice to them. This is what participants had to say:

‘We also offer advice on how those who have fallen victims of property grabbing can return their lost property’, (Ntengwe Programme Officer).

Widows have been given advice as to how to get back the property that has been grabbed. Gender-based Non-governmental Organizations also helped to advise women about will-writing. Writing of wills is seen as important and helps to safeguard widows against property
grabbing (COHRE 2005). It was noted that the terminally ill and those in polygamous marriages have been also encouraged to write wills so as to safeguard their children against property grabbing. Also noted is that the NGOs helped through the formation of community watch dogs to assist widows who experience property grabbing.

As part of the advice they receive, widows have been able to pursue their matters to court and get help from the magistrate. The magistrate acknowledged his role to be assisting the widows to regain the property grabbed. The magistrate said perpetrators of property grabbing were being sent to prison because it was regarded as theft. This task also included explaining to the perpetrators that what they did was wrong.

5.4.1.3 Sub-theme: Counselling

When asked whether they offered counselling to the widows with the problem of property grabbing, the participants had this to say:

‘As a Social Service Department, we offer family casework. We call all the concerned parties and try to talk to them and enlighten them on the problem. If that does not produce results we refer them to the magistrate’, (Social worker).

‘We actually help by calling the two parties and explain to them the law of inheritance. We tell them that there is no need to fight over property because the remaining spouse should an heir and take care of the orphaned children’, (Police officer).

The police and the social worker indicated that they helped widows by having perpetrators meet with the widows and then explain the new inheritance laws in order to settle the dispute. The social worker said that he tries to solve the problem by talking to all concerned parties which constitutes family casework and counselling. Saleebey (2002) is of the opinion that counselling helps in reaching for the strengths of the individuals who always have renewable and expandable resources that can be used successfully in a process of empowering and
assisting the people concerned. The strengths perspective utilizes this as an empowerment strategy for women.

Where settlement did not happen, the police and the social worker referred the matter to the magistrate’s court for arbitration. While interventions by defenders of the law such as police and magistrates are a major step towards prevention of property grabbing, Danis (2003:240) was adamant to this approach and warns of unintended consequences such as ‘retaliation against victims by their abusers, dual arrests, and the potential lack of cultural sensitivity to victims and perpetrators’.

5.6.1 THEME FOUR: ASSISTANCE NEEDED BY THE WIDOWS AFTER PROPERTY GRABBING

The participants were asked about the needs of the widows after property grabbing. The themes from their responses were as shown in table 9 below.

Table 9: Assistance needed by the widows after property grabbing

<table>
<thead>
<tr>
<th>Theme four: Assistance needed by the widows after property grabbing</th>
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<tbody>
<tr>
<td><strong>Sub-theme</strong></td>
</tr>
<tr>
<td>• Education</td>
</tr>
<tr>
<td>• Legal recourse</td>
</tr>
<tr>
<td>• Counselling</td>
</tr>
<tr>
<td>• Networking</td>
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</tbody>
</table>
5.6.1.1 Sub-theme: Education

In the study, all participants were concerned about lack of information among the women in general and among the victims of property grabbing in particular. A major theme emerging from the study is the empowerment of widows with information through education on inheritance laws (Safieddin 1999; Medel-Anonuevo1999; Rao Gupter 2000). Information would be disseminated into the community if women would be educated and trained on inheritance rights. Information would help widows to take action against property loss by challenging the act through appropriate channels. About providing information to widows, the magistrate had optimistically this to say:

‘The most important thing is to provide information on the law. This is more important than anything else. Information on laws of inheritance is seen to be lacking amongst the Tonga people and hence the problem of property grabbing continues. WITH INFORMATION ON THE INHERITANCE LAWS, THE PROBLEM WILL BE HISTORY!’

5.6.1.2 Sub-theme: Legal recourse

Participants of the study indicated the great need by the widows for legal help when property has been grabbed. To indicate this, this is what the magistrate had to say in response:

‘We help the victims to get their property back and enjoy their rights. We strictly follow the Succession Laws of this country do deal with the problem. Anybody who interferes or threatens to interfere with the law we send them to prison’ (Magistrate).

One most important thing is that widows need to be helped with is to get back the lost property. All the participants acknowledged the fact that widows need to be empowered to get back the lost property (Walker et al 2004). This could be done through advocating for the rights of women. The study also shows that widows need to be helped as to how to take care of and
manage the little property they still have or may have inherited. Proper care of scarce resources is essential for economic survival of widows and their children.

5.6.1.3 Sub-theme: Counselling

When the participants were asked about the counselling needs of the widows whose property has been grabbed, the responses were:

‘Psychologically, they need counselling because they go through grief and trauma after the death their husbands. Widows also face stigma and discrimination in the community where they live. They need spiritual counselling too. They can be provided by church leaders. Traditional leaders also will be helpful to those who do not believe in Christianity for example village heads, chiefs. Peers are also helpful in this regard’, (Ntengwe Programme Officer).

‘………… if it is psychological, we can do counselling…… ’, (Social worker)

It emerges from the study that the emotional state of the women needed attention in the form of counseling. Most interestingly, the study found that professional, spiritual, peer, counseling from traditional leaders would help to empower the widows (Miller 2003). In confirming and explaining the usefulness of counseling to clients and how it helps them, Burnard (1999:5) maintains that:

Counseling is an activity in which one person is helping and one is receiving help and in which the emphasis of that help is on enabling the other person to find solutions to problems or to look at particular situations which they would like resolved.

Formation of support groups was seen as a major step in facilitating peer counseling and the socialization in a support group would enable widows to share their experiences. Support
groups and women’s associations have proved to be useful to HIV positive women in Zimbabwe. Walker et al (2004:4) quote Getrude Ndebele from Tsholotsho who said:

\[\text{We empower each other, share on herbal medicines which we believe boost our immunity. We sell as a group with the assistance of our coordinator and founder Mrs. Mtungwa.}\]

The social worker reported that there was a need for holistic approach to the empowerment needs of the widows based on a needs assessment. The needs assessment would help to determine the factors involved and connected to the widows’ situation and the exact kind of help the widows needed. Intervention would then be channeled in the right direction as in view of understood. Potgieter (1998:114) explains that a holistic approach to social work:

...emphasized the fact that system and environment should be seen as interrelated and that people should be treated in the context of the entirety of their environment. People should not only be viewed as interconnected biological, physiological, social, psychological and spiritual beings, but should also be seen in the context of their social and cultural milieu, their educational attainments and their economic and recreational activity. The holistic helper accepts the fact that people, families, groups and communities are all part of each other; that every expressed need, strongly relates to the needs of others; and that any one service can meet neither all the needs of any one person, nor one need of all persons.

5.6.1.4 Sub-theme: Networking

Concerning the networking needs of the widows, the social worker had this to say:

‘We can also link them to the necessary NGOs for other needs be they legal need. With legal assistance NGOs like Women and Law in Southern Africa and Musasa Project in Harare are appropriate’, (Social worker).
From the study, it has been revealed that women needed to be linked to and networked with appropriate Gender-based Organizations dealing with the rights of women for more focused help needed. Examples of such organization included the Musasa Project and Women and Laws in Southern Africa. Linking and networking the widows to other concerned parties and stakeholders in women issues would help to create discussion forums for concerned and affected parties with a view to appropriate intervention and empowerment strategies, (Presser & Sen 2000; Walker et al 2004; Trevithick 2005; Nieman 2006).

The social worker emphasized the immediate help the women needed in the form of short term plan while a long-term plan was being worked out.

The study further shows that most important among the needs of the widows is care to be given to their dependent children. The widows worry most often about their children’s welfare. The social worker provided probation work for their children under the age of eighteen years. The social worker said the probation work offered to children adhered to legal frameworks such as the Children’s Protection and Adoption Act. Care for their children is important. Without it widows may be forced to withdraw children from school, sending them to work as domestic servants or other forms of exploitative child labor, selling female children to early marriages or abandoning them to the streets. These are common survival strategies and will continue to be used until widows can access education and income-generating training for themselves and their dependents (Margaret 1996).

5.7 Conclusion

Information gathered from the fifteen participants clearly shows property stripping to be a huge problem among widows. Also, that the majority of women had no knowledge of the inheritance laws of Zimbabwe or their inheritance rights and hence could not take steps to seek professional intervention. Intervention by relevant professionals was not sought by the widows due to the various reasons mentioned and where it was sought, it failed to produce fruitful results for the victims.
The research also reveals that widows had the ability to rebound from the problem of property grabbing. In this they need to be empowered economically, psychologically, socially, educationally and health wise. The ten participants all mentioned the need for economic and psychological empowerment while all five social service providers indicated that the widows needed information or educational empowerment among other things.

The next chapter presents conclusions and recommendations emanating from and pertinent to the study.
CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

6.1 Introduction

This chapter discusses conclusions drawn from the study and the recommendations made. These conclusions and recommendations are made from the two phases in which the study was conducted. These are made according to the themes and sub-themes of the study. The recommendations concern legal matters, mainly the policies and laws affecting women, Social Work and, finally, recommendations for further research.

It is believed that the overall objectives of the study have been met and research questions have been answered based on the findings of the study discussed in chapter five. The participants, namely the widows who participated in individual interviews and the social service providers who participated in the focus group interviews, did provide the information allowing for these conclusions. The widows shared their property inheritance experiences while the focus group participants gave information relevant to the current study based on their experience with the widows in practice.

Based on the findings of the study, the following conclusions have been reached:

6.2 PHASE ONE: INDIVIDUAL INTERVIEWS WITH THE WIDOWS

Based on themes and sub-themes of the study, the following conclusions and recommendations have been reached from the first phase of the study:

6.2.1 Theme one: Personal details of the participants

The discussions below are conclusions drawn from the study on personal details of the participants.
6.2.1.1 Conclusions

The following conclusions have been reached and recommendations made thereafter:

This study has shown that property grabbing from widows has been rampant and has affected widows negatively. Most of the widows experiencing property grabbing are young. Evident from the study is the fact that the majority of the widows who experienced property grabbing were between thirty and thirty nine years. These findings seem to be in line with those of Izumi (2006) [online] in which forty percent of her study sample where between the ages of twenty three and forty four years.

The widows whose property is grabbed have young children of school going age who desperately need their fathers’ property as a resource base. The participants of the study indicated the need for financial resource to educate their children. In support of the findings of the study, Izumi (2006) [online] found that in Seke village of Zimbabwe, the average age of the orphans left behind was eleven comma six. This is the age in need of support for food, clothes, education and health.

Sex of the children is a determinant major factor that contributes to property grabbing. A large number (seven of ten) of the participants in the study had more girls than boys. This put widows at risk of losing property to in-laws due to discriminative African cultural notions that girls can not inherit from their fathers’ estates. Coldham (1999) criticises section 23 of the constitution of Zimbabwe which fails to combat discrimination against sex which may give leeway for the female sex to suffer discrimination from inheriting property.

From the study, it has been shown that minimal education is also a contributing factor to property stripping. Minimal education makes women less empowered to information concerning their inheritance rights and the available legal protection. Steady (2006) argues that minimal education among women is a deficiency representing underdevelopment prevalent in Africa countries. In Bulawayo of Zimbabwe, Izumi (2006:42) [online] found that dispossession
of property was common among women who ‘were poorly educated and could not articulate their rights and take appropriate action’.

6.2.1.2 Recommendations

Consistent with the conclusions drawn from the study, the recommendations that follow are made:

Educational campaigns on property inheritance and the legal rights of women, girls and children should be conducted by local organizations and non-governmental organizations. Information on such issues enables young women and girls to be equipped with information or their property rights. Such campaigns will see them empowered to deal with the problem of property grabbing should they be young widows, as the study has established.

In schools, children need to be taught about their property inheritance rights irrespective of the gender. These will be educational advocacy campaigns that can be ongoing and need to be done alongside those of women and young girls in order to reach a large audience.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

The following recommendations for the laws affecting women in Zimbabwe are made:

- Consistent with the findings of the current study, it is recommended that laws be updated and reformed to protect women and girls’ property inheritance rights across all age groups as women are victims at all age groups. The recommended protection need to be clearly stated in the Succession Laws of Zimbabwe.

- Information on inheritance issues needs to be accessible in local languages so that even people with minimal education will be able to comprehend it. An approach that considers educating all people, not only women, at grassroots level need to be
made a policy issue. This then should be followed by rigorous implementation, monitoring and evaluation.

b) **Recommendations for Social Work**

The following recommendations are made for social workers:

- Social workers need to target mostly young women in their educational roles so as to empower them with knowledge should they face property inheritance problems.

- Social workers need to teach communities to fight sexism since the study as shown that most of the people affected by property grabbing have children who are girls.

- In as much as social work intervention should target all women, it is recommended that intervention mainly target women with minimal education since they are the group at greater risk due to inability to access information on their inheritance rights.

c) **Recommendations for further Research**

The current study has found that young widows are mostly affected by property grabbing. It is however, recommended that:

- Further research be done on widowers to determine their property inheritance experiences. This will help to create a better picture of the property inheritance across all sexes in the district.

6.2.2 **Theme two: Property inheritance experiences of the widows**

The property inheritance experiences of the widows are central to this study. From the findings of the study, the following conclusions are drawn per sub-theme:
6.2.2.1 Conclusions

From the finding of the current study, the following conclusions have been made:

6.2.2.1.1. Sub-theme: Type of marriage

The study has shown that the types of marriages women enter into in Zimbabwe are customary in nature. These types of marriage give predispose widows to property grabbing. From the current study, eight of the ten respondents were in customary marriages. The Centre for Reproductive Rights (2003) [online] affirms these findings and posits that in Zimbabwe, eight two percent of the total number of marriages constitute customary marriages. Even those in civil marriages, however, are not spared from property grabbing. Walker et al (2004) are of the opinion that even if marriages are registered, women in Zimbabwe are not fully protected by the inheritance laws.

6.2.2.1.1 Recommendations

Customary marriages which make the majority of marriages in Zimbabwe have led to the suffering of many widows. Based on the findings of the current study, the following recommendations are therefore made:

- Existing legislation for protecting the property rights of Zimbabwean women married under customary law need to be revised and strengthened to help prevent the plight of widows on the death of the heights.

- The traditional leaders should also be allowed to certify marriages. This will help deal with accessibility of legal procedures in marriages at a more local level and enable the majority of women to have registered marriages.
a) **Recommendations for Laws and Policies affecting women in Zimbabwe**

In relation to laws and policies affecting women in the Zimbabwe, the following recommendations are made:

- All legal marriages in the country should be unified under a single legislative framework. This will prevent inconsistencies in the adjudication of property inheritance disputes.

- There is a great need to rejuvenate and re-orient property inheritance laws amongst the custodians of law, including traditional leaders, to re-energize and re-inculcate in them the principles of law of succession, particularly Intestate Succession. In these endeavours, emphasis needs to be done in cases of customary marriages to which the majority of women succumb in Zimbabwe.

b) **Recommendations for Social Work**

From the findings of the current study, the following recommendations are made for social work:

- There is need for social workers to concentrate intervention measures in marriage counselling. This will help the widows to enter into marriages that protect them from oppressive practices such as property grabbing.

- Social workers need to take a more active role in advocating for registered marriages for women to prevent property grabbing which is more problematic under unregistered customary marriages.
c) Recommendations for further Research

The current study in consultation with relevant literature has revealed customary marriages make the majority of marriages that catalyze property grabbing among the widows in Zimbabwe. Therefore the following recommendations for further research are made:

- Research should be done on how to rejuvenate and re-orient property inheritance laws amongst the custodians of law, including traditional leaders in Zimbabwe.

- Research should be done also on how marriage laws can be harmonized and unified under a single legislative framework to prevent inconsistencies in the adjudication of property inheritance disputes.

6.2.2.1.2 Sub-theme: Husband’s death

From the findings of the study, it is concluded that the deaths of their husbands are traumatic and emotionally disturbing experiences to women. The study has revealed that some participants’ husbands died unexpectedly after a short illness while others died after long illnesses as the women watched their husbands’ health deteriorating steadily. Also some husbands died without their wives’ knowing as the relatives take over the role of caring for the ill husband and the widows were only informed after burial. All these are traumatizing circumstances for the widows. Walter et al (2004) maintain that even though women experience the death’s of their husbands, most of these deaths in Southern Africa are due to HIV and AIDS. Izumi (2006) [online] found out that most of the widows in Seke and Bulawayo in Zimbabwe have been widowed due to HIV and AIDS.

6.2.2.1.2.1 Recommendations

The study has revealed that the central cause of the traumatic experiences of the widows concerning their husbands’ death is that the relatives of the husband maintain a strong control of the marriages. It is recommended that:
• Total control of marriage decisions should be given to the couple. This will enable women to take control of their experiences when their husbands die.

• Women must be allowed to take care of their husbands even if they are seriously ill. Other members of the family should give them support and not to take their husbands away from them when husbands face the prospects of dying.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

Consistent with the findings of the study, it is recommended that:

• The laws and policies in Zimbabwe should be put in place that prohibit members of the families to control married couples’ marriage decisions and affairs.

• Marriage laws should also give power to institutions such as the church to monitor marriages and give advice to members of the public affected by interferences in their marriages.

b) Recommendations for Social Work

The following recommendations are made for the field of social work:

• There is a great need to train social workers in bereavement counselling so as to deal with the emotions of the widows who experience traumatic deaths of their husbands. Widows also experience serious emotions of dealing with the trauma that their orphaned children undergo.
c) **Recommendations for further Research**

For further research, it is recommended that:

- Research must be done to examine ways in which widowers are also affected by the death of their wives. The current study concentrated only on widows. There is a need to extend the knowledge to explore the experiences of the widowers.

**6.2.2.1.3 Sub-theme: Experiences of the widows after the death and funeral of the husband**

This study has shown that widows experienced property grabbing after the death and funeral of their husbands. **Culture** has been the major culprit perpetuating property grabbing from the widows and is used to oppress and dispossess widows of their inheritance rights. The oppressive and role of **customs and traditions** for women in permitting property stripping constitutes a major cause for concern. Strickland (2004) sees customs and traditions such as levirate marriages, payment of lobola, slaughtering of an animal during the funeral, sharing of the deceased person’s property by kinship members and cleansing of the widow being practices that open avenues for in-laws to grab property and to expose widows to the associated abuse and torment.

**Radical feminists** have long argued that oppressive patriarchal cultures are responsible for perpetuating violence against women and our findings augment and strengthen their classical argument (Roberts 2006).

An important finding was that, **women**, such as **sisters** of the deceased, and **mother in-laws** took the lead in grabbing property from the widows. To some extent this confirms that women with power can perpetrate violence on women with less power. This aspect has been ignored by **radical feminists** and needs to be incorporated in mainstream feminist theory.
6.2.2.1.3.1 Recommendations

It has been shown that property grabbing is rampant among widows when after the death and funeral of their husbands. It is therefore the following recommendations are made:

• Cultural practices emphasizing customs and traditions oppressing widows and their orphaned children need to be abolished because they are outdated with the current Succession laws in Zimbabwe which respond positively to the needs of women and children.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the policies and laws affecting women in Zimbabwe, it is recommended that:

• A well formulated domestic violence code, offering women orders of protection from the court system be put in place.

• Constitutional changes must be done to protect women from property grabbing. Cultural explanations posit that many issues regarding family law are reserved under African constitutions, Zimbabwe included, and thus reforming laws at constitutional level will provide a better solution to the problem. Rights theorists argue that such changes in constitutions need to be monitored by international and regional conventions.

b) Recommendations for Social Work

As the study has revealed that there is widespread property grabbing among widows. It is recommended that:

• Social work intervention should be centred on widespread public education about gender equality and antisexism as well as the rights of women and girls. This more
necessary since women have lack of confidence in the legal system dominated by men. This will enable them to regain trust and have confidence in the legal system of Zimbabwe.

c) Recommendations for further Research

The study revealed that, women, such as sisters of the deceased, and mother in-laws lead in grabbing property from the widows. It is recommended that:

- Further researcher need to be done to establish the reasons women take a lead in dispossessing other women of their property when they are widowed. Such kind of research will help to examine power dynamics that exist within people of the same sex.

- Further research need to be done to establish the influence of patriarchy on power relations among women.

6.2.2.1.4 Sub-theme: Property and amenities owned by widows and their husbands

The study has shown that widows owned valuable assets and amenities for making a living. Widows owned furniture, domestic animals, agricultural equipment like ploughs and scotch carts as well as land. This as the study revealed has been influenced by the rural type of setting that the participants came from. Kevane (2004) maintains that amenities such as ploughs and land are highly valued by African families as they use them for production of food.

Also it has been shown that widows had money in the bank shown by the bank accounts they owned either jointly with their late husbands or of their own. Mookodi (2005) found out that Manyana widows owned bank accounts but the primary income earners were their husband therefore making them bankrupt after the death of their husbands.
6.2.2.1.4.1 Recommendations

Since the study revealed that widows owned assets especially for agricultural production, the following recommendation is made:

- There is need to prioritize widows in allocation of farming inputs by government institutions, rural district offices and non-governmental organizations.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws affecting women in Zimbabwe, it is recommended that:

- There is need for laws guaranteeing co-ownership of property and this law needs to be enforced to protect women and children from property grabbing.

- Gender policies need to be revamped to cater for the needs for co-ownership of property and land by women and strong enforcement of such policies be put in place.

b) Recommendations for Social Work

In light of the amenities owned by the widows and their husbands, it is recommended that:

- Social workers should actively take an educational role to educate people on the need to register property that they own. This may be done by referring the women to legal advisers to give them more advice on registering marriages where the property a couple owns belongs to them all. If such a marriage in community of property exists, then women are protected by law to legally own the property in the event of the husband’s death.

- Personal esteem must be boosted among women to take charge of their lives. Social work practice need to programme interventions aimed at boosting self confidence and
esteem of the widows to be able to stand on their own even if amenities they owned has been stripped away from them.

c) Recommendations for further Research

It is recommended that:

• Further research need to be done to examine the experiences of widowers with regard to the property they owned jointly with their wives in the case they die. This will enable a comparative analysis to be made in both circumstances.

6.2.2.1.5 Sub-theme: Will-writing of the husband before death

The study has shown that the participants’ husbands died without leaving any written will and, where ‘wills’ were written, they were invalid. They were often in the form of notes, small papers and diaries not validated by relevant authorities such as commissioners of oath. Gilborn and Nyonyintono (2003) maintain that will-writing is the most difficult thing a person can do because it is regarded as a final sacrament.

Where the will was not written, it was oral. This predisposes the widows and orphans to property stripping since the wills can not be respected. Worse still, oral wills make the claiming of property difficult as the powerless widows are not able to claim their property while they mourn their husbands.

6.2.2.1.5.1 Recommendations

Consistent with the results of the study, the following recommendation is made:

• On-going education and campaigns on will-writing need to be carried out by non-governmental organisations, government institutions and churches. Such campaigns will help to reach a wider audience.
a) Recommendations for Laws and Policies affecting women in Zimbabwe

From the findings of the current study, it is recommended that:

- Laws and policies should be put in place with emphasis on will-writing and such laws be implemented at grassroots levels. More intensive implementation of such a law must be done in remote rural areas where the majority of the cases of property grabbing are concentrated.

b) Recommendations for Social Work

It is recommended that social workers:

- Be equipped to assist the couples in teaching them how to write valid wills. This will be done together with commissioners of oath.

- Receive intensive training in marriage counselling so that their knowledge be broad enough to assist the couples and advise them of the necessity for wills in marriages.

c) Recommendations for further Research

From the results of the current study, it is recommended that:

- Further research be done to determine the exact reasons husbands do not want to leave written wills. The current study has however managed to establish that husbands do not leave written wills before death but the reasons for not leaving will by the majority of the husbands of the participants were not given.
6.2.2.1.6 Sub-theme: Appropriation of the property of the deceased

The study has found out that appropriation of property did not take place and in-laws took everything from the widow leaving her and the orphaned children without anything. Also important documents such as death certificates of the deceased were also reported to be taken away from the widows making them unable to access relevant services such as receiving a pension and getting birth certificates for the orphaned children.

Further, traditional practices were omnipresent in the appropriation of property. This was the study found that there was active participation of the blood relatives of the deceased in appropriating property. On the contrary, the relatives of the widow have no traditional part to play in appropriating property and, worse still, the widow’s mouth would be practically shut and unable to give vent to her property rights. Sakala (1998) criticizes this as a misinterpretation of tradition for people’s own personal gains.

6.2.2.1.6.1 Recommendations

Consistent with the results of the study, it is recommended that:

• Appropriation of property must be done by legally competent people according the laws of Succession. When this is done, priority should be given to the widows and the orphaned children.

• Community watchdogs be deployed and watch over property strippers and bring them before the law. These must also be equipped with basic legal expertise.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

From the results of the study, it is recommended that:

• Laws and policies be put in place that empowers grassroots gender-based organization and local governmental institutions to train community watchdogs on
property rights of girls and women to be able to curtail the problem in the communities.

b) Recommendations for Social Work

For social work, it is recommended that:

- Practice in social work need to ensure that practitioners actively watch over the process of appropriation of property. This will create an environment of fairness in the process and enable the widows and their children to get what is rightly theirs.

- Social workers also need to work together with legal practitioners in legal practitioners in order to put together coherent and consented effort to protect the rights of the widows.

c) Recommendations for further Research

From the results of the study, it is recommended that:

- Further research be done on how the education system can be used to disseminate information to the public on proper appropriation of property to the widows and the remaining children upon the death of the husband.

- Research must be done also identifying cultural practices that affect negatively the appropriation of property and such information must be used to lobby for policy changes

6.2.2.1.7 Sub-theme: Widows views on property appropriation

The study has found out that widows have the view that they must inherit property together with their orphaned children. They believe that this needs to be done according to the
inheritance laws of Zimbabwe. Some widows are sympathetic enough to their in-laws and believe that if they are allowed access to their husbands’ property they can give some their in-laws. According to the Women and Law in Southern Africa (2000), the Intestate Succession Law of Zimbabwe considers the surviving spouse and the children to be automatic owners of property.

6.2.2.1.7.1 Recommendations

From the views of the widows on property appropriation, it is recommended that:

- The widows’ views must be taken serious and must be used as advocacy issues in trying to influence decision making by the political leaders.

- The widows’ views must be used to find effective solutions that are also satisfactory to them as victims of property grabbing.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

The following recommendations are therefore made for the policies and laws affecting women in Zimbabwe:

- The law and policy makers need to formulate policies and make laws that that reflect the views of the victims. The will be a direct response to the legal needs of the victims.

- It is also recommended that the law enforcers must evaluate the effectiveness of their service delivery from the views and voices of the widows and be able to improve on it.
b) **Recommendations for Social Work**

For the field of social work, it is recommended that:

- Intervention must be structured in a manner that reflects the views and voices of the widows. It will directly respond to the empowerment approach widely commended for its effectiveness in social work practice.

- Social workers approach intervention through the Voice Strategy (discussed in chapter three) to enable the widows concerns to be heard.

c) **Recommendations for further Research**

From the views of the widows, further research must be done:

- On how widows can gain much space to air their concerns in a society that is oppressive to women

- On how best intervention can intertwined with the views of victims of property grabbing. This will enable a space to be created where the victims influence decision making on intervention measures suitable for their needs.

6.2.2.1.8 Sub-theme: **Widows feelings about property grabbing**

The widows are negatively affected by property grabbing. The widows are deeply pained and traumatized by property grabbing and some were unable to articulate properly how they felt. The study has found out that the widows are unable to cope with the effect of property grabbing as it also intensifies the pain of the loss of their husbands especially if it is coupled to thinking about caring for the orphaned children all alone. Saleeby (2002) is of the view that if the feelings of oppressed people can be attended to, they can result into inborn resilience
against odds which can lead to healing and wholeness. Saleeby also explains that the body has inborn facility to resist when faced with disorder and disruption.

6.2.2.1.8.1 Recommendations

Consistent with the findings of the current study, the following recommendations are made:

- There is an eminent need for space to be provided for the widows to ventilate and say their feelings concerning property grabbing. This may ease the feelings they harbour about property grabbing.

- Intervention from the social service providers working with the widows needs to directly respond to the feelings of the widows. Social workers, for example, may deal with the deep seating emotions of the widows whose property has been grabbed.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws and policies affecting women in Zimbabwe, it is recommended that:

- It must be made legally mandatory that any legal recourse provided to the widows should be accompanied by emotional recourse. This means that the feelings of the widows concerning their property inheritance problems can receive an effective dual or multifaceted response to unable emotional feelings to be dealt with.

b) Recommendations for Social Work

It is recommended, consistently with the findings of the study, that:

- Social work practice must be able to effectively deal with the destructive hurting feelings of the widows who fall victims of property grabbing as they are unable to
cope. This may entail counselling so that the victims of property grabbing can be able to ventilate.

c) Recommendations for further Research

The following recommendations are made for further research:

- The current study has captured the feeling of the widows, however, another area requiring further research concerns the orphaned children. Research should be done to capture the feelings of children and how property grabbing affects them.

6.2.3 Theme three: Intervention networks

The main theme of intervention networks is subdivided into two main sub-themes of informal and formal intervention networks. Conclusions and recommendations are then made from the sub-themes of these two main sub-themes.

6.2.3.1 Conclusions

The following conclusions where reached and recommendations made from the findings of the study:

6.2.3.1.1 Main sub-theme: Informal intervention networks

The conclusions and recommendations from the sub-themes that emerged during the study are discussed below:

6.2.3.1.1.1 Sub-theme: People approached by widows for help in the community

The study has found out that the main intervention networks that were available, accessible and not costly to the widows were informal networks of family members, friends, religious
institutions and neighbours. However these networks offered no punitive measures to the perpetrators of property grabbing. Due to this reason, some widows did not seek intervention at all. Furthermore, it may be concluded that this is why perpetrators continued to harass the widows even after dispute settlement. Izumi (2006) sees widow’s willingness to have property inheritance disputes settled down amicably through family intervention when she writes that ‘widows would often seek to have property disputes to be resolved within the family through dialogue with the marital family’, (p36).

6.2.3.1.1.1 Recommendations

The following recommendations are made:

- Due to the fact that informal intervention networks prove to be less costly to the victims, they need to be strengthened by mainstreaming them with legal intervention. This can be done by making suggestion boxes to locally available for people to report property grabbing to legal centres.

- There is a need also to legally capacitate the community to deal with property inheritance matters at community level.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws affecting women in Zimbabwe, it is recommended that:

- Policies be put that make it possible for people to be trained at local level to monitor property grabbing.

- Policies and legal capacities must be decentralized to enable accessibility to the victims of property stripping.
b) **Recommendations for Social Work**

Social workers have the capacity to meet the needs of people locally through community work function, it is therefore recommended that:

- Social workers’ community development programmes be structured in a manor that incorporates legal advice. This will reduce the need to travel long distances to seek legal advice. The cost of seeking legal help could also be effectively reduced.

c) **Recommendations for further Research**

Further research can be strategically done to:

- Determine ways in which informal intervention networks to the victims can be mainstreamed into the main legal intervention structures available to the widows.

- Determine how policies and legal capacities must be decentralized to enable accessibility to the victims of property stripping.

6.2.3.1.1.2 Sub-theme: Descriptions of intervention roles played at community level

Even though some women did not find the intervention helpful, the study has found out that the intervention played benefited most of the women whose property was grabbed. This intervention was offered mainly by the widows’ family members. Basic needs are usually provided for by the family members which goes a long way to ease the psychological stress associated with property grabbing. According to Izumi (2006) [online], in Zimbabwe, widows disposed of property joined their natal homes where they were comforted and taken of by their family members.
6.2.3.1.2.1 Recommendations

The study has established in consultation with literature that the widows feel that the intervention they get at community level mainly from family members is helpful. Due to this finding, it is recommended that:

- Intervention aimed at helping victims of property grabbing be structured in a manner that resembles a family system. This can be done through the establishment of support groups where members assist each other to cope with property stripping. The support groups give a platform for members to share their experiences and ventilate their emotions.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws and policies affecting women in Zimbabwe, it is recommended that:

- An investment be made to educate the communities and families on the importance of a joint and cooperated approach to dealing with property grabbing.

- An investment must be made on initiation of debates and discussion forums on the legal roles of the families in assisting their members who have fallen victims of property stripping.

b) Recommendations for Social Work

Consistent with the findings of the study, it is recommended that:

- Social work intervention needs to consider family counselling as a holistic approach since the whole family gets affected by the widows’ circumstances. This will also help in reducing the stigma associated with widowhood in the families.
c) **Recommendations for further Research**

As a recommendation, further research needs to be done:

- To examine ways of re-integrating the widows into their families without facing discrimination and stigmatization.

- To determine how family counselling can best be done in order to benefit the affected members of the family by the circumstances of the widows.

**6.2.3.1.1.3 Sub-theme: People approached by widows for community-based legal intervention**

Leaders in the villages such as the chiefs, village heads and pastors were main interventionists in the property grabbing disputes. The participants in the study (six of ten) indicated to have approached one of them for community based legal intervention. Despite the availability of community based legal intervention, some women faced with property grabbing do not seek it simply because they are not aware of its availability; this was the case with four of the ten participants in the study. Kunfua et al (2002) writes that chiefs are highly respected in Ghana for settling household disputes while Steady (2006) maintains that in Sierra Leone, the Krio women believe in the power of prayer by their church leaders.

**6.2.3.1.1.3.1 Recommendations**

Evidence from the study shows that widows seek community-based legal intervention and it is recommended that:

- Locally available intervention networks are strengthened to meet the widows’ intervention needs. There is need to strengthen the capacity of chiefs, pastors, village heads to deal with property disputes. This may be done through training them in family law and inheritance laws.
a) Recommendations for Laws and Policies affecting women in Zimbabwe

Form the results of the study, it is recommended that:

- The laws and policies affecting women in Zimbabwe should empower chiefs, pastors and village heads to deal with property grabbing. Since some of the chiefs are custodians of culture, it is recommended that laws and spell out that cultures and traditions harmful to women be abolished. Chiefs and other traditional leaders be monitors of such a process.

b) Recommendations for Social Work

Even though intervention is available at local level, some of the widows alluded to the fact that they were not aware of such intervention it is therefore recommended that:

- Social workers need to concentrate their practice roles of education, educating the public together with the leaders about laws of inheritance and the available intervention at local level. This can be done in public gatherings where the leaders have access to the people or through public workshops.

- Campaigns may also a good media for educating the public about the inheritance laws social workers can use. These campaigns need to be done jointly with the community leaders to convey a message of where to seek help when widows are faced with property grabbing.

c) Recommendations for further Research

Consistent with the results of the study, it is recommended that:

- Further research needs to be done on how community based legal intervention can be effectively made available and accessible to the community people.
• Further research can also be done to examine the capacity needs of community leaders in order to determine how they can be developed into effective interventionists in property inheritance disputes.

6.2.3.1.2 Main sub-theme: Formal intervention networks

The conclusions and recommendations from the sub-themes that emerged during the study are discussed below:

6.2.3.1.2.1 Sub-theme: People approached by widows for legal intervention

Formal professional legal aid was not accessed by most of the participants. The reasons given were that they were not aware of the availability of such kind of intervention. Those widows who pursued their cases further to the courts, found it very costly so that they could not afford it. Braitha’s case had to be stopped because it involved foreign currency. The legal process itself is bureaucratic and length in nature. It wasted time and the little money the widows had and giving up was the likely result. According to the Women’s International Network News (1999), women in South Africa who suffered property stripping could also not afford to hire lawyers for intervention.

6.2.3.1.2.1.1 Recommendations

From the results of the study, the following recommendations are made:

• Since, indicated in the study that access legal aid is often costly, paralegal services should be made available in the locality so that legal help is near.

• Furthermore, local NGOs should be capacitated to employ legal practitioners, adjudicate and finalize cases of property inheritance. This will reduce bureaucratic hassle now faced by widows trying to use the legal process.
a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws that affect women in Zimbabwe, it is recommended that:

- Documentation of positive practices that uplift the conditions of vulnerable women is done at local level to allow replication and adaptation of the best practices.

b) Recommendations for Social Work

For the field of social work, the discussion that follows makes some recommendations.

- Social work reputedly deals with problems people face in their daily living. However, the field of social work should take further steps to introduce legal studies, particularly therapeutic jurisprudence and preventive law, so as to focus and capacitate practitioners to deal with problems that the law could address. This will enable social workers to engage in dialogue with policymakers, judges, lawyers, and other legal actors to examine ways in which the law affects individuals, families, and communities with the aim of improving legal outcomes (Madden & Wayne 2003)

c) Recommendations for further Research

For further research, it is recommended that:

- Further research needs to be done on how positive practices that uplift the conditions of vulnerable women can be developed into replicable policy and law. This can be done to find best strategies to mainstream best practices into policy and law.
6.2.3.1.2.2 Sub-theme: Feeling of the widows about the legal intervention

The widows expressed different feelings about the legal intervention offered to them. Interventions offered at lower levels of the legal process were said to helpful, whilst the experience at the High Court level was different. At the High Court the widows felt that the legal process at High Court level was very slow. The minimal education that the widows received predisposed them to difficulty of completing the forms if help was not offered in doing so.

Disappointing instances are an order of the day at High Courts, one of which is disappearance of files. Also saddening experiences of summoning widows to attend the court where the Master of the High Court is not present to handle the case is common. Widows also incurred high costs of traveling given the high cost of traveling in Zimbabwe.

Even though the court processes take a snail pace and a bureaucratic process, Izumi’s (2006) study found that in Bulawayo one widow’s case was handled by the High Court and the in-laws were prevented from taking her marital home. This indicates how legal intervention may be successful to prevent property grabbing.

6.2.3.1.2.2.1 Recommendations

Since the study has revealed that intervention offered levels of the legal process seems to be more helpful than at High Courts, it is recommended therefore that:

- Power of the courts be decentralized so that lower courts have the power to preside over the cases of the widows. The processes need to be dealt with up to the end at lower levels of the court except for extremely demanding cases. This can help to bring down backlog which is characteristic of High Courts.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For laws and policies affecting women in Zimbabwe, it is recommended that:

- They need to be revised and formulated in such a way that the local courts which are
closer to the widows be able to deal with the cases and prevent the congestions of the High Court. This may speed the processing of the inheritance cases of the widows.

b) Recommendations for Social Work

- Social work should advocate for a change in the policies and laws that vest ultimate powers in the High Courts to deal with inheritance cases in Zimbabwe. In doing so, there is need that social workers take an active role in formulating the policies and laws that affect the women in general.

c) Recommendations for further Research

For further research, it is recommended that:

- Research be conducted on possible strategies and guidelines which spell out how power decentralization can be done so that lower courts have the power to preside over the cases of the widows in Zimbabwe.

6.2.3.1.2.3 Sub-theme: Awareness of property inheritance laws of Zimbabwe among Widows

From the study, it has been revealed that most widows have no knowledge of the Intestate Succession Laws. This is indicated by the large number of participants (seven of ten) who were not aware of the Intestate Succession Laws. From this fact, a conclusion can safely be reached that that is another reason why widows did not get legal aid for their problems. Information on legal intervention and succession laws did not reach the widows and hence property grabbing became a major problem. The Herald’s report of 19 May 2006 indicated that lack of knowledge about inheritance laws of Zimbabwe by the widows was contributing to perpetuation of property grabbing.
6.2.3.1.2.3.1 Recommendations

With regard to the findings of the study, the following recommendation is made:

- There is a great need to sensitize the communities at large and the women about the Succession laws and how these can affect women and children.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

As far as the policies and laws affecting widows in Zimbabwe are concerned, the following is recommended:

- There is eminent need to create accessibility of the information on these laws and policies so that information about them spread among the people it is intended to benefit. This can be made successful if copies of the laws, pamphlets and brochures are made available in public institutions for use.

b) Recommendations for Social Work

It is recommended that:

- Social workers embark on creating awareness of the laws of succession by educational campaigns. This will create an opportunity for the widows to be aware of the laws of succession. Such information will empower them to seek legal advice when they faced with property inheritance dispute.

c) Recommendations for further Research

Further research indeed needs to be done. The following recommendations are therefore made:
• Research needs to be made on the challenges of disseminating information about property inheritance laws to the widows in rural areas. This will help in establishing facts and reasons why women are not aware of the inheritance laws. This is necessary for planning service delivery.

6.2.4 Theme four: Empowerment needs of the widows

The participants indicated the need for empowerment. Consistent with the empowerment approach, the widows alluded to the fact that they needed empowerment and had within them the strength to bounce back and move on with life (Saleeby 2002). The main empowerment needs of the widows were classified as economic, psychological, social, health and educational in nature.

The discussion below comprises of the conclusions reached and the recommendations according to the sub-themes that emerged for the empowerment needs of the widows.

6.2.4.1 Conclusions

From the findings of the study, the following conclusions and recommendations have been reached:

6.2.4.1.1 Sub-theme: Economic empowerment needs

From the findings of the study, the widows experience economic hardships once their property has been grabbed. Due to the fact that the property they have economic value, the widows are economically disempowered by property grabbing. In the study, all the ten participants in the study indicated that they need to be empowered economically. They indicated the need for money and income generating projects. Fukuyama (2004) indicated the importance of property in issues of economic development for women. Acemoglu, Johnson, and Robinson (2004); De Soto (2000); and Norton (2000) accept that property rights contribute significantly to economic development.
6.2.4.1.1 Recommendations

From the findings of the economic empowerment needs of the widows of the current study, it is recommended that:

- Windows be afforded property rights as economic rights. Property must be viewed as an investment and means to economic empowerment of the widows.

- Income generating projects be made available to the widows at community levels being implemented by grassroots organizations and government institutions.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws and policies affecting women in Zimbabwe, it is important to consider the following recommendations:

- The constitution of Zimbabwe must clearly spell out property rights of women as economic rights enforceable by law.

- The gender policy of Zimbabwe must consider legally enforceable projects specifically for women to boost their income and financial resources.

b) Recommendations for Social Work

The findings of the study have made the following recommendations for social work to be made:

- Social work needs to consider implementation of community income generating projects specifically for women. These projects need to emphasize self-reliance and participation of women.

b) Recommendations for further Research

Further research needs to be made. It is recommended that:
- Further research can be made to find out how property rights can be constitutionally and legally mainstreamed into economic rights of women.
- More research needs to be done on community projects that can be implemented successfully in Zimbabwe with the unstable economy.

6.2.4.1.2 Sub-theme: Social empowerment

From the findings of the study, some of the widows are not affected social by property grabbing while other are affected adversely. This was indicated by a balanced number of women who needed social empowerment and those who did not need it. Those who need social empowerment, their self-esteem is reduced and can not interact well with other people. They are also stigmatized by other women in the communities. Stigmatization of widows and their lack of social skills make them feel inadequate and inferior and hence need social empowerment.

For the women in need of social empowerment, Rao Gupter (2000) recommends group work so that the affected widows and help each other deal with the effect of property grabbing.

6.2.4.1.2.1 Recommendations

The following recommendations are made for the social empowerment needs of the widows:

- It is recommended that widows be provided with space and platforms to interact with other people and each other. This will help in boosting self-esteem and reducing stigma.

- There is need for recreational activities that will help widows to interact with other women in the community through these leisure activities.
a) **Recommendations for Laws and Policies affecting women in Zimbabwe**

From the findings of the study, it is recommended that:

- The social laws and policies must be formulated in a way that considers social empowerment needs of the widows so that these policies and laws can be translated into activities to benefit the women.

b) **Recommendations for Social Work**

Social work is a profession that enhances the social functioning of people and as such, it is recommended that:

- Social workers intervene through methods that enhance social functioning of the widows. Such methods may involve group work which enables group members to share their experiences.
- Another important service that social workers can do is to network and link widows with other organizations that deal with abused women so that they gain from the programmes used for abused women.

c) **Recommendations for further Research**

For further research, it is recommended that:

- More research be done to determine how social laws and policies can be formulated in socially empowering ways to meet the social needs.

**6.2.4.1.3 Sub-theme: Health empowerment needs**

The research confirmed ill-health among the widows with illness such as asthma, high blood pressure, HIV related illnesses and backaches being common. The widows are unable to meet the
Gilbert (2003) sees health as an issue of concern among women and more so for the widows affected by HIV/AIDS. Strickland (2004) found that in Southern Africa, the majority of women are widowed due to the AIDS therefore representing the majority of women in need of health care.

6.2.4.1.3.1 Recommendations

The study has made eminent for the following recommendations to be made:

- From the findings of the study, it is recommended that the widows are helped to meet their health needs which have high medical expenses and requirements of their illnesses. Illnesses such as asthma, high blood pressure, HIV/AIDS have high medical expenses and hence social grants need to be made available to them.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws and policies that affect the needs of women in Zimbabwe, it is recommended that:

- Free primary health care for women in government hospitals be made legal to enable a large number of women access health care.

- Social grants also need to be made legally available and accessible to women to other health expenses which exceed primary health care.

b) Recommendations for Social Work

For social work, the findings of the study make these recommendations to be made:

- Social workers should assist the widows in applying for social grants such as disability grants in order for them to meet their health needs.
• Since most of the widows suffer from chronic illness, it may be necessary for social workers to be trained in palliative social work which may see them being able to meet the chronic health needs of the widows.

c) Recommendations for further Research

Indeed further research is crucial where health is concerned. Further research is essential in areas that follow:

• There is need to do research to determine whether there is a relationship between abuse of women such as property grabbing and ill health.
• Research can also be done to determine the international programmes that enhance the well-being of widows.

6.2.4.1.4 Sub-theme: Psychological empowerment

In the study, the widows acknowledged their need for psychological empowerment. Widows were traumatized by property grabbing and the death of their husbands and their concern about taking care of their children. Safieddin (1999:2) maintains that ‘isolation, stigmatization, anxiety and fear’ are prominent psychological problems facing widows.

6.2.4.1.4.1 Recommendations

As the study has established that widows need psychological empowerment, it is recommended that:

• Widows get counseling services as a way of attending to their psychological needs. The counseling needs of the widows may be psychological or spiritual in nature because the widows indicated that they spiritual welfare is of paramount importance to them.
- Besides being directly counseled themselves, their children also need psychological services because they impact negatively on the widows.

**a) Recommendations for Laws and Policies affecting women in Zimbabwe**

For the laws and policies affecting women, it is recommended that:

- Psychological welfare of the women and widows must be integrated into the laws and policies that deal with women. These will enable the policies to be translated directly into implementation of the services responding to their psychological needs.

- The children of the widows also need to be considered into the legislation and policies affecting widows.

**b) Recommendations for Social Work**

From the findings of the study all widows indicated the need for psychological empowerment. From these reports, social workers helping the widows affected by property grabbing need to consider that:

- Professional counseling, spiritual and peer counseling, are some of the ways of dealing with stress, depression and anxiety, which need to be implemented into the programmes of the widows social workers may use.

**c) Recommendations for further Research**

Further research is crucial for the psychological needs of the widows. Further research needs to be done:
• To find out how psychological welfare of the women may be integrated into the laws and policies that deal with women.

6.2.4.1.5 Sub-theme: Educational empowerment needs

Widows need educational empowerment. From the study, the educational needs of the widows centred on will-writing to prevent property stripping, agriculture for food production, entrepreneurship as well as practical courses such as computer literacy to enhance their employment chances. The study established that the widows were not aware of the inheritance laws and hence they need to be empowered with the information as to their inheritance rights. Further, widows need education about the management of the little resources that they have so that they will continue to sustain them. To confirm the findings of the study, Wilcox (2006) sees education and training of women as vital and an ultimate endeavour if they are to gain economic independence.

6.2.4.1.5.1 Recommendations

As recommendations for educational empowerment of women, the following need to be considered:

• Due to the fact that many women received minimal education and indicated the need for educational empowerment, it is recommended that adult literacy schools be opened in the communities to enhance the widows’ capacity to read and write.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

In order to effectively respond to the educational empowerment needs of the widows, it is recommended that:

• Laws and policies must be in place that allow basic free education for all people in Zimbabwe. This will enable women to access education without discrimination.
• Besides having free basic education for all people in the country, there is need for free education on practical subjects for women which will help them to carry out and manage out income generating projects.

b) Recommendations for Social Work

For social workers, it is recommended that:

• There is need for practice to centre on self-help project. Self-help project enable women to gain skills for projects that will help them meet their economic needs.

• Social workers also need to advocate for literacy schools for women in Zimbabwe. These will go a long way to assist them to able to read and write; a requirement for them to be employable. Also it will give them leverage to understand their rights.

a) Recommendations for further Research

Further research is recommended for the educational needs of the widows. It is recommended that:

• Research must be done on the practical courses that may respond to the need of the widows and how these practical courses may be carried out in rural settings which are mostly and adversely affected by lower literacy levels in Zimbabwe.

6.2.4.1.6 Sub-theme: Feelings of the widows about property grabbing

Widows whose property has been grabbed normally are affected negatively about the incident. They are overwhelmed and sometimes feel unable to handle the emotions. In the current study, half of the participants (five of ten) indicated that they felt hurt and stressed. The other
contributing factor the hurt feelings is the fact that they unable to educate their children. On the other hand five participants managed to cope with the emotions evoked by property grabbing. The feelings of the widows is supported by Burnard (1999) who is of the opinion that people may be subjected to the same stressing conditions but may cope differently.

6.2.4.1.6.1 Recommendations

From the results of the study, it is recommended that:

- The feelings of the victims of property grabbing be dealt with properly in order to minimize the impact of property grabbing.

- The widows should be given a chance to ventilate and say their feeling to people who are willing to actively listen to them. This will provide space for better coping abilities.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws affecting women in Zimbabwe, it is recommended that:

- Laws and policies that deal with property grabbing need to be informed by the feelings of the victims of property grabbing. This ensures that the laws and policies are responsive to their needs.

b) Recommendations for Social Work

As a profession, social work has much to with how people feel about their circumstances. It is therefore recommended that:

- Social workers need to help the victims to deal with their feelings by providing them with an opportunity to say how they feel. In this process the social workers need to
employ, to their best of ability, the skill of active listening. This will help the widows to deal with the negative impact of property grabbing.

c) Recommendations for further Research

Further research needs to be done. This research needs to concentrate on:

- The therapeutic models that may be used for dealing with the feeling of property grabbing specifically targeting rural women. Rural women are the most affected by property grabbing and at the same time without any special intervention measures.

6.3 PHASE TWO: FOCUS GROUP INTERVIEWS

In the second phase of the study, conclusions and recommendations based on themes and sub-themes that emerged have been reached. The discussion that follows provides the conclusions and recommendations reached.

6.3.1 Theme one: The causes of property grabbing

In the discourse that follows, the conclusions and recommendations are made from the sub-themes of the study. These sub-themes emerged from the response of the participants.

6.3.1.1 Conclusions

From the findings of the study, the following conclusions have been reached and recommendations made thereafter:
6.3.1.1.1 Sub-theme: Poverty

The study has revealed that poverty is one cause of property grabbing. It is also a circumstantial and motivational characteristic of the perpetrators of property grabbing. Extended families depend on someone as the provider and when he dies they risk losing important resources and they resort to depriving the widows of property to provide for their own social security. Supporting these findings of the study, is Deere (2001) who writes that widespread poverty has impacted negatively family relations usually resulting into violence, one of which is property grabbing.

6.3.1.1.1 Recommendations

From the findings of the study, the following recommendations are made:

- It is recommended that communities be provided with necessary expertise for community development project that will enable them to generate income for their basic needs. This may help in reducing poverty which is one reason why property grabbing is rampant among members of the extended families.

- There is need for non-government organizations (NGOs) to help people with income generating projects in places where government agencies cannot reach. This will reflect a concerted effort of the government and the NGOs to bring down the levels of poverty which has adverse consequences for the widows.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

- For the laws and policies affecting women in Zimbabwe, it is recommended that: The laws and policies that affect women should make it mandatory to have income generation projects for the poor in Zimbabwe.
• The laws and developmental policies should introduce income generating projects targeted at women so as to make them less dependent on men and be able to fend for themselves should property be grabbed from them. Feminists have long argued that there is a need to socialize women to more independent by changing school textbooks and promoting mass media campaigns (Randall 2003).

b) Recommendations for Social Work

Poverty is one community impediment that social work tries to fight. It is recommended that social work:

• Introduce special developmental and income generating projects aimed at benefiting disadvantaged communities. When implementation of such projects have been successful, a large number of people will be better off therefore reducing poverty; a contributing factor to property grabbing. In these projects, social workers should encourage participation of the beneficiaries so that they acquire the skills to be used in their every day lives for survival.

c) Recommendations for further Research

It is important that further research is done. This research needs to be done:

• In urban type of an environment to determine the causes of property grabbing since this research was done in a rural areas. This will help to give a clear picture of the causes of property grabbing in different settings.
6.3.1.1.2 Sub-theme: Greed

The study has found out that greed is one characteristic of perpetrators. The perpetrators have their own property but still want more by depriving the widows and orphaned children of their inheritance rights. In all cases, women owned at least basic items and goods for survival before the death of their husbands. The deaths of their husbands spelt doom and introduced poverty as the property was grabbed. The economic value of the property is a major factor. Greedy in-laws want to sell property to get money. When analyzing the causes of property grabbing in Zambia, Mwale (2006:4) agrees that greed is a driving force for people to grab property from the widows when he writes:

\[ B \text{ut it is not only the poor members of the society who use this excuse (poverty). It is also those who are “well-to-do”, but who let greed drive them on at the expense of others.} \]

6.3.1.1.2.1 Recommendations

It is recommended that:

- Greed among community members must be monitored by committees selected to protect women in the communities against property grabbing. Where in-laws become greedy to an extent that they strip widows of property, they should them be brought before a community court.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

As far as the laws and polices affecting women in Zimbabwe are concerned, it is recommended that:

- Laws and policies must make greed leading to property grabbing a punishable offence resulting in sentencing of perpetrators. The sentences must be long enough leading to
deterrence to potential offenders.

b) Recommendations for Social Work

Since the study has established that greed is a factor leading to property grabbing, social work should:

- Mobilize women to lead campaigns against greedy relatives of the husbands who strip property from the widows. The greedy relatives may learn from the campaigns also that it is illegal to grab property.

c) Recommendations for further Research

Since the study has managed to establish that greed is one factor leading to property grabbing. It is recommended that:

- Further research be done to determine motivational factors for greediness among extended families. This also creates space for understanding the dynamics involved. When these factors are determined, then it is easy to transform this knowledge into preventative programmes.

6.3.1.1.3 Sub-theme: Culture

Culture has been found to be a major cause of property grabbing in the study. The customs and traditions of the Tonga people allow kinship members to share the property of the deceased person as the study has revealed. Although Izumi (2006), Strickland (2004) and COHRE (2003) agree on the conclusions drawn from the study, Mwale (2006) argues that this act is cultural abuse in order to take advantage of prevailing economic conditions.
6.3.1.3.1 Recommendations

Due to the fact that culture has been shown to be a major factor leading to property grabbing, it is recommended that:

- Cultures that oppress people need to be abolished. Culture should protect people and not cause harm. Since property inheritance culture has been working at the widows’ disadvantage, there is need for these customs to be abolished.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

In Zimbabwe, inheritance laws are available but property grabbing continues to be a problem. It is recommended that:

- The laws and policies must make it a criminal offence to grab property claiming to be observing tradition.
- The law must abolish all traditions and cultural practices subjecting women and children to violence by other members of the society, especially members of the extended family.

b) Recommendations for Social Work

- For the profession of social work, it is recommended that social workers be trained to help implement the laws and help in the prevention of violence perpetuated by culture. Legal social work should be made a field of practice that social workers need to specialize.

c) Recommendations for further Research

Since the study has revealed consistent with available literature, it is recommended that:
Further research must be done to determine the types of cultural practices or methods used to dispossess widows of their property inheritance. This will enable particular cultural practices to be spelt out that need to be abolished.

6.3.2 Theme two: Views on laws and policies that deal with property grabbing.

In the discussion that follows, the conclusions and recommendations are made from the sub-themes of the study. The sub-themes emerged from the response of the participants in the study.

6.3.2.1 Conclusions

The study sought to find out the views of the focus group participants on laws and polices combating property grabbing. The conclusions are drawn according to the subthemes that emerged and these are discussed below.

6.3.2.1.1 Sub-theme: Implementation of laws and policies

The study has established that the policies and laws combating property grabbing are not being implemented. Implementation is worse in the remote areas where people are less literate. The policies are said to be ‘just papers’ in the offices which are not benefiting the women. COHRE (2003) supports these findings when it acknowledges the difficulty of implementing the laws protecting women against property grabbing in African countries. According to COHRE, implementation is difficult due to the constitutions which still have grey areas as far as property grabbing is concerned.

6.3.2.1.1.1 Recommendations

From the findings of the study, the following recommendations are made:

- There is need for proper monitoring of the implementation of the laws.
• Dissemination of information by the custodians of the laws to the consumers (widows) needs to be decentralized so that implementation can be done at local level.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws and policies affecting women in Zimbabwe, it is recommended that:

• Teams of people need to be trained at community level about property inheritance laws and these people then help solve property inheritance problems together with community leaders. This will create an opportunity to implement the laws and policies by the community people themselves.

b) Recommendations for Social Work

For the social workers, it is recommended that:

• Social workers be part of the teams will implement laws affecting women. This can also be done participating in training of women in self assertiveness.

c) Recommendations for further Research

As an integral part of the recommendations, further research needs to be done. It should be undertaken:

• To find out the proper and efficient way of monitoring of the implementation of the laws of property inheritance in the rural areas where the majority of the people are affected.
6.3.2.1.2 Sub-theme: Legal protection

In the study, it emerged that laws are enough and able to curtail property grabbing. The participants of the study indicated their satisfaction about the laws and policies’ ability to protect property grabbing from the women. However, it emerged as a fact that people in the remote areas are not aware of the laws protecting them against property grabbing. This again is an indicator of the problem of implementation of the laws. In an analysis of the structural causes of property grabbing in Zambia, Mwale (2006) alluded to the fact that ignorance of the Intestate Succession Act by the people was a major problem leading to the widely condemned act of property grabbing.

6.3.2.1.2.1 Recommendations

From the findings of the study, it is important to consider the following recommendations:

- Religious organizations which are widespread and available in most remote areas need to be capacitated to help women with property inheritance disputes. These organizations may offer advice to the people through their leadership on property inheritance laws. This will help implementation and information about the laws of succession to spread quickly and hence guarantee some degree of legal protection to the possible victims.

- It is important also to encourage the spirit of solidarity among community members deal in order to assist each other where property grabbing has taken place.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws and policies that protect women against property grabbing, the following recommendations are made:
There is need for the laws and policies that affect women to give legal authority and power to grassroots and widespread organizations such as the church to be able to deal with the problem of property grabbing.

A good referral system needs to be made such that between the local grassroots organizations, the local leadership and the custodian of law such as the magistrate and the lawyers.

b) Recommendations for Social Work

The findings of the study have indicated a big challenge for social work. It is recommended that:

- Since empowerment has long been a buzz word in social work literature and practice. It is recommended that social workers strengthen and empower people with the knowledge about their property rights and the legal protection guaranteed by the law, particularly women who always fall victims of property grabbing.

- Social workers can utilize the media such as radio stations, particularly community radio stations to educate people about the laws of succession. Also they can work together with Christian organizations to help make available legal protection for the victims in the remote areas.

c) Recommendations for further Research

From the findings of the current study, it has been found even though laws are available to protect the people, the people are not aware of the laws. It is therefore recommended that:

- Further research must be done to establish the factors leading to the huge time lag between enacting the laws of property grabbing and implementation in remote areas.
This may help in programming ways of implementation of enacted laws to benefit people in remote areas.

6.3.3 Theme three: Help offered to the widows with the property grabbing

The discussion that follows makes conclusions and recommendations drawn from the sub-themes that emerged from the study. These sub-themes emerged from the response of the participants.

6.3.3.1 Conclusions

The findings of the study have provided for the following conclusions and recommendations to be made:

6.3.3.1.1 Sub-theme: Education

The study has found out that education is one of the drawbacks that put women at a disadvantage of knowing their inheritance rights. Among the service providers, gender based non-governmental organizations are the most committed organizations to educate women and raise awareness of the inheritance laws in Zimbabwe. This was so with Ntengwe for Community Development Trust of the Binga district. The Global Coalition for Women and AIDS (2007) reinforces the findings of the study by maintaining the fact that national and international NGOs have better success in reaching rural populations in Africa and facilitate exchange of information and train leaders on current policy issues.

6.3.3.1.1 Recommendations

From the findings of the study, the following recommendations are therefore made:
• Education of people in general and women about their inheritance rights and laws of succession needs to be a responsibility of many role players and organizations than the gender-based non-governmental organizations. Other service providers from the government department and faith-based organizations need to be part of the education campaigns.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

Educating women about the laws and policies that affect them is very important. It is however important that these recommendations be made:

• The laws and policies that affect women must gain publicity in public media such as the radio and television stations. This will enable better coverage of transmission of information concerning the laws and policies.

• In rural and remote areas where radio and television coverage may not be possible, public and community meetings may be used to convey information to the public and women in particular about their inheritance rights. Public meetings provide a wider coverage platform to disseminate information in remote rural areas.

b) Recommendations for Social Work

Since social workers have a very important educational role in their practice where information is needed by their clients, it is recommended that:

• The educational role of social workers must be incorporated in their intervention programmes. There is great need to teach the women and girls about their property and inheritance rights. Also there is a great need to educate all members of the communities about property in inheritance rights if intervention is to be effective.
c) **Recommendations for further Research**

Further research is also seen as important for the findings of the current study. It is recommended that:

- Further research needs to be done to find out strategies other service providers can utilize to disseminate information to the women about property inheritance and the laws that help to curb the problem.

**6.3.3.1.2 Sub-theme: Advice**

Giving advice has been indicated by the study as one of the ways in which victims of property grabbing have been helped by social service providers. The study found out that main forms of advices that women get from the gender-based non-governmental organizations are means of getting back their grabbed property and the importance of writing wills.

These findings have been confirmed by Strickland (2004) and COHRE (2005) when they acknowledge the pertinent role played by non-governmental organizations offering paralegal advice to communities in Zambia. Non-governmental organizations have helped people to recover their grabbed property in Seke and Buhera districts of Zimbabwe (Izumi 2006).

**6.3.3.1.2.1 Recommendations**

From the findings of the study, advice is integral part of intervention that widows need when faced with the problem of property grabbing. From this point of departure, it is recommended that all social service providers be involved in providing advice to women and girls. When all social service providers are involved in providing advice, intervention reaches a greater scale.
a) **Recommendations for Laws and Policies affecting women in Zimbabwe**

For the laws and policies affecting women in Zimbabwe, it is important to recommend that:

- Advice about the laws and policies affecting women in Zimbabwe must be available to women, children and perpetrators at community level. This means that organizations working with the people at grassroots level need to have legal authority to provide such advice. This must be enhanced by working together with the traditional leaders.

b) **Recommendations for Social Work**

Social workers working in the communities occupy a strategic position to give advice to clients. It is therefore recommended that:

- Social workers must be part of the advice giving team. There is need for social workers to practice counselling on inheritance laws. This will help strengthen the knowledge base as a specialized area of practice.

c) **Recommendations for further Research**

For further research, it is recommended that:

- Further research must be done to determine how the other social institutions may be involved in giving advice to the women who experience property grabbing. These will involve the church and schools. These institutions play a pivotal role socialization process and harnessing their services may be of benefit to the communities to a great extent.
6.3.3.1.3 Sub-theme: Counselling

One form of help given to the widows and their families that also emerged from the study is counselling. The social worker and the police indicated that most of the time they do family counselling where all the concerned parties are brought together to solve the dispute. To confirm the importance of counselling given to the victims of property grabbing and their families, Women and Law in Southern Africa (2000) indicates that they also give counselling to the families involved in property inheritance disputes. For Saleeby (2002), counselling reaches for the strengths of individuals who always have expandable resources in their circumstances.

6.3.3.1.3.1 Recommendations

Based on the findings of the study, it is recommended that:

- Counselling must be considered to be part of the intervention process. This must be done by people knowledgeable about the property inheritance laws of Zimbabwe if it is to work for the victims of property grabbing.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

Due to the fact that counselling has been found to be important in the study, it is recommended that:

- Counselling that must be provided to the victims of property grabbing be sanctioned by the laws and polices stipulating how and by whom it must be provided.

b) Recommendations for Social Work

For social work, it is recommended that:
• They must take the lead in providing counselling services to victims of property grabbing.
• The social workers need to involving in formulating policies and laws that sanction how counselling to the victims of property grabbing.

c) Recommendations for further Research

The current research has found out that widows are helped through counselling to cope with the problems of property grabbing. However, further research should be done:

• To find out the capacity needs of the social service providers who also must be engaged in counselling victims of property grabbing and their families. This will ensure that they possess the necessary capacity to counsel the victims.

6.3.4 Theme four: Assistance needed by the widows after property grabbing

The study also sought the assistance needed by the widows after property grabbing. The discussion that follows makes conclusions and recommendations drawn from the sub-themes that emerged from the study. These sub-themes emerged from the response of the participants.

6.3.4.1 Conclusions

The findings of the study have provided for the following conclusions and recommendations to be made:

6.3.4.1.1 Sub-theme: Education

In the focus group discussions, the study found out that the widows need assistance in the form of information on inheritance laws. The participants indicated that education on property
inheritance will be a powerful form of empowerment for the widows. Rao Gupter (2000) indicated that information is a form of empowerment to the widows which confirms the findings of the study.

6.3.4.1.1.1 Recommendations

Education has been reiterated in the study to be a need for the widows. Due to these findings, it is recommended that:

- Education of women needs to be provided by the social service providers at community level where most of the affected women can be found. Education must not centre on inheritance laws but also on women and girls’ rights and gender equality.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

From the findings of the study, education is seen as important to women. It is therefore recommended that:

- The laws and policies affecting women in Zimbabwe need to spell out how education on marriage laws and inheritance laws must be disseminated to the beneficiaries who happen to be women and girls. As the study has shown, there is no method spelt out on how the beneficiaries, especially in the remote rural areas can access information.

b) Recommendations for Social Work

Social workers, as professionals that can help emancipate women, can play a great role. It is recommended that:
• Social workers need to train women to be teachers to other women about their rights in their communities. This will be directly a beneficial empowerment approach to women. More so, it will reflect the basic approach to empowerment when the victims of property grabbing are themselves involved in teaching other women in their communities.

c) Recommendations for further Research

Consistent with the findings of the study and using the empowerment approach, it is recommended that:

• Further research must be done to find out the approaches that can be used to empower other women and girls in the communities by engaging the victims of property grabbing in information dissemination.

6.3.4.1.2 Sub-theme: Legal recourse

From the findings of the study, it has evident that widows whose property has been grabbed need legal recourse. Legal recourse is needed to empower the victims to get back their property grabbed. Whilst legal recourse have found to be an empowerment need for women and a salient issue, Boone (2003) argues that enforcement of the existing laws is problematic in under resourced areas making reference to the Married Persons Equality Act of 1996 of Namibia which faces the same challenge.

6.3.4.1.2.1 Recommendations

From the findings of the study, it is clear that legal recourse is important to the victims of property grabbing. It is recommended therefore that:
• Legal intervention be available to the widows in their local areas not only in cities were it is not accessible. Traditional leaders need to intensify their roles as providers of legal advice.

• There is need to involve non-governmental and church organizations in providing legal advice.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws and policies affecting women in Zimbabwe, the following recommendations are made:

• There is need to intensify punitive measures so that other potential property grabbers can be deterred.

• Paralegal services need to be available in the remote areas because most of legal advice can be accessed in towns.

b) Recommendations for Social Work

For social work, it is recommended that:

• Social workers need to be involved in providing legal advice concerning property inheritance to the victims of property grabbing. They need also to work together with the local leadership in programming activities that can enhance the provision of legal advice to the victims through victim empowerment specifically for those who lost property to in-laws.

c) Recommendations for further Research

Further research is pertinent when it comes to legal advice. It is recommended that:
Further research needs to be done to find out how legal may be made available to people in remote rural areas where most of the victims are found. This will enable strategies to provide legal recourse to rural women to be well planned and programmed.

6.3.4.1.3 Sub-theme: Counselling

From the participants of the study, it has been found that the widows need counselling. The widows are in need of psychological counselling to deal with their emotional and psychological wellbeing. Furthermore, it has been found that widows need spiritual counselling. From the findings of the study, counselling can be provided by professionals, peers and traditional leaders. To affirm the findings of the study, Saleebay (2002) confirms that spiritual and psychological counselling is empowering to the clients.

6.3.4.1.3.1 Recommendations

Consistent with the empowerment approach which is pertinent to this study, it is recommended that:

- Local available sources of counselling services be utilized to benefit women who fall victims of property grabbing. Where local counselling services are not available, there is need to identify people from the community who will receive training in order to render counselling to provide counselling services to women.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the policies and laws affecting women in Zimbabwe, it is recommended that:

- Counselling that must be provided to the victims of property grabbing must be made to be legal rights of the victims which need to be provided where victims have come for help.
b) Recommendations for Social Work

From the findings of the study, the social workers have a huge and fundamental function to be executed. It is recommended that:

- Social workers lead in providing the counselling services so highly needed by the victims of property grabbing.
- Social workers manage the training process of the counselors of property inheritance issues in the communities.

c) Recommendations for further Research

Further research is of great importance as far as the results of the study are concerned. For further research, it is recommended that:

- Further research must be done to determine useful counselling models that can suite intervention to be provided to victims of property grabbing. This will enable counselling services to be provided in an effective manner.

6.3.4.1.4 Sub-theme: Networking

The study has found out that women need to be networked and linked to other agencies for more specialized and focused intervention. It has been shown in the study other organizations may provide comprehensive interventions in property inheritance disputes. Organizations such as Musasa Project and Women and Law in Southern Africa have been indicated to be some of the agencies that can provide help. Rankin (2006:18) confirms that networks for the clients are important and writes:
‘The strength of alliances is to be found in the establishing and improving of relationships and in mutual understandings between role-players in order to form a network of relationships which will empower the client systems’.

6.3.4.1 Recommendations

From the findings of the current study, it is recommended that:

- Alliances for the widows experiencing property grabbing need to be determined so that women can seek specialized intervention from the networks that can be established. There is need to choose the networks that can be effective for dealing with property inheritance problems of women.

a) Recommendations for Laws and Policies affecting women in Zimbabwe

For the laws and polices affecting women in Zimbabwe, it is recommended that:

- The laws and policies legal recognize the alliances so that they have legal protection. Networks for women are usually at the centre of controversy from the society and legal protection need to be guaranteed.

b) Recommendations for Social Work

Social workers have a great role to play in networking their clients. In networking women whose property has been grabbed, it is recommended that:

- Social workers assist also in forming natural support networks where women will be networked with friends and families neighbours. This will assist in trying to form a sustained helping process.
• Social workers need to be instrumental in assisting women in networking them to the case management alliances such as other social services providers for specialized intervention.

c) Recommendations for further Research

Further research is important if interventions need to be structured in a way that is current and responsive to the needs of the clients. For further research, it is recommended that:

• Research needs to be done to determine how natural support networks can be utilized to create a natural and sustained support network system for the victims of property grabbing. This is concordant with the empowerment approach where the environment around the helpee is used to find a solution to the problems.

This chapter has discussed at length the conclusions drawn from the findings of the study and the recommendations that have been made. The conclusions have been drawn according to the themes and sub-themes that emerged and are pertinent to this study. Also the recommendations have been made in a similar way to give space for critical thoughts, better service delivery from the field of social work as well as to enable further research to establish new facts in the future.
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ANNEXURES

ANNEXURE A

Consent form

Thank you for agreeing to take part in this study. Before we start, I would like to emphasize that:

- Your participation is entirely voluntary;
- Some questions may be emotionally trying;
- You are free not to answer any question;
- You are free to withdraw if need arises and
- A tape recorder will be used to capture the information shared.

Consistent with the requirements of research, the information given will be kept confidential since no personal details, contact and physical addresses will be required.

As a requirement from the University Research Committee and to show that I have read the contents to you and you have understood, may you sign this consent form.

______________________________ (Signature)

______________________________ (Date)
<table>
<thead>
<tr>
<th>THEME</th>
<th>QUESTIONS</th>
<th>PROMPTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PERSONAL DETAILS</td>
<td>1. Can you please tell me about yourself?</td>
<td>- Age;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Where she comes from;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Number of children;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Sex of children;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Whom she stays with now.</td>
</tr>
<tr>
<td></td>
<td>2. Did you manage to attend school?</td>
<td>- If YES, -level of education;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- If NO, -The reasons for not attending school.</td>
</tr>
<tr>
<td>PROPERTY INHERITANCE</td>
<td>3. Which type of marriage where you in?</td>
<td>-Customary</td>
</tr>
<tr>
<td>EXPERIENCES OF THE WIDOWS</td>
<td></td>
<td>- number of wives the husband had;</td>
</tr>
<tr>
<td></td>
<td>4. May you please tell me about your husband’s death?</td>
<td>-Civil marriage.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>-How he died;</td>
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<td></td>
<td>5. Please tell me, what were your experiences after the death and funeral of your husband?</td>
<td>-When he died;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>-Reaction of husband’s relatives towards the widow.</td>
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<tr>
<td>Question</td>
<td>Options</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>6. Did you have any kind of property and any other amenities with your husband?</td>
<td>- Land; - House; - Furniture; - Domestic animals; - Money.</td>
<td></td>
</tr>
<tr>
<td>7. Did your husband write a will before he died?</td>
<td>If YES, - Influence of relatives on will writing; - Where it was kept; - Major beneficiary; - Respect given to the will. If NO, ask question number 8.</td>
<td></td>
</tr>
<tr>
<td>8. How was property appropriated?</td>
<td>- Traditional rituals; - Person responsible for appropriating property.</td>
<td></td>
</tr>
<tr>
<td>9. In your view, how do you think property should have been appropriated?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. How do you feel right now?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Having gone through this sad experience, whom did you approach for help in your community about your problem?</td>
<td>- Own family members; - Friends; - Neighbours</td>
<td></td>
</tr>
<tr>
<td>12. In your community social structures, whom did you approach</td>
<td>- Village head - Church leaders</td>
<td></td>
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<tr>
<td>Question</td>
<td>Answer</td>
<td></td>
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<tr>
<td>-------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>13. How can you describe the role they played in intervening in your situation?</td>
<td></td>
<td></td>
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<tr>
<td>14. Whom did you approach for professional intervention?</td>
<td>Police; Magistrate; Lawyer; Social worker</td>
<td></td>
</tr>
<tr>
<td>15. Can you please explain to me how you felt about the professional intervention offered to you?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16. Where you aware of the existence of the legal provisions in Zimbabwe when it comes to property stripping?</td>
<td>Intestate Succession Law.</td>
<td></td>
</tr>
<tr>
<td>17. What kind of support do you think you need in order to cope well with the problem you encountered?</td>
<td>Economic; Social; Health; Psychological; Education</td>
<td></td>
</tr>
<tr>
<td>18. Having gone through this ordeal, how do you feel now?</td>
<td></td>
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</tr>
</tbody>
</table>
We have come to the end of our interview. Thank you very much for having time to participate in this study.

ANNEXURE C

FOCUS GROUP INTERVIEW SCHEDULE
(Chief, police, magistrate, gender-based NGOs and Social worker)

<table>
<thead>
<tr>
<th>THEME</th>
<th>QUESTIONS</th>
<th>PROMPTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAUSES OF PROPERTY GRABBING</td>
<td>1. In your experience as a social service provider to the widows, what have been the causes of property grabbing?</td>
<td>-Culture</td>
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<td>-Greediness</td>
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<td>-Poverty</td>
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<tr>
<td>EXISTING LEGAL POLICIES DEALING</td>
<td>2. What is your view of the existing legal policies and laws that deal with the problem of property grabbing from the widows?</td>
<td>-Legal protection</td>
</tr>
<tr>
<td>WITH PROPERTY GRABBING</td>
<td></td>
<td>-Implementation of laws and policies</td>
</tr>
<tr>
<td>HELP OFFERED TO VICTIMS OF PROPERTY</td>
<td>3. What kind of help do you offer to the widows with the problems of property inheritance?</td>
<td>- Advice</td>
</tr>
<tr>
<td>GRABBING</td>
<td></td>
<td>- Education</td>
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<tr>
<td></td>
<td></td>
<td>- Counselling</td>
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<tr>
<td>WHAT CAN BE DONE TO ASSIST WIDOWS</td>
<td>4. What do you think can be done in order to assist the widows to cope and meet their needs after property has been grabbed?</td>
<td>-Counselling</td>
</tr>
<tr>
<td>COPE WITH PROPERTY GRABBING</td>
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<td>-legal recourse</td>
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<td>- Education</td>
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<td>- Networking</td>
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We have come to the end of our interview. Thank you very much for having time to participate in this study and share with me your practice experience.

ANNEXURED

INTERVIEW TRANSCRIPTS

PHASE ONE (INDIVIDUAL INTERVIEWS WITH THE WIDOWS)

PERSONAL DETAILS

Researcher: Can you please tell me about yourself?

Nomia: I am Nomia Mumpande. I come from the Training Centre. I am 32 years old with two children, a boy and a girl. I live with them now.

Nomai: I am Nomai Munkuli. I am 35 years old. I come from Damba, an area in Sikalenge ward. I have got 3 children. 2 of my children are girls and 1 is a boy and I stay with them now.

Mary: I am Mary Munsaka. I am 39 years old and I come from Chilila Donga. I have 3 children and all are girls. I stay with my sister and my children.

Julia: I am Julia and I am 39 years old. I come from Damba (-) (…) (child cries). I have 4 children who are all boys I stay with my children right now.

Otilia: I am Otilia Mumpande. I am 32 years old and come from Chilila area. I have 3 children a boy and 2 girls. I stay with my mother and my children.

Sophia: I am Sophia Mudenda aged 30. I am from Musenampongo area of Sikalenge ward. I have 2 children who are all girls. I stay with them.
Nancy: My name is Nancy. I am 40 years old and I come from Kwekwe but now I am staying here in Binga. I have 5 children, 2 girls and 3 boys and stay with them right now.

Chipo: My name is Chipo Muleya. I am 32 years old and I come from Damba area in Sikalenge ward. I have 1 child who is a girl. I stay with my young sisters and my child.

Braitha: My name is Braitha and I am 38 years old. I come from Tinde, an area in Binga and now I stay at Binga Centre. I have one child who is a girl whom I stay with right now.

Zamani: Zamani Muleya is my name. I am 42 years old. I come from Nsenga community in Sikalenge ward of Binga. I have 7 children, 5 are girls and 2 are boys. I stay with my children now.

Researcher: Did you manage to attend school?
Nomia: I got a little education. I attended school up to form 2 and my parents had no money for me to continue with my education.

Nomai: I got education up to grade 7 only because my parents had no money for furthering my education.

Mary: I did not get enough education because of financial problems. I attended school up to grade 5.

Julia: I managed to attend school up to grade seven.

Otilia: I managed to attend school up to grade seven and did not go further.

Sophia: I went to school up to form 2 and had no money to continue with my
studies.

**Nancy:** Yes I did, up to form 4 (Ordinary level).

**Chipo:** I managed to attend school up to Ordinary level (form 4) but I did not pass well.

**Braitha:** Yes, I did, up to Ordinary level (form 4).

**Zamani:** I got minimal education. I got education up to standard six, a long time ago when we used ‘standards’ for our education. I did not continue with my education because my parents had no money to pay for my education.

**PROPERTY INHERITANCE EXPERIENCES OF THE WIDOWS**

*Researcher: Which type of marriage where you in?*

**Nomia:** I was married customarily but I was the only wife to my husband.

**Nomai:** I was in customary marriage. However, my husband had only one wife (herself)

**Mary:** I was customarily married. However, I was not in a polygamous marriage.

**Julia:** I was in customary marriage but I was the only wife to him.

**Otilia:** I was in customary marriage. My husband had 4 wives. As time went on, two of us remained married and the other two were divorced.

**Sophia:** I was in customary marriage and the only wife to my husband.

**Nancy:** I was in civil marriage.
Chipo: I was customarily married and his (husband) only wife after he divorced his first wife.


Zamani: I was in a polygamous customary marriage. My husband had three wives.

Researcher: May you please tell me about your husband’s death?

Nomia: My husband was ill for two days only and then he died. He died in the year 2003.

Nomai: My husband was ill for quite a long time before he died. He died in the year 2001.

Mary: Ha-a-a-a!, it’s difficult to explain how he died. He was transferred at work from Binga to Bulawayo and he got ill there. He was then taken to his parents’ rural home whilst I was in Binga Centre. I was just phoned about it. His relatives called me to come and his sister gave me some money to board the bus. When I went there he was already buried. So it’s hard to explain how he died. He died on the 18th of June 2000.

Julia: My husband died from sugar diabetes and he died in August in the year 2005.

Otilia: My husband got ill for one month and then died. He died on the 11th of May 2003

Sophia: He was ill for one day only, Friday and on Saturday he was dead. He died on the 10th of August 2003

Nancy: My husband died in a road accident in May 2002.

Chipo: My husband died after getting ill for five months. He died on the 28th of March 1999

Braitha: I can’t really tell how it happened even today. My husband worked in
Chicago in the United States of America. He would come to Zimbabwe to see us. He grew up in America and was schooled in America. His parents were missionaries in America. One year he visited Zimbabwe and went back to America. In a period of two months, I got the message that he was admitted at a hospital for 2 weeks. His relatives in Zimbabwe told him to come to Zimbabwe for treatment which he never got because it was in remote rural areas. This happened without my knowledge because I lived in town and I had no knowledge of his whereabouts. He then died there.

They did not tell me about it until I had to find out myself because I was wondering why he could not call me anymore as he used to call on a daily basis. After calling the people at the house he used to stay, I was shocked to be told that they had buried him 2 days ago. This was in September in the year 2000.

Zamani: My husband suffered from the illness we do not know well. He then died on the 5th of August 2006.

Researcher: Please tell me, what where your experiences after the death and funeral of your husband?

Nomia: When my husband died, there was no money left. His relatives did nothing to help me. The children needed food, clothing and school fees.

Nomai: When my husband died, his parents never gave me anything that was left behind. I asked for his death certificate but I never got it because they said that he was not my son.

Mary: When I met my husband’s family after his death, nothing was said about what the children could get. They shared everything the way they wanted and the children got nothing. Even today, they have totally forgotten about the children.
**Julia:** When he died, I left the home we had built and rejoined my family. His relatives sold all the cattle. I tried to complain about it because he had written down on a small paper that the property belonged to the children. He had also stated that his parents got their shares before he died so that was no reason for them to interfere anymore. When the parents heard about it, they refused that that does not work. We tried to settle the issue with the elders but it did not work.

From all the money they got from selling the cattle, they (husband’s parents) bought 30 kg of mealie-meal and gave it to my children and that was all.

**Otilia:** A-a-a-a!, Immediately after his death and whilst I was still mourning his death, they (relatives of the husband) demanded household items that we had BEFORE HE WAS EVEN BURIED. He was buried on Sunday and on Tuesday, they wanted the cow which I bought myself from the money I got from growing cotton. My husband owned only goats and donkeys from his own money. This created a lot of problems. Elders from my husband’s side decided that the cow must be slaughtered for everybody to eat at the funeral to eat as per tradition. I told then to read the letter which he wrote before he died, one of which was kept by his sister and the other one was kept by me. Both letters emphasized that everything belonged to me and the children and nobody should take anything. They (husband’s parents) told me that they will not follow what was written. I tried to convince them that the cow belonged to me and I bought it with my own money because when my husband died he was not working. This issue went as far as Chief Sikalenge for intervention. The land, the donkeys and the cattle were taken away from me and I had to leave and rejoin my family.

**Sophia:** When my husband died, they (relatives of the husband) grabbed ALL the property and ordered me to leave the home. This caused a big problem because I am an orphan, my parents had died a long time ago. I had
nowhere to go with my very young children. I tried to find a place to stay at one of my relatives’ home but could not allow me to stay. The main reason my husband’s relatives ordered me to leave is that one of them wanted to marry me (through levirate marriage) and I refused.

Nancy: I faced many problems from my husband’s relatives. Everybody wanted to benefit. They grabbed everything which was at home which we had built with my husband. Personally I knew that property belonged to the children. The property which was in town could not be grabbed because I lived in the police cottage. Also to get pension funds for my husband took some ages.

Chipo: When my husband died, his parents did not like me because before we got married, my husband was married to his niece and they wanted him to marry her. When they divorced and we got married, they were not happy. Due to this problem, when he died they never did the traditional cleansing of the widow so that I can be free like anybody. In addition to that, they never demanded anything from his property not because they saw it fit for me to benefit but they did it in protest and wanted to fix me.

Braitha: Well, I did not attend the funeral, but I went there with my mother to shake hands with them, a cultural way of paying condolences. When we arrived, his parents left us seated and went into the garden. After that we just went back home. I do not know how the funeral was done, or anything about it.

The relatives of my husband were running away from me all the time because of what happened after the death of my husband. They did not want me to claim the house and property we owned; even today they still run away from me.

Zamani: My husband’s mother wanted all the cattle. Other relatives wanted all his clothes soon after his death.
Researcher: Did you have any kind of property and amenities with your husband?

Nomia: We had goats, a plough and furniture.

Nomai: We only had property for use in our home, money from National Social Security Authority (NSSA) and a field for growing crops.

Mary: I know only a few things which we used when we were together. As for other things, I did not know what belonged to him exactly and what did not belong to him. We used to go to his home area occasionally.

Julia: We had 3 cattle, 1 bull and 2 cows. We also had household utensils and a field where we grew food.

Otilia: We had land, a cow and a plough which were all taken away. The rural home which we had built was destroyed. As far as money is concerned, we had NSSA funds which I failed to claim.

Sophia: We had 2 beds and they took one, three cows which were all taken as well. We had land which they wanted to take away until the village head had to intervene. I still have it right now.

Nancy: Like people who had a home, we had a lot of things like scotch carts, goats, cattle, goats, land, furniture and he had 3 bank accounts. I managed to get all the money since all the accounts were joint accounts.

Chipo: I do not know exactly the property we had because some of the property we had were kept by his brother, for example the cattle. We had a house which we built whilst they were protesting. We also had little money as well since he was no longer working.

Braitha: In Zimbabwe, we had built a house. We had a plot in Marondera and a car
which I was given as wedding present. We had also some other property in
the house like furniture and many other things.

In America, we had property also. We had two cars, computers, furniture
and many other things.

Zamani: We had cattle and a house in Binga town which I live in now. We had also
household items

Researcher: Did your husband write a will before he died?
Nomia: He had not written any will.
Nomai: He had not written any will.
Mary: He did not write a will.
Julia: Yes, he did. He wrote it on his own and there was no influence from other
people. The will was kept in the house. The first born in the family was the
major beneficiary in the will. However, it was surprising that his relatives
never respected the will and did not even read it.

Otilia: Yes, he had written the will which he wrote and signed alone. The other
copy was given to his sister whilst he kept the other one. He did not know
where to keep the will safely. I came to know about the will when he sent
me to give his sister a copy of it.

In the will, he had specified that each wife should get the property that was
in his house. It is unfortunate that the relatives did not respect the will.

Sophia: He had not written any will.
Nancy: Yes, he had written a will. I saw it after his death because it was kept by the police. His relatives had no influence in will writing. He had also kept a copy of it in the form of diary notes as if he knew he would die soon. The diary notes were written like a letter to his father stating how property should be appropriated. The diary was kept in the suitcase. In the will he did not specify who should benefit most, but he specified that the mother (wife) and the children should be together and use the property.

At first, the relatives disbelieved that he wrote the will without my influence, they thought I had forced him to write that way. They believed after the police told them about it. Also I was saved by one of his relatives who is a lawyer.

Chipo: He did not write any will.

Braitha: No, he did not write a will.

Zamani: He did not leave a written will but had verbalized it stating how he wanted property to be appropriated.

Researcher: How was property appropriated?

Nomia: No property was appropriated. When I came here (Binga), they (husband’s relatives) wrote letters telling me that all the goats had died. I got ANGRY AND NEVER WENT THERE AGAIN.

Nomai: We waited for the traditional cleansing ceremony to pass on which I was not told to attend. I went there myself to get some things I was entitled to but his parents did not allow me. They said that he was not my son. They further said that it was their son who worked for the property. They questioned me why I wanted property as if I worked for it. I then asked for his death certificate in order to claim NSSA funds. I did not get it even
today I did not benefit from NSSA because of that.

**Mary:** His clothes were shared among his children from other wives, whom he divorced. I and my children got nothing. The person responsible for appropriating a few things which he had was his sister.

**Julia:** Property was not shared. They took everything and did not consider giving anything to me and my children.

**Otilia:** The property was shared according to the Tonga tradition, but they took it to the extreme that they left us his wives with nothing. The eldest son in my husband’s family was responsible for appropriating the property though we (wives) were not considered.

**Sophia:** Property was not even shared. They GRABBED EVERYTHING and we remained with nothing. My mother in-law was responsible for the whole process of grabbing property.

**Chipo:** Property was not shared. They left everything for me in protest.

**Braitha:** They just took everything. The reason why they took the house was that, when we built the house in Marondera, the stand belonged to his sister. She had given it to us to build and we would change names at a later stage because the city council takes some time to process the changes that take place when the stands are sold.

The cars came to Zimbabwe in his sister’s name. This makes me suspect that they know something about my husband’s death. They grabbed everything and I got nothing, including my own clothing up to today. I came back home with one dress and sleepers.
Zamani: Property was shared among us his wives and the children were also given their share. His mother also benefited. We (wives) were responsible for appropriating property.

Researcher: In your view, how do you think property should have been appropriated?

Nomia: I was supposed to have a share together with the children because these children are their relatives as well.

Nomai: Like somebody with three children with my late husband, I was supposed to benefit most. His mother was supposed to get a share as well.

Mary: Property should have been shared evenly among all his children even from other wives which he divorced.

Julia: As he (late husband) had written that property belonged to his children, it was supposed to be shared in that manner. Now they sold all the cattle forgetting his children. I am against with that. Otherwise his idea of giving property to his children was fine.

Otilia: Property was supposed to be shared among the wives so that children could benefit as well.

Sophia: It would have been better if I would be given at least one cow and even if they take the others it would have been better than leaving me with nothing.

Braitha: We should have shared. They should have given me a house if we are to be humane and perhaps follow the inheritance laws in Zimbabwe. I say this because I was legally married. His relatives could have left the house and the car for me and definitely if they have everything for my ownership, I would have shared with them.
Zamani: In my view, the way we shared the property was fair because nobody complained afterwards.

Researcher: How do you feel right now?
Nomia: It PAINS, (…) EVEN TODAY IT PAINS ME.

Nomai: It still pains me because I am finding difficulties in caring for the children yet I could get something from the property left when my husband died.

Mary It PAINS ME.

Julia: I managed to cope with what happened and I no longer mind much about it.

Otilia: I feel better now because it is now history.

Sophia: It pains me VERY MUCH.

Nancy: As of now, I have overcome the problem as I am now to support my children and to send them to school. The money and property which was in town will help me to send my children to school.

Chipo: I do not feel comfortable about it since they left everything for me under protest.

Braitha: I can’t describe the feeling very well, but it’s getting better because some years have passed by now. I would say finally during that time, I WAS CRYING BLOOD INSTEAD OF TEARS (emphasized with hands gestures and frowning).

Zamani: As far as property inheritance is concerned, everything is fine. The only
thing that bothers me is thing about my husband’s death and taking care of my children, for example paying for their education is now very expensive for me to manage.

**INTERVENTION NETWORKS**

(a) **INFORMAL INTERVENTION NETWORKS**

**Researcher:** Having gone through this sad experience, whom did you approach for help in your community about your problem?

**Nomia:** I did not ask for any help because there were no relatives of mine where I was married.

**Nomai:** I tried to find help from his uncles who showed understanding, but his mother did not tolerate anything I was asking for. She was not happy when I asked for his death certificate. She questioned on how I could enjoy (according to the late’s mother) spending money from somebody already dead. She said ‘So you enjoy money for the dead’.

My relatives advised to go and report the matter to the authorities but I had no knowledge on how to go about it so I did not do it.

**Mary:** I did not ask for help from any body.

**Julia:** I did not approach anybody for help.

**Otilia:** My family members comforted me and also encouraged me to be strong and fend for my children.

**Sophia:** I just tried to get help from my neighbours who were also unable to assist me because they had no knowledge on how to intervene. I also tried to get
help from my relative in the form of a place to stay but when he refused, I stopped.

Nancy: In my family, my sisters were always with me and assisting me. The church members were also supportive and managed to intervene, for example, they helped in paying school fees for my children. The community members from Binga Centre also helped me.

Chipo: I did not get help from anybody. My parents actually warned me to keep quiet about it.

Braitha: I had a relative who was a magistrate who tried to solve the issue but she failed because of the amount of money which was needed to pay the lawyer. The money was supposed to be in foreign currency, in United States dollars to be more specific because the issue was handled in United States. Moreover, his sister was also a lawyer in Chicago so I gave up.

My mother assisted me and comforted me. She also warned me not to follow up the issue anymore because I may be bewitched because she also believes in witchcraft. She suggested that I should look for a job and start afresh.

My friends also comforted me and at times encouraged me to challenge the issue. Then I always explain to them how complicated the issue is.

Zamani: I never approached anybody. We are just struggling with my children for survival.

Researcher: How can you describe the role they played in intervening in your situation?

Nomai: Their role did not get me anywhere. At times my relatives lay the blame on
me and call me FOOL. This PAINS ME A LOT.

Otilia: The help they offered me was more of an encouragement to me. They told me not to just sit and cry because of the situation I was in but to work hard and be able to fend for myself and my children.

Nancy: Their intervention helped a lot, for example the church members paid school fees for my children and they also provided food. I really had difficult times in thinking about the grabbed property and at the same time thinking about the death of my husband. The role was wonderful and saved my life with my children.

Researcher: Whom did you approach for community-based legal intervention?

Nomai: I did not ask for help because I did not know that help could be provided in our community.

Mary: I did not ask for any help.

Julia: I approached the Chief who told us to go back talk about it. The Church leaders and the village head also emphasized that the property belonged to me and the children. It is unfortunate that they had already sold the cattle and I could not do anything.

Otilia: I approached the Chief who tried to solve the problem. Unfortunately, they persisted until I gave up in everything.

Sophia: I got help from the village head to get back the land.

Nancy: I was helped by the church leaders.

Chipo: Nobody. I never went that far.
Braitha: My Pastor who has now moved to Australia was surprised about the issue and tried his best to intervene but we could not get hold of them. They moved from one place to another.

Zamani: We just approached the village head to write a letter that acknowledged the death of my husband for processing of the death certificate.

(b) FORMAL INTERVENTION NETWORKS

Researcher: Whom did you approach for professional legal intervention?

Nomia: I did not ask for any help, neither did I ask for any help from the kraal heads nor from legal practitioners.

Nomai: I did not approach anybody.

Mary: I never approached anybody for legal intervention

Julia: I did not approach anybody for professional help because I was afraid that if I persist, I will be BEWITCHED.

Otilia: I did not approach anybody for professional legal intervention.

Sophia: I did not approach anybody for professional legal intervention. This is because I was overwhelmed by the problem and could not think of any help of that kind.

Nancy: The police helped me a lot and the lawyer who was also one of the relatives of my husband. I went to the High Court in Bulawayo because I was in civil marriage. Other Non-governmental Organizations (NGOs) like Ntengwe for Community Development Trust also helped me by advising
me on what to do.

Chipo: Nobody, I am just quiet about it.

Braitha: I failed to get legal intervention because it involved foreign currency.

Zamani: We approached the police and the magistrate who advised us on how to share the property.

Researcher: Can you please explain to me how you felt about the legal intervention offered to you?

Nancy: Legal practitioners helped me a lot because I had given up until they encouraged and told me what to do. Also they encouraged me to work together with the relatives of my husband since children were still very young and they are relatives to the relatives of my husband. The police helped me evenduring the time I went to the High Court because the Court needed the police and one of them worked with me.

At the government offices especially at the High Court, they delay a lot in processing the necessary documents and opening files. Even if you bring all the requirements for processing the documents, they still delay and they do not take into consideration the transport costs, food and accommodation. Also their tendency of giving people the forms to fill without anybody attending you irritates a lot because you will not be having any idea of what to write about. This letter will enable you to obtain a letter of authority which in my case I had given up before I got it after two years. They called me to come (at High Court) only to be told that they could not see my file. This happened several times. At times you could be told that the Master of High Court is not in and this is not fair for people who board buses. Transport costs are too exorbitant. This makes people give up because the money wasted could be used to feed the children.
WHAT THEY TELL US IS DIFFERENT FORM WHAT YOU WILL FIND AT THEIR FRONT OFFICE. WHAT THEY SAY IS AS EASY AS ABC YET WHEN YOU GO TO THEIR FRONT OFFICE YOU FIND A DIFFERENT THING. WHAT THEY TELL US DOES NOT EXIST IN REALITY!! (adds more emphasis by clapping hands).

Zamani: I think the intervention offered was very helpful to us because things went well without any complaint from anybody.

Researcher: Were you aware of the legal provisions in Zimbabwe when it comes to property stripping?

Nomia: I had no knowledge about the legal provisions of Zimbabwe which concerns property stripping and Intestate Succession.

Nomai: No-o-o-o, I was not aware of it and had no knowledge about it.

Mary: I was not aware of the legal provisions and I had no knowledge about the Intestate Succession Law.

Julia: Yes, I was aware of the legal provisions since my husband used to tell me about it. He warned me that if he died, I should not allow anybody to take the property because it belongs to the me and the children.

Otilia: Of course I had knowledge because my husband had taught me about it and he emphasized that I should not fear anything. He told me that I should challenge them and never allow them to take property. The problem is that my parents told me to leave everything for them.

Sophia: No, I was not aware of it.

Nancy: I was aware but did not know it very well. At times when you have encountered the problem, you will tell yourself that it is for those whose husbands have died. When in actual fact all of us should know about it.
Chipo: No, I was not aware of it.

Braitha: No, I was not aware of it. I did not even know my rights when it comes to property. I did not even know that I have a right to get his death certificate in order to be able to get other services since most of my documents were changed to his surname until service providers told me about my rights.

Zamani: We had no knowledge about it. The Chief Executive Officer of the Binga Rural District Council helped a lot when he alerted my children of the need to seek help from the magistrate.

EMPOWERMENT NEEDS OF THE WIDOWS

Researcher: What kind of support do you think you need in order to cope well with the problems you encountered?

Nomia: I need help especially financial support in order to pay for my children’s education. Nonetheless, I also help myself by working so that I can get money for food and for paying for my children’s education. I want them to acquire more education than me.

Socially, well, I socialize and interact well with people. I have no problems.

My health is fine, I have no serious health problems except for asthma which attacks me occasionally.

The form of empowerment I need most is psychological. I need help from people with expertise so that I can have minimal psychological pain.

Educationally, I need help because nowadays one can not have a prosperous life without education. I want to learn cutting and designing so that I can use
my own hands to help myself.

Nomai: I need money to start a small business that will help me generate income for my daily needs such as food and many other things. This will caution against the economic hardships I am facing now.

Socially, I do not have any problems. People actually want to know how I survive as a widow. They want me to teach them on my survival skills because it may help them in the future if they face a similar problem.

Health wise, I am not very strong since my husband died a long time ago. I need to know how to survive with the virus so that life can continue. I need to see my children grow up. I need knowledge on survival skills.

Psychologically, we need counseling with my children so that the impact of the death of my husband can be minimized.

In terms of education, I need to be taught on will-writing so that when I die my children will not have these few things that I have, chicken, goats, pots and blankets, stripped away from them.

Mary: I need help especially in the provision of food to feed my children. I need money to pay for my children’s education, especially the one who will be going to the secondary school. I will just send her there without any source for her school fees. This is an economic hardship to me, for example, she will need uniforms. The big question in my mind is ‘How can I get something for my daughter to continue with her education?’

Socially, I fare well with other people and they accept me the way I am with the problems that I have. They do not discriminate me.
At times the problem I have with my health is backache. It can take me a month in pain and unable to move. I do not have money to go to the hospital. I survive through PRAYERS (emphasized) from my church until I feel better.

Psychologically, I think I need help from other people especially on the ever troubling thoughts of educating my children. I feel counseling on this one will lower my thoughts because my children’s education troubles me very much. I ask myself several questions some of which I can not answer.

In terms of education, I need education in agriculture so that I can be able to grow food for my children. I need special education in growing vegetables in the garden so that I know how best to grow them. Vegetables are a good source of income.

**Julia:** Economically, I need help in terms of getting money to buy my children food and clothes. I also need money to start a small business of selling vegetables and other small things for a start.

Socially, people do not discriminate me as I interact well with them. They do not discriminate me because of my widowhood.

As far as my health is concerned, I have a problem with one of my legs which at times becomes too painful to walk. I need money to get better medication.

Psychologically, I am only troubled with their (husband’s relatives) cruelty of selling all the cattle which we owned. If possible and may be by police intervention, I need those beasts to come back and my thoughts may be better.
As far as education is concerned, I need knowledge in agriculture so that I will be able to grow crops successfully. This will also help me find food for my children.

**Otilia:** Economically, I need money to start self-help projects. This will help me generate income for daily needs.

Socially, I have no problem because I fare well with people and they do not discriminate me because of widowhood.

My health is fine because there is nowhere in my body where I feel any pain, and psychologically, I just need to be comforted.

Education is the one I need most since I stopped in grade 7, of which I sat for the examinations after the death of my husband. As of now and if no assistance comes by, I think it is the end of my aspirations for education because of financial hardships.

**Sophia:** I want to be helped in the form of finance to start a small business to generate income for myself.

Socially, people stigmatize for being a widow and this has reduced my self esteem. This is perhaps more exacerbated by the fact that they took everything and I remained with nothing. If possible, I need people to help me to get back the property so that I can regain my esteem.

My health so far has no problems and I can not think of any help needed.

Psychologically, I am disturbed because of the property which was taken away. I would be happy if I could be helped to get back my property and I think psychologically I may be stable.
Educationally, I need to be taught on how to start a business. This can go a long way to alleviate economic hardships I am facing now.

**Nancy:** Basically, I need money for paying for children’s education. Economically I need anything that can help me generate income for my daily needs. Socially, I need better social skills since I am somebody who lives with people. I need better skills of interacting with people so that I will be able to live well with other people.

As far as my health is concerned, I do not know whether it was due to the death of my husband, I developed asthma. From that time, I take tablets and I use the inhaler. Due to this problem, I need to be able to access these drugs with these rising medical costs.

Currently, my psychological stability is disturbed by thinking about and taking care of my children. My psychological instability is further exacerbated by the fact that my husband’s relatives do not come forward to assist in taking care of the children. Moreover, these children are at boarding schools and this bothers me very much as keeping them at school is now expensive.

Educationally, I need money to pay for the other subject I did not write at ordinary level. I passed the first 3 subjects I wrote after the death of my husband. I also need education in any course that will enable me get employed.

**Chipo:** I want money to start a business which will generate money for basic needs and for my medication since I have a heart problem.

Socially, I need help in bringing us (herself and husband’s relatives) to
understanding terms. We need to work together we need to talk and agree on what needs to be done. There is need for co-operation.

My health is problematic since I have a heart problem. This needs money for medication and a good diet which I can not afford. I need money for medication and good food.

I have psychological instability as well. This is brought about by ever bombarding thoughts of how to manage the diet, medication and money for my daughter’s education. These cris-cross in my mind and give me psychological problems. I think I need counseling here.

Educationally, I want to take computer courses. I think this can enable to get a job since computers are everywhere.

**Braitha:** Economically, I was well up before since I had a company which sold timber and cement and it is now gone. If possible I need support to at least go back to my original position.

Socially, I find difficulties in mixing with married people. Some of them knew me when I was at school and a young girl. They do not know about my marriage life. Due to that, they disbelieve that I had a civil marriage and then stigmatize me for being single.

The death of my husband gives me psychological problems and still pains me very much. I need counseling to overcome the psychological impact of his death. The Church helps very much in alleviating the problems and the people in church are very supportive.

My health has been disturbed as well. At times I feel that my heart is tired. I will say that, IF I THINK ABOUT IT, IT GIVES ME HEART
PROBLEMS (emphasis). This is perhaps why I need counseling so that the problem gets out of my mind.

Educationally, well I started studying with the University of South Africa as soon as I started working. I think I need education in community development like somebody working with and in the community. I haven’t completed. I have a year to go and it’s getting expensive for me to complete and therefore I need financial support.

Zamani: I need money to start trading so that I can educate my children. These children are a future investment if God is willing. Life may be better in the future. Whenever help is available, especially in the times of drought, we need that help to boost our food reserves. Right now I work at the hospital (job not specified) but what I get is not enough with my children as they are still very young and none of them is working.

Socially, I just need support to maintain the bond which exists between me and my friends and neighbours because so far, nothing has changed in terms of the way we relate with each other.

My health has no problem but perhaps it gets weakened by the haunting thoughts of my late husband, otherwise I am fine.

Psychologically, I really need help since the just recent death of my husband. I always think about it but only learned people know how they can assist a person like me to get over the problem.

As far as education is concerned and with due consideration of my age, I do not think I need further education. I would be much happier to have my children educated.

Researcher: Having gone through this sad ordeal, how do you feel now?
Nomia: It pains me A LOT, especially if I think about it.

Nomai: It pains me A LOT but I always advise my young children that when they face such a problem in the future, they must report to the relevant authorities.

Mary: It pains me A LOT.

Julia: For everything that they have done, I have forgiven them. I only think about how to fend for my children.

Otilia: I am feeling better than before. What bothers me now is getting money to pay for my children’s education.

Sophia: It continues to pain me.

Nancy: I have now adapted to the situation even though life is tough, but I still feel that I have nobody to look up to except myself.

Chipo: As of now, I am adapting to the problem and it no longer bothers me very much.

Braitha: THE MORE I TALK ABOUT IT, THE MORE I FEEL BETTER. I FEEL AS IF YOU ARE COUNSELLING ME RIGHT NOW!

Zamani: When I am with my children, at times I feel better as thoughts tend to be lower. When I am alone thoughts continue to trouble me.
**PHASE TWO**

**FOCUS GROUP INTERVIEW TRANSCRIPTS**

**Researcher:** In your experience as a social service provider to the widows, what have been the causes of property grabbing?

**Ntengwe Programme Officer:** Poverty within kinship or extended families. The families within the extended family take advantage of the widow to take property when their relative dies especially when he was the only one working. Greediness also is another thing. People may have their own property but still want to take property from the widow orphaned children to support their own families. Tradition also is a factor. The tradition here is that if someone dies, property should be shared among family members. This does not consider the remaining family.

**Magistrate:** People are ignorant of the law. They do not know that it is not allowed. Culture is another element. It allows them to do so. For example people slaughter cows on funeral leaving children with nothing.

**Chief Sikalenge:** People grab property because they feel that the deceased is their relative and therefore they need to benefit something. At times they just envy what somebody had owned. Sometimes they have the property but they just become greedy and want more even if they do not have the right to do so.

**Police Officer:** Mainly property grabbing happens because people need property of the
deceased. This is especially so where families extended have been looking forward to that person as a provider. When he dies, everybody wants what he has left behind.

**Social Worker:** Property grabbing is mainly an issue of culture. It is also necessary to look at the marriage itself. A woman comes into the family without anything. The husband pays lobola and by so doing the minds of the husband’s family register that she is acquired property as well. When the husband dies, the property is said to belong to the husband.

The widow must go back to her natal family without anything because she came into this family without anything. They tend to forget that most of the property was acquired during that union. So culture is the number one thing and culprit.

The other thing is the monitory value of the property itself. Some families grab property because of the value in it. They grab it, dispose off it through selling and get the money. Children (orphans) and the widow are not considered at all.

**Researcher:** What is your view of the existing legal policies and laws that deal with the problem of property grabbing from the widows?

**Ntengwe Programme Officer:** Legal policies are in place but being implemented, especially in remote rural areas. The information about the Intestate Succession Law is not being disseminated properly especially considering the fact that most of the people in these remote areas illiterate.

Most of the issues are dealt with at provincial headquarters meaning that the distance involved is very huge. These policies then become not accessible to the people in the rural areas. Also it is difficult to implement the policies by those with the capacity to do so for unknown reasons. Even if they know the policies it seems that they can’t implement them.
**Magistrate:** Law is clear on property grabbing. It is regarded as theft. Laws are many that try to curtail property grabbing but it still happens in the African culture. An example is section 10 of the Deceased Persons’ Family Maintenance Act. The laws are enough to protect the widow and children and also to punish the offender by sending them to prison for one year. This is done for deterrence. Offenders also pay a fine which is always changing due to the currency.

**Chief Sikalenge:** The inheritance laws are very fine in that they allow the rightful people to inherit property. If the owner of the property dies, it must go to the right people and the laws looks at that. The laws are protective and very good. They are implemented but many people are not aware of these laws and policies. Many of the people do not come to seek advice and suffer in silence.

**Police Officer:** On one hand, the inheritance laws are helpful, whilst on the other hand they are not. The law is helpful in that the widow and her children get something to help them move on with life after the death the father. The father happens to be the provider in most cases. The law makes life bearable though they have lost the provider.

On the other hand the law cases friction between the widow and the relatives of the husband who get nothing as inheritance due to preference to the widow and her children. This creates a rift between the two parties and working and living together harmoniously will be hard.

**Social Worker:** Policies and laws are there in Zimbabwe, a lot of them. An example is The Children’s’ Protection and Adoption Act to protect even in instances where property is grabbed. We also have inheritance laws. But in as much as these laws and policies are there, the people of Binga community are either unaware of them, or are afraid to come and report cases of property grabbing. It is either the community itself is ignorant of the laws or afraid of witchcraft. The issue of
witchcraft always comes up when you ask the widows why they did not report to the police.

The Marriage Act itself is very clear on what happens to property on the death of the spouse. In a nutshell, the laws are there the enforcers are there. Other cases have been referred to the magistrate, chiefs who have all the powers to intervene in favour of the widow and her children.

Researcher: What kind of help do you offer to the widows with the problems of property inheritance?

Ntengwe Programme Officer: We do awareness raising among women so that they can also go out to also raise awareness on property and inheritance issues. We also offer advice on how those who have fallen victims of property grabbing can return their lost property. We also allow success stories to be told in workshops so that other can learn from the story. An example is that of a mother and daughter who victims of property grabbing were. The mother was afraid of reporting due to fear of witchcraft. The daughter went to the chief to report the case. The chief ordered the village head to assist them in getting back their property. Both the mother and daughter celebrated when they got back their property.

We also educate people through films shot from success stories. These are used as educational tools for community intervention.

The other thing that we have done is form community watch dog groups. These are people chosen from the community to assist those in need of help concerning property grabbing. Also perpetrators are taught about what the law says about property inheritance and property grabbing.
We also offer advice on will-writing. This is done to safeguard families from property grabbing, even widows, the terminally ill and those in polygamous marriages benefit from this programme.

**Magistrate:** We help the victims to get their property back and enjoy their rights. We strictly follow the Succession Laws of this country do deal with the problem. Anybody who interferes and threatens to interfere with the law we send them to prison.

We also extend our assistance to consider the offender by explaining to them that what they have done is wrong. This benefits both the widow and the offender. These people also tell others about which helps in deterring other offenders.

**Chief Sikalenge:** We help widows who come to us with problems of property grabbing to get back their property. We tell the perpetrators that what they did was wrong. We tell the perpetrators that what they did was wrong and need to give back the grabbed property to the widow. We also sit down with both the perpetrators and the widows and offer them advice on matters of inheritance so that they can also tell others.

**Police Officer:** We actually help by calling the two parties and explain to them the law of inheritance. We tell them that there is no need to fight over property because the remaining spouse should an heir and take care of the orphaned children. If the problem seems to be difficult at this level, or they seem to be unsatisfied, we refer them to the court where they will meet the magistrate. So we advice them and when need arises, we refer them to the court for further intervention.

**Social Worker:** As a Social Service Department, we offer family casework. We call all the concerned parties and try to talk to them and enlighten them on the problem. If that does not produce results we refer them to the magistrate. If as a family
they can not reach a better agreement, I refer the case to the police or directly to
the magistrate for arbitration because we work directly together.

**Researcher:** What do you think can be done in order to assist the widows to cope
and meet their needs after property has been grabbed?

**Ntengwe Programme Officer:** Education is vital. They need to be educated about
property and inheritance rights. More so, they need support in income
generating projects. This will help them to help themselves and their families.
They have also social needs. Through psychosocial activities like support
groups they will be able to discuss family issues and property issues.

Psychologically, they need counselling because they go through grief and
trauma after the death their husbands. Widows also face stigma and
discrimination in the community where they live. They need spiritual
counselling too. They can be provided by church leaders. Traditional leaders
also will be helpful to those who do not believe in Christianity for example
village heads, chiefs. Peers are also helpful in this regard.

**Magistrate:** There is a great need to provide information more than any other thing.
Information on laws of inheritance is seen to be lacking amongst the Tonga
people and hence the problem of property grabbing continues. With information
on inheritance laws, the problem will be history.

**Chief Sikalenge:** Widows need to be taught on how to take care of the property they
have in order to help them take care of the young children. Some of the children
attend school and hence what parents have is very important for them no matter
how small. Basically widows need assistance in managing the little resources
available to them.

**Police Officer:** Indeed the widows need help. If property has been grabbed, I see the
need for helping them to get back their property. They need to know that when they get back the property. The widows also must not waste property as they will remain with nothing again. So they need to be taught to manage inherited property.

**Social Worker:** The first thing that needs to be done is to empower them with information. If the whole community is well informed and educated on laws of inheritance, upon death of one spouse even upon divorce, there will be no inheritance problems. We need to educate our community as a whole not widows only.

After property has been grabbed, the government machinery is there to make sure that property is returned to them. Non-governmental organization working with women should advocate for the rights of women. We need to work together with the government. In Binga district, this problem happens at a larger scale.

Upon grabbing of property, the widows become vulnerable, worse still their orphaned children. This creates psych-socio-economic problem.

As social workers we need to deal with the problem holistically. We can do needs assessment on that family. We can now see what is needed by that particular widow. If it is psychological, we can do counselling, if it is educational, then we educate her. We can assist them with the recovery of their property. We can also link them to the necessary NGOs for other needs be they legal needs. With legal assistance NGOs like Women and Law in Southern Africa and Musasa Project in Harare are appropriate.

On the economic side, we assist, and need to continue assisting them through our own office and liaising with other offices to provide temporary relief whilst we work on the long-term solution which is the return of property. After
assessment on how people are surviving and the impact of property grabbing. I can just pick up the magistrate. Assessment helps in determining the severity of the problem and the situation as it is. For example if we find that the kitchen is empty, beds in the bedroom have been taken away helps the magistrate to make proportionate sharing of property.

For their vulnerable children, we should continue to provide a lot of protection through the guidelines of The Minors Act, The Maintenance Act and National Action for Orphans and Vulnerable Children. In Binga we have the District Child protection Committee where every issue affecting children in Binga is discussed. I am the coordinator of that committee.