

Abstract

The relationship between women's access to the benefits of development, the existence of patriarchal structures and ideology, and the emancipation or subordination of women is particularly difficult to assess in Africa. Continent-wide generalizations are clearly impossible, so this paper will examine these questions in the Zimbabwean case. It investigates the economic changes in Zimbabwe since independence in 1980, their impact on women's employment and educational opportunities, and the degree to which patriarchal structures and ideas/discourse have continued (or failed) to restrict women's opportunities in economic and political spheres. Case studies on inheritance are used as a prism to examine the benefits of economic development to challenge patriarchal authority and control.

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Gender, Patriarchy and Development in Africa: The Zimbabwean Case

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GENDER, PATRIARCHY AND DEVELOPMENT IN AFRICA: THE ZIMBABWEAN CASE

Introduction

Women and men do not always benefit equally from economic development. Patriarchal structures and ideologies, the discursive and material contexts of people's lives, and the extent to which women are emancipated or subordinated in their societies, influence whether development initiatives will differentially advantage women and men. These factors, however, are particularly difficult to assess in Africa. Dramatic economic decline combined with endemic civil wars and widespread autocratic rule muddies the picture--as does the variety of social, political and economic circumstances in Africa's many countries. Continent-wide generalizations are clearly impossible, but the analysis of one country may shed some light on the relationships between economic development, patriarchy and women's position(s) in society.

To that end, this paper examines these relationships in post-independence Zimbabwe. Drawing on the various theoretical approaches for analyzing the development of women, particularly the insights of both postmodernist feminism and the gender and development perspective, the paper discusses the economic changes in Zimbabwe since its independence in 1980, the impact of these changes on women's employment and educational opportunities, and the degree to which patriarchal structures and ideas have continued (or failed) to restrict women's economic and political opportunities. Case studies of inheritance disputes, collected by the Zimbabwean research team of the Women and Law in Southern Africa Research Project (WLSA),¹ will be used as a prism to move beyond simplistic correlations between economic development and women's position to examine the possibility that some women have managed to use the benefits of economic development and changing value systems to challenge patriarchal authority and control.

Theoretical Approach

Before considering the Zimbabwean case, it is important to clarify the concepts being used to discuss the issues at hand. The literature on women's status in the South has been dominated by the Women in Development (WID) approach to the study of women. Steeped in the liberal tradition, this perspective generally accepts Western gender stereotypes as given. While calling for greater equity between women and men, particularly regarding education, employment and other material benefits, WID advocates for the most part accept the notion that women are fundamentally responsible for reproductive labor. As a result, their policies and prescriptions have sought to increase women's access to social benefits such as education, employment, property and credit, without challenging basic gender stereotypes. The double and triple day, in which women struggle under the burden of both reproductive and productive labor, is thus simply seen as an inevitable part of women's lives. Women's development consequently becomes largely logistical--addressing

how women can obtain greater access to male-dominated benefits--rather than reassessing assumptions about the responsibilities, rights and relations between men and women (Afshar 1991; Boserup 1970; Parpart 1993; Rathgeber 1990).

Critiques of both mainstream development and liberal feminist assumptions began to emerge in the 1970s. Some Latin American economists and social scientists, most notably Andre Gunder Frank (1976) and Raul Prebisch (1980), attributed Third World underdevelopment to the machinations of capitalist leaders in the industrialized North and their allies (or collaborators) in the South.² These theorists called for self-reliant development, free from the self-interested "assistance" of capitalist elites and their indigenous henchmen. During the same period, radical feminists began to openly question the possibility that women's lives could be improved within patriarchal structures of power, and they too called for delinking from male-dominated institutions (Daly 1978; O'Brien 1981). These two perspectives inspired a new approach to the development of women, one that focussed on small-scale, women-only projects designed to circumvent male domination, both from the North and the South. This approach, known as Women and Development (WAD), influenced the policy and programs of many non-governmental organizations (NGOs) and became a staple of NGO activities. Some mainstream development agencies, particularly in Canada and the Nordic countries, supported this approach through their NGO programs as well (Parpart 1989; Rathgeber 1990).

WID policy makers responded to these critiques by modifying mainstream development policy for women. Concern with equality between women and men fell by the wayside as planners emphasized basic human needs, particularly for health, education and training. WID specialists argued that this approach would increase women's effectiveness and efficiency at work, thus assisting both economic development and women's lives. Reduced fertility would be a side benefit. Planners also called for more credit, greater access to land, legal reform and for more female involvement in development planning.³ As a USAID report on women in development put it, "a focus on the economic participation of women in development is essential" (USAID 1982:1). The possibility that fundamental change might be required, particularly attitudinal change, was rarely discussed (Kandiyoti 1990; Moser 1989; Mueller 1987).

By the 1980s, however, some scholars and activists from both the North and the South, began to argue for a new approach to women's development. Drawing on the dependency literature with its concern about widespread poverty and international capitalism, as well radical feminist ideas about global patriarchy, a socialist feminist position gradually emerged in various parts of the world. Feminists in the South began looking for their own answers to women's developmental problems. The 1985 Nairobi Conference, celebrating the end of the UN Decade for Women (1976-85), encouraged contacts and better understanding between feminists worldwide. It provided a springboard for South-South linkages among women, including the creation of an international organization, Development Alternatives with Women for a New Era (DAWN), which grew out of discussions among Third World feminists before the conference. DAWN has continued to

organize and deliberate about development issues of concern to women in the South. The group has published a book which emphasizes the importance of listening to and learning from women's diverse experiences and knowledge, and to maintaining a commitment to long-range strategies dedicated to breaking down the structures of inequality between genders, classes and nations. It's political goals thus maintain a belief in modernization, but with greater sensitivity to cultural differences and Third World agendas (Connelly et al, 1995; Sen and Grown 1987).

The Nairobi conference also facilitated dialogue between some feminists in the South and the North, particularly those working within the socialist feminist framework. Links between these groups had been growing rather tentatively in North America, and rather more surely in Europe (most notably at Sussex University and The Institute of Social Sciences [ISS] at the Hague), but they received a boost at Nairobi. DAWN members had been influenced by the writings of socialist-feminists (e.g. Beneria and Sen, 1981) and the deliberations of the Sussex workshops on the subordination of women (Young, Walkowitz and McCallogh 1981). This perspective, with its commitment to understanding class, race and gender inequalities in a global context, provided an intellectual meeting point for some like-minded feminists from around the world. The resulting dialogue, increasingly known as Gender and Development (GAD), rejects the liberal and radical emphasis on women, and focuses on gender instead, particularly the social construction of gender roles and relations. "Gender is seen as the process by which individuals who are born into biological categories of male or female become the social categories of men and women through the acquisition of locally-defined attributes of masculinity and femininity" (Kabeer 1991:11). The possibility of transforming gender roles is thus established. This approach also emphasizes the importance of examining the gender division of labor in specific societies, particularly the more invisible aspects of women's work, their spatial arrangements and the relation between these labor patterns and other aspects of gender inequality. GAD looks at the issue of power as it relates to gender and at strategies for empowering women and challenging the structures and ideas maintaining gender hierarchies (Kabeer 1991).

While this approach has had considerable influence on academic development discourse, its willingness to consider fundamental social transformation does not sit well with the large donor agencies who prefer government to government aid, with its assumed respect for the sovereign rights of member states. Although some government agencies (most notably the Scandinavians, Dutch and Canadians) and some non-governmental organizations have adopted a more gender-oriented approach to women's development adding gender analysis training to established WID training programs, the GAD approach is rarely integrated into development planning (Moser 1989, 1993). However, as Rathgeber points out (1990), sometimes gender-sensitive approaches are partially incorporated into WID policies, but without changing the official discourse.⁴ Moreover, while GAD proponents rarely reject/question modernist assumptions, the GAD perspective provides the possible (discursive) space to do so.

Most development practitioners have seen no reason to alter their comfortable belief in modernization. Nonetheless, new thinking is questioning the validity of this assumption. Drawing on the postmodern critique of the modern and the crucial relationship between power and language (Foucault 1976), some scholars are questioning the underlying assumptions of development with its uncritical identification with Westernization/modernization (e.g., Escobar 1984; Ferguson 1990). This postmodern critique of the modern, which focuses on difference and the power of language, has influenced the thinking of some feminists concerned with women's development in the South. New questions have arisen, including a critique of development specialists' representation of the Third World as the vulnerable "other", and an awareness that these representations have often undermined indigenous women's knowledge and self-confidence. The development model of modernity overestimates the knowledge of Western "experts" and devalues developmental solutions coming from the South. The postmodern approach, on the other hand, argues for careful attention to language and to the specific contexts and locales in which people's lives are played out. This view rejects analyses that rely simply on macro-economic data and broad generalizations, urging scholars to investigate the interstices of daily life, the small exchanges between women and men, which reveal changes in gender relations that cannot be seen at the macro-level (Crush 1995; Marchand and Parpart 1995; Parpart 1993).

In this spirit, the Zimbabwe case discussed below will adopt a multi-pronged approach to its analysis of the relationship between women, economic development and patriarchy in post-independence Zimbabwe. While drawing on broad economic and political indicators, the paper also examines the struggles of seven widows to protect their interests and obtain control over marital property. These cases offer insights into the discursive construction of gender ideology and gender relations which are difficult to obtain from macro-economic data alone.

The Zimbabwean Case: Gender and Economic Development

When independence was finally won in 1980, the new Zimbabwean government publicly recognized African women's crucial role in the liberation struggle, calling for new laws and programs to ensure that women reaped the benefits of independence. To that end, several major pieces of legislation were enacted to protect women's interests. Most importantly, in 1982 the Legal Age of Majority Act (LAMA) granted all Zimbabweans, both male and female, full majority at the age of eighteen. This legislation gave women full jural rights, something they had not had in either colonial or pre-colonial Zimbabwe. The 1985 Matrimonial Causes Act gave women and men the right to no-fault divorce, and the maternity leave regulations guaranteed women the right to ninety days maternity leave without losing their jobs. Moreover, the Sex Disqualification Removal Act (1985) declared that women with the requisite qualifications could not be barred from holding the same offices and positions as men (Jacobs and Howard 1987; Kazembe and Mol 1985). In 1987 the Deceased Person's Family Maintenance Act was amended in order to protect spouses, especially widows, from property grabbing relatives.⁵

The government officially supported welfare programs for women (both donor driven and government sponsored) and set up a Ministry for Community Development and Women's Affairs (MCDWA) to protect women's interests. The ministry called for the removal of discriminatory laws and labor practices, the mobilization of women in development projects, literacy campaigns and an end to discriminatory practices such as *lobola* (bridewealth).⁶ In line with its official commitment to socialism, government leaders acknowledged the importance of providing incentives to draw women into waged employment (Jacobs and Howard 1987; MacKenzie 1986; MCDWA 1985). Thus, at the level of discourse and policy, women have gained rights since independence.

Nevertheless, at the macro level it would appear that this rhetoric and the legal and government structures set in place to help Zimbabwean women, have not achieved as much as one would have hoped. Only a small minority hold government positions. In 1986, only two government ministers (or 6.25 percent) were women. No women held Provincial Governorships. Women were eight percent of the deputy ministers, nine percent of the MPs and 1.82 percent of local councilors. In 1992, twelve percent of parliament seats were held by women (UNDP 1994:145), but these figures hardly represent women's 52 percent of the population. Moreover, women are markedly absent from the highest levels of government. In 1985, the Politburo (the ruling party's top decision-making body) had only one woman out of 15 members (MacKenzie 1986; MCDWA 1985). Furthermore, only three to four percent of the employees in public administration were women (Spence 1986).

If one also looks at individual access to education, employment, property and other benefits, men have clearly gained more from independence than women, particularly in the rural areas. For example, men continue to benefit disproportionately from education. Literacy levels for women continue to lag behind men. In 1970, 75 women for every 100 men could read. By 1990, the figure had only risen to 82, despite the fact that schooling for Africans expanded dramatically after independence. While girls did benefit at the lower levels, such that by 1988 girls and boys had equal access to education, the gender gap continues to widen as one moves up the educational hierarchy. For example, in 1988-89, while 85 girls for every 100 boys attended secondary school, the ratio fell to 36 in tertiary institutions. At the graduate level, the figures are even lower. Women who do reach universities are still predominantly in the humanities and social sciences, where job opportunities and pay are lowest (Batezat and Mwalo 1989:28-29; UNDP 1993:151-153). Moreover, women are still a minority in technical and vocational tertiary institutions (Gordon 1994:135).

Men have historically dominated waged employment in Zimbabwe, and this trend continues. Since independence, however, women have increasingly entered the waged labor force. In 1981, the first post-independence year, African women in Zimbabwe held 1.9 percent of the jobs in production, 2.5 percent in agriculture, animal husbandry and forestry, 7.2 percent in service, 8.5 percent in clerical and related employment and 16.6 percent of professional and technical jobs. Women classified as skilled workers were concentrated in the clerical and service occupations, such as medical assistants, nurses, midwives, teachers,

social workers, typists and telephonists. More than any other group, African women worked in the lowest paid, least secure sectors of waged employment (Jacobs and Howard 1987).

By 1992, women comprised 48 percent of the waged labor, but they remain clustered in the least skilled, worst paid and most insecure jobs. Seventy-one percent work in agricultural jobs, while only 8 percent work in industry and 21 percent in services (UNDP 1994:163). Moreover, women in industry report considerable sexual harassment, lack of promotion, limited training opportunities and little support from administration. And because only 41 percent of the population have waged jobs, many people, particularly women, are left struggling to survive in the informal sector, which has become increasingly competitive and unremunerative in the current economic crisis (Made and Lagerstrom 1985; UNDP 1993:169).

At independence, most African women in Zimbabwe worked in the rural areas as unwaged family workers on small holdings or in the communal areas, receiving little reward for their work. Men generally controlled the sale of produce and thus the little money that came into the household. This situation has changed little for many rural women. They continue to do much of the work, receive little training and control very little land. In 1986, for example, only 14 out of 1400 agricultural extension workers were women, thus making it difficult for women farmers to receive training (Batezat and Mwalo 1989; MCDWA 1985; Spence 1986).

Men continue to have easier access to property and credit than women. In the resettlement schemes set up to provide land to liberation fighters, individual land grants were awarded to men as heads of households. A married woman was, thus, prevented from owning land, and if she were divorced (for whatever reason), she lost the right to stay on the land because it was registered in her husband's name. Therefore, only widows and single women could obtain land, and even they had trouble acquiring land because officials were skeptical about their potential productivity. While women found it easier to gain access to land in cooperatives, this membership generally brought increased workloads with limited control or rewards (Jacobs 1989:169-178). Because women rarely own land, and if they do, usually obtain marginal land with little chance for capital accumulation, they are poor credit risks, and thus have more difficulty obtaining loans than men. Special projects to offer women credit have generally focused on entrepreneurs rather than farmers (Spence 1986).

These inequalities are not easily explained. Laws and institutions designed to improve women's status have had to contend with deeply entrenched patriarchal beliefs. While no one can be sure how much these beliefs are the residue of precolonial patriarchy, which was very powerful, most scholars agree that patriarchal attitudes grew in strength during the colonial period (Schmidt 1992). It is clear, however, that the language and attitudes supporting male superiority and female subordination continue to dominate much Zimbabwean discourse and practice, and have undermined the progressive legislation mentioned above (Sylvester 1991). Indeed, May and Kazembe (1985:21-22) have concluded

that "the intention of the legislature was a symbolic goal setting only. It was the result of ideological and social pressures, and probably demonstrated that there were conflicts and contradictions among the legislature itself." Moreover, poor women, especially in the rural areas, often have neither sufficient knowledge of the law nor an opportunity to use it to their advantage, because most decisions regarding their lives are made at the household and community level, where customary law dominates. And because customary law is for the most part defined and controlled by men, it can often be manipulated to protect male interests (Maboreke 1987; Shenje 1992; Stewart 1992).⁷

Patriarchal assumptions have inhibited women's ability to achieve in male-dominated sectors of the economy and the government. Public statements glorifying women's roles as mothers and wives have encouraged women to stay home and raise children rather than enter the workforce or seek more training. The current economic crisis has reinforced the notion that women should stay home and leave to men--the breadwinners--the well paying waged jobs (Batezat and Mwalo 1989:26-27). "Clean-up" campaigns in the cities, which have organized attacks against unescorted women in public places, have blamed economic problems on these "prostitutes," making it difficult for women to take up employment that requires travel, and inhibiting collective action and organizational activities, particularly when meetings must be held at night (Jacobs 1989:166-68; Ranchod-Nilsson 1992; Seidman 1984)

While it is difficult to quantify the impact of such attitudes and behavior, evidence suggests that patriarchal ideology, particularly concerning the sexual division of labor, has affected many women's ability to take up the opportunities available in the post-independence period. It has also, no doubt, contributed to the chronic underfunding meted out to the Women's Bureau (which received just over one percent of the national budget in 1983), and to widespread disinterest in the fact that laws ostensibly designed to help women have been poorly enforced and institutions that hamper women's opportunities have rarely been challenged (Batezat and Mwalo 1989: May and Kazembe 1985; Seidman 1984:431).

While men have benefitted from economic and political development more than women, it is important to recognize that some African women have benefitted from economic development. A 1989 study, *Factors Affecting Academic Careers for Women at the University of Zimbabwe*, discovered that 21 percent of the University of Zimbabwe's academic posts were held by women. While far from representative, this figure compares favorably with similar statistics in North America. Admittedly, women academics are largely in the middle and lower academic ranks and continue to be concentrated in the humanities. However, African women academics are an increasingly forceful group on campus (Dorsey, Gaidzanwa and Mupawaenda 1989). The current economic crisis has forced middle class families to adopt a dual-income strategy to maintain their living standards. Women with education and capital are entering employment in increasing numbers and many have professional jobs in government or the private sector. Indeed, African women working in

professional, technical and related jobs rose from 59 percent of the female labor force in 1981 to 79 percent in 1985 (Batezat and Mwalo 1989:33).

Some women have therefore profited dramatically from economic developments since independence, and other women's lives have improved, if only marginally. The question at issue is whether women have been able to use these economic advances to challenge patriarchal beliefs and authority in post-colonial Zimbabwe. The above statistics offer some insights at the macro-level, but tell us little about struggles between women and men over property and power. Inheritance cases offer a particularly interesting glimpse into the ways women have managed to use economic and ideological openings to protect their interests, even within often deeply patriarchal family and community structures.

Women and Inheritance in Zimbabwe

The following cases were collected by the Zimbabwe research team of the Women and Law in Southern Africa Research Project, a six country research project which has been investigating issues around women and inheritance in six Southern African countries.⁸ The informants are both Shona and Ndebele speakers,⁹ rich and poor, urban and rural. The data offer some insights into the way a number of widows have struggled to acquire and control property after the death of their spouse. Their ability (or inability) to manage the inheritance process reveals a good deal about women's capacity to control their lives and protect their interests, particularly their access to land, housing and moveable property. These cases are thus especially appropriate for analyzing the relationship between women's access to the benefits of economic development and their ability to challenge patriarchal attitudes and practices. The cases are summarized below.

Case 1: Mrs. A. is a ninety year old widow who lives in a crowded (high density) suburb of Bulawayo in Southern Zimbabwe. She was married "a long time ago" by customary law, with *lobola* (bridewealth).¹⁰ The marriage was monogamous, with no children. Both were Ndebele. Neither had much formal education--he worked as a hotel cook while she worked at home. They had purchased a three roomed house, which her husband had transferred to her name during his lifetime. Mrs. A's husband died suddenly in 1980 while he was at work. Although the cause of death was suspected to be food poisoning, the relatives accepted the death as being of natural causes.¹¹ The employers catered for the funeral,¹² and Mrs. A was given a small pension and four months rent. There was no insurance, and Mr. A. had left no will. Mrs. A. followed accepted mourning practices--the relatives bought her the traditional black dress. After the standard year of mourning, the relatives bought her some new clothes to symbolize the end of mourning. At the *kurova guva* ceremony, the deceased's clothing and effects were distributed in accordance with customary practices¹³ and there was no conflict over this. Mrs. A. kept the radio and took some clothes, which she sold. The relatives took the car and cupboards. The widow accepted this distribution since she had no children and could not drive the car.¹⁴

There was no question of her entering into a lineage (levirate) marriage (*kugara nhaka*) as she was too old.¹⁵ She tried to earn some money by making trading trips to Botswana, but poor health and age put a stop to that. Now she survives on assistance from the Department of Social Welfare and her relatives. She had no views on how to improve her situation.

Case 2: Mrs. B., an Ndebele woman, lives in rural Matabeleland (Southern Zimbabwe). She had completed six years of education when she and her husband, an Ndebele chief, were married under customary law. Having previously worked as a butcher in Bulawayo before taking up the chieftainship, Mr. B. had accumulated considerable wealth and cattle, as well as other wives, at the time of their marriage. Mrs. B. never needed to work in waged employment, but she was resourceful with the household income and bought household goods for their home. During her marriage, she bore three children of her own and cared for numerous step-children from her husband's four other wives.

Mrs. B. had a harmonious relationship with her spouse and in-laws during her thirty year marriage, but the co-wives were quarrelsome and difficult to live with. By the time her husband died in 1975 in a scooter accident, however, the co-wives had all left. Her in-laws did not raise allegations of witchcraft against her for causing his death, as they could have, given the unexpected circumstances of his death. The family expected her to be inherited, but she refused. However, no overt conflict occurred, and at the end of mourning, the in-laws took the property from her and distributed it to all the children. Mrs. B. believed her husband's family thought they were being fair by giving the property to all the children, including those of wives who had left the husband, but she didn't agree that it was fair. "After all," she said, "I worked for that property." She took no action against the relatives, however, because she did not know what she could do. She is still aggrieved at how the property, especially the household effects, was distributed.

The chieftainship was assumed by Mr. B.'s eldest son (by another wife). Mrs. B. has had health problems since her husband's death, but has been able to cope financially because she has no dependents. She could offer the research team no suggestions for changing the inheritance system.

Case 3: Mrs. C. is a twenty-five year old Ndebele woman with only five years of schooling. She lives in poor housing in a low density suburb of Bulawayo. She was married under customary law (but without *lobola*) to Mr. C., a Shona with a grade seven education, who worked as a security guard. She had four children during their ten years of marriage, and described her relations with her husband and his family as good.

One day her husband complained of a headache and was taken to the hospital, where he died the next day. His relatives were angry and blamed Mrs. C. for his death, and did not ask her to go through mourning. They were clearly dissatisfied with the explanation for the death of their son, withholding the death certificate from her, and questioning the children concerning the circumstances of death.

While there was no valuable property to speak of, there had been no measures taken before or after Mr. C.'s death to protect his wife's legal interests. Her in-laws forcibly took the children from her, as well as the bicycle, leaving only the wardrobe and sofas, saying they would return for those as well.¹⁶ Her own relatives told her to let the in-laws be, and there is no other resource person to help her. Although Mrs. C. is worried about the children, because the sister-in-law who took them does not have the resources to adequately look after them, she has taken no apparent action to regain custody. Indeed, she was surprised when the research team told her that because she is technically unmarried, the custody and guardianship of the children lay with her, and that she can assert these rights.

Mr. C. had no pension nor insurance, leaving Mrs. C. destitute. She has virtually no formal education and is unlikely to find employment. She doesn't seem to have much moral support from her family--perhaps because they do not regard her as having been properly married because there was no *lobola*. She had no ideas for change.

Case 4: Mrs. D. lives in Highfield, a high density suburb of Harare where most residents are wage workers or self employed in the informal sector. She is a Shona, as was her husband. They had at least two sons and a daughter.

Mrs. D. was living with her husband in Highfield when he died. In accordance with municipal policy, the superintendent of the Highfield municipality housing scheme transferred the lease agreement to her name, so that she could continue living there. This policy provides widows with protection as they can rent rooms to lodgers. Indeed, this income pays for the rent of Mrs. D.'s house. The widow believes she is entitled to inherit use of the house, arguing that "as a married woman with a registered marriage (District Commissioner's office) it was proper that the house be mine after my husband's death." The sons supported their mother's claim to the house, perhaps because they and their children, along with a sister and her children, are among the seventeen people living there. If the house had been owned rather than rented, it would have been given to an heir (probably the eldest son), although he could have given the title to his mother.¹⁷

There was no other property to speak of at the husband's death. All his savings had been put into building a home in Mount Darwin, which they had been forced to sell so they could be in town nearer to the hospitals. His clothes were distributed by a nephew of the deceased, in accordance with custom (i.e. largely to the deceased's relatives). Two uncles were present at the funeral, but played no role in it. Neither of them work so could not be of much financial assistance at the funeral. Funeral expenses were borne for the most part by the widow's church, the Seventh Day Adventists, and relatives.

The mother is old and lives on handouts from her children. They find it increasingly difficult to provide her with money as their families are expanding and needy. Each family in the house cooks separately and they take turns giving her food. Mrs. D. occasionally complains that she is not being looked after adequately, but the sons dismiss these as the

remarks of someone who does not realize how tough things are for everyone. She also complains that the sons-in-law whom she supported during their unemployment have moved away now that they have jobs and do not send money to support her.

Case 5: Mrs. E. lives in Greendale, a low density suburb of Harare. She completed secondary school, married young (at the age of sixteen in 1974) and had four children. Mr. E. worked as a senior accountant for an industrial firm. He also owned a cooperative shop that sold groceries and a hardware shop. She has been involved in importing and selling goods. During their marriage, they purchased two homes, including their Greendale home and a secondary rural home. Mr. E. had a second wife as well, but they were not formally married. The husband died in 1990 in a car accident. His company was supportive, paid most of the funeral expenses and gave the widow some financial assistance while working out the pension monies.

Soon after his death, Mrs. E. heard rumors that some people believed she "caused" the death of her husband and that she didn't care about the children. She indicated that these rumors didn't bother her a bit because "she knew that a lot of our African people always talk like that and anyway I loved my husband and could never have even dreamt of harming him."

Mr. E. left a will and after he died Mrs. E. arranged for lawyers to handle all the insurance policies. Her in-laws went to the lawyers thinking they would be entitled to some of the deceased's property. The lawyers informed them that their son had left a will granting the two homes, the shops and all household effects to his wife and children. He left the car to the first born child, a girl. The second wife received nothing. The widow has sold the car and is closing down two shops from which she receives the proceeds. After the company had determined how much pension Mrs. E. was to receive, Mr. E's father and brothers went with her to discuss the payments. The company officials told the relatives that they only wanted to talk to Mr. E's widow, who was instructed to bring the children's birth certificates and a marriage certificate before she could receive the money. The company, however, deducted the cost of the car that was destroyed in the accident, so Mrs. E. received much less than she had expected. The pension was paid to her for life and to the children until they reached eighteen.

Since learning that all property would be given to the widow and children, Mr. E.'s relatives have become less interested in Mrs. E. and the children, and rarely phone or visit. "You see," Mrs. E. explained,

my brother-in-law had wanted the car. They thought that since I didn't have a driver's license, I would either let go of the car completely or I would let them use the car, and have them come and pick me up and take me where I want to go. At some stage they were even thinking that they could get the house. Anyway all their ambitions came to nothing.

Mrs. E. is determined to protect herself and her children from her in-laws. She never asks their advice, refuses to be "inherited" and insists that she and her children should have full control over all her late husband's property.

According to Mr. E's father, Mrs. E. chased the second wife away from her home and refused to let her have any benefits from the estate. Mr. E.'s father was angry about this act because he had wanted both wives to live in the Greendale house, and for the first wife to be "inherited" by one of his sons so that a male relative could live in the house and oversee the care of the children and the spending of the estate. He complained that Mrs. E. had arranged for the heir to be her small son, by getting her sister-in-law to agree to be her nominal "husband." The father was furious, claiming that "my daughter [the sister-in-law] in Glen View is a government into herself. No one can control her. She interfered with a lot of things . . . not only on the issue of *kugara nhaka*, but also regarding the property of the second wife and eventually giving marching orders to the second wife." The father-in-law feels he should have been consulted about the use of the pension money and the sale of the car and he is increasingly dissatisfied with the way his son's property is being used.

Case No. 6: Mrs. F. lives in a low density suburb of Bulawayo. She and her husband were married in a civil marriage in 1963 and had three children. Mrs. F. is employed as a nurse. Mr. F. was a lecturer in the training sector with a government parastatal when he died in a car crash in 1986.

The benefits and pension were settled within two weeks and were given to Mrs. F. His insurances and other monies were turned over to the family lawyer who was executor of the estate. The husband left no will, and his brother arranged to have the eldest son appointed heir, without consulting Mrs. F. She convinced her son to cede all rights in the estate to her through a court proceeding, thus giving her control over the marital property. She explained to the researchers that "I am quite opposed to the notion of heir because it is a bad law. If you work as a twosome, the remaining spouse must be the heir."

The son reported that he and the rest of his family are not on good terms with the uncles, as they want to oversee and control everything. Despite much pressure from his uncles, the son decided to give everything to his mother. He said that "I do not need help from him [the uncle], I've never gone there for it. Even if I face hardships I won't look back. I believe the widow must be the heir to the whole estate. If I had taken over, this home would have been upside down by now."

Mrs. F's relationship with her in-laws has remained very poor. Her brother-in-law asked for money only three weeks after the funeral and she refused. He has not taken the refusal well. The mother-in-law no longer visits. She gets on well with the sister-in-law, who supports Mrs. F.'s role as guardian of her children and manager of the estate. The brother-in-laws, however, were unhappy with the way the son transferred the estate to his mother, but they could do nothing about it.

Mrs. F. wore black for a year, then set a date for the ceremony ending the mourning. The mother-in-law and brothers-in-law tried to change it. Mrs. F. refused and the original date was celebrated. The brothers-in-law refused to attend and did not speak to her for a year. Then they showed up demanding their brother's clothes. The widow refused. She was ready to call the police "if they stole the clothes," but luckily they just threw open all the suitcases and left without anything. The son was directed to sell any clothes he didn't want. There was no question of wife inheritance (*kugara nhaka*), as she clearly would have refused.

Case 7: Mrs. G. lives in Highfield, a high density suburb of Harare. She was married in 1955 and had eight children, four of whom died. Her husband worked as a cleaner in an office building. Mrs. G. made money by crocheting clothes and selling them in South Africa. In 1961 they bought a house in Highfield, which was registered in both their names. Since Mr. G.'s death in 1982 from an extended illness, Mrs. G. has lived in the house with her youngest son, his wife, a baby and one daughter.

The funeral was held without problems. Some of Mr. G.'s clothes were distributed to his relatives soon after his death and the rest were given to others three years later, at the ceremony to mark the end of mourning. While this ceremony usually takes place a year after death, because Mr. G. had no brothers, the widow had to rely on one of his male cousins, who did not seem to care whether or not the ceremony was completed. It was only when the cousin's family began experiencing misfortunes, that it was decided to arrange for the ceremony in order to appease the spirit of their dead cousin, Mr. G.

When Mr. G. died, the Highfield superintendent asked the son to come to the office to discuss the matter. At that meeting they asked him what he wanted done with the house. He replied that it should go to his mother. After she signed some papers, the house was transferred to her. Mrs. G. praised her son for his attitude, because not all sons wanted their mother to own the home. (He may have been influenced by custom as the family came from Chipinge, where wives and children generally inherit a man's property.)

Mrs. G. also received a pension so she has had no problems with money. She tried to make some extra money from crocheting, travelling South to sell her goods, but she has stopped this venture because she is tired. Her children now take care of her.

Analysis

These cases raise a number of important issues, both structural and ideological/discursive. First, a woman's access to economic resources, particularly her own income, seems to be a crucial factor in her ability to influence the inheritance process. Mrs. E (case 5) and Mrs. F. (case 6), were able to challenge relatives who wanted to control both the widow and the property left by the deceased. They both hired lawyers to protect them from overzealous relatives. Mrs. E., for example, quickly handed over insurance policies to her attorney, rather than let her husband's relatives have them. Mrs. F. also took the

insurance and other monies to the family lawyer for safe guarding. Both women were employed and thus could afford expert advice. Their educations and positions in the waged economy, as well as the positions of their husbands, provided important resources in their struggle to maintain control over the family assets and to challenge patriarchal authority.

Access to lawyers, money and other sources of support, however, do not tell the whole story. Both widows successfully resisted the plans of their in-laws and manipulated the system for their own ends. The brothers of Mrs. F.'s husband met with the family lawyer to suggest that they wished the eldest son to become the heir, in the expectation that they could control the son. But Mrs. F. circumvented this attempt by convincing her son to let her control the family property, while he would remain the heir. When the brothers-in-law showed up to take her husband's clothing, she threatened them with the police. Mrs. E sold one of her husband's shops against the wishes of his relatives and sold the car rather than let the brother get hold of it. Both widows proved remarkably confident and resourceful in their struggles to obtain control over the marital property. It is striking that both women are reasonably well educated and employed. They had resources to draw from, both economic and experiential, which played a crucial role in their willingness and ability to challenge the patriarchal assumptions of male family members, particularly the expectation that property should be controlled and monitored by men. This confidence and poise, which is often seen in women with a high degree of economic autonomy, was a crucial factor in the widows' willingness to take on established authorities and to challenge the dominance of men (and their female allies), both in the family and in society at large.

The changing discursive environment in which these more privileged women lived no doubt played a role in their willingness to challenge male authority as well. The WLSA researchers, in conversations with middle class women and some men, discovered widespread support for giving marital property to the widow and children rather than the relatives of the deceased husband. The practice of *kugara nhaka* was also widely condemned "as a largely opportunistic act on the part of the brothers of the deceased" (WLSA 1993:46). Moreover, middle class women benefitted from a general shift in attitudes which was reflected in widespread belief that "the widow should inherit" and "the government says leave the widow alone" (WLSA 1993: 142). These views were held most strongly by women, but also by some men (Dengu-Zvogbo et al 1994:112-113, 151). The discourse around inheritance and women's rights thus reinforced widows who wished to assert their rights to property and to challenge assertions that only males should (and could) manage and control property.

At first glance, urban widows with less education and fewer economic resources, seem to have been more vulnerable to inheritance problems than their more privileged sisters. This is true to a certain degree. Mrs. A. lost the car and cupboards to her husband's relatives. Mrs. C.'s relatives took the children, the bicycle and are threatening to take the sofa. She is destitute. Both Mrs. D and Mrs. G live on the margins economically, and share their Highfield homes with numerous relatives. However, it is important to note that all of these widows, with the exception of Mrs. C, have maintained control over the matrimonial

home. The husband of Mrs. A. had transferred the house to his wife's name before his death. The two widows living in Highfield benefitted from municipal regulations which obligated the municipality to transfer the title of the home to the widow. This regulation has been crucial for many widows' survival and prosperity. Women who control a home may have to share it, but they cannot be expelled. Significantly, Mrs. C., the widow in the greatest difficulty, had no permanent home.

Relatively poor urban widows also frequently received some help from their husbands' employers, particularly with the funeral and over pension monies. Thus, many of the institutions and regulations associated with economic and political development have permitted even relatively unprivileged women to challenge the widespread belief that men should control their lives. Women do not have to be professionals or managers to use the modern economy towards their own ends. These inheritance cases remind us that women who are marginal, but located in formal structures, may be able to draw on those institutions to protect their interests and to challenge received notions about women's rights and access to property. Indeed, as one informant put it, "widows like me are protected in that if a son tries to harass them, they can always go to the Superintendent's Office or to the police to report the matter" (WLSA 1993:132).

Moreover, the changing discourse about women's inheritance rights influenced women in the high density suburbs of Harare and Bulawayo as well. Group interviews in Highfield revealed strong support for the widow, condemnation of property grabbing and widespread belief that the widow should keep the property of her husband's estate, especially pensions and occupation rights to the house. Support continued for most traditional mourning practices and the distribution of personal belongings, but *nhaka* was derided as an outdated practice which boded ill for the widow. Informants told the researchers that *nhaka* is simply a way to grab the wealth of the deceased. "When the wealth is finished, the widow and her children are abandoned" (WLSA 1993:45). While the influence of these changing attitudes and discourses on women's rights are difficult to measure, it is noteworthy that in the cases discussed above, the widows sought legitimacy for their demands by referring to these new, "modern" ideas about inheritance.

Widows in the rural areas have had less access to these formal structures, and thus have been more reliant on customary practices. This inability to access formal structures can lead to unhappiness. Mrs. B, for example, clearly disagreed with the way her husband's relatives distributed the marital property, although she admitted they were following local custom. Another widow [not one of the cases], who lived in a communal area, fled the shop she had established with her husband, after her in-laws decided she no longer had rights to it. She believed this was unjust, but saw no way to fight it (WLSA 1993:15). The WLSA research team has discovered that the disposition of property in the rural areas is still largely determined by the deceased's male relatives. Family decisions are ostensibly based on "custom," but the research has revealed just how fluid custom can be. While some families have upheld the traditional focus of customary inheritance law, with its commitment to the well-being and security of the widow and her children, others have bent the law to serve

their own material interests. Customary law has proven a flexible medium, often influenced by changing perceptions of rights and obligations. This can work against widows, as in the two cases above (Dengu-Zvogbo et al 1994).

The very flexibility of customary law, however, offers possibilities for negotiation and contestation. The WLSA research team discovered many cases where widows refused to accept *nhaka* and managed to gain the use (if not control) of land and other property. Indeed, some informants in rural Mashonaland seemed to think inheritance practices for women were changing rather dramatically. One man complained that "Nowadays people no longer follow customs. Usually if the man dies, the property is taken by the wife and the children ... Nowadays the relatives are no longer as involved as they used to be" (WLSA 1993:75). The "modern woman" who insists on her rights because "we are now living in modern times *chirungu*, (literally the way of the whites)," came in for considerable abuse from the men. But some men supported greater rights for widows, and the widows themselves strongly opposed *nhaka* and argued for the widow to receive and control a larger share of the estate (Dengu-Zvogbo et al 1994:208-9). Thus competing discourses about women's inheritance rights are providing ammunition for struggles over property, and are contributing to on-going negotiations over custom which can no longer be seen simply as a male preserve.

Urban widows have also benefitted from the flexibility of customary law. While we have seen that widows with economic and personal resources can sometimes ignore tradition, such as Mrs. E.'s dismissal of accusations about the cause of her husband's death, at other points, following "tradition" (or at least an acceptable version of "tradition") may be more beneficial. Mrs. E, for example, convinced her sister-in-law to be her nominal "husband," thus precluding the possibility of marrying one her husband's brothers without rejecting the tradition of *nhaka* altogether. Mrs. G. waited three years before taking off mourning clothes rather than break with custom. But at the same time, she felt no compunction about obtaining control over property left to her son. Thus it appears that custom is important in the urban areas, but the urban widows we have encountered freely adapted custom to their specific circumstances. In both the urban and rural areas, customary law thus offers a flexible instrument which can provide innovative and determined women a means for challenging the status quo.

The ability to defend one's rights to inherit does not depend solely on access to gender-sensitive institutional and discursive resources however. Inheritance cases are also influenced by the character of the individuals involved, especially relations within the family. Strong-willed women with support from their families have been much more able to bend the law to their designs than women with little status and hostile relatives. As one informant from a more prosperous rural area stated

I think that every family has its own laws here in Bikita. What happens when a man dies, with regards to his property, depends on the relationship that existed between the widow and her husband's parents. If the relationship was

good, there is no reason for the widow to alienate herself from her husband's family. . . . If the relationship was bad, then the widow will most likely do everything without consulting her in-laws (WLSA 1993:19-20).

In the matter of inheritance, even urban women were affected by the quality of their family relationships. Despite considerable material resources, the Greendale widow (Mrs. E) relied on a sympathetic sister-in-law in order to resist the pressures of her husband's male relatives. She also benefitted from a sympathetic and supportive son. In contrast, another informant's son joined his uncle and turned his mother out of her house (WLSA 1993:152). Thus, good relations with children (especially the heir) and in-laws generally affect a widow's ability to negotiate a favorable conclusion to inheritance issues. This is particularly true if the widow has few outside resources, as in the case of Mrs. C. The custom of blaming a death on witchcraft is more apt to happen when relatives dislike the widow and are looking for a reason to mistreat her. Women in polygynous unions, such as Mrs. B., can suffer from hostile co-wives and their children as well.

Conclusion

This paper has considered the relationship between economic development, women's status and patriarchy in Zimbabwe since the declaration of independence in 1980. If one measures women's status by the usual standards of the WID approach, i.e. their access to education, employment, property, credit and other material benefits, we see that some Zimbabwean women have managed to reap the benefits of economic and political development, but most have not. At the macro level, statistics reveal continued bias towards men and males in Zimbabwe. Men dominate the highest levels of government, education, and employment. Moreover, patriarchal values are still very much a force to be reckoned with. Male hostility to women's advancement and to progressive legislation aimed at assisting women explains the continued underfunding of the Women's Ministry, the attacks on women labelled unfairly as "prostitutes," and the refusal to acknowledge the full implications of the Age of Majority Act. Thus, macro-economic indicators paint a rather grim picture, one that suggests little improvement in gender relations or material opportunities for women.

If one adopts a more localized, discursive approach to the question of women's emancipation, however, a different picture emerges. The widows we have encountered have not just capitulated to male domination. They have developed myriad, and often effective, ways of challenging male domination. As we have seen, with one exception (Mrs. B.), widows with economic resources of their own have been able to use these resources to protect their access to marital property. Hiring professional help, mobilizing friends and sympathetic relatives and legitimating their demands with the current discourse about women's and widow's rights, these women have been remarkably successful in challenging patriarchal authority and maintaining control over their lives and property. It is noteworthy that the one exception, Mrs. B., had little education and few outside resources to draw on.

These cases thus support Moghadam's (forthcoming) conclusion that education and employment are crucial factors in women's emancipation.

We have seen, however, that even relatively poor, less educated women have managed to use the structures, regulations, and language put in place since independence to their own end. Witness the Highfield widows and the widow in Bulawayo, all of whom obtained control over the marital home. Here again, we see the importance of property for women, but the data remind us that women need not be from the most advantaged groups to be able to benefit from economic and political development. The cases also illustrate the importance of changing attitudes/discourses about women's rights, especially widows' rights to the marital home. This new discourse has offered legitimacy and support for widows bent on challenging male relatives (including sons), as well as crucial ammunition for supportive officials, relatives and friends.

Moreover, even poor rural women are rarely completely defenseless. True, they must adapt more to local (often male-dominated) pressures, but even here, women with strong family support and forceful personalities have often managed to bend "tradition" to their own ends. The discourse about widow's rights has penetrated the rural areas as well, and rural widows have used it to assert their rights over marital property. While the cases above illustrate the many constraints facing poor women in the rural areas, they reveal some successes as well.

This paper thus points to the danger of excessive reliance on macro data, and the importance of discovering the voices of women, of learning about the lived experiences of women in specific social, material and discursive contexts.¹⁸ Only then can we begin to see through the smokescreen of figures and statistics that too often obscure more than they reveal. While the power of patriarchal authority and ideology should not be minimized, it is also important to recognize women's power. While not always successful, the widows we have encountered have proven capable of using the material, institutional and discursive resources available to them to challenge male domination over their lives and their property. These stories/lives remind us that gender relations are not fixed and immutable; they must be renegotiated on a daily basis. Statistics may "prove" patriarchy reigns in Zimbabwe, but the inheritance cases we have examined suggest another interpretation, one in which women, both affluent and poor, have proven adept and determined participants in struggles over property and position.

Notes

This paper is a significantly revised version of a chapter in Val Moghadam (ed.), *Patriarchy and Development* (Oxford: Oxford University Press, forthcoming).

1. The Women and Law in Southern African Research Project (WLSA) has been carrying out a six country comparative research project on women's experiences concerning maintenance and inheritance laws in Southern Africa. The project focuses on women's experiences of the law rather than simply the laws themselves or women's knowledge about these laws. I am grateful to WLSA for giving me access to its data and to educating me about women and the law in Southern Africa. I am particularly grateful to Alice Armstrong, WLSA's initial director, to all the country research teams, and especially to the Zimbabwean research team which provided the crucial data for this paper. I thank the entire Zimbabwean team for their invaluable advice and data, but above all I want to thank Julie Stewart, who spent many hours explaining the intricacies of Zimbabwean customary law. This paper could not have been written without her.
2. I use the term Third World reluctantly, recognizing that it has little explanatory value other than as a short-hand description for three regions of the world: Asia, Africa and Latin America. While these regions share some common economic problems, they can no longer be seen as a homogeneous, less developed part of the world. Many differences exist as well. I use the terms South and North to indicate my belief that global economic rivalries and status are no longer defined on an East-West axis, but rather that they are more defined around the less industrialized economies in the South and the more industrialized economies in both the North and South (particularly in Asia). I use the term "the West" to refer specifically to Europe and North America.
3. Mainstream development planners rarely acknowledged their debt to dependency theorists, but the intellectual roots of this more populist move are easy to discern.
4. The GAD approach offers development planners a way to differentiate between practical (ie. specific, daily) gender needs and strategic (long-term, empowerment) needs for women. This approach is making some inroads into mainstream development thinking, at least at the level of rhetoric. The CIDA/WID policy, passed in 1992, acknowledges gender equity's fundamental nature and the need to see gender equity as a societal, economic and political matter (CIDA 1992; Greaves, personal communication 1992).
5. Where a person, African or European, makes a will, that will is carried out under statutory (Roman Dutch) law. Most Africans do not make wills, and when they do, they do not necessarily benefit the widow. In most cases, the estate of Africans who die without a will are distributed in accordance with customary law. This may

involve community courts, but more often occurs in the family and thus never reaches the courts. In these cases, legal efforts to protect the widow from property grabbing by relatives of the deceased cannot be enforced (Cheater 1986).

6. *Lobola*, otherwise known as bridewealth, is a payment made at marriage which guarantees the husband's right to the progeny of that marriage. It is not a purchase of the bride. Among matrilineal peoples, *lobola* does not occur, because rights to the children remain in the mother's line.
7. Julie Stewart, a Zimbabwean lawyer and expert on inheritance law, is increasingly convinced that women can manipulate customary law as well if they know how to do it. She believes customary law may have more potential to help women than the creation of new statutory laws which would probably be largely ignored.
8. These data were collected during 1992 and provided the basis for the WLSA publication, Dengu-Zvogbo et al, *Inheritance in Zimbabwe* (1994). The following endnotes are based on this book.
9. The Shona people are the original inhabitants of Zimbabwe, and the majority group. The Ndebele moved into Southern Zimbabwe in the 1800s, fleeing from the disturbances in their home country of Natal. The WLSA research team discovered many of their informants were in mixed marriages, making it difficult to separate Shona and Ndebele practices regarding inheritance. This suggests the gradual evolution of a Zimbabwean culture which will no doubt influence "customary" laws and practices.
10. Zimbabwe has a dual system of laws in which customary law operates side by side with general law, particularly in matters of the family. African estates are largely governed by customary patterns of inheritance, although some more educated Africans are making wills. Customary law, according to the text books, gives the widow no rights to any of the deceased husband's estate, which are vested in his heir, usually the eldest son. In the absence of such an heir, the estate goes to the deceased's nearest male relative. If the heir is a minor, the estate is to be administered by one of the deceased's male relative until the heir reaches the age of majority. The heir is supposed to administer the property of the estate for the benefit of the dependents of the deceased (Holleman 1952). The application of customary law seems to vary in each family unit, and thus can be abused, as some of the following cases illustrate. Moreover, WLSA research has discovered considerable variation in interpretation of customary law as well.
11. African religions have often ascribed death to intervention by a deceased's enemies, whether alive or dead. Accusations of witchcraft concerning the death of a person are still fairly common, particularly if there is any question of the cause of death or a suspicion that someone wanted the death to occur.

12. The funeral is usually seen as largely the responsibility of the relatives of the deceased as the widow (or widower) is supposed to be consumed with grief and unable to attend to details.
13. The *kurova guva* ceremony marks the end of the period of mourning (usually a year) among the Shona. According to custom, the widow was supposed to wear black and - to remain celibate. Men wore a black armband and were not expected to remain celibate. At the ceremony, the widow was given new clothes and invited back to "normal" life. The personal belongings of the deceased were distributed at the ceremony, usually by a male relative. The widow then decided who was to be her guardian (see footnote 14). The *umbuyiso* ceremony among the Ndebele is quite similar, also taking place after a year of mourning. Both property and guardianship issues were decided at the ceremony, making it a very important event.
14. Among the Ndebele, contrary to accepted wisdom on customary law (Holleman 1952), the WLSA team discovered that widows and daughters have always been allowed to inherit some property. However, priority is given to the male children, especially the heir, who is usually the eldest son, and relatives of the deceased also receive some property. The distribution of property in small estates, i.e. the majority, is generally controlled by men and widows and daughters often receive little. Property distribution is ultimately decided by the family, and thus varies depending on family dynamics as well as considerations of "custom." The Ndebele widow and children remain in the matrimonial home and have the use of all the non-personal property of the deceased during the year of mourning. However, the injunction against distribution of property before the first year is changing as modern economic needs make it impossible to lock up material resources for a year.
15. Leviratic marriage, known as *kugara nhaka* among the Shona and *ukungenwa* among the Ndebele, used to guarantee the protection of widows and maintain control over her deceased husband's children and property. However, "inheritance" through marriage to the deceased's brothers was never mandatory. A widow could also choose one of her children as her guardian, or she could return to her natal home. *Kugara nhaka* still occurs, but it is widely criticized and consequently no longer acceptable to many women (and men).
16. Among the Shona, the parents of the deceased or persons acting in their place (usually brothers and other male relatives) have considerable influence over distribution of property and the appointment of an heir. This is still considered normal, but new support structures for widows and changing attitudes towards widows' rights are changing practices for some.
17. Heirs among both the Shona and Ndebele can inherit both the position and property of the deceased. The heir tends to be the eldest son or the nearest male relative. Contrary to much official legal opinion, the research team discovered that the

Ndebele have no rule against widows or daughters becoming heirs, although this is still rare in practice. Increasingly heirs receive the position of the deceased without control over all the property, which is often given to the widow. While many heirs have come to believe that widows should receive much of the matrimonial property, this is not always the case, as some widows reported being chased from their home by their son once he had become heir.

18. This use of case studies acknowledges the postmodern concern with the constructed subject, and consequently the limitations on "evidence" constructed simply from informants' recollections of their lives. This approach recognizes the constructed nature of the subject and the influence of both material and discursive contexts on informants' interpretations of their lives (Marchand and Parpart 1995).

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