

# **TANGAZA COLLEGE**

**THE CATHOLIC UNIVERSITY OF  
EASTERN AFRICA**

## **WIDOWS AND PROPERTY GRABBING: (A CASE STUDY AMONG THE LUNDA PEOPLE OF ZAMBIA)**

**A THESIS SUBMITTED TO THE DEPARTMENT OF PASTORAL STUDIES IN  
PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE DEGREE OF  
— BACHELOR OF ARTS IN RELIGIOUS STUDIES.**

**BY**

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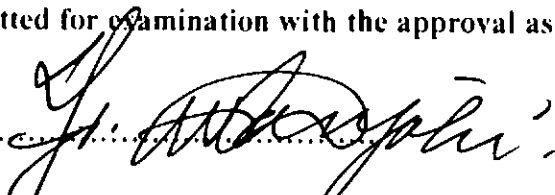
# STUDENT'S DECLARATION

I, the undersigned, declare that this long essay is my original work achieved through my personal reading, research and critical reflection. It has never been submitted to any other college or university for academic credit. All sources have been cited in full and acknowledged.

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Signed:   
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## **DEDICATION**

**This little humble piece of work is dedicated to African widows violated by different societies, and in particular to Zambian widows, who suffered terribly because of some people's cupidity of the worldly riches. For them and for all those who share their painful experience, we continue to pray for strength and hope that this cultural trend may one day come to an end.**

---

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## ABSTRACT

The phenomenon of widows and property grabbing in our society today is a great reality to reckon with. We are reminded, day in and day out, that this phenomenon keeps rising, and there is no way we can pretend that it does not exist. This long essay was prompted by one main consideration, namely, the high rate of widows and property grabbing in *Zambian Newspapers*, which has left both the Church and State with no step to curb what I may call "the disease" leaving widows helpless, laughing stocks and vulnerable. This has affected not only the widows themselves, but also their children and their future.

However, the Catholic Church in Zambia is challenged by what she sees happening in the society, and she is left with no option but to take action in educating every citizen's rights. Although much is not written on this issue in Zambia, we directed our research study precisely to our vulnerable widows (mothers and sisters) of Kanongesha, Mwinilunga Boma and Ikelenge, in Mwinilunga District, Zambia.

— This research study, whose results are recorded in the next few pages will render a great help to us in order to evaluate the highly prevalence of widows and property grabbing in our society. The findings reported in this essay are based on the responses of respondents from the above stated district (Mwinilunga) in Zambia. A questionnaire prepared by the researcher and approved by the moderator and other experts in the field was used to collect all the relevant data.

Finally, this data was discussed and analysed so that we could formulate some recommendations and practical pastoral suggestions.

# LIST OF ABBREVIATIONS

- ILC - Intestate Law of Succession.**
- LDC- Law Development Commission.**
- NGOs- Non-Governmental Organisations.**
- YMCA- Young Women Christian Association.**
- SCCs- Small Christian communities.**
- WLSA- Women and Law in Southern Africa.**
- WF- Widows' Forum.**
- ZARD- Zambia Association for Research and Development.**

## **GENERAL OVERVIEW**

This piece of work is organised under five chapters. Chapter one gives us the background of the whole study. It also deals with the statement of the problem, short history of the Lunda people, objectives of the study, scope and limitations of the study and the significance of the study. Finally, it also gives us the meaning of key terms such as widow and property grabbing

Chapter two is set apart for the literature review. This gave the researcher an opportunity to go through what other men and women of our time have written on this and other related topics. Moreover, some of the writers have written about themselves and the ordeals they had gone through as widows or widowers. Besides, we also consulted some newspapers and videos during literature review.

Chapter three is based on the field research conducted by the researcher with an assistance of his returning officers. This chapter brings to the surface the important areas of our research and the research instruments. The sample and sampling procedures, and the description of information on the five questionnaires.

Chapter four is devoted to data analysis, which is presented through tables, and the general discussion of data is highlighted. The same chapter gives us the main causes of property grabbing and their effects on widows and their children in the society.

Chapter five is the culmination of our research. This chapter presents the summary of the first four chapters, pastoral recommendations and suggestions for future study. It ends with a very touching general conclusion that challenges us.

# CHAPTER ONE

## 1.0 GENERAL INTRODUCTION

### 1.1 BACKGROUND OF THE STUDY

On 2<sup>nd</sup> December 1991, my Uncle Naweji Kanguluma (my father's young brother) died while he was working for Zambia Railways. He had worked for that company for about twenty years as a Technician Officer in Kapiri Mposhi. Kanguluma was married to Sarah Kayombu. Both of them were Lundas from Mwinilunga District, Zambia. He died leaving behind a widow and four children, three boys and one girl. While in Kapiri, the late Kanguluma had acquired a substantial amount of household goods, just as any working person can do.

However, when Kanguluma died, all the household goods that remained were shared amongst his brothers, young and old, sisters, cousins and his uncle. My father was among those who took a fridge leaving the widow and her children in an awkward state. As far as I can recall, the goods included: a television set, a dining table, chairs, sofa sets, beds and mattresses, a fridge, a stove and other smaller items such as pressing iron boxes and kitchen utensils.

When Sarah asked her in-laws why the goods were not shared equally as she expected, she was told in my presence that everything that the family owned belonged to the deceased. The poor widow could do nothing as she observed everything in the house being taken away. She held on struggling from the depth of misery, to resist opportunistic snatchers of her property acting under the so-called guise of tradition. When I tried to inquire why my relatives were acting in that way, my father told me, "It is our tradition and culture". I could not believe what I was seeing my relatives doing. After the funeral, I did not wait long enough to see the deceased's benefits shared

between his relatives and the widow, because I was preparing to go and start Novitiate in Lesotho. While in the Novitiate, I continued being in touch with my elder brothers and sisters. It was sad news when I returned for holidays after two years, to be told that the widow was only given a meagre amount of money, while the rest of the property was shared amongst them. The case of Sarah reminded me of few similar cases in Lesotho, where many widows I encountered were left without any property after their husbands' death.

In 1998, when I arrived in Nairobi, Kenya, for Theology, I found similar incidences of property grabbing among some ethnic groups. Through the media, I discovered that this phenomenon occurred not only in Zambia, but also in other countries where I stayed, such as Lesotho, South Africa, Zimbabwe and Malawi. This phenomenon was justified by the findings from Women and Law in Southern Africa (WLSA). This research project indicated that 80% of the total population in all six countries of sub-region of Southern Africa were widows. In Zambia, statistics indicated a total of 77.91% widows against 22.09% widowers (WLSA: 1995). This research made me question why Lundas have persistently clung to this custom up to now. Why is it that the State and the Church have failed to educate society to stop this behaviour? As Christians, what is it that we can propose to the Church in Zambia to address the plight of widows and their children in regard to property grabbing?

Today, property grabbing is present in various levels of our society. Our mothers and sisters who become widows are the most affected people. For this reason, it is imperative that since we are part of the society, we have to defend our widows by campaigning against any injustice so as to create a peaceful community. After observing my aunt's predicament as a widow and many other widows, I was convinced that "widows and property grabbing from widows" has become a pastoral issue that needs immediate attention.

## 1.2 STATEMENT OF THE PROBLEM

In a world full of media, whatever happens in one area today is known in the other almost immediately. In Zambia, it is common that the media do not hide issues of property grabbing. A week cannot pass without an incidence of property being grabbed somewhere or a case being reported to a nearby police station. Last year, in the *Zambia Daily Mail*, I came across an article written by the Young Women's Christian Association of Lusaka entitled: "Property Grabbing on the increase".<sup>1</sup> In it, the YWCA expressed fear that property grabbing from widows might increase if the government would not take measures to curb what some women had called "a visible disease". In that same article, the YWCA called upon the State and the Church to educate the public, especially the property grabbers, to respect widows. In its research, the YWCA revealed that property-grabbing incidences closed at 432 that year from 389 cases.<sup>2</sup> It is one of the NGOs countrywide with its headquarter in Lusaka, working for the rights of women.

After having reflected on the phenomenon of property grabbing among the LunDas, together with what I witnessed in Lesotho and South Africa, where I did Novitiate and Philosophical studies (1994-96), Zimbabwe and Malawi, where I did practical training (1997-98), and in Kenyan newspapers, it dawned on me more and more that this serious issue needs immediate attention.

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<sup>1</sup> Rosemary Phiri, *Zambia Daily Mail*, 15<sup>th</sup> April 2001, 4.

<sup>2</sup> Phiri, 4.

In view of this, we are setting out to address the problem of property grabbing from widows of our society, some of whom might be our parents or close relatives. The central problem we will be tackling is about widows and property grabbing that is a common lamentable reality among the Lundas. As future Church ministers who would be working in the midst of such vulnerable people, we have to try to find proper ways of conscientising the public on this phenomenon.

However, to put this work in proper perspective, it is important to give a brief background of the Lunda people of Mwinilunga District. They are the focus of this research.

### **1.3 THE LUNDA PEOPLE OF ZAMBIA**

The Lunda people of North-western Zambia are Bantu who, having migrated from their Empire, Mwantiyanywa, present day Democratic Republic of Congo four hundred years ago (1640), settled in Mwinilunga District.<sup>3</sup> These people, who refer to themselves as Lundas, but who were referred to as the Lunda-Ndembu in colonial literature and simply the Ndembu in the writings of Victor Turner, occupy a clearly defined territory in Mwinilunga district of North-western Zambia. Turner calls the Lundas, "the invaders of North-western Zambia".<sup>4</sup>

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<sup>3</sup> Victor Turner, The Drums of Affliction: A Study of Religious Processes Among the Ndembu of Zambia, (Oxford: Oxford University Press, 1968), 35.

<sup>4</sup>Turner, 65.

Many years ago, the Lundas were called the "Ndembu of Mwantiyanywa", who lived between two rivers. Today, they are called the Lundas, and have become one of the largest tribes in Zambia. The Lunda people left their empire because they were involved in the slave trade with the Portuguese.

However, some events that were transpiring would shake the entire Lunda Empire's business to its foundation, leading to its complete destruction. In 1836, after having outlawed the slave trade, the Portuguese attempted to stimulate the production of ivory as an alternative source of revenue. Eventually, the Portuguese abolished the previously imposed government monopoly on ivory, allowing the artificially low fixed price to rise. Immediately the price of ivory shot up by 300% and continued to rise in the coming decades that followed. Thus, some Lundas went to Angola and Namibia whilst others came to Zambia occupying the two provinces of Luapula and North-western.<sup>5</sup> Those who settled in Luapula are called Lundas of Kazembe, while those of North-western are known as Lundas of Kanongesha (Mwinilunga). The Lundas of the latter district have existed since the 17<sup>th</sup> century. It is in Mwinilunga District where both Victor Turner and James Anthony Pritchett carried out most of their researches in the 1950s and 1980s respectively.

In Zambia, there are two main common systems of traditional succession orders, patrilineal and matrilineal. The Lundas are matrilineal, meaning that their family line is traced through the mother. Matrilineal should be viewed as a major peg upon which many aspects of people's way of life hanged. It is therefore a reference point in

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<sup>5</sup> Victor Turner, Ritual Symbolism, Morality and Social Structure Among the Ndembu, (London: Rhodes Livingston Press, 1961), 89.

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addressing the community's problems. In its essence, it defines the critical issues of inheritance in a family. This inheritance covers the whole spectrum of the community's perception of significant and crucial issues such as wealth, status, power and authority including chieftainship and headmanship. The maternal side of a family will be the ultimate beneficiary in each inheritance. This really means that the widow's children were expected to inherit from their Maternal (uncles), and not from their paternal line.

In any case, ownership of property among the Lunda people was traditionally a prerogative of men. Women did not hold any ownership right except through their husbands, provided those women had biological children.<sup>6</sup> When the husband died, the surviving widow returned to her kinsfolk without anything because she brought nothing with her when she got married. She was only considered a housewife even if both spouses had children. The husband still remained the head of the family.

However, in those days, what a man owned were axes, a spear, a hoe, a gun, a cassava field, fishing nets, and for the well-to-do, livestock. Since the Lunda do not practise levirate marriage, after the burial and cleansing by the deceased's relatives, the widow returned to her kinsfolk who assumed responsibility for her support, until she remarried if she wanted. Depending on the fairness of the deceased's relatives, a widow of good character was given something, for instance, a hoe or part of cassava field out of the husband's estate. In addition, an old widow without kinsfolk but with children was privileged to remain in her deceased husband's village only if she got on well with her in-laws. Thus, not all widows were guaranteed settlement with their in-laws after their husbands' death. This

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<sup>6</sup> Norah Mumba, *A Song in the Night: A Personal Account of Widowhood in Zambia*, (Lusaka: Multimedia Publications, 1992), 19

varied from one clan to another. For those who lost their husbands at early ages remained for one or two years, and later remarried if they wanted.

→ Since the Lundas are matrilineal, children, after their fathers' death went with their mothers, and their maternal uncle became responsible of them. They visited their late fathers' relatives when they were old enough, and depending on the way their mother was treated by her in-laws. This concept of marriage among the Lundas continues, except that there has been a tremendous revolution from well-educated women over the grabbing of property. After independence, educated women feel that their in-laws are greedy, for they grab whatever they and their husbands sweated for. They see this as unjust and an abuse of their rights to property ownership.

## **1.4 OBJECTIVES OF THE STUDY**

The main objectives in this research are as follows:

1. To collect data on widows
2. To identify the main causes of property grabbing.
3. To assess the effects of property grabbing on widows and their children.
4. To challenge myself as a future Church minister of the Word on how this phenomenon can be addressed.
5. To make recommendations for future pastoral action.

## **1.5 SCOPE AND LIMITATIONS OF THE STUDY**

Zambia is a big country with an area of 752,620 square kilometres, divided into nine provinces: the Lunda are found in the provinces of Luapula and North-

western.<sup>7</sup> The latter province consists of six districts with Mwinilunga District as the main in which the research was conducted. Time and transport constraints could not allow us conduct research in other districts.

Areas visited during the research are indicated on the map (*Appendix-VI*). With the help of three research assistants who were responsible for distributing and collecting back the questionnaires, the exercise was accomplished satisfactorily. Due to travelling problems, we relied much on public transport, which often times was very unpredictable. Since we did not have personal transport and some places were almost inaccessible to vehicles, we depended on bicycles that we hired several times from the locals.

Mwinilunga District is large. We could only cover those areas on the map, without covering one or two other districts, and that became great limitation. There was not much literature specifically on our topic. However, found a few books related to our area of research. Since some of our informants, the widows, were illiterate, they could only give the best information needed in writing. For such people, we interviews were more appropriate as an effective research instrument.

## **1.6 SIGNIFICANCE OF THE STUDY**

Pastoral agents regardless of the place of serving the people of God, obviously meet widows. For this reason, it is important to note the challenging reality of widows. Accordingly, pastoral agents must responsibly be at their disposal, instead of shunning them, as is often the case with some or most of their married colleagues. As future Church ministers, we are invited to look at such vulnerable people lovingly, and compassionately, to help them gain dignity in the

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<sup>7</sup> Kennedy Kaplan, *Zambia: A Country Study*, (Ndola, Franciscan Mission Press, 1979), 35.

community. Need also arises to assign them with some responsibilities in the Church as members.

Many widows today are in deplorable situations. In many areas, they are stigmatised and discriminated against by other women due to their state. Every pastoral agent should continue the mission of Jesus, which among others include, "I came that they may have life and have it in full"(John 10:10).

In this regard, the challenge for the Church is the invitations to do something concrete about the widows found in such a situation. No married woman can understand how much widows suffer until she finds herself in that situation.

## 1.7 DEFINITION OF KEY TERMS

### 1.7.1 The term "Widow"

The Greek word for widow is *chera*.<sup>8</sup> It comes from the Indo-European root *Ghe*, which means, "forsaken" or "left empty". The English word widow descended from this root. *Chera* is related to the preposition *choris* meaning "without " or "apart from", and is used adverbially to mean "separately" or "by itself". Thus, the original meaning is a person "without" or "left without" a husband.

→ The Hebrew word for "widow"-*almanah*<sup>9</sup>, has its root in the word *alem* meaning, "unable to speak". *Almanah* was used especially to refer to the widow as helpless, voiceless or exposed to oppression, and harsh treatment. The widow was the "silent one". Many scholars have proposed different definitions of "*almanah*". Some have suggested that an *almanah* is a woman who has lost her husband and is in desperate straits.

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<sup>8</sup> Mae Alice, Reggy-Mamo, Widows: The Challenges and the Choices, (Nairobi: Salmaia Publications, 1999), 33.

<sup>9</sup> John Rook, Making Widows: The Patriarchal Guardian at work, (Pretoria: UNISA Press, 1964), 10.

For the *Oxford Advanced Learners Dictionary*,<sup>10</sup> a widow is "a woman who has lost her husband by death and has not remarried". During our research and interaction with widows, it was hard exactly to determine them. Most of them did not want to show that their husbands had died. Only through the names they called themselves as stated below could suggest their widowhood.

The term "*Nfwila*" in Lunda is a harsh sounding and hurtful word used to mean "widow". Indeed becomes prudent not to use it. Certain expressions are instead used allegorically to express the idea. For instance, the Lunda people call a widow "*nfwila*" or "*ntuluwa*"<sup>11</sup>, meaning someone married to a dead man. Accordingly, being a hurtful term, a widow is described as "*Mubanda wakotola itala*, a woman who has broken her house". It is for this reason that the community isolates the widow because she is still considered to be in possession of her dead husband's spirit. Besides, she is seen to be a threat to other women who are married. Thus, a widow, can hardly shake hands with married women. She can only be free to get married upon her completion of the rite of cleansing, which takes one to three months.

### 1.7.2 "Property-grabbing"

Property grabbing is a coined double concept namely, "Property" and "Grabbing". According to the *Oxford Advanced Learners Dictionary*,<sup>12</sup> property is defined as "a thing or things owned, a possession or possessions, land and building that one owns".

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<sup>10</sup> John Martin, (Ed), *Concise Oxford Dictionary*, 5<sup>th</sup> Edition, (Oxford: Oxford University Press, 1995).

<sup>11</sup> M.K. Fisher, *Lunda -Ndembu Dictionary*, (Chingola: Christian Literature Press, 1984).

<sup>12</sup> Jonathan Crowther, (Ed), *Oxford Advanced Learners Dictionary*, 5<sup>th</sup> Edition, (Oxford: Oxford University Press, 1995).

Traditional Lunda people understood *Maheta*, property as what a man owns such as an axe, a spear, a stool, a gun and for those who were rich livestock. This concept has undergone enormous evolution during the past five decades. For this reason, today the connotation of property has expanded to now to include houses, farms, money, television and among others.

Grabbing according to the *New Oxford Dictionary of English*<sup>13</sup>, means to, "grasp or seize something suddenly and roughly, a sudden attempt to seize something from somebody rudely". Among the Lundas, *kuhukula*, grabbing implies to pinch by force that which does not belong to one. This is exactly what happens when someone loses a partner, through death. While still experiencing that pain of loss, people add injury by grabbing what is left.

Property grabbing (*kuhukula maheta*), therefore refers to "the disorderly and violent manner of taking by force and rudely what does not belong to you".<sup>14</sup> This phenomenon often takes place on or after the death of a person whereby one's relatives take away whatever the deceased, together with his wife, owned, leaving the widow, her children and other dependants without any means of support. It is therefore, with this definition in mind that, property grabbing is seen to violate the widows' rights. This should not be tolerated in our communities because the consequences are devastating to the already vulnerable widow and her children. Sometimes, she has to resort to prostitution to support her children and her family. Furthermore, her daughters if she has any may have to marry early, and her children's education may be interrupted to meet the need of supporting a family.

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<sup>13</sup> Ashby M. (Ed), *The New Oxford Dictionary of English*. (New York: Oxford University Press, 1998).

<sup>14</sup> C.N. Himoonga, *Property and Law Rights of Women*, (Lusaka: Teresianum Press, 1972), 125.

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<sup>13</sup> Ashby M. (Ed). *The New Oxford Dictionary of English*. (New York: Oxford University Press, 1998).

<sup>14</sup> C.N. Himoonga, *Property and Law Rights of Women*, (Lusaka: Teresianum Press, 1972), 125.

## 1.8 CONCLUSION

The issue of widows and property grabbing both in Zambia and in some other countries is a living reality. It should be of concern for every person of good will in trying to tackle it. We have therefore taken this crucial and demanding topic to meet the challenge as future Church ministers to the people of God, especially the bereaved of our society. We have seen what and why the researcher decided to focus on this topic, and the limitations encountered during the research.

Having given the background of this concern in the first chapter, the second chapter will be devoted to the review of relevant literature. It will expose us to other scholarly sources, especially the recent ones, which highlighted the plight of widows as they write through in the devastating experiences of the high level of property grabbing from our communities. In the third chapter, we will present our research method and procedures. The fourth chapter focuses on research findings and interpretation of data. Chapter five will be the summary, recommendations and conclusion of the whole research endeavour. We can now turn to literature review.

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# CHAPTER TWO

## 2.0 LITERATURE REVIEW

### 2.1 INTRODUCTION

This chapter reviews some important written works and videos on widows and property grabbing. Literature review introduces us to views and experiences of other people on widowhood. In fact, among such people, there are women that have shared their own ordeals as widows through their writings. In addition, there are also people who have addressed this phenomenon of property grabbing as a challenging reality, suggesting responding to it. However, none of such works has focused on the Lunda of Zambia, but also common in other countries, like Zimbabwe, Nigeria, Lesotho, Kenya among others in Africa.

Therefore, the present chapter has some helpful insights, even more specifically regarding property grabbing from widows amongst the Lunda of Mwinilunga, Zambia.

### 2.2 SURVEY OF RELEVANT LITERATURE

Before Zambia's independence in 1964, there was hardly any specific literature on widows and property grabbing, as it is today, except for one or two works by Victor Turner, an anthropologist. In his book, "Schism and Continuity in an African Society"<sup>15</sup>, Turner explores how widows were treated among Lundas. According to Turner, since customary law primarily determined marriages without elaborate intervention from the colonial government, traditional elders manipulated

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<sup>15</sup> Victor Turner, Schism and Continuity in an African Society, (Manchester: Manchester Press, 1957), 125.

everything including the "maltreatment" of widows. Such widows could not own anything in marriages.

In the Post-independence era, one finds some works on widows. Himoonga, reacting to particularly the harsh realities of widows, for instance wrote, "We women have been suppressed for a long time and so, we need to defend our rights against traditions of our society."<sup>16</sup> This seems to concur with Turner's sentiments that women lacked any stand to defend themselves against the injustice of the community prior to independence.

In 1976, the Law Development Commission began a process of consultation of the various groups of people in Zambia. Its effort eventually saw the production of a report with a draft Bill on Wills and Inheritance.<sup>17</sup> The government finally presented the Bills to Parliament in 1987. Unfortunately, the Bills were rejected by Parliament for fear that women might kill their husbands in order to remain with the family property. On 18<sup>th</sup> May 1989, both Bills were passed as "The *Intestate Succession Act*" and "The *Wills and Administration of Testate Estates Act*," Acts No 5 and No 6 of 1989.<sup>18</sup> All these were to do with the rights of widows and their children, so that when husbands and fathers died, the surviving dependents would not children would not remain empty handed. The move taken by such courageous women in the country exists today, but not adhered to by all for the benefit of widows and their children.

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<sup>16</sup> C. Himoonga, The Law of Succession and Inheritance in Zambia, (Lusaka: Teresianum Press, 1976), 25.

<sup>17</sup> Himoonga, 29.

<sup>18</sup> Himoonga, 45.

Commenting on the situation in Zambia, Marcia Burdette is quoted in part:

A death sets in motion a set of cultural demands and tensions too. In many Zambian ethnic groups, particularly in a matrilineal society, the death of a husband signals his relatives to descend on the bereaved widow's home and take all items of value, even what belongs to the widow. In pre-colonial days, lack of material possessions by the average family limited the number of items to be seized. Also the removal of goods was counterbalanced by the custom of reincorporating the widow and the children into the lineage through marriage with a male relative of the deceased. The widow therefore, would lose the dead spouse's goods, but she and her children would not be left to fend for themselves. The relatives of the deceased man feel that it is their right to take the property belonging to his family because he essentially belongs to them, and whatever he acquired belongs to them.<sup>19</sup>

The foregoing demonstrates how wives, who later became widows were perceived in traditional Zambian community. Married women were conceived of as owning nothing, for everything in a house belonged to a husband.

This same mentality persists among the Lunda of Zambia, just like in some other communities in Africa. Property grabbers do not take into account the changed situation where some women are wage earners; and the archaic traditional thinking on this matter has continued.

Norah Mumba, narrating the ordeal she went through as a widow after her husband's death observes in part:

This is a subject close to my heart, coping with the unrelenting illness of a beloved husband, facing the bleakness of bereavement and the struggle from the depths of misery to resist opportunistic snatchers of the household property acting under the guise of tradition.<sup>20</sup>

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<sup>19</sup> Marcia M. Burdette, *Zambia Between Two Worlds*, (Boulder, London: Gower Publishing Company, 1988), 44-45.

<sup>20</sup> Norah Mumba, *A Song in The Night: A Personal Account of Widowhood in Zambia*, (Lusaka: Multimedia Publications, 1992), 5.

Norah admits that matrilineal system is used as a cover by opportunist poor relatives who see the chance to uplift themselves from their poverty upon the death of a materially better off relative. She who was left with three children, one boy and two girls does not hesitate to condemn matrilineal system. She states thus, "in the matrilineal system, a deceased man's wealth was distributed among his sister's offspring, while his own children were expected to inherit from their mother's brothers".<sup>21</sup> Furthermore, Mumba questions the system why a man should spend his life toiling away with his wife and children only to have another man's children by his sisters come to reap the harvest at the end of it all.

Today, people do not consider other people's social and economic environment. For people with such mentality put on a great show of friendship with the family as long as their relative lives, while deep down inside, they resent his wife and children for leading a lifestyle that they would have liked to lead but cannot. For this reason, they tolerate their sisters-in-law in order to stay in good terms with their brothers. Upon the death of a brother, however, these feelings surface in an ugly way without restriction. Mumba observed that such type of crime is nauseatingly widespread among many ethnic groups in Zambia. For the most part, it goes unchallenged. She, however, identifies some factors why the crime of property grabbing continues to escalate and unchallenged:

First, the unscrupulous relatives are well organised in their criminal activities. They strike at a time when the widow is most vulnerable hence least likely to react sensibly. This is before she has got over the immediate shock of bereavement. By the time she gathers her wits enough to defend herself and her children, the home has already been stripped apart and her property is now gracing some other people's

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<sup>21</sup> Mumba, 21.

homes. Second, there is strong fear of witchcraft prevalent in the country. The deceased's relations only have to hint about possible witchcraft and the widow will stand back and helplessly watch them do their worst, afraid for her children as well as her own life. There have been some cases of frightened widows actually voluntarily handing over property and money. The reason is that they have been threatened with witchcraft, which makes a lot of peoples' lives miserable. Third, the inability to react on the part of widows in this situation is the legal state of the country. Zambia's legislation to protect widows and orphans from the deceased's relations is especially numb or ambigous. There is lack of proper legislation that makes it illegal for people to help themselves to anything in a home upon a man's death, whether he died Intestate or he left a will. Ironically, there exists the Administrator General's Act that makes such practices illegal, giving the Administrator General power to seize such property from the offenders and possibly prosecute them as well.<sup>22</sup> It is simply not implemented.

Alice Armstrong highlights the problems faced by women under the Statutory Law governing family property disputes after divorce, and on the death of a man.<sup>23</sup> She observes that local courts, in particular, deal with these problems by showing a flexible hearing towards the Customary Law, where a wife is never a member of her husband's descent group, and does not, therefore, have any right to inherit her husband's property upon his death. She also states that courts have not been flexible in their approach, and much still needs to be done to improve the legal position of women. This author concludes that there is still much to be done in the

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<sup>22</sup> Anthony Ngulube, The Law of Zambia, (Lusaka: National Publishing Press, 1969). 89.

<sup>23</sup> Alice Armstrong, Women and Law in Southern Africa, (Harare: Harare Publishing House Ltd. 1987). 76.

way of legal reform, and the education of society to reject traditional attitudes and minimise the suffering of widowed women.

John Mbiti also analyses the situation of widows after their husbands' death. According to him, in contemporary Africa, the death of a partner is not easily forgotten particularly where the couple shared high marriage ideals. As a result, it becomes quite challenging. This means that if a husband dies and the wife has no regular source of income, it becomes extremely hard if not impossible for her to meet the financial requirements of caring for the children. Ordinarily, husbands or fathers are the bread-winners of families. Indeed, society has many children on streets not only because of peer pressure, but also because after their fathers' death, the children's mothers can no longer manage to support them well for they themselves are not bread-winners.<sup>24</sup>

Michael C. Kirwen's research revolves around African leviratic marriage with particular forms on the Luo of Tanzania. Although leviratic marriage is not practised among Lunda of Zambia, Kirwen however touches an important issue applicable anywhere. Kirwen researched on the Kwaya Traditions, which has matrilineal pattern, and was uncomfortable with his predecessors. The white fathers who persuaded the Kwaya instead of their matrilineal system embraced patrilinealism. Kirwen laments:

" instead of building on this foundation, the Church through prejudice and ignorance systematically sought to destroy the Kwaya Tradition, trying to substitute a patrilineal tradition that promotes a less Christian vision of the role and position of women in the society".<sup>25</sup>

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<sup>24</sup> John S. Mbiti, Love and Marriage in Africa, (Singapore: Longman Singapore Publishers Ltd, 1973), 206-7.

<sup>25</sup> Michael C Kirwen, African Widows, (Maryknoll, NY: Orbis Books, 1979), 83-84.

Kirwen's observations are important given that one cannot change people's tradition or system over night. For one to comprehend others' culture and tradition one has to insert oneself in that culture. Otherwise without such insertion, regardless of how many years one spends with people, it remains a futile exercise.

Grace Wamue tackles the plight of widows. She recognises that:

widows' plight is much more rampant in our community today, and they are subjected to physical, social, psychological and emotional torture. The Church does not seem to have fully grasped the turmoil of widows, and challenges her to come and identify with and support the widows.<sup>26</sup>

Mae Alice Reggy-Mamo, African-American and African-American once married to a Luo of Kisumu, Kenya shares her own experiences as a widow.<sup>27</sup> She describes real incidences and feelings that other Kenyan women can identify with. In her book, Mae Alice explains some challenges facing widows, including dealing with grief, settling Estate, coping with sexual pressures, and confronting cultural practices that affect the life of a widow in the African context. At some point, she admits that to be a widow is to die twice.

Our literature review included reviewing one of the videos, *Neria* published by Louise and John in Harare, Zimbabwe. In this movie, Patrick and Neria, shared hard work and resourcefulness and built a comfortable home, good life and a family in the suburb of Harare. However, when their loving and equal partnership suddenly ends with the tragic death of Patrick, Neria's nightmares began. Patrick's brother Phineas helps himself to their car, bankbook, furniture, house and the cattle on the farm. He takes advantage of tradition to suit his own needs, making no effort

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<sup>26</sup> Grace Wamue, *Gender Violence and Exploitation: The Widow's Dilemma*. (Nairobi: Kolbe Press, 1998), 40.

<sup>27</sup> Mae Alice, Reggy-Mamo, *Widows: The challenges and the choices*. (Nairobi, Salmata Publishers, 1999), 6.

to take care of his brother's widow and two children. Yet, Phineas claims that tradition and law are on his side.

Neria watches helplessly at first, believing there is no legal or moral recourse for her. But when Phineas takes her children, Neria decides she must fight back. In desperation, she seeks justice after the Church had failed to assist her. Neria learns that both the law and tradition can be on her side if she remains strong and intelligently fight for her rights.<sup>28</sup> This video is based on the injustice of society on widows and their children after their husbands and fathers have died.

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## **2.3 ARTICLES FROM ZAMBIAN DAILIES**

There are three main daily papers in Zambia, namely: *Zambia Daily Mail Times of Zambia and The Post*. Let us briefly review in part some of its articles.

### **2.3.1 Zambia Daily Mail**

Between 27<sup>th</sup> November 2000 to 6<sup>th</sup> June 2001, we identified 11 cases reported in *Zambia Daily Mail*. The Zambia Association for Research and Development (ZARD) deals with violence cases of every kind against widows. For this reason, there are a lot of materials available in its library in Lusaka. Some subscribers of these articles on the suffering of widows are the ones, who because of their ordeals feel like sharing with the public and they give reasons why property grabbing continues to increase. We shall elaborate some of the reasons in Chapter Four.

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<sup>28</sup> C. Louise & H. John, Neria. ( Harare: Harare Publishing Studio, 1992).

### 2.3.2 Times of Zambia

From 4<sup>th</sup> February to 10<sup>th</sup> August 2001, between 15 to 17 articles appeared in *Times of Zambia*. A good number of writers cited that some of the causes of property grabbing are due to lack of education of society, poverty, cupidity and laziness.

### 2.3.3 The Post

*The Post* is private paper, and it is one of those papers that most people read. From 23<sup>rd</sup> December 2000 to 6<sup>th</sup> June 2001, about 65 cases on widows and property grabbing were reported. There is YWCA, an NGO with a Drop-In -Centre. Its headquarter is in Lusaka. It is a centre open to any victimised woman, who wishes to report and seek assistance. According to the 2000's statistics from January to December, 432 cases of property grabbing were recorded countrywide.<sup>29</sup> So each time property cases were reported to YCWA, the next day one would find a headline on the Post Newspaper.

The edited work of Mercy Amba Oduyoye and Kanyoro Musimbi, as an article by Daisy Nwachuku, a Nigerian Lecturer at the University of Calabar. Nwachuku analyses the state of a widow after the loss of her husband. She observes thus:

any widow who lost her husband may usually be a neglected and deserted lonely woman, and these perceptions of widowhood become strategies of emotional, psychological and spiritual violence.<sup>30</sup>

Furthermore, Daisy looks at the widow from psychological point of view, and proposes that the people of God whose relatives have at one moment

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<sup>29</sup>YWCA, "Property Grabbing on the Increase", The Post, 20<sup>th</sup> December, 2000, 6.

undergone such unbearable time need to take them for pastoral counselling. She however observes that the Church and its African theologians have remained uncomfortably ambivalent in supporting widows and their families for long, leaving them helpless and torn between tradition and Christianity. For this reason, she calls upon professing African Christians and scholars to rise and aid the bereaved members of the community.

## 2.4 CONCLUSION

From the literature review, it is evident that property grabbing from widows is a threatening reality. Many of the articles that appear in the Zambian newspapers are only reactions to the situation. They only tell us about what is going on, and try to point out the causes of this phenomenon, but these are not solutions to the problem. For this reason, it is we future Church ministers, who have to carry out more research if a solution to this kind of a problem is to be achieved.

After reviewing some of the literature, we can now go to Chapter Three in order to see how the research methods and procedures were carried out.

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<sup>30</sup> Mercy A. Oduyoye & M. Kanyoro (Ed). The Will to Rise: Women, Tradition and the Church in Africa, (Maryknoll, NY: Orbis Books, 2000), 52.

# **CHAPTER THREE**

## **3.0 RESEARCH METHOD AND PROCEDURES**

### **3.1 INTRODUCTION**

After examining what other people have written already on widows and property grabbing in Chapter Two, Chapter Three, we takes a look at the results of our own research work, the methods and procedures used.

The research was conducted in Mwinilunga District of Zambia in two phases, that is, from May to August 2001 and then from December to January 2002. Furthermore, it was carried out in three main areas within the same district, namely, Mwinilunga, Ikelenge and Kanongesha (Appendix). The reason for conducting this research in the above district was because the researcher himself comes from Mwinilunga District. He is therefore very familiar with its people, the Lunda and their customs. To encourage them to speak freely, the researcher assured his interviewees of complete confidentiality over their responses.

### **3.2 RESEARCH INSTRUMENTS**

Five types of questionnaires were designed to generate required data. The information was obtained from questionnaires, from personal interviews and from mass media. The reason for using five different types of questionnaires was to collect primary data from various parties involved in this situation, and also to receive any feedback from the respondents towards the problem we are tackling.

The respondents' views were then analysed thoroughly. The personal interviews gave the researcher a greater understanding of the interviewees' feelings and experiences. The interviews worked extremely well especially among those who

could not read or write. However, these same people were ready to share their ordeals in much greater detail than expected.

### **3.3 DESCRIPTION OF INFORMATION ON THE FIVE TYPES OF QUESTIONNAIRES**

The data collection was targeted at five different respondents, namely:

#### **3.3.1 Widows**

Widows were given a questionnaire that primarily dealt with their personal data, for instance, identity, age, religion, tribe, marital status and occupation. Questions also sought clarifications on whether or not a widow received any counselling after their husbands' death, and if so, from whom. Furthermore, widows were asked about the main causes of property grabbing.

#### **3.3.2 Fatherless children**

Fatherless children questionnaires were specifically meant for those children who were still under the support of their mothers (widows). These data concerned the name, age, tribe, and name of school, if applicable, whether one still remembered one's father's death, any needs or wants one lacks now and the effect of property grabbing. This category was to establish the experiences of children after their fathers' death. We only targeted children from ten years and above, considered to be most vulnerable.

### **3.3.3 Community Leaders**

The community leaders were asked to give their views regarding widows in their own communities. The questionnaire included the name, sex, age, tribe, religion, causes of property grabbing existing interventions for widows, and suggestions on how minimise property grabbing in their community.

### **3.3.4 Priests**

Parish Priests were seen as pastoral agents because of their jurisdictions in their areas of ministry. Data required of them included personal, that is, name, age, and time spent in a parish. They were also to cite pastoral programmes to help widows in a parish, cases of property grabbing reported in a parish. They were also to identify the causes and solutions to minimise property grabbing among the faithful.

### **3.3.5 Magistrates/Lawyers**

The aim of targeting magistrates/ lawyers was to get clarity from legal point of view regarding widows and property grabbing, besides ascertaining how often such cases are reported to courts or offices. Furthermore, the reason was to invite magistrates or lawyers to share with us what the Zambian law stipulates about widows' rights on property, especially after their husbands' death. Targeting these five categories of respondents was to capture a range of experiences from as many places of the district as possible.

## **3.4 SAMPLES AND SAMPLING PROCEDURE**

Our first aim was only to concentrate on Catholic widows, but due to sensitivity of other churches' widows in places where our researches were conducted, we decided to include them too. In the fourth chapter, we shall classify

Non-Catholics as Protestants merely for purposes of analysis. However, it was the convenience of administering and collecting back these questionnaires that overrode what we ended up with. They were from three centres, namely, Mwinilunga Boma, Kanongesha, and Ikelenge. All the three centres are indicated on the map (Appendix).

### **3.5 DATA COLLECTION METHODS**

In collecting the data for this research, three methods were employed: questionnaires, mass media, and interviews.

#### **3.5.1 Questionnaires**

As part of questionnaire administration, questionnaire forms were distributed and collected on time by both the researcher and his three assistants in all the three centres.

Before distribution questionnaires, respondents were instructed on how to fill in the forms, and given within which to carry out the exercise before the research assistants collected back the questionnaires. A total number of two hundred and eighty-five questionnaires were prepared and distributed to all five categories of respondents. Out of this number, one hundred and fifty-five questionnaires were for widows with 54.3 percent for both Catholics and Protestants. Seventy questionnaires were for fatherless children with 24.6 percent, five questionnaires were for parish priests with 1.8 percent, five questionnaires were for magistrates/ lawyers with 1.8 percent, and fifty questionnaires were for community leaders with 15.5 percent.

Furthermore, all the two hundred and eighty-five questionnaires were answered and returned. They were all collected, collated and later analysed. Chapter Four largely results from the analysis.

### **3.5.2 Mass Media**

The radio, television (videos) and newspapers were some of the major sources of data on property grabbing from widows. Some of these videos include *Neria* and *Gabon Aftermath*, about the Zambia National Football Team that perished on 28/4 1993 in Gabon. There have been many cases of property grabbing in recent years not only in Zambia, but also here in Kenya that have become prevalent and documented in both electronic and print media.

### **3.5.3 Interviews**

As many times as opportunity arose, we managed to seize a good number of places to conduct interviews on widows. Everywhere we went, we managed to interview at least two to three widows each week we were in the field.

Initially, we thought interviews would not work out well as most widows were not willing to share (unveil) their problems with strangers, which should be understandable. Nevertheless, as weeks went by, we discovered that interviewing the bereaved was much better than questionnaires because in some instances, questionnaires could not be answered effectively. Without exaggerating, illiterate widows had a lot to share. Some were so free and ready enough to reveal their ordeals in much detail that at some stage, some of us were left shedding tears of sympathy. Not everyone was capable of answering questionnaires in the right manner. For those who could not manage to answer them, we however conducted interviews.

### **3.6 CONCLUSION**

In this third chapter, the researcher had tried to discuss the research methods and procedures that were used in data collection. Different components of data collection and procedures that were employed have been discussed. Although we encountered problems during of research, all in all, the research was successfully conducted. Having considered this section, we now proceed to the fourth chapter, which is very vital because it is the basis of the whole study. Its aim is to analyse and discuss the research findings, giving the necessary implications of the data. For this reason, all the deductions and recommendations of the researcher will subsequently depend on these data.

# CHAPTER FOUR

## 4.0 RESEARCH FINDINGS

### 4.1 INTRODUCTION

Chapter four presents an analysis and explanation of our research findings. In this section, we have provided tables or figures to give a visual summary and interpretation of the data collected during the research fieldwork. Although these tables and figures are self-contained and self-explanatory, they have also been referred to in the text. It must be mentioned that the data collected are based chiefly on the answers to all the five different types of questionnaires, on widows, on fatherless children (orphans), on community leaders, on parish priests and lastly on magistrates/lawyers.

The whole chapter is divided into component parts. The first part (4.2) gives us every scientific findings of the three types of questionnaires while the last two are based on what the Church and the State stipulate about property grabbing. The analysis of the data is grouped logically, tabulated systematically and readable. It will conclude with the discussion on all the analysed data.

The second part provides us with what the Zambian Statutory Law states about the Intestate Succession Act, the causes and effects of property grabbing on widows and fatherless children, and the conclusion.

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## 4.2 Data Analysis

Table 1 below presents the general distribution of all respondents by status. The data include only the questionnaires conducted on all respondents, and not the interviews.

<b>Status</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Widows</b>	155	54.3
<b>Fatherless children</b>	70	24.6
<b>Community leaders</b>	50	15.5
<b>Parish Priests</b>	5	1.8
<b>Magistrates/ Lawyers</b>	5	1.8
<b>TOTAL</b>	<b>285</b>	<b>100</b>

A total of 285 respondents in all took part in this research study, with the widows having the largest figure of 54.3%, and the magistrates and priests sharing apiece each of 1.8% as the lowest.

Table 2 below is an Age distribution of the 155 widow respondents. This includes age distribution of widow respondents regardless of their religion.

<b>Age of widows</b>	<b>Frequency</b>	<b>Percentage</b>
<b>18-25</b>	6	3.87
<b>26-35</b>	13	8.38
<b>36-45</b>	50	32.25
<b>46-55</b>	48	31.0
<b>56 and above</b>	38	24.5
<b>TOTAL</b>	<b>155</b>	<b>100</b>

The Age distribution shows that, a high of 32.25% of widows' falls between 36 and 45, and a low of 3.87% belongs to the age group between 18 and 25.

Table 3 below presents an Area distribution of widow respondents.

<b>Area of Research</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Mwinilunga Boma</b>	47	30.32
<b>Kanongesha</b>	65	41.93
<b>Ikelenge</b>	43	27.74
<b>TOTAL</b>	<b>155</b>	<b>100</b>

Out of the 155 questionnaires distributed, the above table shows the three areas of Mwinilunga Boma with 30.32%, Kanongesha with 41.93% and lastly Ikelenge with 27.74%. These three places are the major centres where the researcher and his

assistants were stationed. Apart from these centres, their environs area also included in the map.

Table 4 below is a distribution of respondents by denomination (Religion).

<b>Denomination</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Catholics</b>	82	52.90
<b>Protestants</b>	67	43.22
<b>Non-Christians</b>	6	3.87
<b>TOTAL</b>	<b>155</b>	<b>100</b>

The above table shows that 52.90% of respondents are Roman Catholics, 43.22% are Protestants and 3.87% are Non-Christians. This shows that the majority of widows in the areas the research was conducted are Catholics.

Table 5 below shows the distribution of widow respondents by occupation.

<b>Occupation Of widows</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Unemployed</b>	59	38.06
<b>Employed</b>	37	23.87
<b>Self-supporting</b>	17	10.96
<b>Supported by Children</b>	42	27.09
<b>TOTAL</b>	<b>155</b>	<b>100</b>

The difference between the unemployed that represents 38.06 % and the employed widows that are 23.83 % is 14.11%. This shows that the majority of widows have no work.

Table 6 below finds out whether or not widows received counselling after their husbands' death.

<b>Counselling</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Catholics</b>	68	43.88
<b>Protestants</b>	80	51.61
<b>Non-Christians</b>	4	2.55
<b>Empty (Blank)</b>	3	1.93
<b>TOTAL</b>	<b>155</b>	<b>100</b>

Regarding counselling, the above table indicates 51.61% for Protestants and 43.88% for Catholics with the minimal difference of 7.73%. This shows that 7.73% of Catholic widows, after their husbands' death, do not seek counselling as compared to their Protestant counterparts.

The tables below are based on the fatherless children (Orphans).

Table 7 reveals Age distribution of respondents (Orphans).

<b>Age</b>	<b>Frequency</b>	<b>Percentage</b>
<b>9-14</b>	24	34.29
<b>15-17</b>	15	21.42
<b>18-30</b>	22	31.42
<b>31-40</b>	9	12.90
<b>41 and above</b>	0	0.00
<b>TOTAL</b>	<b>70</b>	<b>100</b>

A total of 70 respondents (fatherless children) whose age varied as listed on page 34 took part in the exercise. Out of this number (70), 24 fatherless children with the ages between 9-14 years represented 34.29% as the highest, whilst those between 31-40 years old represented 12.90% as the lowest.

Table 8 reveals Area distribution of the fatherless children in all the three major centres and their environs.

<b>Area Distribution</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Mwinilunga Boma</b>	38	54.28
<b>Kanongesha</b>	20	28.60
<b>Ikelenge</b>	12	17.12
<b>TOTAL</b>	<b>70</b>	<b>100</b>

With the total number of 70 fatherless children, who took part in answering the questionnaire in three major centres, 54.28% out of 38 came from Mwinilunga Boma and its environs, whilst 17.12% out of 12 was from Ikelenge and its environs, as the lowest.

Table 9 presents gender distribution of fatherless children respondents regardless of their religion.

<b>Gender Distribution</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Male</b>	38	54.39
<b>Female</b>	32	45.71
<b>TOTAL</b>	<b>70</b>	<b>100</b>

The general distribution of fatherless children how that, out of 70 respondents, 38 males represented 54.38%, while 32 females represented 45.71%.

Table 10 below presents respondents by their Level of Education.

<b>Educational Level</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Primary</b>	25	35.71
<b>Secondary</b>	15	21.42
<b>Completed Form Five</b>	6	8.57
<b>College/ University</b>	4	5.71
<b>Drop-outs</b>	20	28.60
<b>TOTAL</b>	<b>70</b>	<b>100</b>

The general distribution of children by education shows that, 35.71 % of the respondents are found in Primary schools. This makes it difficult if not impossible for them to continue their studies as orphans, and 28.60% of the 20 fatherless children are drop-outs due to lack of finance or due to lack of proper care from relations as a result of mistreatment.

Table 11 below is an Occupation distribution of fatherless children.

<b>Occupation</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Student</b>	21	30
<b>Unemployed</b>	42	60
<b>Employed</b>	7	10
<b>TOTAL</b>	<b>70</b>	<b>100</b>

The above table reveals that out of 70 respondents, 21 are students that represent 30%. 42 are unemployed with the highest percentage of 60% and 10% represents the 7 employed fatherless children.

Table 12 provides answers to fatherless children, who still remember about property grabbing in their home(s) after their fathers' death.

<b>Answer To children's questions</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Yes</b>	42	60
<b>NO</b>	23	32.86
<b>Doubts</b>	5	7.14
<b>TOTAL</b>	<b>70</b>	<b>100</b>

The above table indicates that 60 % of the respondents (Orphans) still remember when after their fathers' death; their paternal relatives grabbed their family property. The 32.86% of the respondents could not remember anything whilst 7.14 % are doubtful about the issue of property being grabbed from their homes when their fathers' dead.

Table 13 is the general distribution of the community leaders by gender.

<b>Gender</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Male</b>	22	44
<b>Female</b>	28	56
<b>TOTAL</b>	<b>50</b>	<b>100</b>

Out of 50 community leaders who took part in the exercise, 22 (44%) were males, whilst 28 (56%) were females.

Table 14 presents the general distribution of community leaders by Denomination.

Denomination	Frequency	Percentage
<b>Catholics</b>	24	48
<b>Protestants</b>	21	42
<b>Non-Christians</b>	5	10
<b>TOTAL</b>	<b>50</b>	<b>100</b>

The above table shows that out of 50 community leaders, who took part in this exercise, 48% are Catholics, 42% are Protestants and 10% are Non-Christians.

Table 15 questions community leaders on whether or not property grabbing can be eradicated.

Community leaders	Frequency	Percentage
<b>Yes</b>	35	70
<b>No</b>	12	24
<b>Doubts</b>	3	6
<b>TOTAL</b>	<b>50</b>	<b>100</b>

Out of 50 respondents, 35 (70%) agreed that property grabbing could be eradicated, 12 (24%) said No, meaning it cannot be eradicated, and 3 (6%) were doubtful.

Table 16 is for Parish Priests on whether or not Pastoral Programmes exist in their Parishes.

<b>Pastoral Programmes in the parishes.</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Yes</b>	2	40
<b>No</b>	3	60
<b>TOTAL</b>	<b>5</b>	<b>100</b>

Out of the 5 parish priests who took part in answering the questionnaires, 2 (40%) said they have pastoral programmes that include: Widows' Association and Widow Training Centre, which trains widows in tailoring, crafts and agriculture. After selling their produce, the profit is shared among the members. On the other hand, the other 3 (60%) stated that they do not have any programmes due to lack of co-operation among widows themselves.

Table 17 below is a distribution of Property Grabbing in Parishes.

<b>Property grabbing exists</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Yes</b>	5	100
<b>No</b>	0	0
<b>TOTAL</b>	<b>5</b>	<b>100</b>

All the 5 (100%) parish priests agreed that the phenomenon of property grabbing exists in their areas.

We have not classified the magistrates/lawyers in the table as we have done with the others because what we wanted to find out from them was what the Statutory Law of Zambia says in regards to Intestate Succession Act of 1989. Their explanation about the Act of 1989 is elucidated on page 41ff. The five magistrates/lawyers in the district were enough to give us adequate information on our topic. The percentage of these people in the District was 1.8%.

### **4.3 DISCUSSION ON THE DATA**

The method employed (questionnaires) in this research study brought together a total of 285 respondents from all the areas under three centres as stated in table 3.

Table 1 is the general distribution of all the respondents by status. Table 2 presents the age distribution of the 155 widow respondents, who participated in answering the questionnaires without the interviews. It indicates that the majority of widows 50 (32.25 %) were under the ages between 36 and 45 years. In Table 3, our

Area distribution of widow respondents indicates that the bigger percentage of widows 65(41.93%) is found in Kanongesha and its environs.

Table 4, which gives us the general distribution of respondents by religion states that out of 155 widows, 82 (52.90%) are Catholics, 67 (43.22%) are Protestants and 6 (3.87%) are Atheists. Regarding employment, Table 5 reveals that out of the 155 respondents, 59 (38.06%) are unemployed, and 17 (10.96%) are self-supporting. Hence, a good number of widows have no work, which entails that 42 (27.09%) of them are supported by their children and those without, end up as prostitutes in order to survive. Table 6 shows that 80 (51.61%) of the Protestant widows receive counselling from either pastors or counsellors after their husbands' death as compared to Catholics 68(43.88%), who rarely do so. This means that to receive counselling, one has to have money otherwise, many widows cannot manage at all.

Table 7, which are based on fatherless children with the total of 70 respondents shows that 24/70 (34.29%) are between 9 and 14 years old as the highest figure. When it comes to area distribution of the fatherless children, Table 8 indicates that 38.70 (54.28%) of the respondents are found in Mwinilunga Boma and its environs as the highest with Ikelenge having 17.14% as the lowest. In table 9, males outnumber females that are 32 (45.71%). In regards to Education, 25/70 (35.71%) of the fatherless children end up at primary level and 20/70 (28.60%) of them drop out due to lack of financial support or mistreatment from relations, thus ending up as street children. Furthermore, if they (orphans) cannot continue with their education, table 11 shows that 28/70 (40%) of them are unemployed, and only 7/70 (10%) of them are employed. Considering the world in which we live in, if one has never been to school or has no qualification of any kind, this means that

securing a proper job can become difficult if not impossible. Table 12 reveals that 45/70 (67.28%) of the fatherless children still recall seeing their mothers' property grabbed by their fathers' relations.

In Table 13, out of 50 community leaders, who took part in the exercise, 22/50 (44%) were males, and 28/50 (56%) were females. This means precisely because females are more than males in most of our communities. Besides, today, we find that apart from fighting for equality in all areas, be it in politics, social or economy, many women are community leaders in our communities. For this reason, women have become so much active, thus challenging males in regards to community participation and responsibility.

In table 14, the figure shows that out of 50 community leaders, who took part in the exercise, 48% were Catholics, 42% were Protestants and 10% did not belong to any denomination.

In table 15, on the eradication of property grabbing, 70% of the community leaders agreed that such a phenomenon can be eradicated provided proper measures are executed, 24% said no, meaning that it can not be eradicated, and 6% were doubtful. Regarding the existence of pastoral programmes, out of 5 parish priests who took part in the exercise, 40% said they had organised pastoral programmes in their areas that included: Widows Association and Widow Training Centre that trains widows in fields of tailoring, crafts and agriculture. After selling their produce, the widows share their profit. On the other hand, the 3/5 (60%) stated that they did not have any programmes due to lack of co-operation among widows themselves.

### 4.3.1 WHAT THE STATUTORY LAW OF ZAMBIA SAYS ABOUT INTESTATE SUCCESSION ACT OF 1989

The Zambian Government after Independence adopted the "English Married Women's Property Act of 1882" from her British colonisers. When the Act was applied in the Country, the government sought to give women legal capacity to own property. In 1976, twelve years after Independence, because of the numerous cases of property grabbing that attracted the attention of the government, the Law Development Commission began a process of consultation and research among various communities in Zambia. It finally produced a report in 1982 with a draft Bill on Wills and Inheritance.<sup>31</sup>

The government presented the Bills to Parliament in May 1987. Unfortunately, many in the house, who were afraid that women might begin to kill their husbands so as to take property away, rejected them.<sup>32</sup> The Bills were finally passed in May 1989 as the "Intestate Succession Act and the Administration of Estates Act", Acts NO 5 and NO 6 of 1989. It took a long time to pass the two laws because of the reluctance of many Zambians to embrace the new law, and the realisation that property grabbing was actually a distortion of the Customary Law due to modernisation, economic difficulties, and social change.<sup>33</sup> Margaret Munalula and Winnie Sithole Mwenda, who are among the prominent lawyers in Zambia mentioned that the preamble of the Intestate Succession Act states that it is:

An Act to provide a uniform intestate succession law that will be applicable throughout the Country to make adequate financial and other provisions for the

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<sup>31</sup> The Law Development Commission, Report on the Law of Succession, (Lusaka: Government Printer), 1982.

<sup>32</sup> C.N. Himoonga, "The Law of Succession and Inheritance in Zambia," International Journal of Law and the Family, 4 Th Feb 1989, 16. This was the symposium given by Dr. Himoonga.

<sup>33</sup> Michael, Ndulo, Widows under Zambian Customary Law, (Lusaka: Multimedia Publication Press, 1985), 65.

surviving spouse, children, dependants and other relations of an intestate; to provide for the administration of the estates of person's dying not having a Will, and to provide for matters connected with or incidental to the foregoing.

Despite the 1989 Intestate Law of Succession Act and the Administration of Estates Act, which were the government's attempt to deal with the problem of property grabbing, providing mechanism for fair distribution of property of the intestate deceased, widows and their children continue to suffer extreme harassment from their husbands' relatives. The government took into account the traditional custom by including in not only beneficiaries of the estate, but also other dependants and relatives. According to the 1989 Law, Section 5 of the Act, a widow (s) should inherit 20% of the deceased's Estate, 50% goes to the children, 20% to the parents of the deceased, and 10% to the deceased's other dependants present at the time of his death.<sup>34</sup>

Like the Wills Act, this law (ILC) has not been followed much ever since it was passed. It is seldom applied to in the redress of property grabbing. Usually, it is ~~the~~ customary law that prevails, which states that whatever the deceased leaves behind does not belong to the widow and her children, but to his kin. Even before the law was passed, many men including the intellectuals were opposed to it for fear that women might kill their husbands and then inherit their property.<sup>35</sup>

One of the respondents (lawyer) observed that the situation in Zambia shows the strength of the beliefs of the people concerning property. It also shows the inadequacy of approaching problems from the legal standpoint. The introduction of the law concerning property inheritance deals more with the

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<sup>34</sup> Chondoka, Y. A. Traditional Marriage versus the Present Marriage in Zambia: A Study in Cultural History, (Ndola: Franciscan Mission Press 1991), 120.

<sup>35</sup> Chondoka, 125-126.

consequences of property grabbing than with tackling the root of the problem.<sup>36</sup> However, after critical analysis of the Lawyers' statement, we are tempted to conclude that the Intestate Succession Act of 1989 has failed to meet its objectives for a number of reasons:

Firstly, the law itself is discriminatory on grounds of sex. Under the 1989 Act, a widow is entitled to only 20% of the deceased's estate. The surviving children inherit 50%. Furthermore, when a wife dies, it is assumed that her property belongs to her husband. If so, supposing it is a polygamous marriage, how can the sharing be conducted? What is 20% to someone with five wives as is common among the Lunda people? On this issue, the Act is silent on who determines this and how it is to be done. We, therefore, recommend that the above Act be rectified. Secondly, under the Local courts Act 1966, Courts are empowered to determine inheritance cases under customary law, including that of no-customary marriages. However, the 1966 Act has not been suitably amended to take into account the provisions of the 1989 Act. By continuing to enforce customary law, the courts are perpetuating a system, which is based on patriarchal notions that women/widows are subjected to the decisions of male members of the family.

Thirdly, the 1989 Act is poorly enforced and property grabbing continues unabated, because if it was properly enforced, one of the few examples that the Act should have proved its authority on was to solve the case of the Zambia National Football Team that perished in Gabon on 28<sup>th</sup> April, 1993. The team crashed in Gabon few minutes after take off, and everybody on board perished. None of the widows was even compensated by the government. Instead, their relations grabbed whatever the footballers owned from their wives.

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<sup>36</sup> Margaret, M. M. and Winnie, S. Mwenda, Women and Inheritance Law in Zambia, (New York: Longman Publishing, 1995), 97.

## 4.4 CAUSES OF PROPERTY GRABBING

The increase in property grabbing in our communities today is due to the following reasons:

- a. **Materialism:** Nowadays, people are eager to acquire more material goods, which in the end create individualism with no sense of community spirit of sharing with others. Once such a situation arises, it causes Jealous among people.
- b. **Jealousy:** This situation comes as a result of gaps between the rich and the poor in our society. In a clan where one or two family members are rich while others are poor, the latter families would not be at peace with whatever they have. Instead, they would feel jealous of their rich relatives, and they would "pray" that one of their rich relations dies so that they could help themselves with whatever the deceased leaves behind.
- c. **Poverty:** It is so widespread in our communities that there will always be someone in a family, who will need your smallest possession. In most cases, if the breadwinner dies, the family (relations) grabs ones' possession leaving the widow(s) and children in difficult situations.
- d. **Illiteracy:** There is still illiteracy among widows in regards to their rights because there is no one to educate them. As a result, they do not know where to begin from whenever they find themselves in such a situation as widows not knowing that even if they have no money, they can still report their case to Justice and Peace Commission for assistance.
- e. **Tradition/Custom:** The Lundas believe that whatever one acquires belongs to the whole family. Here, the extended family has the right to get the property of

a late relative. What is required of a widow is her being submissive to the in-laws. If she was not in good terms with her husband's relations, she would not expect much from them upon her husband's death.

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**f. Barrenness:** In some communities, a barren has no standing in a marriage. As soon as the husband dies, no matter how long they stayed together as a couple, whatever they owned is taken away by in-laws because the deceased had not left any heir (son or daughter) to inherit his possession. As a result, the widow ends up going back to her kin empty handed despite the number of years spent in marriage.

**g. Dependency:** One of the causes is dependency on one 'family member', who may be working while the rest do not bother to seek employment. Instead, they rely on their wealth relative. However, once the relied person or provider of nearly everything is no longer there, these people would have no one to support him or her anymore. They would automatically grab from the widow (s) all what their relation owned, leaving her and the children empty handed. The result is that in most cases, children become beggars in streets like what we observe in our cities today.

## **4.5 EFFECTS OF PROPERTY GRABBING ON WIDOWS AND THEIR CHILDREN**

Widowhood in most African cultures is perceived as a curse. Today, for the Lunda people, property grabbing has many different effects. Some of these include:

### **4.5.1 Psychological Effects**

After her husband's death, the Lunda widow no longer feels accepted, though tolerated. She now lives in a state of continual tension, lacking someone to make decision with, and seeks at all costs to be protected by somebody even at the price of wresting the latter from his own family. Many women end up fearing to remarry due to the horrible experience they go through as widows. This drama sometimes leads to suicide, or to certain illnesses like psychosomatic, loneliness, depression, hypertension, gastritis, and many others, or to certain sexual deviations like masturbation or prostitution.

### **4.5.2 Economical Effects**

In any community, her husband should maintain a married woman. However, today, things have changed because as soon as the husband dies, the poor widow finds herself in a situation whereby she loses nearly everything they owned to her in-laws. Thus, to meet the unending ever-challenging economic hardships, the only alternative for the widow with her children to survive in most cases is to turn to prostitution and begging in order to support her family.

### **4.5.3 Cultural Effects**

In some matrilineal societies, the most cultural effects widows endure after their husbands' death are the treatments they receive and the rituals they go through like mourning and cleansing. For instance, a widow may be expected to have sexual intercourse with a male figure, which symbolises that the widow has been freed from her marriage and can remarry. It involves sexual intercourse with a male relative of the deceased, thereby, increasing her risk to sexual transmissible diseases including HIV/AIDS. At times, because of cultural beliefs, the widow may be threatened that she will die or go mad if she refuses to be cleansed through sexual intercourse.

These and other cultural rituals are still practised in some areas among the people of Zambia. Such a practice might be offensive to a woman especially in a mixed marriage, who might have been born into another ethnic group that does not follow such practices. For such a humiliating and primitive ritual, how should one today expect a widow, who has suffered so much to remarry?

### **4.5.4. Spiritual Effects**

In the Catholic Church, there are a good number of Christians, who until now cannot tolerate or accept widows as their fellow believers, for they (widows) are seen as a threat to them. If Church members do not spiritually support the widow, how can she continue to be strong in her faith? She will obviously not feel accepted, and then quits the church for sects or simply stops attending Mass.

The spiritual struggles in church contexts still have not yet taken widowhood seriously; hence prevalence of the attitude of suspicion continues. For widows with children, they too feel the same pinch as they lack proper identity as defined by

society. Subsequently, the children grow up to be somewhat rebellious or as social outcasts. There is also no discipline in a home due to lack of the father figure in a house, and that's why children end up on the street.

#### **4.6 Conclusion**

From the data analysis, we can now draw the conclusion that property grabbing is not only a pastoral challenge, but also a cultural and civil challenge, which needs to be tackled not later but now. After having analysed the figures in the tables mentioned earlier, what the statutory law states about Intestate Succession Act, the causes and the effects of property grabbing on our mothers and sisters, the challenge for each one of us, especially the researcher, is to come up with some recommendations. These recommendations can be helpful for use by pastoral agents in order to assist widows be self-reliant and self-sufficient. Now we can turn to the last chapter, chapter five, where we hope to propose some suggestions recommendations on how the Church can help widows overcome the problem of property grabbing in order to become self-reliant in the society.

# CHAPTER FIVE

## 5.0 SUMMARY, RECOMMENDATIONS AND CONCLUSION

### 5.1 INTRODUCTION

In this final chapter, an overview of the study on the phenomenon of property grabbing is given. The chapter challenges us all into designing effective interventions against the said grabbing of property from widows

This last chapter brings to conclusion our research study by giving practical pastoral suggestions to fight this mentality. The chapter has the summary of the study, some recommendations and finally the general conclusion.

### 5.2 SUMMARY

In the preceding four chapters, we looked at the phenomenon of property grabbing. An attempt was made to find out through the research study the causes and effects of property grabbing from widows in Zambia.

In Chapter One, we introduced the whole research study. We looked at the background of the study, stated the problem and then gave a short history about the Lunda. After stating the objectives of the study, we proceeded to mention the scope and limitations of the study. This was followed by the significance of the study and the definition of key terms, namely, widow and property grabbing.

Chapter Two was devoted to literature review. In that chapter, we came to realise that a good number of researches had already been carried out on this topic, and still many more researches are being carried out at present. In that same chapter, we looked at some books that have been written in the past years, videos

produced and newspapers, all dealing with the same issue on widows and property grabbing in our society.

In the third chapter, we closely looked at the research method and procedures used in collecting pertinent data. During the research, five different types of questionnaire were prepared and then distributed to widows, to the fatherless children, to the community leaders, to the priests and to the magistrates/lawyers. The study was conducted among respondents ranging from the age of ten years to that of above fifty years.

In the fourth chapter, we analysed the data obtained from the research. We stated the causes and the effects of property grabbing from widows, and their fatherless children.

### **5.3 RECOMMENDATIONS**

The phenomenon of property grabbing in most of our countries, particularly in Zambia is no longer a hidden issue. The number of widows is experiencing an upward trend; it is too overwhelming to be ignored, perhaps catching up with married issues. This is not only a concern for widows, their children or their family members alone, but also for all members of the society. Therefore, it is appropriate to formulate some concrete suggestions towards this problem, especially from the point of view of the Catholic Church. The recommendations are divided into two sections. The first section is pastoral recommendations. The second has suggestions for future research.

### **5.3.1 Pastoral Recommendations**

The pastoral recommendations suggested below are an attempt to integrate the research findings and solutions obtained from the respondents. In the light of the studies done so far, the following recommendations are being made:

1. Looking at the research findings, we noted one major problem and it was people's misunderstanding of the term, 'family'. The traditional understanding of family included not only nuclear family members, but also extended family members, past, present and those yet to be born. Therefore, we recommend that during marriage preparation, the Church should catechise the couple to be, emphasising strongly on the meaning of 'marriage bond' and its consequence. For instance, the two people at their wedding become one flesh and not two, implying that whatever later they acquire during their marriage belongs to both. Once families are aware of this doctrine, then the issue of who owns what cannot be there, so that even when one partner dies, everything that family owned remains for the other and the children.
2. There is urgent need for the Church to encourage widows to form, "Widows Associations" and then elect one trained pastoral agent to attend to the group. Failure to do this can lead widows stray unto undesired paths and consequences. Thus, a full office of Chaplaincy for this group of widows in each diocese can be established, with pastoral agents sought to attend to them, just as there is a National Spiritual Director for the Women Association of Zambia.

3. As the present Holy Father encourages ecumenical dialogue, it is recommended that the search for a common solution for the implications of widows and property grabbing phenomenon be undertaken in a collaborative ministry amongst different Christian communities. During our interview with Pastor Enoch Kazembu of the Christian Fellowship of Zambia (15/07'01 in Kanongesha), we discovered that in his Church countrywide, there are excellent programmes that we, the Catholics can learn from. They conduct semi-annual luncheon of their widows and widowers in each district, and the special care or ministry to the fatherless children of the widows or widowers, knowing that, 'when the bulls fight, it is the grass that suffer'. The aim is to spend time with the bereaved and their children, and also contribute funds towards their up-keep.
  
4. As widows' rights in many societies are not respected, the Church through the Justice and Peace Commission should conscientise both widows and widowers to report to its office on any irregularities regarding property grabbing. Today, most people trust neither police nor administrators due to biases and corruption in the society. After interviewing some interviewees, we found that police forces have become so manipulative that they no longer protect citizens but long to be corrupted.
  
5. Regarding counselling the bereaved, we found that most of these people especially the poor do not acquire any counselling due to high charge rates, and if anything, many do not have any clue about counselling. We, therefore, recommend that Solwezi Diocese, in North-Western Zambia

trains pastoral agents, and establishes counselling centres (like the Amani Counselling Centre, Kenya) to help widows and widowers, who cannot afford to go to expensive centres.

6. For fatherless children, who cannot afford to go to school due to financial constraints, we recommend that the Church through the Ministry of Education, try to initiate "Open Schools" where such children can be educated. This should serve as one way of reducing the number of street children, who long to continue with their education but because of no support, end up in our streets.

### **5.3.2 Recommendations for future study in Solwezi Diocese**

We are aware that the phenomenon of widows and property grabbing today has become one of the pastoral challenges that the Church is facing. As the number of widows increases, so is the Church, the family of God faced with responsibility to assist the bereaved widows and their children.

However, since the Church cannot afford to help all widows that need assistance, we therefore recommend her to set up the followings:

- (i) The Church on the local level (Parishes & SCC) should conduct a survey on all widows in her jurisdiction, and find out the real widows who should receive assistance. For instance, if a widow has children who are working, why must she expect material help from the parish instead of the children supporting her? Therefore, it is better for the Church to help widows who have nobody to rely on, and who have minors (young children). There have

been cases of this nature in Zambia, where widows with working children sought assistance from the Church.

- (ii) The Church should set up widows' fellowships that are a forum for widows to come together and share their concerns. By coming together, widows can learn from each other in all aspects of life for their own growth.
- (iii) The Church should initiate widows' funds where every parishioner contributes funds to help widows and their children with the payment of school fees and uniforms.
- (iv) The Church needs to initiate projects like crafts, sewing, agriculture and many others as income-generating projects for needy widows in order to become self-reliant rather than depend on the Church for everything.
- (v) With regard to legal affairs, the Church needs to open offices for legal assistance. If any Christian widow has a case in tribal law or in a civil court, the legal advisors of the Church should take up the case for those widows.  
— Such offices can be at diocese levels.
- (vi) The Church needs to organise workshops and seminars for a wide area where widows are able to come and get acquainted, and be able to understand their status. This may take long to convince widows to attend such workshops and seminars. Once they (widows) are conscientised on the importance of these workshops and seminars, they can appreciate.

We, therefore, believe that the above recommendations are not the only ones. Nevertheless, they can still be very helpful to the Church in Zambia when taken seriously.

## **5.4 CONCLUSION**

We have come to the end of this chapter, and have concluded it by looking at the summary of the previous chapters. We proposed pastoral recommendations that the Church should implement. In addition, some recommendations for further studies were proposed so that the Church in Zambia could use them to help widows and their children acquire some dignity in the society. We believe that the above recommendations can be useful once initiated, and we hope the Church would continue from where we have ended so that every contribution can be of much help to our widows and their children, who are neglected by society.

## 5.5 GENERAL CONCLUSION

We must agree that today, widows face many odds once they are confronted with the death of their husbands. Immediately a husband dies, the long dark path of hopelessness commences. It does not matter what might have caused their husbands' death whether natural causes, sickness, accident, suicide or murder. Whatever the cause, in most cases, widows are blamed. What a culture or society are married women living in? Life for widows becomes bitter struggle.

They have to adapt immediately to cope with criticism and the socio-cultural stigma attached to widowhood. Cases of violence on widows like the one of Sarah in Chapter One have dominated mass media. These are characterised by disturbing widow invasion by in-laws, property grabbing, which occur instantly after someone's husband is dead and sometimes even before the burial. This is the situation many widows find themselves in. Our survey of this study confirms that the phenomenon of property grabbing from widows is prevalent, and its impact is felt in all parts of society, thus becoming a challenge to the Church in Zambia. What then can we as community do about it? Are we so helpless not to do something practical to save the situation? Certainly, we are capable of doing something about it.

After having successfully analysed and discussed the research study, we proposed some recommendations, which we hope would be very useful and helpful in restoring the dignity and identity of widows, as human beings. We have also proposed some concrete recommendations for future study, which once implemented by the Church, widows' dignity would be restored again. We believe that widows and property grabbing phenomenon leaves a great challenge to all

pastoral agents, especially to the researcher, who is preparing to be in the field to serve the bereaved of the society.

Lastly, although we have come to the end of this research study, we still invite our readers to take from where we have reached and continue to shade more light on this same issue so that together, one day, we can find the best pastoral solution to this phenomenon. May God touch our hearts to be sympathetic people ready to help those widows we congregate with, and who have lost their beloved husbands.

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**QUESTIONNAIRES ON “WIDOWS AND PROPERTY GRABBING”.**

**Appendix-I**

**A. WIDOWS.**

1. Your Name (Optional ).....Age.....
2. Your denomination (Church).....Tribe.....
3. Are you single...Married....Widow....?(Tick what applies to you).
4. If you are a widow, for how long have you been?.....
5. What is your occupation?.....
6. How many children have you?.....Girls.....Boys.....
7. Do you children go to School? Yes/No. If no,  
explain.....
8. As a widow, did you undergo any counselling after your husband’s death?  
Yes/No.  
a) If yes, from whom? Pastor/ Priest / Counsellor.  
b) If yes, did you find it helpful? Yes/No  
c) If no, explain.....
9. Did you get any support from your Church? Yes/No  
a) If yes, in which way?.....  
.....  
b) If no, explain.....  
.....
10. Have you ever shared your experience as a widow with the community  
members? Yes/No
11. As a widow, do you feel accepted by the community? Yes/No

## Appendix -II

### **B. FATHERLESS CHILDREN**

1. Your Name (Optional).....Age.....
2. Do you go to School? Yes/ No.....
3. Name of your School if you do go.....
4. Do you remember anything about your father's death? Yes/ No
5. How old were you when your father died?.....
6. Are there any needs or wants, which you still miss now that you have no father?
  - a) Yes/ No
  - b) If yes, list any 4.
    - (i).....
    - (ii).....
    - (iii).....
    - (iv).....
  - c) If not, who is providing you with those needs?.....
7. Is your mother able to support you single- handed?
  - a) Yes/ No
  - b) If not, who supports you?.....
8. Was there any property grabbed from your mother when your father died?
  - a) Yes/ No
  - b) If yes, what kind of goods were grabbed from your family?.....  
.....  
.....

## Appendix -III

### **C.COMMUNITY LEADERS**

1. Your Name (Optional).....Age.....

2. Your denomination ( Church).....

3. Does property grabbing exist in your community? Yes/ No

4. How does it affect the widows in your community?

.....  
.....

5. In which way do you support widows in your community?

(a).....  
.....  
(b).....  
.....

6. What are the causes of property grabbing? List any Four reasons .

a).....  
b).....  
c).....  
d).....

7. Do you have any suggestions on how property grabbing can be stopped?

a) Yes/No

b) If yes, list three suggestions.

(i).....  
— (ii).....  
(iii).....  
(iv).....

## Appendix-IV

### **D. THE PARISH PRIESTS**

1. Your Name (Optional ).....Age.....
2. Are you the Parish Priest? Yes/ No
3. What is the name of your Parish?.....
4. For how long have you worked in this Parish?.....
5. Do you have widows in your Parish? Yes/No.....
6. Do you have any pastoral programmes aimed at helping widows in your Parish?
  - a) Yes/ No
  - b) If yes, which ones are those?.....  
.....  
.....
7. Are there property-grabbing cases among Christians in your Parish? Yes/ No
8. What do you think are the causes of property grabbing? List any five.
  - (a) .....
  - (b) .....
  - (c) .....
  - (d).....
  - (e) .....
9. Do you have any pastoral suggestions on how to lessen property grabbing in amongst your parishioners? Yes/ No
  - a) If yes, list any three.
    - (i).....
    - (ii).....
    - (iii).....

**Appendix -V**

**E. MAGISTRATES/ LAWYERS**

1. Your Name Optional).....Age.....

2. Your Occupation / Profession.....

3. For how long have you worked in this profession?.....

4. How often are Property Grabbing cases reported to your Office?

Often / Frequent/ Always / Not at all. ( Just tick any that applies to you).

5. Regarding the Law of Zambia on Intestate Succession Act of 1989, as a

Magistrate / Lawyer, how do you conscientise Zambians understand their

Rights and follow that Act?

.....

.....

6. As a Magistrate/ Lawyer, what do say are the main causes of property

grabbing in the Society? List any Five.

(a) .....

(b) .....

(c) .....

(d) .....

(e) .....

7. What measures can the Government take to control property grabbing

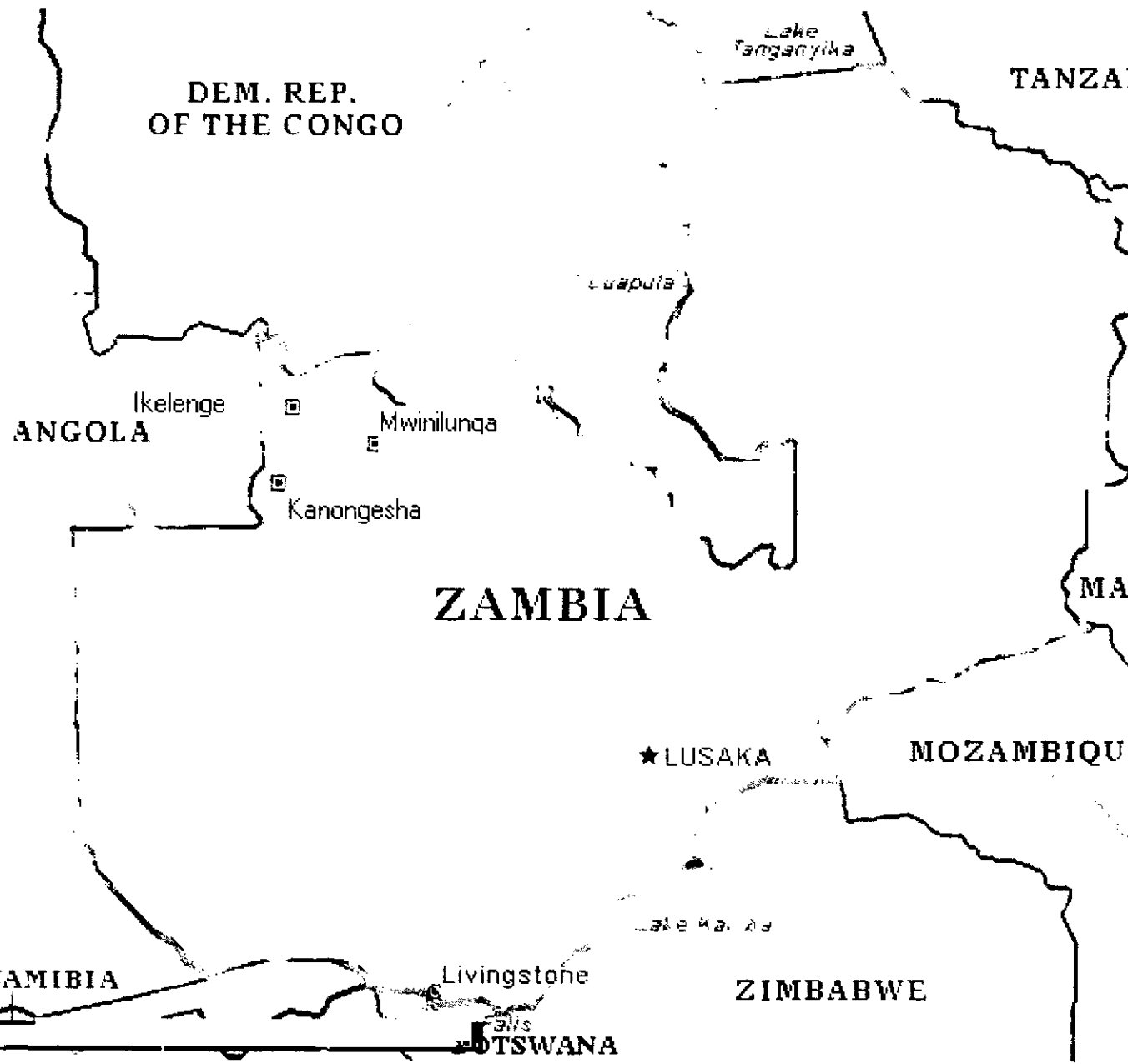
in the Society? List any.

.....

.....

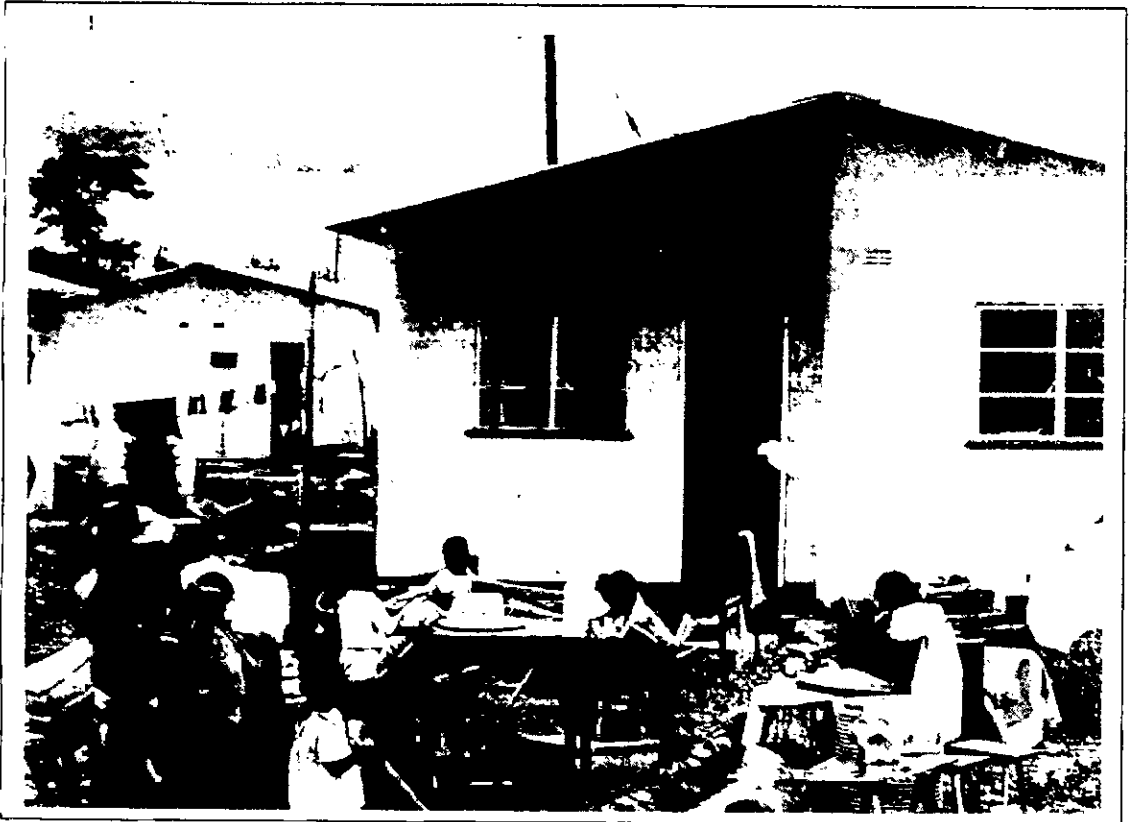
**THANK YOUR FOR YOUR SINCERE CO-OPERATION!**

Appendix- VI



## Appendix VII

# Property grabbing on the increase – YWCA



*HOUSES and other household items are usually grabbed from widows.*

PROPERTY grabbing and marital conflicts are the major problems that are currently facing Zambian women, statistics have shown. According to 1999 statistical data released by the Young Women's Christian Association (YWCA) in Lusaka this week, property grabbing and marital problems, which were detrimental to the well-being of women, are still rife and increasing in the country. YWCA has also expressed fear that these problems among women in Zambia may persist this year going by the number of cases recorded so far. The YWCA, through the drop-in-centre, could however not release statistical records

immediately for the quarter of this year. Property grabbing incidences closed at 432 last year while marital conflicts were at 398. Cases involving marital conflicts include rape, wife battery, divorce and inability to conceive among others. other cases recorded in their order of prevalence between July and December last year include family problems (46), lack of child support (38), miscellaneous (37), domestic violence (27) and unemployment (23). others are financial "handicaps" (20), non-payment of terminal benefits (18), housing problems (17), sexual abuse (9) and . health problems (6). Meanwhile, YWCA sources have said the *Laweni* (house where abused women are kept and counselled) is slowly becoming popular among women victims of violence and other offences. The sources say the association was happy that women in the country and Lusaka in particular have responded positively to calls by the non-governmental organisation to break the silence with regard to problems like violence, sexual abuse and incest. The *Laweni* was established mid-last year to take care of women whose lives are at risk by their spouses and to counsel women and men on various problems. The sources regretted that many discussions involving women being abused have rarely addressed the role of men, creating an impression that they (men) are not part of the solution. Many women NGOs in the country have said in the recent past that education is the key to the achievement of equality and development.

*By YWCA*

From Zambia Daily Mail, 15<sup>th</sup> April 2000, p. 4.