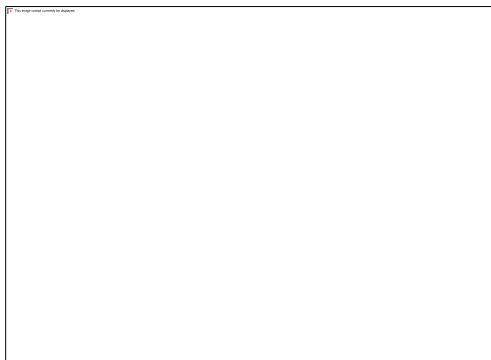


BINDURA UNIVERSITY OF SCIENCE EDUCATION

FACULTY OF SOCIAL SCIENCES AND HUMANITIES



**AN EXAMINATION OF THE CHALLENGES BEING FACED BY WIDOWS WHEN
CONTESTING WILLS AND ESTATE DISTRIBUTION: CASE STUDY OF BINDURA
DISTRICT**

BY

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**A Dissertation Submitted to the Department of Peace and Governance in partial fulfilment
of Bachelor of Science Honors Degree in Peace and Governance**

Supervisor: Dr. Chipaike

Bindura

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Abstract

This study investigated the challenges being faced by widows when contesting wills and estate distribution in Bindura district. The study sampled a total of 40 respondents using purposive and snow ball sampling techniques. Data was collected using interview. Data was collected using qualitative research method respectively. Results indicated that there is need for institutions that deal with challenges being faced by women when contesting for wills and estate distribution, the government need to amend laws that protect widows and also ban those tradition and cultures that disinherit women from the husband's property. The study concludes that there is need for awareness campaigns, support groups for widows and financial help so that the contestation process for wills and estate distribution will not be difficult for widows. . Additionally, the study reviewed that legal frameworks enacted to protect widows rights are not fully utilized due to lack of legal awareness among widows, the presence of customary laws, cultural traditions is being a challenge to widows contestation of wills and estate distribution. Therefore to empower widows the study recommends creation awareness campaigns and educating widows on their rights when contesting for wills and estate distribution.

Declaration Form

The researcher studying for a Bachelor of Science Honors Degree in Peace and Governance, is aware of the fact that plagiarism is an academic offense and that falsifying Information is a breach of the ethics of Peace and Governance research, I truthfully declare that:

The dissertation report titled: An examination of the challenges being faced by widows when contesting wills and estate distribution. A case study of Bindura district Zimbabwe is my original work and has not been plagiarized. The research was crafted within the confines of the research ethics and the ethics of the profession.

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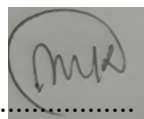
Date 27/09/2025

Supervisor's Signature.....



Date 27/09/2025

Chairman's Signature.....



Date....12/10/2025.....

Dedication

I am dedicating this project to the most important figures in my life most of all the Almighty the name above all names .I know you have always been by my side guiding me through and through hard times, and mostly my parents for making me who I am today, the encouragement, patience and care throughout the study.

List of Acronyms

CEDAW.....Convention on the Elimination of all Forms of Discrimination against

Women

LRF..... Legal Resources Foundation

SADC..... Southern Africa Development Committee

WLSA..... Women and Law in Southern Africa

ZGC.....Zimbabwe Gender Commission

ZWLA.....Zimbabwe Women's Lawyers Association

NGO.Non Governmental organizations

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CHAPTER 1

1.0 INTRODUCTION

1.1 Background of the Study

The loss of a loved one is a difficult experience, and the process of settling their estate can be a complex and emotionally challenging task for widows. It is a sad reality in African countries particularly Zimbabwe that most people are not customed to will writing. One of the essential advantages of a will is that it guides the court in administration of estates and makes the work easier. Intestate succession occurs when the deceased dies without leaving a will or leaving a valid will.

Denial of widow's inheritance of their deceased husbands can be traced back to colonial era practices. The dual legal system is perceived as a main hurdle that was used by the British colonialists to deprive Africans and Women's natural rights. Various laws were exerted and applied by the dual system as per racial discrimination according to (Banda, 2007). Regardless of the racially-based application, this racially biased dual systems are still perceived, and prevail in Zimbabwe even though the country is declared independent.

In order to preserve the principle of the promotion of gender equality, diverse polices and legal frameworks have been implemented to promote women rights. Globally, the implemented frameworks include, The Convention on the Elimination of All Forms of Discrimination against

women (CEDAW) 1979, and the Universal Declaration of Human Rights (UHDR) 1948. These frameworks were implemented to uplift women in terms of their rights, in which many nations have several acts regarding inheritance of property by widows according to (Makanga 2022). The Convention on the Elimination of All Forms of Discrimination in which Zimbabwe is part of provides guidelines on non-discrimination and equality issues. Other frameworks that give widows the right to inheritance and equitable shares include, Article 21 of the AU Protocol to the African Charter on Human and Peoples Rights on the rights of women in Africa and, Article 10 (c) of the SADC protocol on Gender and Development according to (Kamena, 2018). These frameworks give widows the right to own their deceased husbands matrimonial property according to (Kamema 2018). The Administration of Estates Amendment 6/69 addressed the right of the spouse to live in matrimonial home according to (Chirawu, 2015). States that Zimbabwe has addressed the right of the spouse to live in the matrimonial home through the Administration of Estates Amendment 6/97. The Administration of Estates Amendment Act 6/97 was incorporated in the Deceased Estates Succession Act through section 3A.

In 1997, The Zimbabwean legislature passed the Administration of Estates Amendment Act Number 6 that would apply to estates of persons who died on or after the 1st of November 1997 according to (Pfumorodze 2010). The act presented a substantial shift from ancient laws, as it is premised on the fact the major beneficiaries of a deceased estate are the surviving spouse and children. Following the case of case of (Chimhowa v Chimhowa and others 2011), the key influencing factor is the legislature's agitations to protect widows and their children below 18. This protection is from deceased relatives with a growing trend of seizing matrimonial properties which emanated from the marriage period, before death. From this existing body of knowledge,

insights on widow's experience is significantly gained. However, a significant dimension of the challenges being faced by widows when contesting wills and estate distribution needs to be researched on which is the aim of this research.

1.2 Purpose of the study

The purpose of the study is to examine the challenges being faced by widows when contesting wills and estate distribution in Bindura District.

1.3 Problem Statement

Statistics show that African countries experience significant gender inequality largely due to stringent widowhood customs, even with the goal of achieving gender equality outlined in the SDGs by (UN General Assembly, 2015). Lack of legal protections leaves widows vulnerable to exploitation and abuse, mainly when disputes emanate over the assets and resources of their deceased husbands according to (United Nations Women, 2020). In 2017, UN Women reported approximately 285 million widows worldwide, with 115 million living in extreme poverty under precarious circumstances (United Nations, 2017). While there are no recent specific figures on the number of widows in Zimbabwe, concrete statistics regarding women's inheritance issues are lacking. However, scholarly articles, media reports, and workshop findings shed light on the serious challenges faced by widows who have lost their inheritance rights (Izumi, 2006). Despite the significance of this issue, there is a scarcity of research focused on the particular difficulties faced by surviving spouses when contesting wills and estate distributions.

1.4 Objectives of the study

- 1) To analyze the legal hurdles faced by widows when contesting wills and estate distribution in Bindura District
- 2) To analyze how family relationships and conflicts can influence the contestation process and outcomes for widows in Bindura District
- 3) Recommendations which can be made to improve the process of contesting wills and estate distribution in Bindura District

1.5 Research Questions

- 1) What are the legal challenges faced by widows when contesting wills and estate distribution in Bindura District
- 2) In what ways do family dynamics and relationships influence the experiences of widows in contesting wills and estate distribution in Bindura District
- 3) What are the recommendations which can be made to improve the process of contesting wills and estate distribution in Bindura District

1.6 Assumptions of the study

The research assumes that widows encounter obstacles when contesting Wills and Estate Distribution. These obstacles can also vary in terms of nature, severity and impact. Widows face more legal impediments in accessing the justice system to claim their inheritance rights.

1.7 Significance of the study

This study's importance stems from its capacity to further knowledge and awareness among legal professionals and the general public regarding the complexities and challenges that widows face when contesting wills and estate distribution in the Bindura District. It aims to provide policymakers with insightful data on the experiences of widows in this context, facilitating more effective policy-making and the implementation of existing rights bills for widows. Additionally, the study's findings will guide government institutions and development agencies focused on widow's welfare in developing gender empowerment programs to address the issues faced by widows. Furthermore, the study will also benefit NGOs, such Women's empowerment and civil society groups like Women and Lawyers in Southern Africa, by informing their advocacy efforts for constitutional and legal reforms.

1.8 Delimitations

The topic focuses on widows, excluding potential beneficiaries or claimants. The study will focus on the challenges being faced by widows when contesting wills and estate distribution in Bindura District from a period of 2012 to 2024.

1.9 Limitations

Changes in legislation or case law may impact the researcher's relevance of findings. Access to relevant data such as court records or participants experiences, maybe restricted or difficult to obtain. Researching grieving widows might require sensitivity and potentially impact the researcher emotionally.

1.10 Definition of terms

WIDOW

According (Idialu 2012), widow is a woman whose husband died and who has not married again.

ESTATES DISTRIBUTION

Estate distribution is the process by which assets of a deceased person are collected, managed and ultimately transferred to the beneficiaries designated by the deceased's will or trust, or by laws of intestacy

ESTATE PLANNING

According to Andoko (2020), estate planning entails making decisions in advance on how to distribute assets to a beneficiary or the next of kin.

WILLS

A written instrument, typically executed in conformity with statutory formalities, whereby a person disposes of their property, real and personal and makes arrangements for its distribution after death.

1.11 Dissertation outline

Chapter 1: Introduction

The Chapter 1 focused on the background of the study. It gave global, regional and local overview of the study, positing statistics and legal frameworks that supports women to their

inheritance rights and equitable share of property. The Chapter allowed the provision of background, which managed to the articulation of the study's purpose. The problem statement as well as the research questions were also articulated in the chapter, which allowed the formulation of concise and clear research questions. The chapter also articulated the parameters in which the study's boundaries, thus the study's delimitations. For academic simplicity and better understanding, the chapter also managed to defines the key terms of the study.

Chapter 2: Literature review and theoretical framework

Chapter 2 of the study managed to review literature related to the study. The chapter provided information that was obtained from the existing body of knowledge allowing the uncovering of the research gap. The chapter also reviewed literature from cases that are related and parcel to widows will contesting and estate distribution in Bindura and beyond. Insights of the previous study's are articulated.

Chapter 3: Research and design and methodology

Chapter 3 articulated the steps and the procedural plan in which the researcher obtained data. The chapter managed to articulate the research approach implied by the study, the research design, sampling procedures and sample size. The chapter also unveils the data collection used in gathering data from participants, and also the data analysis methods used by the researcher. The chapter will also articulate the ethical principles that were used and considered in the data collection process,

Chapter 4: Data Presentation , Analysis and Discussion of Findings

Chapter 4 of the study presents the findings obtained during data collection process. The chapter systematically analyses the data, and presents it in a meaningful and coherent manner. The researcher discusses the findings in a meaningful way prior to the research questions and study's purpose.

Chapter 5: Summary, Conclusions, Recommendations v

Following the data analysis, presentation and discussion, the chapter 5 will provides the overall summary of the study. The chapter will also provide major conclusions from the obtained data, allowing the articulation of recommendations to various stakeholder in relation to the studied problem

CHAPTER 2

2.0 LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter presents the review of related literature on the challenges being faced by women when contesting wills and estate distribution. The subtopics of the chapter include: culture theory, radical feminist theory, laws protecting estate distribution of widows in Zimbabwe, customary law and unregistered marriage on widows, cultural and family traditions experiences of widows when contesting for wills and estate distribution in Zimbabwe and availability of legal institutions dealing with widows in contesting wills and estate distribution

2.2 Theoretical framework

According to Grant & Onsoloo (2014), a theoretical framework serves as a research guide, outlining theoretical principles, constructs, concepts, and tenets of a specific theory to inform and

structure the investigation. The research question explores the challenges faced by widows in contesting wills and estate distribution. To understand these challenges this study employs a theoretical framework that integrates the cultural theory and radical feminist theory.

2.3 Cultural Theory

According to Randall's (2008) postulations, cultural theory explains the widespread epidemic of violence against women and the eviction of widows from their property by stressing the importance of tradition and norms. Women have been oppressed by the misuse and exploitation of culture, which has prevented them from exercising their right to inherit. From an awareness that culture follows common values, ideas, and customs that govern people's conduct and are based on, reinforced, and intrinsic to patriarchal attitudes and views.

As per Cultural theory tenets, Radical feminist views argue that patriarchal institutions' customs and practices are directly responsible for violence against women. The traditional defense of radical feminists against patriarchy is supported by the cultural theory. Given Zimbabwe's heightened customs, practices, and norms that oppress women, it is evident that cultural theories play a crucial role in formulating social interventions aimed at alleviating the country's widows' predicament according to (Dube 2017). This theory will help to analyze the motivations behind family conflicts, such as financial interests or emotional grievances, and how these conflicts will influence the contesting of wills and estate distribution.

2.4 Radical Feminist theory

Radical feminist stresses about violence against women discourses according to (Randall 2008). In their perspectives of violence against women, radical feminist argue that property grabbing from women and widows is a key determinant of violence against women. Postulations by (Zastrow and Kirst-Ashman 2013) asserted that, the radical feminist theorists believes that violence against women is deeply rooted from patriarchal societies. According to Zastrow and Kirst-Ashman (2013), widows often experience violence characterized by passive acceptance. In the Zimbabwean context, this phenomenon can be interpreted as a manifestation of entrenched gender inequalities and patriarchal systems that perpetuate the marginalization of women's rights, particularly regarding inheritance.

According to radical feminist theory, a relationship of dominance is a fundamental component of patriarchy. Feminists contend that men's basic exploitative inclinations stem from their use of cultural, traditional, and normative tools. In relation to the situation for women in Zimbabwe, radical feminists have asserted that men use social structures and other forms of manipulation to oppress women through customs and other social systems (Zastrow 2010). A society free from male dominance is the goal of radical feminism. Radical social techniques are essential to addressing the widespread oppression of women in Zimbabwe, where there is an overabundance of loyalty to male domination and oppression..

2.5 Literature review

According to Whittaker (2012), a literature reviews a comprehensive summary and critical appraisal of the literature that is relevant for a research topic. The loss of a spouse is a devastating

experience and for widows in Zimbabwe, often marks the beginning of a prolonged struggle for survival. One of the significant challenges they face is contesting wills and estate distribution. This literature review examines the scholarly evidence on the challenges encountered by widows in Zimbabwe when navigating the complex process of wills and estate distribution.

2.5.1 Laws protecting estate distribution of widows in Zimbabwe

Widows in Zimbabwe encounter systemic hurdles while protecting their assets or in legal processes to reclaim their property(s) as reported by Human Rights Watch according to (Mambondiyani, 2017). According to (Chirawu, 2011) Zimbabwe inherited systems from colonial era to suit African context, it makes it difficult to really implement legislation protecting widows.

Widow empowerment has been evidenced through the inclusion of global and regional set of rules which include, SADC on Gender and CEDAW. There have been policies like Administration of Estates Amendment Act of 1997, Deceased Estate Succession Act Chapter 6:02 and Wills Amendment Act 21 of 1998.

In Zimbabwe, the convention shields widows from discrimination in inheritance of property and other practices that infringe upon their rights. supported the African Union Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa is 2008. This emphasized numerous clauses pertaining to women's and widows' property rights. The framework specifically protects widow and women in Zimbabwe. In Zimbabwe, The Amended Constitution (2013) also protects widow's inheritance rights interpretation and implementation challenges emanates from the Constitution of Zimbabwe. According to (Chirawu, 2012), in paper widows protection is there, but mostly lack practical enforcement to fully protect them. Chirawu (2012)

further postulates that, the interpretation of the law by legal systems lead to violation of Women's property inheritance rights. Dube (2017) support the idea that Zimbabwe's widow laws have gaps and should be changed or modified once more.

2.6 Customary law and unregistered marriages on widows

Customary marriages, registered as well as unregistered are often governed by cultural practices and norms which can influence how they are recognized and navigated in daily life. Some cases are settled out of state courts which makes it difficult full law enforcement to the case(s). Customary laws asserts that, estate distribution is decided by the family members of the deceased, in this line they favor themselves instead of the widow and children according to (Matamba, 2018). A men is free to marry as many women as he wants in a traditional marriage, and each wife will have a marriage license. However, this does not exclude a man from getting married in a civil union. Individuals in a civil marriage are not any safer than those in a traditional marriage.

According to (Matamba, 2018), unregistered customary unions are subjective to limited unclear guidelines, leaving widows prone to property inheritance rights violations, since cultural practices can be unevenly enforced. According to (Women and Law in Southern Africa Zimbabwe, 2012), in an unregistered marriage, a widow is required to provide proof of lobola payment to claim inheritance, which is typically handled through customary law, reflecting Zimbabwe's cultural practices. Although unregistered, customary unions are recognized, proof of the union is necessary to establish the individual's status as a spouse of the deceased as per governing laws. In this type of marriage, the in-laws must verify that the wife was married to the deceased if she lacks the necessary documentation, and those with avaricious in-laws are not eligible to inherit.

Widows, who fail to provide proof of lobola, are considered as to be cohabiting which makes them lose third inheritance property as per unregistered customary law union. These dual system loopholes allow women to be deprived of their property inheritance rights. To aggravate the circumstances, without the deceased husband's in-laws confirmation of marriage, the widow is not legally allowed to register the estate at the Magistrate court. The unregistered customary is less credited by the law in this line, instead it is viewed as a partnership or cohabitation. The absence of a marriage certificate can leave a widow vulnerable to exploitation by her in-laws, especially in matters of inheritance. In-laws may dispute her rights due to the absence of a marriage certificate legally. According to (Mambondiyani, 2017), while the Constitution of Zimbabwe 2013 supports women's equality in terms of inheritance and property rights, in practice, these protections often only apply to widows in formally registered marriages, leaving those customary unions prone to deprivation.

2.7 Cultural Family Traditions experiences of widows when contesting for estate distribution in Zimbabwe

Studies revealed the intricacies of widowhood in Zimbabwe, where patriarchal norms often lead to the disenfranchisement of widows' property rights. Generally women are also underrepresented, since it deprives them of their property rights according to (Dube 2017). In property inheritance issues, the debate about tradition, culture and custom remains persistent. In both Ndebele and Shona cultures, a husband's wife is frequently disqualified from inheriting property if he passes away without leaving a will (Share, 2013). Similarly, in cultures such as Tonga, Nyanja, Kalanga, and Namibia, when a man passes away without leaving a will, it is customary for the eldest son in the deceased's household or male relatives of the husband to inherit

his property (Dube 2017). Since female activists and advocates fight for women's rights against oppressive patriarchal systems, women's rights are a topic of concern for property rights (Dube 2017).

Family customs and cultural practices are still being used by relatives in Zimbabwe, to deprive widow's property inheritance rights. This is dated back to pre-1997 Amendment Act that offered protection of the widows. Due to patriarchal societies, customs are being used to exploit widows in African communities. Many widows have been and continue to be ejected from their married homes and subjected to abuse by their in-laws, according to Brown et al. (2017). Chapter 15 of the Zimbabwean Constitution recognizes traditional leaders' roles in promoting cultural values, but adhering to these traditions can sometimes conflict with widows' rights, as certain customs violate their

Availability of legal institutions dealing with widows when contesting wills and estate distribution

Many Non-governmental organizations (NGOs) like Women and Law in Southern Africa, Legal Resources Foundation, and Zimbabwean Women Lawyers Association support widows in Zimbabwe. However, relying on NGOs can slow progress in addressing widow's rights violations, since they are short-term solutions rather than sustained comprehensive solutions. NGOs creates dependency syndrome henceforth, there should not be in the forefront of assisting widows, due to donor funding nature according (Women and Law in Southern Africa 2017). In the case of Bindura District there are no non-governmental organizations which are specifically responsible for helping widows in contesting wills and estate distribution.

2.9 Chapter Summary

All these studies highlighted that customary laws, culture and family traditions discriminate women and are a challenge when contesting for wills and estate distribution. Cultural and family traditions are a stumbling block to widows when contesting wills and estate distribution as relatives are using certain traditions in order to take away property from widows. The laws are not effective enough to help widows during the contestation process. There is need for many institutions that deal with challenges being faced by women when contesting wills and estate distribution. The available ones are not effective because they are not helping widows facing challenges when contesting wills and estate distribution.

CHAPTER 3

3.0 RESEARCH METHODOLOGY AND DESIGN

3.1 Introduction

The research methodology is the main topic of this chapter, which outlines how the study was conducted to find answers to the problem that highlighted in chapter one, and it bridges this research to chapter which presents, discusses and analyzes the findings. Research methodology is a way in which a research is conducted. Research methodology encompasses the research design that the researcher utilizes. The research methodology section also highlights the research instruments employed to attain data. This chapter's goal is to talk about the research methodology that the researcher employed as well as justifying its selection and highlight the target and sample population. It also presents the sampling methods and techniques employed in the research. This chapter presents the validity and reliability of the study. The pre-test aspects of the research are presented in this section. The chapter also presents data collection procedure followed by the utilized data analysis and presentation methods.

3.2 Research Philosophy

Research philosophy explores the beliefs and values that guide the research design, data collection procedure and data analysis and presentation throughout the research process. Research philosophy presents reality perceptions of truth and knowledge by the researcher. The researcher employed the interpretivist research philosophy. Interpretivism emanated as positivism's alleged

inability to satisfy social scientists' demands according to (Collis and Hussey 2014). The interpretivist philosophy is focused on investigating the intricacies of social processes via the attainment of an empathetic understanding of how participants perceive the world situations and issues such as widow inheritance issues. Social event(s) are understood by individuals who are part of the situation thus the participants, through interpretivism lens. Interpretive research philosophy allowed insights gaining about the context-specific problem under study. The interpretive philosophy allowed the learning and understanding of behavior through cultural analysis.

3.3 Research approach

Research approach refers to techniques through which knowledge is obtained, and its main objective is to give a research plan for the study according to (Rajasekar et al 2013). According to the idea of interpretive research, the researcher employed the qualitative research approach. Postulations by (Blaxter, 2010) asserted that, the study was in-depth rather than Women's, based on rich and subjective findings. Since the aim of the study is to examine the challenges being faced by widows when contesting wills and estate distribution in Bandura, qualitative research approach allowed for a flexible in-depth data collection process.

3.4 Research design

Research design is a comprehensive plan for collecting data in a research project, outlining the approach for gathering information according to (Bhattacharjee, 2012). It serves as a blueprint for conducting research, aimed at answering research questions or testing hypotheses according to

(Dovetail, 2024). The researcher employed Case Study research design which was perceived useful for the examination of the challenges being faced by widows when contesting wills and estate distribution. A case study is a qualitative research approach involving an in-depth analysis of real-life experiences of a specific subject, such as an organization, community, or individual, allowing researchers to gain a deeper understanding of an issue (Stake, 2010).

3.4 Population and sample

A population in research consists of a group of individuals sharing common traits within a specific geographic or institutional setting according to (Mesa 2016). In this study the population includes widows, court officials, community leaders and Non-governmental organizations. 40 % respondents in all participated in this study The population allowed for a detailed analysis of many events and gave the researcher a comprehensive picture of the group under study (Martinez-Mesa 2016).

3.5 SAMPLING METHODS

3.5.1 Snowball sampling

Given the nature of the research, snowball sampling was utilized. This approach involved the researcher starting with a small group of initial participants who fit the criteria of the study and subsequently asking them for recommendations of others who also meet the selection criteria (Bhattacharjee, 2012). This method was effective in helping the researcher to identify a significant portion of the target population, consisting of participants relevant to the study.

3.5.2 Purposive Sampling

Purposive sampling is a technique that allows the researcher to select study participants according to particular attributes that are sought (Sheppard, 2020). The researcher was able to choose a wide variety of widows from different age groups, religions, and origins, which was significant based on study's agitations. The study purposefully selected key informants, including village elders, religious leaders, chiefs, and leaders of widow support groups

3.6 Data Collection Methods

Both primary and secondary data were used in the investigation to gather information. Primary data refers to original information collected for the first time (Kothari, 2004). In this research, primary data was obtained through interviews.

3.6.1 Interviews

Interviews serve as a core method of social interaction, where questions are posed, and data is collected from the responses given. This method can also facilitate the acquisition of sensitive information. Researchers can adopt various techniques to conduct interviews (Pandey and Pandey, 2015; Taherdoost, 2021).

3.6.2 In-depth interviews

In-depth interviews were useful for gathering extensive data. The majority of the informants interviewed through this method were primarily widows who have experienced violations of their inheritance rights. The interviews focused on the interviewees sharing their experiences regarding inheritance following their spouse's death and their interactions with the family of the deceased before and after the passing

3.6.3 Secondary Data

In contrast, Kothari (2004) describes secondary data as information that has already been gathered or analyzed by others and has undergone statistical processing. This data may be found in various publications such as books, magazines, journals, and articles.

3.7 VALIDITY AND RELIABILITY

3.7.1 Validity

Validity is the extent of a measurement, accurately reflecting the concept it is intended to assess (Drost, 2011). It also pertains to the truthfulness of the research findings, as described by Zohrabi (2013). Thus, validity encompasses the relationship between the results obtained from the research instruments and the actual situation being measured. A pretest was conducted to evaluate the validity of the research instrument.

3.7.2 Reliability

Reliability is about getting consistent results when measurements are conducted in various settings, by different participants for results verification according to (Drost, 2011). The data collection tools were made to be understandable and accessible to all of the chosen respondents, they were appropriate and trustworthy.

3.8 DATA PRESENTATION AND ANALYSIS

According to (Canada, 2009), data analysis involves systematically answering research questions through comprehensive evaluation and interpretive examination of the data. The research findings are presented in both narrative and tabular formats.

3.9 Pilot testing

Kumar (2011) defines pretesting as a preliminary evaluation that scrutinizes how well each question or aspect of a research instrument is understood and the meanings as perceived by respondents.

3.10 Ethical Considerations

Postulations by (Brynard et al, al, 2014), stressed that ethics in research pertains to appropriate conduct by the researcher, serving as guidelines for assessing research practices. Participants in this study provided information voluntarily and were not compelled to do so. There was a respect for the diverse cultural backgrounds, values, and beliefs of participants. Privacy, confidentiality, and anonymity were prioritized throughout the research process.

3.11 CHAPTER SUMMARY

This chapter explained the research design and overall research methodology used in needs study. The chapter also outlined the research philosophy utilized in the study. It outlined and justified the sampling techniques used to identify specific respondents. Furthermore, it detailed the research instruments, including interviews and secondary sources that the researcher employed to gather data. A pretest was conducted, and ethical standards were upheld to ensure the research's credibility. The collected data was thoroughly reviewed and refined prior to presentation.

CHAPTER 4

4.0. DATA PRESENTATION, ANALYSIS AND DISCUSSION OF FINDINGS

4.1 Introduction

This chapter highlights the analysis and key findings of the research. The discussion integrates the findings with existing literature to highlight both parallels and contrasts between earlier studies and the current study, thereby building upon prior knowledge. The primary objective of the study was to explore the constraints encountered by widows in contesting wills and estate distribution in the Bindura district. The findings are structured according to the research objectives, including an analysis of the legal obstacles confronted by widows in contesting wills and distributing estates in Bindura, an examination of the impact of culture, family traditions, and relationships on the contestation process and results for widows, as well as recommendations to enhance the process of contesting wills and estate distribution in Bindura District.

4.2. Demographics

This chapter aims to provide a detailed understanding of the demographic understanding of the demographic makeup of the sample population which helps in identify potential biases in the sample as well as enhancing the generalizability of the finding

4.2.1 TABLE: DEMOGRAPHIC DATA OF PARTICIPANTS

CATEGORY	NUMBER OF PARTICIPANTS	PERCENTAGE %
Age 18-30	5	10%
Age 31-45	5	10%
Age 46-60	20	40%
Age 61 and above	10	20%

This participant demographic data indicates a balanced representation of widows from various age groups, allowing diverse perspectives on the challenges faced by widows when contesting wills and estate distribution in Bindura district

4.3 Wills

The study found out that, Africans are less likely to have wills. The researcher believes that, this is chiefly because of limited knowledge of preparing valid will generally. Taking Will writing into consideration, African still perceive Will writing as Western centric.

A widow postulated that, “Writing a will is considered like imposing a death sentence on oneself, if the will discovered no in favor of relatives, this creates life threatening issues with the relatives who found themselves not included in the will. It is like committing suicide, besides these

things belong to white people who have large families.” Such comments demonstrate how ignorant both men and women are about the law, and they have a tendency to believe that wills are solely for the well-educated. They feel like it is a waste of time. Henceforth, people have a desisting tendency from writing wills as they fear death threats. According to (Pfumorodze, 2010) advocacy is strongly required to enlighten the public about legal will writing. According to Pfumorodze (2010), heirs named in wills should be carefully selected because others may still sell or abuse the property, which perpetuates poverty to the widow and the children. The Zimbabwe Gender Commission is also there to protect widows who lost their husbands in the absence of a will they help them in inheriting property through the Deceased Estates Succession Act [chapter 6:02].

4.4 Customary law

Customary laws proved to be one of the depriving and constraining issue encountered by widows when contesting for wills and adequate property distribution. The community's customary laws seemed to be biased since its rule differs per widowhood practically. On the grounds that she was a foreigner in the compound, some widows' in-laws deny them the right to inherit. In order to obtain their "brothers'" property, several in-laws started the process of evicting widows from their marital assets.

As per Customary laws, a widow is required to show that the deceased was her husband, with complicated proof required as a key requirement when claiming property inheritances. Affidavits or in-laws court sessions confirmation must be provided as proof; widows often encounter additional challenges when relatives contest the legitimacy of their marriage to the deceased. According to (Mavhinga, 2017), due to their dependence on their avaricious in-laws, women in unregistered customary marriage are the most vulnerable in court. The list of bride prices and those in attendance at the lobola are the types of proof that is required by customary laws for a

widow to attain her deceased husband's property, which makes her to be considered as the wife of the deceased since the word of mouth is not relevant for her. This makes it a challenge since some of the people who were present at the lobola day may fail to be present up today, and some proof may not be available such as bride price list. The widow is supposed to depend of the in-laws support in the legal processes.

Another widow participant reported that her in-laws grabbed her deceased husband property which includes a homestead with a house and agricultural land during the interview session. The widow narrated that, she reported the matter to the community leaders who denied their interference into the matter; instead they said it was a 2 family issue not a community problem. Up today, her family has been in long disputes with her in-laws as they wanted her to move out of their family and with her children. According to (Chirawu, 2014). In order to prevent situations when the widow is dependent on family, all marriages should be registered. Chirawu (2014) further postulated that, all forms and must be kept safely when customarily married such as bride price list, videos and photos by both parties to avoid similar incidences. According to the results of Lindiwe's (2015) research in South Africa and Orwa's (2020) research in Kenya, widows who are ignorant about women's rights are more likely to experience injustices such being kicked out of their married house.

One widow stated that:

“I had a conflict with my late husband’s family over the property which my husband left. My in-laws claimed that I did not have the right to own my late husband’s property. I took the matter to the community elders because I could not seek justice in court of law because it is a long process and needs a lot of money to file the case and pay the lawyer which I did not have at the moment.

The community court the ruled in favor of my in-laws because they had said that I was a stranger in their family my husband had never married me.”

In African context, there is a nexus between modernity and tradition which negatively impact women's well-being. Customary laws end up depriving widows rights especially their rights to property inheritance that belongs to their deceased husbands. Chirawu (2013) argues that, the laws that support widows are facing practical implementation as a challenge, claiming that the laws sufficiently articulates about widows protection although misinterpretation of the laws may emanate from legal explanations.

4.4.1. DOES CUSTOMARY LAW NEED AMENDMENTS?

RESPONSE	FREQUENCY	PERCENTAGE
Yes	25	50%
No	10	10%
I don't know	10	10%

Participants were also asked to list any customary laws in the Bindura district that protect widows when they are vying for wills and estate distribution. It is clear that the customary law needs amendments as shown above in Table 4.3.2. It is observed in Table 4.3.2 that, 10% of participants agreed that, they knew nothing about customary laws, two percent disagreed, and half of the participants agreed that customary laws needed to be amended. According to these statistics, the majority of respondents argued that that legislation needed to be revised.

In line to this study, The Gender Policy of Zimbabwe (2013) supports widows but they are not stated directly, they are bracketed in the term "women". Hence they are in insecure and unprotected position in the African patriarchal societies. The Gender Policy of Zimbabwe do not

give referrals to address violated widow's rights. Dube recognized the loopholes in the Gender Policy (2013), in its failure to directly address widows inheritance issues, henceforth the loopholes need to be changed and altered. Chirawu (2013) asserted that, widows protection protocols are there, but there is limited law enforcement that can ultimately address their pressing issues of property inheritance. Chirawu, (2013) argued that, there is misinterpretation of laws that support widows, makes it hard for them for Estate distribution and Will contesting.

4.5 Religious Affiliation of Respondents

Various existing literature supports the systems that assist widows in adapting to new status and manage their activities of daily basis. According to (Khan, 2016; Birech & Masinde, 2018; Nnodim et al, 2013), religious institutions, neighbors, non-governmental organizations, and self-help groups were some of these support networks. The participants perspectives postulated that, the church is the only available institution that act as a support system for widows in their communities. The researcher also aimed at obtaining religious affiliations of the participants since the literature review of the study articulated about the direct relations of customary laws and religious beliefs and practices.

4.5.1 TABLE: PRESENTATION OF RESULTS

RELIGION	FREQUENCY	PERCENTAGE
Christianity	30	60%
Islam	10	20%

From table 4.6, one can tell that 60% of respondents are Christians. 20% of the participants are Muslims. This entails that, Bindura as the study area is mainly occupied by two religions this, Islamic and Christianity. This aspect is important since Wills and Estate distribution also affects people from diverse religions hence, they were captured. However, because their needs varied, some widows voiced reservations about the amount and appropriateness of the support provided.

Despite the existence of the Matrimonial Property Act (2013), a gender-responsive legal framework designed to protect women's property rights, widows in Zimbabwe continue to face significant challenges, including unequal inheritance rights, loss of land, forced eviction from their marital homes, and denial of access to their husband's financial assets, ultimately exacerbating their poverty (World Widows Report, 2018; Khan, 2018; Walle, 2013). Relatives frequently use ancient practices as a cover to seize property from widows.

According to a number of publications, widows face unequal inheritance rights; some are deprived of their land, forced to leave their married house, and denied access to bank accounts by their husband's family, which puts them in poverty (World Widows Report, 2018; Khan, 2018 & Walle, 2013). All of these incidents take place in the context of a gender-responsive legal framework known as the Matrimonial Property Act (2013), which was put into place to protect women's rights regarding property acquisition. Frequently, family members use ancient practices as a cover to seize widows' possessions. The institutions indicated did not provide professional counselling, even though some widows reported psychological issues. Additionally, it was discovered that the support networks lacked the necessary psychological support networks.

4.6 Cultural and Family traditions experiences of widows

The African culture regards land as the most significant property. Several reports indicate that, widows experience systemic inequalities in inheritance rights. According to (World widows report, 2018; Khan, 2018 & Walle, 2013), widows are left in great poverty when their husband's relatives take away their land, evict them from their married residences, and prevent them from accessing bank accounts. Even if women's property rights are protected under the Matrimonial Property Act (2013), a gender-responsive legal framework, widows continue to face challenges in securing their inheritance. In some cases, relatives exploit traditional customs to unjustly claim property from widows. Regardless of the usability of the Matrimonial Property Act (2013), a gender-responsive legal framework designed to protect women's property rights, widows continue to encounter constraints in securing their inheritance. In some cases, relatives exploit traditional customs to unjustly claim property from widows.

TABLE 4.6.1: INFLUENCE OF FAMILY TRADITIONS AND RELATIONSHIPS

INFLUENCE FACTOR	FREQUENCY	PERCENTAGE
Patriarchal family structures	5	10%
Favoritism towards male heirs	5	10%
Cultural norms	20	40%

Lack of support from relatives	10	20%
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Family traditions and relationships significantly influence the contesting of wills and estate distribution. Patriarchal family structures are influential with 10% respondents indicating it's an issue, favoritism towards male heirs with 10% of widows reporting this is a challenge. Cultural norms had 40% respondents indicating that this is a major challenge being faced by widows when contesting wills and estate distribution in Bindura district and lack of support from relatives also plays a role with 10% respondents.

Chapter 15 of the Constitution of Zimbabwe (2013) emphasizes the importance of promoting and preserving cultural values within communities. On the other hand, adhering to these cultural practices often results in human rights conflicts particularly for widows, as certain traditions may perpetuate harmful practices that violate their rights. In this context, community leaders who uphold cultural values may inadvertently contribute to the marginalization and rights violations of widows. Those widows in customary marriages and customary unions are strongly affected.

Musasa Project gender activist, Linet Saungweme narrated that, bitter quarrels over inheritance between widows and their spouses' families are a common occurrence in Zimbabwe. "Usually, the widows and their children lose out," Saungweme says. The Musasa Project is a non-governmental organization that aims to end systemic inequalities that deprive women of their rights. The organization also helps girls to recover from the trauma and stress of gender-based

violence which enables rebuilding of their lives. Widows often experience gender based violence from their in-laws.

4.7 LEGAL HURDLES FACING WIDOWS WHEN CONTESTING WILLS AND ESTATE DISTRIBUTION IN BINDURA DISTRICT

4.7.1 TABLE: LEGAL HURDLES FACED BY WIDOWS

HURDLE	FREQUENCY	PERCENTAGE
Financial constraints	20	40%
Lack of knowledge	10	20%
Lengthy Legal Processes	5	10%
Access to legal representation	5	10%

This table clearly shows that many widows are lacking financial resources to access legal presentation with a percentage of only 40% and lack of knowledge indicated by 10% which becomes a hurdle in contesting for wills and estate distribution in Bindura district as these widows do not know their rights when contesting for wills and estate distribution. There also have no access to legal representation indicated by 10% which is also as a result of financial constraints to have legal representatives like lawyers to help them in contesting wills and estate distribution. This research concluded that financial resources are needed as they are the main cause why widows are having challenges when contesting for wills and estate distribution.

Through the interview with one of the court officials who is a committed expert in assisting widows on Will, and Property rights, the participant postulated that, only few widows consult their legal assistance or reports inheritance cases. Usually, they are less interested in reporting their cases because, of confidentiality issues and they are afraid of their uncooperative in-laws thus, limited awareness and fear of shame. This situation highlights widespread issues related to the rights of widows, in contesting for wills and estate distribution and also inherit their late husband's properties in the district. Losing a husband is hard mainly in Zimbabwe where relatives of the deceased will push you to poverty when they take all the property according to (Mancube, 2023).

There is need for cost reduction specifically, for procedures of the registration of estates which has been presented as a constraining issue to the majority of the widows. In the case that the estate is registered, the challenge faced by widows is financial crisis. Widows experiences financial difficulties in promoting the estate so that everyone who has a claim against it is aware of it and that everyone who owes money to it pays promptly. The creation of distribution accounts presents another difficulty. They must be prepared using a procedural format, which necessitates that the widow find a professional to complete the preparation, which costs money. Participants were also asked to list the legal organizations they were aware of that dealt with defending widows in the Bindura district when they were disputing wills and estate distribution.

The court official went on to say the marriage certificate consists primary proof of the woman's status as a widow to the deceased. However, majority of the marriages are not registered. The law provides widows with unregistered marriage to present sworn affidavits. However, the swollen affidavits requires co-operation of in-laws when contesting for Wills and inheritance.

Some of the in-laws oppose the widows' claims, basing on traditional norms and practices. Polygamous marriages creates an inequality where another wife may have a marriage certificate whilst the other one do not have. Widows may face challenges obtaining documents, particularly birth certificates, for their step-children, especially if the children's mothers are uncooperative. Additionally, some children may not have birth certificates, further complicating the process. Obtaining these documents as issued duplicates can be costly since the process require frequent travelling and referrals. At some point there are travelling costs for cooperating in-laws during the process.

4.8 Availability and effectiveness of legal institutions dealing with Women's Rights when contesting for wills and estate distribution

The researcher questioned the participants, to state their known institutions that deal with protecting widow's in contesting for Wills and Estate Distribution in Bindura.

TABLE 4.8.2:LEGAL INSTITUTIONS DEALING WITH WOMEN'S RIGHTS WHEN CONTESTING FOR WILLS AND ESTATE DISTRIBUTION

PUBLIC INSTITUTIONS	FREQUENCY	PERCENTAGE
Local courts	20	40%
Churches	5	10%
Social welfare department	5	10%
Court of law	10	20%

Table 4.8.2 shows that participants are unaware of the existence of some public legal institutions that safeguard widows' rights to inherit from their husbands; these institutions included the court of laws, as 10% of respondents disclosed, and the presence of churches. such as the Methodist Church of Zimbabwe also help widows with 10%, social welfare department was revealed by 10% as well as local courts with 40%. Local courts are helping widows contest for wills and estate but they have effects of favoritism and use of cultural norms as way of taking away property from widows.

The majority of the organizations that assist widows are nonprofit organizations, such as the Zimbabwe Women Lawyers Association, Legal Resources Foundation, and Women and Law in Southern Africa, to name a few. There are no organizations like these in Bindura district to be specific.

4.8.1 Potential Improvements when contesting for wills and estate distribution

TABLE 4.8.1: POTENTIAL IMPROVEMENTS IN IMPROVING CONTESTING OF WILLS AND ESTATE DISTRIBUTION

IMPROVEMENT SUGGESTION	FREQUENCY	PERCENTAGE
Legal education for widows	25	50%
	20	40%

Financial support programs		
Community Awareness Campaign	20	40%
Support Groups for Widows	10	20%

The above data suggest several potential improvements which the government should take into consideration to the contesting process for wills and estate distribution, legal education for widows is the most frequently suggested improvement, with 50% of respondents advocating for this and also financial support programs are an essential with 40% as there are the main drivers of the contestation of wills and estate distribution. These findings indicate that a multi-faceted and community support is needed to improve the contesting process for widows in Bindura District.

One widow stated that:

“I have never heard of any law or policy that protects widows when contesting wills and estate distribution. I do not also have the knowledge of what the constitution says about inheritance rights of widows and I do not even know how to access it. I suggest if they can have some of policies printed in Shona so that we can have an understanding of our rights because widows are losing

property each day because of lack of knowledge of the laws and policies that protect them when contesting for wills and estate distribution”.

Another widow suggested that:

"On the significance of laws and policies that protect widows, awareness at community level emanated as important in assistance in wills contesting and estate distribution. I hope in the near future, the government will invest in public education to citizens on laws and policies that are available for widows, property and inheritance rights"

According to the Women and Law in Southern Africa -Zimbabwe (2013), lack of knowledge and limited understanding in protocols and procedures is the main reason why some widows do not report violation of their inheritance property rights. Some of them end up with no solid option than to remain silent in their position of being violated. The public in respective communities is not sufficiently equipped with knowledge which makes violation process difficult. Widow's are one of the most vulnerable group of people just like orphans, yet they are limited programs and institutions that supports widows despite their vulnerability.

4.9 Chapter Summary

This chapter has managed to clearly present and analyze both primary data and secondary data; which has been obtained from estates documentations on Wills. On the other hand, the property and inheritance laws tend to fascinations constraints which emanate as weaknesses. The findings presents that, these laws are leas effective in promoting widow rights. despite government's laws and strategies interventions. Therefore, improvements in the role of customary

law in protecting widows rights to matrimonial properties is significant. These is achievable through financial assistance groups, community awareness programs to widows.

CHAPTER 5

5.0 SUMMARY, CONCLUSIONS, RECOMMENDATIONS AND AREAS FOR FURTHER RESEARCH

5.1 Introduction

This chapter summarizes the research, drawing conclusions from key findings based on the literature review, empirical study, and data analysis presented in chapters 2, 3, and 4, respectively, and provides recommendations. The recommendations that the chapter is going to discuss the alternative strategies that can be used to help widows when contesting for wills and estate distribution.

5.2 Summary of findings

The main purpose of this research was to analyze challenges being faced by widows in contesting wills and estate distribution in Bindura district. The specific objectives of this research were to analyze the legal hurdles faced by widows when contesting for wills and estate distribution including statutes, case laws, and procedural requirements, To analyze how culture, family traditions and relationships can influence the contestation process and outcomes and lastly recommendations which can be used to improve the process of contesting wills and estate distribution in Bindura District. The study used a survey research design, and its participants were general Bindura area residents, government employees, attorneys, and widows. There were 40 responders in the study sample overall. The sample was obtained using the following sampling designs: purposive sampling and snowball sampling. Information was gathered from the field

through interviews, and both qualitative and quantitative methods were employed to analyze the data.

5.3 Wills

The study reviewed that the majority of people do not leave wills because of various reasons which include lack of knowledge in writing a will. They feel like it is a waste of time. Moreover, in Zimbabwe, draughty a will is frowned upon. Consequently, many stop writing wills because death is a topic that is rarely discussed. They feel they will be imposing a death sentence on themselves. Few men leave wills for their families in the African culture, both men and women feel that these are things of the white people.

5.4 Customary law

According to the study, 50% of participants agreed that the laws needed to be amended, 10% disagreed, and 10% said they knew nothing. The data reveal that most respondents felt that current laws need to be revised. because the results of the research proved that customary law is being a challenge to widows when contesting for wills and estate distribution. The study found out that customary law is weak at protecting widow's rights when contesting for wills and estate distribution as they depend on their in-laws to testify that the widow was married to the deceased or to provide any physical proof which can convince the local courts. Some family members are making use of customary in order to take away property from widows.

5.5 Cultural and Family traditions experiences of widows in Bindura district

The study reviewed that family traditions and relationships significantly influence the contesting of wills and estate distribution. They have a greater influence during the contestation of Wills and Estate distribution. Patriarchal family structures are influential with 10% respondents indicating it's an issue, favoritism towards male heirs with 10% of widows reporting this is a challenge. Cultural norms had 40% respondents and lack of support from relatives also plays a role with 20% respondents indicating this as a major challenge faced by widows when contesting for wills and estate distribution in Bindura district. Cultural norms are being used as a scape goat to take away property from widows and relatives do not usher any support to the widow during the contestation of wills and estate distribution.

5.6 Legal Hurdles facing widows when contesting for wills and estate distribution in Bindura District

The study reviewed that widows are facing financial constraints Reduced expenses and processes are required for estate registration, which is unquestionably difficult for the majority of widows. In the case that the estate is unregistered, first problem encountered by widows is financial crisis. Widows are also lacking the knowledge of wills and estate distribution and they do not have access to legal representation because of financial constraints. The study also reviewed that widows are unaware of the various legal institutions. According to 40% of respondents, the court of laws and the existence of churches are examples of public legal institutions that safeguard widows' inheritance rights in matrimonial possessions. such as the Methodist Church of Zimbabwe also help widows with 10%, social welfare department was revealed by 10% as well as local courts with 60%.

5.7 Potential Improvements when contesting wills and estate in Bindura District

The study reviewed that the process of contesting Wills and Estate distribution by widows in needed improvements. Legal education for widows is the most frequently suggested improvement, with 50% of respondents advocating for this and also financial support programs are an essential, community awareness campaign to educate the community on the rights of women when contesting for wills and estate distribution. These findings indicate that a multi-faceted and community support is needed to improve the contesting process for widows in Bindura District. The deceased Estate Succession Act chapter [6:02] is there but there are still loopholes in the implementation of these laws. However, voluntary organizations like the Zimbabwe Gender Commission (ZGC) are making efforts in implementing this act.

5.8 Conclusions

From the study findings, it can be deduced that, challenges being faced by widows when contesting wills and estate distribution in the study area was revealed in various stances. The findings led to the following conclusions: there are still a number of issues facing widows, and the customary rules are insufficient to safeguard them when disputing wills and estate distribution because the public is unaware of them. Some relatives are taking advantage of the cultural traditions to take property from widows. Widows are lacking support from relatives of their deceased spouses.

Notwithstanding the existence of numerous legal institutions, including the social welfare department, local courts, churches, and courts of law, the government's attempts to enforce the law through these institutions are hampered by a number of issues, including the public's lack of awareness that community awareness campaigns are necessary to educate widows, and the community educating them their rights when contesting wills and estate, financial constraints, legal education for widows. There are no institutions in Bindura district which are there to help widows contest for wills and estate distribution. There is also lack of enforcement on the laws that protect widow's rights.

5.9 Recommendations

The findings show that, customary laws are inadequate and ineffective in protecting widows when contesting wills and estate distribution. TAs a result, the researcher concluded that it is necessary to alter inheritance rules, particularly local customary law of 1963. As a result, customary law should be sensibly strengthened to the point where it becomes effective and may make a significant contribution to the protection of widows' rights in will contests and estate distribution. The researcher suggests that, the government should hold seminars and workshops to raise awareness about the applicability of various inheritance laws in areas with low awareness rates. The media should be emphasised to create awareness on the rights of widows when disputing wills and estate distribution, and the government and legal institutions must translate the customary law in order to protect widow's rights when contesting wills and estate distribution for easy usage among the Shona and Ndebele speakers.

The researcher recommends the government to oversee and assist initiatives, activities, and programs pertaining to women's rights. People are lacking knowledge of wills and estate distribution the government should conduct programs, awareness campaigns to educate widows and also the community at large. The government should impose laws that stop families from using traditions and cultures as a scapegoat to take property from widows but rather help them with support when contesting wills and estate distribution.

Another recommendation is that there is need for more effective organisations that uphold the rights of widows when contesting wills and state distribution, there is need for more of them in Bindura district therefore. Additionally, the researcher suggests that the government oversee private institutions to ensure compliance with existing laws, policies, and regulations. Additionally, the institutions should intensify their efforts to educate women about their rights. Regarding social issues, the community ought to abandon harmful customs and cultural practices that are undermining widow's rights when contesting for wills and estate distribution.

5.9.1 Areas of Further Research

1) Studies focusing on how legal systems affect safeguarding widows rights from customary laws when contesting for Estate distribution are strongly required in the future. The discursive studies can enhance the application of legal institutions by protecting widows' inheritance rights while acknowledging their role in property distribution.

2) Studies primarily focusing on the widow groups, it is also possible to maintain customary laws that impact widows' rights to marriage property. This would guarantee that

widows themselves receive information and assistance. and other agencies, as the value of such groups has not been well investigated

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APPENDIX 1



APPENDIX 2

Interview Guide with widows

Section 1: Background Information

Demographic Information:

Age:

Section 2: Legal Challenges faced when Contesting Wills and Estate Distribution

1. Have you faced any legal barriers in contesting the wills and estate distribution? If so, please elaborate.
2. Were you aware of your rights as a widow in terms of contesting the will and estate, If not, what knowledge gaps did you encounter?
3. Did you seek legal assistance? If yes, what was your experience with legal counsel
4. Section 3: Financial Challenges
5. How has the financial burden affected your ability to contest for will and estate distribution

Section 4: Cultural Challenges and Traditions

1. Are there specific cultural or societal expectations that you feel impacted your decision to contest the Will?
2. Section 5: Influence of Family Traditions and Relationships
3. How did your family relationships impact your decision to contest the Will?
4. Are there particular family traditions or customs that influen

Section 4 Recommendations for Improving Contesting of Wills and Estate Distribution

APPENDIX 3

Interview Guide: Court Officials and Community leaders on Challenges Faced by Widows in Contesting Wills and Estate Distribution

Section 1: Background Information

For the Court Official:

1. Can you tell me about your role and experience within the court system regarding estate disputes?, How often do you encounter cases involving widows contesting wills or estate distributions?
2. For the Community Leader:
3. Can you describe your role in the community and your experience advocating for widows?, How prevalent is the issue of widows facing challenges in estate distribution in your community?

Section 2: Challenges Faced by Widows

1. What specific legal challenges do you think widows face when contesting wills?
2. Are there particular laws or regulations that you believe are a challenge to widows in these situations?

Section 3: Social and Cultural Challenges:

1. Are there social or cultural norms in the community that challenge widows when contesting wills and estate distribution the situation for widows?

Section 4: Financial Challenges:

1. How does the financial situation of widows impact their ability to pursue legal action regarding wills and estate distribution?
2. Are there legal aid organizations, counseling services, or advocacy groups that specifically support widows in estate disputes?

Section 5: Community Awareness

1. How aware is the community of the challenges widows face regarding wills and estate distribution?
2. What initiatives or programs have been implemented to raise awareness and support widows?

Section 4: Recommendations for Improvement

In your opinion, what changes to existing laws or policies could better protect the rights of widows in estate matters?,What reforms do you believe are necessary to ensure fair treatment for widows in the judiciary system?

Appendix 4



