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# Everyday Violence and Women's Lives in Zambia: An Autoethnography

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EVERYDAY VIOLENCE AND WOMEN'S LIVES IN ZAMBIA  
AN AUTOETHNOGRAPHY

by

AMINA SHIKUPILWA

A master's thesis submitted to the Graduate Faculty in Liberal Studies in partial fulfillment of  
the requirements for the degree of Master of Arts, The City University of New York

2018

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This manuscript has been read and accepted for the Graduate Faculty in Liberal Studies in satisfaction of the thesis requirement for the degree of Master of Arts.

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## ABSTRACT

Everyday violence and women's lives in Zambia: An autoethnography

by

Amina Shikupilwa

Advisor: Jean Halley

Gender inequality has been a prominent feature of human societies for the longest time. Zambia, like most countries in Africa, is very conservative and patriarchal in nature. In a typical Zambian household, the male is the head of the family. I am going to talk about my experiences as a female growing in a culture that was highly patriarchal and traditional, and how those experiences have shaped me into the person that I am today. Central to my experiences, is the issue of violence in our home which I experienced from a young age. Domestic Violence is prevalent in most Zambian homes but yet is treated with silence such that one would think that it occurs in their home only. However, statistics have shown that Zambia has one of the highest rates of gender-based violence in Sub-Saharan Africa despite having sufficient laws to curb the vice. This study will be an autoethnography that will draw on my experiences growing as well as theory from both Western and African feminist thinkers. I use my experiences to illustrate the fact that violence against women occurs in multiple ways and I use these experiences to show how domestic violence has been normalized in Zambian Society and why there is no change despite current legislation by tracing how women have been assigned an inferior status from the colonial days to the modern-day Zambia. My thesis provides content on the cultural and institutional barriers that impede women's in becoming a girl, a woman, a wife and a divorcee in Zambia. As an interwoven mix of experiences and theory, my intention is to provide a better understanding of domestic violence and the violence women's lives in Zambia and how through a highly patriarchal system of culture domestic violence is normalized and reproduced. By sharing my experiences in a culture that values privacy and silence on such sensitive issues, it becomes possible to draw the curtain and see things as they are in hope of coming up with solutions that will champion women's advance in the home front and public.

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## TABLE OF CONTENTS

Introduction .....	1
Domestic Violence in Zambia .....	2
Effects of Domestic Violence .....	5
Institutional Violence .....	13
A Colonial History .....	16
Zambian Kinship.....	21
Childhood.....	25
Marriage .....	30
Women’s Subjectivity.....	45
Divorce.....	47
Final thoughts .....	56
Conclusion .....	57
References.....	59

## Introduction

It is a widespread belief that most societies of the world are male dominated and that across these societies there is a marked visible variation of gender inequality. The United Nations Office on Women (2016) states that violence against women often cuts across national, ideological, class, race and ethnic boundaries. They further add that such violence is present in all cultures, and this violence is culturally specific. It can be said that gender inequality has been a prominent feature of human societies for the longest time (Penn and Nardos, 2003). Therefore, violence against women is not a singular incident in one country or culture, it's an insidious problem that is deeply rooted in human culture and comparing data across various countries, provide the numbers that prove that violence against women is a global phenomenon.

Zambia, like most countries in Africa, is very conservative and patriarchal in nature. In a typical Zambian household, the male is the head of the family. Elizabeth Swart (2017:10) states that in the private sphere, men are undisputed heads of households, making decisions about everything from finances to family planning. In the public sphere, men hold most positions of power relating to government, finance, and law. Because of the complex interplay of tradition and the organization of life that relies on extended kinship, as well as the payment of a large bride price at marriage, women are locked into the marriage with little ability to assert themselves in situations of abuse. In this thesis, I will rely on the work of sociologists, anthropologists and gender studies scholars as well as my own autoethnographic writing to demonstrate how these forces form a web of responsibilities that a woman is tied into, often outside of her control, and how that works to ensure the furthering of the patriarchal order to the detriment of women.

I am going to write about my experiences as a female growing up in a culture that is highly patriarchal and culturally traditional, and how those experiences have shaped me into the person that I am today. Central to my experiences, is the issue of violence in the home which I experienced from a young age. Given this, I will also discuss the issue of domestic violence and relate it to the wider culture of Zambian society, and illustrate how the culture, with its history of colonialism, has been institutionalized to disadvantage and disempower women's lives.

Gender inequality begins at a young age in most Zambian communities, and after cumulative socialization of women into subordinate roles, it is perhaps unsurprising that many adopt the patriarchal tenets they grew up on. Cultural values, the place of women in society, poverty and the lack of education, and the weakened rule of law all magnify the risk for family violence emanating from cultural and societal pressures intersecting with personal vulnerabilities.

## Domestic Violence in Zambia

Violence against women, has been identified as one of the most widespread forms of violence that is a threat to social and economic development. Whether it is violence perpetrated by an intimate partner or resulting from weapons of war, violence against women has been recognized as one of the most pervasive human rights abuses in all societies. The United Nations declaration on the Elimination of Violence against Women (1993:1) Article 1 defines violence against women as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Violence against women occurs in all countries regardless of cultural differences, social status and level of education, income, ethnicity and age. Although most countries prohibit

violence against women, the reality is often quite different with justifications often associated with cultural practices, norms, or misinterpretation of religious tenets. Moreover, when the violation takes place within the home, as is often the case, the abuse is effectively condoned by a tacit silence and the passivity displayed by the state.

Gender-based violence takes many forms and may include physical, mental, social or economic abuse against a person because of that person's gender and it also includes violence that may result in physical, sexual or psychological harm and suffering to the victim. It may also include threats or coercion, or the arbitrary deprivation of liberty, whether in public or private life. Women in Zambia experience a variety of forms of violence including battery, sexual abuse and exploitation, rape, defilement (rape of a child) and incest. Wife battery remains as the most prominent form of violence against women in Zambia. This form of domestic violence involves overt physical force or violence perpetrated by the husband on the wife. In most cultures, wife battery is often socially condoned therefore making it more frightening.

The Parliament of Zambia enacted the Anti-Gender Based Violence Act on April 15<sup>th</sup>, 2011, to provide for the protection of victims of gender-based violence in the country. The act has been dubbed to be one of the most comprehensive laws on gender-based violence in the Southern African region to date. Unfortunately, despite its enactment, gender-based violence continues to be on the rise in the country. According to the Zambian Police (2017), the Gender Based Violence (GBV) report from the first to the third-quarter of the year indicates an 18% nationwide increase, the total number of GBV cases in just one quarter was 16,090, compared to 13,092 cases in 2016 during the same period. Given that many women do not report their cases, the numbers could even be higher.

Brenda Zulu (2018) adds that widespread violence against women is one of many realities that exacerbate women's subjugation in Zambian society. The author states that the root causes of GBV can largely be narrowed down to inequality for women and the associated violence and harmful and controlling aspects of masculinity that result from patriarchal power imbalances embedded in much of Africa's traditional and cultural beliefs. This imbalance often leads to pervasive cultural stereotypes and attitudes that perpetuate the cycle of gender-based violence. Communities, especially in the rural areas, have continued to embrace negative cultural beliefs whereby domestic violence against women is the norm. Many believe that if a man does not beat his wife, then it means he doesn't love her. Take for instance, the case of one of Zambia's wealthiest businessman and Minister of Defense at the time, Geoffrey Mwamba, who was quoted in a Lusaka Times article by Chibaula Silwamba (2010) saying that beating one's wife was a sign of love. For Mwamba, a mild form of wife beating was acceptable in his culture. He's wife who was severely battered, reporting cuts and injuries across her body has continued to stay with him and he has never been arrested for any domestic violence crimes he has committed.

An earlier report by Rashida Manjoo, the UN's special rapporteur on violence against women, revealed some worrying statistics stating that 47% of Zambian women have suffered from physical violence at some point since the age of 15. To add to that, 54% of Zambian women had suffered from spousal or partner abuse at some point in time, whether physical, emotional or sexual while 43% of married women reported having experienced some form of physical or sexual violence by their husbands or partners in the year preceding the survey. 70% of married women who had experienced physical violence reported that the perpetrator of the violence was a current husband or partner. 60% of women and 50% of men agreed that a

husband is justified in beating his wife for certain reasons. The report further cited the prevalence of customary law and its institutions, and the power of traditional leaders to influence and shape societal norms, affects women differently compared to men, as the structures and attitudes within the family and the community marginalize them. Thus, deeply embedded patriarchal values have led to the discrimination and disadvantaging of women across various sectors, as well as increasing their risk of violence (Manjoo,2011:6).

## Effects of Domestic Violence

*What do I know of fear? Well, let me tell you this. Of all fears that I know in my life, the greatest is the fear of pain. Pain? Yes. Pain. I'm painfully scared of anything that will cause me pain. Anything, really. Injections, headaches, beatings. And for beatings, I had so many of those in my childhood. I got them from my mother and father, my youngest sister would be beat me up too when we had fight and more recently my young brother who is at least eight years younger beat me up mercilessly. I endured the pain from his furious punches for a great few days.*

*Our parents fought a great deal, when they were not fighting each other they were beating us up. My mother had this thing where she would beat us for the slightest reasons when we were younger. I considered myself a good daughter but every now and then I'd occasionally get in trouble. Especially over the household chores, I hated doing them. Every now and then I'd have to sweep the yard or clean the dishes and I wasn't always up to it.*

*One time, I skipped on my chores and was rather unapologetic about it when my mother confronted me. In a few seconds, everything escalated. She was hitting me anyhow and everywhere. She had me on the ground and was kicking and hitting my head with her leg. I thought I was going to die. But no, she was not done with me. Outside the kitchen door where*

*two steps and a slab of concrete surrounding the entrance. She grabbed me by the head and started smashing my head. She smashed my head against the concrete slab, for what felt like forever. Somebody, came to my aid. I don't remember who it was.*

*I couldn't stop crying, she sent me to the bedroom and I was left to myself. I was dumbfounded. I was shaking. I could not believe what had just happened to me. My cheeks had gone black, my left eye was blood red. I thought that now was a good time to teach her a lesson. I found myself a bottle of paraffin. Something had to give. She couldn't continue to do that to me. I decided I was going to make everyone think I was going to kill myself. My sister found me with the bottle and called mum to come immediately, she panicked. She really thought I was going to do it. She immediately became soft and started to comfort me, but I had had about just enough.*

*I ran away from home to seek refuge from my Aunt Josephine, my father's young sister who lived a few kilometers from us. My father had traveled for work and had been gone for a week. My aunt bathed me and took care of me. In a few hours, my mother came to look for me. She knew just where I would be. She got me from my aunt's place and took me to a salon to get my hair braided. But I had that red eye for a while, when my father returned and asked about it, she quickly said that I had fallen on some stones. She lied.*

*My father on the other hand, only beat us for discipline purposes. He had a style to it. Whenever my siblings and I did something wrong, my father would beat us up, most times with a belt and sometimes he would use his hands. After giving us a good beating, he would let us cry it out and afterwards summon us to the living room then ask, 'why do you think I beat you up?' and he would expect us to dialogue. That was his weird fashion. And I would never have anything to say back to him, even when I did not understand why or thought I was being treated unfairly. I would keep quiet. I don't know why I kept quiet. Maybe, because it's disrespectful to talk back to*

*your elders in my tradition. I would just agree to make everything go faster and cry myself to sleep after.*

*One time though, after a good beating I went behind the house and climbed the guava tree and decided I would spend the night there. Laughs. I would spend the night in the guava tree, my guava tree. You see, we had five guava trees scattered around the yard. Being the five of us, each child kind of had their own tree. This one was mine. I don't how I got down that tree, but I did get down. My father and I had the 'talk', I still couldn't talk, I was too afraid to talk back at him or tell him that I felt I had been treated unfairly during those talks. That was a long time ago. My father didn't beat us up as much as we grew up, even though he continued to threaten us with a good beating. In our tradition, fathers are not allowed to beat their daughters after they have matured. Unfortunately, wives are no exception.*

*Siblings fight all the time. People don't usually try to understand the issues that lie behind siblings fighting. Truth be told I was scared of my youngest siblings. I knew not to get that far with them but sometimes my ego just got the better of me and I wanted to teach them a lesson, I was older after all. I couldn't just back down all the time and let that fear show.*

*It's been at least over ten years since my sister, Linda and I seriously went at it. Linda has always been one with a lot of strength, gosh! I don't even understand where it all comes from. Well this one time we both got really upset and I don't remember who threw first punch or kick or what got us that mad in the first place. But there we were kicking, punching and slapping each other outside the house. My mother immediately had to put an end to it, so together with my older sister, our first born, they decide their best option was to grab hold of me by the arms and pull me away from the fight. Boy was that a bad idea! No sooner had they held me than Linda saw the opportunity to come at me with kicks my stomach. She kicked me real hard, my stomach*

*was churning and to date, the memory of that pain still haunts me. I don't remember how it all eventually ended but Linda had done a number on me. She won.*

*My little brother has grown up to be quiet the man. He is huge and heavy guy. With a quick temper, he'd always threaten anyone when he got into an argument. Like my father, he'd literally flare up when he's angry. You could see the anger in the way that he's eyebrows would curve. You could also it in his eyes. Not even my mother or father could confront him in that state, I heard once that he almost exchanged a few blows with father. That's how unstoppable he was, because in any home sons do not fight against their own fathers.*

*Growing up, I grew up with a vicious tongue and I'm not one to curse around but I had a way of being offensive in my speech when I got upset. So, when my little brother was busy stepping on everyone's toes that week, I let him know that I would not be having any his bullshit. He also got mad and told me he would not let me run my mouth either. From there things went up to a ten and he was beating at me. I was twenty-five years old and getting beat up by an eighteen-year-old. Sigh. My mother quickly broke up the fight and I was there screaming on top of my voice that he should sleep with one eye open because I would be scraping his balls off with a razor blade.*

Gayla Margolin (1988:58) found that research on violence and trauma in childhood demonstrates the potentially severe negative behavioral, cognitive, and neuro-developmental outcomes in exposed youth. Children who witness interparental violence often exhibit elevated rates of both externalizing and internalizing problems. Even in the earliest phases of infant and toddler development, existing research indicates there are clear associations between exposure to violence, and emotional and behavioral problems. Infants and toddlers who witness violence either in their homes or in their community show excessive irritability, immature behavior, sleep

disturbances, emotional distress, fears of being alone, and regression in toileting and language. Exposure to trauma, especially violence in the family, interferes with a child's normal development of trust and later exploratory behaviors, which lead to the development of autonomy and sense of self.

Sense of self as George Herbert Mead (1934) projects relates to one's behavior, attitude or deportment toward self as well as toward others. As one of the forerunners of symbolic interactionism theory, Mead's (1934) premise is that as children, we begin by emulating behavior of others, and then proceed to role playing and in due course, we adapt to the socialization process whereby we integrate the customs, values, mores transmitted to us by our parent's and the society we live in. For Mead, the socialization process begins with children imitating what they see their parents do at home and then subsequently progresses into role playing whereby they act out the activities of those they come in contact with. These activities are played out to others and to themselves, and thus, the maturation of "self" takes place. Therefore, children who grow up witnessing domestic violence are more than likely to engage in violence themselves later in life.

According to Joy Osofsky (1999:40) families are uniquely structured to provide the attention, nurturing, and safety that children need to grow and develop. But parenting is, at best, a complex process, and in situations of high risk, it is even more so. Poverty, job and family instability, and violence in the environment add immeasurably to the inherent difficulties. When parents are involved in domestic violence they are more likely to have difficulty being emotionally available, sensitive, and responsive to their children. They may become depressed and unable to provide for their young children's needs.

The author further adds that when children of any age cannot depend on the trust and security that come from caregivers who are emotionally unavailable, they may withdraw and show disorganized behaviors. Because early relationships form the basis for all later relationship experiences, difficult experiences early in life may be problematic for the child's later development. Depressed parents may be more irritable and may talk less often and with less intensity. This depression may also lead to violence and abuse towards their children. These parental behaviors may lead young children to be less responsive themselves and to feel that they may have done something “bad” to contribute to their parents’ behavior (Ofosky, 1999:41).

One notable aspect of Zambian culture is that of silence, no matter how much physical, emotional and sometimes financial violence my mother endured at the hands of my father, she has never reported him to the police. And even if she did, it is possible that they would turn her away her because they felt that it was a domestic issue which should be solved at home as Zambia practices a dual legal system which integrates both customary and statutory laws (Kiremire, 2006). The idea behind this culture of silence is that women should endure the hardships of marriage gracefully, they should also fight for their marriages to stay intact and protect their children. There is this saying which is more of a teaching that whatever happens in marriage should stay behind closed doors, this extends to the abuse that happens as well. People who try to come out in the open to talk about any bad experiences they have behind those closed doors are perceived to be uncultured with no respect for tradition.

In as much as statutory legislation exists against domestic violence, it is just on paper and rarely gets implemented. Our gendered socialization teaches women to be longsuffering and submissive. As a result, the power play between men and women, always disadvantages women in every sector of public and private life. McCloskey (2016) in a transnational study, found that

more women were victimized in communities where the government was unlikely to uphold laws protecting women against abuse or rape. Unfortunately, this culture of silence has led many women to their deaths. Recently there's been a rise in the number of women murdering their husbands in Zambia which I feel stems from this inability to voice out the problems or abuse they encounter in marriage.

My mother still endured the violence in silence. In the spring of 2017, I had the courage to ask her why she doesn't leave, her response to me was to ask, 'what will people think?' Deep down in my heart, I know that even though society frowns on women who seek divorce from their husbands, the real reason she stays is because she has nowhere to go and no financial means to sustain herself. I have always wondered if she would stay if she were economically independent from my father. This makes me agree with Marxian materialist theorists who have argued that economic factors are the most important determinants of women's status. According to Blumberg (1984), these theorists argue that the greater the extent to which women are involved in economic production, the higher their status tends to be in society and the more they have in their overall status in life.

According to Alio et al (2011:13) research has demonstrated that one of the strongest predictors of intimate partner violence is women's attitudes toward the justification of violence. For example, women who report tolerant attitudes toward violence experience higher rate of intimate partner violence themselves. The authors add that the social learning theory has often been used to explain violence victims' tendency to justify their abuser's behavior. The basic premise of the theory is that individual behavior and beliefs are influenced by personal experiences as well as those of others, and these beliefs are passed on through generations and help to perpetuate such attitudes. This is the case with the acceptance of intimate partner

violence. In addition, the socioecological model, drawing from the complex interplay between individual, relationship, community, and societal factors, has been frequently utilized to describe the predictors of women's attitude to violence, utilizing its multilevel analyses to identify explanatory characteristics not only at the individual level but also at the neighborhood, community and country levels. Their transnational African study found that intimate partner violence is widely accepted by both men and women for transgression of the woman's traditionally prescribed role. Similarly, studies looking at both men and women's attitudes separately have found that both gender's views of patriarchal gender roles lead to acceptance of violence in the home.

McCloskey et al (2016:284) also found that in a cross-national survey of attitudes toward intimate partner abuse, in sub-Saharan countries, young men who hold rigid views about gender roles also tend to endorse the use of physical abuse to control a female partner. Adolescent boys have been found to express strong beliefs in "courtship patriarchy," which highlights the importance of girls' subordinate role and behavior in a dating relationship and makes the boys more tolerant of attitudes supporting intimate partner violence. Unfortunately, these boys become men who continue to believe that violence is acceptable and perpetuate the cycle of violence. The authors noted that most men supported using violence against a wife for disagreeing with or arguing with the husband or going out without notifying him. The study also revealed that the approval of physical abuse in marriage was particularly widespread in Zambia, which ranked highest with 71%, and Kenya, coming in second with 68%. African men endorse the use of physical violence against partners they deem as "disobedient," especially in rural families where most men agreed with statements supporting violence against wives.

Beliefs relating to gender roles in marriage lay the groundwork for intimate partner violence in many regions of Africa. Patriarchal beliefs are not the only explanation for partner abuse, but such attitudes sustain community tolerance of intimate partner violence reducing the chance for a systemic social response. In sub-Saharan Africa, Koenig et al (2003) argue that a significant proportion of both men and women endorse a man's prerogative to physically discipline his wife, with more women than men endorsing what they view as justified abuse, such as when a wife appears to neglect the children or argues with her husband. Such findings illustrate that patriarchal ideology is often equally shared by men and women in Africa and efforts to change ideology should address both sexes.

## Institutional Violence

It is no wonder that for the longest time, feminist researchers have argued that to stop men's use and women's experiences of violence on the personal level, structures of gender inequality at the societal level must also change. Volumes of research have also found empirical support for links between men's individual-level behaviors, attitudes, and experiences and violence against women. Imbalances in power and resources in marital relationships, approval of violence, experiences of violence in childhood are just some of the many variables found to be associated with men's use of violence against women. Yodanis (2004) argues that according to feminist theory many of these individual-level characteristics, as well as the likelihood that violence will be the outcome of such individual factors, flourish in male-dominated societies. Therefore, violence against women results from gender inequality on the societal level.

The author finds that the lower the status women hold in a society compared to men, the more likely men are to be violent toward women. The status of women is a complex, multidimensional concept. Gender inequality, or patriarchy, is both ideological and structural. In

addition, ideologies and structural inequality occur within various dimensions. Theoretically, several possible mechanisms link these dimensions of women's status to violence against women. First, when men dominate family, political, economic, and other social institutions both in number and in power, the policies and practices of these institutions are likely to embody, reproduce, and legitimate male domination over women. Men's power will be considered right and "natural" not only in these institutions but also throughout the society in general. Second, in male-dominated institutions, violence is a tool that men can use to keep women out or subordinate them, and thereby maintain male power and control. Given the male-constructed and male-defined policies and practices of these institutions, such violence is not likely to be punished or stopped. On the contrary, it may be subtly or overtly condoned (Yodanis, 2004:657).

Yodanis (2004:670) also establishes that a structure of gender inequality is associated with a culture of sexual violence against women. The educational and occupational status of women in a country is correlated with the prevalence of sexual violence, with a high status of women corresponding with lower rates of violence. Based on feminist theory, this can be explained in several ways. On the institutional level, when women represent nearly or more than half of those participating in institutions of higher education or workplace settings, men may accept women as equal and competent peers and colleagues that belong in those institutions beside them. Women may no longer be a threat to men, and thus, men will not use forms of sexual violence, such as sexual harassment, to deter women from participating in those institutions. In addition, when women hold positions of power and influence in institutions, policies and practices may be less tolerant of sexual violence. Thus, because of sheer numbers, women will be less likely to be victims of sexual assault within political institutions. On the other hand, it is possible to argue that women's power within political institutions could have the

widest reach in establishing policies and enforcing practices in all institutions that forbid and punish men's use of violence against women.

One might also agree with statement that women are stripped of the right to participate in the public sphere because of the sense of ownership that prevails in the relationship between men and women. This is visible in most African marriages. The woman is the subject matter of the contract of marriage rather than a party to it due to cultural practices. These intimate relations are where the subordination of women begins and where dependency is institutionalized. Although women are forced into dependency that lasts for a lifetime, there are no safeguards for continued spousal support of the woman by her husband in the case of divorce. This forces women to have to endure marriages in which they suffer abuse as the institutions also serve to both discipline and punish them should they decide to leave.

The multiplicity of these marriage regimes, reveal that women are subjugated because of their gender. The men are decision makers all throughout the varied institutions. The husband is considered the head of the family and holds the decision-making power in all family matters. Women do not hold the same rights that the men enjoy. This then undermines the social economic position of women. Yodanis (2004: 657) argues that when men dominate family, political, economic, and other social institutions both in number and in power, the policies and practices of these institutions are likely to embody, reproduce, and legitimate male domination over women. Men's power will be considered right and "natural" not only in these institutions but also throughout the society in general. She also found that in male-dominated institutions, violence is a tool that men can use to keep women out or subordinate and thereby maintain male power and control. Given the male-constructed and male-defined policies and practices of these

institutions, such violence is not likely to be punished or stopped. On the contrary, it may be subtly or overtly condoned.

## A Colonial History

That much of Africa is a colonized space is a given. Much of this colonization took place during the Victorian era, around the 1870s to the 1900s. According to Chiloza Eze (2011) what appears to be even more damning than the physical conquest of Africa is the epistemological ordering of the African world, which is the constructions and obvious misrepresentations of the African narratives. The author also adds that one of the great dilemmas of the African intellectual is the task of redressing the European misrepresentation of the African world, while confronting some of the issues that contribute to Africa's crises.

Eze (2011) argues that it is nearly unavoidable that the African intellectual is drawn, if unwillingly, into combat in which the primary goal is to oppose the Westerner, or at least, challenge the ethnocentric bent of Western image of Africa. In doing so, he or she falls into the unintended trap of defending or appearing to defend the African status quo. I personally struggled with the use of data to support my arguments in this thesis because some Western literature on Africa seemed accusatory, but on the other hand, literature by Africans seemed to be a response to western literature and was on the defensive. Yet, colonialism is a fact that happened and the extent to which it affected Africans and their way of life is yet to be realized. I find myself agreeing with Eze (2011) when he acknowledges that the fact that western thinkers made these observations about African women does not necessarily invalidate the observations themselves. It would be a grave mistake for African women thinkers to reject such observations precisely because they originated from western women. This necessitates the need for African feminist thinkers to free themselves from others' image of themselves and borrowing from the

words of Oyeronke Oyewumi as cited in Eze (2011), African women need to do feminism on their own terms.

The author further adds that most of the western narratives of Africa suffer from two essential faults. The first being that they are hyperboles that are aimed at attracting the attention of the western reading public and fueling the white savior framework. Take for example the U.S. Treasury Secretary Steven Mnuchin's wife, Louise Linton, who wrote a 'white savior' memoir about her gap year in Zambia in the late 1990s filled with inaccurate history and geographic details. The false narrative caused an outrage among Zambians and Other Africans prompting the #LintonLies on social media.

Secondly, Eze (2011) adds the western narrative on Africa is wrapped in congenital terms that highlight and emphasize Africa's difference from the Western world and depicting it as a continent incurably trapped in a state of cultural inertia. In this regard, the author believes that African feminist thinkers have been caught up in this web of discourse that to a certain degree it would seem that they are more concerned with righting the historical wrongs visited on the continent and less concerned with aspects of the human condition or conditions that could be qualified as inherently unfair to women and that need to be addressed with the utmost urgency.

Some feminist thinkers are of the view that the unless the African woman is free from the shackles of colonialism and imperialism only then can she free herself from any other things that may weigh her down. Eze (2011) argues that such an approach that the African woman should bear the excruciating pain of the fractured existence and the unfairness often resulting from the patriarchal structures of her African world, while standing by the side of the African man in their fight against imperialism is seriously flawed. Rigorously considered, nothing prevents the

African woman from demanding respect from her husband or brothers even while they all fight imperialism.

During the process of decolonization in Africa, nationalist struggles were paramount with both men and women working together toward the creation of independent nation states.

Amanda Gouws (2008: 538) explains that while women participated the independence struggles, they did not always articulate their interests nor were their needs recognized as separate from the nationalist struggles. Most often the passive role of “mothers of the nation” was conferred upon them. Their participation in nationalist struggles happened largely on terms set by men. The author further adds that the struggle for women’s inclusion in politics in Southern Africa has since been ongoing and has taken different shapes such as struggles for representation in government, and the creation of structures that address women’s needs and concerns in the state, as well as activism outside the state, through women’s movements. These struggles were not linear but happened at the same time, in many complex ways, and have over time become more sophisticated and linked into global struggles.

The Zambia we know today was once a single political unit under British Colonial rule. This began with the decision by the British South African Company (BSAC) in the 1890s to occupy an area north of the Zambezi River. At first there were two separate BSAC territories, North-Western Rhodesia and North-Eastern Rhodesia. In 1911, these two areas were combined to form Northern Rhodesia. After twenty-five years of colonial rule, the colony was taken over by the British Colonial Office in 1924. Forty years later, in 1964, the people of Zambia led by Kenneth Kaunda achieved independence, and Northern Rhodesia became Zambia.

From the earliest years of company rule in Northern Rhodesia there was labor migration. The men travelled north to the mines of Katanga in the Belgian Congo (Zaire) and south to the

mines and farms in Southern Rhodesia (Zimbabwe) and South Africa. After the company's original high hopes of finding gold and other mineral wealth in its northern territories had amounted to little, the British valued Northern Rhodesia only as a labor reserve. Labor migration was encouraged by the imposition of taxes, which had to be paid in cash. In the final years of company rule, however, European prospectors discovered vast amounts of copper deposits just as new technology to exploit them was being developed.

All industrial and urban development associated with the growth of copper mining was concentrated along the line of rail, that was built to link the Katanga mines to the north with Zimbabwe and South Africa in the south. Consequently, there was a continual movement between rural and urban areas, with the remote areas serving as labor reserves. Usually this labor reserve was comprised of men who travelled from many parts of the country, some from as far away as Nyasaland (now Malawi).

Most of these men went into labor migration as a way of meeting the head tax that had been imposed by the colonial government. The women were left behind to stay in the villages. The colonial forces at the time denied women access to urban areas by use of the pass system. Women were supposed to travel in the company of their husbands or with a marriage certificate if not with their husbands. Nevertheless, some women were living in these areas even before urbanization. Examples include the Lenje and Soli women in Lusaka and the Lamba women in the Copperbelt. However, women regardless of where they were situated, were faced with the challenge of adapting to the imposed new way of life.

Traditionally, women provided most of the family's needs especially food as they were the producers of the food as well as the landowners. The precolonial era was predominantly agrarian with women being responsible for cultivating the land and producing food. Women did

not depend on men to survive except for clearing land in readiness for planting and game meat. But alas, with colonization came new ways of living. The colonial masters brought with them a cash system, and this forced women to depend on the men who had migrated to the urban areas for work or engage in trade to have cash.

In the 1920s, a massive copper mining industry developed, which dominated the colonial economy of Northern Rhodesia and has continued to dominate the Zambian economy after it achieved independence. At independence, copper and cobalt made up over 90 percent of Zambia's total export earnings. Although there were various forms of protest throughout the colonial period, the struggle for independence in Northern Rhodesia began in earnest in the late 1930s as the mining industry recovered from the Great Depression, and the Copperbelt miners were a driving force. It was more of an urban, not a rural, struggle and did not involve guerrilla warfare.

The major political organization that emerged in the fight for independence was the United National Independence Party (UNIP) headed by Kenneth Kaunda, who became the first President of the country after independence was won. Eight years later in 1972, all parties except UNIP were banned, the second republic was declared and for almost twenty years Zambia was a one-party state, with Kaunda as the president. According to Kate Crehan (1997:80) the new state was described as neither capitalist or socialist but based on the philosophy of humanism. Humanism is highly moralistic and draws on both Christian tradition and the cultural traditions of precolonial Africa.

Ikechukwu Kanu (2014:376) argues that the reason behind this ideology was based on the fact Africa had always contained much indigenous socialism which the colonialists had tried to destroy. Therefore, this humanist approach was an attempt to rescue pre-colonial values and

traditions of communal living as the basis to build a modern state hinged on native tenets. The humanism ideology set out to create a society that places the human person at the center of all activity be it, social, economic or political. Unfortunately, the ideology failed in economic terms as the country experienced several economic difficulties beginning from the mid-1970s which humanism failed to adequately address. Mwangala Mwangala (2009:29) states that by the mid-1980s the country was worse off economically than it had been at the time of independence. The causes of this economic down-turn are complex and debatable.

## Zambian Kinship

Zambia's political and social landscape can be traced in the complex history of its people, first as colonial subjects and then as Zambian citizens. This history has been entangled with their location within the hierarchies of kinship. Kinship was a significant part of precolonial Africa and continues to be so even today. The overwhelming importance of kinship and its complex tracery of reciprocal obligation cannot be overstated in contemporary Zambian society and can be difficult for westerners to understand considering how much less important kinship is to them. Crehan (1997) states that kinship and the obligations of kinship have been regarded as occupying their own domain, which in many cases is seen as separate from and even opposed to the domain of governments and states.

The author further adds that this high regard for kinship, has provided the people of Zambia a basic understanding of power and authority, as within those kinship patterns is a hierarchy and regulations of how one can relate with their grandparents, parents and sisters or brothers. Take parents, for example. The term "father" almost always includes your father's brothers, and the term "mother" includes your mother's sisters. The children of all these "mothers" and "fathers" are your "brothers" and "sisters;" and among most ethnic groups their

children are your “children” too. I refer to my elder sister’s children as my children and they equally call me mom as they do their mother. Take for example, the term “father” almost always includes your father's brothers, and the term “mother” includes your mother's sisters. The children of all these “mothers” and “fathers” (half of your cousins) are your “brothers” and “sisters;” and among most African peoples their children are your “children” too.

The assumption that men have authority over women is one that has been questioned for a long time now across different groups. Crehan (1997) found among the Kaonde, that analyzing how gender fit into the picture of social relations tribe, men had authority over women. Even in matrilineal lineages, it was still the men that had a higher gender hierarchy. In the case of a husband and wife, this assumption included the legitimacy of a husband beating his wife. At the same time, women would accuse particular men, especially husbands of abusing their authority in specific instances, such as when a husband shamed his wife by beating her in public, using unreasonable force, or beating her while she had a child on her back, and so on.

This authority that a man has extends to his sisters, older or younger. And in Zambian kinship patterns, since pre-colonial times ‘sister’ as kin includes matrilineal parallel cousins. Regardless of whether they are older or younger, they are all referred to as the man’s siblings. The absence of a corresponding term for a woman’s male siblings reflects the general absence of women as formally acknowledged actors within the social and political hierarchies. Older women are recognized as having some say in community decisions but are very clearly not acknowledged players in political settings. This exclusion tended to be physically marked on such occasions as when women would be seated together in a group at some distance from the main body of the men (Crehan, 1977).

One thing that is certain, is that you cannot disrespect your elders as they obviously have more life experience and far more wisdom than you have. This becomes problematic, when it comes to addressing or calling out issues or concerns that these ‘elders’ maybe doing wrong. This makes it nearly impossible to question authority because of how this system of hierarchy is setup and that makes questioning elders or even correcting them is seen to be insulting and is viewed to be a sign of disrespect. Unfortunately, this understanding of relationships is prevalent even in modern democratic politics of Zambia. It is difficult even for journalists to call out politicians because of the belief that people in power should be given their proper respect.

However, Crehan (1997) found that whenever the subject of kin relations between women and men comes up, both men and women stress that women must show respect (Ulemu) to men. Ways that women show this respect today include kneeling down when greeting elders, being appropriately dressed in a chitenge (wrapper) to not show a lot of skin, as well as not looking elders in the eye. Crehan argues that this subordination to men is a reality in which women are immersed from the moment of their birth. The author also recognizes that this does not necessarily make women cowed victims as they are very conscious of the range of claims that they have on their husbands and male kin and they insist on these in no uncertain terms. These claims that women show their husbands proper respect went alongside women’s claims that their husbands also show them proper respect by providing them their dues. There are also distinct notions of masculinity, one being that the man must provide for his family. For instance, when I was getting married it was my husband’s responsibility to ensure that I had a new wardrobe before I was brought to his house, it is standard practice that a woman leaves all her clothes behind before moving to her husband’s house.

Due to the strong kinship ties, the extended family is very important aspect African culture, particularly in marriages. Typically, couples stay not only with their children but also with other relatives, such as aunts, uncles, nephews, nieces, cousins, grandmothers, and grandfathers. It is not surprising to find a young couple fostering other children in their homes today. In the past, once a man marries, his family would organize some children to stay with the couple as a way of measuring if the woman being brought into the family was a 'good hearted' woman. My father has told me stories of how in his days upon marriage, a woman would be gifted with a young puppy that would be observed over time as a measure of how good of a caregiver the woman is. If the puppy looked as if it was not well fed and taken care of it would be argued that the woman is not a 'good woman' and her husband's family would always treat her as such.

I also grew up with cousins in our home, as my father came from a matrilineal tribe that made him materially and financially responsible for his sister's children. In matrilineal societies, a person is born into his mother's matrilineage or matriclan regardless of her marital status or the payment of bride price commonly known as lobola. Descent is traced through mothers and while children in matrilineal societies recognize some affiliation with their father's matrikin and often enjoy warm ties with their father, such patrilineal links are of secondary importance when it comes to the inheritance of property, titles, or political office. Brian Segal (1996) states that in these societies, one is supposed to inherit such resources from the mother's brother, the matrilineal authority figure, rather than one's father, as is the case in patrilineal societies. This was a major source of conflict for my mother who felt that it was my father's duty to take care of his children and on the other hand, my father felt that she did not treat his relatives well. To

borrow the words of Jean Halley (2012) violence became normalized in my childhood. There was always something that my parents were fighting about.

In addition, personal problem-solving mechanisms are built into kinship and customary relations. I witnessed this firsthand, when I saw how an ex-boyfriend of mine interfered in his elder sister's marriage whenever she was battered by her husband because that was his duty as the male in his family. He took on the role of mediator and standing up for his sister who was at least ten years older. While it is a worthy role for the men, this does not only send a message that says women by themselves are helpless and need protection from men, but it also reinforces the cultural beliefs that subordinate women. Excellent Chireshe (2015), reasons that while relatives can be a good source of support and social security, they can also be dangerous for a couple as they may interfere with the life of the couple. Especially when they do not welcome the woman into the family, relatives may cause problems for the couple that lead to the eruption of violence in the home.

## Childhood

*My parents had five children and I was born second. Having girl children in my culture is devalued as the assumption is that they'll leave the household once they get married. After four girls, my father still wanted to have a boy to carry on his name even at the expense of my mother's health whose last two pregnancies had been high risk. I remember when my mother left home to conceive in her last pregnancy, she had serious complications, was in coma for almost a week and spent over a month in the hospital. It was a difficult time for us, as relatives were starting to gather at home expecting the worst. I was seven at the time and it is only when I grew older that I learned about what really happened as my mother never spoke about it. Zambian culture prides in its masculinity, and it is a fact that no matter how much younger my brother is compared to me, he*

*should be respected as the only male child and is the head of the household in the absence of my father.*

*It is now clear to me how the desire to have a male child is important in most families, and the pressure that women endure to produce male children for their husbands. A long time ago, inability to give birth to a boy was a basis for infidelity and divorce. In some cases, families would just bring a new woman for the man to marry and chase away the first one for that simple fact. Fortunately, the civil law system has helped curb some of those problems and modernization has helped too.*

*Growing up as a female in my society always made me feel inadequate. I grew up with an inquisitive mind. I always liked to question why things were the way they were. I also knew that growing up female meant that I had to act and behave in a certain way. Borrowing from the words of Chimamanda Ngozi Adichie (2013) in her famous “We Should All Be Feminists” speech, African girls are taught to aspire to marriage and to not have ambition. From the onset, my parents raised me up to be someone’s perfect wife in future. Since I was a little girl, I could cook, clean and wash laundry on my own. Every time I tried to stray from the norm, I would be strongly admonished. I was also expected to act and dress the part. I would be threatened with a beating if I wore tight clothing which I was told made me look like a “prostitute.” But of course, I always dressed modestly as not doing so would get me stripped naked and beaten in the streets. I was always fearful, always wanting to do the right thing.*

*When I reflect on them today, my childhood experiences seem vague and distant, but I sure remember the domestic violence that I witnessed in our home. My parents fought physically in our presence, I remember the times my sisters and I would be crying and pleading for him to have mercy on her and stop hitting her, and we would get up beat too. My father grew up in an era*

*where everybody underwent military training, so you can only imagine the intensity of the blows and kicks she would receive. I will never forget the one time when she visited me when I was in boarding school, looking like she had a stroke, and the pain I felt knowing why her face looked like that. Domestic violence was the norm in our household and I don't really know to what extent that has impacted my life as Graham et al (2001) argues that children who have witnessed marital violence may suffer from psychopathological disorders and other pathological outcomes which impair their emotional functioning, cognitive abilities, and impact their social relationships.*

*I have a sort of love/hate relationship with my father. He was a good parent to my siblings and I, and he ensured we lacked nothing in our modest home, but he was also a terrible husband to our mother and not only was he physically abusive but was also emotionally, verbally and economically abusive to our mother.*

*Growing up, my father valued our education and always encouraged us to make something of ourselves and we went to good schools in the city. I was privileged in the sense that my father saved generously for our education consistently throughout the years. Some people are not so lucky, because their parents prefer to send their male children to school because of the assumption that girls will eventually get married and be taken care of by her husband. Hence, the male child should be the one that gets an education in the belief that one day he will be the head of the household and have a wife for whom he will be responsible. I suppose this is a critical factor in understanding the problem of early marriages in Zambia.*

*In my second year at the University of Zambia, I decided to change my major to Gender Studies which had just been introduced in that year. My father cared less what decisions I made with my studies but when he learned of this change he warned me sternly to not bring "gender studies" into my marriage when I did get into it. Everybody equated studying Gender Studies to*

*being a Feminist, not even just any feminist, a Radical Feminist. It is a popular opinion that women who are educated are hard headed and worse a feminist cannot keep a marriage because such a thing as equality cannot exist between a man and a woman. I on the other hand, was always curious to understanding what this “gender” phenomenon was all about, and it was this prurience that helped me make that decision. Moreover, at the time, my father had kicked my mother out of the house and she was homeless.*

*During this time that my mother was out of our home is one of the most difficult periods of my life. It was hard for me to see the difficulties she was experiencing and not being able to do anything about it. I remember at one time sharing my tuition bursary with her because I could not stand to see her suffer. This close relationship that I had with my mother, angered my father so much that he refused to financially support my education. He thought I was taking her side and we were ganging up against him. My youngest siblings were in boarding school and I took over the responsibility of making sure they were shielded from the things that were happening back home. Of course, they knew that our mum was not home, but they did not see all the fighting and ugliness of that separation which I saw and was caught up in. The thing that mattered most to me during that time was that this situation my parents were in, did not affect them emotionally and they could focus on their school without worrying about the chaos at home. To this day, that responsibility has carried on and I am the one they’re able to talk to and offload their worries to about our parents, whose unstable relationship has remained pretty much the same.*

*This experience of my parent’s separation alerted taught me something significant about our traditional culture in Zambia, and that was the belief that a married couple should keep their differences between themselves and behind closed doors. This includes the aspect of being violated by a spouse. People who try to come out in the open to talk about any bad experiences behind*

*those closed doors are perceived to be uncultured and having no respect for tradition. Should a situation become dire, and the woman have a need to escape from it, she can only do so by escaping to her husband's relatives or her family. Escaping to anywhere else, is unacceptable.*

*I came to this realization when after a terrible fight with my father, my father stormed out of the house in anger, and my mother was too afraid to stay home she went to stay with her friend who was a well-known mother figure in the church. My father refused to take her back saying he did not know where she had been as no relative had acknowledged her presence in their homes. Of course, I would like to imagine that there were a lot of other things that were at play in their relationship but that was the beginning of their first separation. That aspect of not being able to involve the extended family and going to seek help elsewhere, really angered my father.*

Another aspect of traditional culture that this experience alerted me too, was how inefficient the systems that addressed domestic violence were. According to Swart (2017) women in Africa, generally, lack an effective system of addressing gender-based violence and while kinship ties can be very helpful but in situations where the violence continues to happen, support from relatives proves futile. In addition to that, the system for reporting or prosecuting gender-based violence is also not as effective. For instance, men have been known to get away with just a scolding from law enforcement. It is also not surprising to find women begging for the release of their violent partners because they provide for the household and without them, women cannot manage financially.

A study by Amnesty International (2007) found that women who seek police intervention in Kenya are often embarrassed, ridiculed, verbally abused and made to feel as if they are wasting police time. In many interviews carried out by Amnesty International, women said they were

reluctant to approach the police and had only reported their case when the violence had become so extreme that they needed intervention to protect their lives.

## Marriage

*After graduating University, the pressure to get married was building, especially after I graduated top of my class. The worry of my family was that my “obsession” with gender issues and equality would not help me in finding a marriage partner. This was coupled with the fact it seemed that I had “high” standards when it came to finding a suitable partner. Some of my cousins in the village, who I am agemates with, had at least two to three children each at the time, would tease me saying that I was taking too long to find a partner. An aunt of mine, who is late now, took me aside and blatantly told me that I had a problem when it came to men because I was too opinionated and picky. It was important to me that I found somebody who was like minded and who saw me for more than just a good wife to be had. I have been married for a little over two years now and every time I talk with my single friends I can hear the panic in their voices. They’re always asking for advice that they could use so that they too can get married.*

*My marriage to my husband was another event where male supremacy ruled. It was filled with a lot of “do’s and don’ts” that mostly fell on me as the woman who was going to be wed. While my partner and I didn’t care much for the customary rites of passage, we still had to go through with them out of respect for our parents. Among them, was the payment of lobola to my parents.*

*In the perfect love story, a boy meets a girl. They fall in love. He proposes, she says yes! They get married and live happily ever after. This is the western ideal of courtship and marriage and was what I saw in the movies. However, in Zambia given that kinship ties play a very*

*significant role in the marriage process. The path to marriage is not as straightforward. I can't recall when exactly the 'proposal' happened but my boyfriend and I had been dating for a while when he wanted me to meet his parents. This was a huge step for us as I knew that his parents had told him that they were only ready to meet a girl he was dating if he was going to marry her. I was nervous. I told my mum and she asked what kind of a meeting it was going to be, and I told her that it was just a simple meet and greet. My mother asked because she wanted to know if this was going to be the big meet-my-fiancé introduction, but I reassured her that it was not, and my husband had assured me that it was a simple and casual meeting not laden with any traditions.*

*It was a Sunday when we set off for his parent's house which was at least 200 miles away. But before we stopped by his elder brother's house which was along the way. And it was there that it finally hit me that this was the 'big introduction.' I was going to be meeting his parents in the traditional way and I had not prepared for it. His sister-in-law was kind enough to prep me by telling me how it went when she was meeting them, and that helped but I was even feeling more nervous at this point. I remember getting furious after we had left his elder brother's house on why he did not tell me that this was going to be done the old traditional way and he also didn't know. He thought when he told them that he was bringing me over, it was going to be as casual as it can be.*

*We got to Mazabuka, a small town in the Southern province of Zambia and the place my husband was born and raised. We had to stop by the grocery store to get a few groceries before we could get to the house, as a sign of courtesy. When we got there, we drove straight into the yard, where I had to wait to be picked up. He's aunt was sent to receive us, and she told me to relax, and that they would not bother me so much with tedious tradition. With my Chitenge on I took the long walk to the verandah, my face hanging low and my steps short and slow. When I got*

*there, I knelt at the door as my mother-in-law opened the door for me, and welcomed me in but I did not move, or look up. My mother in law put some money into my hands and it is only then that I got up and entered the house and a seat was waiting for me. I went and knelt on the floor next to the seat, my face still hanging low. I could not sit down until some more money was placed in my hands and it was then that I sat on the sofa. I sat there, with my face hanging low and avoiding eye contact.*

*The rule is that as a bride to be, I am not to speak unless spoken to. As this was the formal introduction to his family, many members of his family were invited to this event and whenever anyone came in to see me and greet me, I was not to respond until they placed some money in front of me. But even when they did that, I would only respond with very few words. And so, throughout the day, people would come in and they'd greet me, and I would not respond until they placed a few Zambian Kwacha notes in front of me and the I would respond with "I am fine, how are you?". His grandmother was present in, and she kept me company throughout the day but even then, I was not to converse with her. She just sat there, looking at me, probably trying to figure out what kind of a woman I was. She was just there staring at me. It felt awkward.*

*When it was lunch time, the table was set, and I was invited to the dining table. I was not to eat with the rest of the family and everybody, but my husband's family left the room to give me some freedom to move about the house freely. It was such a relief. My husband, clearly amused at the whole process, was laughing and teasing me about everything going on. Before I could eat anything, my husband was quick to show me a closed serving dish where my in-laws had left a few Kwacha notes, so I could partake of the meal. If they had not done that I was not to partake of the meal. And after lunch, my husband took me for a walk into the neighborhood which was so refreshing. Interesting to note, was that while we were out taking a walk, his family had a meeting*

*and when we came back, they had set a date for his family to meet my family for the lobola negotiations. And when it was time to head back home in Lusaka, they had packed several gifts for me to take back home with me. The whole experience was so surreal. It was just the beginning.*

Lobola is a very common practice among the different tribes of Zambia. It is also a common tradition in many Southern African countries such as South Africa, Botswana, D.R. Congo, Zimbabwe, Swaziland and Lesotho. Even though traditional African family patterns are slowly but surely changing due to modernization and urbanization, the practice of lobola continues to stand steadfast. As a tradition, it is expected that anyone who is part of or wishes to be a part of the marriage institution partakes of it. There is a general understanding that the custom surrounding the practice of paying lobola is to validate the relationship between the two people who plan to get married and their families. Heeren et al (2011) states that the practice of lobola has served to demonstrate that the man getting married can handle the responsibility of taking care of a family and it also serves as a token of gratitude to the bride's family for raising a wonderful woman. It is about paying respect to the elders, the family and the community. It is a significant element of marriage among many tribes and there are strict rules that must be adhered to in the process.

Aeneas Chigwedere (1982) describes lobola as the process by which the bride's family receives payment in the form of goods, money, and livestock to compensate for the pain the parents of the bride went through in raising their daughter and the children that she would bear into the husband's family. It is a cultural practice that forms an important part of some African marriages which in modern times precedes the wedding ceremony and provides certain rights to the groom over the bride within their marriage.

Chiweshe Manase (2016: 229) elaborates that the process of lobola is mostly comprised of the introductory ceremony consisting of small payments or an exchange of gifts that mark the

beginning of the marriage process and the main ceremony where major payments are made. Usually, the small payments must be made before the main ceremony can begin. The small payments or gifts made at the beginning of the ceremony have different implications and meanings. In my tribe, some payment placed in closed food plates, that are usually metal, allows the bridegroom's family to open negotiations and acceptance of those plates signify the acceptance of the man seeking the bride's hand in marriage. The significance of all these exchanges is that the prospective husband declares interest in the future wife.

In the main ceremony, similar payments are made to the bride's mother, her father and for the transfer of a woman's reproductive capacity from her natal family to the man's family. The differences are in what validates a marriage. This translates into one cow transferring the procreative function of the woman who is being married to the husband's family, clan and tribe. Another cow is given to the woman's mother in recognition of her role as the person who breastfed and nurtured the woman to marriageable age. The third cow is given to the father to protect the woman in case the marriage fails. In addition, other cattle, are given to establish cordial relations between the two families. An extra cow was given if the girl was a virgin.

However, this is practice of emphasizing virginity on the part of the woman, has largely died out. While virginity was not so highly valued among some groups and was, therefore, not an issue it was a big issue for the Ngoni tribe where my mother hails from and it is a treasured commodity which is supposed to be guarded by the bride's father and passed on to her husband at marriage. According to the Women and Law in Southern Africa Research and Education Trust (2002), therefore claims for "damages" in the courts were awarded to the father of the girl in recognition of the fact that, if not a virgin at marriage, she would be given away as "damaged" and would not attract much lobola. Aside from not being a virgin at marriage, a woman is also

considered as “damaged” by getting pregnant by a man that has not paid lobola for her. The man in this case still pays in cattle for the “damage” he has done to the girl’s parents as her lobola will now fetch for a lower price because she has a child. It is clear to see that the woman was not in control of her own body. It was owned and controlled by her father, then by her husband. It is still a common practice today, for a man who impregnates a girl out of wedlock to pay “damages” to the girl’s family.

Chiweshe (2016) adds that close relatives or representatives of the families such as the maternal uncles and paternal aunts become part of the negotiation procedures which signify the beginning of the main ceremony, but it is the older men in the extended paternal family usually are the ones who negotiate. At the time of the introduction of the groom to the family of the bride-to-be, the lobola price must have been determined by the family of the bride, with the understanding that the lobola must be delivered at a set time. The families then get together, the lobola conditions are laid out and the groom’s family negotiates the lobola down to an amount that they feel is manageable for them. The couple themselves are not involved in the actual process although they may have something to do behind the scenes. The bride or the bridegroom might influence the negotiations through their families without having direct contact with the negotiations.

According to Nicola Ansell (2001) lobola is seen as a rite of passage and a confirmation of manhood or womanhood. Most women see the paying of lobola as a sign of honor. Women who have not had lobola for them suffer a lack of respect. This is an important symbolic function of lobola which is at the core of how society defines manhood and womanhood. But for Chireshe and Chireshe (2010) lobola now serves as a means whereby elders can make claims on the next generation, specifically the earnings of potential sons-in-law. Insisting on high lobola provides for

comfortable subsistence, or in the event of default, affords entitlement to a daughter's children. Lobola validates a marriage and shows the seriousness of the man, thereby reducing the divorce rate as it is a guarantee of good faith on the part of both the husband's and the wife's families, a gift symbolizing an earnest belief in the successful outcome of the marriage.

It should also be noted that this act of good faith also places responsibility on the woman's family to ensure that the woman stays on her best behavior and to make the marriage work as it must be refunded should the marriage fail. It is further argued that lobola is a socially stabilizing factor because without lobola men would take it as a simple thing to marry and divorce, abusing and violating women, causing gender inequality problems. According to Chiweshe (2016) rather than being discriminatory against women, some believe that the institution of lobola protects women from being used by men. The idea is that men will desist from having multiple unprotected sexual relations because getting a girl pregnant means having to pay lobola for them. Flexson Mizinga (2000) adds that lobola is paid to legalize the marriage because without this payment a union is seen as casual sex or prostitution.

If one does not pay the lobola they are socially not recognized as an in-law even when couples have stayed together for years and born children. For those that did not pay lobola or complete the lobola payments, it is at the death of the wife that her parents and relatives will demand lobola before they bury their child. This demand for large amounts of lobola has led to a scenario in which some parents refuse to bury their dead daughters as surety for lobola payment which is in many ways extortion. It is thus difficult to escape paying lobola.

Mizinga (2000) goes further to say that lobola was historically related to production in the traditional economy which created relations for the exchange of other goods and services. Patrilineal societies tended to be cattle-keeping peoples and lobola was a means of moving cattle

from one family to another. This movement of cattle created a complex network of rights and obligations that persisted over generations. WLSA (2002) also adds that the lobola gave presumptive rights over the woman's productive and reproductive capacities to the man's groups. Therefore, death did not signify the end of a marriage. However, among matrilineal groups like the Bemba in Northern Zambia, payments for marriage did not transfer a woman's fertility to her husband's group. In fact, historically the man's service to his wife's family marked the beginning of a long relationship between groups based on reciprocity.

Even though there is more than one way to be married, the civil marriage regime matters less to family relations if no lobola was paid. Customary marriage in Zambia is recognized by the state and can be registered at the local courts. For civil marriages, all that is required is the consent of the parties intending to get married. The marriages are solemnized by a state-appointed marriage officer. This solemnization can be done at an approved government institution or at a church. Chireshe and Chireshe (2010) argue that despite lobola not being required for a civil marriage, very few African women would attempt to get married or register their marriages without the involvement of their families. It's considered to be uncultured to get married without the consent of one's family. And a woman who tries to so, will suffer consequences from her family such as being alienated, or denial of moral support or any other support that maybe needed especially if problems arose in the marriage. Aside from that, the woman would so not be culturally considered as a wife by the groom's family.

According to WLSA (2002), the practice of lobola is steeped within patriarchal beliefs that promote male superiority. Patriarchy ultimately is a gendered power system: a network of social, political and economic relationships through which men dominate and control female labor, reproduction and sexuality as well as define women's status, privileges and rights in a society.

According to Desiree Lewis (2004) culture is the vehicle by which patriarchal values that valorize masculinity are transmitted from one generation to the next. Culture is used as an excuse for many cases of gender inequality.

When men are promiscuous it is seen as a cultural thing because men are supposed to be adventurous. Married women, because of lobola paid for them, are supposed to suffer in silence even in cases of domestic abuse. A popular Bemba proverb that translates to say '*a man's infidelity does not break a home*' revealing the double standards society has concerning men and women's infidelity in marriage. If a woman goes to complain to her parents about her husband, she is told to suffer in silence. The idea behind this culture of silence is that women should endure the hardships of marriage gracefully, they should also fight for their marriages and protect their children.

Maureen Kambarami (2006) states that through lobola women's bodies and lives are commoditized and they become the site of complex interactions of patriarchy, power and politics. It is the body and specifically the vagina and womb which is the physical space for sex and reproduction which is intrinsically transferred from the father to the groom. This persists to this day and the culture of paying lobola can arguably be said to be one of the cornerstones of patriarchy in Southern Africa. There are, however, theorists such as Mizinga (2000) who argue that the practice has a history of being misrepresented by Western scholars who have criticized it as an economic transaction that implies a purchase of the bride.

Traditionally bride service was an alternative to lobola payments among certain tribes. Chiweshe (2016) argues that when the prospective husband of a daughter did not have the means to pay an initial instalment of cattle for their bride, the father of the bride would invite the husband to come live with his in laws and compensate for the daughter through labor. Such periods of

service labor could extend up to ten years. With the monetization of the practice, such arrangements where labor can be used in lieu of money as payment, are no longer being used. Elizabeth Schmidt (1992) also adds that prior the practice being monetized, typical marriage payments included four to five head of cattle that were supplemented by other gifts such as hoes, blankets, and baskets of grain.

Chireshe and Chireshe (2010) argue that lobola today is perpetrated by fathers who now see their daughters as money- projects as they tend to charge high values for lobola. Market conditions shaped the nature of lobola demands. The authors further argue that modernity and commercialization has led to increased material demands as the custom of lobola evolved to become a business venture in which having a daughter has become a worthwhile investment. In this context, daughters have become high-priced commodities, where lobola has become a means of escaping poverty in a rapidly declining economy. Thus, making the practice an epitome of the commodification of daughters wherein daughters are seen as a pension fund.

This commodification of lobola has led to many incidences of violence and even deaths as people fight over what the groom has paid. This treating of women as mere commodities thus implies that the purchase price should be reduced when women are regarded as imperfect. For example, a woman who has had a child out of wedlock is ‘imperfect’ and should have their lobola reduced. This aspect of lobola is demeaning and insults women’s dignity. WLSA (2002) also adds that the changing values and levels of lobola from being symbolic to a stage where it is almost a commercial venture has compromised the position of women in society. They argue that parents now peg lobola at a certain level depending on factors such as the girl’s educational attainment, whether she has a job and whether she is a virgin. This implies that women are being treated as property for which a good price is negotiated. It then stands that a man who has paid dearly for his

wife will expect very high returns from her. This clearly gives him the right and power to be the judge of his wife's performance and productivity as well as reproductive capacity. By compensating the woman's family, the man gains the right to the woman's reproductive services.

This right is socially enforced. Chiweshe (2016) adds that when a man has paid the full lobola, he gains control over the woman's reproduction and her attempts to take autonomous action will therefore be subject to social disapproval. In this exchange, the man and his family pay lobola to the woman's family and expect something in return. Chireshe and Chireshe (2010), note that this constricts women's reproductive autonomy, in that their reproductive and sexual behaviors are product not only of their own desires, but more so of normative constraints imposed by family and community members. This lack of control that women have over their reproductive behavior has a range of health implications, including risk of HIV infection, high fertility, and exposure to domestic violence.

Researchers have considered the constraining effects of lobola and its connection to domestic violence. In this setting, the person best positioned to discipline the woman for making independent reproductive decisions is the man. Such discipline may take the form of domestic violence, which is unfortunately relatively common in African societies. Horne et al (2013) argues that domestic violence becomes a strategy through which men control women, and more specifically here, as a means through which men enforce social norms that constrain women's sexual and reproductive autonomy. If the lobola payment strengthens normative constraints on women's reproductive autonomy, and if domestic violence is a means through which men enforce these norms, then it can be argued that to some effect lobola approves male violence. That is, if a woman contravenes a man's preferences and does not meet her sexual or reproductive obligations when the lobola has been fully paid, people start to react less negatively to domestic violence than

if lobola has not been paid. This means that it will likely also weaken a community's disapproval of male violence against women who have contravened their reproductive obligations. Lobola then is one factor that may affect domestic violence, thus reducing women's reproductive autonomy.

A study conducted by Chireshe (2015) on women's experiences of violence in Zimbabwe confirmed this when it revealed that participants indicated that the abuse they experienced in their marriages was closely related to the custom of lobola which caused their husbands to feel that they were superior to them and owned them by the mere fact of paying lobola. Participants in this study were very concerned about the payment of lobola which, they alleged, contributed to their vulnerability in marriage. They reported that their husbands felt that they owned them and so perceived them as property and not as partners. In this case, the lobola which traditionally joined the two families as a unity enhancer, emerged as a factor that powered male possessiveness and disempowered women, and eventually a "visa" to wife abuse.

Although the tradition is widely respected by most men and women in the society, lobola comes with controversy. Most women have been found to bear violence against them including sexual violence. Marital rape has not been criminalized in many Southern Africa states practicing lobola, including Zambia. It is popular belief that by consenting to marriage a woman has also consented to sexual relations for the rest of her marriage. Her right to control her own body is denied and a husband's ability to abuse her sexually is unhindered.

Unfortunately, even in the death of a husband the practice of lobola still haunts women through the practice of levirate marriages or widow inheritance as it is popularly known in Zambia. It is a custom whereby widows are inherited by their late husband's brother or other kin. According to Jacob Malungo (1999) levirate marriage appears to be accepted for reasons that include the idea that a man who marries a deceased family member's widow is simply just taking care of the widow

for the late relative, that he is simply continuing the lineage of the deceased man, and that he is retaining the property in the family. The process is often sealed with a ritual of “sexual cleansing” in which the widow is expected to have sex with one of her in-laws in the belief it will free her from her dead husband's spirit and give her peace. A woman who has been “cleansed” is then culturally free to remarry and move on with her life.

Malungo (2001), explains why tradition in Zambia requires sexual cleansing of the widow prior to a levirate marriage, as it is believed that the practice is necessary to prevent the widow from being ostracized and from getting insane. Based on findings from his research participants, Malungo goes on to explain that while they would like to continue customary practices, the fear of HIV/AIDS, education, the spread of Christianity and the modernization of everyday life act as restraints to continuation of the practice. According to Carlyn Hambuba (2018) a modified ritual of sexual cleansing is taking hold instead, where a man rubs his private parts against the widow but does not have conventional sex with her. Other rituals such cutting the widow’s hair, cleansing the widow with herbs, and other procedures are now preferred over sexual cleansing.

### Premarital Counselling

*Another aspect of marriage in our culture which is particularly stressful for women is the issue of premarital counselling. After formal introductions have been done and the lobola negotiations have been completed, the bride has to undergo traditional counselling. The system of pre-marital counselling is setup in such a way that it requires the woman rather than the man to go through these lessons. During this period of counselling, a woman is taught how to care for her husband and his family, cook traditional meals, and most importantly how to please a man sexually. There’s a strong emphasis on how women should use their femininity and sexuality to please the man.*

*I have always been curious as to what goes in the world of the Alangizi women. These are women who are well vested in traditional culture and have the primary responsibility of preparing and teaching young women entering into marriage how a proper wife should behave. Because of the secrecy that went on behind the scenes, these teachings are meant solely for young brides and are not meant for public knowledge and are known only amongst the married.*

*The teachings are meant for the bride and the groom also is taught a few things by his “bashi bukombe” who is the person that helps him in process of lobola negotiations. However, men's lessons are not as strenuous and take a shorter time while women spend even more than a month learning how to be a proper wife.*

*My husband refused to have a part in the premarital counseling and he left that option to me. He strongly believes that nobody could ever teach him how to best live with his wife, that should be something we as a couple should learn on our own. My parents, on the other hand believed it was their primary responsibility to ensure that I went through the lessons. Which worked just fine as I always wanted to know what women are taught during those lessons. My partner's lack of interest was a relief to me as I always thought the premarital counseling that women ensures the subordinate position of women in marriage.*

*My mother had already made arrangements with two Ngoni women who were going to be my Alangizi. The Alangizi that my mother chose for men were Christian, so their teachings were based on traditional as well as Christian teachings. Despite that the Alangizi made sure that they taught me both sides of their teachings, drawing parallels, where necessary, between the old traditional and the modern Christian way of being a proper wife. On the first day of the lessons, the women introduced themselves to me as my new friends, urging to be receptive to their teachings and to be open and free with them. The lessons that these women taught me included general*

*housekeeping, how I should act as a wife when receiving people in my matrimonial home especially how to treat in-laws when they visit, as well as how to take care of a husband in the home and how to sexually please a husband.*

*One thing that was clear to me is that these teachings emphasized a woman being in a position of servitude to her husband. The teachings were also not practical and are not useful for a modern-day woman. For instance, a woman is taught that the best way to welcome a husband when he returns home is to receive whatever groceries he may have in his hands, the wife should then make sure she makes him comfortable by taking off his shoes and making sure that a hot bath is ready for him. Dinner should also be ready for him, which he should be able to eat before or after his bath depending on his preference. This is just not practical considering that there is now a significant number of women in the labor force and sometimes women get home later than their husbands.*

*Another thing, that women are taught is a tedious process of how to shave their husbands. This process involves, rhythmic waist movements that a woman makes on the floor as well the 'tyola', a ritual where a woman kneels down in the slowest motion and lies down on her side, as a sign of respect to her husband. I spent every day of my lessons with the Alangizi, practicing how to do the 'tyola' which truth be told my partner has no interest in.*

Second wave feminists have argued that socially prescribed requirements of femininity are the embodiment of patriarchal domination and oppression. They define femininity as a set of embodied characteristics and practices that are imposed on women and result from or signify their subordinate status in relation to men. For example, Catharine MacKinnon (cited in Schippers and Sapp, 2012) argues that “socially, femaleness means femininity, which means attractiveness to men, which means sexual attractiveness, which means sexual availability on male terms.” The

authors argue that femininity is defined and enforced by men, and women are forced through ideological indoctrination to embody femininity as the sexually submissive complement to masculine sexual dominance and power. With that said, femininity becomes a mechanism of control that men use as a group to subordinate women as a group and it is the embodiment of women's powerlessness and oppression. Sapp believes that femininity becomes the embodiment of women's subordination.

### Women's Subjectivity

In Zambia, parents do not talk about sex or sexuality. Culturally it is the responsibility of aunts and uncles to teach their children about sex. When the first signs of puberty kick in, an aunty or uncle is called in to give in the speech. I remember when my period started I told my mum who then told my grandmother and she then spoke to me about what that meant. I was told to not "play" with boys as I was now capable of getting pregnant. In addition, I was also told not to put salt in food when I'm cooking but instead ask someone else to do that. I was warned that if I ever put salt in food while I was on my period as doing so would make people that consumed the food to have a terrible cough that would never end. I did not understand how that worked but I did it anyway as I thought it was perhaps for hygienic purposes. I came to realize later in life that it was one way in which the older folks kept track of knowing whether one was pregnant or not, as being unable to put salt in food would lead to serious enquiries about one having had/or not had a period. And folks from the old age, could literally smell a pregnancy. They just knew.

A compelling study by Karin Martin on sexuality in puberty among adolescent boys and girls in the United States found that girls had considerable anxiety about their bodies as well as why and when to engage in sexual activity. She found that "as girls reach puberty and enter a new realm of adult female sexuality, they feel ambivalent about growing up and anxious about their

new bodies. Because female sexuality in our culture is associated with dirt, shame, taboo and danger, girls are scared and unsure of their new bodies. They rarely take pleasure in and often feel that they are not in control of their own bodies” (1996:11). From a young age, women’s lives in Zambia are filled with things they should and should not do. Young girls grow up being told to not appear as sexual beings, even in their adulthood they are told to be modest. Women’s sexuality is one of the most contentious issues. This holds true for women in Zambia, who are taught their bodies are for their husbands.

Women’s sexuality in Zambian society is shamefully denied, so much so that one would think that it was nonexistent. Because of this upbringing, the development of women’s sexual subjectivity is an obstructed. These feelings of shame that women experience from a young age are carried into their adulthood. As a result, women feel like sexual objects who exist for the satisfaction of men. The only space in which women can talk about their sexuality is during the premarital counselling they receive prior to marriage. This makes the situation worse because the teachings that men and women receive during this counselling are unequal as emphasis is placed on what the woman should do to keep the marriage rather and the man is taught what he should expect from his woman. Thus, when women do not perform as expected, they are subjected to discipline and punishment which can be violent. In addition, premarital teachings encourage women to be submissive and passive in their marriages, taking on more of the role of a slave than a partner.

Sexual subjectivity can be defined as possessing agency in sexual interactions, which is having sexual desire and the ability to act on that desire (Martin,1996). Sexual subjectivity is also about feeling in control of one’s body and acting purposefully and confidently. Having this agency

signifies power, power to act confidently and say no to sexual advances when uninterested and power to claim for oneself the right to seek pleasure in one's body and enjoy one's body.

In Zambia, women lack sexual subjectivity. Instead they are taught to be sexually passive, reserving their desire only for the time they will be wed. Women who try to express that desire are shamed. They are likened to sluts or whores, regarded as having no morals and being uncultured. For Beth Montemurro (2014), expressing or embracing sexual subjectivity is an act of gender deviance. She adds that, compliance with expectations of femininity involves passivity and receptive sexual desire. Women who have greater sexual agency are likely to feel more comfortable in their bodies and feel more entitled to sexual pleasure.

## Divorce

*My parent's unstable relationship had continued to deteriorate. Even at the time of my marriage, they were just putting on front so that my marriage preparations could go on without partner's family noticing a thing. I remember that my mother had wanted to travel to the Britain to spend some time with her sister there, but she couldn't travel just yet because going away in the midst of my marriage preparations would give a 'bad impression' to people. So, she stayed.*

*At this time, they were not on speaking terms with my father and he was now sleeping on the couch. They would go sometimes for months and months only speaking to each other when necessary. The environment in our home had become toxic, everybody would be walking on their toes each my father was home. It was unhealthy. I would keep myself busy with work and was always looking for something to keep me away from home.*

*And after I left home, the situation only got worse. My siblings would keep me updated on how my father's yelling and shouting at everybody was getting worse. I was not told if any*

*physical violence was taking place, my father even before I had left had reduced on the physical violence and that abuse had taken a different form when it turned to emotional, psychological and financial abuse. At this point, my father had begun to withhold money not just from my mother but from the entire household. So, they were struggling to have a decent meal.*

*When my mother's sister from Britain was visiting with her entire family in the summer of last year, my mother asked for permission to visit her for a few weeks at the residence she was renting, and my two young sisters went with her. Somehow, when they had left my father told them to never come back to the house. My sisters had gone on to visit our elder sister who lives in Livingstone, in the southern part of Zambia, were also told to not come home. One of my sisters, who we all referred as dad's favorite, when she attempted to return home was met with hurtful words including our father telling her that he had disowned her.*

*It is under those circumstance that they separated, for the second time. Everybody was in distress. Being away from home, as this was going on was emotionally disturbing for me. I developed insomnia. And at this point, everyone was in agreement that a divorce would be the best option as their marriage had irretrievably broken down.*

Before the colonialists came, people regulated their conduct according to rules that were passed down from their ancestors. These rules that were passed from generation to generation were not recorded but became binding over the course of time through their observance by the community they applied to. During this time, the people of Zambia regulated sexual relations through various customs and laws. Whether in patrilineal or matrilineal societies, these customs were primarily designed to ensure male elders' control over women's productive and reproductive labor. According to Jane Parpart (2008), divorce was rare and could only be secured by a man, women had almost no grounds for divorce. A man could divorce his wife by sending

her back to her kinfolk and giving her a small present as an indication that he had divorced her. Divorce was as simple as that. If the wife was understood to be in the wrong, her parents could be forced to return the bride price given to them.

Initially, the colonial intrusion disrupted this system by providing opportunities for men and women to escape this structure of control. The author adds that some women seized this opportunity for independence and moved to urban areas where they survived by engaging in various economic activities. Playing on their scarcity, as women were fewer in the urban areas, they soon learned to bargain with male partners. Changing partners became an acceptable way to improve one's living standard. Maria Cutrufelli (1983) adds that the greatest changes for women came as a result of the penetration of the colonial capitalist economy. Colonial policy pushed men into migrant labor, leaving the women stranded in the rural areas with an increasingly onerous workload. As rural conditions deteriorated, the cities beckoned. While women had little chance for waged employment in town, other opportunities to earn money existed. Beer brewing, gardening, selling food and services including one's body, and above all partnerships with men offered women the means to survive as they were the only ones with shelter because the copper mining townships provided housing only for the men it hired. It was only after 1926 that the copper mining companies facilitated female migration by encouraging more skilled miners to bring their families to the mines during labor contracts.

Once in town, most women found ways of earning income, but very few became self-sufficient. Most women needed extra support, which usually came from men. The potential problems of such dependence and vulnerability were mitigated by favorable sex ratios. According to Parpart (1988) "pick-up" marriages became the norm on the Copperbelt, with younger women having alternative mates readily available and women would easily divorce their

husbands. Thus, in the middle of the colonial period, women were demanding their rights within marriages and asserting their right to break off unsatisfactory marriages either informally or through the courts.

According to Parpart (2001) these women who had fled the patriarchal order of the rural areas and migrated to the urban colonial centers were quickly labeled as “wicked women.” The urban centers springing up in Zambia were seen as “centers of mischief,” encouraging the worst aspects of western life and destroying the harmony of rural areas. African women were expected to stay in rural areas to maintain the rural social and moral order for returning male migrants. Yet many African women went to towns, especially after the emergence of the copper mining cities in the late 1920s. Some of them came and went as spouses, offering few challenges to gendered notions of the social order. However, others discovered how to survive in town. They reveled in their independence, changed the terms of marriage and other institutions, and often chose to remain in town rather than return to the rural areas. These women became the “bad girls” of the Copperbelt, vilified by both Africans and Europeans alike.

Parpart (1988) argues that the growing autonomy of women in rural and especially urban areas began to disturb both the African and colonial authorities and they cast about ways to reassert patriarchal power. They recognized the connection between the control over sexual behavior and the authority of the chiefs, and perceived women’s new-found freedom as a threat to that authority and consequently a threat to British colonial rule. Both African and colonial officials reacted in horror to this new liberated African woman. Colonial officials began to realize that their system of indirect rule would never succeed if rural chiefs lost control over women and they recognized the need for the natives to be controlled by customary law norms that they had been subject to before the coming of colonialists. As a result, the colonial officials

together with the African chiefs formed a patriarchal coalition and set about creating state and ideological structure to bring these women under control. To do this, they created urban African courts and new customary laws which redefined sexuality in terms of patriarchal power.

Therefore, there was recognition of two separate legal systems, the common law that applied to everyone and the customary law that applied to the natives. According to Margaret Munalula (2004) the British respected any native laws or customs which regulated the civil relations of any native chiefs or tribes that were under the protection of the crown. This was subject to a condition that they were compatible with the exercise of the crown's jurisdiction and power. Customary law was applied to the extent that it was not against any written law or contrary to natural justice, equity and good conscience of the British law system. Native courts applied customary law to transactions between natives. Even British Courts applied customary law in civil cases between natives brought before them so long as the custom was not repugnant to British ideas about "natural justice" or "morality." The British judges were assisted by native assessors in establishing the existence and validity of the custom in question. Customary law is still recognized in Zambia today and is applied side by side with statutory law.

Parpart (1988) states that the field of marriage, adultery and divorce was a crucial arena through which the colonial authorities could reassert their power. To that end the native authorities, were set up in 1929, and they set about creating a new customary law that expanded chiefly powers and brought "frivolous" women under control through the regulation of newly amended "traditional" marriage, divorce, child custody and inheritance laws. The further adds that the native courts began to insist on registered marriages, some form of bride price payment and the treatment of adultery as a civil offence with severe financial penalties. Marriage registration involved the consent of parents or guardians and the native authorities. A woman's

consent became less important. Thus, the marriage certificates reinforced the role of the family and enlarged the powers of the chief. It was soon realized that marriage certificates could be used to control women's movements to town. In addition, women in town without certificates could be harassed and even repatriated to the rural areas.

These changes led to native tribes that did not have a strong tradition of bride price payments to encourage higher payments to “secure” marriages. Higher payments reduced a woman's ability to leave a marriage, as her family had to repay the bride price at divorce unless it was the husband's fault. This trend reflected a concern by tribal elders with controlling wives and children, as well as a desire to keep young male migrants tied to them through the need to acquire large payments given that the lobola was not the responsibility of one person but rather the responsibility of the whole family.

Traditionally, divorce across the different tribes was severely punished, especially if the “injured” party was important. Adultery by the husband during a wife's pregnancy was believed to cause stillbirths and death. To date, a woman's complications during childbirth are still believed to stem from her husband's infidelity. Even though ritual ceremonies discouraged men's adultery, they did not prohibit it. Although polygyny was accepted, a monopoly on important rituals protected the first wife from younger rivals. With the Ngoni, the largest patrilineal group in Zambia, female adultery was severely punished, usually with death, unless the chief pardoned the first offender, or the injured husband could be placated with some cattle (Parpart, 1988).

The local courts of Zambia today are the successors to the native courts which the British set up in Northern Rhodesia, as elsewhere in colonial Africa, to administer justice to Africans. However, while the system of native courts originally existed in parallel with the system of English-style magistrates courts, after independence the native courts, which were re-named

local courts, were integrated into the judicial system, with appeals lying to subordinate courts also renamed magistrates courts, of the first or second class. According to Simon Coldham (1990) it was the ultimate goal of the government to have a fully professionalized judiciary, it recognized that the local courts still had an important role to play in the administration of justice, particularly in the rural areas. Fifty-four years after independence, it looks as if their future is secure. Although the option of marrying (monogamously) under the Marriage Act has been open to Africans since 1963, relatively few have chosen to do so. This statement still holds true today when you take for instance my parents who were married in the late 1980s but still did not register their marriages at the statutory level to date.

Customary marriages can be dissolved out of court in accordance with customary law especially in the rural areas. Coldham (1990) argues that where the spouses' families are likely to be known to each other and to have entered formal negotiations prior to the marriage, divorce may not be as easy as the families will do all they can to encourage the couple to stay married. Not only are there informal mechanisms operating to discourage misconduct by the spouses and to preserve the marriage, but it is very difficult for a wife to divorce her husband without the agreement of her parents, particularly where they are obliged to return the lobola

To date, there is still a strong tradition against divorce and divorced couples, particularly women face a lot of stigma for being divorced. Society tends to place blame on the woman for being unable to make a marriage work. Thus, society culturally and institutionally tries to do everything it can to ensure that couples do not divorce. Coldham found that in a case where one party is applying for a divorce, the court “must do all it can to reconcile the parties” (1990: 71). When my mother realized, that divorce was inevitable, and she went to seek legal advice. She

was told that she could not go to the courts there and then as she had to prove that she had been separated from my father for at least three months.

However, the rising numbers of divorce cases in Zambia indicate that the courts rarely succeed in reconciling the parties. There is also places of hope in that in cases where reconciliation may have already occurred and failed, and it is noticeable that the courts will attach great importance to the fact that the wife's parents or guardians support a petition for divorce. Although, they do not have to be satisfied that any specific ground exists; it is sufficient that they are satisfied that the marriage has broken down and that reconciliation is not possible given the fact that problem solving in marriage is built into kinship patterns. Thus, Coldham argues that divorces are granted, not on specific grounds of cruelty, neglect, desertion etcetera even though these may be alleged by the petitioner, but rather because the parties are "no longer in love" or because "you can't force people to live together" or even because the marriage had "irretrievably broken down" (1990:71).

According to Munalula (2004) customary law does not recognize maintenance of women. However, it recognizes maintenance during marriage. During marriage, this is a married woman's right and the husband's failure of doing so entitles the woman to sue for divorce. It has been pointed out that a lot of women do not get the help of the courts in divorce because their marriages end out of court. Only the brave women decide to follow through to get their divorces in the courts. This is done in protest against the rigors of customary law which does not offer them any relief. Unfortunately, some records show that these women were not awarded maintenance either. This record of women not being granted any maintenance at divorce, forces them to stay in abusive marriages in that while their financial situation maybe bad in marriage, getting divorced would mean that women have completely nothing to support themselves with.

If a woman married under customary law wanted to get a divorce in Zambia today, following notes from the Civil Jurisdiction between Fabian Ponde vs Charity Bwalya, the divorce process can begin by be issuing a divorce summons at a Local Court. At the end of the proceedings in that court, a divorce is granted, and the husband is usually ordered to pay a small amount of money in monthly instalments beginning at a certain date. Unfortunately, this amount is too small for a woman to make something of herself with it. When the woman is dissatisfied with the judgment of the Local Court, which is usually silent on the sharing of property acquired during the subsistence of their marriage, an appeal is made to the Subordinate Court on grounds that the Local Court did not address the issue of property adjustment, maintenance, custody and access to the children of the family etcetera. In accordance with rules of the Subordinate Court, the appeal from the decision of the local court is heard and determined by way of retrial. When further dissatisfied with the decision of the Subordinate Court, the woman seeking divorce can then appeal to the High Court advancing their grounds of appeal. It is at the high court that a favorable and equitable judgement might be given to the woman. It should be noted that this not always the case as each case is unique in its own terms and some women would accept judgement at each step of the process but this what a woman would have to do to get what she could call a fair judgement.

According to Elias Munshya (2018) the current laws in Zambia regarding marriage and divorce are deeply steeped in colonialism and need urgent reform. Under the current practice, dissolution of customary marriages unfairly disadvantages women because of an outdated colonial analysis that is foreign to a modern Zambia. It is apparent that at dissolution of marriages, the High Court applies a much fairer equitable standard than do local courts. Local Courts probably want to do what is fair, reasonable and equitable but they cannot achieve this

result because they are limited by customary practices in the way they can analyze spousal property and its division after dissolution of a marriage. It is unacceptable that in this day and age, a woman should be denied her share of the matrimonial property simply because local courts cannot grant her a fairer share due to customary practices.

## Final thoughts

West and Zimmerman (1987) state that if we do gender appropriately, we simultaneously sustain, reproduce, and render legitimate the institutional arrangements that are based on sex category and gender. When I look back on my experiences, I see now that my life has strictly followed the linear path that society set for me which is go to school, get a job, get married and so on and so forth. I am at a point now where I want to assert my own independent identity but then I ask myself, in what ways am I truly independent? What does independence mean to me? I have known no independence as there's always a male figure in my corner, from my father's, I moved to my husband's house. As I watched my mother unable to leave my father because of she was not capable of taking care of herself, I've always thought of independence to mean financial freedom, to be in a position where one does not depend entirely on a man for survival, something which my mother has always yearned for. Unfortunately, that is not the case for women in Zambia as they continue to suffer violence in other forms. This makes it clear to me that despite having financial freedom, the patriarchal machine is present to ensure that as a woman I am not liberated.

However, there are places of hope as the government in partnership nongovernmental organization has combined efforts to address violence against women not just from a physical standpoint but from also at structural and institutional levels by enhancing access to health service, legal service as well as social protections for women. For instance, there has been efforts

to improve women's participation in decision making through the use of quotas. In addition, quotas have been used to encourage women's admittance into institutions of higher learning.

To address violence against women, apart from the anti-gender-based violence Act of 2011 other legal provisions to protect women include, Fast Track Courts that specifically deal with violence against women in the shortest time possible and One Stop Centers, that offer support to survivors of gender violence. The Zambia National Women's Lobby (ZNWL), a local organization, has also taken the lead in advocacy by addressing toxic masculinity by engaging traditional and religious leaders and marriage counsellors in target areas on various issues including the revision of the marriage curriculum to incorporate best practices that promote the rights of women, men, girl and boys. discouraging discriminatory, cultural and religious practices in the communities.

Despite being insufficient, given that the levels of domestic violence are still on the increase, these efforts are contributing to addressing the problem of GBV in Zambia. What would help even more, would be to bring the issues to light and to make the discussion public. There is a strong tendency to value family privacy and prioritize the image of the family above that of the individual that contributes to continued acceptance of abusive behavior not just in the homes but the public too. A shameless discussion of this cancerous matter and how it impacts women and society at large, can re-energize efforts to spread its growth.

## Conclusion

In conclusion, women in Zambia are systematically socialized into subordinate roles. This subordinate position that women are born into by virtue of their structural position in the patriarchal means that annihilates their autonomy and power to make decisions about their own

bodies and lives. Women are culturally situated in a place that increases their vulnerability to violence because of their gender. This violence that women face, is not only situated in culture but also in the institutions that continually reinforce the cultural practices, traditions, and rules of the society. This interplay between cultural constructions of femininity and structural conditions reflect into deeper analyses of why women's lives are the way they are and why there is very little they can do to changes their circumstances. Despite, efforts have been made by the state to eliminate violence against women, it still remains as the darkest side of society's life, and this has consequences not only for the for the women but for the state as well.

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