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## **Sisters and Marriage in Shona Society (Zimbabwe)**

The Shona peoples are known as a patrilinear culture with a classic Omaha Type terminology.

Never the less, sisters hold a position of authority in the semi-autonomous field of negotiations over family disputes. Recent research on family practice shows that they are still called upon by the family and local chiefs to settle their brother’s inheritance.

„The role of *vatete* (senior women in the family – aunts) in Shona societies was critical at all stages of inheritance decisions. Such women were often the source of family genealogies, and had the last word if not the final decision when it came to how estates should be divided and allocated.“ (Stewart 1998:223)

Sisters are highly respected authorities in their brother’s marriage, they are acting as advocates of their natal families vis-à-vis their brother’s wives. Wives are expected to consult them in marital disputes (Stewart et al. 2000:61). In order to enhance their own bargaining position within their natal families, they often display rather patriarchal attitudes towards their brother’s wives, for example when it comes to the number of children expected (Kaler 2003:155-160).

The bargaining power of lineage sisters exists due to the paring of brother and sister in respect of bride price cattle. Because it is a sister, who brings the cattle for her brother’s marriage into the family, she is in a position of authority in his family. For her brother’s wife, she is *amwene* (owner of the wife). His children call her *atete*, a term expressing authority and a close emotional bond. (Holleman 1952:66) Weinrich describes her bargaining position in the marriage process:

„The father’s sister has the final word to say, and if she is against the proposed marriage it is unlikely that negotiations will be initiated.“ (Weinrich 1967:29)

The pairing of brother and sister in terms of bride wealth is known as *chipanda*-system (Holleman 1952:169ff). This is not an unknown feature in southern African cultures and generally it is the focus of marriage preferences. But - at least for the Shona society - the sister in anthropological writing is always what I will call a patrilateral sister in marriage.

But, during my fieldwork in Zimbabwe I almost stumbled over the authority of the matrilineal father's sister in marriage. When I interviewed Shona women within so called matrilineal lines of grandmothers, mothers and daughters, I was initially interested in how female self images had changed over generations. I conducted life stories and interviews focussing on certain aspects of the female life cycle.

The matriline of ancestry and inheritance, which is criss-crossing patrilineages due to exogamous marriage rules, has its own form of wealth. With every marriage of a daughter, a mother is entitled to a motherhood beast (*mombe ye umai*) from the respective son-in-law. This cattle is meant to multiply in order to protect her daughter's fertility. It falls under the spiritual protection of the matriline. A spirit of a mother or grandmother who is angered for not having received her cattle can bring deaths over the family. (Holleman 1952: 350-368). Still today it is highly feared.

In my research I had sets of questions on the matriline, on female hierarchies, and – of course – also on the authority of the father's sister in marriage, meaning the patrilateral one that I knew of. But to my astonishment all women talked about the duties of their matrilineal sisters in their marriages.

To their opinion this *atete* is ranking higher than their husband's in martial disputes. Although her duty was to back the wife's interests in marriage, she would demand her brother's daughter to act as a good wife and integrate into her marital family. She would try to sort out and repair broken personal relationships in order to keep the marriage going. This *atete*, I was told, was the one to speak the final word in marriage negotiations, as she had to make sure that no marriage taboo would be broken.

On top of this rather new perspective on female bargaining positions, all women maintained that the motherhood beast would – after the mother's death – fall under the control of her natal lineage's sisters, who would use it to provide marriage cattle for the next generation of lineage brothers. All women were certain that a marriage endowed by the father's cattle could not be a "proper marriage". Not only that, but the motherhood

beast would have to “be always there”. In case it died in a drought or due to cattle-plague, it would have to be replaced by the husband. One old woman told me that her husband replaced it three times before he finally lost his patience. This opinion is also quite contrary to anthropological conceptualisations, where it is assumed, that the bride price falls under a father’s control and the motherhood beast dissolves in her natal family’s property.

But the strong bargaining position of the matrilateral *atete* was still present in women’s self concepts of all generations, when I interviewed them in 1996, though it was vanishing. Women of the mother’s generation complained of not having a strong *atete* at their side, as many husbands don’t respect her authority any more (see also Rwezaura et al. 1995:61ff). Therefore mothers felt at the mercy of their husband’s lineage while granddaughters generally rejected close family ties and control. They still knew of *atete*’s authority, but they understood their marital life as private affair and defeated old women’s claims of interference.

Here I cannot look into the various methodological approaches towards women’s self conceptualisation, which I undertook in order to scrutinize their positioning. This would be a subject for a presentation of its own. I can only mention that I gave up on my initial research question, in order to reconstruct pre- and early colonial bargaining positions of women. My findings are in short, that especially old Shona women used my interviews to draw the picture of a smoothly operating social network vis-à-vis their granddaughters, who were not prepared to accept their authority any longer. They constructed this network with obvious reference to the lineage model. Certainly, the “real past” was much more diverse and contradictive. I found complex female hierarchies with some inbuilt potential for conflicts between grandmothers, mothers, father’s sisters, daughters, mothers-in-law and co-wives. But, never the less, the bargaining power of a matrilateral father’s sister in marriage seems to have been an important focus of female hierarchies in pre-colonial Shona society.

My intention in this paper is to briefly delineate changes in three discourse lines on gender relations which implemented a new hierarchy between the matrilateral und patrilinear father’s sister in Shona marriages: the anthropological, the legal and the moral.

The bargaining position of the matrilateral *atete* in marriage negotiations or disputes is hardly to be found in anthropological writings.

Arguing from his structural-functional concept of social cohesion, Radcliffe-Brown made it quite clear, that in patrilinear societies, matrilinear claims to a marriage are not part of the public sphere and therefore cannot be enforced legally. In the case of a BaSotho man, who sued his sister's husband for cattle, he declared:

„... the payment of the *ditsoa* cattle to the mother's brother is not a legal but only a moral obligation“ (Radcliffe-Brown 1924:555).

In 1927 *The Mashona* was published by Charles Bullock. The anthropologist had done years of service as Native Commissioner in Southern Rhodesia and later on acted as president of the Native Appeal Court. His work on Shona kinship became a widely accepted reference for Customary Law jurisdiction for many years. Bullock did notice the position of high authority held by a matrilinear father's sister in marriage negotiations, but argued with reference to lineage theory: As matrilinear claims were not an integral feature of the patrilinear structure or public sphere, it could not be recognised by Customary Law. Bullock understood this female bargaining position as a survival of the Shona's matriarchal past (Bullock 1927:243).

With increasing integration of Africans into the market economy and the Christian family model, more detailed research in the field of legal anthropology was needed. Christian concepts of gender relations opened new perspectives on women's relative freedom of action.

J. F. Holleman's work on *Shona Customary Law* was first published in 1952. It replaced *The Mashona* as reference for Customary Law jurisdiction. Holleman recognised the legality of matrilinear claims to marriage - and was criticised for this by his teacher Radcliffe-Brown (Holleman 1952:xii). He introduced the motherhood beast as part of women's matri-estate into Southern Rhodesian Customary Law jurisdiction. Holleman made it incontestable, that this *umai*-stock and its increase falls under the discretion of the mother for her life time and is protected by her matriline's spiritual sanction. Here he actually speaks of "legal principles governing the matri-estate" (ebd.:357). In 1957 the Native Appeal Court for the first time recognised women's capacity to own cattle – not only in form of *umai*-stock, but also *mavoko*-property, that is: "livestock and its increase acquired by her personal manual labour" (Native Affairs Department 1961:45), which is not protected by her matriline's spirits. The court supported its judgement with reference to Holleman's *Shona Customary Law*.

But Holleman did not recognize any claims of the matriline to the matri-estate as durable legal norm outside the patrilinear structure. He did not go as far as to understand the motherhood beast as the foundation of an independent female circulation of wealth. Therefore he argued that the motherhood beast disintegrates in the patrilineage's property after no more than two generations and contributes to the lineage's marriage cattle. A mother's or grandmother's spiritual sanctions would only demand that certain offers would be made to her from time to time and her name would be passed on. But in the process of marriage and reproduction over the generations, the initial owner's name would be lost and the cattle would thus form part of the patri-estate (Holleman 1952:357-368). This lead Weinrich to understand the motherhood beast as a "reference to the submerged matriline" (Weinrich 1967:31).

In contrast to that, Adam Kuper assumed with his concept of the house-property-complex an independent female circle of exchange in the South African Tsonga society, which is based on the motherhood beast (Kuper 1982). But already in the 1920s Henri Junod had noticed a growing tendency of female cycles to loose social recognition, because:

"The men misrepresent them ideologically as claims by men, and the courts apparently do not enforce them." (Junod in Kuper 1981:75)

In Southern Rhodesia claims concerning *umai*-stock were rarely brought before a court of law, because spiritual sanctions of the matriline were still operating effectively and tribal courts were "often reluctant to intervene" (Holleman 1952:357f). In the 1980s and 1990s this gift to the mother was still a recognisable feature of every day life, but not every mother actually received it (Mungate 1985:49; Ncube et al. 1997:18).

Although Holleman acknowledged that children and grandchildren as well as sisters can claim a deceased women's *umai*-stock (Holleman 1952:321), he states - in contrast to Radcliffe-Brown - that uterine brothers are preferential heirs to a woman's *umai*- as well as *mavoko*-property (ibd.:359). The Native Appeal Court followed his opinion that all personal property is in principle overruled by the lineage's interest, including the matri-estate. Due to her position in the *chipanda* pairing of brother and sister, a father's sisters was adjudicated the right to allocate her deceased brother's property among his sons and claim a compensation for her services. But she had no choice to decide otherwise. In the case of a woman, who rejected to follow her "traditional" duty as she felt insulted by her brother's sons, who disrespected her authority because she was

“only a woman”, the court ruled that she was merely entitled to a special compensation (Native Affairs Department 1961:47f). This judgement reduced the sister’s independent bargaining power to accommodate women’s position to changing living conditions. It ruled that a sister can only act within the structure of the patrilineage.

With this construction, *umai*-stock was defined as joint interest of brothers and sisters within the framework of a patrilinear structure.

Today, legislation recognises the motherhood beast as a woman’s property which she will take with her in case of a divorce. But this gift has never been appreciated as a precondition to a customary marriage, neither in Southern Rhodesia nor in Zimbabwe. Today the legal status of a marriage merely depends on the agreement of the engaged couple and on the complete handing over of bride price cattle, while in Southern Rhodesian legislation the bride’s father’s consent was an additional precondition.

In fact, one of the first legal interferences in African family life was the definition of the bride price as preconditioning African marriage. This implied that the number of cattle handed over was recorded in the marriage certificate. Customary Law not only treated fathers - instead of lineage sisters - as owners of these cattle, but the husband’s family was now in a secure legal position. In case of divorce these cattle would have to be repaid by the wife’s father. In pre-colonial times, marriage was an ongoing bargaining process in which wives displayed a good deal of personal choice and freedom of action. Wives sometimes deserted their husband’s without paying much attention to arrangements concerning marriage cattle (NAZ NSI 2/1: 1907-09). Now the marriage certificate was one tool among others to win Shona men for labour migration, of which wives often disapproved – and in the cause of it increasingly deserted them.

In order to secure that every man could afford a marriage, the colonial government had initially introduced a maximum amount of bride price to be handed over. But as soon as this limitation was removed prices exploded. In some districts the number of cattle handed over almost doubled from four to seven head and only stabilised by the end of the 1920s by 10 cattle plus additional 7 pound sterling in cash. The obvious question in what ways sisters have played an active role in this dynamic market has never been asked and no research has been done as yet. But considering her position in the process of marriage negotiations one has to assume that men much more acted as formal representatives of a family or lineage than assumed, while sisters must have been deeply involved in this inflation.

I argue that patrilateral *vatete* gained power vis-à-vis their matrilateral counterpart in marriage with this rapidly growing market and further developed rather patriarchal attitudes towards their brother's wives with their legal standing since the 1950s.

As it would in the end be lineage sisters to distribute the lineage's property - including *umai*-stock - one would expect them to be quite interested not only in their brother's son's but also in their brother's daughter's marriages. But since Bullocks work in 1927 the bargaining power of a matrilateral *atete* in marriage was hardly present in anthropological writing. Weinrich merely mentions her in the 1960s as the person to provide a young woman with friendly advice as to her choice of a capable husband's character traits (Weinrich 1967:28). Whenever anthropologists refer to the authority of *atete*, they primarily had her influence on the marriage of her brother's son in mind. Anthropology conceptualised the father's sister as internal position of the patrilineage. In contrast to that, the authority of a matrilateral *atete* falls outside the lineage structure and thus into what was considered the public sphere, which was not the place for women to act within the framework of lineage theory.

60 years after Bullock's *Mashona* and 35 years after Holleman's first publication of *Shona Customary Law* the matrilateral *atete* emerged again in anthropological writing, but only to rise to a vague image. Michael Bourdillon pointed to the fact that the father's sister is responsible for the marriage of her brother's children - no matter whether boy or girl (Bourdillon 1987:31). Around the same time Herbert Aschwanden generally found a strong position of women in Shona society due to their life giving capacities and outlined the specific responsibilities of a father's sister towards her brother's daughter. Concerning Aschwanden she was not only the one to introduce the girl into the sexual and social practice of her forthcoming marital life, but she was also responsible for the success of her marriage (Aschwanden 1982:161f). And it was this sister acting as matrilateral *atete* in marriage negotiations for her brother's daughter, because she was the owner of the cattle (*amwene*) which he had used to marry. If she did not approve of the proposed bridegroom, the marriage could be "declared null and void" (ebd.:171). In the 1980s Aschwanden was still able to observe this position as a living feature of every day world. But apart from noticing her survival no further conclusions were drawn.

Despite the performative turn in anthropology and the discovery of women as actors in their own right, the paradigm of the patrilineage is still present in academic research on

female bargaining positions. Especially historic work on early colonial societies in southern Africa brings such scientific positioning of women to light.

*Atete's* position was occasionally highlighted in historic research. Sisters have been mentioned as governors and founders of lineages in the Munhumutapa Empire (Bourdillon 1987:54f). They are depicted as arbitrators in inter lineage conflicts (Schäfer 1998:192). Terence Ranger referred to the arbitrage of sisters in the Madziwa succession (Ranger 1982:35). But, here again, it is merely the patrilineal sister who finds consideration.

The question whether or not women used to be subordinated in pre-colonial societies is usually never raised. The established opinion assumes that women are structurally subordinated in patrilineal societies, even if they had a certain freedom of action (Etherington 1978:93ff; Chanock 1985:149; Schmidt 1992:115-121; Hastings 1993; Mukonyora 1999:277; Ranger 2003:6; Gaitskell 2005:178;). The general research interest is thus restricted to the degree of women's deteriorating standing during colonialism. The lineage theory has descended underground when it comes to conceptualising women's pre- and early colonial bargaining power in Shona society and subtly hinders - I believe - researchers to ask some obvious questions concerning the matrilineal *atete's* position in marriage.

Besides the anthropological and legal discourse line on gender relations the moral discourse opened another arena of negotiating female bargaining positions in every day life. The Christian ideal of motherhood transformed women's spheres of influence as mothers and sisters. And here again, a few hints on the matrilineal father's sister in marriage can be found.

In order to limit young women's migration into urban centres - where they often fell pregnant without any knowledge or approval of their families - missionary work concentrated on teaching women the Christian concept of motherhood. Missionary ideals met with the administrative endeavour of controlling women's mobility in order to secure men's marital lives. The mother's responsibility for her daughter's sexuality soon became a major topic in Christian schools, women's prayer unions and the quickly developing Christian women's movement (Gaitskell 1983). Women were eager to re-interpret Christian ideals for their own conceptualisation and therefore they were very reluctant to interfere in any aspect of their daughter's sexual or marital lives, as these matters used to be the responsibility of a father's sister - in Southern African societies as



well as among the Shona (Gaitskell 1982:340; Gaitskell 2005; Moss 1999). When I interviewed old Shona women in 1996 they still understood it as breaking a taboo to talk about any such matters with their daughters, since the girl falls under her father's sister's authority with the age of puberty.

With Christianity winning ground in South African societies, the moral discourse changed. Gaitskell refers to men's response to the Christian family model. Their demand that mothers take over responsibilities for their daughter's purity initiated the *insililo* movement in 1912. Its organisational structure displayed the Christian ideal of motherhood. Like many other women's movement a mother's section exercised control over young women's life style (Gaitskell 1982).

Research on economic aspects of gender relations points to other causes of a changing moral discourse.

For the first three decades of colonial presence in Southern Rhodesia, women used to be conceptualised as victims of male dominance and exploitation. Missionaries and administrators felt the imperative to emancipate them from their traditional subordinated role – and the Christian family concept was the alternative model. But women's autonomy threatened colonial economy. They adjusted their agricultural production to growing market demands and generated income by selling their surplus which they could use to their own preference - as this was their personal *mavoko* property - and they had no taxes to pay of it. Young girls moved into urban centres and wives deserted their labour migrating husbands in growing numbers. Women often gained higher incomes than African mine workers by brewing beer. Prostitution initially secured a high living standard as pimps were unknown of (Barnes/Win 1992:26 & 127-133; Schmidt 1988; Jeater 1993:181; Summers 1999:451).

By the 1920s administrators, missionaries and African men alike joined in a new moral discourse pattern. Now women were considered to be over sexualised, irresponsible characters lost in old superstitions (Schmidt 1991:735f; Jeater 1993:235f) and thus the image of the respectable housewife and mother - who safeguarded her daughter's purity - gained influence as role model. The image of African women remained very contradictive, oscillating between slave and prostitute for long.

But despite Christian ideals of motherhood, the matrilateral *atete* was still alive in Southern Rhodesia in the 1960s, when the Catholic Church created the highly accepted

position of a godmother in order to substitute her influence in marriage. For every female baby child a young Christian woman was nominated by a priest according to Christian concepts of purity and respectability. She was responsible for the religious education of her godchild and had the same right to prohibit an undesirable marriage as the matrilateral *atete*. (Murphree 1969:89ff)

When the nationalist movement became critical of Christian teachings and western life styles in the 1950s, its notion of authentic African culture was never the less based on a Christian ideal of motherhood. In fact, the nationalist concept of African culture emanated from a strong opposition of middle class political leaders - who had been educated in mission schools - to a governmental family planning program, which freely distributed contraceptives among women. (Kaler 2003:182ff) The African mother, whose “traditional” task was considered the bearing of many children and nurturing the family, evolved as the focus of a highly emotional *war of the wombs* and the creation of a new African identity (West 1994:460). The 1970s liberation struggle relied heavily on typical Christian middle class gender roles (Nhongo-Simbanegavi 2000:14). Without women’s nurturing capacities, the freedom fighters had not survived in this guerrilla war. The slogan: „Forward with the cooking stick!“ was a widely known expression for the fighter’s interference in the rural way of life (Lan 1985:132). During their nightly political teachings, guerrillas administered family disputes and even reversed divorces with the argument: “What will happen to the children?” (Kriger 1992:100).

When young women joined the fighting troops in growing numbers towards the end of the struggle, the use of contraceptives became a military challenge. Leading women of the *ZANU Department of Women’s Affairs* made it quite clear that only prostitutes would not be prepared to bear children for the struggle and criticised that young women are not listening to their *atete’s* advice any more - meaning the matrilateral father’s sister. (Nhongo-Simbanegavi 2000:65f & S.73f; Lyons 2004:2000)

Though the matrilateral father’s sister preserved some authority in marriage for long, her bargaining position vis-à-vis the christen concept of motherhood weakened in the moral discourse, while the patrilateral *atete* enhanced her legal standing. Today, young middle class women are not prepared to accept the authority of their lineage sisters any more, but they experience the authority of their husband’s lineage sisters in their marital lives.

I hope I could give an inside into the meandering discourse lines of academic work and every day lives which implemented new hierarchies between sisters and wives in Shona society.

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National Archives of Zimbabwe (NAZ)

Native Commissioner's Court Mrewa 1907-09: Civil Cases ( NAZ NSI 2/1)