



Venia Magaya's Sacrifice: A Case of Custom Gone Awry (Sparrow Readers 4)

Women and Law in Southern Africa Research

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On the 13 May 1999, for the first time in the history of the courts in Zimbabwe, women from all walks of life gathered in protest at the Supreme Court. The reason was the court's ruling in the case known as 'Magaya v Magaya'. Venia Magaya had looked after her parents all her life, and paid their rent to the Harare authorities. But she was disinherited upon the death of her father in favour of her half-brother - a judgement predicated on traditional customary law. The protesters which included national, regional and international NGOs argued that the ruling set a retrogressive precedent in advocating women's rights, bringing to light the internal contradictions in Zimbabwe's laws, and with respect to international obligations. Women & Law in Southern Africa (WLSA) has documented Venia Magaya's story as a case history to complement studies on women and the justice delivery system. The study presents the legal case and process, and makes recommendations for amendments to the law of inheritance, so that it may deliver greater justice for women. The publication is evidence that the pioneering work of women engaging with the justice system is challenges that system, and aims to encourage more women to do so.

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