

# BRIDE-PRICE, POVERTY AND DOMESTIC VIOLENCE IN UGANDA

## **EXECUTIVE SUMMARY**

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This report outlines the key findings from the first-ever research study on Bride-Price, Poverty and Domestic Violence in Uganda, conducted as a response both to the growing interest in the practice of bride-price and to moves for its reform in Uganda and other countries in Africa. The research was undertaken between January 2008 and June 2009 through an international collaboration between MIFUMI, an NGO and women's rights agency based in Uganda working on domestic violence and poverty alleviation, and two UK research groups, the Violence Against Women Research Group, University of Bristol, and the Centre for the Study of Safety and Well-being, University of Warwick.

The aims of the research were to:

- Investigate, through an action research approach, the impacts of bride-price on the capabilities of women, children and families in terms of development, quality of life, health, decision-making and community participation.
- Explore possible inter-relations between bride-price and poverty and between bride-price and domestic violence.
- Develop policy recommendations for Uganda, and to contribute to national, pan-African and global debate on bride price.
- Develop a local action-oriented dissemination plan, including a collaboratively developed community awareness-raising programme.

## **Research approach used**

The project was built on the belief that research in rural African contexts cannot be imposed but should be developed in collaboration with local people. The research adopted a participatory action research methodology, understood as research which feeds into, and leads to, social change in a dynamic process consisting of focussed cycles of planning, action and reflection. A key part of the approach used was the recruitment of 13 local community-based researchers (two-thirds of whom had no connections with MIFUMI) who engaged in a participative training process with the UK researchers, and conducted interviews with women, men, young people and duty bearers. A total of 257 interviews were conducted in four data-sets by the local and UK researchers: i) members of the public with experience of bride-price (n=180 - 68% women and 32% men); ii) members of the public with experience of domestic violence (n=37); iii) widows (n=10) and Baganda women (n=3); and iv) key professionals, experts and duty-bearers (n=27) and MIFUMI

Additionally, a process of critical reflection was undertaken with the local researchers and MIFUMI to consider the challenges and achievements of the research. This participatory process of analysis and the collaborative development of strategies for action led to two Round-table events and various feedback meetings as well as to a community sensitisation and training programme across districts in Eastern Uganda. Overall, the research developed skills and capacity in rural Uganda at the local level, and recommendations for strategies for action at both the national and the local level.

The research was located in the East of Uganda, where bride-price takes specific forms that require particular examination, and was conducted in various sub-counties in the four Districts of Tororo, Mbale, Pallisa and Budaka. Although there was an existing support infrastructure in Tororo District that helped to facilitate the research, the research areas were carefully selected to also include districts in which MIFUMI had little or no presence, in order to avoid possible bias.

## **Background to the research**

Bride-price or bride wealth, used to validate customary marriages, is a common practice in many African countries, and typically bride-price consists of a contract where material items (often cattle or other animals) or money are paid by the groom to the bride's family in exchange for the bride (Oguli Oumo, 2004). In urban areas, the practice is changing, so that money and goods are more commonly given in the form of non-refundable gifts, though in rural communities more traditional bride-price practices remain common and tend to be accepted as the cultural norm. Although the past benefits of bride-price are widely recognised, there has been increasing concern about the negative impacts of bride-price in recent years, especially on women, children, family life and community development. The practice has been linked to issues of poverty (FIDA-U, 1996; Tamale 1993 and 2004) and, in particular, to domestic violence and the violation of women's human rights have been associated with bride-price, and calls made for its reform (Matembe, 2004; MIFUMI 2001 and 2004; Oguli Oumo, 2004; Osuna 2003; Sekagya, 2004).

Since there has been no comprehensive research on the issue on which the calls for legislative reform can be based, this research has begun the process of filling the gap. Recognising that the exchange of goods is part of many marriage rites across the world and not limited to African societies, the research was mindful, in considering bride-price in Uganda, to avoid the possible stigmatisation of African communities and traditions, and to locate this enquiry within the wider context.

## **Key findings**

The research found a range of impacts of bride-price which confirmed and expanded the findings of existing small studies (Osuna, 2003), discussions at the *International Conference on Bride-price 2004*, previous case studies and anecdotal evidence. Most notably, there were outstanding similarities in the findings across the data-sets in terms of both the positive and negative impacts identified.

## **Historical context and change**

The importance of considering the historical context and past usefulness of bride-price as an ancient and valued practice which aided communities and promoted social cohesiveness and harmony was underlined by many respondents. In recent times, bride-price was suggested to have become a commercialised practice, particularly in richer or professional communities and in the cities, so that its traditional value is now less clear due to the impacts of modernisation and the resulting commercialisation of social customs.

Bride-price was now considered by the majority of informants to cement gender inequality, giving women little power and possibly turning them into commodities to be passed from family to family. Thus, bride-price can be seen both as a *symptom* of male dominance and power in families and also as a *cause*. Consequently, the subservient position of the wife is made worse and greater inequality is frequently caused by the payment of bride-price.

## **Seen as 'custom' and 'tradition'**

Given its long-standing nature, and despite differing systems of bride-price in the country, the payment of bride-price has become a way of life, often normalised in people's minds and difficult to challenge or change. Customary marriage is solemnised and made valid if bride-price is paid and it can act as a 'certificate' of marriage. Any reform would need another method of recognising such marriages (this is being partially addressed in the new Bridal Gifts Ordinance in Tororo) and would need to be seen as not disrespectful or a discourtesy to traditional ways of life. Despite this, support for reform of bride-price was almost unanimous in this study.

### **Positive and negative impacts of bride-price**

The study assessed both the positive and negative impacts of the practice of bride-price. Overall, from all the data sets, 65% of interviewees suggested that bride-price has mainly negative impacts and almost 35% that there were both negative and positive impacts, while those suggesting mainly positive impacts was less than 1%.

#### ***Positive impacts of bride-price***

The following positive impacts were repeated in interviews with members of the public and with professionals and duty bearers:

- Bride-price bonds together -
  - i) the couple
  - ii) the two families.
- It can cement the community and provides stability within the families and hence in the wider village/community.
- It can spread wealth, transferring it between families.
- Bride-price benefits women's parents, compensating for the expense of bringing up daughters.
- Bride-price can be used by brothers for their own marriages.
- It is a symbol of appreciation to the wife's parents, as a recognition and partial recompense for the fact that the woman is leaving her natal family and will no longer be able to contribute to that household. Through its payment men earn recognition and respect from the in-laws and community.
- Bride-price gives women importance, value and status in their marriages, which may help them avoid abuse. At best, it can give women security and purchase in their new homes. It validates customary marriages and promotes women's 'official' status as wife and as a 'worthy' woman. Women may, conversely, feel worthless, valueless and a failure if bride-price is not paid.
- Bride-price gives value and legitimacy to the marriage and to the man as husband; he is viewed as a 'proper' husband and it indicates to him that he is now a 'responsible man'.

#### ***Negative impacts of bride-price***

The following key negative impacts were repeated in interviews with members of the public and with professionals and duty bearers:

- Bride-price makes marriage unequal because the woman is paid for by the man; thus, its continued existence cements inequality between men and women.
- The woman can become an article of property in her own home as bride-price can give the appearance of 'commodifying' human relationships.
- It may, therefore, feed into the abuse and maltreatment of the wife.
- It may deprive girls of education when parents seek an early or forced marriage in order to raise the bride-price, and take their daughters out of school. It can lead to the 'selling' of human beings because the family needs wealth.
- Children may be taken away and withheld by the husband's relatives if the mother leaves since bride-price was paid.
- It leads to women appearing to be worthless unless paid for, belittled, and able to be treated however men want. The practice gives the possibility of the virtual enslavement of women in the worst cases, as women are unable to leave if being mistreated because bride-price cannot be repaid.
- It can result in landlessness and homelessness for women.
- Men may have to borrow substantially and go into debt and impoverishment when they are young.

- The practice may cause a male inferiority complex if men cannot - or fail to - pay. Some men are left unmarried because of their inability to pay bride-price.
- Very young brothers may be left to pay back bride-price for a sister leaving her husband.
- It may make having children impossible, as men/young people cannot afford marriage, holding back development and community life.

### **Are bride-price and domestic violence connected?**

The vast majority of interviewees in all the data-sets believed that there was a connection between bride-price and domestic violence though this connection was acknowledged to be a complex one since domestic violence was seen as a much broader social problem with bride-price being a contributing factor.

- 99% of the interviewees (n=37) known to have experienced domestic violence and abuse believed that bride-price had been an important element in the violence experienced.
- All 10 of the widows interviewed said that a connection between bride-price and domestic violence was key to their mistreatment.
- Significantly, almost all of the women interviewed (95%) in the ‘members of the public’ interview data-set (n=122) had experienced abuse and this was very frequently connected with bride-price (the sample for this data-set did *not* consist of victims of domestic violence). Both male and female interviewees suggested that bride-price was related to domestic violence, but the percentage doing so was higher for women. The majority of men (n=58) believed there was a connection but more women believed this proportionally than men. In the whole interview data-set, approximately 84% (n=126 out of 150) of interviewees believed there was a direct connection between domestic violence and bride-price.
- The vast majority of the professionals and duty bearers (90%; n=24 out of 27) saw a connection between domestic violence and bride-price, although some interviews contained contradictory data and a minority saw this connection as a complex one.

### ***Key points***

The principal ways in which bride-price was seen to cause domestic violence were identified as follows:

- Domestic violence occurs because the man often feels he ‘owns’ the woman and, if the wife does not obey the husband, he may feel entitled to punish or chastise her. Men may also not have respect for their wives due to the payment made and engage in domestic violence as a matter of course.
- If a wife leaves due to domestic violence or marriage problems, her family often cannot repay the bride-price and thus cannot take her back. The woman is frequently forced to stay in or return to the violent marriage.
- While domestic abuse is widespread in many communities, bride-price itself appears to increase the types of abuse that women experience and the reasons why violence occurs. It cements women’s inequality and the likelihood of men feeling that they have a right to dominate and control their wives, including through the use of violence.

This indicates that combating domestic violence requires a multi-pronged approach, of which the reform of bride-price could be an important part.

### **Are bride-price and poverty connected?**

A large majority of interviewees from all data-sets pointed to examples of bride-price contributing to poverty. Approximately 82.4% of interviewees believed there was a connection between poverty and bride-price, with 12% believing there was not. Many examples of how impoverishment had been increased in their own or other's lives were given. The majority (n=20 out of 27) of the professional and duty bearer interviewees also believed there was a connection between poverty and bride-price, though a significant minority (a quarter) believed this connection was a complex one (due to the fact that goods and money are transferred between families by the payment of bride-price and, though wealth changes hands, it still remains in the community).

### ***Key points***

The following points were identified from the interviews in relation to impoverishment and bride-price.

- The practice encourages impoverishment for young couples and families as all their resources are put into raising bride-price.
- Young men with few resources are likely to have to spend all they have on bride-price and then face poverty as they try to support their new family. Many young men have to go into quite severe debt and therefore start out, not only in poverty, but also indebted and so even further disadvantaged, making it difficult to build income and sustainability.
- Wealth tends to be transferred to older, more established community members (the bride's parents) at a key time in young people's lives. Thus the 'evening out' effect of bride-price transferring wealth around a community tends not to happen, leaving younger people impoverished or destitute.
- Impoverishment due to bride-price payments may mean that the family is not able to educate their children or pay school fees, so that disadvantage is reinforced, and it may also lead to early marriage for daughters where parents need resources.
- Difficulties created by bride-price are an issue of poverty as in poor communities people struggle for wealth and families may depend critically on the receipt of bride-price.
- People may therefore be turned against each other due to the struggle to survive and to compete for scant resources. For example, parents may be forced to refuse to take separated daughters back because they cannot repay the cows and goats given for bride-price.

Interviewees believed the overall problem to be that of entrenched poverty, but bride-price is often a factor in increasing it. Thus while the over-riding issue is one of challenging poverty itself, work on bride-price is one part of this larger task.

### **Are there connections with HIV infection?**

A variety of ways in which bride-price may contribute to increased HIV infection were identified in the study.

- Older men able to pay good bride-price may be HIV+. Cases were presented of parents who had sought wealthy older men for their young daughters where such men may have been infected with HIV and also might have other wives, thus spreading infection.
- Women forced to stay with unfaithful husbands because parents could not repay the bride-price, where the husbands became HIV + and then infected their wives (and children) who would otherwise have left.
- After husbands died of HIV/AIDS-related illness, brothers often sold the land and the wives were driven away or forced to marry again for economic support and HIV/AIDS was spread.

### **Impact on family members, community and development**

All the members of the public interviewees knew of family and community members who had been adversely affected by bride-price, even if they themselves had not been. Positive impacts, in terms of development, included the strengthening of communities and families where bride-price was paid with no problems being created. Negative impacts on family and community development included:

- The retarding of development due to bride-price violations and to family life being disrupted.
- The retarding of development and destabilisation of communities due to men (and women) being left unmarried in that community and unable to have families.
- Consequences for AIDs orphans who would not be able to afford bride-price.
- Empowerment of women is fundamental to development but bride-price tends to work against such empowerment as women have little power and are the ones to be exchanged from one family to another with bride-price legitimising this exchange.
- The cementing of landlessness for women is directly related to bride-price and inequality -- in that property ownership by men only is reinforced, thus equal development is often held back.

### ***Impact on widows***

The study revealed that bride-price can become a particularly difficult problem for widows and families when the husband dies. These included:

- HIV infection.
- Landlessness and homelessness.
- Destitution and malnutrition.

### ***Impact on young girls***

The research suggests that the impact of bride-price can be particularly severe for young girls, especially where parents have an urgent financial need for their bride-price. This included:

- Early or forced marriage.
- Being forced to leave education because fees could not be paid and bride-price was needed for brothers.
- Girls being exposed to sexual abuse (and HIV) by older dominant men and having no way to escape, due to their age, inexperience and lack of power in the situation.
- Girls experiencing pregnancies when too young due to early marriage, and sometimes developing severe medical problems, followed by subsequent rejection by the family, leaving them in a desperate plight.

### ***Impact on men***

A number of impacts of bride-price on men were highlighted in the interviews with male respondents. These included, as noted, being forced into poverty as a result of having to pay bride-price; going into severe debt; young brothers being left to repay bride-price; men not being able marry at all or to marry women of their choice; male feelings of inferiority; huge pressure on young inexperienced men when they have no resources; and young people starting marriage and adult life in financial trouble.

### **What should be done about bride-price?**

A key aim of this action research was to generate knowledge about the practice of bride-price which would then feed into social action and awareness-raising at the local level, as well as inform wider policy and legal work.

### **Reform, abolish or leave as it is?**

The research findings revealed that reform to remove the harmful aspects of bride-price, or abolition, were recommended as the way forward in the data-set of interviews with members of the public. Among the professional and expert interviews, overwhelmingly, reform to make it a non-refundable gift and a small token of appreciation was favoured. These figures were as follows.

<b>Date-set</b>	<b>Reform</b>	<b>Abolish</b>	<b>Leave as is</b>
<i>Members of public (n=180)</i>	60	28	13
<i>Expert, duty bearer, agency (n=27)</i>	98	-	-

### **How could reform be carried out?**

The mechanisms through which such reform could be carried out were suggested as follows:

- To make bride-price a gift of modest size, voluntarily given (and not an expectation), and to make it non-refundable.
- The validation of customary marriage by the payment of bride-price to be outlawed and replaced with another simple form of validation.
- The removal of official and religious expectations that bride-price must be paid.

With respect to long-term development, cultural change and public awareness-raising, the need for community education and for sensitisation work among local people in villages was highlighted by the majority of the interviewees. This was reinforced by the participants at the two Round-table events held in Tororo and Kampala.

#### ***National level***

Legislation and policy needs to be developed by the national Government of Uganda. As an initial step, emphasis was placed by our respondents on the Constitutional Petition on Bride-Price (seeking to make amendments to the Constitution of Uganda on the grounds of possible harmful impacts of bride-price) which is currently before the Court, with accompanying media and dissemination work. The study also recommends that there is a need to have wider public debate on bride-price, to consult with communities, and to develop awareness-raising and public education programmes at a national level.

#### ***Local level***

Strategies for action which were identified during the study at the local level included:

- The development of new local strategies and guidelines to address violations.
- The development of implementation guidance in Tororo for the upcoming Tororo District Bridal Gifts Ordinance, and perhaps to enable its adoption in other Districts in the future.
- The sensitisation of individuals in villages and communities through the provision of sensitive education and awareness-raising.
- The provision of advocacy and support services for those affected.

Given that the new Tororo District Bridal Gifts Ordinance (superseding the Bukedi bye-law and the first regulatory framework in Uganda making bride-price non-refundable), as a pioneering piece of legislation, is soon to be implemented, the development of guidance, including protocols and procedures for its implementation, and training were viewed as a priority for the Tororo District,

along with sensitisation work with the public to raise awareness of the new law. A strategy for action developed at the Tororo Round-table meeting was to set up an implementation group with key representatives of the local council, the police, clan and cultural leaders, religious leaders, MIFUMI and other stake-holders to oversee the implementation of the Ordinance.

### **Training, capacity building and use of a Community Sensitisation Model**

In taking forward the strategies for action identified by the research, a programme of training for conducting community sensitisation work was carried out with a team of community development workers, women's educators, activists and support workers from women's forums and projects at village level. A 'Community Sensitisation Model' to facilitate this grassroots work was developed which enables the collaborative development of relevant strategies of action in local communities.

### ***A wider community programme of public awareness***

A broader programme of community education and sensitisation is to be devised and implemented by MIFUMI which will include community radio broadcasts, community awareness through sensitisation meetings at the village level, and the production and distribution of leaflets. Through these methods, it is hoped that awareness of bride-price issues will be increased at the community level, initially in Tororo, in a way that could be rolled out to other Districts in the future.

MIFUMI will develop further their provision of advocacy and support services to those affected by bride-price issues and violations. The importance of the continued provision and development of further support, assistance and advocacy at village level is underlined by this research.

## **Conclusion**

The study found a mix of positive and negative impacts of bride-price on individuals, families and communities, with negatives far outnumbering positives, and mainly negative impacts in terms of development. The latter included gender inequality, early or forced marriage, and landlessness and homelessness for women. While both domestic violence and entrenched poverty were clearly identified as the over-riding issues, bride-price made both worse. Thus, the findings of the research revealed significant inter-connections between bride-price and a) domestic violence, and b) impoverishment. Some connections were also identified with c) increased HIV infection.

As the first rigorous research investigation into the practice of bride-price in rural Uganda this study raises important issues for consideration for those seeking to address its negative impacts. While consideration has to be given to its important role as a valuable cultural tradition, overwhelmingly, respondents in this study suggested that the practice of bride-price required reform. Furthermore, if the reform of bride-price is to be carried out, five main routes emerged from the research findings:

- Legislative reform at national government level.
- Policy reform through government initiatives and civil society.
- Legislative and policy reform at the local level, e.g. through the Tororo District Bridal Gifts Ordinance.
- Educational initiatives in the education system.
- Community awareness raising and sensitisation.

Although progress may be slow in effecting the reforms highlighted, some have already taken place, and it is hoped that this research will help to inform and act as a catalyst for future action and change, not only across Uganda, but also in other parts of Africa.

