

Speech at the International Conference on Bride Price - Atuki Turner

Who are we?

It gives me great pleasure to welcome you all here today at this International Conference on Bride Price organised by Mifumi. First I'd like to say something about our identity. By registration we are known as The Mifumi Development Programme. We became Mifumi by a natural process. By marriage to our partner organization in the UK many of you may know us as PROMPT. PROMPT will soon be known as The Mifumi Project UK by an amendment to the Constitution. These are the different types of identify we have had to make sense of before coming to any conclusion of who we are. In much the same way that women struggle to understand who we are and what our place in society is. We were once known as a development NGO but during the bride price campaign and referendum period, a leading journalist, Charles Onyango Obbo, writing about us in the East African described Mifumi as a women's rights agency in Tororo and we suddenly saw ourselves as just that.

Mission and Grassroots

Mifumi is a leading women's rights and development agency with a large constituency of grassroots women's organisations. Our mission is to work with rural-based communities to reduce the burden of poverty. Grassroots and rural based is the uniqueness about MIFUMI. To this end, we run integrated projects in the fields of gender violence, education, healthcare and economic self-sufficiency. Our gender violence intervention programme includes provision of information, legal advice, advocacy and support services to protect women through the criminal justice system, the local and traditional justice systems. We also work to prevent violence through public education and work with young people.

Pioneering events

Rural based services

We have had a number of pioneering events. We were among the first to provide rural based domestic violence services through an advice centre in Mifumi village, a deeply rural area in 1999 when we established our pilot project.

Safety Forums

We pioneered a community safety forum to tackle domestic violence and raise the issue as a criminal offence that should not be tolerated. In 2001 we established the first District Domestic Violence Forum in Uganda in Tororo. In 2003, Professor Baer from Germany, a Gender and Law Professor from Humboldt University came to Uganda to train senior police officers on domestic violence in conjunction with Mifumi and the Child and Family Protection Unit, Uganda Police. During this time we opened a dedicated domestic violence police unit in Mifumi. These series of pioneering events have been against the quiet backdrop of work in rural Mifumi with rural women and communities. Today many researchers, students, anthropologists, funders and partners visit Mifumi village as a development site. And our local artists have a popular song known as Mifumi City for where there once was a poor village; there is now a thriving community. Mifumi is a place where people are keenly aware of human rights. It is the place where we receive most of our support and also quite a bit of resistance.

Why we did it?

Along the way of our campaign on bride price - there were stories of men and women that inspired us, there were those that outraged us and then there were those that committed us to action - those were the important ones. There were stories that shocked us into silence and haunted our sleeping and waking hours. Stories that tainted us with a certain guilt of being part of humanity that is capable of evil and shy of action. These stories are now weaved in a cloth around this room for you all to read about.

Washing our dirty linen in public

When we narrated one of the stories about a woman who was demeaned and stripped of all humanity literally, we were criticized by a group of wise men for washing our dirty linen in public. The place where we

aired this story happened to be BBC Focus on Africa and the wise men, from *on high* said the outside world would think we were backward. They said such things happened in the past there was no need to air it now. They said it was a scandal. I sat facing the three wise men from the cultural institution in Tororo district and I regret to say I could not adequately defend my sisters. Yes women are indeed the dirty linen of society and men - are the public. There is hardly a woman who has not at sometime been made to feel that women are not quite equal citizens of society. So when these men said do not talk about the humiliation and degradation of women in public they were really saying do not talk about women's issues among men.

But we are going to continue talking about women's issues until they listen. We will not be silenced and the story of women will not be told over and over again. Because where there is shame - we know there is pride that will not be usurped. Where there is pain there is also fortitude, and where there is loneliness - there is courage and determination. And where we are silent, we are making a statement.

If the story of this woman was a story of the past, then lets have a look at what happens in our civilized world.

Nisha Sharma : May 2003 The ordinary girl who turned female icon by jailing her dowry greedy groom. She called police to arrest her groom during the wedding ceremony because a car and 1.2m Rs (\$2500) were being extorted from her father behind the curtains in the form of dowry.

Kosovo 1997/98: A woman breastfeeding her baby has the child removed and is raped by soldiers. Afterwards she asks if she may have the crying baby back to breastfeed but the baby is decapitated before her eyes.

Pakistan 22 June 02: The gang rape that shocked the world when 18 year old girl was gang raped by 4 men while the village cheered on. This was a punishment ordered by the tribal court because her brother was seen walking with a girl from the higher cast.

Nearer home. Nigeria 2002: Amina Lawal is sentenced to death by stoning under Sharia law for the crime of adultery and having a child outside marriage. However 1.3 million signatures were collected by Amnesty International and luckily she won her appeal in September 2003.

And here at home: They are all right here and will tell their own stories

But what is important to understand is that one woman's story is a story that can be told about any and many women. It can be told about you, about your sister, daughter, mother or grandmother. As the saying goes do not ask for whom the bell tolls, it tolls for you or do ask for whom the drums are beating, they beat for you.

Shouting across Africa

When we empowered women and men from rural communities to campaign against bride price, when we won the right to put a social issue to ballot, when we asked for formal recognition of this effort from our leaders, they retorted by saying - why do you want to do things in the backyard. They said why shout in the backyard about bride price? Why not do what your friends do and shout about it in Kampala, take it to parliament - ladies and gentlemen, little did they know how long and how deep our dreams were. Today we are here with men, women and young people from USA, England, Germany, Kenya, Tanzania, Malawi, Nigeria, South Africa, Mpumalanga district in South Africa, Cape town, We have people from Kampala, Iganga, Mbale, Tororo, Nagongera and Mifumi. We have people from GTZ, the World Bank, the Foreign and Commonwealth. And we are going to shout about bride price across Africa. And we are going to say NO to the sale of women and girls by men.

Reading up the ladder of privilege

But it was important that we started this fight in our backyard, so to speak. To quote from Chandra Talpade Mohanty, a renowned feminist scholar who wrote the epistle titled *Under Western Eyes* and exposed the narrow self-interest of western feminism. Mohanty encourages us to read up the ladder. She says

If we begin our analysis from and limit it to the space of privileged communities, our visions of justice are

more likely to be exclusionary because privilege nurtures blindness to those without the same privileges. Beginning from the lives of marginalized communities of women, we are able to access and make the workings of power visible: to read up the ladder of privilege. It is necessary to look up-ward - colonized people know themselves and they know the colonizer.

And indeed during our campaign we had problems finding solidarity with the urban elite and also with educated women leaders from Tororo many of whom do not understand the injustice occasioned by the commercialisation of bride price. Many of them regard it as a cherished custom that should not be tampered with. Issues of poverty, landlessness, girl child education were lost upon them. Many of these urban elite women can afford to cherish bride price. They can even afford to pay for a man. The urban woman can quite easily walk out of a marriage any day without fearing to be bonded over return of the cows. The poor woman cannot bail herself out. It is a shame that the educated elite powerful women did not lend their voice and their influence to our campaign.

It is also a shame that international agencies that purport to promote children's rights did not take up this struggle. One would be forgiven for thinking that the issue of forcing young girls out of school to generate family income through marriage would be a reason to join the campaign. Why for example has UNICEF or SCF not reacted with the same force towards the sale of girls under bride price as they have towards the sexual enslavement of girls under child trafficking? How long will agencies use the excuse of cultural relativism for failing to protect women and children from human rights abuse.

I am pleased to notice that this is at last being picked up as an issue by UNICEF who has incidentally done much on the related issue of dowry in India. As you may have read in our concept note: dowry related deaths have been climbing in India from 999 registered cases in 1985, 1319 in 1986, 1786 in 1987 and a decade later over 3000 women were killed in 1998 alone, according to the UK Government Human Rights report. Girls continue to be married off well before they reach the minimum age of 18, especially in northern India.

Standing on the shoulders of giants

There were many people who inspired us who are here present and many who were not able to come and others who have since died. All of you here have inspired us in some way, others by your work, others by your interest and others by your positive criticism. I shall mention names and forgive me if I sound like an obituary but one of my favourite poems goes – why should good words not be said about a friend until he's dead. Thank you to Hon Miria Matembe for being our voice often alone in the desert but one that never tires of saying what needs to be said, Georgina Ashworth for being a feminist who has taught us to travel lightly along our journey to empowerment and who has done much for the civil, political and economic rights of women. Nooreen Kaleeba for giving a home to PLWA's and for showing us that we can do it, and do it in a big way. What TASO means to PLWA's is what I hope MIFUMI will mean to survivors of domestic violence. Jane Francis Kuka for setting up a stampede where angels fear to tread. Thank you to Sylvia Tamale who is quite young and fearless, Margaret Oguli for being there when you need her, and thanks to our activists for fighting their corners in their own way. And finally to our fathers, mothers, brothers and sisters.

How we did it

We did it through baseline surveys, consultations with cultural, religious and political leaders, and with men, women and the youth, we concluded that there was a case to answer on bride price. Many of the groups we consulted gave us excuses why they would have liked to support the campaign, but not just yet. The church said, they did not like to provoke culture, they preferred to co/exist peacefully, the cultural leaders said they were getting threats from the neighbouring cultural leaders, the politicians said they were just about to go for elections and could we re-open the dialogue after they had been re-elected and could count on 5 clear years in power. So we went back to the drawing board adopted a new philosophy. In the beginning our principle was borrowed from the Duluth Domestic Violence Model in Minnesota, USA. The principle was that the community must bear the burden of violence against women. Now we adopted a new principle altogether that said, The Survivor must bear the burden for ending violence. So we engaged ordinary men, women and the youth who campaigned through debate, discussions, dance, drama, song and poetry. Through the apolitical structure of local government we were given permission to hold a referendum. The police provided

patrols and managed to keep order where chaos and hostility might have broken out. And the national media, after several hours debate, to their credit came out in favour of our position and provided us with wide coverage. We invited international observers and sent out the ballot boxes and we won the referendum with 60%. The question was and I put it to you now - Should bride price become a non-refundable gift / YES.

These were our supporters – let me describe them to you

Young girls who are forced into marriage to older men with HIV/AIDS. Young boys forced to leave school in order *to come home son and get yourself a wife before the cows die*. Men, fathers and brothers who are thrown into jail because their daughters or sisters have left abusive marriages and they cannot afford the refund of bride price. And Mothers in laws whose cows that they have saved for and bought are taken away forcefully from them, because women do not own property, and used to pay bride price sometimes even for the daughter of her co-wife. No wonder mothers in law always fight with their daughters in law. Parents with only sons could not afford to marry for them all. And then there were the women tied up in violent marriages unable to leave because of bride price. We were supported entirely by survivors.

Women living with violence

There were women who were lonely afraid, terrified, hurt, humiliated and degraded living with violence in the home. Such women cannot leave a violent relationship because of the bride price.

Women forced to return to violence

There were women who had been cut, maimed, slapped, burnt, sexually mutilated, who had left the relationships but been forced to return because of bride price.

Fear in Refuges

There were women who have left but live in fear because the men still stalk, harass and haunt them in the place where they have sought refuge, in their parents or sisters home. Remember that fear or the threat of fear is a form of violence which is used effectively to silence, control, intimidate or violate all sorts of victims.

Women who were killed

There were women who returned and were killed. There were women who committed suicide.

Children

There were women whose children had been killed because during violence they were used as a shield or weapon.

A journalist asked me the other day what law currently governs bride price. The dual system of law in Uganda means statutory law exists along side customary law and others. Most women in the rural areas are governed by customary law, a law whose main tenet is the subordinate position of women. And this is underscored by the practice of bride price. The law that governs bride price is lawlessness. It is a situation where there is no rule of law and where the principles of natural justice do not apply.

It is a law where women have no land, cannot own property and must leave an abusive relationship with nothing.

It is a law which despite the debate against capital punishment, which has long since been outlawed in many countries, a woman can be killed by her partner and her people seek not criminal action but compensation in the form of a cow or two.

It is a law where women have no protection from health risks such as HIV/AIDs because the payment of bride price renders the notion that a man has purchased his wife's labour, sexual consent, and perpetual obedience.

It is a law where despite corporal punishment being outlawed in schools and even in some prisons, men say they beat wives to discipline them. Even though research has shown that education is a more effective tool and violence does not resolve conflict.

There were men who feared that removing bride price would result in undisciplined women who would walk out of marriages because of a slap.

But we know that violence begins with a small action like a slap and can lead to death.

Men also say removing bride price will cause prostitution and promiscuity. There is no evidence that shows women are more promiscuous in societies that do not practice bride price. Bride Price which goes hand in hand with polygamy allows men to have multiple sexual partners. While women who engage in extramarital relationships are often killed.

The law we have now completely ignores the concept of equality.

Lack of support from men

Then there were those who did not support us and the DRB.

There were many men who did not support our campaign for reasons of power and dominance. Men for whom bride price was a source of authority in the home.

Women who did not support us

There were also many women who did not support our campaign. As the late Grace Akello, Pan Africanist, and writer once said, If bride price is the only way women know of being valued, how will they let it go. We must find alternative ways for women and society to value women. It will indeed be difficult to change this attitude because the current proposed domestic relations bill that is currently making its passage through the Uganda parliament equates the ability to keep a wife to wealth. The more wealthy you are the more wives you can own. Court will provide a method of means testing for wife purchase. It is a contradiction that we meet here from all corners of the world to fight the commercialisation of marriage while the Domestic Relations Bill proposes just that in the name of religion.

Cultural leaders

Our cultural leader, sat on the fence on this matter, until the eleventh hour. Then they attempted to sabotage the referendum by announcing on the night before the referendum that the cultural institution had nothing to do with the campaign and cultural ministers went round asking people not to vote and saying it was illegal.

Uganda

If Uganda is considered highly progressive in terms of women's equality, then that is in the area of formalities by numbers and names. Affirmative action for women at university and in political offices. But when it really matters we fare worse than some of our less boastful sister countries. People argue that culture should be allowed to evolve but for how long will we wait.

The DRB is a case in point, first drafted in 1980, now down to its third generation of women. The Kalema report of 1965, The Report on the Commission of Inquiry into marriage, divorce, and the status of women raised the issue of bride price and found it to relegate women to the status of a chattel, an article of trade; The World Conference on Women, 1975, 1985, 1995, are all struggling to promote equality and rights for women. But that is the legal and political climate relating to women's rights in Uganda. Unlike some countries in Africa, - we do not have a domestic violence act. Culture still exerts a stranglehold over women.

What we intend now? Feel Free Reform

In these our days, many of us have too many commitments. My cousin once asked me when I would be visiting her and when I replied that I'd been rather busy, she said well don't be TOO busy. My friends many

of us especially in the NGOs and Academic sectors are too busy. And we can get too busy doing too much and why not, there is money around if you look hard enough. But there is one thing we cannot have too much of and that is time. Once it passes by, there is no second opportunity in the same time and space. Mifumi has the opportunity to fight to reform bride price and we are going to be busy doing just that. Not too busy doing too much else. Just bride price with the goal to end domestic violence. We have established the Feel Free Network for the Reform of bride price across Africa. And will allow nothing be it in the name of religion, culture, legal systems or poverty to stand in our way.

In 1964 the Bukedi bye-law in an attempt to regulate bride price made it an offence to demand more than five cows, five goats and 22 shillings.

In the case of Uganda versus Eduku (1975) HCB 359, the court held that a customary marriage is not valid until bride price has been exchanged. Almost 30 years later, the Domestic Relations Bill proposed to overturn that ruling.

In conclusion

As a lawyer I could quote to you all the laws that provide for the right to be free from slavery, slave-like practices, the right to be free from violence, torture, cruel, inhuman and degrading treatment is recognised in many international conventions.

List of Laws

- * 1995 Constitution of the Republic of Uganda
- * International Covenant on Civil and Political Rights
- * Convention Against Torture
- * African Charter on Human and Peoples Rights

But I will tell you instead a story. This is the story of the Unknown woman.

Precious legacies have been passed on to us by our foremothers. Committed to action

One day Mrs Evelyn Okoth came to me and as usual disturbed me when I was TOO BUSY and she said, you know what Felista (she even calls me in that old fashioned way) unless you tackle and get rid of this bride price thing, you will never end violence against women. And that surprised me a lot because I always thought of bride price as a cherished custom so I said how do you mean. This is what she told me. I never knew what my aunts meant by bride price is bad. One day one of my aunts, a young girl became pregnant. In those days young girls slept on a raised platform in the compound guarded by an older aunt so that they would not escape to the boys or the boys would not bother them. This aunt of my mothers escaped to her sweetheart and became pregnant. When her shameful secret was discovered the village was assembled and she was stripped naked and tied spread eagle to the ground. They brought safari ants and poured these on her vagina because they said she had wanted the itch so now let her feel it. Then they brought hens round to peck at the ants. My grandmother stood watching this from her kitchen and after a while could bear it no more, she took up a knife and run to the woman and cut the bonds and turning to my grandfather, said, you have killed this child. That child left that village, her home and people never to return. Then my mother understood why her aunts said bride price is bad. That young girl wanted to marry her sweet heart but he was too poor to pay the required bride price and becoming pregnant she had ruined her chances of a wealthy marriage.

The song on bride price

The men asked that we provide them with an alternative source of income if we want to remove the potential wealth of their daughters. There is a song in dhopadhola my language that when a man's wife is in labour, he stays awake all night praying for dawn to come. On one hand he counts five cows on the hand five goats. Ladies and gentlemen let us rewrite the words of this song.

To quote Patricia Macfadden an inspiring feminist writer and activist writing in the journal Feminist Africa; Issue 2, 2003.

Precious legacies have been passed on to us by our foremothers. In her writing on Sexual Pleasure as a feminist choice she writes that the suppression of women is maintained through vigilant cultural surveillance, and had led to the muting of what she defines as our feminist sexual memory and instinct. The result is a sexual and political cul-de-sac of violation and repression; all too often, women find themselves in a dark, dreadful place, windowless and airless, with seemingly no way out.

We must build connections between feminist scholarship and political organizing. The link between political economy and culture remains crucial to any form of feminist theorizing (Mohanty). The unacknowledged power of cultural relativism in cross cultural feminist scholarship.

The women's rights movement has been largely successful in attempting to raise the issue of violence against women onto the world stage. The bodies and labour of women and girls constitute the heart of these struggles.

Finally I have been waiting for a long time to write a book and I intend to dedicate it to my mother but getting published is not an easy thing in these days of bride price. So please allow me one privilege to introduce to you my own mother for it was she that passed on the nightmares of her grandmother's generations to us and asking them to turn them into dreams for tomorrow's children.