

# **INTERNATIONAL CONFERENCE ON BRIDE PRICE AND DEVELOPMENT MAKERERE UNIVERSITY, KAMPALA UGANDA**

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## **1. RELIGIOUS AND CULTURAL PERSPECTIVES ON BRIDE PRICE**

The term bride price does not exist in major English Dictionaries like Oxford Advanced Learners Dictionary, The Concise Oxford Dictionary of current English, Webster's New World Dictionary and others. This is as curious as it can get. Instead, the term dowry, exists and has various meanings. The Bahai most Holy Book (P. 208) explains that the institution of dowry is a very ancient practice in many cultures and takes many forms. In some countries it is a payment made by the parents of the bride to the bridegroom (as in India); In others (as in the African continent, and Uganda in particular) it is a payment made by the bridegroom to the parents of the bride called a 'bride price'. In both cases the amount is often quite considerable.

The Bible has episodic stories about payment of bride price. Jacob worked 7 years for Leah, and another 7 years for Rachel (cf G. 26:16-33:7). Imagine 7 years' wages to afford a wife! The Old Testament defines bride price as 'Mohar' money paid to the parents of the girls as compensation. The minimum amount of money was 50 silver pieces, but could be more depending on the wealth of the husband's family.

Hinduism put 'dowry' as the necessary requirement for marriage to occur. African Traditional Religions has the requirement of bride price for marriage to be ratified. In Islam the groom is expected to give 'Mahr' a marriage gift to the bride. What we notice is that the major religions in our continent recognised the practice of bride price. In each case it was a payment of considerable value to the parents of the girl as either compensation, or a gift of appreciation or simply, a fine.

## **2. BRIDE PRICE ABUSED**

All cultures that have entrenched the practice of bride price have abused its social value, for economic gains or otherwise. The biblical Laban father of Leah and Rachel, the father-in-law of Jacob, abused bride price for cultural reasons. Seven years' wages is an exorbitant amount to pay for one's bride. Laban made Jacob work for 14 years to acquire Rachael the woman of his love (Gen. 29). According to Sudheer (internet) 'dowry' among the Indians continues to be given and taken. A number of marriage negotiations break down if there is no consensus between the bride's and the groom's family. Dowry deaths of the newly married bride are very common in the news. In Africa and Uganda in particular 'bride price' has led some, to criminal acts like thefts, embezzlement, cattle rustling or raiding to meet the required cost or charge for the bride. Because of the economic surplus involved, traditional marriages have remained the preserve of the elders who have perpetuated 'arranged marriages' for their daughters.

## **3. RIGHTS OF THE BRIDE PRICE**

The African bride is between a rock and a hard place. The cultural system disenfranchises and denudes her of her basic freedoms as we know this under the 1948 Declarations of Universal Human Rights. Because of bride price parents are keen to 'arrange' a marriage for their daughter. In effect, an arranged marriage may not be in the interest of love, but money. It is again money which is not given to the bride but the parents. On the other hand, settlement of bride price in fact transfers the rights of the bride over her own destiny into the hands of her husband who has paid for her. Henceforth, the husband has all the authority over her. For these reasons many African brides end up in abusive marital relations.

## **4. RELIGIONS AND REFORM OF THE CULTURAL PRACTICE OF BRIDE PRICE**

Religions in every epoch attempt to influence the cultural practices of its people, especially when the culture is divergent on religiously acceptable values. It should be said that bride price as a cultural practice is a die-

hard. Bride price is but the tip of the proverbial iceberg of our African culture. A long and hard look reveals that bride price is a resultant or the product of die-hard cultural and economic forces that produces it. Such forces are the African rural economy, legal systems, cultural beliefs, social fashions and trends, economy, politics, forms of education and others. Therefore, to reform bride price means that we have to be prepared to reform the ingredients that produce it as well.

The Christian and Islamic faith should have been best suited to be the women's rights ombudsman in the nearly 150 years of their presence here, but like the colonial administration before them it became expedient to assign traditional marriage and its baggage of bride price under the jurisdiction of customary law. There was therefore a peaceful partnership, if not co-existence between religions and customary law, with the former pre-empting the latter only when it best suited them.

Nevertheless religions have to a large extent been concerned about bride price, and the attendant human rights abuses. The Christian Churches have always used the power of the pulpit to attempt behavioural change of their followers. That is how far they got. Islam emphasizes that the so-called bride price is but a marriage gift given by the bridegroom to the bride on marriage and not to the relatives of the bride. Moreover the bride is given the privilege to determine her own bride price. Here Islam is peculiarly different from all other religions (cf. Qur'an 4:4 ; 4:25; 2:236). In Uganda however, Muslim parents demand bride price anyway, as compensation. The Bahai faith, aware of the burden of bride price to the groom and mentality of buying and selling of the bride, legislated, abolishing such excesses and converting the bride price into a symbolic act, whereby the groom presents a gift of a certain limited value to the bride. That's what perhaps the rest of the religions should copy from the Bahai example.

In 2001 research done in Kampala (Uganda) randomly sampled 300 followers of different faiths and asked them, whether or not religions should determined bride price? Eighty-six percent of the respondents answered 'Yes'; fourteen percent of the respondents answered 'No'. The same respondents were asked: Whether or not to abolish bride price? Eighty eight percent of the respondents answered 'No' rather, it should be reformed; Twelve percent of the respondents answered 'Yes, since it is unfair to women. Therefore, religions overwhelmingly want radical reforms of the custom hither to known as bride price, but keep it symbolic for its social value.

## **5. SHARED AGENDA AND GOALS**

Apportioning blame does not serve the interest of the restoration of women's rights nor does claiming all the credit. We all slept while our mothers and sisters suffered injustices. Now the African civilization is reawakening and clearly focusing on women's rights. In Uganda Human Rights activism is in its second decade.

In the year 2000, there was a conference of catholic Christians of the eastern part of this country organised by the Archdiocese of Tororo, to address the burden of money and bride price. "The members felt that the issue of bride price affects marriage detrimentally. They suggested that parents should be educated to the fact that their daughters are not articles for sale and that bride price is not essential for marriage. While respecting the tradition of dowry, the church encourages parents to be moderate and view it as a gift, rather than a payment. It should never be an impediment to a valid marriage" (i.e. church marriage). Isn't this what our legislators are debating in the Domestic Relations Bill (DRB)? " The DRB stipulates that the giving of marriage gifts or payment of bride price shall no longer be an essential requirement for any marriage under the law. Where gifts have been given, the demand for their return on the breakdown of the marriage shall be an offence."

The catholic synod of Tororo Archdiocese recommended further, that members of parliament should be approached to debate the outlawing of the payment of bride price, as it impoverishes the couple, particularly if the young man has to pay an exaggerated amount of bride price to the parents of the bride. The delegates proposed that the entire Christian Community be involved in the struggle to replace the bride price system. The synod also condemned the excesses of wedding parties.

Another area where religions have similar agenda and goals as the State in its DRB is the age of marriage and consent to marriage. The church condemns child marriages and abductions of minors for marriage (canon 1089), whether in Gulu, Karamoja or in Buganda. Catholic church law, in canon no. 1095.1 adds that such a minor lacks sufficient use of reason; the church also teaches on consent in canon, 1102.

Another area of shared agenda: the teaching against cohabitation, which the DRB clearly declares as not a marriage; Teachings against polygamy, prostitution, and unjustified divorce etc. Also, teaching about equality of spouses.

From the above, let it be said that much of what the churches/religious teach in the pulpits has now to be complimented by the state law enforcement. That is what religious lack – the enforcement mechanisms.

## **6. AVOIDING PAST PITFALLS**

In the past we have worked in isolation away from each other and appeared to be against each other. Our exclusive diversity has been the source of our weakness as a nation and continent. Cultural, ideological, political, and religious isolation made us not only unwilling, but also unable to restore and deliver basic justice to our wives, mothers and sisters in the nation and continent.

During our own times there are still people who argue that human rights activists should not be over intrusive in people's cultures, even when they know that the culture is grossly in violation of women's rights. Some still argue that culture and bride price in particular should not be legislated upon, but rather that it should be given time to phase out by itself, through the process of social evolution.