

PRESS RELEASE

On Tuesday 6th May 2008, the Constitutional Court will begin its hearing on MIFUMI's petition for a declaration on Bride Price.

MIFUMI has been campaigning for the reform of bride price for over six years now. This is because while many people see bride price as good, it is not perfect. Bride price has many problems relating to inequality in relationships between men and women and to violence against women. Some of these problems have arisen because bride price has through the years become increasingly commercialized and abused. Because of grinding poverty, parents and clan members ask for exorbitant sums or commodities as bride price.

Bride price has close links to poverty. Young men and their families have to work hard to accumulate the wealth necessary to pay bride price. This includes selling land to marry.

Women have now become vulnerable in the face of relatives who want to take away their husbands property and leave them with no support. Girls are married off early to raise income for the family.

The demand for bride price portrays women as an article for sale in a market and amounts to degrading treatment which is contrary to our constitution.

The payment of bride price by men for their wives as demanded by custom from several tribes in Uganda leads men to treat their wives as near possessions from whom maximum obedience is extracted, thus perpetuating conditions of inequality between men and women, prohibited by the Constitution of Uganda, which provides that all persons are equal before the law.

Demand for the REFUND of bride price by men, when a marriage breaks down, raises the problem of inequality between the partners in the marriage. When a woman wants to leave an abusive relationship or the man asks her to leave, she must first refund the cows paid for her. This forces many women to remain in the marriage and endure violence and abuse. Demanding refund of bride price does not take into account the contribution of the woman to the marriage, the children she has produced and the productivity of her labor. The demand for refund of bride price is contrary to the constitution of Uganda which provides that both men and women have the right to marry, to equal rights in marriage, during marriage and at its dissolution.

Finally a sad practice has crept into the custom of bride price whereby when a woman dies before bride price has been paid, her parents and clan members refuse the burial to take place. The relatives haggle over bride price while the body is laid out in the home. This is inhuman and degrading treatment because people have a right to dignity of the person, even in death.

MIFUMI has now taken its push for reform in the law to the Constitutional Court for a declaration. We hope that we can work together to strengthen a practice that may be good but is not perfect.

MIFUMI

Notes to the editor

Constitution of Uganda

Art 21 (1) and (2) Provides that all persons are equal before the law

Art. 24 Prohibits cruel, inhuman and degrading treatment

Art. 31(1) Provides that both men and women have a right to marry, to equal rights in marriage, during marriage and at its dissolution.

Art 31(3) Provides that marriage should be entered into with the free consent of the man and woman intending to marry.