

AN ETHICAL APPRAISAL OF WOMEN AND BRIDEWEALTH IN AFRICAN PHILOSOPHY

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Abstract

In a typical African culture, bridewealth is an obligation that must be fulfilled by the betrothed male to the family of the bride. Bridewealth is the compensation to the wife's family for the loss of her domestic and agricultural labour (the daughter), and it formalizes the transfer of reproductive rights to the husband's family (Chae et al., 2021). It appears that there is a reciprocal benefit for the two families, however, it has been found that the payment of bridewealth is a cause of domestic violence and reproductive constraints. In the ensuing discussion, we argue that while in the African culture, the wife has to fulfill various duties to the husband, the adverse effects of bridewealth payment must not be overlooked. This paper makes an ethical appraisal of the bridewealth in Ghana by examining it through the lens of various normative ethical theories. It discusses the moral imperative that deontology poses to the woman. Furthermore, we will assess virtue ethics and the teleological ethical theories within the context of marriage in Ghana. Through our evaluation, we deem Aristotle's virtue ethics to be a feasible means through which the payment of bridewealth will alleviate the pernicious effects it has on women.

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1. INTRODUCTION

The institution, as well as the ceremony of marriage in Africa, is largely characterized by the presentation and exchange of gifts. It is thus important that we highlight and bring to the fore the ethical undertones and implications of such presentations on the married couple, especially the bride and the society as a whole. Scholarly writings abound on the notion of bridewealth in the marriage institution of the Africans. Most of the writers attempt to show the relevance of the practice of payment of bride wealth, others equally argue that the stability of the marital union is hinged on the payment of bridewealth, (Ogbu, 1978, Akurugu, et al., 2022, Mwamwenda & Monyooe, 1997), whilst other scholars also take the unpopular position of holding that the payment of bride wealth is the cause of most cases of domestic violence and marital instability, (Ngutor, et al., 2013, Kaye et al., 2005). The latter position then propels such scholars to argue for the abolishment of the practice of the payment of bride wealth as part of the requirements for the marriage union. Even though change has been accepted to be a constant thing, and Africa has undergone several layers and levels of change in the past decade, the concept of bride wealth has persisted through the season, even though there is enough evidence on the adoption and adaptation of western practices in the performance of the marriage ceremony. The relationship that exists between the payment of bride wealth in marriage and how power is wielded in such relations or the power dynamics between a man and a woman in marital institutions where bridewealth is presented has also been researched and the results are mostly of a similar view irrespective of the context or cultural setting.

Bridewealth has been described as the presentation of items, money, and some specific requirements that are met by the family of the groom to the family of the bride in a quest to perform marital rites. The term bridewealth is sometimes used interchangeably with bride price and marriage payment. It has been referred to as the presentation

of gifts, goods, and services to the bride's family by the family of the groom (Goody and Tambiah, 1973). Oguli Oumo (2004) also considers it to be a contract in which material items such as cattle, pigs, fowls, and other animals or money are paid or given by the groom to the bride's family in exchange for the bride as a form of compensation for her labor and capacity to produce children. The practice has different names in different countries or regions of Africa. It is referred to as Kem by the Tiv of central Nigeria and Lobola by the Zulus (Ansell, 2001, Ngutor, et al., 2013). Ogbu, (1978: 245) has categorized the payments made in the marriage process by Africans into three sections. He talks of Mutual payments, Uxoral payments, and Viroral payments under which we can classify the payment of bridewealth. Bridewealth has also been considered the prime presentation whereas other presentations before or after the marriage are considered contingent presentations. However, it is only the prime presentation that makes a marriage legal even though the contingent presentation could have been going on long before the contracting of the marriage. The contingent presentation gives the man goodwill with the family of the bride.

For our present purpose and discussion, we agree with Ogbu (1978) in his consideration of marriage as a publicly recognized celebrated union between a man and a woman, a man and one or more women which will be in line with the rules of the given society or the socially accepted norms. Two ideas that stand out from this definition of marriage are that, it is publicly recognized and also based on society's preferred norms or values. As a result, the mechanisms of the marriage institutions vary depending on the society and what is deemed acceptable by such a community. Marriage, also seen by some cultures in Africa as a rite of passage has some significant characteristics which include; marriage formation (marriage ceremony), responsibilities of marriage partners to their spouses, and marital dissolution (divorce).

This paper seeks to add to this existing scope of available knowledge on the issue of women and

bridewealth by situating the discourse in African Philosophy and proceeding from an ethical perspective. We hope to bring to the fore the ethical issues and implications that emanate from the payment of bridewealth. Our ethical appraisal as indicated in the title will largely focus on the woman. We employ various normative ethical theories as well as virtues ethics in the context of marriage and its implications for the woman. Especially, the moral imperative that deontology poses to the woman amidst the unequal power and social relations that serve as the undertones for the African marriage. This topic is important in African Philosophy because as a people, our mindset matters and is responsible for the way we respond to issues and even live our lives. As such, getting to know the philosophical undertones and repercussions our institutional practices such as marriage have on us, is very important. The effects of holding on to a sense of duty (deontologism) even in the face of danger and or when there seems to be suppression and oppression have dire consequences on the agents of the marriage institution. That has called for an ethical appraisal of women in marriage and bridewealth in African philosophy. Bridewealth has been argued by some to be an element of the marriage practice used to solidify relationships between families and also to produce as well as secure the legitimacy of children born out of the union (Akurugu et al.,2021). Bridewealth has been also described to be one of the ways by which a husband demonstrates his gratitude and appreciation for a good wife, appreciation of the worth of the woman, and even helps curb the rate of divorce (Mwamwenda &Monyooe, 1997: 270). Even though we agree with some of these positions and ideas about marriage, when it comes to divorce and its connection with the payment of bridewealth there could be several perspectives to look at it from given that even though it could have been true in the past that the payment of bridewealth prevented divorce (Ogbu,1978), the exorbitant nature of bridewealth in the current dispensation seems to suggest that there is now a connection between marital instability, the

rate of divorce and the high cost of bridewealth (Ngutor, Yandev & Arumun, 2013). There is also the issue of bride wealth constraining the autonomy of women, the disempowerment of women in marriage, and the call for the abolishment of the practice in the marriage contract as espoused by writers such as Dery, (2015) and Akurugu et al., (2021).

However, none of these writers look at the ethical perspectives of the demand placed on the woman in marriage who has the obligation to the husband due to the payment of bridewealth by the husband's family to the bride's family. This paper aims to appraise the moral imperative that is silently placed on the wife in marriage amidst the unequal power relations generated by the payment of bridewealth. This work contributes to the already existing body of knowledge on bridewealth by taking an ethical and philosophical lens to examine the issues. The normative theories of consequentialism and deontologism which both prescribe how we should behave in society will help us in looking at the position of the woman in the marriage. We also assess the employment of virtue ethics and its relevance within the context of the marriage institution. Our write-up is organized into four sections. We begin with an introduction, followed by a literature review on women and bridewealth in marriages in Africa, we then engage the ethical theories of deontologism, consequentialism, and virtue ethics in the assessment of the implications of the payment of bride wealth on women in African Philosophy and finally draw our conclusions with recommendations.

2. WOMEN AND BRIDEWEALTH IN GHANA

Christine Horne et al. (2013) in their paper, *The Shadow of Indebtedness: Bridewealth and Norms Constraining Female Reproductive Autonomy*, present an elaborate experiment to substantiate the idea that 'bridewealth payment precipitates reproductive constraints'. The conundrum (the reproductive constraints on the woman) seems to stem from Ghanaian (and most cultures in Africa) cultural norms that grant the man putative

authority over the reproductive and domestic labour of a woman upon bridewealth payment (Horne et al., 2013, p. 504). This invariably gives the man control over the job and sexual activities of the woman. Horne et al. point out that the sexual domination of the man in marriage leads to adverse effects such as sexually transmitted diseases and domestic violence. Preposterously, it was found that the community is less conscientious when domestic violence occurs in a marriage in which the man has paid the bridewealth fully.

Let us discuss the experiment in detail. The vignette experiment was carried out amongst the Ewes in the Volta region in Ghana. The experiment aimed to “assess a theoretical prediction regarding the causal link between bridewealth and normative constraints on women’s reproductive autonomy” (Horne et al., 2013: 507). 72% of women (with an average age of 41 years old) involved in the experiment were married. The authors highlight an appalling incident in which a woman was beaten by her husband, even though he had not completed payment of the marriage settlement, because she was inconspicuously taking contraceptives. To our surprise, women and men did not express profound discontent with the domestic violence inflicted on the woman. Horne et al. suggest this may have been the case because the man had paid a portion of bridewealth. Moreover, it was realized that while full bridewealth payment augmented the normative reproductive constraints on the woman, the meta norms amongst the Ewes were less optimal towards protecting a woman from such occurrences. To juxtapose this with the effect bridewealth payment has on the economic facet of the woman, the authors assert that full bridewealth payment did not have significant repercussions on the income of the woman in marriage. However, we should note that in a case where the woman has financial autonomy, once the man paid bridewealth in full, the woman was likely to be a victim of the same subjugation as a woman who is not financially autonomous.

In summation of the paper, Horne et al. conclude that bridewealth payment (particularly full

payment) essentially causes reproductive constraints on the woman. Kamil Fuseini’s (2013) paper shares many similar adumbrations as Horne et al. After having conducted a vignette experiment, Fuseini confirms that there are reproductive constraints hurled at women upon bridewealth payment. If bridewealth payment leads to these inauspicious effects, can we effectively resolve this problem by obviating the bridewealth payment? Let us focus on Akurugu et al.’s (2021) paper, *Bridewealth, Women’s Subordination and Agency in Marriage: An Ethnographic Critique of Gender Activism in Rural North-Western Ghana*, to explore this possibility.

Akurugu et al. (2021) argue that the plea by gender activists to abrogate bridewealth from various cultures will exacerbate the cynical effects that bridewealth payment has on women. They validate this position by conducting an ethnographic fieldwork study in Northern Ghana from 2013 to 2014. The focus of this research was the Dagaaba ethnicity of North-Western Ghana. Firstly, Akurugu et al. espouse how indispensable the religious beliefs of the Dagaaba people are to the values they have in the society. Members of the society had to ensure that every decision they took did not defy the religious values of the community. Any defiance of the ancestors and the god’s demands would incite horrendous incidents in the community. Because of this, there was trepidation in the community and meticulousness to ensure that the decisions that they took would appease the ancestors and the gods (Akurugu et al., 2021: 3). Consequently, this precipitated the obedience of women toward the patrilineal structure of society and in effect, this led to subjugation in marriage.

The Dangaaba women do not have control over their children and encounter economic constraints. That is, they are not allowed to sell any farm produce without permission from their husbands. Due to the subjugation of women, several gender activist organizations have submitted fiats to eradicate bridewealth payment. The findings of the field research by Akurugu et al. (2021) on the

perception of women (in the Dagaaba community) concerning the removal of bridewealth reveal the following:

1. Heterosexual marriage was the basis of society and thus free marriage was not an option
2. Bridewealth brings honour and legitimacy to women and children
3. An end of bridewealth will precipitate societal disdain as women in free marriage will be seen as worthless to their congenital families. (Akurugu et al., 2021: 6)

We cannot ignore the cultural values of African societies concerning bridewealth payment. As we have observed from the findings by Akurugu et al., bridewealth is essential to the legitimacy of women and children in marriage. Additionally, with the communitarian ideology of the Africans, women would not want to create ubiquitous negative impressions by society on their marriage. Besides, during the interviews that were conducted amongst the Dangaaba people, there was a unanimous decision to sustain the bridewealth.

Akurugu et al. (2021) thus suggest that we can alleviate the negative repercussions of bridewealth by embracing 'nego-feminism'. This form of feminism is conscious of African values and emphasizes negotiation, compromise and collaboration (Nnaemeka, 2004). It will help in returning to the traditional court system and in turn, alleviate the negative ramifications of bridewealth payment while upholding the values and norms of various African societies.

This section has discussed most of the literature that relates to bridewealth payment in Ghana. As we have noticed, the adverse effects of bridewealth payment on women across various Ghanaian cultures are similar. That notwithstanding, the removal of bridewealth payment would exacerbate the effects. We should also be appreciative of the benefits that the bridewealth has for women in marriage. In the next section we will look at the

implications of acting based on duty as a moral standpoint from which the woman could take in the marriage due to the payment of bridewealth.

3. THE ETHICAL IMPLICATION OF THE PAYMENT OF BRIDEWEALTH

In this final segment, we look at how the moral theories of deontologism, consequentialism and virtue ethics could be used in the discourse of the payment of bridewealth and its aftermath. The payment of bridewealth has not been considered a morally wrong action. However, it is the implications of the payment especially on the bride in the marriage that is under investigation. If the payment of the bridewealth by the man in a marriage places the woman under some obligation towards the man, then there is the need to look at how such obligations are, and how they came about and whether these obligations promote the success of the union or it is to the detriment of the woman. Acting based on duty means that you are only fulfilling the demands of duty no matter the prevailing circumstances and consequences in a marriage. The idea that one has a duty to perform as a result of the payment of bridewealth somehow undermines the concept of acting out of love and mutual respect in any institution of marriage between a man and a woman. The idea that there is a sense of duty placed on a woman in a marriage due to the payment of bridewealth in a marriage can be used to account for the behavior of some women who only act out of the societal demands placed on them in the marriage. It explains why a woman maltreated in her marital home may choose to stay and still strive to meet these marital obligations since her bridewealth was paid in the contraction of the marriage, in some cases, the inability of the bride's family to return the bridewealth means the bride must continue to stay in the marriage no matter how worse it gets.

Acting based on some principles or rules suggests that one is prevented or limited in performing some actions that a person may deem as good. This is because that which is considered good has already been defined by the rules. A good action is then one

which is a result of performing the duties assigned. From a deontological perspective, some actions such as telling lies, stealing, and breaking a promise, and others are considered bad actions irrespective of the circumstances at play. In this case, moral agents are expected to always act based on the rules or principles of duty underlying the actions of the moral agent. This led McNaughton and Rawlings (1993) to argue that deontology places a demand on the agent not to violate a particular constraint even if, by doing so the agent could avoid a larger number of violations of the same constraints by others. The implication of a deontological perspective in a marriage setting is that a wife is expected to act based on the duty of obedience or submission to the husband due to the payment of bridewealth. However, in situations where this obedience and submission may lead to negative consequences or effects on the woman, she is prevented from acting with consequences in mind since all she is concerned with is the performance of her duty. In the quest to fulfill the duty placed on the woman in marriage, negative consequences could be overlooked which is detrimental to the person as a moral agent. For instance, in situations where the husband holds the view that he owns the woman as a property since he has paid her bridewealth and so does not allow the woman to make autonomous moral decisions regarding her finances, reproductive health, and things like that, such a woman will be suffering under the burden of performing her duty in marriage.

Moreover, an aspect of deontology that could be accepted or applied in situations of this nature is one that is advocated by Immanuel Kant. Kantian deontology which argues in favor of the use of the goodwill in the performance of actions based on duty, could be employed. This is because reasoning based on duty requires the use of the goodwill. The goodwill ensures that rationality is made the central pillar of the moral discourse. Based on rationality, actions that were performed solely due to the interest of the performer and the emotions of the

moral agent were considered actions that lack moral worth (Kant & Schneewind, 2002). However, the argument is that should reasoning be made the major factor in the examination of moral decisions, such actions will go beyond mere duty as a requirement for the performance of an action and use reasoning as a necessary and universal principle needed in the context of women and the payment of bridewealth in a marriage.

Consequentialism as a moral theory could be appealed to in the context of the payment of bridewealth and considerations of the woman as a property of the man who pays the bridewealth and as a result denies the woman any sense of autonomy as a moral agent. The effects of such practices have been identified earlier and they are a product of the moral decisions being made. These consequences are largely disadvantageous to the couple as a team and not only to the individual or woman alone. Another position from which the ethics of the relationship that arises between the husband and wife as a result of the payment of bridewealth which leads to the moral degeneration or degrading of the agency of the wife could be identified in virtue ethics.

Virtue ethics which focuses on the individual character of the moral agent in decision-making instead of rules and consequences, could be the solution to the problem that is being grappled with. The development of the individual character which in this case is the character of the husband and wife is that which looks beyond rules and obligations and makes the marriage function based on mutual respect and love. When a relationship is based on mutual respect and love, there will be no room for power dynamics and a sense of ownership of one partner by the other. Reasoning from the position of Aristotle's concept of virtue, it is evident that the virtuous person is the person who acts in accordance with reason. This is why reason when employed in Kant's rational morality, could be a reason for its consideration as a solution. From Aristotle's virtue ethics, it is evident that traits such as wisdom, empathy, and reason could be

employed instead of strict obedience to rules and obligations. Thus, in our context, a bride who embraces the tenets of virtue ethics instead of the pursuit of deontologism which makes her act simply because it is her duty to perform a particular action even if such an action is leading to dire and irreversible consequences, will be open to know when to stop enduring abuse or violence of any form in the name of performing one's duty. Virtue ethics will help to develop character and promote happiness. This is because, just as Aristotle observed, the concept of virtue ethics makes adherence to rules and obligations redundant (Brown, 2009). These ideas make virtue ethics more attractive as compared to the other moral theories. Virtue ethics therefore talks about the very lives of humans and also goes beyond the stage of simply telling that which is right from wrong, and helps in promoting human flourishing. The focus will no longer be on the duty one owes to another since bridewealth has been paid but will be on the use of rationality, the cultivation of empathy, and the application of wisdom in the marriage. Thus, it is not an argument about the need to abolish the payment of bridewealth or to continue its payment, but rather it is about the ethical implications it has on the woman in the marriage. As we have discussed, the practice of virtue ethics will promote more positive implications instead of acting solely based on duty.

4. CONCLUSION

This discussion has appraised bridewealth in Ghana, through the lens of normative ethical theories. We have found that deontology and various teleological ethical theories fall short in providing narratives to alleviate the negative repercussions that women face upon bridewealth payment in Africa. Deontology, for example, could

perpetuate the problems associated with bridewealth payment because of its emphasis on duty, rules and principles and its neglect of the consequences of certain decisions. In situations where this obedience and submission may lead to negative consequences for the woman, she is prevented from acting with consequences in mind since all she is concerned with is the performance of her duty. While consequentialism seems to be a more convincing approach, we have argued that its focus on the result of moral decisions overlooks the importance of cultivating virtues for the partners. What happens if, in an attempt to avoid certain effects of bridewealth payment, one partner takes a decision (with the end in sight) that is not mutually beneficial to the other partner?

We, therefore, propose virtue ethics as a viable approach to alleviating the negative repercussions of bridewealth payment. Virtue ethics emphasizes the need to cultivate virtues such as wisdom, empathy mutual respect, friendliness, etc for the spouses. These virtues ensure that each partner does not commit reprehensible actions towards the other. As such, men who have cultivated these virtues are less likely to make certain decisions after bridewealth payment that can affect the wife negatively. Moreover, through the inculcation of virtues for the individual partners, certain traditional norms that exacerbate domestic violence and constrain the liberty of women in marriage will be mitigated. Virtue ethics is more satisfactory than deontology and consequentialism in promoting positive implications of bridewealth payment.

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