

THE IMPACT OF CHRISTIANITY ON THE LUO  
TRADITIONAL MARRIAGE SYSTEM. //

L. C. OBUDHO

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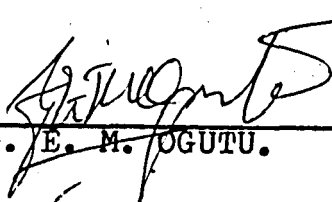
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A handwritten signature in black ink, appearing to read 'L. O. Obudho', written over a horizontal line.

L. O. OBUDHO

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ABSTRACT

This thesis is a survey examining and assessing the significance of the customs, beliefs and practices of the Luo traditional marriage system and to what extent christianity as an agent of change has affected them.

The objectives of the research are, first, to find out how the Luo religious beliefs, practices, kinship system, socio-political organization and economy influenced the marriage system. Secondly, the study concentrates on examining the types of Luo traditional marriage arrangement, courtship, bridewealth payment, ceremonies, rituals, divorce occurrences and their significance to the marriage beliefs and practices. Thirdly, the reasons for practising polygamy and levirate are assessed. Fourthly, the core of the thesis studies, the Catholic Church marriage beliefs and practices as a representative of the remaining mission founded christian churches to find out how the church has used its symbols of baptism matrimony, eucharist,

confirmation and holy-unction sacraments through preaching christianity to cause change on the total Luo traditional marriage beliefs and practices. Finally, the study examines how various variables other than christianity have acted as change-agents on some aspects of the Luo traditional beliefs and practices.

To get the required data, a questionnaire was prepared to help in interviewing informants in South Nyanza District of Kenya by multistage random sampling. Where it was found appropriate on the spot observation method was employed. But when situation warranted discussion and narrative methods were utilized. In some cases, tape recording was used and later the transcript was replayed and analysed. The above methods were supplemented by information sought from University Library materials, archival materials, journals, articles, documents stating church policy on marriage, record of parish council meetings, bulletins and newspapers. The whole data obtained was then analysed and sythesized into a thesis.

The research findings showed that some of the aspects of the Luo traditional beliefs and practices have been changed by christianity. It was discovered too that the Luo still cherish traditional marriage practices of courtship, bridewealth payment, ceremonies, rituals, polygamy and leviratic marriage. In a way, they are only forced to change their attitudes towards some of the marriage beliefs and practices because of the changes forced upon them by christianity and new social and economic pressures.

Further the research findings showed that christianity is not the sole agent of change on different aspects of the marriage system. The forced changes are mainly caused by stresses brought by new social and economic demands like need for good education, health, housing, clothing and feeding standards. Other problems that force change are inflationary forces, unemployment, marginal earnings, urbanization and adapting to new technologies. These factors combine to force change on practices of types of marriage arrangement, courtship, bridewealth payment, ceremonies, rituals, polygamy, leviratic unions and traditional motives of marriage.



It was also evidently clear that some Luo marriage beliefs and practices have resisted change. Most Luo still cherish polygamy, again, majority of them believe that it is a grave punishment equivalent to a curse to marry and die without a child. So if the first wife is barren, the husband will try to marry a second wife to get his own children. They don't feel comfortable with children adopted from the orphanage. Because of the husband's desire for male children if a wife continues to get female children a husband may marry a second wife to get sons.

The thesis concludes that the Catholic Church missionaries were not patient to understand the Luo marriage beliefs and practices so that they could present christian gospel among the people whose culture they knew. Instead, they got engaged in destroying the Luo marriage beliefs and practices, therefore, failed to preach a gospel that could largely meet the Luo cultural and spiritual needs. Many Luo people have not changed their attitudes and beliefs that their security is in christianity. This

is because when they are confronted with serious crises which christianity fails to offer solutions, they revert to seek answers in the long old age traditions of their forefathers. Therefore, the Catholic Church should promote a dialogue with the Luo traditions and where necessary adapt itself to local situations without harming its own faith. Otherwise, the church will continue to experience split from itself to give rise to independent churches due to psychological frustrations.

The Luo community and Kenyans should understand that the traditional social and economic structures that supported the practices of polygamy, and the levirate are breaking away therefore, in many situations polygamy, levirate and the close births of many children make it difficult to meet modern expectations of good education, clothing, housing and food which are basic needs. These demands in some circumstances make many wives and children become a liability to the family. The church and the government should therefore, introduce safe family planning methods in a most simple,

understable and credible way to the people without violating their moral rights and dignity.

The thesis does not claim that its findings are exhaustive and final, it only creates gateway for the would be interested scholars and students for further researches in the same field or in other rich areas like Luo birth and death beliefs and practices where very little material has been documented.

ABBREVIATIONS

D.E.B. - District Education Board.

S.D.A. - Seventh Day Adventist.

GLOSSARY

1. Bura A council of lineage or clan elders or chief's council.
2. Buru Cattle drive at a funeral. If it was a man that died, people used to drive cattle into the hills or forest then bring them back at burial time. Today, a day may be fixed later for cattle drive.
3. Chodo Kode Sex ritual done when inheriting a widow.
4. Chodo Yawuoyi Here Yawuoyi means unmarried men and chodo Yawuoyi was an eventful occasion when girls chose men at the bridegroom's home and conversed with them at night in the men's huts.
5. Dayo Grandmother. Gir dayo is a present given to the grandmother by the suitor.

6. Dhako achiel wan'g motho It is a metaphor, meaning that if a man had one wife, he is like a mono-eyed man. When he loses it, he becomes, blind. It was a sarcastic expression to motivate men to marry many wives.
7. Dho Kiitwa When there were no cattle in one household, the cattle in another household could be used to pay bridewealth for a son who belonged to a household without cattle. Such cattle were called dho kiitwa.
8. Diero Ceremony On this occasion the men from the bride's home went to the bridegroom's home and took a bull from the herd. They demonstrated their pride for having protected their sister well and deserved to be rewarded.

9. Duoko Kedi      On this occasion, the men returned the stick (kede) which they had used to drive the cattle for the bridewealth to the father-in-law's home. On this day, they added a cow as part of the bridewealth.
10. Duol      A fire place in the middle of the home where the father and his children (sons) gathered to eat in the evening. It was also a place where the children were educated by being told stories, riddles and proverbs.
11. Gir Chiemo      A present given to the bride so that she could eat her first meal in her new home. The present was given by the grandfather.
12. Gonyo nyako      To give a daughter permission to go to the husband when enough bride-wealth has been paid.

13. Jadong A young girl who remained with the bride in her new home. Gir jadong was a present (a she-goat) given to "jadong".
14. Jakowiny A foreigner who inherits a widow instead of the brother of the deceased. He was often an immigrant (Jadak). He is sometimes referred to as Musumba. The widow can send him away at will.
15. Jonam (pl.) (Janam sing.) a term loosely used to refer to the Luo who live around the lake as the people of the lake (Jonam).
16. Kelo nyako ceremony (Omo nyako ceremony).
- It was the climax of a series of marriage ceremonies when the bride returned to her father's home. There was a big feast.



17. Keto nyako piny When enough bridewealth had not been paid, a father recalled her daughter back from the husband's home so that required bridewealth could be paid.
- Kimirwa is a son that a mother brings from a previous marriage to a new marriage alliance.
18. Kwar-gi The bridegroom's father who the bride calls or refers to as kwar-gi.
19. Kwayo mako nyako The suitor asks her father-in-law to allow him take the girl as his wife. He requested this when he had paid the required bridewealth. Mako nyako. Men came and dragged their would be wife from the market place or siwindhe (grandmother's hut). But this often happened when enough bridewealth had been paid.

20. Kwong A curse. Kwonḡo to curse.  
To be cursed is the worst thing to happen to the individual in the Luo society.
21. Kumu or simi This is a case where a woman conceives without experiencing monthly period after the previous birth.
22. Manyasi Medicine administered to the bride to incorporate her into her father's home when she returned from the bridegroom's home.
23. Miaha Bride.
24. Migogo A married daughter.
25. Miholo An old type of curved axe fixed to a wooden stick used for clearing forests to give way for farm land.
26. Mikayi Is a first wife while nyachira is the second wife. The third wife is called reru.

27. Moso dhianḡ or riembo dhiang To give a cow  
(cows) to a man anticipating that  
if his daughter grew up, one could  
take the daughter as a wife and  
the cattle would remain as bride-  
wealth.
28. Nalo or Nyonge An ankle ring given to the grand-  
mother as a present by the suitor.
29. Nyar Migosi A girl of repute or a respectable  
woman. Migosi-repute. Otimo  
Migosi. The day the bride reached  
her new home, she did not eat until  
she was given a present a cow or a  
goat (gir chiemo) by her grand-  
father.
30. Nyasaye The name of God in the Luo belief.
31. Nyombo To pay bridewealth.
32. Nyombo en bur ogwe A metaphor meaning that in  
the Luo practice, paying bridewealth  
goes on in the life time of a wife.

33. Od-wuon-od-gi The bride called the house of her husband's mother od-wuon-od-gi. While she called the mother of the husband wuon-od-gi.
34. Por To elope. Nyako opor - a girl has eloped.
35. Rangi welo In the evening at a marriage feast, the mother-in-law presented herself before her sons-in-law to be given a present.
36. Ringruok The blood that oozed out in a first sexual intercourse with the bride.
37. Riso Nyako It was a marriage ritual to incorporate a wife as a full member of her new home.
38. Roya A heifer. Roya buong is a big heifer to be given to a mother-in-law as part of the bridewealth.

39. Ruoth Chief of a Luo sub-group.
40. Sepo To give a daughter presents like agwata (calabashes) to take to her home particularly when she was ready to cook in her own house. Sewo nyako - when the girl was given such presents.
41. Simba A hut for the son in a homestead.
42. Siwandha A big shade which was built for the guests to drink beer on a marriage feast.
43. Siwindhe Grandmother's hut where the girls slept and were educated by the grandmother.
44. Tedo chiemo This is a ceremony where women cooked food and sent to the bride in her new home.

45. Tero ndaria (Omo wer or luwo baṅg nyako)

It is a time when the sisters of the bride went to make merry in the bride's new home.

46. Turo Osuri

On the day a widow is inherited, the stick (osuri) at the top of her roof is taken out and a new one put. The act was called turo osuri. It signifies that the widow has now socially accepted sexual contact with the brother of the deceased.

47. Twak

To converse. Sometimes girls spent night in the boys' (the ones who could marry them) hut conversing (twak).

Since the research was carried with specific reference to South Nyanza District - Kenya, some of the vernacular terminologies used in the thesis are peculiar to the Luo of South Nyanza. Some words have slightly different meanings, pronunciations and intonations from those of their counterpart sub-groups in Kisumu and Siaya Districts and even with the Luo that inhabit North Mara of Northern Tanzania.

DEFINITIONS OF OPERATIONAL TERMS

Baptism:

It is a ceremony in the christian church where one is sprinkled with water or immersed in water and is given a name or names, in addition to the family name, therefore accepting the person to be a member of the christian church.

Confirmation:

It is a church sacrament given after a person has been baptized, so that he/she is admitted to full membership of the christian church.

Church:

For the purpose of this thesis it is used in the following contexts:-

- a) A house of God or a place where people gather and worship God.
- b) A community (World) of people united together by their same christian beliefs and practices.



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- c) Any christian denomination is referred to as a church, for instance the Catholic, Anglican and S.D.A. Churches.

Family:

In the Luo community, the family consisted of the husband, the wife or wives, sons, daughters, brothers, sisters, parents, grandparents and the extended relatives (aunts and cousins).

Exogamy: (exogamic adj.): Marriage outside the clan or sub-group making sure there is no blood relationship.

Holy Communion (Eucharist): It is a celebration of the Lord's supper in which bread and wine believed to be the body of Christ is taken, that is, to receive the Eucharist (Holy Communion).

Holy Unc-tion (Extreme Unc-tion): It is a religious rite, where a priest anoints a dying person.

Levirate:

From Latin root Levir. It is a practice in which a widow is inherited by the brother of the deceased person.

Monogamy:

The practice of being married to only one person at a time. Monogamous adj., having only one wife or husband at a time. The church practices monogamy as the ideal christian marriage pattern.

Polygamy:

The custom of having more than one wife at the same time. It is opposed to christian monogamous marriage of one wife or husband at a time.

Sacrament:

It is a solemn religious ceremony in the christian church believed to be accompanied by great spiritual benefits. (It is an outward sign of inner faith, e.g. Baptism, Confirmation, Holy Communion and Matrimony).

# CHAPTER I

## INTRODUCTION

### Problem Statement and Rationale

The objective of this dissertation is mainly to examine the Luo social systems. Secondly, it studies the marriage practices and beliefs. Thirdly, it explores christianity as a force of change that has significantly influenced many aspects of Luo traditional marriage practices and beliefs.

Christianity is a religion that came from the West. It is centred on Jesus Christ, its founder, who preached the gospel to the Jews. It grew from Judaism. After Jesus' death it continued to be propagated from Jerusalem to Samaria, Asia Minor, Greece and to the rest of the Roman world. Later on, it was spread to Europe and was brought to East Africa. It finally reached Luoland. Christianity in its spread from Jerusalem was nourished by Greek culture and it got embedded in Graeco-Roman culture. When it reached Luoland from the West, it also came garbed in that

western culture that had accommodated it and accepted it as part of its civilization. As a result christianity was bound to conflict with and undermine norms, beliefs, practices, taboos and values associated with Luo marriage and kinship traditions. It did not honour the participation of parents or relatives in the process of marriage in the co-operative payment of bridewealth. This is because christianity was introduced with individualistic tendencies of the western culture and did not strive to advocate for christian marriage within the Luo traditional framework. It therefore, inevitably conflicted with the Luo marriage system and was bound to have more negative effects due to its incompatibility with Luo ways of living. This occurred because the approach employed in introducing the Catholic Church activities made the two incompatible. Further, christianity came from the West clothed in western civilization and had its own marriage heritage ingrained in the western culture that led it to view Luo songs, dances beer drinking, sacrifices, courtship, bridewealth payment, ceremonies, rituals, polygamy and levirate marriage as heathen and pagan,

thus, were repugnant to western civilization. Its aim was to create a new personality, and a higher sense of responsibility in the Luo towards God and men by changing, the social structure, culture and personality of the Luo to enable it transform the whole society. The Catholic Church tried to achieve this through evangelism, building schools and hospitals. The missionaries then presented humane gospel by preaching salvation, universal human brotherhood, and equality of all human race before God. But this gospel was self contradicted when the missionaries considered the Luo as their inferiors and segregated them in political, economic, social spheres and church leadership. The Catholic Church, therefore, from its inception, required the converts to change and adapt the christian marriage system, and tried to change the Luo aspects of marriage beliefs, practices like courtship, bridewealth payment, ceremonies, rituals, polygamy and the levirate. When evangelizing, the missionaries stressed that monogamy was the ideal marriage and that this was the only marriage recognized by the church.

Missionary evangelization of the Luo people then began to throw the family which was the basic unit in which religion was learnt into a fly-wheel of change causing conflict between individuals, the families or between whole families and the society. The presence of different christian groups operating in the same local area also made some family members join various denominations and such diversity of christian religious groups also added ideological conflicts right into the family. Thus, christianity throughout its history in Luoland has acted as an agent of change to the core beliefs, values and marriage practices of the Luo. It has succeeded in changing some aspects of the Luo marriage beliefs and practices. However, there is evidence to show certain elements have resisted change. This dissertation, therefore, sets out to examine and assess the nature and extent of the change. It seeks to determine how far christianity has succeeded in changing the traditional marriage arrangement, courtship, ceremonies, rituals, bridewealth payment, polygamy and leviratic marriage. It establishes also the aspects that have resisted change and which continue to exist.

## Literature Review

The literature has been grouped into three categories: The review of general literature on marriage which is abundant. Secondly, the review of related literature, that is, studies on the topic but among different people. Finally, the review of specific literature on the topic of research on the Luo among whom the research has been carried out.

There have been recent studies on African culture, customs, beliefs and religious practices. The studies have tried to discuss the problems posed to christianity by the traditional marriage arrangement like courtship, bridewealth, marriage ceremonies, polygamy and the levirate. The studies state that the practices have impeded christian evangelization and the growth of christian faith in Africa.

The Catholic Church, which has been chosen for a case study, has often seen the demand of the girls' parents to receive sufficient bridewealth before marriage is solemnized in the church before the priest, as greatly impeding the planting of the christian faith among the Luo. The missionaries have sometimes called the livestock given to the girls' parents as bride price which they have equated to selling of a human being. Bride price should not

be the term but bridewealth. Due to the misconstrued idea, the Catholic Church has sometimes effected church marriages without the consent of the girls' parents and therefore have tried to change marriage arrangement, particularly the role of a go-between, the parents, the extended family, the period of courtship and the marriage ceremony.

The church has also asserted that all marriages that are not solemnized before the priest are not valid. This has, to a large extent, affected the traditional marriage ceremony and rituals.

The Catholic Church has had to categorize marriages involving polygamy as unworthy and the people involved cannot be admitted into full membership of the church. The church rejects polygamy as a marriage less satisfactory than christian monogamy and that it cannot do full justice to the christian marriage.

Hastings in his Christian Marriage in Africa discusses the problem African culture has posed to the growth of christian faith. In his own mind the problem is caused by the missionary lack of positive



attitude to African customs in their pastoral care. A woman missionary showed concern in 1914 and wrote that polygamy is:

Not only the most pressing but the most puzzling, the most far reaching of the problems in christian marriage in the heathen world. 1

The christian marriage that was imported from the western world insisted on christian monogamy which has three requirements. First, absolute monogamy, secondly, absolute indissolubility, and finally the celebration of the marriage must be in the form recognized by the church. It must also be solemnized in the church before a church minister witnessed by two people.

Hastings accepts that there is a problem and that christianity has tried to change the African marriage system particularly the practice of polygamy. However, Hastings does not examine the changes christianity has caused to African marriage practice and to what extent christianity has affected polygamy. It is therefore the aim of this dissertation to bridge the gap by analysing the changes christianity has caused to the Luo traditional marriage system par-

ticularly in the areas of courtship, the role of the go-between, payment of bridewealth, the marriage ceremony, polygamy and the levirate.

Micheal Kirwen in African Widows complains that the Western christians have tried to promote "nuclear" style of the Western family as an ideal christian family even though the Western family is often seen by Africans as dehumanizing, selfish, and far removed from the spirit of fraternal charity.<sup>2</sup> Hastings reports in Christian Marriage in Africa that John Colenso lamented in 1882 to the Archbishop of Canterbury that the conviction had deepened within him more and more that the common practice of requiring a man who may have more than one wife at the time of his conversion to put away all his wives except one before he could receive baptism is unwarranted by the scriptures, unwarranted by Apostolic example or authority, condemned by common sense of right and altogether unjustifiable.<sup>3</sup>

The Catholic Church, among others like Anglican and S.D.A., demands that a polygamist who wishes to be baptized can choose from among any of his wives (preferably the young one) he wishes to keep as a

christian wife demanding of course that the other wives usually the elder ones be sent away. But at times, a second wife that is declared to be too old to cohabit sexually with the husband is allowed to be baptized although polygamous union is still intact. The church looks upon polygamous union as adultery. Hastings contradicts this view. He comments that:

Sex and the institution of marriage are at the service of man and society. They can be used selfishly, indeed cruelly, or they can be used with joy and generosity and loyalty in mutual service. There are no reasons to think that African traditional marriage was less effective as a forum and a stimulant for the exercise of a marriage system than of any other continent. 4

In Hastings' view no wrong should be done to the wife of a polygamist for each wife has a claim on her husband.<sup>5</sup> Therefore, it is necessary that a polygamist be baptized and be permitted to keep all his wives. But Hastings concludes that monogamy is the ideal christian marriage.

Okulu in Church and Marriage in East Africa, notes that the problems of polygamy is created by the church that demands that a polygamist sends away all his wives except one before he is baptized.

He hastens to caution that monogamy does not guarantee ideal and happy life for a monogamist can lead a worse moral life than a polygamist.<sup>6</sup> Agreeing with Okulu, Hastings points out that a genuine christian may be silent about internal perversion like bullying, drunkenness, or even persistent adultery which are far more opposed to christian ideal of marriage while the spouses live in an indissoluble monogamous marriage, while a polygamist may live together with his two wives having a sexual relationship with no one else.<sup>7</sup> Adrian Hastings wonders why this polygamist with his two wives are not properly married in the eyes of the church and are forbidden to partake in the Holy Eucharist. Christian marriage is a Western institution which came to existence due to social and economic pressure. Eugene Hillman adds that the church came to buttress monogamous marriage only after it was supported and legalized by the state. It was then buttressed by christian religious beliefs.

The missionaries stuck to the belief that the heathen Luo needed Christ. They set out to destroy the Luo culture and religion and ignored to fulfil the

Catholic Church resolution of Vatican II on adaptation which postulates:

All cultures have the right to be on independent existence with christianity and that the introduction of christian teaching in a new culture must involve an adaptation that preserves the essential integrity of culture, its values, institutions and customs. 8

In their historical development in Africa, the christian churches have not evolved a uniform pastoral policy accepted by all dioceses in solving the problem of polygamy for:

1. In some Anglican dioceses, the second wife of a polygamist may be baptized and allowed to receive communion, in some dioceses she will be refused.
2. In most Anglican dioceses, Anglicans who have not had a wedding in church but only a customary marriage will be refused communion but a few of them will be admitted to communion.
3. In some dioceses, an Anglican living in a second marriage after current divorce may be admitted to communion in others this will not be allowed. 9

It is evident from the above summary that the churches have tried to eliminate polygamy, and, as

a result, created conflict between christianity and the African marriage system but at the same time failed to develop a uniform policy in dealing with African marriage problems. However, the churches are determined to alter African marriage practices. They demand that christians live only in monogamous marriages. They have made a firm stand that a polygamist who wishes to be baptized must send away all his wives except one. On the other hand, Hastings<sup>10</sup> argues that wives should not be thrown away into helpless situations in the name of Christ who said nothing explicitly to condemn it at the expense of affecting a divorce which Christ explicitly forbade. Moreover, there is no explicit scriptural foundation to support expelling the wives of a polygamist at his baptism. He suggests that the polygamist be baptized while fully continuing in a polygamous marriage. But christian marriage ought to remain monogamous. Though Hastings is sympathetic to a polygamist, he feels that:

Polygamy is a type of marriage less satisfactory than monogamy and one which cannot do justice to fulfil spirit of christian marriage. 11

Hasting's work shows that there is a conflict between christian marriage and traditional African customary

marriage. It shows clearly the attitude of christianity towards African marriage. However, his work does not endeavour to establish the impact of christianity on African marriage.

Okulu suggests that if a christian husband enters a second marriage alliance before the first marriage is solemnized in church where it is officiated by a church minister, the first wife, in such a case can be confirmed to receive the Holy Communion. However, those who become polygamists when they are christians can be barred from receiving the Eucharist until they decide to reconcile with God. Okulu adds that if the wife is barren, the husband can be allowed to take a second wife, for childlessness is not accepted in African society. It is considered a curse. A second wife can therefore be married to help raise children who would in future remember the husband and continue his family when he dies. Further, Okulu advises that monogamy should not be used as a qualification that a person is a good christian. He exhorts the church to guard against the legalistic process of refusing its members sacraments or ex-communicating them under pretext that this is just punishment.<sup>12</sup>

The Second Vatican Council considered polygamy a sin and equated it with divorce which disfigures

marriage. Western theologians liken polygamy with sin comparable to adultery, indirectly opposed to natural law and forbidden in the New Testament by positive Divine Law.<sup>13</sup> This has been the attitude of western church ministers in their pastoral approach in the mission field. But Eugene Hillman in Polygamy Reconsidered, argues that:

Polygamy is one form of marriage, monogamy is another. Each has its advantages and disadvantages, they are appropriate to different types of society and it is not the task of the church to make any absolute judgement between them. 14

However, in attempt to be fair, Hastings favours the midway position that both monogamy and polygamy are manifestations of the reality of marriage as ordained by God but that in monogamy this reality appears with more intense relationship.<sup>15</sup> Dwane argues that polygamy is like monogamy in being a relationship of love. Even though it serves socio-economic needs and the desire for children, it may not be associated with the concept of romantic love. Nobody would deny that it is founded on mutual attraction between man and woman. It is essentially a loving relationship. It is also a permanent long life relationship as indissoluble as monogamous marriage. Polygamy, he therefore concludes,



is essentially sacramental and an effective sign of God's covenant of love.<sup>16</sup> Karl Barth had said earlier that polygamous marriages can be contrary to all appearances monogamous in a sense of divine purpose.<sup>17</sup>

Kisembo offers the following suggestions to help solve the problem of polygamy. First, persons involved in polygamous marriages and leviratic unions can be admitted to baptism and other sacraments. The parties involved can remain in these unions freely of their own accord but the traditional teaching on monogamy should be strictly recognized and applied. Secondly, before admitting the polygamist to baptism the consent of the local christian church should be sought. Finally, those christians that have lapsed into polygamy or who may have entered into leviratic unions under social or economic pressure or the burden of childlessness should be treated to communion if the plural unions cannot be dissolved without hardships to those concerned.<sup>18</sup> However, Kisembo does not strive to establish to what extent christianity has affected the practice of polygamy.

Alyward Shorter in African Culture and the

Christian Marriage, asserts that the polygamist ought to face the fact of breaking the family in order to be baptized or wait for a death-bed baptism for natural or polygamous marriage cannot receive the sacrament of baptism or marriage. The situation that has risen due to the conflict between Christianity and African marriage system is that at times:

the husband alone desires baptism,  
husband and one wife desire baptism,  
some wives desire baptism, all wives  
desire baptism but not the husband. 19

Mbula carried a related research among the Akamba and in both her theses, The Penetration of Christianity into Akamba Family (M.A. Thesis 1974 - Nairobi University) and The Impact of Christianity on the Akamba Family and Stability (Ph.D. Thesis 1977 - Nairobi University), she established that christianity has changed the Akamba Family, Akamba values and beliefs but has not tried to create alternatives for the institutions changed for instance Maweto<sup>20</sup> practice. Her work is therefore a pointer to this research that christianity has affected the traditional marriage system of the Luo.

Paul Mboya in Luo Kitgi Gi Timbegi (Luo Customary Law 1938), describes briefly but in detail

the traditional marriage rituals and ceremonies, however, it does not discuss the impact of christianity on the Luo marriage system. Ominde on the other hand, in the Luo Girl From Infancy to Marriage, describes only a girl's stage of growth and education from infancy to marriage to prepare her for adult life. Othieno in the Luo Social System (Equatorial Publishers) deals only with courtship and marriage.

In his Basic Community in the African Churches (Mary Knoll, New York 1970) Jassy gives a report of detailed research carried on the Legio Maria sect among the Luo of North Mara of Northern Tanzania. Although the research concerned itself mainly with the sect of Legio Maria, it also describes in detail the Luo origins, migrations, religious beliefs, social and economic organizations, lineage and clan systems. Jassy establishes that colonization has upset socio-economic and political organizations of the Luo. The Luo religious beliefs too have suffered shock from the West.<sup>21</sup> The school master, the missionary and the colonizer introduced westernism and the message preached to the Luo demanded a complete adoption of a new way of life.<sup>22</sup> The Western missionaries introduced into the Luo society a new set of beliefs.

But in the process of their evangelization, they divided the Luo by their own rivalry and bias. Colonization and evangelization in the end created problems which the christian religion tried to answer. Jassy found that though missionaries have tried to christianize marriage and funeral ceremonies, there has not been much tangible change due to the institutions' importance in social life.

Kirwen carried a specific research on the Luo leviratic marriage<sup>23</sup> among the Luo migrants of North Mara of Northern Tanzania. He found that among the Luo, a widow cannot divorce herself from the deceased husband's family and remarry. She customarily enters into leviratic marriage where all her rights are fulfilled.<sup>24</sup> He defines leviratic marriage as:

a marital adjustment in a continuing marriage in which a brother-in-law substitutes temporarily for a deceased legal husband. <sup>25</sup>

It is the Luo practice that at the time of marriage, the lineage group is involved in exchange of valuable gifts of livestock and money often equal to the inheritance, as proof that the marriage is legitimized. The bridewealth determines the marriage

and the inheritance of children. The wife is therefore, the wife of the individual and in a sense belongs to the lineage.<sup>26</sup> This shows the strong communitarian character of the Luo marriage. It is a lineage affair. The widow's relationship with the lineage does not end with the death of her husband. She continues in the lineage as a functioning wife in a leviratic union and the arrangement is not a new marriage.<sup>27</sup> It is simply caring for a widow in a spirit of God's love as written in the letter of James Chapter 1, verse 27 (RSV):

Religion that is pure and undefiled before God and the father is this: to visit the orphans and widows in their affliction and to keep oneself unstained...

So the surrogate cares only for the widow and continues the husband's duty of procreation. In this way, the surrogate helps the widow to avoid living an adulterous life. However, the church, in holding a different view, has taken a firm stand on the widows. The widow must marry a single man or decide to live as a celibate but if she lives in a leviratic union, the church judges her to be in a state of mortal sin comparable to adultery. The church regards cohabitation to be immoral and incompatible with christian marital and moral behaviour. The widow is then refused to

partake the Holy Eucharist so the church uses denial of the Eucharist to the widow as a weapon of discipline and to eliminate the leviratic custom. The widow can participate in church fellowship but she cannot be admitted into full membership of the church.

The church has strongly insisted that at the death of her husband, a woman has a right either to remarry or live alone without a marital partner.

The authors whose works have been reviewed, mainly Hastings, Kirwen, Okulu, Kitembo and Jassy have made their contributions particularly in pointing out that African marriage practices like polygamy and levirate have impeded the growth of the christian faith. Therefore, the aspects that have stagnated the growth of christianity include payment of bridewealth, marriage ceremonies, polygamy and the levirate. But the different authors do not point out what changes christianity has brought to the dimensions of the mentioned aspects of marriage. It is this gap that this dissertation will seek to bridge, to examine the changes christianity has caused in the Luo traditional marriage system and whether the changes brought are for the well-being of the Luo society or which changes act as a detriment

to harmonious existence of the members of the Luo society.

### Theoretical Framework

From the surveyed literature, it is discernible that there is a distinction between the christian and the Luo traditional concept of the family. The christian family consists of the father, mother and children while the Luo family comprises the extended relatives which include lineal ascendants and descendants from the husband's and his wife's descendants of a common ancestor to the third generation form part of the extended family. So the Luo family has a social network of relationships which include roles of different individuals within the family.

The relationships within the family and the extended family are guided and controlled by taboos of dos and don'ts. These taboos are behaviour guidelines in the form of talking or conversing, taking action or in social organizational network. In interpreting the data, practices, beliefs and religion are considered important because they do determine the behaviour of the people and the way they act. In

fact, the Luo belief in God, ancestral spirits and raising a large progeny to keep family immortality are strong motives for marriage.

Christianity has tried to effect change on individuals, the family and societal practices and beliefs by using the combined forces of education, the gospel and medicine. But the Luo social values are built on these beliefs and practices. Yet it is within the set of beliefs, practices and values that christianity presented the Luo with moral choice at baptism, matrimony, holy communion, and confirmation, that a polygamist must denounce all his wives except one, preferably the youngest. Baptism was intended to save his soul and before his soul could be saved he must forfeit earthly things like possession of many wives. The widow who lived in a leviratic alliance was also to be excluded from being a full member of the church by being refused to partake in the Holy Eucharist. So when interpreting the data the social condition of the society, that is, its social, political and economic conditions are taken into consideration. The individuals' roles are



considered within the framework of the corporate group. The beliefs, values, practices and attitudes to life are considered in relationship to each other and how they affect the individuals within the society. So the study has addressed itself to the conflict between christian marriage and the Luo traditional marriage system. Further, the study has sought to establish that other variables like social and economic pressures, education, urbanization and modern technology, have also acted as agents of change. So a social historical approach rather than theological approach is taken when interpreting the data.

### Study Objectives

1. To research on and examine the main components of the Luo traditional marriage and their significance.
2. To ascertain how religion, kinship system and economy influenced the Luo marriage system.
3. To find out how and to what extent christianity has affected specific aspects of the traditional marriage arrangement, for instance, courtship, bridewealth, ceremonies, polygamy and the levirate.

### Hypotheses

The beliefs and practices of the christian church marriage system and the family are in a number of ways radically opposed to traditional Luo beliefs, practices and customs with respect to marriage and the family. Therefore christianity among other variables like social and economic pressure has acted as agent of change in such away that:-

1. It has created a lot of tension in marital partnership and caused family instability.
2. Lack of proper christian marriage arrangement has prevented parents from receiving sufficient bridewealth.
3. Christianity has not changed the attitude of the Luo, for there has been backsliding from christian monogamous marriages to customary polygamous marriages.
4. The individual converttees and whole converted families are individualistic and try to isolate themselves from non christians with whom they live in the same community.

## Research Methodology

### A. Location of Field Work

The research was carried out among the Luo of South Nyanza District but the research outcome gives a general picture of the population of the Southern Luo. The research was carried out by visiting rural villages of the District and homes in Homa Bay town which is the headquarters of the District as well as homes in trading centres of Mbita, Kendu Bay, Oyugis, Rongo, Migori, Sori and Awendo Sugar belt. Since the research was directed majorly to the Catholic Church, the Catholic Parishes of Tonga, Nyandago, Mirogi, Asumbi, Rapogi, Homa Bay and Mbita became the focus of my attention. It also became necessary to visit courts at Homa Bay, Rongo and Ndhiwa to check on records of divorce cases to find out whether most of them were christian marriages or non-christian marriages.

At a certain stage, I found it necessary to interview the Luo people in Kisumu town which is the provincial headquarters and those living in the city of Nairobi to be able to compare their attitudes to

the Luo values, beliefs and practices with those of their counterparts residing in the rural areas of South Nyanza.

B. Data Sources and Methods of Data Collection

The methods used in carrying out the research included personal observation (observer participant), but interviewing constituted the bulk of the research aided by a prepared questionnaire which was used to ellicit responses from the informants.

Discussion and narrative methods were employed. When a group of old men were interviewed at one and the same time using a narrative or discussion method, tape recording was done so that later, the interviewer made a transcript of the discussion or the narrative for fresh interpretation of facts in the extract or transcript.

By using a systematic sampling of christians and non-christians, the researcher interviewed old aged, middle aged and the young aged people. Some of these included the clergy, pastors, priests and

bishops. The others interviewed included catechists, parish officials, academic teachers and deacons. It was also necessary to compare their views with non-christians. This made it possible to compare opinions of different people on issues of the role of go-betweens, payment of bridewealth, marriage ceremonies, polygamy and leviratic alliances, procreation and divorce.

The interview method was further supplemented by examining written documents for instance, report of parish council meetings, record of matrimony, baptisms and confirmation sacraments received in different successive years. Newspapers and the church bulletin reports were scrutinized.

National archival materials and the University Library sources were examined. Documents found at the diocesan headquarters of the church were also perused to get the idea of the church's general policy and attitude towards aspects of the Luo traditional marriage system particularly on issues of bridewealth, marriage ceremony, polygamy, the levirate and divorce.

C. Data Analysis

First the materials on the Luo social systems and the Luo marriage practices were analysed. The understanding of the different aspects of the social systems is important though not the focus of research. This is because it becomes easy to understand how the social systems influenced the Luo marriage system, be it the aspects of bridewealth or polygamy.

Secondly, data on how christianity has affected aspects of the Luo traditional marriage was analysed and then a thesis argued as to what extent christianity has penetrated the Luo traditional marriage system.

Finally, conclusions were drawn in support or counter to proving and disproving the original hypotheses.

FOOTNOTES

1. A. Hastings, Christian Marriage in Africa  
(London, SPCK, 1973) p.5.
2. M. Kirwen, African Widows  
(New York, Mary Knoll 1979) p.8
3. A. Hastings, op. cit., p.8
4. Ibid. p.8.
5. Ibid. p.8.
6. H. Okulu, Church and Marriage in East Africa  
(Kisumu, Uzima Press) pp.62-73.
7. A. Hastings, op. cit. p.46.
8. M. Kirwen, op. cit. p.143.
9. A. Hastings, Christian Marriage in Africa  
(Uzima Press, Abridged version) p.11.
10. Ibid. p.77.
11. Ibid. p.83.
12. H. Okulu, op. cit. pp.62-73.
13. Kitembo (ed), African Christian Marriage  
(London: Geoffrey Chapman)  
p.81.
14. Ibid. p.81.

15. Ibid. p.81.
16. Ibid. p.82.
17. Ibid. p.82.
18. Ibid. p.83.
19. A. Shorter, African Culture and the Christian Church (London, Geoffrey Chapman, 1973) p.161.
20. Ibid. p.176.
21. Maweto is an arrangement among the Akamba where barren wife marries a woman to procreate in her stead.
22. M.F.P. Jassy, Basic Community in the African Churches (New York, Mary Knoll, 1973) pp.24-25.
23. Ibid. p.30.
24. Leviratic Marriage. In this marriage a live brother, takes the deceased brother's wife and cares for her physical sexual and procreation needs.
25. Kitembo (ed). Op. cit. p.81.
26. M. Kirwen, Op. cit. p.166.
27. Ibid. p.150.



C H A P T E R   I I

THE LUO SOCIAL SYSTEMS

Although the research was specifically carried out among the Luo of South Nyanza District, the findings represent the Luo of Western Kenya . The thrust of the generalization is validated by the fact that the Luo have a common historical background and experiences. Pertinent argument in support of the assertion is that the Western Kenya Luo today live in geographical contiguity and they still maintain a strong linguistic affinity, they have the same religious practices, the same social-political and socio-economic structure and the same cultural practices. All these aspects combine to give them cultural unity and social cohesion and therefore a common world view. Social cohesion is a significant phenomenon in maintaining unity. Reinhold Nuebuhr supports this view, when he asserts that "the forces of cohesion for the integral community which are most patent are common language and a sense of common ethnic kinship, geographical unity and contiguity, a common historical experience and frame of political thought, a common area of economic mutuality and sometimes the fear of a common foe".<sup>1</sup> However,

among the Luo of Western Kenya, it is also to be admitted that there are simple differences which are not only among their sub-groups but had also occurred with sub-groups of their brothers, the Central Luo in Uganda and the Northern Luo in Sudan. In Western Kenya, the differences that have occurred in the sub-groups are due to contacts with different indigenous inhabitants, different environments and long years of separation. Despite the simple differences that have emerged in the sub-groups the research findings still represent the picture of the Luo of Western Kenya.

#### The Luo Religious Beliefs and Practices

The traditional marriage practice that the research focuses its attention on is a religious phenomenon. Thus, before discussing the marriage system, the Luo religious beliefs and practices shall be examined to give insight into how some factors in the marriage system are influenced by the Luo religious beliefs and practices.

Religious tenets were closely woven into all the aspects of life. They were deeply rooted in the people's life. Religion, therefore governed their

world view and became part of their philosophy of life.<sup>2</sup> Those aspects that formed part of their religion were knit into their rites of passage. Some were contained in the rituals, riddles, songs, dances, expressions, sayings, greetings, proverbs, customs, practices and beliefs. In fact, without religion, the Luo would find it difficult to explain some events. Their religious life was fused with daily life and it gave meaning to the humblest gesture. It was "the armour of social order, the instrument for controlling natural phenomena, and the means of explaining the mysteries of life."<sup>3</sup>

Sacrifices were offered to the ancestors with the belief that though they were physically dead, they were spiritually alive, and were still part of the living community and had the duty to care for their living family members, to protect and guide them. Sacrifices were offered when need arose particularly at times of crisis like drought, sickness, epidemics, to appease a dangerous spirit, barrenness or when there was a difficult birth, hunger, request for good harvest, thanksgiving sacrifices could also be offered after acquiring wealth like livestock, marrying many wives and after the birth of many children.

The type of sacrifice or offering during a time of crisis depended on the nature of the problem. The problem could require the sacrifice of a hen, a goat, a ram or a bull. Care was taken to select the hen or the animal of a specific colour that would please the spirit to which it was offered.<sup>4</sup> If there was drought, the place to sacrifice it was located. The shrine could be on the grave of the ancestor of his uninhabited homestead. The sacrifice could also be offered on top of a mountain or near the lakeshore. The offering was made by the elders of the clan. The senior most elder of the clan who was deemed to be an expert led the people in the prayers pleading with the particular ancestor but also mentioning the names of other ancestors generally, lest one of them might remain or escape unappeased. In the prayers, God and ancestors were called upon to protect the living members. This showed the importance attached to human life. Prayers and sacrifices strengthened the continuity of life. Life was to be revitalized and preserved.

Sometimes when prayers were offered and the names of the ancestors were invoked, a plea was made with them to accept the sacrifice and give rain. A positive sign was shown if the animal for the sacrifice urinated

or passed waste matter while prayers were being said (lamo).<sup>5</sup> The animal was then slaughtered, skinned with a knife and roasted. Some of the pieces were thrown about for the ancestors as their share of the sacrifice while the rest of the meat was eaten by the participants. The people hoped that the ancestors would plead with God to send rain after the sacrifice.

Sacrifices were also made during cleansing, or purification ceremonies. These were rituals of reconciliation, meant to restore the individual into the society and also to restore human dignity which would otherwise not be possible, after breaking a taboo like incest, insulting elders or one's parents or marrying one's close relative or killing a person or a member of the same household or community. Such malpractices did not only destroy the individual culprit but could also weaken and destroy the community, for in Luo community life was strengthened through proper human relationships and in the keeping of high moral standards.<sup>6</sup>

The ancestor's name was being continued because he himself procreated. He must in turn bless the male members of the family with wives and children. These children would in turn perpetuate the family and the

lineage. If in a married life the couple remained childless, sacrifice was given (dolo) after detecting the cause of childlessness through a diviner. If God gave a father many off-spring and necessary provision like food and livestock to strengthen life, sacrifices were offered periodically for thanksgiving. Offerings and sacrifices were found to be necessary expressions of gratitude and of good will. They were also given to appease bad spirits with dangerous intentions or acts as these spirits were perceived to cause barrenness, illness or misfortunes. The dangerous spirits were rebuked to go to the forest and live with the animals if they did not remain silent in the world of the living dead or if they did not wish to be accommodated in the family circle to bless the living members of the family.

The cattle, apart from providing the family with livelihood and being used to pay bridewealth, were offered as sacrifices to appease ancestral spirits. They were also used for rituals and as insurance against drought when crops failed and were used in exchange for grain.

Sacrifice as a whole was an act of worship in which an animal was killed and in the process the

participants tried to communicate with God or with the living dead. When blood was shed it meant that the animal's life was given back to God who was the ultimate source of that life. When there was drought the life of the people was threatened so the destruction of the life of the animal was intended to appease God so that the people's life was protected.

The noted observation on the Luo religion fit with the thinking of Weaver in his Ideas Have Consequences when he points out that:

--the thing a man practically believes (religion) and this is often enough even without asserting it even to himself much less to others, the thing a man does practically lay to heart and know for certain concerning his vital relations to this mysterious universe and his duty and his destiny there, that is all primary thing for him and creatively determines all the rest. 7

Religion was very dear to the Luo and therefore determined their ideas about marriage. Weaver further asserts that every man that participates in a culture has three levels of conscious reflection about things. First, he has specific ideas about things which are employed actively in daily living. These ideas direct his disposition to immediate matters which constitute

his worldliness. ----Secondly, his general beliefs or convictions, which is heritage acquired in reflection, also direct his life. Finally, his metaphysical dream of the world which constitutes his intuitive feeling about the immanent nature of reality which makes him live harmoniously with himself and with the environment over extent of time. It is the commitment to his religion that makes him live harmoniously.<sup>8</sup> Similarly, the commitment of the Luo to their religion made them live in harmony with their environment.

#### The Luo Social Organization

Any Luo sub-group (oganda) consisted of many clans (dhot sing. dhouidi pl.) and these clans were made of lineages, each lineage (anyuola) claiming descent from a common ancestor. Each clan formed an entity of itself capable of carrying out its own political, economic and social functions. When misfortunes befell an individual, a family or a whole clan, the elders appealed to God (Nyasaye) through the ancestors to intercede for them. Trivial cases were placed before the ancestors and God was appealed to only in serious situations believed to be beyond



the powers of the ancestors. God could also be appealed to when ancestors failed to answer a petition to a problem. More often, the ancestors acted as the courts of appeal. They were consulted on important occasions, invoked, even provoked and pleaded with to come and help or show their justice. God was not to be pestered or bothered with trivial petitions.

The elders unanimously and democratically chose one among themselves to be their leader. The recognition came as a result of his outstanding abilities in decision making and in settling disputes. He was then vested with the responsibility of ruling clan affairs.

Ownership of land was recognized if one settled on it and used it, so to acquire more land a husband could settle one or some of his wives in a different locality to acquire the land. But even if such migrations happened, the separate home, and those who multiplied in the new home still constituted the original family. So within the clan, there were families with extended relationships either due to marriage alliances or migrations but were still con-

sidered part of the original family.

A homestead was the basic unit of the lineage. It comprised the husband, wives and the children. In some homesteads there was more than one household, and in each household the mother was responsible for caring for her own children and instilling in them the morals and values of the society. In fact, the family was the voice of the society in instilling morals and maintaining discipline.

Socially, the Luo came together on many occasions such as the ceremonies of birth, initiation, marriage and also at funerals. Communal sacrificial feasts and communal meals brought them together. At certain times, people worked communally on such jobs as building a new house or homestead and weeding (saga). Men did the construction and thatching while the women brought water and earth for smearing the houses. Women made food for those who had come to help in the work. Africans often worked together helping one another to produce food for the common good.

In a family, there was a definite pattern of behaviour. Children and juniors had to show respect

to their seniors and to elders. It was the most senior person, often an elder, who presided over family and clan functions. The father was the most respected person in the family. He and the mother were the origins of life and had to be respected. He held control over his children by the power of the "curse"<sup>9</sup> (Kwong). The curse was the most feared thing. By threatening to curse a persistently disobedient child, the father was able to enforce discipline. A curse is any uttered word, sometimes accompanied by an action, intended to be fulfilled as a punishment to the culprit. It brings harm and misfortunes. The curses are sometimes regarded as spiritual weapons by those who are not in a position to discipline children and impose their will by more tangible means perhaps due to old age, poverty or fatigue. The curses are uttered over serious and weighty matters in extreme anger, emotion, resentment and solemnity by parents or elders. Unknown culprits like thieves were sometimes also cursed.

Cursing is a taboo for it involves dangers of some mystical nature to the person affected and to those that may have contact with him. A curse over-

comes its victim as an automatic consequence of the words uttered and actions accompanying the words uttered. When a person is cursed a state of impunity of the victim cursed is very temporary. Once the curse takes effect it can only wear off only after appropriate purification ceremony for cleansing the culprit has been performed. In the process, the culprit apologizes and the person who cursed withdraws his words. The sacrifice which is offered during purification is intended to cleanse the culprit and appease the wronged person so that the culprit can be restored to the community and no harm may be done to him or her.

#### The Value of Luo Kinship System

In the Luo society a person did not exist for his own sake but for the sake of his kinship group.<sup>10</sup> In turn, his marriage was not only his personal concern but above all that of his kinship-group. It was not really an individual's affair, for everything had moral and social reference.<sup>11</sup> His marriage too rested in the kinship group. It is therefore vital to examine the working mechanism of the kinship system and its role to the individual and to the well-being of all in the society.

The Luo kinship system was a network of relationships through blood solidarity, marriage alliances and adoptions within the community. The family was the smallest basic social unit. The extended family, the clan and the whole community were extensions of the basic family unit. Each individual had his respected place within the kinship network. The family incorporated the living dead, the living and those to be born.

The village elders had a special role to play in all ritual functions because of the place they occupied within the kinship system. They were disciplinarians, policy makers, counsellors and preservers of the traditions and culture. They were regarded as wisemen due to their life experience gained right through to their old age. They were therefore very respected in the society because of their knowledge of the traditions of the community for they were able to interpret them. Because of their wisdom, they were recognized as leaders who presided over cases of disputes between parties.<sup>12</sup> They also officiated during ceremonies such as the offering of sacrifices during times of drought in a bid to elicit rain. As the religious leaders, they were considered to be

the mediators between the people and the ancestors, and the Supreme Being.

The ancestors were venerated as mediators between God and the living. The kinship groups had to participate in all religious activities and every member of the family had to participate in every religious activity because he had an appropriate role to play. None could challenge the kinship system and its demands because it was believed to have been instituted by God and sustained by the ancestors, elders and members of the kinship group. If anything went wrong within the kinship system, the members discerned to find out who had violated the network which had brought the evil upon the clan. So a calamity or disaster was seen as a punishment for the violation of moral values. Sacrifices could be offered to appease the angered ancestral spirits and God and to restore and strengthen harmonious relationship. This was because whatever happened to the individual affected the whole group, and whatever happened to the whole group, affected the individual.

The continued safety of the kinship group was

ensured by instilling the social values in the youth from generation to generation.

The major social values include working together co-operatively in the community. This demanded the active participation of every member in community duties. Each member had to be dedicated and perform his duty effectively. Families within the kinship group had to live peacefully. This enhanced living harmoniously with others so maintaining peace in the community. All the moral code of the society had to be respected by upholding communal taboos and regulations to maintain high moral standards. Elders had to be respected and obeyed. Their counsel had to be adhered to so that there was careful thinking before taking action. This demanded good organization skills and good planning of activities in the community. Adults were obliged to show good examples to the youth and report and punish those people who broke social taboos, customs and practices. Human virtues such as courage, generosity, diligence, uprightness, justice, obedience, humility, hospitality, honesty, love for one another, wisdom and impartiality had to be encouraged. Honesty,

and justice were maintained showing impartiality in dispensing with cases. All people were encouraged to show hospitality to members of the community and strangers. The youths who exhibited strong personality and wisdom in decision-making, were praised and encouraged to gain bravery to persevere under pain and strain, to enable them to fight external enemies to keep the society safe.

Social values were passed from generation to generation within the kinship group in various ways. Some were done through adherence to taboos. All members of the community made sure that the taboos were respected and the offenders were punished and possibly cleansed through public purification. This was intended to restore the culprit to the community and to discourage him from repeating the offence. Some persistent offenders were ostracized while some offenders' misconduct was publicized to deter them from repeating their mistakes.

Social values were also passed through proverbs, riddles; folktales, legends, myths and story telling. The listeners had to memorize them and



interpret them, relating the teachings of the stories of life. Good conduct was rewarded publicly by elders while bad conduct was punished. Every adult had authority to punish offenders. Through rituals and practices of the rites of passage and other celebrations, special lessons were given by older people. Through sculpture, paintings, drawings, carvings the community had a message to convey. The elders as religious leaders explained methods of worship to gain understanding and a positive response from young people.

It is clear that every person was expected to participate when necessary in the network of the kinship group functions. Therefore, marriage was also a concern of the society particularly agemates and elders and not the individual alone. The choice of a suitable partner could be made by the man but his parents and agemates had to approve of it. Sometimes, the proposal for his marriage was made either by his parents or intermediaries. The go-betweens became the moderators to both parties and it was only when the proposal was accepted by both sets of parents that arrangement of exchange of visits and gifts started. This

process ensured the future stability of marriage.

### The Luo Socio-Political Organization

The decision of an individual to marry was to be sanctioned by the parents and the elders of the lineage group. The marriage arrangement was done by the lineage elders who as well decided on the amount of bridewealth to be paid. Even later when there was a divorce case, if it was not settled by the family members, the attention of the council of lineage elders was drawn to discuss the case and make a decision. They could decide on the divorce and separate the couple, or prevent its occurrence. Since the smallest unit of the Luo polity was rested in the council of lineage elders, it is necessary to examine the political organization of the Luo.

Each lineage group was apparently autonomous in its social, political, economic and religious organization for it was on kinship-group that the organization was based, but clan elders still recognized their chief (ruoth) as their leader. In one

sub-group, there could be more than one chief but each chiefdom was autonomous. There was no one single chief to whom all other chiefs owed allegiance. Their political organization can therefore be categorized as a non-centralized political system. The family was the basic lineage-group unit and also the basic political unit. The husband was the head of the family. Even if many men lived in the same homestead only one person was recognized as the head of the homestead. If a father died his elder son became the head of the family. Disputes could be settled at the village level or by the clan elder or by the chief but the hierarchical order had to be obeyed.

As the political hierarchy stands, any marriage decision, or problems like marriage arrangement or divorce case was dealt with beginning with the lowest hierarchy. If it could not be settled at the family level, then the clan or lineage elders were contacted and if they failed, the chief and his council of elders made the final decision.

### The Luo Economic System

When the Luo came from Sudan they pre-dominantly lived a nomadic life but when they came to Western Kenya they turned to mixed economy. They continued to keep cattle. In the subsistence economy large tracts of land were acquired for shifting cultivation, and in cultivating the large tracts of land, workforce was required and it could only be obtained from human labour. This demand for large workforce, necessitated the marriage of many wives, so wives apart from the cardinal need to procreate, formed a strong workforce to work in the fields to produce grain. Sometimes, the marrying of a second wife or third could be necessitated by the fact that the husband wanted to acquire more land, so another wife was married and built a new home to enable the husband to procure the land since land was acquired by settlement and utilization. But generally, wives had their houses built in the same homestead. It was livestock, particularly, cattle that were used for payment of bridewealth, therefore if one wanted to marry he had to raise cattle to marry his first wife and consequently to marry his later wives.

It was the homes that had a lot of livestock that were considered rich because they were able to pay adequate bridewealth. Parents often persuaded their daughters to accept to get married in homes where there was livestock because their husbands would be able to pay bridewealth required. Girls too were happy to be married in such homes for they would be able to get cows attached to their households so that they could be able to get milk and ghee. In a home where wives had milk and ghee they used them to make good meals. If they had surplus milk and ghee they were generous to help other women with milk and ghee. This made them command a lot of influence among their women-folk. Some surplus milk and ghee could be exchanged for domestic items required. So if a man had many wives he had to attach some cows to each household but the husband remained the sole owner of the cattle in the home.

Since cattle were considered as wealth, one who owned large heads of cattle was a wealthy man. He was respected in the society, and the wives of such a man were proud of their husband. The wives

sometimes brought their sisters to be married to their husband. Such marriage alliances soon made the home of a polygamist grow bigger in population. It might be in order to trace the development of Luo economy.

As the Luo continued to spread in Western Kenya during their migration from Uganda, they were influenced by the rich grassland pastures on the shores of Winam Gulf and grazing land along the rivers. These natural assets enabled them to graze and water their livestock which included cattle, goats and sheep. The cattle were the most vital, for the Luo economy was initially pastoral. The cattle were the main source of milk, meat and blood. Their skins were used for clothing and bedding. Goats' skins were also used for clothing and beddings. The livestock were also considered as valuable insurance against drought for they were used for exchange with grain during protracted famines. The significance of livestock was seen mostly in the case of poor homes that did not have cattle. The marriages of the sons were delayed until they worked hard and acquired livestock for

bridewealth. Again, one's status in the society was valued by the heads of cattle that he possessed. The cattle were like money in modern times. With cattle, a man had the ability to marry many wives who could bear children, thus, providing the family with a handy workforce to produce much grain, the surplus of which could be exchanged for cattle.

As the Luo continued to spread and settle in Western Kenya, they continued to hunt for game, fish, gather fruits and vegetables and trap birds. Their liking for fish made them to be attracted to settle along the rivers and on the shores of Winam Gulf. This is why the Luo living on the shores are loosely and popularly referred as JONAM (people of the lake). The women continued to gather to subsidize their economy.

There was a pattern of Luo migration and settlement because more often than not, they moved only where their economy could thrive. There was also variation in movement depending on the group, place and time. However, the pattern was generally the same.

Later, long protracted droughts caused set-back to the practice of pastoralism. The droughts dried grass and the cattle had very little grass to eat and this resulted into the death of large numbers of cattle. The presence of tse-tse flies in the thick forests also prevented the flourishing of cattle in several areas. Because of these hazards, the Luo were forced to take to mixed economy for their survival. They struggled to till the land as well as rear livestock. Again, because of interregional trade between them and the Luhya with whom they exchanged dried fish and goats for iron implements like hoes, axes (miholo)<sup>13</sup>, the Luo finally became successful cultivators. But on many occasions drought withered their crops. The women with the help of men who cleared the forests were able to grow millet, potatoes and cassava. The millet was hardy and sturdy and was stored in granaries for long-term use. Any surplus was exchanged for livestock, hoes and axes. Pottery and basket industries continued to flourish and their products were exchanged at the village level and local markets. Then later the products formed part of the interregional trade between the Luo and the Luhya.



The Luo Initiation Practice

Initiation was the process of incorporating an individual into the community of adults in the society. In the process of initiation the boys and girls were made to understand the ways of adult life so that when they entered into marriage they went into it prepared for responsibility. It must be understood that incorporation of the individual into the society started at birth but physical birth was not enough. The individual had to be gradually incorporated into the moral society through initiation to enable him or her to live an adult married life responsibly in the community..

Luo initiation started by the knocking out of six lower teeth of the initiates. If the initiates were both boys and girls, their ages were not necessarily the same. Their ages could be between 15-20 and 13-18 respectively.

Through initiation, the individual was introduced into the full adult community life, which in essence called for the full participation of the individual

in the society, so that ones dignity was respected and upheld. During the knocking of the six lower teeth, the shedding of blood signified the solemnity associated with initiating him into adulthood. He was linked with his ancestors by blood. That blood too joined him to his land and God. He became identified as a full member of the community, and could begin to take the responsibility of owning property, and could sooner or later get married and take part in decision making. He was urged to be obedient to the tribal practices and respect the ancestors.

When the six lower teeth were being knocked out, great pain was inflicted. This pain inflicting was a test of physical and psychological endurance in time of crisis like war and for a girl during her labour pain.

After the knocking out of teeth, the community was fully involved to initiate the youth into adult life to enable him realistically move from childhood to adulthood and become mature socially. This period was therefore characterized by social training in the community's required skills. It took a long time

to train the individual. He was made to understand traditional practices, social and ascetic values. Moral values were instilled in him to enable him fit among his peers and the general society. Through stories, proverbs and riddles he was introduced to future experience in life. The elders narrated to him the history of the clan and tribe. He was told of the wars their people fought, their victories and defeats, their friendly neighbours, their past enemies and potential enemies. These elders were the source of knowledge and the children were encouraged to develop a strong respect for them.

Building a family was considered a very important duty and to build a respectable family, the youth were trained in the practical skills relevant to their sex roles needed to uphold the family image.<sup>14</sup> Love for family and family members was stressed. Offending children were reformed and others deterred by punishment which, was corrective education. In this way, the youth were taught to appreciate the value of doing good. They were taught to understand the reasons behind what people did and believed.

The young people were urged to attend rituals to be introduced into the entire world view of the Luo. They could not divorce themselves from their religion, otherwise they would be outcasts. A deep understanding of their religion enabled them to carry out rituals when they grew up into adults and elders. They learnt about the ancestors, the next world and reincarnation. In this process of educating the youth, roles and responsibilities in life were defined. They were instructed about the sexual life of the community which was a preparation for marriage. The individuals were made aware of their worth in the community, of their responsibilities, duties and privileges. It was in this community where their fate was assured that they would finally become responsible husbands, wives, fathers, mothers, elders, counsellors and philosophers of the society.

The girl initiates continued to sleep in "Siwindhe"<sup>15</sup> where the grandmother strictly instructed them that sexual intercourse before marriage was forbidden. This was to ensure that the girls remained virgins to avoid pregnancies out of wedlock. Actually, the demand for virginity was an effective way to

control sexual morality on the part of the girls, thus, protecting them from destruction. Their mothers trained them in female roles to become responsible wives in the future. They taught them how to smear houses, cook, grind millet and in garden work. Their mothers taught them to be polite and reply politely the way they would behave to their husbands.

Initiation process like birth, marriage and death rites, as well as socio-political and economic systems were buttressed by religion. Mbiti points out that:

Religion permeates into all departments of life so fully that it is not easy to isolate it.<sup>16</sup>

During the process of initiation after the knocking out of six teeth, the initiates were given instructions over a long time till they got married. These were partly religious instructions to enable them to understand themselves. The individuals were made aware in the process that they were grown ups morally, physically and religiously. Mbiti further aptly points out that:

Initiation prepared the individual for meaningful adult social life, therefore physical puberty signalled readiness for the individual to be initiated into moral social life to understand how he/she in terms of sexual relationship to physical and social kinship. It was stressed to the individual that anti-social actions like incestuous activity was immoral in societal life and could anger the ancestors and God. The ancestors would not only punish the individual but the whole society.<sup>17</sup>

This is because the individual depended on the society's existence, the society too depended on the individual. Therefore as Mbiti observes the existence of the individual African society finds its meaning in the corporate existence. That is why he asserts, "I am because we are, since we are therefore I am".<sup>18</sup>

If the individual broke a taboo, for instance regarding incest, he was to be cleansed to reconcile him with the angered spirits so as to restore order which was disrupted. The cleansing involved sacrifice (Dolo) to the angered spirits in order to appeal to them to forgive the individual and the living. This was done to restore him into the society. Cleansing was therefore a means of restraining the individual from further attempts to

break the taboo and cause disorder in society.

The Luo process of initiation strengthened their religion. It was believed that life came from God and, once given, it was the duty of the individual and the society to guard it. It was strengthened by keeping societal moral values. So it was through the initiation process that people reaffirmed life. The doctrine of man was vital and the concern to preserve life was central. It is initiation that helped to modify the life of individual to absorb moral values to help him preserve life. As Van Gennep observed that:

Initiation modified the personality of the initiate visible to all (society) and it enabled the initiate to become removed from the commonness of humanity.<sup>19</sup>

The Luo initiation process introduced the individuals into the religious life of the community, leaving the life of childhood. They got admitted into a world of sacred things as beliefs, morals, values and practices which they had to revere for they formed the core of the people's religion.<sup>20</sup> It gave the initiate new status, even if there were uninitiated

physical equals, they would no longer be his equal for his whole being had to be transformed through initiation. Kenyatta observed rightly that initiation:

was the most important custom where the society was focused in an individual's life.<sup>21</sup>

In this Mbiti agrees with Kenyatta when he notes:

The initiation of the young is one of the key moments in the rhythm of the individual's life which is also the rhythm of the corporate group of which the individual is a part. What happens to the single individual happens corporately to the parents, the relatives, the neighbours and the living dead.<sup>22</sup>

The Luo as other African communities, focused their attention on the adolescent individuals to guide them safely to move from childhood to manhood and take the responsibility of adult life, particularly to marry and build a good and strong family.

The knowledge of the nature and working of the Luo social systems will now help in understanding how these systems influence the Luo marriage practices.



FOOTNOTES

1. Reinhold Niebuhr : The Structure of Nations and Empires (New York. Charles Scribers Son 1957) p.149.
2. Samuel Osenya : Interviewed on 1/4/1982 (Aged 60 years). West Karachuonyo, Kanjira Sub-Location, P.O. Kendu Bay.
3. M.F.P. Jassy : Basic Community in African Church (New York. Mary Knoll, 1973) p.35.
4. Alex Aura : Interviewed on 3/4/1982 (Aged 68 year West Karachuonyo, Kobuya Sub-Location, P.O. Kendu Bay.
5. Selemia Omwanda : Interviewed on 5/4/1982 (Aged 75 years) Central Kasipul, Kamumah Sub-location, P.O. Kendu Bay.
6. Johanna Anyama : Interviewed on 2/4/1982. West Karachuonyo, Kanjira Sub-location, P.O. Kendu Bay.
7. R.M. Weaver : Ideas Have Consequences (Chicago: University of Chicago Press 1945) p.18.
8. Ibid, p.18.
9. Oriki Simi : Interviewed on 6/4/1985. (Aged 78 years) Central Karachuonyo, Kamser Sub-location, P. O. Kendu Bay.

10. Franz Bockee (ed.): The Institution of Marriage: An Anthropological Respective from John Griffiths in the Future of Marriage as an Institution (New York. Herder and Herder 1938) p.23.
11. Jomo Kenyatta : Facing Mount Kenya: The Life of the Agikuyu (London, Seeker and Warburg 1938) p.115.
12. Ulda Adede : Interviewed on 7/4/1985 (Aged 60 years) Central Karachuonyo, Kamser Sub-location, P. O. Kendu Bay.
13. Richard Molo : Interviewed on 4/4/1982 (Aged 56 years) East Karachuonyo, Kakwajuok Sub-location (Saye) P.O. Kendu Bay.
14. Ezekiel Muok : Interviewed on 14/4/1982 (Aged 73 years) West Kasipul Location, Konyango Sub-location (Kaleji) P.O. Kendu Bay.
15. Jeckonia Ouma : Interviewed on 15/4/1982 (Aged 48 years) West Kasipul Location, Konyango Sub-location (Kaleji) P.O. Kendu Bay.
16. J. S. Mbiti : African Religions and Philosophy (Ibadan: Heineman 1969) p.45.
17. Ibid., p.100.
18. Ibid., p.120.
19. Van Gennep : The Rites of Passage (Chicago. University of Chicago Press 1969) p.65.

20. Teresa Aoro (Ngora Sumba) : Interviewed on 4/5/1982  
(Aged 80 years), Gembe Location,  
P. O. Box 54, Mbita.
21. Jomo Kenyatta : op. cit., p.55.
22. J. S. Mbiti : op. cit., p.121.

### C H A P T E R   I I I

#### THE LUO MARRIAGE SYSTEM

##### The Luo Concept of Marriage

The Luo marriage is a social institution which unites a woman to a man and further unites the families and the clans of the married couple. The union of the husband and wife in traditional society generated relationships with a larger pattern of social relationships. It was therefore a communal affair in which many people participated. It was the social system that determined the nature of the marriage. It operated within the social system and became a societal obligation in which all had to participate and if one failed to partake in it, such a person was considered an underman, a lawbreaker and a rebel.

Initiation was the phase of the individual's life that prepared him or her for married life. Marriage was conceived to be compulsory for all, except for accepted reasons like madness and leprosy that an individual might suffer from. The Luo saw

life as what must be preserved and continued and it could only be perpetuated through marriage and procreation. Procreation strengthened the weakened immortality of the family, thus, preserving the community. In this way, marriage was viewed as fulfilling the social obligation where new members of the family are born to replace the old dying ones. They remained to remember the dead and to continue life.

Children were seen as a source of happiness because they gave comfort to their aging parents. They looked after the parents, providing them with food and shelter. When the children grew up, they became workers in the community and ready to defend it against its enemies from within or without. Marriage was seen also as a sign of wealth. It gave one status in the society. It was also expected that leaders had to be properly married men. A married person was afforded an opportunity to develop mature and responsible attitudes to other people and methods of satisfying ones' needs. A marriage called for social responsibility exercised by the couple. Hence, the dignity of the couple was shown through the sacred state of marriage.<sup>1</sup> The marriage enabled the husband and wife to express

their intimate love and conjugal feelings which was done in recognition of sexual differences.

### Types of Luo Marriage Arrangement

There was more than one type of Luo marriage arrangement. First, the usual one in which the husband had to pay bridewealth as was required by the father of the girl. Her father would finally give her permission to go to the home of the husband (Sewo nyako).<sup>2</sup> The second category of marriage arrangement was one where if a wife died, the sister of the deceased wife could replace her so that the bride-wealth was not returned. If there was no actual sister, a close relative could be persuaded to get married to the man. The Luo found it an easy arrangement for the sister of the deceased wife to take care of her sister's children if she had left any. This was because she would be sympathetic when caring for her deceased sister's children. The third form of marriage arrangement was necessitated by barrenness of a wife, such a wife would ask her sister to get married to her husband and procreate in her stead. In such a case, the husband had to pay bridewealth.

The fourth type of marriage arrangement did not require any previous arrangements. Men could go to the market place and choose a girl they wished to marry and drag her to the house of the husband to be. Once her virginity was broken by her husband to be, it was a taboo for her to go back to her father's home. The fifth form of marriage was elopement. On some occasions, a girl would run away with a man, or if she had gone to visit a relative, she could decide to remain and choose a man to live with as a husband. The sixth type of marriage was a long one. There were some homes that had people reputed for bravery, honesty, hardwork and influential in decision-making. People often wished to marry from such homes and if there was a young girl growing up, a man would give some cows to the father of the girl (moso or riembo dhok)<sup>3</sup> anticipating that when the girl grew to an adult, the cattle which had been given to the girl's father would be surrendered to him for his own marriage or for the marriage of his son. But the girl was still given the freedom to say whether she accepted the marriage. Former great friends too revitalized their friendship through such marriage alliances so that the friendship

could be preserved. It also happened that such early marriage arrangement was made because of the competitiveness of men looking for girls to marry as first wives or add them to their already established polygamous alliances. The seventh type of marriage alliance was when a woman who had been married divorced the husband, or alternatively, the husband divorced her, she could be married to a new man. In such a case, the new husband was asked to pay bridewealth immediately so that the former husband could have his bridewealth returned. But in whatever category a marriage started, all the essential marriage aspects like paying bridewealth, marriage ceremony and marriage rituals had finally to be fulfilled, except there was no payment of bridewealth where a sister replaced her deceased sister and there was no ceremony where a divorced woman married a new husband.

Though a Luo man married a wife for economic purposes and companionship, the other important objective for marriage was to bear children and raise a nucleated family that had relationship with extended family. The extended family composed of



many people. It included, extended relatives like grandparents, uncles, aunts, brothers and sisters. Those who died long ago, and recently, (who are referred to as the living dead) also constituted the extended family. In a big family, each wife had a household. Actually, the household was the smallest unit of the family consisting of children, parents and grandparents. This idea of the family is different from the European idea of the family. In Britain, what the Luo called a household, is what an Englishman calls a family. But for the Luo, if a man had two wives or more, he had many households. In a typical Luo homestead, a wife had her house built within the same compound and as a result there would be many households. Refer to p.73, all these households comprised the family.

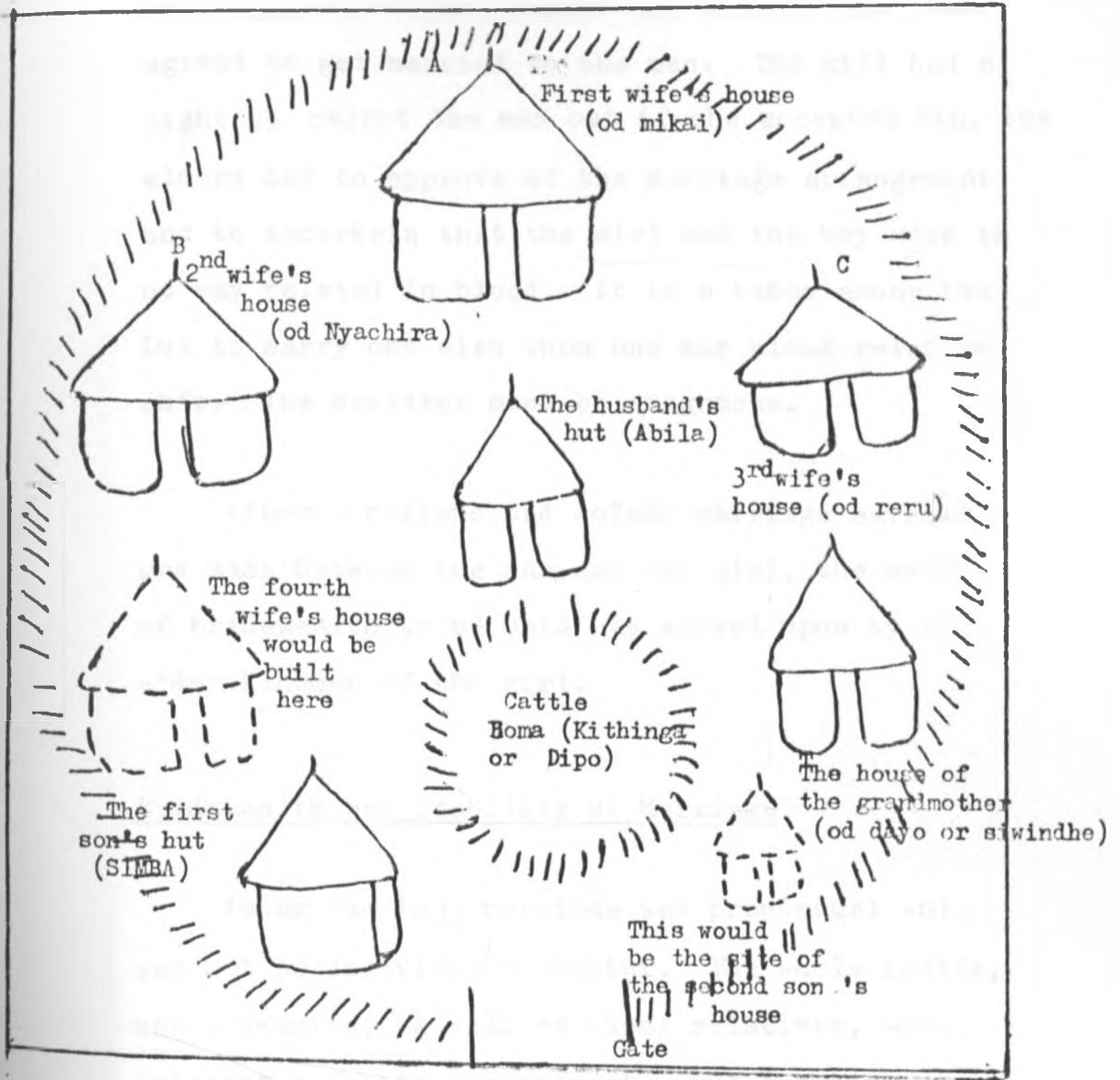
### Courtship

Girls longed to get men to marry them. In the same way, men longed to get good girls to marry. Marriage was a societal obligation and a man who remained unmarried (Musumba)<sup>4</sup> was considered to have failed to fulfil a societal duty. When a man became

a grown-up and wanted to marry, he requested his father to give him permission to marry. After marriage, a man attained a position of influence and respect. He got a new status in the society.

If a father saw it necessary that his son should marry, he gave the son permission to look for a good girl. In this task, he was helped by a go-between (Jagam) who could be his uncle, aunt, sister or any other relative or a family friend. The go-between introduced him to the girl who was known to be of good reputation. It was to be a home of honest and hardworking people. The girl herself had to be honest, polite, docile, hard-working and respectful. The go-between would then arrange for the man and the girl to meet. If they met, the man courted her (sero nyako) in the hope that she could accept to be his future wife. The courtship could take a period of time but once a girl accepted to be the future wife to the man, an arrangement was made by the go-between so that the suitor with one or two of his senior brothers came to the girl's home. This was to introduce the suitor to the parents and to the kinsmen of the girl. On this

A TRADITIONAL LUO HOMESTEAD (THE FAMILY)



A typical Homestead of a Luo Polygamist with three wives

A, B and C

occasion, the girl had to declare that she accepted the man to be her husband. She did this openly and publicly before her parents and kinsmen that she agreed to get married to the man. The girl had a right to reject the man but if she accepted him, the elders had to approve of the marriage arrangement and to ascertain that the girl and the boy were in no way related in blood. It is a taboo among the Luo to marry one with whom one has blood relationship. The marriage must be exogamous.

After a serious and solemn marriage agreement was made between the man and the girl, the amount of bridewealth to be paid was agreed upon by the elder kinsmen of the girl.

#### Bridewealth and Stability of Marriage

Among the Luo, marriage was processual and was not an individual's matter. The whole family, the community, as well as close relatives, were interested in its arrangement. But sanctioning it, and agreeing on the number of heads of cattle for the bridewealth, was left to be discussed and fixed by the girl's kinsmen. The livestock that were given

to the bride's parents had been called variably by Western anthropologists as bride-price or dowry. But in the thinking of the Luo, the livestock given to the parent of the girl were seen as bride-wealth. The giving of livestock in form of bride-wealth (mwandu) to obtain a wife was actually the basis of a whole network of interpersonal relations and an expression of gratitude from the husband to the family members of his wife.<sup>5</sup> In fact, bride-wealth, if termed bride-price, would mean that the heads of cattle paid is equal to the value of the wife married. This would be erroneous and misleading for a wife could not be rated to the value of the heads of cattle given in form of bridewealth. It was wrong to see a wife in terms of the value of livestock given to her father. If this was the case, marriage in the Luo society would be a form of slavery. But this was obviously not the case. Husbands loved their wives and vice versa. This was true because if a husband treated the wife bestially, she could divorce him and the bridewealth would then be returned to him.

The term bridewealth fitted better because the girls were seen as a form of wealth for when they

were married off, their parents and brothers received bridewealth and in most cases cattle were acquired through bridewealth. It was a symbolic gift of gratitude. As Shorter expresses that:

If bridewealth is a compensation to the living, it is also often a compensation to the spirits of the dead members of the lineage. Sometimes a cow or animal paid as bridewealth is earmarked for or consecrated to one of the ancestors. In this way, the spirits of the family are also witnesses to the marriage and to the continuance of their line. 6

The family of the bridegroom was responsible for the giving of the bridewealth as a compensation for they were in a process to take away a girl or had taken her and she had been an able hand in doing domestic chores and it was necessary to compensate the parents with bridewealth. So, bridewealth had an important social, economic and even religious significance. The giving of bridewealth was an expression of the community's interest in marriage both for the individual and the families involved. Marriage and giving bridewealth, was considered as a family investment since the wife was seen as a potential child bearing member of the family.

Shorter further comments that:

Nobody in Africa knows who invented bridewealth. Individuals contribute to the continued existence and development of the customs. -- bridewealth is transmissible and continued over many generations and people who never practised it have learnt to inherit it from those who practised it. 7

In cases where one could not get enough livestock to give for bridewealth, other members of the family contributed cattle and goats for bridewealth. If in a polygamous home, a son wanted to marry but in his mother's house, there were no cattle, perhaps if none of his sisters had been married off to bring cattle, the cattle in the step-mother's house could be used to pay bridewealth. In such a case, the cattle were called dho kiitwa<sup>8</sup> and the girl brought home as a wife when "kiitwa" cattle had been paid for her marriage belonged to the house of the house of the step-mother-in-law where the cattle had come from. From then on she became the wife of the individual, the family and the society. And in the same way, her children belonged to the father and the community thus, the Luo society was a patrilineal society.

Many relatives of the bride benefited from her marriage. The most immediate to benefit were her brothers who used the bridewealth to pay their own bridewealth to obtain wives. Sometimes, the distribution of bridewealth overlapped the confines of the family members of the bride. This bride-wealth distribution motivated wider interest in a girl's marriage even to the extended family. As a consequence, distributing bridewealth fostered cohesion within the lineage and to the extended family. Very often preparation for marriage involved many people, both close and distant relatives. In fact, a community interest was necessary at the initial stages of marriage to ensure a lasting marriage. Therefore, marriage among the Luo was a communal affair. It ultimately rewarded the whole community because the wife and her children became productive members of the community. In fact, after a wife had been married, she was expected to adjust to the culture of the new home so fast as to become the central figure in food production and food preparation to all the members of the family.

Among the Luo, even if a man had given full bridewealth which had been fixed by the kinsmen



elders of the girl and the girl had become a wife, exchange of gifts between the two families continued throughout their married life. In this connection, the Luo say, nyombo en bur ogwe<sup>9</sup> (bridewealth gifts payment is like the hole of ogwe). Ogwe is a lizard that has so many deep holes in the ground that one may not be sure which hole the lizard will enter when one is chasing it. It means that it is impossible to count the marriage gifts since they are exchanged throughout life of a marriage. The Luo say, dhako inyuoma nyaka otho (marriage gifts continue to be offered so long as the wife still lives). Some marriage gifts form part of the bridewealth not initially agreed on and in-laws on both sides continue to exchange free gifts.

During the payment of the bridewealth, a grandmother (dayo) who had taken care to educate the girl on sex matters was rewarded by being given nyonge<sup>10</sup> (ankle ring) or nalo (wrist ring). She was sometimes given a goat. Her mother was given a cow with a young calf so that she could immediately begin to obtain milk and ghee. That cow was called dher nyodo.<sup>11</sup>

The paternal uncle\* of the girl was given a calf (roya). He in turn bought for the girl marriage items. This was called sepo. Traditionally when the girl was leaving for the husband's home she was to be given clothes, earrings and necklaces for she was to look decent, respectable and acceptable in her new home. The paternal uncle was given the duty of sepo to give her necessary items as a bride when she was going to her husband's home.

The girl's brothers too were given a goat as a reward for protecting her against evil men who could have sexually assaulted her. They had been charged with the responsibility of teaching their sister the need to be hardworking in domestic chores and garden work. Therefore, they too deserved a token of gratitude.

It was the giving of bridewealth that legalized marriage. Shorter aptly points out that:

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\* Paternal uncle is used to mean the brother of the bride's father. She calls him paternal uncle.

Bridewealth was a real symbolic gift of exchange legalizing a marriage, legitimizing the children of the union, indemnifying the bride's family, stabilizing the marriage to a limited extent and propitiating the lineage spirit. 12

Among the Luo, one could not claim right over a woman as a wife unless he had paid bridewealth. Moreover, the children got out of the union with the woman were biologically his but legally he had no right to claim them. Anybody who could take the woman and pay bridewealth had the legal right to take all the children that the woman had in the previous union. Therefore, a marriage without payment of bridewealth was unstable and not long-lasting for it was not a full marriage. It was like cohabiting with a woman as a concubine. Such a marriage union could break at any time. Bridewealth was thus, an important phenomenon in stabilizing marriage for those elders who had participated in the arrangement of marriage and receiving of bridewealth could not allow the marriage to break easily. They had to thoroughly scrutinize the issue at stake before allowing any divorce. 13

A husband had no full authority to discipline

a wife unless he had paid bridewealth that legalized the marriage. He had also no right to bring charges against her before her parents, brothers and the elders to demand a change in her bad conduct.

If a husband did not pay bridewealth for his wife, he as a husband had no right to use the bridewealth of the daughters of his wife.

When a wife died before the husband paid bridewealth, it was deemed that such a man was not the rightful husband and could not bury her and if he wanted to bury her he had to pay bridewealth. In this way, bridewealth was vital in legalizing the marriage and in establishing a strong bond between the families of the wife and the husband. It revitalized their relationship and became proof that the marriage was valid and could only be nullified by the elder kinsmen who had been involved in its arrangement.

#### The Process of the Luo Marriage Ceremony and Marriage Rituals

Once the required bridewealth had been given

by the family of the fiance, the husband to be or his brothers requested that the parents of the girl should release her to become a wife (kwayo mako nyako).<sup>14</sup> If the parents of the girl saw it appropriate to release their daughter to the new home the grandmother demanded to be given a gift (gir dayo). The brothers also demanded a gift (gir yawuoyi). When the condition had been met, the girl was allowed to go to her new home.

When a girl had been allowed to go to her new home, she sometimes delayed her departure demanding marriage items. Sometimes, a man did not have enough heads of cattle to pay for the required bridewealth and therefore would not have the girl released to him as a wife. In view of such a delay, the man and his brothers went to the market place and if the girl was there, they located her and pulled her (ywayo nyako).<sup>15</sup> Sometimes, they took her from the grandmother's house (Siwindhe)<sup>16</sup> where the girl slept. The girl usually resisted and cried as she was being dragged. This was to show that she still loved to stay in her father's home and to maintain her dignity. If her brothers were

around, they resisted and if they were weak, her brothers prevented the men from their taking her away. Occasionally, a girl might elope with a man (por) before bringing the man to the presence of the parents or before all the bride-wealth was paid. But elopement was rare for the girls feared the shame it brought to them.

The formal way of going to the husband's home was when the required bridewealth was paid and the father gave his daughter permission to go to her new home. A day was fixed when some girls whom she called her sisters set out to accompany her to the new home (tero nyako). This was the beginning of a long process of marriage ceremony and marriage rituals.

The bride (miaha) after reaching her new home whether she eloped, was dragged or was accompanied by one or some of her sisters in the expected normal arrangement, stayed in the husband's hut (simba) and did not eat anything until she was given a present such as goat, or a calf or a bull (gir chiemo) by the father-in-law (kwar-gi).<sup>17</sup>

If she needed a bull as a gift but there was only a goat, the father-in-law pleaded with her to accept the available gift. This was her first meal in her new home. The meaning of demanding a gift was to show that she was a patient type of wife (nyar migosi). She showed patience (otimo migosi) not to eat so that she could be given a she-goat or a cow which became her first property to possess in her new home.

That evening, the girl's virginity had to be tested. This was done in the presence of her two elder sisters and two brothers of the husband. It was the first sexual union with the husband (keto nyako epien).<sup>18</sup> The parents of the bridegroom had the ritual sex that night before the bride's virginity was proved. Therefore, the sex act between the bride and the bridegroom was of paramount importance. The blood that came out at the time of intercourse proved that the hymen was broken at that material time, meaning that was the first sexual intercourse in her life time. The sex union was done on ox-hide or on a mat and orgasm was not to be reached for it was not a full sex act. It was

often learnt on that material night whether the bride was a virgin or not. The following day the old women had to confirm that the girl was a virgin. If it was proved, the bride's companions were overjoyed. They rejoiced and made merry by singing and dancing to announce the victory of their sister (bride) for having kept her virginity intact.

A. "Tero Ndaria or Omo Wer" ceremony (Girls Visit the Husband's Home)

After a day or two, about six girls or more went to the bridegroom's home (luwo bang nyako) arriving late in the evening. The girls sang the following song when going to the bridegroom's home.

HEE -- Uu ngama oele?  
(HEE - Uu who has broken the hymen?)

Otieno ema oele.  
(Otieno has done it)  
Otieno wuod nga?  
(Whose son is he?)  
Otieno wuod Onyango.  
(Otieno the son of Onyango).<sup>19</sup>

The blood that oozed (ringruok)<sup>20</sup> was kept. The bride met the girls on the way and they entered the



bridegroom's house (simba). Plenty of food was served to them to show a prestigious welcome and that the home was rich and that the bride was honoured.

The following day, the girls chose men (chodo yawuoyi)<sup>21</sup> with whom to strike friendship. The men spent the night with the girls usually in one hut (simba). They discussed many things (twak) sometimes proposing to the girls that they wanted to marry them.

The next day, the girls (jo-ndaria) returned to their home singing joyously if the girl was proved to be a virgin.

They sang the following song:

Eee, wadiya odiyo mage.

Eee wadiya.

(This meant that the girl was found to have kept her virginity).<sup>22</sup>

If the girl was found to have lost her virginity, they sang:-

Pala ma mingli onindo gi ringo

mak ongolo.

(The knife has not cut any meat).<sup>23</sup>

When they reached home, the bride's mother was powdered on the neck with groundnut and simsim. She was then carried shoulder high. All this was done as a sign of appreciation for the great care she had taken over her daughter. It was not only a victory for the bride but also for all her close relatives. It brought joy to all of them. Her father was entitled to get a portion of the bride-wealth (dher pien)<sup>24</sup> even if divorce occurred and the bride-wealth was to be returned.

Meanwhile, the bride remained in her new home with a small girl (jadon̄g) who was a witness for the reports that could be made by the bride about her new home. Jadon̄g was given a she goat as a present (gir jadon̄g) in appreciation of the time she took to give the bride company.

B. "Tedo Chiemo" Ceremony (Food was cooked and taken to the bride in her new home)

Soon some women from the bride's home brought food to her. The food included dried meat, groundnut and beans. They sang carrying a shield as a sign that their daughter had won the battle. They

gave their daughter the food. Once again, they had to confirm their daughter's virginity while their daughter and other women ate the food that they brought.

A few days after the women had returned, men went to the bridegroom's home and took a bull usually the biggest in the herd. This was called diero ceremony.<sup>25</sup> By this act the men showed publicly that they rejoiced at the victory of their sister. She had remained a virgin till her day of marriage. That victory was also their victory so they deserved to be given a bull.

C. Wedding Ceremony ("Kelo nyako or Omo nyako" Ceremony)

Kelo Nyako ceremony was the climax of the marriage arrangement. After some days the bride was accompanied by jadong and many women and men including the bridegroom from her new home. At the gate of her father's home, she sat to demand gifts from some of her mothers or her brother's wives who might have insulted her that she was loose

sexually. Sometimes, her own father responded by giving her a cow. She was given medicine to drink (manyasi)<sup>26</sup> to reunite her with the family. At her home, a hen was killed and the neck of the hen was tied around her neck showing a blessing that she would give many offspring and also to prevent those wicked people with evil eye who may intend to cause her harm. She then entered her mother's house with the women who accompanied her. A goat was also killed and its skin was tied on her loins. A big shade (siwandha)<sup>27</sup> where beer was to be drunk was built some days before. The father of the bride brewed a lot of beer, slaughtered a bull, rams, goats and hens. The kinsfolk women also cooked a lot of food and brought to the bride's mother for her visitors. It was a great feast of eating and beer drinking. The people of the bridegroom's family also brought beer. The wedding ceremony was a social responsibility where members of the society were expected to participate in the merry-making. The ceremony encouraged the societal hope in the perpetuation of life for it was through marriage and procreation that the societal life was revived and strengthened. The ancestors

too joined in the marriage ceremony. The marriage celebration ensured that the families to be founded in the new marriage remained in filial relationship with their parents and relatives. The bride was reassured by the ceremonies that she still had ties with the family and would continue to do so.

At the wedding ceremony certain marriage rituals were performed on this occasion like the mother-in-law was called from her house (golo maro oko) to meet her son-in-law. She came before the guests and was given a special gift by her son-in-law. This part of the ceremony took place in the late evening at about sunset. It was called rangi welo. The following day, the visitors from bride-groom's home dispersed leaving the bride behind.

D. The Bride Returns to her Husband's Home

The bride stayed at her father's home for only a few days, then she returned to her husband's home accompanied by two girls. One of the girls could be the former jadong. The bride stopped at the gate

before entering the homestead. She was given medicine to drink (manyasi) to reunite her with the new family. A hen was also killed and its neck was tied around the girl's neck with a string to prevent any bad luck. She was then allowed to reunite with the new family. "Jadong" and the girl who accompanied the bride soon returned to their homes.

E. "Riso Nyako" Ritual

For the bride to be initiated into the economic activities in her new home, a ritual called riso was performed in which the husband killed a bull. After all the necessary cooking was done, one of her brothers-in-law brought her from the husband's hut (simba) to the grandmother's house (od-wuon-odgi). Many people including relatives participated in the eating. The bride was given a cow by her father-in-law. Some of the bull's meat was dried and sent to the bride's parents. The bride remained to live in the mother-in-law's house (od-min-chuore). She referred to her as her mother-in-law (wuon-odgi or wuon-odwa). In the early period before riso ritual, the bride was restrained from engaging in all social and economic

activities by taboos. She was not allowed to enter a granary. She could also not cook for her husband if he was going to hunt lest he met misfortunes.

F. "Duoko Kedi (Returning the Stick)

After some time, the brothers of the bridegroom took a cow or two heads of cattle to the father-in-law. This was called duoko kedi,<sup>28</sup> returning the stick (kede), which was used for driving the initial instalment cattle for the bridewealth. After this, the girl would return to her father's home.

G. "Keto Dhako Kendo" Ritual (The wife begins to cook in her house)

A woman's first birth sealed the marriage, and later she could cook in her house particularly if the younger brother-in-law got married. It was necessary to give room in the mother-in-law's house for the newly married wife. Before she began to cook in her newly built house, her brother-in-law's wife gathered vegetables and cooked for her in the new house. She ate this with the other women. This was called keto dhako

kendo.<sup>29</sup> The eating of the vegetables symbolized her willingness and ability to live on vegetables during hard times in her married life. Her mother-in-law gave her pots and calabashes to use in her new house.

H. "Sepo" (Giving the bride cooking utensils)

When the wife had begun to cook in her own house she went to her father's home to get more utensils to use in her new house. At this stage the father might insist that all the bridewealth which had not been paid should be paid. The girl was then asked not to go back. This was called keto nyako piny so that the husband was forced to pay all the remaining bridewealth. The father needed a heifer (roya buong), a cow (dwasi) with a calf (nyaroya) for the girl's mother-in-law. Its calf was finally taken by the uncle of the girl. If these demands were fulfilled, the mother gave her daughter house utensils. The father too gave her a cow. It is called dher sepo. Giving to the girl most of the things she was going to use in her new house was called sewo nyako.



## Procreation

Marriage was a social obligation in which everyone was expected to participate. It was seen as of supreme importance for it was the focus of existence and every marriage called for procreation. J.S. Mbinda observes that:

-- after marriage, the community keeps interested, their eyes are open to find out whether the newly married woman is pregnant. 30

It was seen as a social duty for every married woman to procreate. A childless marriage was viewed as a curse. Therefore, for the Luo, marriage and procreation were viewed as one thing because the main objectives of marriage were for economic purposes and for procreation possibly to create a large progeny which was seen as a measure of one's wealth. J. S. Mbiti aptly points out that:

Children represent a promise, the continuance of the society as well as a link with those of the society who have gone before them. 31

The children continued the family and what the Luo feared most was their names being lost after their

death. They struggled to get children who could inherit their property and remember them after their death. So J. S. Mbiti notes that:

Marriage forms the focal point where the departed, present and coming members of the community meet. 32

It was therefore a religious duty to marry and procreate and build a family that for Mbiti included:

the unborn members who are still in the loins of the living. They are the buds of hope and expectation and each family makes sure that its own existence is not extinguished. 33

Therefore the Luo wife who died childless was considered to have failed to fulfil a social obligation. The number of wives and children a man had could help bring the amount of land he owned under cultivation because the rest of the uncultivated land remained communal. The more the children a man had the bigger the family, so the greater the chances for generating wealth for the family for most of the work was done manually.

Girls, like boys were considered a source of wealth. It was hard to get livestock but when girls were married off their bridewealth was paid in form of heads of cattle and goats. The society's security too depended on men who fought battles against outside aggressors. The sons were also expected to protect the parents at their old age.

### Divorce

Divorce was a breakdown of a contracted marriage. Marriage was made effective through payment of bride-wealth. A girl for whom bridewealth was not paid in her marriage alliance was not considered married. Rather, she was thought to have eloped. If she left her husband and began to cohabit with a new man, she was not considered to have divorced her husband. Her previous marriage union could only rightly be viewed as full marriage if her bridewealth had been paid. She could go away with all the children she got in the previous marriage to the new husband. If the new husband paid for her bridewealth, those children became the children of the new husband. They were called nyithi dhok<sup>34</sup> and were not considered bastards

(kimirwa).<sup>35</sup> However, it is to be noted that if such children were sons, the new father didn't really like them. He might not show his reluctance to accept them as his children publicly, but he could hold in his heart a brooding secret of hatred and rejection.

Once a marriage was sanctioned by kinsmen, contracted and legalized by payment of bridewealth and sealed by a first birth, divorce was not easily permissible. The marriage was strictly indissoluble except in cases where marriage became meaningless due to extreme hard condition brought by either partner for if divorce occurred it created a scar and scandal on the persons, the families and the lineage concerned. In very limited cases, divorce could be allowed to occur and if it was allowed to happen, it was often after diligent scrutiny before the family members, the lineage elders or before the chief's council of elders. The go-between and the kinsmen who had been a party to the marriage tried their best to prevent the marriage breakdown and they were more often than not successful in preventing divorce.

Before a wife divorced her husband she had to make her allegations against the husband at the lineage or clan elders council. The wife had to state her grievances against the husband and the husband had to be given opportunity to defend himself. Witnesses' evidences were also taken into account before the council passed their judgement to sanction divorce or prevent it. Divorce was permitted only as a last resort. Otherwise they were advised to stop undesirable conduct and activity, reconcile and continue to live together and build a family.

The charges that a wife could put before the elders against the husband ranged from wizardry, witchcraft, black magic (anti social magic) sorcery to unchecked dangerous quarrels among the co-wives. If it was true that the husband was a drunkard who inflicted excessive cruel beating on the wife, thus making staying together incompatible, divorce could be permitted. Divorce could also be accepted if it was proved that the husband refused to eat the food cooked by the wife or refused to desist from measuring the amount of food to be cooked, or insisting to know the amount of food left in the pot the previous

night. Such behaviour was considered unbecoming for it made the life of the wife hard. If the wife brought a charge against the husband that he was impotent and when the charge was proved true, an alternative arrangement to meet her sex and procreation need was made, for instance, with a brother-in-law. But if she refused the alternative arrangement the marriage could be nullified.

The husband could also lay charges against the wife demanding divorce if she was a wizard, a constant adulterer, or if she developed a deliberate laziness, refusing to do garden work which was the backbone of the family's economy. Barrenness could create problems in the marriage, however, a childless marriage did not necessitate divorce, instead the husband married another wife to raise children or the wife brought her sister to become a co-wife to procreate in her stead.

When a husband initiated a divorce case against the wife, the family members of the girl could listen to the charge and try to reconcile the two. But when

the husband felt that his case was not treated fairly by the family members of his wife, he appealed to lineage or clan elders to show justice. If he was not satisfied he appealed to the chief's council of elders to administer justice in the case. Once it was decided that the divorce be effected, the bridewealth was returned to the husband and the marriage was deemed to have broken down; therefore divorce had occurred.

In case of divorce, the husband had to leave two heads of cattle (dher pien) for the girl's virginity which had been broken by him. If the wife had children and they were to be left with the father, two or three heads of cattle were left with the girl's father. This was because the children were viewed as a form of wealth and the husband had to leave some bridewealth with the girl's father. The women could carry children from the former marriage to the new marriage, but the new husband did not welcome them for it was believed that such children (kinirwa) took all the luck of the children born in the new marriage.

There were cases when a husband could demand divorce without seeking fair hearing (bura) from the family members of his wife or clan elders. If he took all the bridewealth or part of the bridewealth, the marriage was deemed broken.

Sometimes a wife could run away and cohabit with another man for many years and even get children with the man. The period of awaywardness was considered separation and not divorce if the previous husband did not take his bridewealth, she was still considered the wife of the former husband and the children got in the new marriage belonged to the previous husband.



FOOTNOTES

1. Isiaih Owudho : Interviewed on 16/4/82  
(Aged 62 years)  
Kibiri Location,  
Koyugi Sub-location  
(Oyugis) P.O. Oyugis.
2. Nicodemus Owaka : Interviewed on 21/4/82  
(Aged 62 years)  
Kanyada Location,  
Nyalkinyi Primary School,  
P.O. Homa Bay.
3. Jeckonia Opul : Interviewed on 22/4/82  
(Aged 65 years)  
Kanyada Location,  
Kanyadier Sub-location,  
P.O. Homa Bay.
4. Ibid. : Interview on 22/4/82
5. Ibid : Interview on 22/4/82
6. A. Shorter : African Culture and the  
Christian Churches  
(London, Geoffrey Chapman  
1973) pp.170-1
7. Ibid, p. 7.
8. Sephania Odhiambo : Interviewed on 23/4/82  
(Aged 58 years)  
Kanyada Location,  
Katuma Sub-location,  
P.O. Homa Bay.
9. Ibid. : Interview on 23/4/82.

10. Ibid. : Interview on 23/4/82
11. Lucas Magadi : Interviewed 28/4/82  
(Aged 67 years)  
Kanyada Location,  
Masawa Sub-location  
(Kotieno) P.O. Homa Bay.
- 12.. A. Shorter (ed.) : Op. cit., p. 173.
13. Enock Aloo Okech : Interviewed on 29/4/82  
(Aged 55 years)  
Lambwe Location,  
Ogongo Primary School,  
P.O. Ogongo.
14. Ibid. : Interview on 29/4/82.
15. Ibid. : Interview on 29/4/82.
16. Joram Ouko : Interview on 30/4/82  
(Aged 70 years)  
Lambwe Location,  
P.O. Ogongo.
17. Dosila Obonyo : Interview on 3/5/82  
(Aged 65 years)  
Gembe Location,  
Nyamasare Primary School,  
P.O. Mbita.
18. Ibid. : Interview on 3/5/82.
19. Ibid. : Interview on 3/5/82.
20. Teresa Aoro (Ngora Samba) : Interview on 4/5/82  
Gembe Location,  
Mbita Primary School,  
P.O. Mbita.

21. Ibid. : Interview on 4/5/82
22. Ibid. : Interview on 4/5/82.
23. Teresa Aoro (Ngora Sumba) Interviewed 4/5/82  
(Age 75 years)  
Mbita Primary School  
P.O. Mbita.
24. Ibid. : Interview on 4/5/82.
25. Festus Odhiambo : Interviewed on 7/5/82  
Gembe Location,  
P.O. Box 54,  
Mbita.
26. Ibid. : Interview on 7/5/82
27. Festus Odhiambo : Op. cit.,
28. Simeon Onyonyi : Interviewed on 6/5/82  
(Aged 80 years)  
Gembe Location,  
P.O. Box 54,  
Mbita.
29. Ibid. : Interview on 6/5/82.
30. A. Shorter (ed.) : Churches and Marriage in  
Eastern Africa  
(AMECEA: Research Department  
Eldoret) p.275.
31. J.S.Mbiti : African Religions and  
Philosophy (London.  
Heinneman 1969) p.135.
32. Ibid., p.135.
33. Ibid., p.107.

34. Gideon Okore : Interviewed on 16/5/82  
(Aged 85 years)  
Gwasi Location,  
P.O. Magunga.
35. Ibid. : Interview on 16/5/82.

C H A P T E R    I V

THE LUO PRACTICE OF POLYGAMY

As used in this thesis, the term polygamy\* will refer to culturally determined, socially accepted and legally recognized form of permanent marriage in which a husband may have more than one wife at the same time. Polygamy is very popularly used although it corresponds to the word polygny.

Reasons Given for the Practice of Luo Polygamy

The Luo have cherished polygamy from time immemorial. It has been an integral part of the Luo cultural heritage. It became imbedded in the cultural heritage so much so that religion has had to buttress it.

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\*POLYGAMY in ancient times, it meant marriage after the death of one's wife or vice versa with the woman after the death of her husband or after divorce. It is the practice of having more than one wife. Its opposite is polyandry, one having more than one husband. In modern sense, it is a plurality of having spouses of either at the same time. But for our use in this thesis, polygamy will be used to mean a man having two or several wives.

First and foremost was the Luo hope and desire for many children in which the boys were seen as visible continuation of the father's lineage. They would also remember him after his death. Marriage without a male child was feared in that it brought the family to an end. The name of the father and the family disappeared. The more the children were in a family, the stronger the family was. It was only through male children that the family and the kinship-group could be perpetuated.

In early times, infant mortality rate was high. This motivated the Luo to marry many wives so that if many children died, some could survive because many wives were also likely to produce many children.

Polygamy provided the husband with opportunity for legally and culturally accepted sexual contact with his wives. For instance, when one wife was in monthly period or if she was sick or nursing a baby, the husband could have marital intercourse with the other wives.

If a wife was barren, the husband married another wife in order to raise children who could become heirs. To remain childless was a "curse" in Luo traditional society. Sometimes, the wife herself brought her sister to procreate in her stead. Few Luo practiced such sororal polygamy.

There was a deliberate desire for many male children out of polygamous marriage so that these male children could later protect the family and the clan (lineage) from outside aggression. They also became the heirs so that the family land and other property like livestock could not be divided among relatives for lack of an heir.

At death, one or more of the co-wives adopted the children whose mother had died. It was easy for the children to get used to the step mothers because the mothers were old members of the family, while a newly married wife saw it as a burden to take care of such orphans. The father usually had abila<sup>1</sup> (hut) or duol (fire place) where all the wives brought food and where all the boys ate. This ensured that the orphans were properly fed. If the orphans were girls, they ate with the mothers

but the father kept a vigilant eye to make sure that they had something to eat.

Children brought joy and happiness to the parents and the community. For a man to be a leader he had to show that he was able to manage a large family. The polygamous family with its many children formed a strong workforce to produce wealth. This wealth was in turn used by the head of the family to support the poor in the society. He had to be generous and hospitable to the destitute, marrying for the poor men after engaging their services and dishing out grain generously to the needy. Such ability to manage a large family, wealth and quality of generosity was a factor to be considered as a qualification to hold a political office of an elder of a clan or the chief of a sub-group and a large family could be generated only through polygamous marriages.

The first wife who had more work than she could handle, could pressurize the husband to bring another wife home to make work lighter. Sometimes, she was the first person to make initial arrangement to bring the girl home to the husband so that



she could get her companionship and help in domestic chores. But the bringing of a new wife for the husband created a special position of authority for the first wife. She could direct the other wives and help in decision-making when problems arose among the co-wives. However, the bringing of a new wife home relieved the husband from domestic duties. Since in the traditional society the roles of males and females were clearly defined so the new wife was a welcome relief to the first wife and the husband. She engaged actively in productive economic work and domestic chores.

Polygamy resulted in many marriage alliances so that at the death of the head of a home, many relatives came to attend his burial rite of cattle drive (buru). This showed his greatness, personal wealth, generosity and hospitality. A poor burial was for the one without many wives, children and relatives. Yet many relatives came as a result of many marriage alliances of the father, his sons and daughters.

When parents were old many children out of the polygamous marriage defended the home, the village and the clan. And as young men, they defended

the society from outside cattle raiders like the Kisii, the Maasai, the Kipsigis and the Nandi.

When wives reached menopause (dhi boro)<sup>2</sup> - a stage beyond child bearing, such women retired from sexual engagement except for ritual purposes only, for instance, before tilling the land, planting, weeding, tasting the new crops, harvesting or when their sons and daughters got married. While the first wife might reach menopause, the husband could still be strong and sexually active, therefore, he needed to acquire another wife for legally and culturally accepted sexual contact.

If the first wife (mikayi) was not well disciplined, for instance, if she was a drunkard, adulterer and lazy, marrying a second wife could act as a disciplinary sanction against her misconduct, thus, in a way polygamy stabilized marriage.

Since sex roles were clearly defined in traditional society, the Luo feared remaining a widower because this would mean he would be forced to engage in a lot of domestic duties to take care of himself and the children that were left. Moreover, it was

not easy for a widower to get a new wife to marry unless the sister of the deceased wife was put in her stead. Again, it would mean, the children would suffer if there was nobody to take care of them. This made the Luo refer to a monogamist as dhako achiel wang motho<sup>3</sup> (one wife is like a one-eyed man or literally a dead eye). This means that if a person has one eye only and it is destroyed, he had none left. In the same way, if the wife of a monogamist died, he remained all alone. It was seen as a grave loss.

There was need to get male children in a marriage, so if a wife continuously brought forth daughters, the husband could marry another wife in order to get male children who would become his heirs and continue his family.

Polygamy helped in birth control. Children were needed but the society did not recommend giving birth at very close intervals, perhaps every year. For instance, a woman sometimes could conceive after a period of about six months after the last birth or before experiencing her monthly period

since the previous birth. Such a conception was called kumu or simi.<sup>4</sup> This was bad for the mother would have to stop nursing the baby and other alternatives of feeding the baby had to be substituted. If the baby was not properly looked after, it would become very weak and perhaps die. To prevent such early conception of a nursing mother, a polygamist had ritual sex with the wife after the birth and then he abstained from sexual contact with her until the child was weaned. That covered a period of approximately two to three years. Meanwhile the husband had sexual contact with the other wives, so there was a necessity of marrying more than one wife.

It was an obligation, a necessary duty for a brother to take care of the wife of his deceased brother to continue his social and legal duties particularly of procreation. In this way, even if a Luo man had not been able to marry a second wife perhaps due to economic strains, he was obliged to take his brother's wife and care for her as her husband had done, it was therefore polygamous practice that catered for the caring of widows. Such leviratic practice started from time immemorial.

Many wives, sons and daughters were a symbol of wealth. It increased the social respect and prestige of the husband. Kottak is right to point out that polygamy was a mark of prestige and status:

The number of a man's wives is a measure of his prestige and social position. 5

A man who had many sons out of his polygamous marriage could not be easily molested. They acted in his defence. When parents were old and feeble, they fed them and built for them a house. They also had a duty to defend their sisters from evil intentioned men who could assault them sexually and destroy their virginity which was jealously guarded for the prestige of the parents, the grandmother, the brothers, sisters, close relatives and the girl herself.

When a Luo father had a young wife at his death and if he didn't have a brother who could cohabit with his young wife he could foresee that his wife could go away. In this case, he could ask his elder son to take care of such a young wife. If the son had married he was then forced

to cohabit with two wives. If he had not married, he would still have to marry because his father's wife with whom he was cohabiting was not his wife, he was only caring for her in the way his father would have done if he was still alive. It must be noted that cases where sons took the fathers' widows were rare and it was only mandatory, if the father had told his son to take care of his young wife. Otherwise, it was not a practice but an exception. If it did happen, sometimes difficulty arose if the woman had had children before the husband died, the children raised by the son would be the son's children yet the ones raised by the father would be his brothers and could not build simba (hut) where his sons were supposed to build simba. In other words, they would not live within the same homestead.

Men sometimes engaged in polygamy to stabilize their earlier marriages. They did this through multiple marriage alliances with different families. It further helped to tighten and broaden the bonds of relatives and associates.

Polygamy ensured that each woman had a husband so that her sex and procreation needs were met in a

culturally accepted manner. This made the practice of prostitution non existent. It further insured that each child had a father to protect him and live within the family which was vested with the responsibility to socialize him to enable him to fit in the society with ensured destiny.

The Luo husband had legal right to have sexual intercourse with all his wives. The polygamous man had abila (a hut in the middle of the home) which was a command post from which he made statutory visits to the bedroom of each of his wives in turn. All the women married by a man also became committed as wives and demanded sexual union right and the right to procreate with him since he was their husband. The husband also limited his sexual contact to his wives only and the wives limited their sexual contact to their husband only. John W. Ndisi points out that:

If a man committed adultery with a married woman and was caught, the husband was allowed to kill the man and in this connection there was no case to answer. However, people preferred to take such matters to the court because there was always a fear that if you kill someone, his spirit might haunt you. A man found guilty of committing adultery with a married woman was compelled to give the

husband a sheep for compensation. The sheep was then slaughtered and eaten by the husband and the wife and from that day onwards, they were considered cleansed and therefore free to resume normal sexual relation. 6

Every Luo marriage started as a monogamous marriage and generated into polygamous union as a result of any or some of the combined reasons given above. But most of the polygamous marriage came as a result of the husband having acquired more wealth to enable him pay bridewealth and bring new young wives home with a view to getting more children. So generally polygamy was practised by economically able men of the society. Though many girls wished to become first wives, quite a large number of parents were happy if their daughters were married in polygamous homes that were economically stable. The daughters themselves also preferred to be married in such homes and many of these economically stable homes were polygamous homes. The girls too came to such polygamous unions and got committed as wives. So actually, the Luo society was a potentially polygamous society.

As a polygamous home grew bigger in population there was need for stronger social organization within the home so that more wealth (grain) could be



produced to feed the increasing population and have surplus grain to exchange to get more livestock. The young men and women combined their effort to do the village work. Men cleared the forest while tilling the land, planting, weeding and harvesting was done jointly by men, women and grown up children. The boys herded livestock while the young girls were baby sitters. In the evening men milked the cows while women prepared supper.

However, apart from social and economic advantages of polygamy, there were also disadvantages. There were sometimes quarrels among co-wives. These quarrels generated due to jealousy so that it became difficult for the husband to show intimate love, to one particular wife. He struggled to remain neutral as much as possible to reduce jealousy. He made sure he respected the first wife and urged the other wives to respect her too. The first wife in many homes wielded a lot of authority. She made certain decisions in the home and advised the younger wives. But still jealousy, and tension among the wives was almost inevitable. Sometimes, quarrels were occasioned by the inequitable distribution of family resources, like land among different households and consequently creating bitter enmity between the different house-

holds. Such a situation tended to divide the family into different households for a long time.

#### Death, Leviratic Practice and Rituals

Marriage and procreation were social obligations and every girl was expected to get married. This is clear considering the nature of her burial if she died before she was married.

If a girl of marriageable age died before she got married, she was buried near the gate inside or outside the homestead on the left side of the gate. This type of **burial** indicated that, the girl was not supposed to stay in the father's home permanently or among the kinsmen throughout her life time. Her real home was regarded to be her husband's home, so the nature of her burial was an implication that her spirit was outward bound. This symbolically means that if she had lived longer her parents would have wished to see her get married and raise children.

The women were unlike men whose spirits were expected to protect their patrilineal families.

The women's spirits were destined to the home of their husbands. After her burial, the girls sang songs of ndaria <sup>7</sup> (songs sang to a newly married girl) as they would have sung if she got married. In this way, her spirit was sent peacefully to the next world. If the right burial rites were not followed her angered spirit would be unsettled in the next world and come back to haunt the other girls particularly if she was buried within the homestead. She would come back and weep. Misfortunes would happen to the remaining girls like not sticking to one husband, or not getting married, or if married, they became barren or they had still births or their children died after birth for she died a bitter death without getting married and without procreation. Mbiti points out:

It is a worst punishment to die without getting married and without children is the worst punishment for she is completely cut off from the human society to become disconnected to become an outcast and to lose link with all mankind.<sup>8</sup>

Marriage and procreation are a unity. If a barren wife died, she was not mourned immediately. It was an old woman who later locked herself with the corpse and started mourning. Before burial, a

white hen was tied to her leg. This was to symbolically imitate the birth of a child. Even after her burial that white hen was tied to her grave as a sign that she had failed to fulfil a social obligation of procreation. She left nobody to remember her and continue her immortality. After about a month's period of her burial, the door to her house was shut with thorns to prevent the woman's ghost coming back to haunt the new wife and prevent her from conceiving or she could die during labour.

All widows in the Luo society were to be inherited. This is termed chodo kode.<sup>9</sup> All widows were supposed to refrain from any sexual contact with anybody after the death of the husband until she chose one of the brothers of the deceased and made it public that she wished to cohabit with him. Then a day of the ceremony of turo osuri<sup>10</sup> was fixed. This was the day that after elders had drunk beer, the brother of the deceased spent the night with the widow and had ritual sex with her (chodo kode).

It is important to note that if a widow died before she was inherited, a man must do symbolical

sex ritual before she was buried. This conveys the idea that inheriting widows was compulsory in the Luo society. An example close to this was the "symbolic caning". If the wife died, the husband might be required to perform symbolic caning on the dead wife if in her married life the husband had not had the courage to discipline her. This implies that it was the duty of the husband to discipline his wife. The action forestalled complaints by the widower to the wife he would marry. His complaint could be that he never had the trouble to discipline his dead wife which could be true if she was polite, respectful and humble. But such utterance could easily provoke bitterness and cause unhappiness and instability in a marriage.

In the Luo concept the leviratic\*, marriage was a convenient arrangement to protect and give support to the widows and their children. The wife belonged to the individual and to the kinship group and when the husband died, she remained in the kinship group in the husband's lineage and the duties

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\* Levirate (Leviratic adj.) This word comes from the Latin word Levir meaning husband's brother, so the leviratic or leviratical marriage pertains to levirate (husband's brother) i.e. When a husband dies his wife is inherited by his living brother.

of the deceased husband were taken over by his brother. The widow could not marry. At the initial period of marriage arrangement and paying of bridewealth, the kinship group of the husband was involved in the marriage process, therefore, the widow could not marry except to cohabit with any one of her brothers-in-law. The brother-in-law had a societal obligation to continue the duties of the deceased brother including procreation. He was a substitute to his deceased brother.

The Luo marriage established relationship and generated obligations which were viable and lasting. The obligations could not easily be withdrawn. Marriage was a social affair and the death of an individual did not end the husband's obligations and duties. The widow when entering into a leviratic union with a brother-in-law based it on the traditional duty, earlier friendship, co-operation and interest of the brother-in-law with the deceased husband. This confirms Mbiti's assertion of African philosophy of existence that one feels and believes he exists so long as the corporate group exists.<sup>11</sup>

It was not good to see one's own children well fed and properly cared for while the children of one's deceased brother were suffering.

At the time of marriage, the close lineage members exchanged highly valued gifts of livestock. This was done as proof of the marriage because the bridewealth legalized and sealed the marriage giving the right of ownership of children. Michael Kirwen points out that for this reason:

the bride is both the wife of the individual and in a sense the wife of the lineage. 12

This showed the strong communitarian character of the Luo marriage, it was a lineage affair and therefore social. The widow's relationship with the family did not end with the death of her husband. She continued in the lineage as a functioning wife in a leviratic union. Kirwen emphasizes very strongly, "that in no case can such arrangement be called a new marriage".<sup>13</sup>

This was because no new bridewealth was paid for her, no new marriage celebration took place for

the original marriage was regarded as still valid. Even if the surrogate had no wife, his relationship did not stand as marriage and the widow was not regarded as his wife. Kirwen points out that levirate is an arrangement where a widow cohabits with the brother of the deceased so that her brother-in-law can continue the work of the deceased brother.<sup>14</sup>

If the widow refused to cohabit with a brother-in-law this would mean that she would try to marry another man. If she did this, she would be inviting evil eye or misfortunes from the deceased husband whose spirit would be very unwilling to see his family ruined and his immortality lost.<sup>15</sup> If she did not want to be inherited by any of her brothers-in-law, she could remain in her deceased husband's homestead where she would cohabit with a foreign man (Jakowiny or Musumba or Jadak) who had no legal control over her as the head of the house. She had the right to expel him at will. Before the widow cohabited with Jakowiny, however, the clan elders (Jodong Anyuola) of the deceased husband had to approve of the leviratic union. Otherwise the man would be sued for adultery.<sup>16</sup>



On the whole, the levirate was a form of social security for a widow and her children. It was a way of catering for the unsupported woman and for ensuring the continuation of the line. It was a custom inspired by the desire to fulfil the primary purpose of marriage, that is, procreation and the protection of the widow and her children. Even if the husband died the marriage remained indissoluble.

The next chapters will now examine how Christianity has influenced the Luo marriage beliefs and practices.

FOOTNOTES

1. Ochuodho Ngito : Interviewed on 17/5/82  
(Aged 72 years)  
Karungu Location,  
Kachieng Sub-Location  
(Kanyochanda)  
P. O. Sori.
2. Ibid. : Interview on 17/5/82.
3. Ibid. : Interview on 17/5/82.
4. Damaris Adhiambo : Interviewed on 18/5/82  
(Aged 67 years)  
Karungu Location  
Kachieng Sub-Location  
(Konyango)  
P. O. Sori.
5. Kottak is quoted by  
John W. Ndisi in A Study in the Economic and  
Social Life of the Luo of Kenya.  
(Uppsala 1974) p.107.
6. John W. Ndisi : Ibid. p.58.
7. Matoka Onyango : Interviewed on 19/5/82  
(Aged 67 years)  
Kadem Location,  
Agenga Sub-Location  
P. O. Macalder.
8. J.S. Mbiti : Op. cit. p.145.
9. Siprosa Asewe : Interviewed on 2/6/82  
(Aged 52 years)  
Muhuru Location  
Muhuru Sub-Location  
P. O. Muhuru.

10. Ibid. : Interview on 2/6/82.
11. J. S. Mbiti : Op. cit., p.145.
12. M. Kirwen : African Widows  
(New York: Mary Knoll 1979)  
p.166.
13. Ibid. : p.259.
14. Ibid. : p.167.
15. Kiliopas Ogur : Interview on 3/6/1982  
(Aged 61 years)  
Muhuru Location  
Kaler Sub-Location (Kakoth)  
P. O. Muhuru.
16. Ibid.

C H A P T E R V

CHRISTIANITY AS AN AGENT OF CHANGE ON THE LUO  
TRADITIONAL MARRIAGE SYSTEM - A CONFLICT OR  
ADAPTATION?

In Chapter II, the importance of the Luo Traditional Social Systems is discussed while Chapter III and IV concentrate on exploring the nature and significance of the Luo Marriage System ascertaining how the social systems influenced the marriage practice. This Chapter V, examines the impact of Christianity on the different aspects of the Luo Traditional Marriage System.

There are four main areas of conflict between christian and Luo marriages. These areas include christian marriage arrangement vs bridewealth payment, christian marriage ceremony vs the Luo traditional marriage ceremony, the christian motive for marriage vs the Luo motive for marriage and christian marriage arrangement and divorce. Further, the effects of the Catholic Church sacraments of baptism, Holy Eucharist, Confirmation, Holy Unction and church

burial rites which were used to reject polygamists and those in leviratic marriage are examined.

Christian Marriage Arrangement (Matrimony) vs the Luo Courtship and Bridewealth Payment

The Catholic Church brand of marriage was from the beginning different from the Luo traditional marriage arrangement which took place in the girl's home. The leading role in making the families and clans of the concerned boy and girl agree to enter into a marriage contract was played by a go-between. The go-between took the initiative to introduce the man to a girl who was respectful, hardworking, honest and whose home background was of good reputation. Finally, the suitor went to the home of the girl's parents to seek their acceptance so that he could be their son-in-law. The father asked the daughter in the presence of clan or lineage elders if she agreed to be married to the suitor. The girl's declaration before the lineage elders of her willingness to marry the suitor constituted a solemn commitment which enabled all those involved in the necessary arrangements for the marriage to consider it a serious undertaking and to proceed accordingly.

Initially, the Catholic Church did not interfere with many of the necessary aspects of the Luo customary marriage arrangement before partners came to the church to be matrimonized. When the bride and the bridegroom came before the church, the priest assumed that all customary requirements had been fulfilled. These included a period of careful courtship involving close friends and relatives who made sure that the bride and bridegroom were free of suspicion of evil practices like sorcery, witchcraft, and wizardry. Witchcraft was abhorred for by its very nature, it destroys life and life is what matters in the community. They also made sure that the partners were free from diseases like leprosy, epilepsy and madness for these could lead to divorce which would in turn embarrass those who had been involved in the arrangement. It was a communal duty to ensure that the marriage worked out and had a solid foundation that would enable it to last.

The girl's father and the lineage elders made sure that sufficient bridewealth was paid before the girl was released to go to the husband's home. This was because bridewealth strengthened marriage

by cementing the relationship between the two families. Later, if the girl run away or divorced, the bridewealth which had been paid was to be returned.<sup>2</sup> The members of the girl's family often found it difficult to return the bridewealth for some of the livestock could have been used by their brother-in-laws to pay their own bridewealth to secure wives. Moreover, returning bridewealth caused embarrassment to those elders who had been initially involved in the marriage arrangement.

The christian marriage that took place in the Catholic Church, was at the beginning welcomed with enthusiasm but then it gradually began to cause a lot of tension in the Luo customary courtship and payment of bridewealth. Soon, it embarked on destroying the traditional approach to marriage courtship, and bridewealth payment. In the Catholic Church, when there is to be a marriage between two christians, their names are put on bans for three to four weeks before entering them into Matrimonial Record Book. The names are called every Sunday during Mass celebration so that if there are people who know any good reasons why the two should not

marry, they could come and inform the church. The good reasons could range from the fact that any of the two could be suffering from a dangerous disease like madness, epilepsy or transmittable disease as leprosy. In some cases, either of the two partners could have been married before the church and were only temporarily separated from their original partner but not legally divorced. Among the Luo, marriage must be exogamous.\* Strictly, it must not be within the clan or maximal group, leave alone within the family.<sup>3</sup> If endogamous\* marriage occurred it is considered incest and must be considered null and void, therefore, if there was any person who knew that the partners were closely related in blood she/he had to inform the church before they were matrimonised.

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1. \*Exogamy (exogamous adj.) Marriage outside one's clan or sub-group where there is no blood relationship.
  2. \*Endogamy (endogamous adj.) Marriage within one's clan or sub-group disregarding blood relationship.



The marriages which the Catholic Church found easy to arrange were those which had been contracted customarily and the couples merely came before the church to receive marriage blessings after they had received catechism teaching and had been baptized. Such marriages had no problem of bridewealth payment because bridewealth had been paid long ago.<sup>4</sup> The couples needed only to receive God's blessing by getting wedded in church. However, on many occasions, the full bridewealth for the marriages had not been paid to the girl's father. The priest could write the number of heads of cattle agreed to be paid for full bridewealth and then ascertain and record the number that had been paid and what remained to be paid later after the matrimony. Occassionally, fathers refused to sign the matrimonial book (a gesture of consent for the daughters to get wedded) until full bridewealth was paid. The fathers saw matrimony as a foreign type of marriage. Even christian parents demanded sufficient payment of bridewealth before their daughters could contract a marriage in the church. Some parents refused to give consent by not signing the matrimonial record book till the bridewealth they needed could be paid,

therefore, postponing the wedding indefinitely. Though the priest did not ignore the payment of bridewealth in the process of his arrangement to wed the couples, the wedding delays made the priests view bridewealth payment as an unnecessary requirement in christian marriage. To the priest what constituted marriage was the mutual agreement between the partners and not bridewealth. They considered bridewealth payment as unchristian and persuaded the parents to record down in the matrimonial record book, the number of cattle required for the bridewealth and to indicate the number that had been paid and the number to be paid after the marriage contract. The husband of the girl would then sign that he would pay the remaining bridewealth. Though the church saw the demand by the parents to receive full bridewealth before marriage could be contracted as unchristian, this view was contrary to the Luo concept because bridewealth was a true bond of marriage and served the purpose to legalize and stabilize the marriage.

In the marriage arrangements, the family members, and the kinship members particularly

elders were involved in order to ensure that the marriage was well arranged and the bridewealth was fully paid as agreed upon between the two parties to ensure that the marriage would be life-long. On the other hand, the church saw the involvement of so many family and lineage members as well as kinship elders as unnecessary. In this case, the church neglected the community sharing of the responsibility in marriage arrangement of their daughter. The parents, therefore, became cautious as not to allow their daughters to be matrimonised before the required bridewealth was paid.

Furthermore, the church laid a lot of emphasis on the indissolubility of marriage. That marriage should be life-long was not new to the Luo because when a marriage was well arranged and the required bridewealth received, the parents expected the marriage to be enduring and even if the husband died the marriage did not break. The father knew that his daughter could continue to be the wife of the family where she was married. However, the church's over-emphasis of the indissolubility of marriage was

strange to the Luo. It estranged the christian marriage and made parents conclude that once christian marriage was contracted, they would not have the power to demand payment of the remaining bridewealth.<sup>5</sup> The Luo had the practice that if a girl was married before the agreed bridewealth was paid, there was a stage that when the husband had not paid part of the remaining bridewealth the father could require the daughter to return to his home and stay with the parents till the needed bridewealth was paid (keto nyako piny). Sometimes the paying of such bridewealth was vitally urgent for it was to be used by the brothers of the girl to pay their own bridewealth to secure wives.

Many parents who consented to their daughters to get married in church before full bridewealth was received, in hope that their sons-in-law would be honest to abide by the promise to pay the remaining bridewealth, were disappointed. Some of the young men who had married their daughters failed to comply with the earlier agreement to pay the remaining bridewealth.

The church among other variables like education, in neglecting the traditional approach to marriage arrangement has over the years destroyed the role of the go-between who acted as a promoter and watchdog over the affairs of the marriage arrangement. He had to ascertain the number of heads of cattle by their sex and colour that was paid for bridewealth. In the early stage of courtship he/she made all the necessary arrangements for the visits and meetings between the betrothed reassuring both the boy and the girl of the others good family background. The church neglected the role of the go-between when the young christians contracted church marriages when they were quite completely ignorant of the background, personality and character of the other partner. This has caused instability in christian church contracted marriages and sometimes the marriages have resulted in complete breakdown.

The growth of urban centres caused the influx of many young people into the towns in search of jobs. As they continued to stay in town, they

contracted church marriages, sometimes without the consent of parents. Gradually, the marriages contracted without the knowledge of parents increased and the parents began to lose control and powers over many marriage alliances of their daughters. Consequently, they could not demand payment of bridewealth as much as they could when they had had power to sanction their daughters' marriages.

When young people wanted to contract christian marriages in towns the church required the agreement of the partners and two witnesses. Their names were then sent to their rural home mission stations for purposes of publishing bans for at least three weeks to find out if there was a person who raised any matter of reason to show that the two could not be joined in Holy Matrimony. The priest in town did also place the names of the partners on bans for three weeks in his church and called their names during mass celebrations asking the congregation if there was any reason why the two could not marry. However, the priest was not in the least concerned that the parents at home needed bridewealth to be

paid for the marriage of their daughters. The clergy interpreted it as unnecessary demand in a marriage contract. They did not consider it as an essence of marriage. For the clergy, the essence of marriage was the mutual agreement between two partners to enter a marriage contract not payment of bridewealth. Some clergy in town and even upcountry went to the extreme to assert that the payment of bridewealth was uncivilized method of buying or selling of human beings. They did not investigate and try to understand the importance of bridewealth payment to the parent's of the girl. Bridewealth apart from being a marriage bond between the families of the boy and the girl, legalized and stabilized the marriage. No husband had a right to bury a wife whose bridewealth he did not pay nor could he have the right to claim the offspring as his own. The church marriage arrangement is one among many factors that have considerably weakened parents' authority to demand sufficient payment of bridewealth.

Later, when the church required the young people who wished to marry to be wedded in the church, the young men showed a strange reluctance

and unwillingness to be matrimonized in the church. They became suspicious about the over-emphasis of the indissolubility of the church marriage. In Gembe Location of South Nyanza, seventy (70) christian men of between ages of 18-35 years were found cohabitting with women as wives without going to church to get wedded. Of the seventy men, thirty are polygamists while the remaining forty still cohabited as unwedded monogamists. Some of the men have lived in trial marriages to establish if the women could make worthy wives before they could get wedded in the church. They conjecture that it would be impossible to live with a wife in an indissoluble marriage even if her conduct does not make marriage meaningful. Some of the young husbands fancied that the indissoluble christian monogamous marriage would not permit them to marry more wives so they refrained from church marriages and opted to cohabit customarily.

Even on some occasions when parents needed their young sons-in-law to pay full bridewealth before parents' consent could be received to allow their daughters to contract christian marriages,



some men showed reluctance to pay bridewealth. In the end, many of the young men decided to refrain from church weddings.

Apart from christianity, there are other important variables that have affected payment of bride-wealth. These include education, urbanization, pre-marital pregnancies, modern technology, economic strain and changing attitudes of men and women towards polygamy.

In traditional Luo society there was more demand for girls to marry as first wives or as subsequent wives. The demand for marriageable girls thus created stiff competition. Mainly, it was the practice of polygamy that created scramble for girls. People aggressively and enthusiastically looked for girls to marry. The girls were rare to get and did not fulfil the demand. In contrast, today, there can be found in a locality many girls mature for marriage. Due to social and economic stress, many women and men are changing their attitudes towards polygamy. Polygamy as a practice is

therefore waning, many women interviewed preferred to accommodate themselves in monogamous marriages, so a large number of girls who have tried and failed to become first wives remain unmarried.

TABLE I

Respondents who would accept/not accept to live  
in Polygamous Marriages

	No. of Respondents	No Yes	
		No	Yes
Women in Polygamous Marriages	100	65	35
Women in Monogamous Marriages	100	72	28
Unmarried Girls (Women)	150	101	49
Totals	350	238	112

Most of the respondents that opposed polygamy gave economic reasons like high standard of living, need for food, shelter, clothing and good education

which a man with many wives and children cannot easily afford. Some women asserted that jealousy between or among co-wives makes a family difficult to run socially. Some of the unmarried women that are self-reliant financially responded that they would prefer to remain single rather than be married in polygamous families. The situation of many unmarried girls has reduced competition for girls to marry so that finally most husbands pay few heads of cattle for bridewealth.

Another non-christian factor that has affected payment of bridewealth is pre-marital pregnancies. When the Luo girls have pre-marital pregnancies and particularly when they have baby sons, they find it difficult to be married as first wives. In traditional society, they were married in polygamous families as subsequent wives, or were married to old polygamists. Though today they are sometimes married as first wives, their husbands may pay low bridewealth. The parents have to concede to accept inadequate bridewealth provided their daughters are married. Even if they happen to get married to those who make them pregnant, a considerable number of such

girls persuade the men to marry them against the wishes of the men and as a result such men may pay low bridewealth. Of the one hundred people interviewed, thirty respondents made hard remarks that some of such girls are actually never made pregnant by the men they force to marry them. In a way to trick the men, the girls visit them in early month or months of pregnancy to justify their claim that the men have made them pregnant, because they had sexual intercourse with them. Very often, many men reject such claims and refuse to engage in such marriages, as they are not out of love. Such girls, sometimes force their marriages in order to save their face after putting themselves into shameful situations. Those who accept to marry them finally, pay minimal bridewealth.

What Constitutes Christian Marriage and its Motive vs What Constitutes the Luo Marriage and its Motive

By examining Gen. 2<sup>18</sup>, 21-24 and 1<sup>28</sup>, the Catholic Church formulates the Biblical understanding of marriage as God ordained union between man and woman entered into by mutual agreement for both

companionship and procreation. Therefore, "a man leaves his father and his mother and cleaves to his wife and they shall become one flesh" (Gen. 2<sup>24</sup>) and God blessed them and God said to them, "Be fruitful and multiply" (Gen. 1<sup>28</sup>). The christian understanding of the Biblical concept of marriage is that two persons male and female only are to be united and joined together. However, God-fearing men like Abraham and David married many wives, finally, polygamy was epitomized in Solomon. In the New Testament, Mark 10<sup>8</sup>, Jesus emphasized the indissolubility of marriage stating that no one should put assunder what God has joined to "become one flesh". While in Timothy 3<sup>2</sup>, Paul cautions that church leaders should be christians married to one wife. It is upon these Biblical references that the Western christian churches formulated the concept of christian marriage. First, the Catholic Church views that the ideal marriage should be monogamy. Secondly, it emphasizes its absolute indissolubility, and finally, the marriage should be conducted in the form recognized by the church, that is, it should be solemnized before a priest in the presence of two witnesses. The church argues that the wedding should take place in the church so that

the marriage receives God's blessings and becomes a covenant loving relationship. It is only when these conditions are fulfilled that the church would consider the marriage as ideal.

The Catholic Church that came to the Luo land from the West imported christianity and christian marriage practice which was impregnated with western culture. For instance, European marriage ceremonies were taken over by the church so that marriage were ratified in the church weddings. However, later marriages were legalized by civil laws so that those who did not wish to go through church marriages had the option to go through civil marriages. It is this western culture that the church imported from the West that it imposed on Luo converts. Moreover, the western missionary christians came with a stereotyped image of the Africans including the Luo that they were primitive and uncivilized. Christianity can be condemned for waging war against some aspects of the Luo culture because at its early stages in the Graeco - Roman world it had incarnated itself in the Graeco - Roman culture and allowed itself to be modified to the Graeco-Roman cultural environment. Therefore,

Christianity in rejecting the Luo culture, means that it refused to adapt itself to the environment. Thus, the result was a conflict which resulted into a struggle between christianity and the important Luo beliefs and practices about marriage like bridewealth payment, marriage ceremonies and rituals, beliefs on procreation, polygamy and the leviratic practice.

The Catholic Church insisted on a monogamous marriage to create a nuclear family as the ideal marriage. After marriage was already solemnised in the church before a priest, it had to remain indissoluble and therefore the two would remain in companionship in their life time whether the marriage was blessed with children or not. When the couple are being matrimonised, each of the partners is asked by the priest to declare his/her willingness to marry each other. For instance, if the partners are John and Mary, the priest asks, "John do you agree to take Mary as your wife?" The priest further asks, "Mary do you agree to take John as your husband?" If they all reply positively with a "Yes", the priest joins them using a ring admonishing them that from there on, they have become one flesh and they should endure

to live with each other for the rest of their lives. In happiness or in difficulty, they should comfort one another. After the pronouncement of these words and after the first sexual union, the marriage is deemed consummated.

In a christian marriage contract there are five major features. The partners first make a promise to take each other as husband and wife and further promise to be faithful to each other. The priest uses a ring to join them. That is an external sign of spiritual union. They were once separate persons but at wedding they become united physically, spiritually and **are** united in one mind. That is why they promise to live with each other in time of happiness and difficulty. After the matrimony, there is a wedding ceremony where the well wishers express joy publicly. Stephen attempts to define western christian marriage as:

a socially legitimate sexual union which is began with public announcement and undertaking some idea of **permanence**, it is assumed with a more or less explicit marriage contract which spells out reciprocal rights and obligations and their children. 7



Shorter further commenting on the western concept of christian marriage says:

Marriage is a special and intimate union, between man and woman, as such, in which mating is an essential expression, in some sense sacred, which establishes enforceable rights between partners which marks a change of status for them and their partners. 8

From the above attempted definitions it is clear that the emphasis of the essence of the christian marriage is on companionship and mating to deepen the love of the couple, procreate and protect the children.

The christian marriage took place when the partners wedded in church where the priest joined them by a ring. At this time, before the priest, they promised to take each other as husband and wife. But in contrast the Luo marriage arrangement went through stages before it could be consummated. First, the marriage agreement had to involve both partners' parents. Secondly, the father had to agree to release his daughter to be a wife (gonyo nyako) when sufficient bridewealth which was

a tying marriage bond had been paid. Finally, marriage was pronounced after a process of ceremonies including tero ndaria (some girls took the bride to her husband's home). Later, this was followed by kelo nyako or omo nyako ceremony. In this ceremony, the girl was brought back to her home. After these ceremonies she was declared married. She was from then on called migogo.<sup>9</sup> However, the people looked forward that the girl would soon conceive and deliver because it was her first birth that fully sealed the marriage.

There is contrast between what constitutes christian marriage and its motive vis-a-vis the Luo marriage and its motive. For the christian marriage, the mutual agreement between two people and wedding before the church are enough to guarantee that a valid marriage has taken place. In contrast, the Luo required the agreement between the partners and more so the consent of the parents of both partners. In christian marriage consent of parents and sufficient payment of bridewealth was not viewed as crucial but in the Luo marriage bridewealth was an important element of sealing the bond between the wife and the husband.

The christian married life laid **stress** on companionship and mating to deepen the love of the partners. Finally, they looked forward to raise children. However, lack of children in a christian marriage did not nullify it. On the other hand, the Luo married for economic and also for procreation purposes to continue the family and the lineage. Procreation was essential for economically, the children were viewed as a form of wealth and religiously, they preserved family and lineage immortality and so many children were considered as a blessing from God through the ancestors. John Mbiti points out that each person must get married unless there are good reasons for not doing so. It is also the worst punishment for one to die without children for such a person is not only;

Completely cut off from human society  
to become disconnected and become an  
outcast and to lose link with mankind. 10

Marriage was therefore viewed by the Luo as a focus of existence for through marriage and procreation, the family and the lineage were continued, therefore, perpetuating humanity. Thus, a socially accepted and recognized marriage sanctioned sexual

union between the married partners. The Luo on all occasions found it necessary to sanction marriage and sometimes enforced it. When a proper marriage took place it was praised and the relatives rejoiced. Not only the status of the married partners was raised but also that of their parents. This is why a proper marriage had to get the approval and acceptance of the parents of the partners and the lineage concerned.

The Luo partners, apart from satisfying each other's sexual needs, sex was essentially considered to fulfil procreation needs. So the Luo found it strange when the western missionaries preached that marriage was sealed by a wedding in the church even without getting an offspring to perpetuate the family. This meant that the essence of marriage was not based on procreation but on the sacred union of the flesh and the spirit of the couple. Partnership was considered of paramount importance, so there was no justifiable sense to get a second wife with whom to get children if the first marriage was not prolific. The Luo christian converts were therefore urged to remain monogamous even if the partners

lived in a childless marriage. Such a situation caused tension conflict for the Luo husbands still held the belief that it is a serious punishment to die without an offspring to perpetuate one's family and to remember one after death.

The marriage provided opportunity for procreation and continuity of the family and the society. Within the context of marriage sex helped to deepen the love between the couple but it was not considered the most important thing. For this reason, when wives reached menopause, they withdrew on their own accord from active sexual life. They however continued to engage in some amount of sexual intercourse for ritual purpose.

However, throughout the era of christianity, the vast majority of the Luo christians have not changed their idea of marriage. In a childless marriage, a man will always struggle to marry a second wife with whom to get offspring who would inherit his property and who would continue his family.

The christian ideal of marriage stipulates that the couple remain in monogamous marriage even if the marriage is not blessed with children because the essence of marriage is not begetting children but a true and wholesome christian marriage is the sacred spiritual union between the couple. Of course, this does not mean that children are not vitally needed in a christian marriage union. The children are anticipated but they are observed as a product of marriage. Therefore, absence of children in a marriage does not weaken or nullify the marriage. Previously, in the Luo traditional society a barren wife would bring her own sister or a relative to the husband to become a wife to procreate in her stead. Again, a husband who had only daughters in the first marriage could decide to marry a second wife to try to get sons. Even in a family where the sons were indisciplined, the husband could marry a second wife to get sons who might be well behaved. Also, in the family where the wife was a problem, for instance, in being an adulteress, a drunkard, lazy and disrespectful to the husband, the husband could decide to marry a second wife who would be better disciplined. The second wife would help in the maintenance of a

decent home and in ensuring a good reputation for the family. However, the move to marry a second wife for any reason was condemned and discontinued by the western christian marriage rules. It was considered sinful and adulterous.

An attempt was made to find out whether christianity has changed the Luo attitude to accept to live in a childless christian monogamous marriage. Can wives tolerate to live with co-wives who could procreate in their stead in case they are barren? For husbands, can they tolerate to live in a childless monogamous marriage or opt to marry a second wife to raise offspring?

It should be noted that the investigation has a weakness for it presupposes African attitude that a wife ought to carry the blame if she is barren. But today, modern scientific findings ascertain that a man could also be responsible for a childless marriage, for instance, the husband's infertility caused by biological defects in the reproductive organs like lack of sperms.

The table below shows the percentage of men and women who would accept or not accept to live in polygamous marriages.

TABLE II

Type of People interviewed	Age Group (Yrs)	% of men or women not accepting second marriage	% of men or women accepting second marriage	Total No. interviewed	Total %
Unmarried girls (mostly students)	16-30 yrs	55.4%	44.6%	200	100%
Married Women	18-30	39.7%	60.3%	250	100%
Married Women	30-60 yrs	18%	82%	200	100%
Married women	60 <sup>+</sup> Yrs	4%	96%	25	100%
Unmarried boys (mostly students)	16-30 yrs	23.9%	76.1%	200	100%
Married men	18-30	14.8%	85.2%	200	100%
Married men	30-60 yrs	4%	96%	150	100%
Married men	60 <sup>+</sup> yrs	0%	100%	30	100%
	Totals	156.8	643.2	1255	800



The table above shows that 55.4% of young unmarried girls between 16-30 years interviewed, showed attitude of non-toleration of co-wives that a second wife be married to procreate if their marriage is not blessed with children or for any other reason. The fear is vastly due to jealousy, they fear the husband may tilt to show more love and concern for the younger wife who procreates. Therefore, they are not ready to share their husbands with any other woman. Additionally, the success of the second wife to give offspring would further expose her disgrace of having failed to procreate so as to fulfil a societal obligation. Her happiness would therefore be shaken. Moreover, ten respondents questioned how the bringing of a second wife would solve their own problems of barrenness. Fifty of the respondents suggested that a good alternative would be to adopt a child from an orphanage. Economic stress was given as a reason explaining the negative attitude for women to have co-wives. The husband may not have enough to provide equitably for both of them. However, 44.6% of the girls felt it necessary to have a co-wife who could procreate in order that the family may be continued through the offspring.

When the unmarried boys between the age of 16-30 years were interviewed, 76.1% of the boys responded that they would marry a second wife if the first wife is barren. The predominant reasons given are that they need children who could inherit their property, to continue the family and children that are biologically theirs and not children adopted from the orphanage. While 76.1% of the boys prefer living with a second wife to procreate, 55.4% of girls of about the same age group protest against a co-wife, it is clear, the young men hold contrary view to their female counterparts. If the men lived in a childless christian monogamous marriages, they would prefer to marry a second wife who could procreate. This seems to indicate that there is likely to be strains in childless marriages where the husbands insist to marry second wives against the wishes of the first barren wives. Apart from strains in relationship, divorce cases are likely to occur. In fact, in the field research, fifteen cases out of 150 of married couples between 18-40 years, were noted where marriages had broken down because second wives were married.

On the other hand, only 18% of 200 females between the ages of 30-60 and only 4% of 150 males aged between 30-60 years responded that they would endure to live life-long monogamous marriage even if the marriage is childless. However, 96% of the males and 82% of the females expressed real need to marry a second wife who could procreate if the first wife is barren. While 4% of 25 women aged over 60 years could have agreed to stay life-long in a childless marriage without a co-wife to procreate. The remaining 96% considered it a curse, therefore, the husband should marry a second wife with whom to get children. Again, all of the 30 men aged over 60 years unanimously said it would be a curse to die childless that in case of a first childless marriage, the husband should marry a second wife with whom to get children.

### Christian Marriage Ceremony vs The Luo Traditional Marriage Ceremony

The Catholic Church marriage ceremony started in the church where the marriage was solemnized. The bride and the bridegroom were matrimonized in the church, joined by a ring to symbolize that the

two had become "one flesh". Then the marriage party went to the bridegroom's home where the remaining part of the ceremony was celebrated. Today, after church wedding the marriage feast may be held in a public hall first before the party proceeds to the bridegroom's home where another marriage party is held.

Some parents of the bride find it of great joy that the celebration should start at their homes after church matrimony. This gives the parents of the bride the opportunity in their home to wish their daughter God's blessing in her married life. At this party, the parents may present to the couple any necessary gifts that may be useful to them in their married life. Some of the presents given to the bride include cooking utensils. On such occasions, relatives and friends are invited to attend. Even the uninvited well wishers attend the church service where the marriage ceremony commences.

Initially, the Catholic Church recognized only marriages that were solemnized in the church before the priest. It meant therefore that all

marriages that had been contracted customarily outside the church were null and void in her eye. Such marriages were seen as unholy and unsanctified, therefore, were to be contracted a new in the church before a church minister. It is only today that the church has somehow began to recognize marriages contracted customarily as full marriages except the couple must come to the church to receive God's blessing. This has come as a result of a vigorous theological argument about what makes a marriage valid, complete and meaningful. Christian theologians believe that in a way, God revealed himself to mankind through nature but full revelation is in Jesus Christ, therefore, complete and true marriage can receive its full blessings if contracted in the church of Christ.<sup>12</sup> The marriage then becomes sacramental and effective sign of God's covenant love. It becomes a permanent and indissoluble life long relationship. This argument would be postulating that traditional marriage was without God's covenant love, was easily dissoluble and was therefore not a full marriage before God. This was not the case because traditional marriage was founded on mutual relationship and was essentially life-long relationship. But the church did not recognize customary marriage as complete and meaningful,

therefore christian converts were forced to follow the christian system and discard the traditional marriage ceremonies and rituals which were seen as heathen and unclean. Byang Kato discerning church activities in Africa notes that it is not religion per se that people react against or tend to oppose in Africa but foreign approach to evangelism and national issues. He remarks:

It is the imposition of western culture in the garb of the gospel that they (Africans) react against. It is the interpretation of the Bible by the standard of the western yardstick without reference to indigenous African spiritual heritage and social norms that stings some African politicians and theologians. 13

Nyamiti suggests that christianity should have tried to adapt itself to the environment and become indigenous like Ethiopian christianity so that in its cultural form it becomes self designed. This view echoes the Catholic Church official statement which postulates that:

All cultures have the right to be on independent existences with christianity and the introduction of christianity teaching in a new culture must involve an adaptation that preserves the essential integrity of culture, its values, institutions and customs. 14

This statement of the Catholic Church had remained theoretical. The church has remained uncompromising and hostile to the Luo cultural system of marriage ceremony and rituals which made marriage publicly recognized.

The church in arranging its christian weddings, did not view it as necessary that the son-in-law had to pay all the required bridewealth to his father-in-law to release his daughter to become a wife (kwayo meko), a stage at which the brothers of the girl, the elders were to certify that the amount of the bride-wealth which had been paid to the girls family was adequate. The go-between was also a witness to the certification. The payment of bridewealth was significant because it was a bond to ensure that the marriage was taken seriously and that it would be life-long. It was at this stage that the brothers of the girl asked for a gift from their brother-in-law (gir yawuoyi) and the grandmother too asked for her gift (gir dayo). The gifts were in gratitude to the role the brothers had played in participating actively in training their sister to develop good conduct and grow up to be useful in domestic and garden work when she became a wife. The grandmother too had committedly

and effectively participated in moral and cultural training of the girl and therefore deserved the gift of gir dayo in appreciation of her service. The gifts of gir dayo and gir yawuoyi have, disappeared and the church with its foreign marriage arrangement is partly responsible for their disappearance. It is also partly responsible as a factor that has decreased the payment of bride-wealth. The church marriage arrangement did not recognize the role of the go-between but instead relied on the witness of two people, one for the bride and the other for the bridegroom. The go-between therefore has no part to play in a church marriage. In fact, the church did not consider payment of bridewealth and the go-between as very vital in a church marriage contract. The church's negative attitude explains why there is no go-between in church marriages. The church itself did not endeavour to develop an alternative to replace the traditional go-between in customary marriage arrangement.

After the girl was released to go to her husband's home as a wife, later, a few of her sisters went to visit her in her new home (luwo



bang nyako) popularly known as tero ndaria. They made merry by singing, dancing and rejoicing. It was the beginning of a long process of marriage ceremony that made the marriage to be publicly recognized, a process of solemnizing, publicizing and legitimizing it. It was an achievement in the life of the bride and the bridegroom. The members of the society were happy and praised the achievement. The marriage ceremony reminded the society that it was dynamic and revitalizing itself. Marriage was viewed as a societal hope promising the birth of new members. The Catholic Church did not adapt the Luo marriage ceremony of tero ndaria as christianity had done in the Graeco-Roman world when it took over the cultural marriage practices of the environment adapting them into church marriages. In the case of the Luo, the church acted conversely. It vehemently condemned tero ndaria ceremony as heathen and pagan practice that had to be discarded. More so, it emphatically condemned chodo yawuoyi,<sup>15</sup> a practice where girls who had gone to the bridegroom's home chose men with whom to converse with at night (twak). It gave the girls and young men an opportunity to strike acquaintance and learn the art to behave towards each other. Sometimes, the

girls and the boys struck permanent friendship which led to marriage. That the boys and girls slept in the same house was abhorred by the church and condemned emphatically. The church saw it as an immoral practice bordering on prostitution. In fact, the church was jumpy, hasty and wrong in its conclusion. In the practice of chodo yawuoyi in which the girls slept with boys in the boys' huts, did not mean that the boys intended to engage in sexual intercourse with them. It was just an opportunity for the marriageable girls to interact with boys, converse (twak). Really, twak practice was a very healthy social practice for it made both the boys and girls read-just well in social relationships. It gave the girls an opportunity to learn and appreciate the characteristics and traits of good men they could choose to be their future husbands. The men too did the same.

Tero ndaria ceremony further stood to strengthen morals of the youth. The ndaria girls rejoiced very much if the bride was proved to be a virgin. It meant she had lived a morally good life from her youth to marriage time. To remain a virgin until her marriage time, helped to ensure that there were no pre-marital pregnancies. If they did occur, they were very rare.

The other two practices which have also been affected partly by the church marriages practice are gir chiemo and jadong. When the bride came to the husband's home, she did not eat until she was given a gift. She could demand for a goat, a bullock, a heifer, a cow or a bull depending on how rich she gauged the home was. This gift was called gir chiemo and it was a ritual token to the girl to begin to share meal with the people of the new home, and if the grandfather could give her the gift she wanted, it was a sign to her that she was accepted in her new home and therefore welcome. The church wedding ceremonies ignored the demand for gir chiemo. It was seen as pagan and as a practice of uncivilized people.

When the ndaria girls left the bridegroom's home, there was a young girl called jadong who remained to be a companion of the bride (miaha). The church marriage arrangement has been partly responsible for the disappearance of jadong. But the big factor that has eliminated this is education. Today, no father can allow his school going daughters to remain with a bride as jadong.

The climax of the Luo traditional marriage ceremony was when the bride returned to her father's home (kelo nyako ceremony). To mark this important marriage celebration, the father brewed a lot of beer slaughtered bulls, goats, rams and a lot of good chicken was prepared. Women relatives of the bride's mother also lent hand by preparing a lot of food which they brought to her to help feed her visitors. Great concern was attached to preparation of the day. The mother or mothers in the home smeared their houses. The father too repaired the roofs of his houses and granaries. He mended the damaged parts of the fence of the home so that the home stood on a nice enclosed compound.

When the day reached, it was a social responsibility for the members of the society to participate. Even the bridegroom's close relatives participated in the celebration. The Luo society viewed marriage celebration as very eventful for the marriage was seen as a hope which perpetuate life of society through procreation. The ancestors too joined in the celebration. The participation of both the family members of the bride and the bridegroom was to ensure that the children born

out of the new marriage would remain in filial relationship with the parents of the bride and the bridegroom. The marriage ceremony of kelo nyako was very important for it was the climax of marriage ceremony when marriage was consummated.<sup>17</sup> However, when the church introduced its own brand of church ceremony, kelo nyako which was worth adopting into christian marriage ceremony was neglected. The church did not accept the Luo culture as having anything valuable to enrich christianity except what the white man was so kind to give them. This view is contrary to the Vatican II resolution which states that christianity should learn and accept values and spiritual goods from non-christian religions and acknowledge, and that it should preserve and promote them.<sup>17</sup> But the Catholic Church refused to adapt itself to the pattern of Luo marriage ceremony.

Although kelo nyako ceremony was effaced in christian marriages, its disappearance has not reformed the Luo attitude. The Luo still cherish the usefulness of that traditional practice of marriage.

Riso too, was part of the marriage rituals, a marriage ceremony which was to fully incorporate the wife as a full member of her new home. During the feast, a bull was killed. This bull was considered by the church as a sacrifice to ancestors which the church forbade its members to practise. But actually, slaughtering a bull was just apart of merry making, thanking God through the ancestors for blessing them with a wife who could procreate and perpetuate the family lineage. Riso dhako ritual was not accepted in the christian marriage practice and therefore the church marriage practice is one factor that has been responsible for its disappearance without evolving an alternative to replace it.

Sewo migogo is a practice that is today little discernible. In traditional society, a married Luo daughter would come back to her mother's home who gave her cooking utensils to enable her cook in her own house. This took place when the woman had been initiated to cook in her own house (keto dhako kendo). This was seen to be necessary when a newly married wife of a brother-in-law had now to live in the house of the mother-in-law (wuon-

od-gi) or if she had two or three children it was seen necessary that she should live in her own house to prepare food for her children. When such a daughter (migogo) returned home, it was her mother's duty to give her necessary household goods (sepo). Today, due to cash economy a married woman who is employed or whose husband has income from employment can buy her household goods without asking her mother for help. This is evidence that possession of wealth is switching from the old generation to the younger people. So not only christianity has been responsible for the disappearance of sewo migogo practice but also financial independence of the youth is responsible for its elimination.

#### Increase and Decline of Church Marriages

At the onset of christianity, many Luo converts contracted church marriages and the number of those who entered church marriages increased steadily. For example, at Asumbi Mission which was established in 1928 to serve Asumbi Parish which covered the whole of present South Nyanza, showed increase in church marriages from 1930 up to 1950 but after 1950, church marriages began to decline. From

INCREASE AND DECLINE IN CHRISTIAN CHURCH WEDDINGS OF ASUMBI PARISH

INCREASE

Years of Increase	1930	1931	1932	1933	1934	1935	1936	1937
No. of Church Marriages	2	3	4	6	6	8	10	12
Years of Increase	1938	1939	1940	1941	1942	1943	1944	1945
No. of Church Marriages	14	16	17	17	19	20	22	23
Years of Increase	1946	1947	1948	1949	1950			
No. of Church Marriages	23	24	25	27	30			
<u>DECLINE</u>								
Years of Decline	1951	1952	1953	1954	1955	1956	1957	1958
No. of Church Marriages	23	19	15	14	13	13	10	9
Years of Decline	1959	1960	1961	1962	1963	1964	1965	1966
No. of Church Marriages	9	8	8	7	7	5	6	7
Years of Decline	1967	1968	1969	1970				
No. of Church Marriages	4	4	3	2				



1930, the reasons underlying the increase were many and varied. First, the church came garbed in a very humane way when preaching salvation. The church stressed that all men are brothers (human brotherhood), equality of all men before God and that therefore all men should love each other. The church further emphasized that there should be peace and love among christians. It further emphasized that real peace and love could be realised in christian monogamous marriage. Many christians who wished to realize the peace and love preached by the church, wedded in the church.

Secondly, the christians were pushed by the force of division by the differences of values between the converted and the traditionalists. They wanted to look different from their brothers and sisters who still lived in the tradition of their forefathers. The converts were called josomo<sup>18</sup> (readers). Some christians were taught how to read and write but majority of them were taught only to memorize the catechism. Ability of reading and writing was equated with education (somo). Sometimes the ability to recite catechism only was equated with education (somo). The traditionalists were called

jopiny (pagans or heathens). So the christian converts (josomo) preferred to be matrimonized in the church. They considered traditional marriage ceremonies to be contrary to christian way of life and should be left to be practised by jopiny (traditionalists or heathens). In response, many converts strived to be matrimonized in the church.

Thirdly, the enthusiasm of christians to receive the Holy Communion forced the converts to go through church weddings for when christians married customarily they were refrained from taking the Holy Eucharist.

Fourthly, some priests of some parishes refused to baptize the children of christians who did not wed in church, so for the couple to allow their children to be baptized they had to get matrimonized in the church.

Fifthly, the church developed its own weapon to force christians to go through church marriages. The christian parents of young christian partners who married customarily were refused from partaking

the Holy Communion. Again, if the parents of the young couple had children to be baptized the priest would withhold from giving them baptism. If the parents still had young school going children, their children could be refused from attending the church primary school until the young couple wedded in the church.<sup>19</sup>

The sixth, factor was that many families that had contracted customary marriages in pre-christian period that wanted to be baptized had also to accept to be matrimonized in church at the same time. Since many of such husbands and wives who wanted to receive baptism were many, it therefore, explains the immediate increase in christian marriages.

Finally, christian teachers who were employed by the Catholic Mission, in the Catholic Mission schools, were to be wedded in the church or else they were relieved of their duties and were reinstated only after they had been matrimonized in the church.

Individual and communal enthusiasm to receive the Holy Communion and the church's use of its own

weapons to refuse christians Holy Communion and relieve its classroom teachers who had married customarily of their duty till they got wedded in church, christian marriages steadily increased from 1930, however, from 1950, church marriages began to decline drastically for various reasons.

First, the church refused to give Holy Communion to christians who married customarily. The christians resented such discipline and between 1950 to 1960 one hundred couples who were christians under Asumbi Parish married customarily and lived without bothering to get wedded in the church. Although they were refused Holy Communion, they continued to attend church services. Secondly, the church's over-emphasis of the indissolubility of christian monogamous marriage was held in suspicion by men because some wives resisted their husband's attempt to marry second wives arguing that the husbands were spoiling the Holy Matrimony. According to the missionary teaching on christian marriage, the wives were right because when the partners were contracting a marriage, the wife and husband submitted to each other their selfhood and nakedness. The two were spiritually united

and the spiritual union made the marriage sacred and the sacredness of the marriage would not be profound if a second wife joined in the union. The wives therefore sought help from the priest to restrain their husbands from marrying second wives.<sup>20</sup> As a result of such reports, the would be christian husbands concluded that a contracted marriage in the church would prevent them from marrying second wives. They therefore, decided to marry without church weddings. They would attend church functions and sabbath services on Sunday without taking the Holy Communion.<sup>21</sup>

Thirdly, monogamous marriage was not strange among the Luo for all marriages started as monogamous marriages but the church's over-emphasis about the indissolubility of christian monogamous marriage seemed strange to the Luo. So some men decided that they would not contract such christian marriages which would prevent them from marrying a second wife even if the first wife was barren. Furthermore, they interpreted that the marriage was to remain indissoluble even if the marriage ceased to be meaningful. They found such a concept

of marriage unpalatable.

Fourthly, when church marriages turned to be very expensive and in some cases luxurious, many converts became afraid to engage in church marriages for they were unable to afford going through such expensive church marriage ceremonies in which the partners and marriage maids wore very expensive western-style-clothes. Instead, they decided to cohabit customarily.

Fifthly, today many young girls are not patient to wait for a properly arranged marriage either in church or in the traditional way. Many girls that discover that they are pregnant hurry to get married off immediately to cover their shame. Again, they feel if they wait and deliver, they would find it difficult to nurse the babies without husbands who can help them to look after them. Even if they wanted to deliver first, getting a good man as a husband would be difficult. Some girls also get married off quickly without proper arrangement because they wish to escape the poor hard conditions in their homes. The girls and boys cohabit with-

out bothering to get wedded in church, it is the priests that try to persuade them to come and receive God's blessings by binding themselves in a covenant love relationship in matrimony.

Sixthly, men are cautious in church marriages that their girl friends impose on them. Thirty cases were found in the field to have been contracted and again broken down because the girls had some hidden secrets. In twenty of these cases, the husbands discovered that the wives had one or more children before wedlock. In all these cases the children were sons, while in fifteen cases where such marriages had occurred, and the children were girls, the marriages did not break down. Such dishonesty on the side of the girls has discouraged men in contracting church marriages immediately.

However, another major factor that contributed to the decline of church marriages from 1950, was because of economic change. Many young Luo men were in a position to acquire wealth through the new cash economy. The young men who had obtained education

got jobs from which they earned regular income. The money they got gave them the ability to buy livestock which in turn enabled them to pay bride-wealth without relying on their parents to provide them with bridewealth. Some of such men found it economically necessary and prestigious to marry two or more wives. They therefore, became reluctant to engage in church marriages. Fifty cases of Catholic teachers who decided to marry more than one wife were relieved of their duties without benefits. But the reaction of the dismissed teachers was negatively sharp. They severed relations with Catholic Church and opted to teach in District Education Board (D.E.B) schools.<sup>22</sup> Even the teachers who married their first wives customarily so that they could get wedded in church later, went to teach in D.E.B. schools. Forty cases of such teachers refused to succumb to contract church marriages, instead they went to teach in D.E.B. schools rather than waiting to be reinstated after contracting church marriages.

### Christian Marriage and Marital Stability

In the Luo traditional society, once marriage was contracted following the payment of required



bridewealth, the marriage was deemed to be permanent. Divorce was not permissible except on extreme cases where life of the partners was incompatible. Before any divorce was permitted, the family members, lineage and clan elders who had been responsible for that marriage arrangement had to carefully examine the grievances brought before them and divorce could be accepted only on very genuine ground. This was because the Luo took marriage seriously. J. S. Mbiti aptly points out that:

Once full marriage contract has been executed it is extremely hard to dissolve it. If a dissolution does come about, then it creates a scar in the community concerned. 23

If either of the partners had a genuine reason to seek divorce, the elders had to examine carefully the disputes involved. The husband had to be cautioned, warned or fined if there was evidence that he meted bestial beatings to his wife so that the life of the wife was in danger. If the wife complained that the husband practised wizardry, anti-social magic, witchcraft and sorcery and also if he was a permanent drunkard so that the family

lacked leadership. The wife could raise such grievances as sufficient ground for seeking divorce from the elders. Within Gembe Location of South Nyanza there were sixty cases of men interviewed who sought to divorce their wives but were cautioned by the elders. There were also seventy cases of wives who had sought to divorce their husbands but who were advised to be tolerant and reconcile. There were also five cases of families where divorces had occurred.

The husband too, could seek divorce against the wife if she was a persistent adulterer or if she had developed unchangeable disobedience and laziness, failing to do both garden and domestic work. But before it occurred, the elders examined their grievances with all frankness and fairness more often, the partners were advised to change their habits and behaviours that made their life incompatible, and reconcile so that they stay together peacefully and build a family. The elders did not encourage divorce because the children would suffer yet children were a vehicle of hope and consolation for they continued the next gene-

ration. Sometimes, when divorce was allowed, both or either of them found it difficult to get new partners. So there was need for the partners to bear with each other in their married life to make the families remain stable.

The Catholic Church held the same view that once marriage is contracted it should remain indissoluble. In the early years between 1928-1950, the Luo christian marriages were relatively stable and were admirable. Two hundred men and women respondents between the ages of 40-100 said that christian marriages contracted at the inception of christianity and the early stages of its growth were stable. They tried to live up to the christian ideal of love and peace between partners. They were patient with each other and lived in mutual respect. Many christian families held evening prayers together. They cared for their children well and educated them. It is not surprising, therefore that some of the christian families were able to educate their children who later held important jobs in the colonial government and in the post-independence Kenya government.

As time went on, most of the church marriages that were not properly arranged tended to break down more easily than the traditionally arranged marriages. Of the fifty divorce cases examined at Homa Bay Court and thirty at Rongo Court in South Nyanza, sixty of the eighty cases in both courts were of christian marriages, therefore, although christian marriages are intended to be permanent and stable, they are prone to breaking much more easily than the traditionally arranged marriages.

There are also other socio-economic factors responsible for instability of marriages both traditionally arranged marriages and church marriages. First, some couples have contracted marriages without the knowledge of the parents, therefore without parents' approval. On some occasions, these partners have known each other for relatively short periods. In a case where parents do not know about the marriage, bridewealth is not paid prior to contracting the marriage. The lack of bridewealth payment in such marriages, explains the existence of loose marriage bonds between the couples and the families of both couples. Even if they go through

church weddings to sanctify the marriage, the bond tying the couple is weak. A church wedding alone without payment of bridewealth does not strongly bind the couple. In some church marriages where alot of expenditure and entertainment has been displayed have easily broken down. Most of these prestigious types of marriages are preferred by the educated people, some of whom are rich. If they happen to be poor, they ask their friends to aid them financially or sometimes they borrow loans to help them in the arrangement of richly displayed weddings.

Secondly, church arranged marriages tend to be individualistic pointing much more to the two who become one flesh. Such couples do not integrate into the household of their parents and become subordinate as it used to be traditionally. Where there is financial ability which gives the couple economic independence, the couple exist independently of the parents. But when their relations become sore and result into conflict over social as well as domestic affairs, they lack seniors close to them particularly parents who can guide and advise them. Their life is

finally wrecked with misunderstandings and quarrels. Such marriages have occasionally ended in separation or divorce.

Thirdly, education and cash economy have also contributed to the marriage instability. Quite a good number of families of well educated couples more often of equal academic achievements and where both partners happen to earn equally high salaries are hit with disputes about how best their salaries should be expended. Sometimes, the life of such partners is dominated by arguments, even fights which occasionally lead to separation or divorce. Evidently, availability of too much cash in a family is likely to contribute to instability of marriage.

Fourthly, it was also discovered that in some cases where both partners do not have employment to earn a living, the wife may have entrepreneurial initiative and become the sole bread winner. In some of these cases, if the wife disregards the husband, the children too tend to respect the mother much more than the father so that the father

authority and guidance power is weakened. This sometimes leads to quarrels causing marital instability. In extreme cases, it has led to separation or divorce.

Fifthly, seeking for jobs in towns and leaving a wife upcountry has also caused instability of marriage because if the husband does not earn enough money to enable him to visit the wife frequently, the wife may be tempted to have extra marital affairs with other people, guilt which she is quite conscious about. In a few cases, some men have divorced their wives when they get reports that they are not faithful. Some husbands have also found their wives made pregnant by other men and protested against such pregnancies. Ten cases were found in field research where husbands had divorced such wives.

The sixth factor is drunkenness. Permanent drunkenness is a source of marriage instability. Uncontrolled drunkenness is indiscipline and leads to waste of family resources. If one partner indulges into the habit, he/she squanders family wealth or income and deprives the family of the

essential services. Such drinking is selfish since it cannot be shared by the whole family. In some cases, if it is the husband who becomes an alcoholic or an addict he is aware of the guilt but finds it difficult to stop the habit. The result is that the family remains without father- leadership. In such a case, the wife may raise genuine complaints but such complaints may end in quarrels, or sometimes, in separation or breakdown of marriage.

The seventh factor is unfaithfulness. There seems today to be certain amount of unfaithfulness between some partners which did not occur in the traditional society. Sometimes, either the husband or the wife goes out and involves in sexual intercourse outside wedlock. When it is frequent, either of the partners will discover and raise complaint. The partner whose extra-marital sexual intercourse is discovered may not accept the guilt for fear of the shame it may cause or she/he is not ready to discard the habit. Such complaint, occasionally lead to continued distrust, quarrels and if there is no change of habit on the side of the partner



concerned, the marriage may end in separation or divorce.

The eighth factor is the attempt to marry a second wife on the part of the husband. This has also caused marriage instability. Particularly among the educated elite, when a husband makes an attempt to marry a second wife, his wife may resist the idea. If he insists on bringing a new wife into the family, their relationship becomes sore, and as soon as such a second wife is married, a few first wives, decide to divorce. But many of them prefer to lead long lives of separation, particularly, if they can be financially independent and support themselves economically. During such long separations, they look forward to and hope that the second wife may go away. More often, even if the second wife does not go away, the first wife comes back to her husband and is reinstated in her status as a first wife.

The ninth point hinging to the above factor is monogamous childless marriage. Some husbands who have found themselves living childless monogamous

marriages for a considerably long time have tried to marry second wives in order to raise children. In some of those attempts to marry a second wife, the first wives have resisted ferociously. In certain circumstances such resistances have been violent and have caused much tension in marital relationship, thus weakening the marriage.

The tenth factor is that where educated people have married and earn almost equal salaries, the "demand for equality" by the wife has tended to cause tension and to destroy peace in the marriage. The issue here is authority and power of decision making. Because of occasional unilateral decisions made by the husband due to his authority as the head of the family makes the wife consider her intelligence and dignity belittled when she is not consulted on matters that affect the family. There have often occurred disagreements when the husband continues to refuse to involve or consult the wife when making a decision on an issue that involves the whole family. Finally, there results lack of communication or less communication between them. The picture found in field research is that the families with low in-

come and the families where the husband has high education and gets higher income tend to be more stable than the families of educated people where the couple earn almost equally high salaries. This is because in the former, the decision of the husband tends to be accepted because he is the main bread winner in the family. There is more effective communication between them than in the latter. In the latter, there is less consultation or sometimes lack of it. However, the majority of the Luo families are still stable.

Reasons Given for the Stability of Marriage in the Luo Traditional Society

It is evident that a good number of the present Luo marriages are unstable, in contrast to the traditional society where the marriages were very stable and divorce was rare. There were quite a number of cardinal factors which accounted for the stability of marriage before the influence on the Luo beliefs, practices, religion and customs by the forces of Westernism such as christianity, education, cash economy, modern technology and

western ideas of government.

First, before the end of the 19th century marriage was a communal affair and it was taken seriously to ensure creating and upbringing of the next generation. This therefore, meant that there was to be serious consultation between the family of the partners involving both kinsmen of the partners in arranging the marriage before the two could contract the marriage. The go-between was very keen to see that there was a careful period of courtship involving close friends and relatives who made sure that they dug into the background of the families of the partners before marriage, and confirming that the families had a background of good reputation.<sup>24</sup> This created trust in each of the partners. The go-between further made sure that the partners were free of suspicions with each other of evil practices and free from diseases like leprosy, epilepsy and madness. It was to be ascertained that the girl was polite, docile, respectful and hardworking. She was to be a kind girl (nyako ma ja chuny).<sup>25</sup> Humility was also a highly admired quality in a woman.

Secondly, in the process of contracting the marriage, it was coloured by public ceremonies and rituals to ensure that the marriage was publicly and socially acceptable and therefore would be enduring. There were also elaborate marriage kinship bonds that were long lasting and made divorce very difficult. The conflicts that could arise between partners were taken care of by the many unwritten laws and regulations that governed the married life. For instance, if a husband beat his wife and the wife ran away to the home of her parents, she had to bring back a ram or a he-goat and beer for her husband and his elder clansmen.<sup>26</sup> This step was taken to discourage a wife from always running away to her home whenever there occurred misunderstanding and just minor quarrels within the family. The wife was to learn to be tolerant. On the other hand, if a husband quarrelled with his wife or beat her when the crops were still in the field at the verge of ripening and soon ready to be harvested, such acts were seen to break societal norms, thus, provoking the wrath of ancestors and God. Such a family was punished. The husband was forced to bring a he-goat or a ram to sacrifice to appease

the ancestors and God.<sup>27</sup> This was to discipline such husbands and wives to make them learn that they should forgive each other and live happily, therefore, give the society the peace it struggled to maintain. But even if sharp differences arose between the parties, the clan elders were consulted and the parties advised accordingly and urged to respect one another and try to make necessary sacrifices of tolerance so that a reconciliation could be realized. Hardly did any one partner in a marriage which had been sanctioned by the elders take a unilateral decision in respect of divorce on his/her own right.

Thirdly, adequate payment of bridewealth was vital in establishing the bond in the marriage between the partners and their families. It strengthened the marriage and acted somehow as a marriage seal before the woman bore her first child. It also acted as a compensation to the girl's family because their daughter was no longer going to be with them. If a wife ran away, the bridewealth had to be returned. However, the girls' parents found it very difficult to do so and tried as much as possible

to reconcile the partners. This was because divorce caused a scandal and a scar (mbala) in the families concerned and returning of bridewealth caused a lot of embarrassment on those who had been involved initially in the marriage arrangement.

Fourthly, among the Luo, children are inherited patrilineally, and if a woman got children with her first husband and particularly if they were sons (or a son), the wife found it quite difficult to divorce and marry another man because she was not expected to take her son or sons with her to the new marriage for such a son was considered kimirwa (bastard or illegitimate son) by the new husband. He was not accepted by the new father, and was strictly held to be the son of the previous marriage of his mother.<sup>28</sup> If such a kimirwa grew up in the new marriage, his new social parent could not allow him to build a simba (hut) in the home before the actual sons built their simba nor could he be allowed to get married before the actual sons got married. Such strict taboos often excluded him as a full member of the family. It made the kimirwa to ask his mother that they return to the actual father to

to avoid such humiliation for while he was growing up he was made to feel ashamed that he was a kimirwa. Again, if a wife ran away and married another man, more often than not, if the bridewealth was not returned (even if the bridewealth was returned), she would come back to her former husband particularly, if she left a son or sons with the first husband and did not get a son in the new marriage. If the husband had been wise and patient and did not take the bridewealth, the marriage remained intact, and he could later take the initiative to bring her back with all the children she got in the new marriage.<sup>29</sup> The wife who had run away could sometimes not be lucky to get a son or sons in her new marriage, in such a case, she could decide to return to her former husband to be protected by her son or sons whom she left behind with the husband. Or if she did not return on her own accord, the son or sons she got with her first husband went and demanded or persuaded and urged her to return. So children were a tying marriage bond that made husbands and wives tolerate each other, thus, making divorce difficult. In fact, women who married in polygamous families found it difficult to divorce.



If she ran away and left her children behind, they might be mistreated by the co-wife or co-wives. The thought that her children might be mistreated made her bear with the problems of her marriage life.

Fifthly, the practice of polygamy was acceptable and men were allowed to marry subsequent wives, so the first wife knew very well that if she ran away without apparent reason, the husband would marry another wife, so the practice of polygamy acted as a form of discipline to the wives who would wish to run away or divorce without good reason or to those who were careless, lazy and disrespected their husbands. Therefore, polygamy stabilized marriage. Moreover, polygamy provided room for sexual satisfaction, hence, promiscuous living of males and females was non-existent for each woman had a husband and every child had a socially recognised father. No man or woman had good reason to engage in loose living.<sup>30</sup> In fact, prostitution was unheard of in traditional Luo society. Today, however, many christian husbands pretend to maintain ideal christian monogamous

marriages while they lead promiscuous lives with other women in the bars or hire them houses paying monthly rents for them so that they can pay them regular visits in their bedrooms. It is really doubtful whether such a christian husband really believes to be maintaining a model of christian monogamous marriage.<sup>31</sup> Closely examined, demand for a christian monogamous marriage has been partly responsible for encouraging immoral sexual life sometimes bordering on prostitution and sometimes, degenerating into prostitution unknown in traditional society where a man remained faithful to his wives. In fact, unfaithful monogamous living has been responsible for many separations or breakdowns of christian marriages, thus, leading Africans (the Luo) to copy the western polygamous practice of "consecutive polygamy", marrying wife after another in a sequence involving divorce. This is what Eugene Hillman in Polygamy Reconsidered (Mary Knoll 1975, pp.10-11), terms "serial monogamy, one spouse engaged in discrete monogamous unions. This is called consecutive polygamy when one man has one wife after another or consecutive polyandry when one woman has one husband after another."

On the other hand, the Luo opted for simultaneous polygamy, where a man marries more than one wife at the same time and the husband and wives are faithful in their marital status. Some women after failing to get married as first wives decide to remain unmarried and live a celibate life looking forward for a lucky time when they could contract an ideal christian monogamous marriage. In their unmarried life, some are unable to exercise self control and thus actively influence married and unmarried men to live promiscuously. It is a danger to the moral well-being of the society to live such oscillating life between two worlds and distabilize existing marriages. In fact, the husbands and wives are aware of their guilt in committing adultery.

Sixthly, in cases where the first wife was barren, aging or sickly polygamy could alleviate pain and worry of the partners. The first wife normally advised the husband to take another wife or she brought her own sister as a co-wife.

Seventhly, in the traditional Luo society,

generally men and women lived very close to their partners. The houses of the wives were built usually on the same compound. But even in a case where some wives were built a separate homestead, the husbands were close to them. There was no long separation of married partners brought about today by the present cash economy where a husband may leave his wife (or wives) when he goes to look for employment far from home while the wife remains at home on the farm. This has created problem of infidelity of partners which result in separation or divorce.<sup>32</sup> In the Luo traditional society, there was strict moral code of behaviour related to sexual matters which helped to promote faithfulness in marriage life. Bad moral behaviour like adultery was punishable for it destroyed or harmed the life of the individual, the community, and offended the ancestors and God.

The eighth point is that, in traditional society men and women were trained to be honest, hardworking and to refrain from drunkenness. There was honesty within the family population in pointing to one's mistakes and recommending with praise

good deeds and conduct exhibited by any of the members of the family. Brothers pointed the mistakes of the other brothers if they were mistreating their wives without good ground. Co-wives too, pointed out the mistakes of other co-wives but they were very healthy constructive criticisms intended to create and maintain family peace and stability.

Finally, every person was urged to respect family responsibilities which were clearly defined according to sex roles and to perform them well without confusion.<sup>33</sup> The wives were obedient to the husbands and tried to meet the needs of their husbands, for instance, she treated and fed the husband's visitors well. In turn, the husband was understanding and listened to her genuine complaints and strived to meet her needs. In this way, the husband and wife were ready to forgive one another for any mistakes made by either partner so that the wife and husband lived in mutual respect. In such atmosphere, there was happiness and divorce was a remote idea.

The Fate of Polygamy in the Luo Marriage Practice

That many churches today have accepted to baptize polygamists, admit them into the full church membership is a testimony that christianity in colonial period and after independence did not change polygamous practice very much. Moreover, christianity failed to transform the Luo attitude towards its practice. Today, even the mission founded-churches that were hostile to its practice are beginning to reconsider their position as to how they should treat polygamists, particularly with the view to admitting them in the church and possibly getting them baptized.

It is true, there was a pocket of faithful christians who kept the christian teaching and remained in monogamous marriages but there were also many Luo who remained traditionalists and kept the practice of polygamy. There were also many christians who later married more than one wife but remained partially church members for they were refused partaking the Holy Communion. So the practice of polygamy and attitude of the Luo towards its practice was not much affected because the social and economic structures

that supported it endured destruction.

However, from the late nineteen sixties, the practice of polygamy began to wane for the structures that supported it started to break. Furthermore, social and economic pressures began to force many men to change their attitude towards polygamy. Educated wives began to demand for equality and started to exhibit lack of tolerance for co-wives. Polygamists' prestige began to change, in turn, the love for polygamy too began to change.

The biggest factors affecting the practice of polygamy are economic. The constantly rising standard of living has made polygamy a liability to many men rather than an asset. There has been continuous demand for family members to be clothed decently, sheltered, well fed, and the children's fees paid so that they receive good education. Because of the constant increase in family population, a small piece of land cannot be worked on to produce enough food for the growing family. Formerly, a wife would be given a piece of land to till and produce food to feed her household. Today, however, due to various

factors such as unreliability of rainfall, exhaustion of land, and soil erosion, the land can no longer produce enough food for each household. Land demarcation has also meant that shifting cultivation is no longer possible.

The colonial economy gradually turned a large number of the Luo men into migrant wage earners. Even today, there is continuous rural-urban migration. These migrant workers in towns find it very difficult to keep a wife or many wives up-country and perhaps live with one in town. The low salaries they earn cannot keep such two separate families well due to the inflationary trend of the economy. Many of these migrant workers have changed their attitude towards polygamy. They view it critically as unnecessary practice. So today, it is social and economic pressures rather than christianity that is giving a death blow to the practice of polygamy.

However, there is a section of the population where polygamy is flourishing. There are some rich men, rich educated people or rich business educated



people who enter polygamy and marry wives who can help run their business rather than employing servants. Some secondary school girls, particularly fourth and sixth formers would also prefer marrying rich business men, rich business elite or elite holding high positions and earning high salaries. They feel more comfortable in such polygamous marriages than to their contemporaries who are either unemployed or engaged in low salary jobs and equal employment position.

Most of the average educated working class have set goals and expectations. They have the insight that marrying many wives would hinder them from giving their children the necessary education, food, shelter and clothing so a good number prefer to remain in monogamous marriages. But the peasant group population tend to engage in polygamous marriages without set goals so that finally, in most cases, the wives are left to struggle to maintain their own children by engaging in peasant economy and petty trades. Considering the fact that the colonial government had neglected improving the

peasant economy and even since independence, the peasant economy has not much improved, such wives find it extremely difficult to meet their household needs adequately, leave alone raising fees to pay for the education of their children. Consequently, such families are likely to suffer from a permanent circle of poverty under which the practice of polygamy will be very difficult.

FOOTNOTES

1. Zabayo Aduong'o : Interviewed on 6/7/82  
(Aged 80 years)  
South Sakwa Location  
Alego Sub-Location  
P.O. Sare.
2. Ouso Akuogo : Interviewed on 15/7/82  
(Aged 59 years)  
Kanyamwa Location  
Kakaete Sub-Location  
P.O. Ndhiwa.
3. Ibid. : Interviewed on 15/7/82.
4. Jenipher Anyango : Interviewed on 5/7/82  
North Sakwa Location  
Anding'o Sub-Location  
P.O. Sare.
5. Ouso Akuogo : Op. cit.  
Interview on 15/7/82.
6. Ibid. : Interviewed 5/7/82.
7. William Stephens : The Family In Cross Cultural  
Perspective, p.5.
8. Alyward Shorter : Christian and African  
Marriage and Family Life, p.63.
9. Peter Odera : Interviewed on 27/6/82  
(Aged 62 years)  
Kamagambo Location,  
Kajulu Sub-Location  
Kambogo  
P. O. Sare.

10. J. S. Mbiti : African Religions and Philosophy  
(Ibadan, Heinemann 1969)  
p.145.
11. Peter Odera : Op. cit.  
Interview on 27/6/82.
12. Rev. Haggai Nyang  
(Anglican Priest) : Interviewed on 2/5/82  
Homa Bay Town  
Anglican Church  
P. O. Homa Bay.
13. Byang H. Kato : Theological Pitfalls in Africa  
Kisumu, Evangelical  
Publishing House, 1975) p.54.
14. Michael Kirwen : African Widows  
(New York, Mary Knoll 1979)  
p.5.
15. Mark Odede Amisi : Interviewed on 16/6/82  
(Aged 72 years)  
East Suna Location  
Wasweta Sub-Location  
P. O. Sare.
16. Christobel Awuor : Interviewed on 14/6/82  
(Aged 72 years)  
West Suna Location  
Kibumbori Sub-Location  
P. O. Sare.
17. Michael Kirwen : African Widows  
New York, Mary Knoll 1979)  
p.8.

18. Kiliopas Ogur : Interviewed on 3/6/82  
Muhuru Location  
Kaler Sub-Location  
P. O. Muhuru.
19. Ibid. : Interview on 3/6/82.
20. Sipora Osewe : Interview on 2/6/82  
(Aged 52 years)  
Muhuru Location  
Samo Sub-Location  
P. O. Muhuru.
21. Kiliopas Ogur : Op. cit.  
Interview on 5/6/82.
22. Gideon Okore : Interview on  
Gwasi Location  
Kiabuya Primary School  
P.O. Magunga.
23. J. S. Mbiti : Op. cit., p.145.
24. Joram Ouko : Interviewed on 30/4/82  
Lambwe Location  
Ogongo Primary School  
P.O. Ogongo.
25. Enock Aloo Okech : Interviewed on 29/4/82  
Lambwe Location  
Ogongo Primary School  
P.O. Ogongo.
26. Ibid. : Interview on 29/4/82.
27. Joram Ouko : Op. cit.  
Interviewed on 29/4/82.

28. Sephenia Odhiambo : Interviewed on 23/4/82  
Kanyada Location  
Katuma Sub-Location  
P.O Homa Bay.
29. Ibid. : Interview on 23/4/82.
30. Ibid. : Interview on 23/4/82.
31. Samuel Osenya : Interviewed on 1/4/82  
West Karachuonyo  
Kanjira Sub-Location  
P.O Kendu.
32. Ibid. : Interview on 1/4/82.
33. Ibid. : Interview on 1/4/82.

C H A P T E R VI

CHRISTIAN MARRIAGE VS THE LUO POLYGAMY

Since the Catholic Church missionaries began to preach christianity among the Luo, they set to promote "nuclear" style of the western family type as an ideal christian family. The Luo polygamous practice was condemned in strong terms as adulterous and therefore sinful and must be swiftly eliminated. The church therefore, set to break polygamous families and gave hard conditions to polygamists that sought baptism. They would be baptized only on condition that they sent away all their wives except one. At this juncture, the following questions would be posed:-

1. Is it just to put away all wives except one?
2. What has been the fate of such wives and their children?
3. Are there provisions made to meet the physical needs of the woman and her children?
4. If such wives are married, would they not be committing adultery?

5. Could there be no provision for the polygamist and his wives to be baptized without breaking the family?

The church disciplined christians who later became polygamists by excluding them from partaking the Holy Eucharist to force them to send their subsequent wives away. At the point of death, if the polygamists wished to receive Holy Unction, it was denied them. They were further denied church burial rite when they died.

A christian woman who became a second wife was also denied the partaking of the Holy Eucharist. Her children were also refused baptism.<sup>1</sup> Such are the weapons the Catholic Church used initially to eliminate polygamous practice. It was unfortunate that the church became so unsympathetic to polygamists. The western missionaries refused to be patient and try to learn why a particular person became a polygamist or why polygamy was practised by the Luo. They merely held the prejudiced view that polygamy was adultery and therefore sinful. They had in mind that the Luo were adulterers and sex maniacs and that it was their lust for sex



that motivated them to marry many wives. This view was not only wrong but also outrageous because there were genuine social, political, economic and religious motives supported by the social structures why the Luo practised polygamy.

There were various demands underlying the need to marry many wives in the traditional Luo society. Initially, all Luo marriages started as monogamous marriages, but, the man looked forward to contracting more marriage alliances when more wealth was acquired in the family. But it ended that not all men became polygamous. In Kisuwi Sub-location Unit of Gembe Location, out of forty husbands, twenty lived in polygamous alliances while the rest were monogamists.

Men married many wives so that they might bear many children to give a large progeny for the continuation of the family. There was particular need for sons, for they protected the family from outside molestations or unwarranted attacks. The birth of many sons ensured future protection of the home when the parents were old. The sons provided for their physical needs as food and

shelter. The sons also became the heirs when the parents died. Therefore, if the first wife continued to bear daughters only, the husband married other wives to try to get sons with them.

High infant mortality rate forced men to marry many wives, who could in turn bear many children, so that if many of the children died, some could remain to perpetuate the family lineage.

Marrying many wives protected societal and personal morality, in that, polygamy provided for the husband and wives legally and culturally accepted sexual contact to satisfy each other's sexual needs. During the period when one wife had menstrual flow or was nursing, the husband could satisfy his sexual needs with the other wives. Sometimes, the first wife reached her menopause and her sexual needs diminished (except that she was still required by tradition to engage in some sexual intercourse for ritual purposes). In this case, the husband still had his other wives to satisfy his sexual need without worrying his wife who had voluntarily, due to old age, retired from normal sexual life. Polygamy also helped in birth control. It was bad for the health of the infant and for

the mother to conceive while the child was still a few months old and sucking. The mother had to refrain from sexual intercourse till she weaned the child. Under such circumstance, the husband had other wives to have sex contact with.

When the first wife was barren, she could bring her sister as a wife to the husband to procreate in her stead or the husband himself married a second wife with whom to try and raise children for to die childless is a curse among the Luo.

The Luo were afraid of remaining widowers, for they could not carry on with the domestic chores of the wife as such, they married many wives so that if one wife unfortunately died, the other wives could continue to maintain the family. They cared for the children of the deceased wife. It was difficult for a newly married wife after the death of the first wife, to quickly fit within the family and effectively and affectionately take care of the children of the deceased wife.

Widow inheritance practice was another demanding reason why the Luo practised polygamy.

When a husband died, one of his brothers was expected to replace him in his duties and take care of the widow. He met her sex need and procreation needs on behalf of his deceased brother. He was also expected by the society to perform the productive economic duties to maintain the family. He had to show fatherly care over the children he got with the widow and those children that perhaps the brother got before he died.

Pressure of domestic work could force a wife to bring her sister to become a wife to the husband to relieve her of some of the more demanding domestic chores. The wife herself sometimes could request the husband to marry a second wife who could be able to relieve the first wife with some demanding excess home duties.

Men also practised polygamy for some justified prestigious reasons. Many wives and children were considered as a form of wealth. The man became a respected figure and commanded authority within his ranking colleagues. He was considered a success in life to marry many wives and have many children who were considered as wealth. The family population

formed a strong large workforce to cultivate the farm and produce more food than the family needed. Their homes were therefore considered rich. If such a polygamist was wise in decision making such as settling disputes, he had the courtesy of his colleagues to make him a clan elder or the chief of a sub-group.

So far, in all the arguments raised above that supported the Luo practice of polygamy, there is no single reason showing that the Luo practised polygamy because of lust for sex and that polygamy as was practised by the Luo was a form of adultery as was considered by the church was misrepresentation and misinterpretation.

The mission-founded churches from the onset have been so hostile to the practice of polygamy and set off to eliminate it. At this juncture the dissertation will examine how the early church reacted and treated polygamy.

Josephus, the Jewish historian reports that at the time of Jesus and even later, the Jews still

practised polygamy<sup>2</sup> and although the Romans had proscribed polygamy the Jews still tolerated it. But polygamy was fully enacted against in 393 A.D. by Theodosius. St. Augustine says:

Now indeed in our time, and keeping with the Roman custom, it is no longer allowed to have another wife so as to have more than one wife living. 3

It is therefore clear that the church did not introduce monogamy in the Graeco - Roman world but baptized it for monogamy already existed in the Roman legal system. Moreover, that the christian marriage was constituted by consent, came directly from the Roman law and its cultural practices and the conception that gave rise to the law. The christian marriage had therefore, to adapt marriage practices of the environment. Its marriages were often celebrated accompanied by pagan practices. However, the church advised that they could remove what was specifically idolatrous sacrifice and reading of the horoscopes.

As time went on, christian marriage adapted itself to the principle of homestead religion which

provided the basis of monogamous and essentially indissoluble marriage. This echoes Gen. 2<sup>18</sup>, 21-24 which states that "therefore a man shall leave his father and cleave to his wife and they shall become one flesh". Thus the church teaches that God's plan for marriage is monogamous. During the period of Roman rule, the christians saw it necessary to marry a fellow christian. But celebration including pagan practices continued to characterize christian marriages. The use of the ring as a symbol of betrothal and later, as a sign of contract came directly from pre-christian Roman practice. The betrothal was regarded as the beginning of the marital relationship. Christianity was therefore forced to adapt itself to the Graeco-Roman culture. Christians were to conform to the cultural environment through which they operated. The clergy remained only to advise the christians to avoid pagan excesses and practices.

The church began to argue strongly in support of monogamy. It asserted that polygamy limited sexual freedom of the woman, and that the animal world shows monogamy to be the rule whenever the male needs to exercise continued care over the off-

spring, polygamy only where the male has no such care. The church continued the argument that friendship involves certain equality but in polygamy the liberal friendship proper to marriage is replaced by servile friendship where both equality and intensity of love were missing, and that experience shows that the presence of several wives in the home tends to produce discord.

Despite these arguments, polygamous practice continued until Justonian code rejected it. Still its practice persisted until Pope George decreed against it laying down that "when a man has a sick wife who cannot discharge the marital function he may take a second wife".<sup>4</sup> Finally, the christian marriage became monogamous. It is this marriage that Graeco-Roman world bequeathed to Europe and in the end christianity came to Africa (Luo land) garbed in western culture. So, to a large extent, it was western culture that conflicted with the Luo culture but since christianity came imbedded in western culture it is christianity that was seen as conflicting with the Luo culture. So culture made western missionaries like Henry Venn raise



strong arguments against polygamous practice. They preached against it in order to eliminate it, saying that it was tantamount to adultery and was therefore unlawful. In the christian church it is contrary to the "Divine Institution" of marriage which stipulates that "every man shall have his own wife and every woman shall have her own husband".

The Catholic Church with whose activities against polygamy, this dissertation is concerned with, set out to destroy polygamous practice by using conversion without considering the social structures that supported it. Shorter defines conversion as:

a personal adhesion to values shared by a group an adhesion therefore to social influences and pressures, it entails new social roles, the making and breaking social relationships. 5

Conversion of a Luo polygamist had therefore a social implication on the whole family. That a Luo polygamist had to accept being baptized by sending his wives away except one meant breaking former family relationships or rejecting baptism to save the

family from breaking. In fact, the research findings revealed that there were very few Luo polygamists who accepted to break formal family ties which had been entered into for the sake of baptism. What did happen and still exists is tension created within the polygamous families. This tension shows a real conflict between christianity and polygamy as Shorter points out that in polygamous families,

at times the husband alone desires baptism, husband and all wives desire baptism, husband and wife desire baptism, all wives desire baptism but not the husband. 6

Baptism was the knife the Catholic Church set to cut across painfully the Luo polygamous family. Because even when a polygamist rejected baptism for the sake of keeping intact the family ties, his wives who desired to be baptized were refused baptism. Their children too were refused baptism. This developed a civil war within the family. Peoples beliefs, values and practices were disturbed and since these aspects created harmony between the physical and the psychological make up and once that harmony was disturbed there was bound to be conflict and change. However,

many christian Luo marriages were solemnized in the church and they cherished the idea of christian monogamous marriage. These individual converts were involved in the change which was also approached with ambivalence as Mbiti rightly points out:

Paradoxically the individual is involved in the change and yet alienated from it, so he becomes an alien both to individual life and to the new life brought about by modern change. Africans also receive part of that culture and reject the other part and they kick away part of their traditional culture while retaining the other part. 7

Conversion to christianity has created a strong conflict in the minds of many christians. For example, a Luo christian in a monogamous marriage found it difficult to live with his barren wife for life and die without an offspring, while he could solve the problem by taking a second wife with whom to procreate and get an heir. The christians had accepted to change to live in monogamous marriage but living in a childless monogamous marriages for life was a painful experience. In such crisis, the converts could not compromise with this change. Change has obstacles as Allen Francis remarks:

there may be curiosity as to the new which makes it attractive which at the same time there is uncertainty as to the new which leads to distrust and fear. 8

That a Luo could remain in a childless life caused uncertainty, distrust and fear for it is a curse to die childless in the Luo community. The husband who did not get a child found it difficult to maintain the ideal christian monogamous marriage. In fact, ideals are difficult to attain. Many christians in childless monogamous marriages who broke the rule by marrying second wives included lay christians, classroom teachers, catechists, and the Anglican priests and S.D.A. pastors. Some polygamists who had sent away their wives at the time of baptism, later reinstated them as their wives at their former status. Christianity did not, therefore, make any remarkable change of Luo attitude to the practice of polygamy. Indeed, the individual, christians were involved in the change but remained aliens in that new life. Mbiti points out that:

he is poised between two positions, the traditional solidarity which supplied for him land, customs, and ethics, rites of passage and a modern way of life which for him has not acquired any solidarity. 9

However, christianity has made hardly any remarkable change of attitude among the Luo, and it is difficult to draw a line between changes caused by the missions and those caused by colonization.<sup>10</sup>

William M. J. Van Binsbergen's observation is that:

major changes in most societies are seldom in themselves the direct result of deliberate efforts to bring about just these particular changes. Most major changes are rather unintended accumulated effect of the actions of certain individuals and groups in pursuit of relatively immediate and small scale goals that are defined by individuals and group values. 11

Though the Catholic Church deliberately set to immediately eliminate the practice of polygamy, it did not bring drastic changes to the polygamous practice but it certainly caused profound turbulence in the minds and hearts of the Luo by using symbols of baptism, the Holy Eucharist and Confirmation to discriminate polygamists from being full members of the church.

#### How Other Churches Deal With the Problem of Polygamy

Today different churches have different stands

in their approach to the problem of polygamy, particularly on the question of baptism. The following churches remain firm that polygamists cannot be baptised under any conditions:- The African Inland Church, Pentecostal Assemblies of God, East African Yearly Meeting of Friends and Evangel Lutheran Church of Kenya. The Evangel Lutheran Church of Kenya does not condone polygamy and refuses to baptise them while the Reformed Church of East Africa may baptize a polygamist with all his wives and allow them to participate in the Lord's Supper. But they are restrained from holding any office.

The church of the Province of Kenya (Anglican Church) like the Catholic Church makes a stand that if a polygamist wishes to be baptized he must put away all his wives except one with whom he is baptised and matrimonized or he should be kept under instructions until he frees himself, for instance, if his wives die or until he finally decides to send all of them away except one. Again, the christian who becomes a polygamist is deprived the rights of full privileges of the church member-

ship. The parish priest reports the facts to the Bishop who issues a sentence depriving him the following privileges:-

1. Participation in the Holy Communion.
2. Standing as a sponsor.
3. Office of membership of Parish Council, Diocesan Synod or standing committee (if he held any).
4. Burial with full rites of the church.

The Methodist Church of Kenya cannot solemnize the marriage of a polygamist. Its conviction is that according to the principles laid down in the New Testament, the christian ideal of marriage is life-long union of one man and one woman. In God's plan, the two become one flesh (Mark 10<sup>8</sup>). However, the church recognizes that in God's grace the polygamist who hears God's call and is ready to repent and seeks baptism is received in the full membership of the church. But if a polygamist who is baptized marries a second wife, he is denied church privileges approved by the Leaders Meeting. Other churches which accept polygamists to baptism accord them full membership of the church without conditions

include African Independent Pentecostal Church of Africa, African Israel Church of Nineveh, the Salvation Army, the Reformed Church of East Africa, and the Full Gospel Church of Kenya.

The African Independent Pentecostal Church of Africa welcomes the polygamists into the church fellowship. But first, they consider the circumstances that led him to polygamous marriage. He is then accepted with all his wives and children to the Holy Communion. He is also accorded church burial at his death.

The Salvation Army also receives and baptizes polygamists provided he lives harmoniously with his wives. He may not add any wife to the previous ones nor is he allowed to send any wife away, if he does, he is suspended. He is barred from advising in church matters. They encourage those who married customarily to renew their marriages in the church.

On the other hand, the Pentecostal Assemblies of God welcomes a polygamist believer in the church but he is neither baptized nor allowed to hold any



responsibility. When he dies he is not afforded church burial.

The Quaker Church accepts a polygamist in the church but denies him sacraments. He may be buried by the church during which selected verses of the scriptures are read from the Psalm but the priest does not wear robes during the funeral services.

The African Church of the Holy Ghost accepts polygamists into the church and may be baptized since the church believes the Holy Spirit has the sole responsibility of baptizing any person. However, he is restrained from holding any responsibility in the church. Church members may attend his funeral but he is not given church burial.

The African Israel Church of Nineveh accepts polygamists into the church but they are baptized outside the church or in their homes. Their wives are accepted. but are not baptized. Similarly, the Full Gospel of Kenya receives polygamists into the fellowship of the church. They are baptized but are discouraged from adding other wives or sending

away the previous ones. They adhere to Christ's command "to preach the Gospel to all people everywhere" and Paul's teaching that everyone should remain as he was when he received the call, (1 Cor. 7<sup>20</sup>).

In certain areas of South Nyanza District, namely, Kadem, Gem and Gwasi Locations, where the Catholic Church refused to baptize the polygamists, there were found family members belonging to different denominations. The husband remained a traditionalist while different members of the family belonged to different denominations. The first wife could be a protestant, the second a catholic and the third belonged to Legio Maria. Sometimes, it was discovered that the wives came to the marriage when they had been converted to different denominations and continued to worship in their former denominations. In fifty cases, it was found that the children were influenced by their mothers and worshipped in the denomination of the mothers. It was noted that there was high tolerance for each other within the family despite the fact that they belonged to different denominations. There were no strong feelings within the family members

caused by strains of denominational difference. Some members of such families retorted that after all, we worship the same God, and our alignment to different denominations should not cause strain within the family.<sup>21</sup>

The western missionaries believed that monogamists were the only people who made ideal christian marriages without examining the quality of life led by the couples. They refused to baptize repentant polygamists thus, barring them from becoming full members of the church. This has provoked admonition and plea even from reputable historians like A.J. Ade, Ajay and E.A. Ayandele who are dismayed by western negativism regarding African culture. They ask why there is:

the great amount of fuss made about the issue of monogamy as if it were the fundamental dogma of the christian church, and possessing indubitable scriptural validity. 13

They continue to question why,

scholars who have presented in their writings sociological data that demonstrate in bold relief the merits of polygamy in African society have failed to expose the fallacy of the doctrine that monogamy was divinely ordained and

not a creation of western cultural development. Till this day, nearly all European scholars and western churches continue to indulge in moral condemnation of the institution of polygamy in a manner prejudicial to scientific objectivity. 14

If the western churches continue their condemnation, they may not feel quite at home within the Luo environment. John Mbiti, too addresses himself to western churches and writes in earnest:

I plead with people from other cultures and backgrounds to try to understand the meaning behind African Marriage and Family life, and to be patient in passing harsh judgement on our traditional marriage and ideas. 15

It might be good at this stage to urge the Catholic Church clergy in their pursuit of pastoral work to deal with each polygamist's case individually and judge it on its own merit whether the individual repentant polygamist deserves to be baptized. The church can still maintain her teaching and practice that monogamy is the ideal christian marriage instead of condemning all polygamists to damnation.

Christian Marriage Vs the Luo Levirate

Among the Luo, the widow could not divorce from the deceased husband's family by marrying another man. She could only enter leviratic union with one of the brothers of the deceased husband. The living brother continues to fulfil the function of the deceased brother.<sup>16</sup> So in the levirate the widow is not a wife to the brother-in-law with whom she cohabits. He is merely continuing to fulfil the sexual needs of the woman as well as procreative and economic needs on behalf of the deceased brother. He is not her husband at all, and she is not his wife. If the brother-in-law procreates, he does so on behalf of the deceased brother. Though biologically the children procreated are his, and he gives them the cover and care of social parenthood, the children belong to his deceased brother. Of course, the children will call him "our father" because of the biological and social parenthood.<sup>17</sup> But in the concept and understanding of the society the children belong to the deceased brother because the living brother raises them on behalf of the deceased brother.

Since the widow was not the wife of the living brother-in-law who inherited her, the practice of the levirate was convenient for it cared for her in polygamous practice. It was always preferred, the appropriate man to take care of the widow was an elder brother of the deceased who was already married so that the widow was taken care of in a polygamous alliance. There was a taboo that a young living brother should not inherit the wife of an elder brother. However, the elder brother could inherit the young brother's wife. If an unmarried brother inherited a brother's wife, he had to strive to marry his own wife to procreate children who could inherit his property for the children whom he procreated with the widow could not inherit his property but the property of the deceased father and only his children could continue his line.

The Catholic Church saw this leviratic marriage as equivalent to polygamy and condemned the leviratic practice as adulterous and sinful. The church stood firm that the widow should be left free to choose a man with whom she can wed. The church

further suggests that if she is old she can remain in the husband's homestead and keep the homestead without cohabiting with a man in a leviratic marriage. It advises also that if the widow wishes to live in the church compound she can do so and the church can try to take care of her by providing for her material needs.

The church's view is that a widow should re-marry. This is contrary to the Luo idea of caring for a widow. According to Luo customary law even when a widow was old, she had to be inherited to fulfil one of the death rites so that her own children could also be able to fulfil them. If she refused to fulfil the requirement to be inherited, at her death, somebody had to fulfil the ritual of inheritance which involved symbolic sexual intercourse with her before she was buried. Such loathsome type of sex had to be prevented before she died, so she had to make sure that she was inherited and fulfilled the widow rituals before her death. If she did not want to cohabit with a man for a long time she could for a short time cohabit with a non brother-in-law (Jakowiny) whom she could get rid off

at will provided he had fulfilled for her the inheritance ritual.

In a case where a widow was allowed to live in the parish compound, the church could only take care of her material needs like clothing, food and shelter. But if she was young she also continued to have a strong desire to bear children. If there were many such young widows in the parish compound, the church was surprised to find that the widows were procreating without specific men that were taking care of their sex needs whom the society recognized as continuing the work of the deceased husbands. Sometimes, there can be sexual promiscuity in the mission compound.

The church's suggestion that the widow can get a man whom to wed in the church, is even more difficult. The church tries to promote the marriage of the widow without understanding that a widow cannot contract a new marital relationship because the death of the husband does not end her marriage with the family of the deceased husband. She cannot marry twice. Ali Mazrui states the case of Mrs. Pamela Mboya:



When a brilliant Kenyan politician, Tom Mboya was assassinated in a Nairobi street in 1969 his highly westernized wife, Pamela was grief stricken. Pamela later moved in with Mboya's brother, but not all the customary rituals were observed, and therefore the union was not fully validated by indigenous Luo rule .... However, what was significant from our point of view was that the problem of legitimacy for the union between Tom Mboya's widow and his surviving brother arose not out of christian traditions in which all three had been brought up, but mainly out of the customary rituals and procedures of Luo culture to which all three belonged. 18

The widow knows she ought to be inherited. She is aware that she is the wife of the family and since her husband did not divorce her before he died, she must be inherited. She cannot sever her marital relations with the family of her deceased husband. The children ought to be born within the family of the deceased husband to perpetuate the father's group. The leviratic union is thus, part of the network of preserving the immortality of the deceased husband, the lineage group, and giving security to the widow and her children. The late Tom Mboya himself had expressed that:

In the early days the church objected to the African dances as primitive and uncivilized and for years there was complete conflict between the church

and those Africans who wanted to continue African traditions and customs and stood for African culture .... To us this confusing of the European way of life with Christianity was entirely a contradiction of terms. 19

If a widow lives in a leviratic marriage the church denies her privilege of partaking in the Holy Communion. The man who takes such a widow if he was a christian that had lived in a monogamous marriage is also barred from partaking in the Holy Communion. One missionary, Bernard wrote in great protest saying:

must the missionaries obey the moralist and buy the sacrament to a christian who with considerable sacrifice fulfils his leviratic duty towards a widow who adheres to her order demanded by the tribal custom in order that she may not be robbed of her children and her place in the tribe. 20

The leviratic practice is a form of protection given to the widow's household. In traditional society it is a way of taking care of the unsupported woman and her children. The wife must be retained in the family so that her children become the heirs of the deceased to inherit land, livestock and many other property. The security of the wife and children lay in the hands of the

communal solidarity of collective responsibility. Even at the time of the bridewealth payment not only the family of the husband gave cattle for the bridewealth payment but also other close kinsmen and sometimes members of the extended family did if the man had not enough cattle to pay for bridewealth. As the Luo were concerned with the payment of bridewealth at the initial marriage stage, even after the death of the husband they continued to care for the widow as her own husband could have cared for her if he were alive. In the New Testament, the sentiment to care for the widows and orphans is expressed. It states that in the spirit of God's love, religion that is pure and undefiled before God and the Father is this: to visit the orphans and widows in their affliction .... (James 1<sup>27</sup>, RSV). The Christian demand that the widow should get wedded in church and not live in a leviratic union has not much changed the Luo attitude to the practice, nor has the practice changed much. It is the factors affecting polygamy that are also affecting the levirate.

FOOTNOTES

1. Ulda Adede : Interview on 7/4/82  
(Aged 60 years)  
Central Karachuonyo  
Kakwajuok Sub-Location  
P. O. Kendu.
2. Eugene Hillman : Polygamy Reconsidered  
(New York, Mary Knoll), p.22.
3. Ibid., p.22
4. Gerald Leshie : The Family in the Social  
Context, p.25.
5. Alyward Shorter : African Culture and Christian  
Church (London, Geoffrey  
Chapman 1973), p.75.
6. Ibid., p.83
7. J. S. Mbiti : African Religions and Philo-  
sophy. Ibadan, Heineman  
p.219.
8. Francis Allen : Theology and Social Change  
(New York: Appelton Century  
Croft) p.62.
9. J. S. Mbiti : Op. cit., p.219.
10. Anderson Ephraim : Church at Grassroot, p.82.

11. W.M.J. Van Binsberagens : Sociological Reflection on Development and Role of the Church, p.87.
12. Matoka Onyango : Interview on 19/5/82  
(Aged 65 years)  
Kadem Location  
Agenga Sub-Location  
P. O. Macalder.
13. Eugene Hillman : Op. Cit., p.56.  
Hillman quotes from Ajayi and Ayandele, Writing Church History, p.94.
14. Ibid., pp56-57.
15. Ibid., p.94.
16. Michael Kirwen : African Widows  
New York, Mary Knoll, p.167.
17. Johanna Anyama : Interviewed on 2/4/82  
(Aged 81 years)  
West Karachuonyo  
Kanjira Sub-Location  
P. O. Kendu Bay.
18. Ali A. Mazrui : African Condition  
(Richard Clay, 1980) p.56.
19. Tom Mboya : Freedom and After  
(London: Andre Deutah, 1963)  
p.20.

20. Bernard Haring

: Theology of Protest, p.252.

C H A P T E R VII

CONCLUSIONS

This thesis has attempted to bring out the overall Impact of Christianity on the Luo Traditional Marriage System. The effect of Christianity was tied up with the Luo traumatic experience of British colonialism. The Luo saw the missionaries and colonialists as one and the same people, on the same mission, ruthlessly engaged in destroying their culture. In fact, the missionaries were to be rightly condemned for their ethnocentric assumptions and their connection with political colonization.

The analysis validates that the Catholic Church marriage beliefs and practices are radically opposed to those of the Luo. It also proves that the Catholic Church has affected the Luo marriage beliefs and practices. However, the analysis indicates that some variables other than Christianity have been responsible for the change of the Luo traditional marriage beliefs and practices. These variables

include change of attitudes, education, technology, new occupations, urbanization, monetary economy, land pressure as well as social and economic pressures. But data analysis has shown that christianity has caused a lot of tension in marital partnership due to lack of proper arrangement in most church contracted marriages. Church marriages too have affected requisite payment of bridewealth for the church has neglected family and lineage elders concern in the arrangement of marriage. It has also affected marriage ceremonies and rituals. Nevertheless, Christianity has not much changed the attitude of the Luo towards polygamy nor is the church much responsible for its decrease for the data has shown that a sizeable number of christians backslided into polygamy.

#### Summary of the Analysis of Selected Responses

1. Which people were involved at the initial marriage arrangement?

The people involved included the partners themselves, both parents of the partners as



well as the lineage and clan elders of both partners. The go-between also played a leading role.

2. Why was payment of bridewealth important in the traditional Luo society?

It was a compensation to the girl's parents and it was a useful marriage seal. It also legalized the marriage and gave the husband a right to discipline the wife and could bring charges against her before her parents if she misbehaved. If the husband did not pay bridewealth, he had no right to bury the wife nor could he have the right to claim the children as his own. It was also not legal for him to use the bridewealth of the daughters if he did not pay bridewealth for their mother. Again, it was only if the wife's bridewealth had been paid that she could go through riso ritual.

3. What factors motivated the practice of polygamy?

There was high infant mortality and many wives fulfilled the desire for many children

particularly males that could continue and preserve the family.. Several wives gave the husband the opportunity to have socially accepted sex with other wives if one wife was expecting or nursing a baby. In the same way, polygamy helped in birth control (today's family planning). A woman had to refrain from sex until she weaned her child. If the wife reached menopause, she voluntarily retired from sex contact and the husband could have sex contact with other young wives.

The Luo feared remaining widowers and to forestall this, it was necessary to marry many wives who could take care of him and the children if one wife died. Inheritance of widows was also catered for only in polygamous alliances. If the first wife was barren or sick and could not fulfil marital functions, a husband could marry another wife. Polygamy was also a factor that stabilized marriage. If the first wife was indisciplined, the marriage of a second wife would force the

first wife to behave well because otherwise she could not be happy in that home. Though the man himself could decide to marry a second wife, however, sometimes, his parents, relatives, first wife and his age-group could pressurize him to marry subsequent wife or wives. Acquisition of land (mako lowo) also necessitated the marriage of many wives. Nevertheless, there were also men who cherished to marry beautiful women. A girl could also prefer to be married to a middle-aged man in anticipation that he would come to love her.

4. What is the attitude of people towards polygamy?  
Is it decreasing or increasing today?

Polygamy is waning but the desire to marry more than one wife is still strong in many men. Christianity promoting monogamy as ideal marriage has influenced the attitude of faithful christians. Further, the attitude towards polygamy is forced to change due to social and economic pressures. There is great necessity to feed, clothe, shelter

children and pay their fees to give them good education. Yet there is spiraling cost of goods that a polygamist with many wives and children cannot be able to buy to maintain a large family decently. Socially, jealousy has increased among co-wives due to change from subsistence to monetary economy. Moreover, polygamy makes the realization of women's demand for equality difficult because women cherish self respect and peaceful family life which they believe can be realized in monogamous marriage. Lack of good housing in the urban centres and high cost of living does not favour keeping many wives in town.

Land sub-division (land demarcation) has made land smaller and sometimes less productive, therefore, today, it is not the man with many wives that has social prestige. Prestige is shifting to good attainment of high education and good salary that enables one to acquire wealth and maintain a good standard of living. All these factors combine to work against polygamous marriages.

The above reasons which are responsible for the change of attitude towards polygamous practice are also responsible for change of attitude towards widow inheritance. It seems the outlined factors work against polygamous practice and helps the church to eliminate polygamy. Although polygamy is destined to decline, rich (business) people still tend to opt to engage in polygamous alliances.

5. What factors contributed to marriage stability in the traditional society?

There was gradual courtship and communal involvement of both partners' clans at the initial stage of marriage arrangement. The marriage agreement was difficult to break once it was contracted. Individualism in decision making in matter of divorce was not permitted. No one partner could divorce without consulting the parents. Both adequate payment of bridewealth and the practice of polygamy stabilized a marriage. There was also a strict sex moral

code and sex offences were punishable.

6. What factors contributed to family instability or divorce in the traditional society?

A partner who practised wizardry, witchcraft or sorcery found it difficult to live with a partner who did not practice them. The husband's bestial beating meted to the wife as well as uncontrollable dangerous quarrels among co-wives that a husband is unable to curve, could lead the most affected wife to run away. The wife's persistent laziness, rudeness and adulterous practice could provoke the husband to complain and to possibly take disciplinary measure against her. On the other hand, a husband's frequent interference with kitchen affairs could not be tolerated by the wife. Mistakes are human and if either partner could not forgive, or the other to apologize, this could lead to resentment between the partners.

7. What factors today lead to family instability?

Rapid westernization has made many people to discard the traditional values that stabilized marriage. Further, youth trial marriages as well as church or civil arranged marriages made within relatively short periods before the partners learn the conduct, personality and background of one another are responsible for marriage instability. The disrespect exhibited by either partner may lead to unilateral decision of the partner affected. In a case where a selfish partner uses the greater portion of the family's income in drinking instead of using it to maintain the family decently, particularly in a monetary economy where sometimes the husband may well be the only bread earner may lead to family instability.

1. The analysis on this table shows that traditionally one out of two marriages end in polygamy.
2. Men who were found in a state of polygamy were refused baptism but women in polygamous families were baptized.

TABLE IVStatistical Data Analysis of Selected Responses:

<u>Location</u> (village or clan)						
GEMBE LOC.						
Kasungu (Clan)	50	40	20	70	120	2
Waondo (Clan)	20	30	15	45	115	2
Mirunda (Clan)	35	27	12	14	150	2
Wasaki (Clan)	38	31	17	32	102	2
Totals	143	128	64	161	487	8
	Non-Christian Polygamists (Traditionalists)					
	Christian Polygamists					
	Non-Christian Monogamist (Traditionalists)					
	Christian monogamists					
	Christian wives in polygamous marriages					
	Average No. of wives per polygamist					



3. Many Christian monogamous marriages degenerate to polygamy.
4. Most of the Christian polygamists have opted to go to churches that give them full membership in the church.
5. The Catholic, Anglican and the S.D.A. churches which were mission founded have nearly the same policy in dealing with polygamy. The polygamists are refused baptism.

Suggestions to Church Leaders, the Government and the Luo Community.

The analysis has revealed that polygamy has been an aspect of Luo culture that has most bedeviled the church throughout its history in Luo land. An examination from the Biblical point of view and the church's view may help in formulating useful suggestions for the church to help the priests in their pastoral care to the polygamists.

"From the text of Genesis 2<sup>18</sup>, and 2<sup>21-24</sup>, the church views marriage as ordained by God and is for companionship. Gen. 2<sup>24</sup> states that a man shall cleave to his wife indicating that marriage is between a male and a female. They become one flesh in body, mind and soul yet they remain two separate individuals. The two complement each other's life and find fulfilment in one another. In this case, each partner submits himself/herself wholly to the other in physical sexual relationship. In 1 Cor. 7<sup>3</sup>, Paul advises that "let every man have his own wife and every wife her own husband. The husband must render to his wife the obligations that are due to her and similarly the wife to her husband", that is, conjugal love is unbreakable union of husband and wife. Further in 1 Cor. 11<sup>11</sup>, Paul adds that in the Lord woman is not independent of man and man is not independent of woman. They are interdependent. It indicates that God intended marriage to be monogamous. But there is nowhere in the Bible that polygamy is explicitly condemned. However, in Duet. 17<sup>17</sup>, Tim. 1<sup>5-9</sup> and Tim. 3<sup>1-3</sup>, the polygamists are excluded from the leadership of God's people.

In view of the above arguments, the church insists that a Christian marriage must be solemnized by the priest before the church and it ought to be socially acceptable and legally recognized by the state. That is why the state gives the church authority to issue the couple with a marriage certificate so that their marriage can be registered by the government. The church further views the marriage to be indissoluble and to serve the purpose of procreation to enable the couple to build a christian family. Although this is the view of the church, it does not rule out that polygamy is not a valid and permanent marriage. It is not a "union" that can be dissolved at will. But the church rejects it with the idea that it does not allow for that most intimate union which God designed between a male and a female and the church further rejects it with a misconception that polygamy is adultery and sinful. However, to the Luo, polygamy is an economic social institution and not a moral sin, so that the missionary insistence on monogamy is strange. But here, the Luo are faced with a dilemma. The church insists that the Luo must

decide to become mature christians and opt to choose God's ideal marriage which is monogamy rather than polygamy. The church argues that it, has a rule and whoever wants to become a full member should be able to conform to the church rules, and although the Old Testament allowed polygamy Jesus restored monogamy (Math.19<sup>3-8</sup>, Mk.10<sup>7</sup> and Cor. 7<sup>2-4</sup> as God had ordained it from the beginning (Gen.2<sup>24</sup>). So, the church remains cautious of adopting cultural values and practices which are not based on christian teachings. The church thus safe-guards its unchanging doctrines and mentality. But the church should understand that what is needed is promoting a dialogue between her and the Luo cultural heritage to make the christian teachings meaningful to the Luo community.

We have two categories of polygamists. Those who are polygamists before hearing to gospel and those men who believe in the gospel, repent and are baptized but later backslide to polygamy. How should the church best handle the two categories of polygamists? Those who after receiving the

gospel believe, repent and get baptized and then receive matrimony but later backslide to become polygamists, should be allowed to remain partial members of the church? They can be denied church privileges of partaking the Eucharist and excluding them from being leaders in the church. However, their readmission into full membership should be considered each on its own merit depending on the repentance for his faults in breaking the marriage vows.

For those who became polygamists before they received the gospel should be considered to have been in a state of ignorance and if they believe the gospel, repent and wish to be baptized, their cases should, each be considered on its own merit. Their baptism and admission to full membership of the church should be acceptable to the local church. They should not be persuaded to send away their wives except one before they can be baptized. This would be tantamount to divorce which Jesus forbade completely (Mark 10<sup>9</sup>). Paul advocated that, it is disastrous to give people the opportunity of breaking away from old ties merely by professing christianity. In laying down "General Principle on Wide Application"

Paul said that a person should glorify God in the same position or state as that which his call finds one. But even in so admitting polygamists into full membership of the church, monogamy should remain the ideal pattern of christian marriage. It would be unjustified to deny baptism to a believing repentant polygamist without investigating why he became a polygamist, and explain to him why he cannot be baptized.

For a long time the Catholic Church has neglected its pastoral care to the polygamists by merely condemning polygamy as adultery and therefore sinful. In this stand, the western missionaries reflected self satisfied egotism, their paternalism and their misapprehensions. The Luo did not understand their teaching for polygamy was widely practised and socially acceptable. But the missionaries were engaged in a crusading zeal to destroy polygamy without giving thought to the social and economic implication of the practice of polygamy

The message of the gospel of salvation is for mankind and not merely for those who are monogamists

or single people. If baptism is part of the salvation message, then the church should reconsider its position in pastoral care of those who became polygamists in state of ignorance of the gospel. That a polygamist be kept under instructions, until his wives die and therefore relieved of the burden is not being merciful to a repentant sinner.

The church asserts that it should live above the cultural beliefs and practices of the people. This would not be a church that truly serves the people. If it endeavours to serve the people, it should adapt itself to the environment for the sake of salvation of many who believe the gospel and repent. The church was initially very quick in christianizing people but not the social values that control people's conduct in the society. From the evidence of this study, if the church were indigenized, it would serve the people more effectively than it has done in the past. The government and the church should make a collective effort in teaching and counselling polygamists and potential polygamists. on what problems polygamy and bearing of many close children pose to the individual and the government.

From the analysis, variables other than christianity are found to be more responsible for the decrease of polygamy. If it was practised for the desire of many children, to get co-helper in a home, or a form of wealth and social prestige, these aims are no longer very useful. Formerly, many male children were needed for protection, as family heirs, as a form of wealth and for the continuity of the family name. Today, many children have become a burden to the less fortunate parents. The government should provide improved effective medical care in the rural areas so that few children brought forth can survive. This will alleviate high infant mortality rate which forces people to bear many children. In fact, the government must do all it can because, it finds it difficult to plan to meet the demand of an ever alarmingly increasing population. Instead of administering contraceptives, for effective control of population growth, teaching and counselling the people may make the people positively change their attitude against polygamy and need to get only children they can care for decently. The government



in turn would be relieved for it would get the number of children to give good education finally employ and house.

In case of childless marriage, the couple could be first advised to consult medical experts. The church leaders may teach them God's perspective to bear with each other till perhaps they are possibly blessed with a child.

Since people needed male children to protect them at old age, the government and the church can work together to cater for the physical and medical care of the aged and the widows. The Luo ought to be commended for their concern for the care of their widows in polygamous marriages. At present, the Luo find it difficult to marry a widow so if she is not cared for in a polygamous marriage, another alternative should be provided to cater for her needs decently.

Some men have married second wives who are better educated because the first ones were illiterate or semi-literate or were not educated to the

standard they desire. Such husbands are advised to persuade their wives to pursue educational opportunities that exist like adult literacy classes and extra mural studies to further the education of their wives.

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"QUESTIONNAIRE"

1. (a) Interviewer's Name.  
(b) Date of the interview.  
(c) Description of the informant.  
(d) TOPIC "The Impact of Christianity on the Luo  
Traditional Marriage System".

2. (a) Informant's Name.  
(b) Location.  
(c) Name of the head of the family.  
(d) Sub-Location.  
(e) Clan.  
(f) District.

SECTIONS A, B AND C, TO BE ADMINISTERED MOSTLY  
TO THE CHRISTIANS, NON-CHRISTIANS, (TRADITIONALISTS)  
THE CLERGY, (Priests, Pastors, Bishops) TEACHERS  
AND CATECHISTS.

3. (a) Age.  
(b) Marital Status.  
(i) Single.  
(ii) Married.  
(c) (i) Do you live in polygamous or monogamous  
Union?  
- Polygamous

- Monogamous

(ii) Divorced.

Yes, No.

(iii) Widowed.

Yes, No.

(iv) Occupation.

(d) Education.

(i) Std. 1-4

(ii) Std. 5-7 (8)

(iii) Form 1-4

(iv) Form 5-6

(v) University

(vi) Others

4. (a) Where were you educated?

(b) Was the school:-

(i) Mission school

(ii) Government school

(iii) Private school

(iv) Others

5. What religion do you belong to?

(i) Traditionalist

(ii) Christianity

(iii) Islam

(iv) Others

6. (a) Were your teeth knocked out during initiation?

Yes, No.

(b) If Yes, why were you initiated?

(c) If No, why were you not initiated?

(d) If your teeth were knocked out (initiated)  
what things were done to you?

(e) What educational instructions were you given  
during and after knocking your teeth?

(f)(i) Do you think knocking out of teeth is  
important (initiation)?  
Yes, No.

(ii) If Yes, give reasons:-

(iii) If No, give reasons:-

(j) How many children have you?

(k)(i) Would you like their teeth to be knocked out?  
Yes, No.

(ii) If Yes, give reasons:-

(iii) If No, give reasons:-

(h) How did the Luo educate their children?

- (o) What particular knowledge did the Luo pass to their children?
- (p) Who educated the children?
- (q) What good things or knowledge did traditional education give to the youth?
- (r) (a) How many children have you?
- (b) Do you prefer the children teeth being out?  
Yes, No.  
Give reasons:-
- (c) Which do you prefer, bringing up children in Luo traditional custom or christian way?
- (i) Christian way.
- (ii) Traditional way.
- (iii) Both ways.
- (d) Give reasons:-
- (e) Do you think it is important for children to go to school?  
Yes, No.  
Give reasons:-

8. (a) What religion do you belong to?
- (i) Moslem.
- (ii) Christian.

- (iii) Traditionalist.
- (iv) Others.
- (b) If you are a christian, when did you become a christian?
- (c) Which denomination do you belong to?
  - (i) Catholic
  - (ii) Anglican
  - (iii) Others
- (d) Why did you become a christian?
- 9. (a) If you are not a christian have you been informed of anything about christianity?  
Yes, No.
- (b) If Yes, why have you become a christian?
- 10. (a) Do you often go to church to pray?  
Yes, No.
- (b) Do you feel that it is wrong if you don't go to pray in the church (Mosque)?  
Yes, No.  
If Yes, give reasons:-
- 11. (a) Is there any importance of christianity to the Luo?  
Yes, No.
- (b) Give reasons:-

12. What good things has christianity brought to the Luo?
13. What bad things are associated with christianity?
14. What weakness had (or still has) christianity when it was (is) preached to the Luo?
15. Is what taught by christianity (by missionaries) relevant or irrelevant to the Luo way of life?

Yes, No.

If relevant, what is relevant?

(c) Give reasons why they are relevant or irrelevant.

16. Does modern formal education equip the children with enough tools to live in the Luo society as compared to traditional education?

(a) If Yes, how does it prepare the children for life in society?

(b) If it does not prepare children for life in the society, give reasons:-

(c) What things or knowledge did traditional education give to the youth?

(d) In what way do you think it was not adequate education?

17. Are there changes in methods and ways which enabled a man to get a good girl that he could marry as a wife?

Yes, No.

- (a) If there are changes, what are the changes?
- (b) What or who has brought the changes?
- (c) (i) Is there change in visiting a girl  
in her home to make solemn and serious  
agreement to marry each other before  
parents?

Yes, No.

- (ii) If Yes, what are the changes?
- (d) What or who has brought the changes?
- (e) (i) Is there change in paying bride wealth?

Yes, No.

- (ii) If Yes, what are the changes?
- (iii) If No, why is there no change?
- (f) What was paid as bridewealth traditionally  
and who offered bridewealth?
- (g) Why did that person have to pay bridewealth?

- 18. (a) What gifts were given to the mother of the  
girl at the time when bride-wealth was paid?
- (b) Why was she given these things?
- (c) Is she still given these things? Yes, No.
- (c) If Yes, what are still given?



(d) If No, why is she not given these gifts today?

(e) What was given to the father-in-law by the sons-in-laws during the time bridewealth was being paid?

Yes, No.

If No, give reasons.

(f) What was given to a step-father or other relatives when bridewealth was paid?

(g) Why was he/she (were they) given these things?

(h) Is he/she(are they) still given these things?

Yes, No.

If No, give reasons:-

(i) What was given to the step-mother?

(j) Why was she given these things?

(k) Is she still given these things?

Yes, No.

If No, give reasons:-

(l) What presents were given to the grandmother when bridewealth was being paid?

(m) Why was she given these things?

(n) Is she still given these presents?

Yes, No.

If No, why?

(o) What presents were given to the girls' brothers at the time bridewealth was paid?

(p) Why were they given these gifts?

(q) Are they still given these presents?

Yes, No.

If No, why?

(r) What did the grandfather give to the bride (miaha) before she ate anything in her new home?

(s) Why was she to be given these things?

(t) Is this practice still there?

Yes, No.

If No, give reasons:-

19. Why was it necessary to pay bridewealth traditionally?

20. Do you think the custom of paying bridewealth still exists among the Luo?

Yes, No.

Give reasons:-

21. If bridewealth is not paid, what is the substitute?

22. When comparing the period before christianity and the present are there fewer or more divorce cases?

Fewer.

More.

The same.

Give reasons:-

23. Why did the girls have to go to make merry in the girls' new home (ndaria)?

(b) Is this practice still there?

Yes, No.

If No, give reasons:-

(c) Why was it very important, that girl should be found to be a virgin at the time of her marriage?

(d) Are girls often found to be virgins at the time of their marriage today?

Yes, No.

If No, give reasons:-

(e) What was the function of a girl who remained with the bride (jadong)?

(f) Is the practice of "jadong" still there?

Yes, No.

If No, why is it not there?

(g) Why was marriage ceremony or wedding ceremony (kelo nyako) very important in the marriage process?

(h) Is the wedding ceremony (kelo nyako) still practised?

Yes, No.

If No, give reasons:-

24. How were Luo girls prepared for marriage?

25. Who prepared the girls for marriage. Why is it that they were the ones charged with such responsibility?

26. What were the reasons why a wife could divorce a husband in traditional society?

(b) In traditional Luo society, why could a man divorce a wife?

27. Who could finally decide on such a divorce?

28. For what reasons may a man divorce his wife today?

29. For what reasons may a woman divorce her husband today?

30. What did the society think about a marriage that broke down?

(b) If the woman divorced her husband, what was the reaction of the family?

31. In Luo traditional society was it easy for a divorcee to find another partner?

Yes, No.

32. Who could take care of the children if the couple had children before they divorced?

33. Do you think that pre-marital pregnancies are decreasing, increasing or the same if you now compare it to traditional Luo society?

1. Increasing.

2. Decreasing.

3. The same.

Give reasons:-

34. What happened to a girl when she became pregnant before she got married?

35. What do you think would happen to such a girl today?

36. What sex taboos were there to guide the behaviour of the unmarried girls?

(b) What was the attitude of the people to a child born out of wedlock?

(c) What happened to such a child born out of wedlock?

(d) If such a girl got married to a man what was the attitude of the husband to such a child born out of wedlock?

(e) Did the husband keep such a child as his own?

Yes, No.

Give reasons:-

37. How many wives have you?

(b) If you are a monogamist, do you hope to marry another wife?

(c) Yes, No.

(c) If Yes, give reasons:-

(d) If No, give reasons:-

(i) One wife is enough.

(ii) I am a christian.

(iii) I cannot afford.

(iv) Others.

(e) If you are a polygamist, why did you marry many wives?

38. Are your wives a form of wealth and a sign of prestige?

Yes, No.

Give reasons:-

39. Is polygamy increasing or decreasing among the Luo?

(i) Decreasing:

(ii) Increasing.

(iii) The same.

(iv) Others.

Give reasons:-

40. Why did men become polygamists?

(b) What attitude did a woman come with to a polygamous marriage?

(c) What is the attitude of women today towards polygamy?

41. Has christianity helped in increasing or decreasing polygamy among the Luo?

(i) Increasing.

(ii) Decreasing.

(iii) Others.

Give reasons:-

42. Are there other factors rather than christianity increasing or decreasing polygamy?

Yes, No.

(b) If Yes, list the factors.

(c) How are they decreasing polygamy?

(d) How are they increasing polygamy?

43. The Luo considered the fertility of women to bear children as very essential, since the inception of christianity has this attitude changed?

Yes, No.

(b) If Yes, who or what has brought about the change and why?

(c) If there is no change of attitude why is there no change?

44. How did the Luo regard a girl that was found to be a virgin at the time of her marriage?

(b) What would you say is the attitude about virginity today?

(c) What can help or how can a girl be helped to keep her virginity today?

45. What contributed to family stability in the past?



46. What contributes to stability or instability in the family today?

47. Do you think that the present Luo families are more stable today than in the past?

Yes, No.

(a) If Yes, give reasons:-

(b) If No, give reasons:-

48. Are christian marriages (families) more stable than non-christian (traditional) marriages (families)?

Yes, No.

(b) If Yes, give reasons:-

(c) If No, give reasons:-

49. What major changes have occurred in the Luo life?

What have been the agents of such changes?

50. What great changes do you attribute to christianity?

51. Which changes are positive or negative to the Luo way of life?

52. What should missionaries (christianity) have done to promote positive change among the Luo?

53. What weakness had christianity as it was preached to the Luo?

(b) Do the Luo still follow traditional marriage customs?

Yes, No.

If Yes, give reasons:-

If No, give reasons:-

SECTION B

54. Should a widow marry?

Yes, No.

(b) If Yes, give reasons:-

(c) If No, give reasons:-

55. Should the church (christianity) forbid the Luo leviratic custom?

Yes, No.

(b) If Yes, give reasons:-

(c) If No, give reasons:-

56. Does a man who cohabits with a widow care for her as his own wife?

Yes, No.

(b) If Yes, give reasons:-

(c) If No, give reasons:-

57. Is the Luo leviratic custom increasing or decreasing?

(b) If increasing, give reasons:-

(c) If decreasing, give reasons:-

(d) If the Luo leviratic custom is increasing or decreasing who or what has been responsible and why?

58. Why does the church forbid polygamous marriages?

59. Is the church justified in refusing a polygamist to be baptized and partake in the Holy Eucharist?

Yes, No.

(b) If Yes, give reasons:-

(c) If No, give reasons:-

60. Is the church right in declaring polygamous union as not proper marriage?

Yes, No.

(b) If Yes, give reasons:-

(c) If No, give reasons:-

(d) Is the church justified in refusing a widow in a leviratic marriage(union) to partake in the Holy Eucharist?

Yes, No.

If Yes, give reasons:-

If No, give reasons:-

SECTION C

61. Does the church accept baptizing a polygamist with all his wives and then allow them to receive the Holy Communion and finally participate as full members of the church?

Yes, No.

If Yes, give reasons:-

If No, give reasons:-

62. Are there polygamists that you can remember who agreed to expell their wives or refused to expell their wives at the time of baptism?

Yes, No.

(b) If Yes, can you give the names of those who expelled their wives?

(c) Had the expelled wives any children? Yes, No.

If Yes, what happened to their children and wives?

(d) Give names of those who refused to expell their wives.

(e) Why did they refuse to expell their wives?

63. Can you remember men who contracted christian monogamous marriages but finally backslided to

Luo polygamous unions?

Yes, No.

- (b) If Yes, why do you think they backslided to polygamous unions.

Give their names:-

SECTION D

64. What great problems have been encountered when arrangements are being made for christian marriages in the church?

(b) Why have these things caused problems?

(c) What pastoral approaches has the church developed to solve these problems?

65. Is the need of the parents of the girl to be paid bridewealth a problem at the times of arranging for christian marriages?

Yes, No.

(b) If Yes, give reasons:-

(c) If No, give reasons:-

(d) If there has been problem caused by parents' demand that bridewealth be paid, how has the church tried to solve the problem?

66. Are church christian marriages increasing/decreasing?

(b) If increasing, give reasons:-

(c) If decreasing, give reasons:-

LIST OF KEY INFORMANTS

<u>1. Name of Informants</u>	<u>Age</u>	<u>Dates of Interview</u>	<u>District</u>
2. Samuel Osenya	60 yrs.	1/4/1982	South Nyanza
3. Alex Aura	68 yrs.	3/4/1982	South Nyanza
4. Selemia Omwanda	75 yrs.	5/4/1982	South Nyanza
5. Johanna Anyama	81 yrs.	2/4/1982	South Nyanza
6. Oriki Simi	78 yrs.	6/4/1982	South Nyanza
7. Ulda Adede	60 yrs.	7/4/1982	South Nyanza
8. Richard Molo	56 yrs.	4/4/1982	South Nyanza
9. Ezekiel Muok	73 yrs.	14/4/1982	South Nyanza
10. Jeckonia Ouma	48 yrs.	15/4/1982	South Nyanza
11. Isiah Owuodho	62 yrs.	16/4/1982	South Nyanza
12. Nicodemus Owaka	62 yrs.	21/4/1982	South Nyanza
13. Jekonia Opul	65 yrs.	22/4/1982	South Nyanza
14. Sephenia Odhiambo	58 yrs.	23/4/1982	South Nyanza
15. Lucas Magadi	67 yrs.	28/4/1982	South Nyanza
16. Enock Aloo Okech	55 yrs.	29/4/1982	South Nyanza
17. Joram Ouko	70 yrs.	30/4/1982	South Nyanza

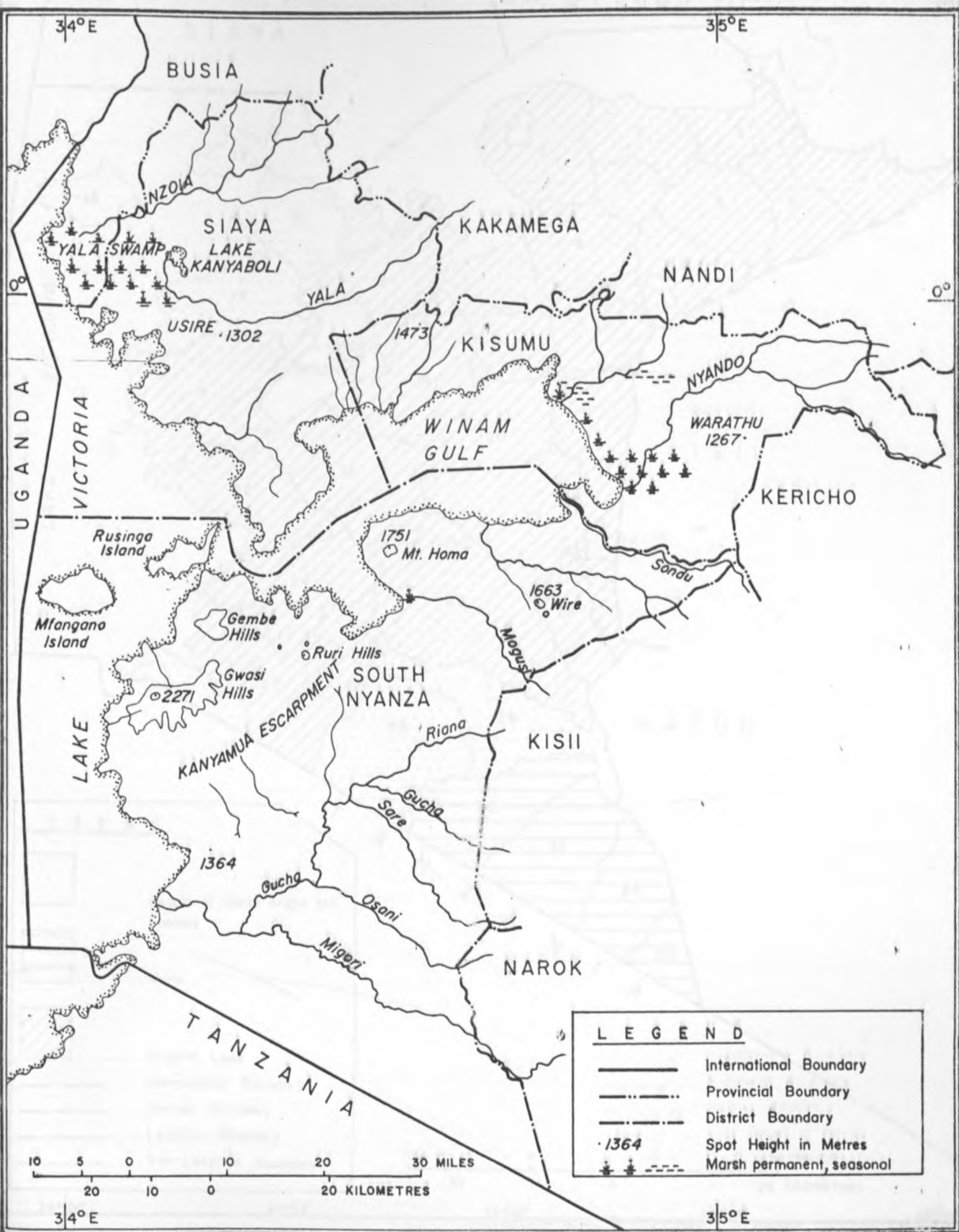
<u>Location</u>	<u>Sub-Location</u>	<u>Clan</u>
W. Karachuonyo	Kanjira	Kamwana
E. Karachuonyo	Kobuya	Kabonyo
Central Kasipul	Kamumah	Kabar
W. Karachuonyo	Kanjira	Kamwana
Central Karachuonyo	Kamser	Kagwa
Central Karachuonyo	Kamser	Osika
E. Karachuonyo	Kakwajuok	Saye
W. Kasipul	Konyango	Kaleji
W. Kasipul	Konyango	Kaleji
Kibiri	Koyugi	Kawuor
Kanyada	Nyalkinyi	Kachar
Kanyada	Kanyadier	Kobuola
Kanyada	Katuma	Kogweno
Kanyada	Masawa	Kotieno
Lambwe	Ogongo (area	Immigrant
Lambwe	Lambwe	(Ex-Magistrate) Immigrant



<u>Names of Informants</u>	<u>Age</u>	<u>Dates of Interview</u>
18. Rev.Haggai Nyang	45 yrs.	2/5/1982
19. Dosila Obonyo	65 yrs.	3/5/1982
20. Teresa Auro	80 yrs.	4/5/1982
21. Simeon Onyonyi Ongoro	80 yrs.	6/5/1982
22. Festus Odhiambo Orwa	68 yrs.	7/5/1982
23. Gideon Okore	85 yrs.	16/5/1982
24. Ochuodho Ngito	72 yrs.	17/5/1982
25. Damaris Adhiambo	67 yrs.	18/5/1982
26. Matoka Onyango	65 yrs.	19/5/1982
27. Siprosa Asewe	52 yrs.	2/6/1982
28. Kiliopas Ogur	61 yrs.	3/6/1982
29. Christobel Awuor	72 yrs.	14/6/1982
30. Owiti	70 yrs.	15/6/1982
31. Mark Odede Amisi	72 yrs.	16/6/1982
32. Peter Odera	62 yrs.	27/6/1982
33. Jenifer Onyango	56 yrs.	5/7/1982
34. Zabayo Aduongo	80 yrs.	6/7/1982
35. Ouso Akuogo	59 yrs.	15/7/1982

<u>District</u>	<u>Location</u>	<u>Sub-Location</u>	<u>Clan</u>
South Nyanza	Homa Bay Town	Homa Bay Town	Resident (Pastor)
South Nyanza	Gembe	Kamweri/ Kasgunga	Wadianga
South Nyanza	Gembe	Kamweri	Usare
South Nyanza	Gembe	Kasgunga Kamweri/	Wariga (Wadianga Immigrant from Rusi)
South Nyanza	Gembe	Kamweri/ Kasgunga	Wadianga
South Nyanza	Gwasi	Magunga	Kadibuoro
South Nyanza	Karungu	Kachieng	Kanyochan
South Nyanza	Karungu	Kachieng	Kanyango
South Nyanza	Kadem	Agenya	Kamwenda
South Nyanza	Muhuru	Muhuru	Samo
South Nyanza	Muhuru	Kaler	Kaboth
South Nyanza	West Suna	Kibumbori	Waseri
South Nyanza	East Suna	Waswera	Kakaeta
South Nyanza	East Suna	Waswete	Wasaura
South Nyanza	Kanyamkago	Kajulu	Kambogo
South Nyanza	North Sakwa	Andingo	Kombek
South Nyanza	South Sakwa	Alego	Alego
South Nyanza	Kanyamwa	Kakaeta	Wesegu

Fig. I PHYSICAL FEATURES OF SOUTH NYANZA, SIAYA AND KISUMU DISTRICTS.



LEGEND	
—————	International Boundary
.....	Provincial Boundary
- - - - -	District Boundary
· 1364	Spot Height in Metres
⌘	Marsh permanent, seasonal

Fig.2 SOUTH NYANZA DISTRICT LOCATIONS AND SUB LOCATIONS.

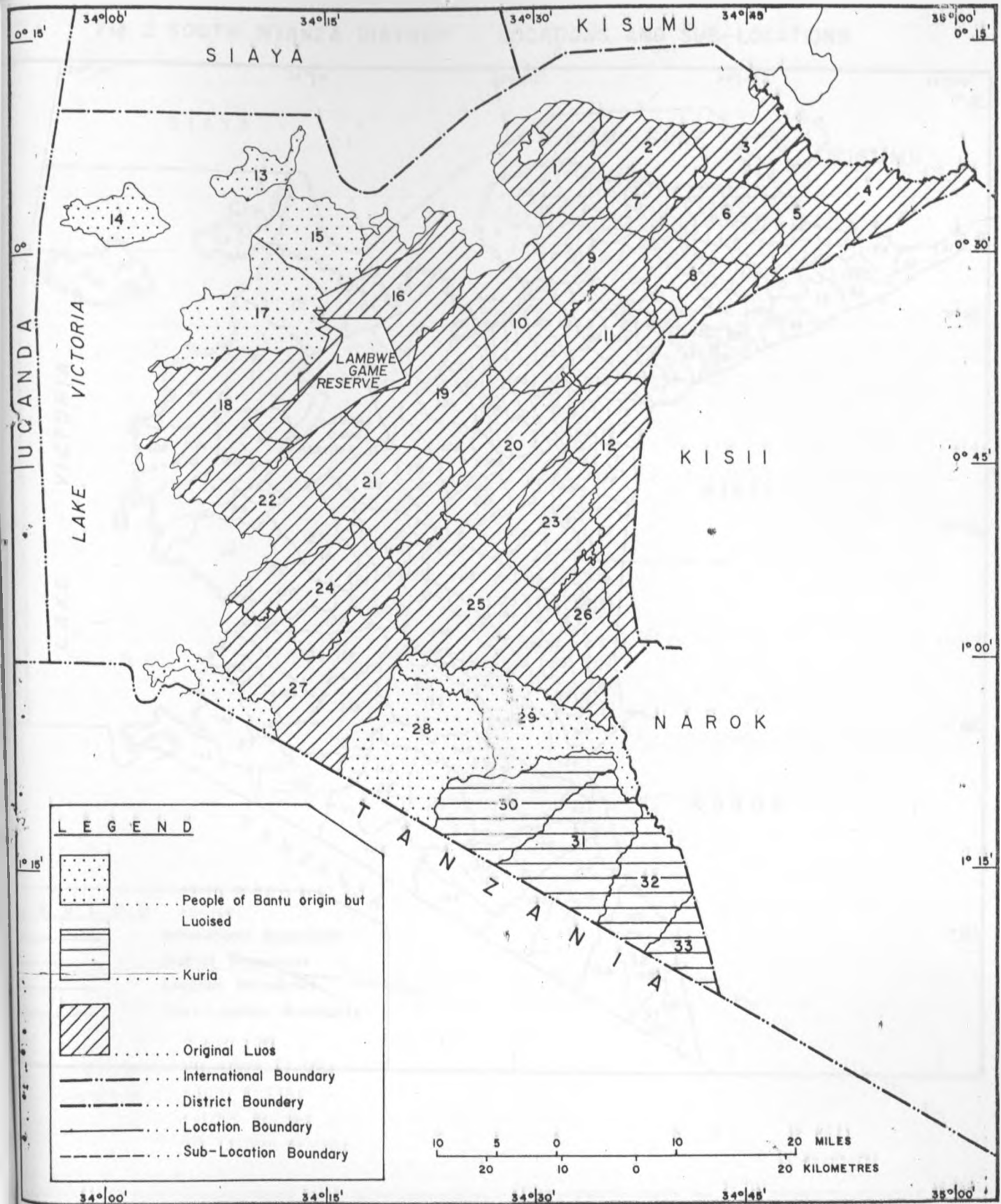
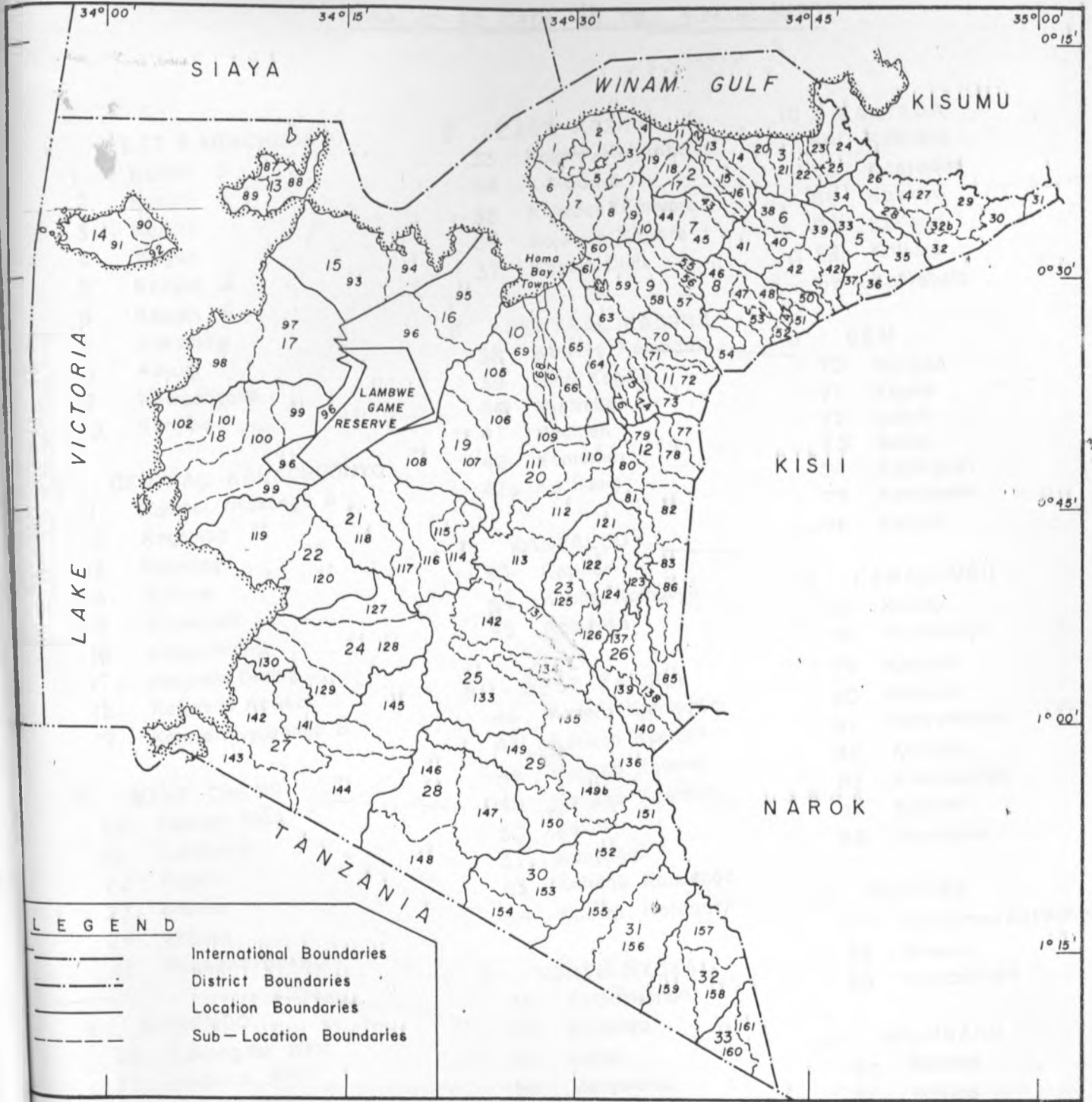


Fig. 3 SOUTH NYANZA DISTRICT : LOCATIONS AND SUB-LOCATIONS.



SOUTH NYANZA DISTRICTS: LOCATIONS AND SUB-LOCATIONS

(Refer to Maps on pp. 304 - 305)

WEST KARACHUONYO

- 1 Kanam B
- 2 Kokoth B
- 3 Kanjira
- 4 Wagwe
- 5 Kokoth A
- 6 Kanam A
- 7 Kakdhimu
- 8 Koyugi
- 9 Kawadhgone
- 10 Kanyipir

2 CENTRAL KARACHUONYO

- 11 Kamser/Nyakongo A
- 12 Kogembo
- 13 Konyango
- 14 Kotieno
- 15 Kakwajuok
- 16 Kanyadhiang
- 17 Kogweno Oriang
- 18 Kogweno Kowuor
- 19 Kamser/Nyakongo B

3 WANG' CHIENG'

- 20 Kamser Seka
- 21 Karabondi
- 22 Kajieyi
- 23 Kobala
- 24 Kobuya
- 25 Kogweno/Rakwaro

4 KABONDO

- 26 Kakangutu West
- 27 Kodhoch West
- 28 Kodumo West
- 29 Kodhoch East
- 30 Kakangutu East
- 31 Kodumo East
- 32 Kasewe
- 32b Kowidi

5 EAST KASIPUL

- 33 Kakelo/Kamroth
- 34 Kokwanyo
- 35 Kojwach/Kamioro
- 36 Kojwach Kawere
- 37 Kakelo Dudi

6 CENTRAL KASIPUL

- 38 Kawere Kamagak
- 39 Sino Kagela
- 40 Nyalenda
- 41 Kachien
- 42 Kamuma
- 42b Kachieng'

7 KANYALUO

- 43 Kowuor
- 44 Kobila/Komuoyo
- 45 Kamenya

8 WEST KASIPUL

- 46 Koderia Kamiyawa
- 47 Kotieno Kochich
- 48 Kotieno Kowino
- 49 Kotieno Kasimba
- 50 Kokal
- 51 Konyango
- 53 Kotieno Konuonga
- 54 Koderia Karabach

9 NORTH NYOKAL

- 55 Kanyarwanda
- 56 Komenya
- 57 Gongo
- 58 Manywanda
- 59 Kamenya
- 60 Kaura
- 61 Kanam
- 62 Korayo
- 63 Kowili

10 KANYADA

- 64 Kothidha
- 65 Kanyadier
- 66 Kalanya
- 67 Kotieno
- 68 Katuma
- 69 Kanyabala

11 GEM

- 70 Kotieno
- 71 Koyolo
- 72 Kajulu
- 73 Genga
- 74 Kamagawi
- 75 Kanyanjwa
- 76 Komolo

12 KAMAGAMBO

- 77 Kameji
- 78 Kamwango
- 79 Koluoch
- 80 Kongudi
- 81 Kanyamamba
- 82 Kabuoro
- 83 Kanyawanga
- 84 Kamreri
- 86 Kanyajuok

13 RUSINGA

- 87 Wanyama/Kaswanga
- 88 Waware
- 89 Kamasengre

14 MFANGANO

- 90 Waware
- 91 Wakula
- 92 Wakinga

15 GEMBE

- 93 Kasigunga/Kamreri
- 94 Waondo/Wasaki

16 LAMBWE

- 95 Lambwe East
- 96 Lambwe West

17 KAKSINGRI

- 97 Kaksingri West
- 98 Kaksingri East

18 GWASSI

- 99 Kubia East
- 100 Kamwenda
- 101 Kubia West
- 102 Uregi

19 KANYAMWA

- 105 Kochieng'/Kakaeta/Komungu
- 106 Kajwang'/Kachola/Kadwet
- 107 Kabonyo/Kwandiku
- 108 Kayambo/Kwamo

20 KABUOCH

- 109 Konyango/Ajwang'/Kabonyo
- 110 Karading'
- 111 Kachieng'
- 112 Kobita/Kawuor/Kawere
- 113 Kaguria/Kamenya/Koguta

21 WEST NYOKAL

- 114 Kanyikela
- 115 Kaganda
- 116 Kabura
- 117 Kamdar
- 118 Kasirime

22 KARUNGU

- 119 Kachieng'
- 120 Kanyasa

23 NORTH SAKWA

- 121 Kadera Kwoyo (Kamrasia)
- 122 Kanyamgony
- 123 Kadera Lwala

23 NORTH SAKWA Cont

- 124 Kanyoga
- 125 Kamresi
- 126 Kombo

24 NORTH KADEM

- 127 Kolal
- 128 Kanyuor
- 129 Karapokot
- 130 Kakelo/Kakoth

25 KANYAMKAGO

- 131 Kamugudho
- 132 Katieno
- 133 Kajulu
- 134 Kawere Rateng'
- 135 Kawere 1
- 136 Kawere 2

26 SOUTH SAKWA

- 137 Waware
- 138 Kogelo
- 139 Waundho
- 140 Alego

27 SOUTH KADEM

- 141 Kanyaruanda
- 142 Kakoth
- 143 Muhuru
- 144 Kaler
- 145 Macalder

28 WEST SUNA

- 146 Wiga
- 147 Wasweta 2
- 148 Wasimbete

29 EAST SAKWA

- 149 Kak
- 149b Manyala
- 150 Wasweta 1
- 151 Area B' Kwa

30 BUGUMBE

- 152 Masaba
- 153 Mabera
- 154 Isebania

31 BUKIRA

- 155 Buhiringera
- 156 Bwasiboka

32 NYABASI

- 157 Bomepani
- 158 Bobemba
- 159 Busonga

33 BWIRIGE

- 160 Bokehancha
- 161 Burisenye