

# Negotiating Socio-Cultural Traditions and Economics Under Globalization: “Marriage Settlements” in African Bantu Communities

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**Abstract:** The practice of making payments before, in exchange of, during or after the marriage of an individual, especially women, in traditional weddings or formal marriages, is generally characterized as marriage settlement, consisting of dowry and bride-wealth. In the past, determination of the amount, schedule, and the acceptance of payment of marriage settlement was considered a way of cementing relations between families and often communities, bestowing stature depending on the amount. These payments were thought to primarily serve as “appreciation” towards the bride’s family, but also served the function of insurance in the event of the loss of the husband; a means of providing for the widow and surviving children. In some agrarian communities, they were also seen as a way of compensating the bride’s family for loss of labor. The advent of western contact with African countries for the most part had no effect on the payment of marriage settlements, despite families entering new economic and production activities. Why did the payment of marriage settlements continue, despite the change in income-generating activities? In western society, the importance of marriage settlements gradually declined with industrialization: a comparative trajectory should be expected amongst rural, agrarian Bantu communities as they transition (ed) from pre-industrial societies. However, despite entering the globalized era and new social and economic models increasingly divorced from agrarian activities, marriage settlements and the attendant ceremonies continue to be a valued and prevalent cultural phenomenon. What explains continued attraction to and of marriage settlements even in this industrialized era? This research asserts that a) marriage settlements serve an economic rather than their hitherto cultural function; b) that daughters are a wealth and heritage transmission mechanism, and c) that globalization has only affected the form, not the philosophy of marriage settlements. Marriage settlement is a culturally-informed, significant residual constraint to women economic empowerment within (re)production economic structures. These structures facilitate women disenfranchisement through class, gender and socio-cultural and traditions.

**Keywords:** Marriage Settlements, Socio-Economic, Dowry, Industrialization, Modernity

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## 1. Introduction

The history of payment of bride-wealth (or marriage settlements) during marriage in African, Asian and Middle Eastern countries dates back several centuries. Recorded instances of the practice can be traced as far back as the biblical Solomon, David, and the Koranic Mohammed; payment of a certain amount of money by husbands, sons, tribes and clans, during the marriage of girls (and sometimes men) has been common practice. Terms used to refer to this practice have been used interchangeably; additionally, the evolution, definition and distinctions of dowry, bride-wealth,

marriage settlements and bride-price are often couched in western literature and ethnography: among the Kikuyu, for instance, compensation paid to the bride’s family is simply known as *rũracio*. Among the Swahili, it is referred to as *mahari*.

Harrell and Dickey define dowry as “the transfer of significant amounts of goods from the bride’s family (or, indirectly, from the groom’s family through the bride’s family) to a conjugal fund of the new coupler” [1]. Aggrawal finds that such payments reflect “essentially a process whereby parental property is distributed to a daughter at her marriage... rather than at the holder’s death” [2]. For Parkin

and Nyamwaya, bride-wealth functions as "a whole series of exchange, principally among women of the two families, further reinforced the idea that *lobola* was, at least in part, a form of gift exchange" [3].

Scholars generally agree on the classic definition and differentiation between dowry and bridewealth is made by Schaik, quoting Murdock's 1981 study: in bridewealth (or marriage settlement), found in 67 percent of the study societies, the "groom's kin pays the bride's kin to gain her hand in marriage", while payment of dowry occurs whereas "the opposite, the bride's kin having to pay the groom's kin to acquire the mate, known as dowry, is found in only 3 percent of societies" in the study [4] [5] [6] [7] [8]. Both forms of settlements have traditionally been made in different forms, e.g. cowry-shells, livestock, farmland, and more recently, in monetary forms.

### **1.1. Some Approaches to Understanding 'Marriage Settlements'**

Literature has contending views on the evolution, understanding and therefore characterization of the practice of exchanging marriage payments or marriage settlements. For example, in Tambiah *et al.*, as early as 1930s, dowry was described as "trafficking in daughters", "indemnity" for the clan that loses a member or the more benign "marriage settlement" [9]. Payment of bride-price / bride-wealth is often done by the bride's family, while dowry exists in some societies and is paid by the groom's societies. For purposes of this research, the intention and use of the term 'marriage settlement', notwithstanding the cultural references and names given to the practice, will primarily concern itself with the exchange of property and/or any compensation in whatever form, paid to the bride's family by the groom's family upon the marriage of a daughter.

Marriage settlements have been conceived as being paid in different forms, and serving varied social, cultural, and economic functions. These functions ranged from Becker's 1981 model of determining "the price of the joint value of marriage over the utility in the single state of the spouses, when division of income within the marriage is inflexible" [10] to a mode of transfer of wealth to their children [11]. Becker suggests that "obstacles to the efficient pricing of participants arise when the gains from marriage cannot be divided ... Bride prices, dowries and divorce settlements and other capital transfers evolved partly to overcome such obstacles" [12]. In traditional societies, marriage settlements were often used to create social and cultural ties that enabled pacific settlements of disputes amongst clans and ethnic groups, by more closely binding the two groups together.

Of great import is the work of Gaulin and Boster, who emphasize that "dowry societies feature low female contribution to agriculture (typically plow-cultivation systems), high levels of dependence of women and children on husband's economic support, and low incidence of polygyny" [13]. Although the clear delineation of the differences between dowry and bride-price/bride-wealth are not the focus of this article, the marriage-settlements (bride-

price) model was prevalent amongst many Bantu communities, whose main economic activity was agricultural production as opposed to other traditional economic activities such as blacksmithing, trading, hunting and gathering, or pastoralism.

The role of the payment of marriage settlement is wide and varied, from the notion that it serves as "compensation" of the loss of a daughter, the "appreciation" of the groom's family of increasing their membership, to "wealth (re)distribution" and "improvement of relations with the new in-laws". In most modern, "western countries" payment of dowry is not widely practiced except by diasporic communities. Despite "civilization", "modernization" and economic liberalization, the practice of marriage settlement payment persists in diasporic, economically globalized communities that reside in urban centers and in developed countries.

Scholars and proponents of the continuation of the practice of marriage settlements and marriage exchanges have advanced different, varied reasons. In the 17<sup>th</sup> and 18<sup>th</sup> century agrarian African communities, the nature of production favored mostly agrarian forms of manual labor and reproduction, and communal landholding often at distance from the residences. Therefore, some form of division of labor was desirable. Also, due to diseases, childhood mortality, wars and other natural causes, few children survived to adulthood. In contrast, western industrialized countries were embarking on the industrial revolution, and the beginning of modern practices which included technological advances, medicine, and other areas, improving longevity.

It can be argued that the underdeveloped communities, mechanisms that encouraged the valuing of, and encourage the desirability of marriage and wealth transfer were often needed and formed part of the identity of the bride/groom and their families. The lack of advanced industrial/economic production means necessitated different *forms* of wealth transfer and control mechanisms especially within individual "households". As Goody notes, "the systems of *property* devolution in Africa differ from those associated with the major Eurasian civilizations, being of the homogeneous rather than the diverging kind" [14], my emphasis), but also featured living together, working together, owning property together and raising children together [15] although some scholar suggest that these informal, communal systems were sometimes romanticized [16].

Dowry is inextricably intertwined with individual and cultural group identity as a socially constructed concept. Different communities, not just the agrarian, African Bantu communities applied similar concepts of attaching value to some mechanism that was verifiable by the community, as part of identity-forming and shaming mechanisms if the established standards were not met. Gonzalez-Lopez states that "sexuality – attitudes, behaviors, beliefs, practices, emotions, feelings, fantasies and other erotic experiences are socially constructed, shaped by and interwoven with social, economic and daily life contexts" [17].

Therefore, marriage settlement is not just a function of social order; it became part of the social status and identity of a woman, who would otherwise suffer social constraints/costs if marriage settlement is not paid upon marriage. Indeed, Parkin and Nyamwaya find that "payments range from those which are mainly cattle to those which have a large cash element, from those which are agreed before payment begins to those which are partly paid but for which there is not yet agreement as to how much will be needed to complete the transaction, and so on" [3]. Further, they suggest that even where societies embrace modern practices such as employment in the formal economy, payment of bride-wealth in its many forms negotiates the position of a woman and her offspring within the family structure.

### **1.2. (RE) Production and Property Ownership in the Age of Globalization**

The role of women in society in the last three centuries has expanded from care-giving in the home (as mothers, wives, sisters, caregivers) to socialized, professionalized care (nannies, housewives, professional-cum-mother-cum-wife, the factory production worker, and professional sex-worker) among other roles. In a rapidly globalizing world, the rapid change in the role of gendered labor has not always followed global trends, and has generally left women marginalized. Individuals struggle with societal perceptions of their roles, individual experiences, and preferences, and matching these with the expectations and a need to conform to societal norms / constructed identities [18]. Gender roles are only a smaller part of the constructed identity, of the expectation of the continuance of the structure of society. Overall, the effect of globalization on traditional families is thought to have mixed outcomes.

The general thrust of Rhacel Parrenas work, *Children of Global Migration* – with migration as a consequence of globalization – suggests an "institutional rupture to the order of gender" [18], constitution of transnational households but also, for the migrants, increasing their "abilities to provide for the family" [18] in the case of Filipino families. Browning supports this view, suggesting that "in fact, many of them (changes) are very positive. Higher incomes for large families must be seen as a plus. Better health and longer lives for millions are goods that are universally affirmed" [19]. This analogy can be applied to the consequences of modernization, also considered by some to be globalization.

While the above illustrations are positive in their thrust, Tomlinson argues that "cultural globalization inevitably takes the form of a spread of cultural practices – and habits, values, products, experiences, ways of life – from certain dominant places to others" [19]. By this logic, one would expect that values of abolishment of marriage settlements would be distributive and widely practiced, especially considering that its roots reflected an Anglo-Saxon mechanism of "dealing with immediate financial concerns of the impending union, the provision of adequate income to support the prospective household and the stipulation of maintenance for the bride should she survive her husband" [20].

Even among the non-Anglo-Saxon traditions and societies, specifically African cultures, brides were not considered to have been "sold" or "exchanged" for any amount of compensatory wealth. Torday characterizes these stringent denials and conceptions of dowry and marriage settlements as anything *but* payments, noting that the exchanged presents were "proof that the girl is not sold as a slave, but given in marriage as a free woman" [21]. Yet, this exchange necessarily bound the woman to the new family, and implied pressure on the individual even where the marriage had the potential to break down.

Individuals and communities have significant input in the construction of nations and national identities, which in turn are instituted to manage affairs over some set geographical boundaries (i.e. the nation-state). Over the past 50 years, different nation-states' economies have increasingly been integrated due to economic theories such as development theories, comparative advantage, among others. These theories affect the processes of production and economic management and thereby economic activities undertaken by individuals. Walters suggests that "many globalizing forces are impersonal and beyond the control and intentions of any individual or group of individuals" [22]. Globalization affects the nation-state and its constituent groups, communities, and publics, but seldom are the specific cultural traditions with an economic impact evaluated. Engel's discussion of the modern family notes that "large-scale industry has transferred the woman from the house to the labor market and the factory, and makes her, often enough, the bread-winner of the family" [23], thereby changing the roles and functions of gendered labor and methods of assuring economic welfare for women.

### **1.3. Gendered Socio-Cultural History and Modern Economic Development**

The study of women economic empowerment and development in African societies straddles cultural, historical, religious, legal, colonial, and contemporary norms. The challenges and opportunities of modern African economic development cannot be fully understood without considering productivity and the role/contribution or even absence of women in formal economic development and production, highlighted by the Women in Development and Gender and Development approaches, which are revisited in the next section. While the causes of underdevelopment cannot be exclusively attributed to relegation of women to non-productive economic sectors, their exclusion in no way mitigates the problem of underdevelopment.

Prior to the onset of industrial revolution-inspired economic activity and production especially in developing countries, wealth and property-ownership was structured along family and communal lines. For most communities, property was passed down and inherited through male descendants. The transition to formal industrial-based economic activity and production occurred about the same time that formal schooling took hold. Due to the eventuality of expectation of marriage and contribution to the other family, many communities chose not to educate daughters,

suggesting that since daughters would be married off, it was not economically viable to educate daughters. Biological gender discrimination in accessing formal education to prepare individuals for *economic production* was not limited to African communities. Odaga and Heneveld hold that "when the colonial state became central in education, the education of women was not an important concern. There was much resistance to western schools in the early days and the idea of sending children, particularly girls, was considered preposterous by local communities" [24].

Women are keenly aware of the impact of these gendered disparities; disparities in access to education, formal employment, property ownership and other antecedent factors, which relegate their socio-economic status to a subsumed position to that of men. For instance, Egbo writes that: "an educated person and an uneducated person are never the same. I see the difference in my friends. I know that I would have lived a happier and better life if I had gone to school. It is possible that I would not have been involved in petty trading as a way of making a living" [25]. More importantly, gender equality has significance and considerable outcomes for women in nearly every field of endeavor: from individual and family well-being [26], on crime, its format, perception towards women and resolution [27], division of labor as a social stratification and its result in gender earnings inequality, hence longer lifetime workforce participation [28], absence of control of income decisions despite higher participation in the workforce [29], expectation of women to be nurturers, including of nature and the environment [30], the effect of women in small business ownership on wage inequality and gender gap [31], on women's sense of empowerment and agency [32], and in a variety of other ways.

The *institutional structures* of modernity have historically compounded the opportunities and constraints for women in the pursuit of equality, since they occur within the social structures derived of a world often considered made by and for men. Patrilineal inheritance patterns, reduced or non-existent access to formal credit, lack of institutionalized, equitable legal structures, absence of traditions of property ownership rights, gendered (re) production and diminished economic means is reflected in the socio-cultural norms, including dowry payment, women inheritance, and polygamy / polygyny. This trend has outlived pre-colonial, colonial, and post-colonial societies. Practices of *male property ownership* have other effects, e.g. encouraging polygamy. Polygamy is most prevalent in Sub-Saharan Africa, ranging from 10 percent in Malawi to 55 percent in Cameroon. Surprisingly, despite the varied polygyny ratios, the gender ratio to total population in these countries – like many African countries – range from 48.8 percent (Guinea) to 51.8 percent (Swaziland). Both Cameroon and Malawi's gender ratio is 50.3 percent [33].

The problem of marriage settlement payment a disincentive for economic empowerment for women is linked with property ownership and the constructions of social identity, gender roles, division of labor and means of

production (and reproduction) and widely enforced through shaming processes. The desire for husbands to have more daughters to ensure that when these are married off, the "return on investment" is sufficiently significant to ensure welfare in the fathers' old age, therefore a change in status quo through employment, empowerment and less dependency on marriage as a form of economic security gains traction. The argument against property ownership for women therefore, is one that revolves around socially and culturally constructed control of social structures, economic production, and wealth transfer through patrilineal systems. This process is primarily an economic strategy ensuring the maintenance and propagation of the status quo where women are subjugated through '*male ownership*'. If the daughters/wives owned property, or if men had no socially sanctioned power of ownership over women, there would be few opportunities for men to maintain the status quo as husbands/brothers/fathers and collect dowry on the daughters / sisters.

The existence of other means of production and economic independence, such as formal employment and property ownership, which would ensure economic survival for women independent of men, would change the local social, political, cultural and economic balance of power. Women would have more options to support themselves economically, and marriage would not be the sole consideration or means of securing an economically viable future for the self or escaping poverty for women. This would also increase the individual's agency in dealing with difficult homes, abusive relationships and other gendered, oppressive practices. Property and inheritance within agrarian communities was linked with propagation of family lineages. This was often reflected in the order of child-naming protocols which reflected the privileging of male children even in inheritance. As Goody notes "even in the matrilineal societies, property is sex-linked (...) property descends "homogeneously", e.g. *between* males, even when it goes *through* females" [14]. The import of the change in wealth ownership and transfer system is linked with a non-agrarian, industrial production model.

Assessing the exact impact of dowry on the status of women is a difficult task. One has to consider a number of dimensions and how the outcomes of marriage settlement impact relations and influence economic freedom. As Tambiah *et al.*, propose, one of the ways of assessing this is undertaking a "study of differences between men and women, both within and between societies, in terms of the relative degree of control over persons in a variety of domains" which they then outline. These domains are:

inheritance/transmission/ownership/disposal; property rights during marriage and upon death; economic roles & occupational activities including remuneration; freedom to initiate divorce and allocation of children to partners thereafter; degree of freedom of physical movement & social interaction at different stages; level of participation in economic/religious/political forms; preference for social separation (groups, associations); special features of

speech codes/linguistic forms signaling difference [9].

Gonzalez-Lopez (2005) argues that cultures socialize individuals to think, and conduct themselves in a certain way, with the potential of social costs and ostracization where these self-reinforcing cultural traits are not observed in the gender divisions. The situation is similar in African communities: the social stratification and positioning of individuals was determined by their (re) productivity to society [17].

#### **1.4. Modernity, Globalization, Production and Property Ownership**

A growing body of literature concentrates on the effect globalization has on marginalized communities and gendered worldviews, and their effect on individuals. For example, Thomas notes that, "one troubling aspect of globalization is that it may tend to concentrate costs on populations that are already socioeconomically disadvantaged" [34]. While such inquiry has tended to concentrate on either entire economic blocs, divisions between the global north and south, countries or communities, seldom are the effects on traditional and agrarian societies or between individuals investigated.

Globalization does not affect all individuals and communities in the same way. As Akhter and Ward note, "the impacts of globalization are not the same for everyone. It expands opportunities and enhances prosperity for some nations, whereas for others it produces inequality, poverty and helplessness" [35]. It is especially those individuals for whom it produces inequality, poverty and helplessness that are of major concern here. Traditionally, due to patrilineal social constructions of power, women are disadvantaged and disproportionately represented amongst those for whom globalization's benefits are not as evident, including, for example, being more likely to live in poverty. In the era of investment in stock-markets, paperless transactions, and other electronic forms of wealth ownership, how do agrarian societies and pastoralist societies whose primary wealth-holding is in land and animals contribute to bridging this divide? How do traditional forms of wealth-holding adapt to modern economic realities? Gaulin and Boster provide a poignant reasoning for the keen interest and participation in the selection of wives and offspring:

Regardless of whether dowry or bride wealth is paid, parents and other kin frequently aid in amassing the transferred wealth and often negotiate the marriage contract. These facts are consistent with the generalization that humans invest in their offspring (and other kin) over many years. From a neo-Darwinian perspective, individuals should allocate resources so as to maximize their own genetic representation in future generations [13].

On the other hand, Botticini and Siow find that the general absence of pecuniary transfers at the time of marriage in modern industrial societies suggests that these transfers are an inefficient way to redistribute resources between husbands and wives, and not that there is no redistribution between spouses [11]. Questions of gender equality and diffusion of cultural practices amongst the different identities and ethnic

groups in modern western countries, and the pursuit of a homogeneous identity (such as an American, Canadian or British national identity) may have diluted the *extent* of traditional practices, such as marriage settlements. On the other hand, the puzzle of *modernizing* societies in which marriage settlements (whether dowry or bride-price) occurs defies the argument that marriage settlements are an inefficient way of transfer of wealth.

Since sons face comparative advantage working in their parents' businesses and married daughters having an increased level of access to the formal labor, globalization ought to affect these formerly agrarian societies that are in the process of *modernizing*, in such a way that eventually abolishes the marriage settlements. However, as preliminary qualitative sampling and studies have shown, this has not happened especially among the Bantu, and the support for marriage settlements is still prevalent despite changing labor and economic conditions.

This is one of the puzzles of the intersections between globalization as a social, cultural and economic 'respatialization' of intimate spaces, and marriage settlements as a social, economic and cultural practice. It gives rise to the view that marriage settlements are not only a cultural practice, but also a lucrative economic activity, anchored in traditions and social construction of identities, and now practiced under the guise of tradition; the absence of marriage settlements is often interpreted as suggesting that the groom finds little value in the bride. This grounding in family and social power structures allows fathers to continue anticipating and collecting marriage settlements at the risk of the married couples' societal shaming if / when dowry and marriage settlements are not paid as expected by society. Additionally, despite modernity and its trappings, superstition on evil visiting individuals and their families, if the marriage settlements are not paid, continues to feature prominently in African societies.

One of the concerns of the effect of modernization and globalization is the contending view that marriage and family institutions will not survive the onslaught of "modernity's speed of change, its capacity to subdue intimate relations to the dictates of rational production, the mobility that it includes and its tendency to move labor and capital around the world without respect for enduring human relations" [19]. While the rates of divorce and non-traditional families have dramatically increased over the past 50 years, this in no way suggests that the prevalence of the family unit, or marriage settlements, has fundamentally changed. Families remain the primary units of organization, even as they are becoming more blended, as their structure changes (single parent family, two same-sex parents) etc.

Indeed, Fukuyama points to a phenomenon that views western societies as characterized by "increasing levels of crime and social disorder, the decline of families and kinship as a source of social cohesion, and decreasing levels of trust" [36]. The durability of marriage settlements among non-western societies, grounded in their economic, social and cultural traditions may be a positive, albeit residual outcome.

The continued cohesive nature of families and communities, rather than individuals as the focus of the family, and marriage settlement exchanges, provides for a regulatory mechanism, but disadvantages the bride in the event of a marriage breakdown since the economic and social costs of repaying dowry are quite substantial, most of the dowry is already spent, and families might prefer not to return the wealth.

Globalization offers a different lens through which to view the consequences of bride-wealth. The rise of feminist theory introduced formalization of studies into the effect of and relationships between globalization and women, specifically the effects of economic production and reproduction, and the structural and societal constraints women must overcome. The Women in Development (WID) approach, an extension of globalization and dependency theories espouses a world-systems approach that emphasizes equal opportunities for women regarding access to education, training, property, credit and better living conditions. On the other hand, the Gender and Development (GAD) approach argues that material conditions of life affect women's position in society and by the nature of patriarchal power in their societies and by their positions in national and global economies. A good example of this is "the marriage law of 1980, the Inheritance Law of 1985, and the Law on the Protection of Rights and Interests of Women of 1992 [which] expanded the legal rights of women and broadened the scope of their economic activities" [37].

### ***1.5. Marriage and the Multi-national Corporation***

One of the enduring mechanisms of economic globalization is the Multi National Company / Corporation (MNC). MNCs are at the forefront of driving the integrative processes of globalization with off-shoring and outsourcing operations in pursuit of profit for their shareholders. Whether their operations and effects on target countries (developing countries) are benevolent or conjure up the imagery of economic rape as discussed by Gibson-Graham, the economic impact MNC's has been life-changing at individual and national levels. In developing countries, MNCs have often provided disenfranchised individuals, especially women, with the opportunity to reduce dependency on male benevolence through provision of paid employment [38]. Even as Gonzalez-Lopez discusses the biased preferences of MNCs' employment of women, on the one hand the working conditions are oppressive, but on the other hand, it empowers the individual to accumulate alternative means of self-support, including property, and therefore expands individual choice [17].

Still, even as the MNC and Foreign Direct Investments, both hallmarks of modern economic globalization, provide economic opportunities for women, there are contested questions of the nature of equity, choices, pay, working and living conditions, levels of empowerment, social costs of working rather than being a home-maker, among other concerns, that the employed women must face. In this, individual rational choice and exercise of agency even within

such constrained environment cannot be dismissed. Is it normatively better for women to be dependent on existing social structures of gendered construction of roles, which often suggest for men to be seen as "pillars", as "providers"? [18]. In almost all cases, research is more likely to find that women in developing countries are better off when they are more financially independent. Working in MNC-driven factories is more likely to decrease the binary of gender division, even if it entails working under "factory" conditions.

Empirically, scholarship on benefits of working shows mixed reviews. The work opportunities provided for women have increased not only their participation in the workforce [35], but also their collective bargaining power, paradoxically through the placement of production factories in poor countries and exploiting the young, inexperienced (mostly female) labor force and remaining globally competitive [39]. The property-ownership nature of agrarian communities and the gradual shift towards industrial (MNC) production has gradually changed the level and ease of access to alternative sources of ownership and production. Indeed, Akter and Ward suggest that "women's access to paid work can increase women's decision-making power in many ways such as shifting the balance in the family" [35], including becoming breadwinners.

## **2. Discussion**

As previously discussed, communities manage their affairs in a way that maximizes the utility of social harmony, cohesion and socio-economic development. They order their preferences in distinct ways, and allocate social status based on well-defined criteria, such as kinship, age-groups, traditions, beliefs, adherence to social customs and other mechanisms. One such allocation of social status is through payment of marriage settlements and/or dowry, and raising a family. Compensation for the loss of a daughter, or "appreciation" of the bride's family, often took (and still takes) the form of dowry or marriage settlements. Some communities used marriage settlements as a wealth-transfer mechanism, but also to improve their status with the acquisition of wealth upon the marriage of a daughter. From these concepts, the research contends that marriage settlements serve more than a cultural function: they are an economic function especially in the modern age of acquisition of technical skills and formal employment.

Improved life conditions, including education, healthcare and access to industrial production and work opportunities have affected the payment of marriage settlement only to the extent that the form of payment is different than the forms it previously took (of animals, lands and such). The increased opportunities of formal education, non-agrarian employment and economic liberalization amongst societies, families, couples and women have not affected the philosophy of marriage settlement. Payment of marriage settlements evoke social status and acceptability of the individual, and simultaneously transfer wealth to the groom's family.

Economic globalization has affected the form, not philosophy of marriage settlements. While significant scholarship suggests that marriage settlements serve primarily as a wealth redistributive and economic function of insuring the economic welfare of the bride and the offspring in the event of death of the male spouse, the cultural kinship bonds that are associated with marriage settlements are as important. Marriage settlement then is not paid as a wealth transfer mechanism with cultural connotations, but as an extension of both the subjugating women, increasing their economic dependence on the new family and as “a source of income”.

The payment of bride wealth takes on traditional forms (typically, a pre-determined number of animals, grains, farmland or other means) and modern methods of payment (cash, stocks, bonds, investments, trusts, physical and tangible property, etc.) Indeed, with the continuation of the ceremonies surrounding this practice, and given rising levels of criminal activity, bride wealth payment has co-opted technology: payments are increasingly being made through electronic money-transfer mechanisms (e.g. M-Pesa, the Mobile Money Transfer Platform) between the families of the bride and the groom. Arguments have been advanced that the changing nature of the frequency, type of payment of bride-wealth has been affected by modernization and diminished dependency on the importance of the wealth transfer function. Similarly, an argument that the cash payment privatizes, individualizes, commercializes, secularizes and indeed trivializes the bride-wealth has been advanced by Ngubane [3]. Within migrant communities, the importance of the bride-wealth is thought to be diminishing, and the social functions, such as elaborate ceremonies involving entire communities, which characterized its exchange, have been “efficientized” through wire money transfers.

### **2.1. Individuals and Their Agency**

Individual agency within the social-feminist structural conception of factors that oppress and disadvantage women is bound to be a contentious issue. However, as Constable points out in the discussion of a somewhat related women agency issue, stating that in studying what actions individuals take given the constraints of their situations, “it becomes possible to uncover resistances to, and contestations of, oppressive and exploitative structures and regimes as well as the visions and ideologies inscribed in women’s practices” [39]. Agency takes different avenues especially with regard to women’s economic empowerment. While on the one hand marriage within existing structures of communities’ construction is a desirable, safe and non-controversial individual choice, the practice of payment of marriage settlements has potential to disenfranchise an individual, and decrease their agency in dealing with difficult marriages.

The social pressure applied to the individual through the elaborate ceremony, and the potential communal shaming attendant to marriage breakdown may preclude the individual’s ability to exercise freedom to leave an abusive marriage. Cultural traditions do not just disappear; however,

decreasing the incentive to stay in such marriages out of the fear of ostracization due to divorce, and the near impossibility of returning dowry once it has been paid – and often used up – has great potential in changing the social power dynamics especially in marriages. Highlighting the difficulties women go through, creation of support groups to help eliminate social stigma, legislative action, activism and education are but a few of the possible avenues individuals could choose to participate in, in order to improve their access to opportunities later in life, for themselves and their children.

### **2.2. Proposed Avenues for Further Research**

This paper provides a background and conceptual framework on the literature regarding the intersections of globalization and how gendered property ownership and labor conspire to disenfranchise women in industrializing, traditional and formerly agrarian societies whose primary wealth transfer mechanism is through bride-wealth and marriage settlement payments. One of the potential shortcomings of the paper is the assumption made, that globalization does not significantly change the attitudes amongst brides and grooms, regarding payment (necessity, practice, form, frequency, gender, age, income and education variables), and whether these factors affect the rate at which dowry is paid. It is entirely plausible that individuals who are highly educated and more integrated into the globalized economy have a diminished appreciation for dowry in present day marriages, due to alternatives that allow for the transfer of wealth (e.g. through education, industrial production and other modern economic activities).

One area of possible inquiry is on the possible difference in attitudes of diasporic, “globalized” members of communities that traditionally paid dowry, but which are increasingly becoming integrated in the global economy, versus those of in-country community members. In other words, does immersion in “globalizing practices” affect the philosophy and likelihood of the payment of dowry, especially considering that mixed, inter-tribal and foreign-spouse marriages occur at a higher rate? This is one of the future areas of exploration in this field. Another possible area of scholarship would be to quantitatively determine the probability of an individual’s future likelihood of paying dowry and whether it is more of one of the cultural relics (like female genital mutilation (FGM), or whether bride-wealth and marriage settlement is an enduring part of the identity of individuals and their culture, similar to language. The conjecture that dowry is disenfranchising could also be wrong, and subject to quantitative study.

## **3. Conclusions**

This paper argues that economic globalization has only affected the form, not the philosophy, meaning and standing requirement for the payment of dowry/bride-price/bride-wealth particularly among Bantu African communities. It has shown that due to the prevailing property-ownership link

with marriage (including inability of daughters to inherit from their paternal kin); marriage becomes entrenched as an economic activity/incentive for women. Payment of marriage settlements (also known as bride-wealth) constitutes a culturally sanctioned, systemic, gendered social system of reduction of opportunities for women to be economically independent of their husbands, which can be facilitated by the processes of economic globalization. The continuation of marriage-settlements, dowry and bride-price can conceivably be modern-day economic enslavement of women and contributors to further gendering of labor, through disenfranchisement and denial of economic and proprietary / inheritance rights of women through cultural practices without regard to gender.

The practice of dowry/bride-price/bride-wealth payment continues to interfere with the independence and ability of women to develop and own resources independent of the patriarchal system and is an economic rather than a cultural necessity that promotes a methodological, representative, and equitable wealth transfer. A number of feminist theoretical propositions can help structure the debate on the role and impact of marriage settlements in disenfranchising women. Some of these strategies and propositions include activist support for individual, group and community agency, formation of partnerships with individuals and organizations dedicated to promoting equality and processes that enable greater independence from such economically repressive cultural practices that promote inequality. These strategies to combat such individual and community disempowerment practices will enable women to live dignified lives with opportunities to fully participate equitably in a globalizing world on equal terms. On the other hand, the possibility of globalization's loss of "cheap" labor and men's sense of loss of economic, social, cultural, and political power may render this quite the battle for social supremacy in such communities.

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