MASTERARBEIT | MASTER'S THESIS

Titel | Title

Traditional Marriage: Effects on the Catholic Church in Ghana in the Twenty First Century

verfasst von | submitted by

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angestrebter akademischer Grad | in partial fulfilment of the requirements for the degree of

Master of Arts (MA)

Wien | Vienna, 2024

Studienkennzahl lt. Studienblatt | Degree programme code as it appears on the student record sheet:	UA 066 795
Studienrichtung lt. Studienblatt | Degree programme as it appears on the student record sheet:	Masterstudium Theologische Spezialisierungen
Betreut von | Supervisor:	Univ.-Prof. Mag. lic. Dr. Johann Pock

TABLE OF CONTENTS

CONTENTS	PAGE
Table of contents …….....……..	i
Acknowledgments ……..……..	iv

Chapter 1

Purpose and Scope of Work

1.0 Introduction ……..……..	1
1.1 Methodology ……...……..	2
1.2 Limitations ……...…….	3
1.3 Hypothesis ……...…….	3
1.4 Definitions of terms …….…….	3
1.4.1 General Definition of marriage ……...…….	4
1.4.2 Catholic Definition of marriage …….……..	4
1.5 Marriage in Ghana ……	4
1.6 Types of marriages in Ghana ……	5
1.6.1 Ordinance marriage …….…….	6
1.6.2 Mohammedans marriage ……..	7
1.6.3 Customary Marriage …….……	7
1.7 Primacy of the customary marriage in Ghana …….……..	8
1.8 Objectives of this paper …….	9

Chapter 2

The Inherent values of the Ghanaian traditional marriage

2.0 Introduction ……	10
2.1 The value of pre-marital investigation ……...	10
2.2 The value of Bride-wealth in traditional marriage …….	13
2.3 The worth of the sense of communitarianism …….……...	15
2.4 The value of motherhood ……...	18
2.5 The value of large family ……...	22
2.6 The value of sexual abstinence before marriage ……	23
2.7 Marital stability in traditional marriage …….	24
2.8 Conclusion …….	25

Chapter 3

Challenges with traditional Marriage in Ghana

3.0 Introduction …… 26
3.1 Conflict in the choice of a marriage partner ……..…….. 26
3.2 Third party interference ……. 29
3.3 Childlessness in traditional marriage ……. 30
3.4 Polygyny (Polygamy) in Traditional marriage …….. 32
3.5 The Commercialization of Bride-wealth …… 35
3.6 Widowhood Rite in traditional marriage ……. 38
3.7 Widowhood and inequality …… 39
3.8 Conclusion ……. 44

Chapter 4

Implications of Traditional Marriage on the Pastoral Activity of the church

4.0 Introduction ……..... 46
4.1 Pastoral challenges with the choice of a marriage partner ……. 47
4.2 Ghanaian attitude and polygynous unions ……. 51
4.3 Polygyny and the Sacrament of Baptism ……... 53
4.4 Polygyny and Access to the sacrament of Eucharist ……..... 55
4.5 Irregular marriage or Concubinage in the church …….. 57
4.6 The high cost of bride-wealth in Ghana ……. 60
4.7 Expensive Bride-wealth and Illicit sexual unions …….. 61
4.8 Traditional marriage and Mixed Marriage ……. 63
4.8.1 Challenges with catholic women in mixed marriages ……... 66
4.8.2 Other post marital challenges in mixed marriage …….. 67
4.9 The Ghanaian and Inequality in marriage ……..…. 69
4.10 Irregular Unions and leadership positions ……...…. 70
4.11 Conclusion …… 72

Chapter 5

Recommendations and Conclusion

5.0 Introduction …… 73
5.1 The need for adequate preparation before marriage …….. 73
5.2 Reasons for pre-marital catechesis …… 75

5.2.1 The nature of marriage requires preparation ……. 76
5.2.2 False ideas about marriage …… 78
5.2.3 Future Challenges …….. 80
5.2.4 Knowledge sustains love and commitment ……... 81
5.3 The need for a catholic perspective on marriage …… 83
5.3.1 Man and Woman …… 84
5.3.2 Matrimonial Consent ……. 84
5.3.3 Sacramental marriage is a partnership ……... 85
5.3.4 Sacramental Unions are for life (Indissolubility) …….. 86
5.3.5 Catholic marriage has a unique purpose …… 87
5.4 The way forward for the church in Ghana ……. 88
5.5 Concluding Remarks …….. 90
BIBLIOGRAPHY ……..……..... 94
Abstract …… 97
Abstrakt …… 98

ACKNOWLEDGEMENTS

I am grateful to the Almighty for the gift of life and faith in his son Jesus Christ. This work which discusses the effects of traditional marriage on the pastoral activity of the church in Ghana has become a reality through the technical support, moral encouragement, wise counsel, and the great contribution of many people. I am unable to mention the names of all the individuals through whose generous support and encouragement this academic feat has been achieved. Even though I cannot list them all for reason of space, I have nevertheless chosen to thank the following for who they are and for what they have done. I am eternally grateful to my father Anthony Kwaku Yeboah of blessed memory (may his soul rest in peace) and my caring mother Mary Yaa Afra who has never ceased in praying for me. I am grateful for their parental care and dedication towards my upbringing. They are the reason for who I am today. To the members of my immediate family, especially my senior brother Very Rev. Dominic Yaw Assuahene, I am deeply appreciative for their love, and fraternal support that have been a source of strength for me. You have always been part of this wonderful journey.

May I also in humility acknowledge the immense support of Most Rev. Dominic Yeboah Nyarkoh, bishop of the catholic diocese of Techiman for granting me the opportunity to further my education in Austria and to offer my pastoral support to the catholic church in the Archdiocese of Vienna. It was a unique chance to learn and to grow in the Lord. A hand of appreciation is also hereby extended to Rev. Dr Andrew Kwame Takyia who is currently the parish priest and dean of Nkoranza. I am grateful to Fr. Andy for his editorial skills and all the support in the early stages of this work. To the members of the Akan Catholic Community in Vienna, I am most grateful for their prayerful support, material assistance and the Ghanaian solidarity.

I am exceptionally indebted to my supervising professor Univ. Prof. Johann Pock for his guidance, wise counsel, and encouragement from the beginning of this work to its conclusion. A sentiment of esteemed gratitude is expressed to all those who have been partners in this formative process and academic journey. I appreciate your wonderful contributions in diverse ways and at different moments in my life. May the Lord continue bless and keep us all united in His name.

CHAPTER 1
PURPOSE AND SCOPE OF WORK

1.0 Introduction

Every human society has always had some form of marriage and some method of classifying people socially on the basis of blood relationships and relationship through marriage. Marriage is one of the important institutions of the Ghanaian social structure which serves as the bedrock of the family. Traditionally, the entire architecture of the Ghanaian family revolves around marriage. While the two institutions have historically and traditionally been closely linked, their connection is becoming more complex. It is marriage that creates a family and defines who a brother, a sister, a cousin, a relative or a friend is. It is marriage that defines the Ghanaian family. The family is the most important aspect of every society. The future of every society depends on the family because the primary function of the family is to ensure the continuation of society, both biologically through procreation, and socially through socialization. The Catechism of the Catholic Church affirms:

> "The family is the original cell of social life. It is the natural society in which husband and wife are called to give themselves in love and in the gift of life. Authority, stability and a life of relationship within the family constitute the foundations for freedom, security and fraternity within society."[1]

Marriage and family life constitute one of the social institutions that are confronted with a myriad of challenges. One of the most pressing problems that the Church in Ghana has to deal with is how to harmonize sacramental and traditional marriages. A lot of Ghanaian Catholics who are married according to the customs and traditions of their respective ethnic groups are faced with daunting challenges in respect of the sacrament of Holy Matrimony. In Ghana for instance, there exists the problem of multiple marriages whereby the same couple contract Traditional Marriage, Civil Marriage and Sacramental Marriage, often at quite distinct intervals from one another. As a minister of the word and the sacraments, I have come to the realization that the stance of the Catholic Church on marriage according to her laws is clear and categorical. "Consequently, a valid marriage contract cannot exist between baptized persons without its being by that very fact a

[1] Geoffrey CHAPMAN, Catechism of the Catholic Church, Vatican, 1994, #2207. 476.

sacrament."[2] One of the greatest pastoral challenges in Ghana now is how to help couples in valid customary marriage (traditional marriage) to gain access to various sacraments of the church. The sacraments, rather than being outward signs with spiritual benefits to couples have rather become a hindrance to the many graces that are inherent in them. That is why the call of the Holy Father, Pope Francis, to deliberate on the family and the Pastoral Care for it, is very welcoming. He made this call when he organized two synods (2014 and 2015) to discuss the problems in marriage and family life and to see the way forward. What came out of these two synods was the Post-Synodal Apostolic Exhortation known as *Amoris Laetitia* (**the Joy of Love**) on the Love in the Family, published in March 2016. Is there a way by which these different marriage contracts could be harmonized so that there is only one marriage taking care of the exigencies of tradition, civil society and the Church?

This paper attempts to examine traditional marriage and its pastoral implications for the Church in contemporary Ghana. The Researcher will also lay bare the values inherent in the Ghanaian traditional marriage as well as the challenges that confront marriage in Ghana. The Church does not exist in isolation but always within the context of a given society. This paper will therefore further analyse the implications of these challenges on the pastoral activity of the church in Ghana. Other relevant contemporary threats to traditional and sacramental marriages will be discussed. Finally, having discussed traditional marriage and its associated implications on the pastoral life of the church, the researcher will delve into the way forward for the church in Ghana.

1.1 Methodology

Information for this project will be sourced from documents and scholarly literature that have dealt with the subject under study. Church documents emanating from the Second Vatican Council, various encyclicals on marriage and family life, documents from the Ghana Catholic Bishops' Conference, publications that have handled issues relative to the social structure of Ghana and other essential literature from both within and outside Ghana will be evaluated and possibly utilized.

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[2] The Code of Canon Law: New Revised English Translation, Bangalore, 2004, Can. 1055, 237.

1.2 Limitations

There are many socio-cultural traditions in modern Ghana with varied degrees of similarities and differences. Even though the essence, the cultural sentiments and the processes that lead to marriage are largely similar, each traditional group society has its own pre-conditions and requirements. According to G. K. Nukunya;

> "Though these differ from society to society, three generally accepted essential elements may be mentioned, namely, the marriage payment the formal handing over of the bride by her parents to the bridegroom and his parents and the marriage ceremony itself."[3]

To be legal and binding, the marriage must necessarily pass through the laid-down customary stages of society. Because of these apparent similarities and differences, the research paper will specifically focus on the Akan community of Ghana, which is the largest ethnic group in Ghana. In this case, the paper will largely be a true reflection of the situation in Ghana.

1.3 Hypothesis

On the basis of limited evidence, the following are the suppositions that will require further and better investigations.

(a) Traditional marriage has certain inherent values that ought to be cherished always.
(b) There are certain challenges that confront traditional marriage or customary marriage
(c) These values and challenges directly or indirectly have strong effects on the Church
(d) There are other contemporary threats to traditional as well as sacramental unions.
(e) There is therefore the urgent need for adequate preparation before any Marriage.

These Hypotheses are meant to guide the discussion relative to traditional marriage and its subsequent implications for the Church in Ghana in the 21st Century. They will also serve as the major topics or chapter under which the subject under review will be discussed in detail.

1.4 Definition of terms

For the purpose of this research paper, certain terms and terminologies will be defined. Some of these definitions will be Ghanaian-centered and only limited to the scope of this paper. The paper will also take into account the essence of these various definitions as

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[3] Godwin K. NUKUNYA, Tradition and Change in Ghana: An Introduction to Sociology, Accra, 2016. 52.

they relate to the situation in Ghana. Marriage as an institution has been defined variously. There are biblical, sociological, philosophical, cultural, biological, legal and many other contemporary definitions according to ones understanding of marriage. It suffices here to limit ourselves to the definition that conforms to the topic under consideration.

1.4.1 General definition of Marriage

According to the Concise Oxford English Dictionary, "marriage is the formal union of a man and a woman, typically as recognized by law, by which they become husband and wife."[4]

1.4.2 Catholic definition of Marriage

The Code of the Canon Law provides a classic definition for marriage which is both biblical and sacramental. Marriage is defined as:

> "A covenant by which a man and a woman establish between themselves a partnership of the whole of life and which is ordered by its very nature to the good of the spouses and the procreation and education of offspring. This covenant between the baptized persons has been by Christ the Lord to the dignity of a sacrament"[5]

1.5 Marriage in Ghana

As Nukunya observed, one of the often-quoted definitions is the one provided by *Notes and Queries in Anthropology*, the official handbook of the Royal Anthropological Institute of Great Britain which see marriage as "a union between a man and a woman such that children born to the woman are recognized as legitimate children of both parents"[6]. This definition recognizes marriage as an institution which helps to legitimize children. It also creates new social relationships and reciprocal rights between spouses and their respective families. It further establishes the rights and status the children in the family.

All the definitions above could be safely applied and accepted within the context of the Ghanaian society. Nevertheless, it must be noted that in Ghana, marriage could be described as a process in which a man and a woman become husband and wife after going

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[4] Catherine SOANES and Angus STEVENSON (eds.), Concise Oxford English Dictionary, Oxford University. 2004.
[5] The Code of Canon Law. Canon 1055, 237.
[6] NUKUNYA, Tradition and Change in Ghana, 51.

through socially and culturally recognized rites to obtain a social recognition. These socially and culturally recognized rites vary from one ethnic group to the other. Marriage is not only a social contract which is established to control and regulate the life of individuals in a given society, but it also has a cultural significance. Culture as understood is the total way of life of particular groups of people. It includes everything that defines those people; their way of thinking, their language, their mode of dressing, their architecture, their systems, attitudes and feelings as well as how they relate to one another. Culture is a way of life and marriage is part and parcel of the Ghanaian cultural heritage. Marriage imposes on the individual certain cultural and social responsibilities which hitherto were completely absent. Every culture has its own inherent traditions, practices and norms that seek to guide and govern human behavior. According to Aylward Shorter:

> "Marriage as a special and intimate union between man and woman as such, of 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 parents, which results in a special status for the children, higher than children of extra-marital unions, which generates relationship of consanguinity and affinity and which implies that other forms of mating or intimacy are deviant or preparatory to marriage."[7]

1.6 Types of marriages in Ghana

There are three basic types of marriages that are recognized under the Laws of Ghana. These are Civil Ordinance, Marriage of Mohammedans and Customary or Traditional Marriage which is the subject of study under this paper. Marriage in Ghana is governed by the Constitution of the Republic of Ghana, the Marriage Act 1884-1985 (CAP 127),[8] the Matrimonial Causes Act 1971 (Act 367), the Marriage of Mohammedans (CAP 129), Interstate Succession Law 1985 PNDCL 111.[9] Christian and other Marriages (CAP 127) and Customary Marriage and Divorce (Registration) Law, 1991. The Marriages Act 1884-1985 (Cap 127) consolidates the Customary Marriage and Divorce (Registration)

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[7] Aylward SHORTER, African Culture and the Christian Church: An Introduction to Social and Pastoral Anthropology, London 1973, 181.

[8] CAP comes from the Latin *capitulus*, or *Chapter*. It is used before a chapter number of laws of the United Kingdom and its former colonies like Ghana. CAP 127 will therefore simply means Chapter 127 of the marriage Act.

[9] PNDCL 111 (1985) drives its name from the Provisional National Defence Council (PNDC) which was the name of the Ghanaian government after the People's National Party's elected government was overthrown by Jerry John Rawlings, a former head of the Armed Forces Revolutionary Council in a coup d'état on 31st December 1981. It remained in power until 7th January 1993. It was the then ruling Government which concluded the promulgation of the Intestate Succession Law in 1985.

Law, 1985 (PNDCL 112); Customary Marriage and Divorce (Registration) (Amendment) Law, 1991; Marriages of Mohammedans (formerly Cap 129); Christian and Other Marriages (formerly cap 127). Marriages by foreign nationals contracted in their various Countries are also recognized by the Law. Marriage must however be between a man and a woman in all cases.

1.6.1 Ordinance marriage

Ordinance Marriage is one of the institutions inherited from the British Colonial Administration and still practiced in the West African nation. It is regulated by the Marriage Ordinance Act 1884-1985 (CAP 127). The exclusive feature of this marriage is that, it is strictly Monogamous. If a Ghanaian man is married under the Ordinance Act and that same person goes ahead to marry another woman or women, that person commits an offense under the laws of Ghana. Even though many people are unaware, this is clear in the criminal code of Ghana. "A person commits bigamy who, knowing that a marriage subsists between him or her and any person, goes through the ceremony of marriage, whether in Ghana or elsewhere, with some other person."[10] Ordinance Marriage could be contracted without the involvement of their extended family members, but the partners must be eighteen (18) years or older. Those who wish to get married by ordinance must not be in any form of marriage with any other person(s). Those who wish to celebrate their marriage in churches may also do so under the marriage officer's certificate. "Any marriage which is celebrated under the Ordinance Act 1951 (CAP. 127) is strictly monogamous such that section 44 of the Ordinance Act places strict limitation on married person to contract another marriage even under native law or customs."[11] Sacramental marriages which are also strictly monogamous fall under the Ordinance Act 1951 (CAP.127).

It is required that Marriage Banns be published before the celebration of Ordinance marriage. It therefore means that whoever has any reason to object to such a union must enter a caveat to be addressed in court under sections 24 and 25 of the Marriage Ordinance Act 1951 (CAP. 127). After the publication of the Marriage Banns, the said marriage

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[10] The Criminal Code of Ghana, 1960 (Act 29), Chapter 6, sections 263 and 265.

[11] Abraham T Afram-Narh, Marriage, Cohabitation and Intestate succession – Assessing Ghana's Interstate Succession for Non-discriminatory. URL: https://docplayer.net/43770490-Marriage-cohabitation-and-intestate-succession.html. (Accessed: 20th June 2020)

ought to be celebrated within three months of the date of notice and certificates issued to legalize unions.

1.6.2 Mohammedans Ordinance

The Mohammedan marriage is also available to people of the Muslim faith. Mohammedan marriage is also potentially polygamous. It is regulated by the Marriage of Mohammedans Ordinance, (CAP 129 OF 1907). What is actually practised is that, during the religious rite of the marriage, the hand of the lady is requested by the boy and the family of the girl accepts the traditional proposal according to the Islamic tradition and customs. A marriage entered into by a girl below the marriageable age is null and void. Just like Christian and other Marriages Act (CAP 127), marriage under Mohammedans Ordinance (CAP 129) also follows legal formalities and requirements. It must be noted that all traditional rites as well as the religious practices should be done in accordance with laid down rules and regulations according to the Islamic faith. Once these conditions are well adhered to without any breach and compromises, that marriage will be duly recognised. The Marriage of Mohammedans Ordinance specifies that marriage is solemnized in the presence of the bridegroom, the bride's *wali*[12] and two witnesses. After the celebration, all marriages are required to be registered with the Registrar of marriages and have a certified true copy of the entry issued to all parties as proof of the transaction within one week.[13] Since the application of this law is tied to Muslim practices on marriage, it is potentially polygynous.

1.6.3 Customary Marriage in Ghana

According to Chris, "Customary marriage in Ghana is recognized by government under the Customary Marriage and Divorce (Registration) Law, 1985 (PNDCL 112). This law does not apply to Islamic or Ordinance marriages and thus the methods of registration of either are different."[14] In Ghanaian traditional society, a person of marriageable age is required to have a sound mind, as well as matured enough to take on the matrimonial responsibilities that come with the marriage. Customary marriage allows divorce and

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[12] A Wali is a person who is responsible for the bride's life before she is married. It is the responsibility of the Wali who is sometimes seen as a guardian, protector, custodian, friend to ensure that the proposed groom is a reliable and a trustworthy person who will always fulfil his marital roles as a husband.

[13] Mohammedans Ordinance 1907, (CAP 129 OF 1907), Section 5.

[14] Chris Ndetei, Customary marriage in Ghana: Laws and registration. URL: https://yen.com.gh/110523-customary-marriage-ghanalaws-registration.html [Accessed: 20.6.2020] .

separation. Consent from parties and parents or relatives is required in customary marriage. A consent is void if the person giving it is below eighteen (18) age or if it is obtained by deceit or by duress. The Children's Act, 1998 provides that the minimum age of marriage of whatever kind shall be eighteen years.

Another striking feature of customary marriage is the fact that it is potentially Polygynous enabling the man to marry more than one wife. This right to marry more is however not open to the wife. The laws of Ghana acknowledge this polygynous nature of traditional marriage.

> "(1) A person is not guilty of bigamy or of an offence under section 264 if the marriage in respect of which the act was committed, and the former marriage, were both contracts under customary law. (2) A person may be guilty of bigamy or of an offence under section 264 if, having contracted a monogamous marriage with any person, he marries or purports to many any other person under customary law, or if, being married to any person by customary law, he goes through a monogamous ceremony of marriage with any other person."[15]

1.7 Primacy of the Customary Marriage in Ghana

More than 80% of Ghanaians marry under the provisions of customary law.[16] Whether Civil Ordinance (sacramental marriage inclusive) or Mohammedans Marriage, Customary marriage serves as the foundation for every marriage in Ghana. It must however be noted that traditional marriage is never a one-size-fits-all for all the different ethnic groups in Ghana. However, certain requirements are needed for a valid customary marriage in Ghana. There must be consent from the parents of both the bride groom and the bride. There must be consent from both the bride groom and the bride. It should be mentioned that, at any case, it is the family of the bride that determines what should be done. It is not the family of the groom. After all the requirements are satisfied, payment of a bride-wealth or dowry as agreed upon by both families is them carried out. There are certain key individuals in both families who are required to be there. These individual serve as traditional witnesses and guarantors in the marriage. The parents of the husband and wife to be and their respective family heads. To be recognized legally by the laws of

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[15] The Criminal Code, 1960 (Act 29), chapter 6, sections 263 and 265. Marriages under Customary Law.
[16] Abraham AFRIM-NARH "Marriage, Cohabitation and Intestate Succession: Assessing Ghana's Intestate Succession Law for Non-Discrimination," (University of Oslo, 2008), 19. URL: www.duo.uio.no/bitstream /handle/10852/21778/77331.pdf?sequence=2&isAllowed=y [Accessed pdf online on 16.06.2020].

Ghana, any customary marriage must be registered under the Customary Marriage and Divorce (Registration) Law, 1985 (PNDCL 112) as amended in 1991 by PNDCL 263.

1.8 Objective of this paper

The objective of this research work is to explore the beauty and challenges of the Ghanaian Traditional Marriage relative to the Mission of the Church. In the 21st century Ghana, there are certain subtle threats to the foundation of marriage as an institution. This project work aims at discussing some of these threats to marriage as an institution and possible solutions to them. Currently, in many Dioceses and Archdioceses in Ghana, there is no formal document to prepare would-be couples for the sacrament of Holy Matrimony. The lack of resource material to prepare those who intend to enter into sacramental marriage has had a lot of negative implications on many families. The family is the domestic church and whatever affects the family ultimately affects the life of the church. Notwithstanding, there are serious challenges relative to traditional marriage in Ghana. In this research paper, efforts will be made to present suggestions and conditions that would ultimately help would-be couples prepare adequately before they get married.

CHAPTER 2
THE INHERENT VALUES OF THE GHANAIAN TRADITIONAL MARRIAGE

2.0 Introduction

Every social institution is defined by certain core values. These values constitute the essential elements that preserve such institutions for posterity. Inherent in the Ghanaian social structure are certain elements that serve as standards or yardstick by which traditional marriage is measured. These core elements or values are seen as principles by which marriage as a social institution perpetuates itself. These socio-cultural elements are mutually exclusive and are therefore not the same within all societies. They are traditionally considered as necessary for the continuous survival of the institution of marriage. Without them traditional marriage loses its significance and worth within the Ghanaian context. If marriage has no form and serves no social, economic, and religious purpose, how will society protect the needs of children? There will be no motivation to get married if marriage serves no purpose in life. The "health" of every traditional marriage is contingent on its worth. Without it, family systems will be weakened, and the community will be in danger of extinction. By encouraging and promoting the norms of marriage, the community gives life to marriage as an institution and further strengthens it to function as expected. Concern for the common good requires protecting and strengthening traditional marriage culture by promoting the truth about marriage and family. This does not in any way suggest that traditional marriage is without problems or challenges.

2.1 The value of pre-marital investigations

In Ghana, as well as in many African countries, marriage is not a private affair or an issue between two individuals. Marriage has always been between two families. This is very significant because of the extended family system in Ghana. Individual members of both families develop strong interest in the marriage because through it the two families become deeply connected and children born from such union become real kin of both families. In the past, dating and courtship were not common among young people in Ghana and marriages were contracted after painstaking pre-marital investigations in the families of marriageable young men and women in the community. This practise has been considered as one of the best ways in protecting the sanctity of marriage, the dignity of

the partners and the cultural identity of the family. Customary marriage does not happen overnight, it requires proper scrutiny and analysis. Nukunya pointed out,

> "In selecting and accepting a potential spouse, certain qualities and conditions have to be met. The relatives of each party make sure that their potential affines do not have any serious diseases such as epilepsy, lunacy and leprosy; are not noted criminals or witches; are not given to quarrelling and that the prospective spouse himself or herself is hardworking and respectful. It is only when the families are satisfied on these points that proposal is made, or acceptance given."[17]

In the mind of the ordinary Ghanaian, marriage is a lifelong affair that requires proper and adequate information that are ultimately necessary for its survival. For this reason, the parents of the young man (prospective husband) consider such factors as the personality of the lady (Prospective wife); her reputation and that of her family and hereditary disease that may run in the family. If they are satisfied, the parents formally approach the family of the lady and make the marriage proposal. The lady's parents now investigate the background of the young man and his family. In addition to the factors mentioned above, they consider the young man's ability to support a wife financially. After the girl's family has gathered enough evidence on the husband to be, and the family members are satisfied with what they have gathered, a decision is then taken on the marriage. From here, both families will begin the preparation for the marriage. The traditional wisdom in such arrangement is to ensure a solid marital foundation for the future couples. These investigations are further carried out in order to ensure that any potential future threats to the marriage and the family of the spouse. The traditional Ghanaian understanding is that there is no such thing as trial marriage and that marriages are contracted once and for all. It is for these and other reasons that these premarital investigations are religiously carried out prior to the actual marriage.

Under pastoral care and prerequisites for the celebration of marriage, the church in her wisdom makes provisions for similar requirement. The Code of Canon law, convinced that marriage is an essential institution, which ought to be honoured and preserved, makes it clear; "Before a marriage takes place, it must be established that nothing stands in the way of its valid and lawful celebration."[18] The Canon further directs the Bishop's conference to lay down norms concerning the questions that are to be asked of the parties as well as concerning the publication of marriage banns or other appropriate means of

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[17] NUKUYA, Tradition and change in Ghana. 53.
[18] The Code of Canon Law. Can. 1066, 239.

enquiry that ought to be carried out as a prerequisite for the celebration of the marriage. These are supposed to be done before the ceremony proceeds. "Before the celebration of a marriage, all the faithful are bound to reveal to the parish priest or the local Ordinary such impediments as they may know about."[19]

In pursuance of this canonical provision and in accordance with the traditional investigations discussed above, all Archdioceses or Dioceses in Ghana have designed *Pre-nuptial Enquiry Forms* (PEF) [20] for would-be couples in the church. The Pre-nuptial Enquiry Form takes into account the family and occupational backgrounds of the couple. It also gathers information about their personal data. Some of the information includes how long they have been together; whether or not the customary rites have been performed and whether or not the families have agreed to their coming together as husband and wife. Provision has also been made on the form to elicit the expressed consent of both families before these Banns are published. These forms are to be filled by those who intend to marry and their witnesses. These witnesses include the family head of each family or his representative. The Banns are only published when all these conditions are duly satisfied. The marriage banns are then published three consecutive times preferably on Sundays to elicit the response of the people in respect of the said marriage. The parish priest or the local Ordinary must satisfy himself that nothing prevents the intended couple to enter into that marriage.

The practice of painstakingly assessing and evaluating both families and the would-be couple for the purpose of marriage is one of the best inherent values in the Ghanaian traditional society. The moral qualities as well as the health condition of a person are very paramount in any future undertaking. Marriage is one of the critical and life changing events in a person's life. It is therefore imperative that all stakeholders do a thorough diligence and careful analysis of the individuals concerned before a final determination is made. For the typical Ghanaian, the worth of a person is not measured by his or her wealth, physical strength, beauty, or physical appearance but essentially by the quality of life and the character of the person. Good character is what sustains marriage in the traditional sense.

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[19] Ibid., Can. 1069, 240.

[20] The Prenuptial Enquiry Form (PEF) contains the name of the Arch/diocese, personal data of the bride and groom, the witnesses and the name of the parish priest of the Church where the wedding is taking place. The forms are kept in the parish archive after the wedding.

2.2 The value of the bride-wealth in traditional marriage

Marriage is primarily an alliance between two clans or lineages. This alliance is symbolised by the exchange of goods and services which are part of the processes that formally lead to marriage. The goods exchanged are not exclusively real wealth but "they are courtesies, rituals, entertainments, dances, feasts, sometimes even the loan of one or more children to help in the homestead or on the farm".[21] But these do not constitute the evidential proof which legitimises a marital contract. Marriage is a social, religious, and legal contract that is binding on all partners. Such a contract must ultimately have certain elements; it must have partners, witnesses, and evidential proof. The greatest controversy is about the description of the token that is presented to legitimise this contract between the two families. Terms like dowry, indemnity, bride-price, earnest, and settlement have all been proposed. Bride-price and settlement could possibly be misleading terms because families do not put up their daughters for sale to the highest bidder.

According to Sarpong, calling it bride-price is totally wrong. "It is not a price for the bride. Calling it a dowry is also not altogether correct."[22] A dowry is also ambiguous because it does not form essential part of the traditional matrimonial ritual. According to custom and tradition. the bride brings her own dowry or endowments of personal possessions. This could be pots, pans, cooking utensils and other things she will need as a wife. Shorter has observed that, "these possessions, together with the cost of the feast provided by the bride's family, may be the equivalent of the gifts brought by the groom."[23] A dowry therefore comes from the family of the bride and not part of the requirements that the man needs to satisfy. Indemnity could be understood as an amount of money which is willingly offered or demanded as security or a protection against a loss. Indemnity does accurately capture the essence of matrimonial contract. Earnest is mostly used in connection with financial payments in instalment. Indemnity and earnest are therefore misleading terms that do not actually capture the true significance of traditional marriage. And so, to give the right connotation, anthropologists call it bride-wealth.

Bride-wealth then becomes "the payment by the man to the woman and her people in order to effect her marriage."[24] Bride-wealth is here seen as a token or compensation paid to the lineage for the "loss of a woman" or at least for the loss of rights over the children

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[21] SHORTER, African Culture and the Christian Church, 166.
[22] Peter Kwasi SARPONG, Dear Nana: Letters to my Ancestor, Takoradi, 1998, 174.
[23] SHORTER, African Culture and the Christian Church, 166.
[24] SARPONG, Dear Nana: Letters to my Ancestor, 174.

she bears. The argument is that if the woman had stayed in her own lineage and had had children out of wedlock, those children would belong to her own lineage. The notion of compensation is definitely implied in bride-wealth even though one must not exaggerate the "loss of a woman" idea too much. After all, the woman does not depart from her lineage for good. The bride here is also regarded as a source of wealth because she will ultimately bear children to the group into which she marries. The children therefore become the assets of the family. Even though the bride has an economic value, the bride-wealth is not a price tag on the woman. The payment of the bride-wealth is one of the most important stages in traditional marriage. The payment is so essential that, without it there can be no marriage. It is therefore absolutely correct to say that whatever is offered and subsequently accepted is for the exclusive sexual access to the woman by the husband and for the power to bequeath status and property to the children of the union.

Then bride-wealth serves many purposes. It is the ceremony that traditionally gives birth to marriage in the sense that it seals the marriage contract between the two families. It is the documentary evidence that the marriage has taken place. Traditionally, without the bride-wealth, there can be no wife and there can be no husband. It does not matter how long the two individuals live together and how many children they give birth to. The bride-wealth does not only legitimise the marriage, but it further legitimises the children who might have been born before the bride-wealth was paid. The child in this sense only becomes legitimate when the bride-wealth is paid. After the payment of the bride-wealth, if a man lies with another woman, the man has committed adultery and must pay compensation. Sarpong explains further:

> "This is not the case when the bride-wealth has not been paid. If a man impregnates a woman in respect of whom the bride-wealth has not been paid, the child born as a result of that act belongs not to him, the natural father, but to the man who has paid the bride-wealth in respect of the woman."[25]

The act of impregnating a woman without the payment of the bride-wealth is considered as stealing. It amounts to taking something which does not belong to a person. It is said that a thief has no child. The bride-wealth does not only bestow character and legitimacy to the marriage, it also confers status and legitimacy to the children.

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[25] Ibid.

In traditional Ghanaian families, the payment of the bride-wealth strengthens the stability of the marriage. Any woman who seeks divorce from her husband must necessarily return the bride-wealth to the man.[26] On the other hand, if it is the man who seeks divorce from his wife, he automatically forfeits the bride-wealth which was paid to the woman. The bride-wealth in most cases is shared among the family members of the woman. The sharing of the bride-wealth seeks to bring all members on board to offer support to the woman and her new family. It therefore becomes difficult if not impossible to retrieve what has already been spent. The woman will therefore make sure that the marriage does not break because of her.

The nature of the bride-wealth is such that, sometimes it is contributed by the man and his whole family. This "family size" contribution further unifies the rank and file of the members and brings them onboard as one people. If the actions and inactions of the man cause the marriage to break-down, whatever was contributed towards the marriage will be forfeited and it will be extremely difficult to get another bride-wealth for him to marry again. The man will therefore make sure that the marriage is safeguarded. This brings a lot more stability to the marriage. Apart from uniting the individual families, the payment of the bride-wealth further unites the two lineages of the man and the woman. Gifts are signs of friendship and whatever is offered to secure the hand of the woman in marriage is also a sign of love and friendship for the lady and her family. The institution of the bride-wealth provides individuals within two different families the opportunity to take their relationship to a higher and dignified level called marriage. Traditionally, it legalises marriage and confers character, status, and property to children. This is another inherent value of Ghanaian traditional marriage.

2.3 The worth of the sense of Communitarianism.

Marriage, more than any other socio-cultural institution, helps to bring out the solidarity of the family groups involved. Within the Ghanaian cultural setting, marriage is often seen as a community affair. Traditional philosophy holds that marriage has never been just an affair between two individuals. The union between man and woman has always been an

[26] Customarily, until the woman returns the bride-wealth to the family of the man, the marriage contract with all its conditions will still be in full force. The marriage is only considered annulled when the bride-wealth is returned and accepted.

alliance between two families which sometimes involves whole villages or clans. In his analysis of the communitarian aspect of traditional marriage, Shorter observed:

> "In bride-service, one family makes a sacrifice of an able-bodied man, the other enjoys his services. In bride wealth, one group co-operates to help one of its members obtain a wife to bear children to the group, while the other group shares out the profits of the payment received for the bride. These institutions, rightly practiced, strengthen the extended family."[27]

One thing that runs through the Ghanaian traditional family system is the absence of individualism, which is hardly tolerated among its members. The cardinal principles are all related to solidarity and collective consciousness. There is sharing and there is caring because in unity lies the collective strength of the community. Decisions making therefore becomes a shared responsibility of family members. The decision relative to who gets married to who is not dependent on the couple alone but on the entire community with the two families leading the process. The desire to preserve the immortality of the community always compels the clans to dictate on the issue of marriage. As a fundamental unit that generates the family, marriage is always a family issue and not individual matter. Custom and Tradition require that until the family accepts someone as a son or daughter In-law, marriage in traditional societies is non-existent. The clans or the two families have always had in most cases the final say in the acceptance of a marriage partner. It must be emphasised that the kind of family system practiced in Ghana makes this sense of solidarity and mutual co-operation more enduring. As in many countries of the world, there are two types of family structures in Ghana: the nuclear family and the extended family. The nuclear family includes the mother, the father and the child or children. This nuclear family is very essential for the growth of every child. It serves as the first school of the child, where he learns to love and be loved. In that family structure the child experiences the warmth of parents and siblings and a sense of acceptance and belongingness.

What is predominant in Ghana is rather the extended family system. It is made up of the mother, the father, the children, grandchildren, cousins, aunties, grandparents, great-grandparents, and many other people who are related by blood or affinity. In his attempt to explain how large the extended family could be, Peter Kwasi Sarpong pointed out that; "It refers to the clan or the lineage of the clan which counts its members across

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[27] SHORTER, African Culture and the Christian Church, 166.

a given territory".[28] Members of the clan always believe that they descended from a common ancestor. They therefore see themselves as relatives irrespective of the degree of relationship or the length of distance that separates them (Sarpong 1998). It is held that "Because of their accepted common descent, these clans are normally exogamous. Members of the same clan are forbidden to marry one another".[29]

The mutual service and co-operation are not limited only to the marriage process but find their concrete expression in the training and the upbringing of the children. Parental roles become a shared responsibility among the different members of the family. Different relatives take care of different levels and emphases in the child's education. The grandparents and the older kinfolk inculcate the deeper moral values and lead the child to the basis religious beliefs and practices. The parents themselves introduce the child to the practical duties of their sex in the home and outside. In all these, great emphasis is placed on obedience and submissiveness. In addition to the moral values of submissiveness and obedience, the child is punished when it goes contrary to the norms and regulations of the community. This serves as deterrent to others who might be tempted to do similar things. In the same vein the child is rewarded or commended for doing the right thing. There are always mechanisms put in place to regulate the behaviour of the members of the community. The children are therefore educated by the community for membership of the community. According to Shorter:

> "Traditional education is essentially group-orientated, and stress is laid on outside behaviour, and on the correct social relationships, courtesies, rights and duties. Responsibility is given early in errands outside the home, in caring for flocks, and herds, in collecting firewood, in looking after younger brothers and sisters and in deputising for parents in communal projects."[30]

Furthermore, it must be stressed that this community dimension of traditional marriage is crucial in managing marital challenges at a point in the matrimonial journey. Anytime there are difficulties in the marriage; for instance, if there is a serious situation of quarrel between the spouses that threatens the stability of marriage, the two families will normally intervene to save the situation. The father or the mother of the husband, and then perhaps the elders of the clan, would speak with him. The relatives of the wife will most likely do the same with their daughter. At the end there might be an inter-clan session so that the matter is

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[28] SARPONG, Dear Nana: Letters to my Ancestor, 104.
[29] Ibid., 103.
[30] SHORTER, African Culture and the Christian Church, 187.

resolved amicably. The two families therefore become a source of support and encouragement to the couple in times of need. Marriage issues are mostly settled at home. It only goes out to the public domain after escalation. The Pastoral Constitution on the church in the modern world (*Gauduim et Spes*), affirming the unique contribution of other family members in the affairs of the partners in matrimonial relationships recognises that:

> "The family is the place where different generations come together and help one another to grow wiser and harmonise the rights of individuals with other demands of social life. As such it constitutes the basis of society. Everyone therefore who exercises an influence in the community and in social groups should devote himself/herself effectively to the welfare of marriage and the family." [31]

The church in Ghana has recognised the real worth in this cultural principle of communitarianism. She has subsequently made provision in the Prenuptial Enquiry Form where the expressed consent of the family, represented by the head of the family or clan, is solicited. The consent of another family member is also sought to confirm the decision. These two witnesses are to be available to sign the marriage certificate which is issued on the day of the sacramental celebration.

2.4 The value of Motherhood

Generally, in Africa and Ghana in particular, children are not only by-products of the union between man and woman, they are not only fruits of the womb, but they represent the worth of the family. A major Ghanaian characteristic is the deep-seated mentality and the universal conviction that children are blessings in marriage. In total contrast to other cultures, both personal and social attitudes tend to favour having children and sometimes many of them. Lack of children is considered a misfortune, or even a sign of a curse. "The continuation of the kinship system is essential to Ghanaian and African societies to the extent that she or he who does not participate in it is a curse to the community".[32] This is mostly regarded as a deliberate attempt to discontinue the lineage system upon which the names and memories of the ancestors depend. The desire for children has always been the main motive inspiring the people in traditional societies to marry. This should however not

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[31] Austin FLANNERY (ed.), Vatican Council II. Conciliar and Post Conciliar Documents, Pastoral Constitution on the Church in the modern world (*Gaudium et Spes No.25*), Mumbai 2013, 841.
[32] John MBITI, African Philosophy and Religion, Oxford, 1969, 133.

be interpreted as placing the biological aspect of marriage above other aspects like love and personal fulfilment.[33]

In Ghanaian traditional societies, marriage is not based on feelings, with little thought to the nature of the institution. The procreative purpose of marriage, which by natural law is its ultimate end, is very central to the Ghanaian tradition and will never be neglected. Customs and tradition duly recognise the essential property of marriage which is openness to fertility. The catholic church has always recognized this as central to her teachings. According to natural law and the Bible, marriage is not only for the companionship and mutual love of the spouses but also for the procreation of children. Thomas Aquinas stated, "It is clear that offspring is the most essential thing in marriage, secondly fidelity, and thirdly [the] sacrament; even as to man it is more essential to be in nature than to be in grace, although it is more excellent to be in grace."[34] The Catechism of the Catholic Church points out clearly, "By its very nature the institution of marriage and married love is ordered to the procreation and education of the offspring, and it is in them that it finds its crowning glory."[35] Thomas Aquinas further recognises that the transmission of life and preservation of the same constitute a mission of the couple. "Married couples should regard it as their proper mission to transmit human life and to educate their children."[36]

The dream of every Ghanaian woman ultimately is to become a mother in future. Even those who are professionals in their various fields of endeavour aspire to become mothers at a particular point in their lives. The worth of a Ghanaian woman lies in her ability to conceive and bear a child. Traditionally, womanhood is never complete without motherhood. In the mind of the typical Ghanaian, a woman is the one who is naturally capable of conception. Even though this view might not be shared by every Ghanaian, it remains a fact, that even in marriage, the wife is valued and assessed relative to her ability to procreate or bear children. Fertility therefore becomes one of the important determinants in the story of the Ghanaian woman and by extension, the African woman.

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[33] Even though there is a greater emphasis on fertility in traditional marriage, it is also believed that marriage is more than just having children.
[34] Thomas AQUINAS, Summa Theologiae IIIb: 49:3.
[35] CHAPMAN, Catechism of the Catholic Church, No. 1652, 370.
[36] Ibid., No. 2367, 507.

In the broader sense, the child is not only a blessing in a matrimonial union but sometimes the reason for the continuous survival of that union. Delivering a paper on *Marriage and the Family in Africa*, Cormac Burke[37] has noted that, in African traditional setting, "the indissolubility of marriage is conditioned to its fruitfulness".[38] In every traditional home, the birth of a child marked "the consummation" of the marriage. Once a child has been born into a customarily recognised marriage, such a union is hardly dissoluble. Children therefore become a real external sign of this unbreakable matrimonial unity. A Ghanaian woman, who fails to give her husband a child or children, is considered to have failed him and society. Burke further observed that,

> "In total contrast to the West, both personal and social attitudes favour having children. Lack of children is considered a misfortune, or even a sign of a curse. The desire for children has always been the main motive inspiring the Africans to marry. It would be inadequate to interpret this as placing the procreational or biological aspect of marriage above the aspect of personal fulfilment. A truer analysis is that personal fulfilment for the African is achieved very principally in having offspring - through which one expresses and perpetuates oneself."[39]

The Pastoral Constitution on the church in the modern world (*Gaudium et Spes*) acknowledges the role of children in marriage when it stresses: "By its very nature, the institution of marriage and married love is ordered to the procreation and education of the offspring, and it is in them that it finds its crowning glory."[40] God himself said "It is not good that man should be alone" (Gen. 2:18) and that is why "from the beginning he made them male and female" (Matt. 19:4) so that man and woman, endowed with the creative powers of the Almighty, could continue to perpetuate his work of creation.

Children have always been regarded by the Ghanaian people as a prolongation of self and therefore in some way a fulfilment of immortality. The desire of parents to have some of their grandchildren named after them is deeply rooted in this idea of self-prolongation. In traditional homes, names must be kept and passed on. The family (extended or nuclear) ought not to die; it must live on. Life must continue, the family must communicate life. The greatest honour a married man or woman could give a parent is to give birth and

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[37] Msgr. Cormac Burke was born in Ireland and is a priest of the Prelature of *Opus Dei*. He has a lot of rich experience in pastoral work in Ireland, the U.S., Spain, and Kenya, where he presently teaches at Strathmore University in Nairobi. He is the author of numerous books and many articles.
[38] Burke CORMAC, Marriage and the Family; Position paper; *Instituto per la Cooperazione Universitaria* (ICU), Rome 1988, 3.
[39] Ibid., 6.
[40] VATICAN COUNCIL II, Pastoral Constitution on the Church in the modern world (*Gaudium et Spes No.48)*, 837.

name one of the children after his or her parents. Grandparents want their names to live on even after they have died. It is believed that naming a child after a parent is the most powerful message and the greatest gift any daughter or son can bequeath to a parent.

Sometimes the descent of the child is also critical in assessing the value placed on it. Every child is born into a descent group which is "a process by which direct genealogical connection is traced between an individual and his forebears for the purpose of recruitment into kin groups." [41] In most cases, it is either a male ancestor or a female ancestress. A Ghanaian child may inherit property and status from the family of one parent or one lineal. This could be the father's family (patrilineal) or the mother's family (matrilineal). In patrilineal societies, a married woman bears children for her husband's lineage from where they inherit status and property. Examples of patrilineal societies in Ghana are the **Ewe**,[42] and the **Ga**,[43] in southern Ghana, as well as the **Tallensi** [44] and many other ethnic groups in Northern Ghana. In matrilineal societies the children she bears, whether in marriage or not belong to the mother's descent group, where they inherit traditional status and property. In Ghana those who practice the matrilineal system of inheritance are of the Akan tribe in southern Ghana. Akan is the largest ethnic group in Ghana, making up 47.3% of the entire population of Ghana.[45]

Patrilineal societies have more to benefit from marital stability in the sense that it enables the children born to the women to become members of the father's descent group. Without wives the group will naturally go into extinction. In patrilineal societies, male children become the greatest assets because they become the life wire, supplying members to the group. Female children on the other hand produce offspring for other males and the families of those males. In matrilineal societies the children belong to their mothers and the females supply the group with members. A girl child is therefore the greatest treasure in the group. Even though the premium placed on every child in traditional home is extremely high, these descent groups are absolutely necessary with regard to how male and females are treated by their kin groups. Without intending to

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[41] NUKUNYA, Tradition and Change in Ghana, 24.
[42] The *Ewe* (*Evhe, or Eve*) is a major dialect spoken in the southern parts of the Volta Region in Ghana and southern Togo. *Ewe* belongs to the *Gbe* family of Niger-Congo.
[43] The *Gas* or the *Ga-Dangme* tribe is one of many ethnic groups in southern Ghana. T*hey* belong to *the Ga*-Dangbe group of Kwa *people* who inhabit the Greater Accra region of present-day *Ghana*.
[44] The *Tallensi* (Talensi) people are agriculturalist Gur-speaking people of Ghana. It is the largest *Grunshie* ethnic group in the northern part of Ghana.
[45] The Ghana Statistical Service, 2013.

underestimate the other ends of marriage such as self-actualization, supportive care, love etc., it must be noted that true married love and the entire structure of the Ghanaian family life is directed toward procreation and upbringing of children.

2.5 The value of large family size

It has already been mentioned that motherhood is very crucial to the Ghanaian woman because the worth of the Ghanaian lady in traditional home is defined by her ability to procreate. Closely related to this idea of the Ghanaian motherhood is the number of children she could possibly add to the family size. The love of life and the desire to have children is one of the beautiful values which are so much cherished in the Ghanaian society. Attitude to children and family size continue to run through traditional thought and practice. This is another layer that is particularly important to traditional families even though large family has its own inherent attendant consequences. There are many reasons for a large family. Apart from the fact that large family size constitutes great economic asset in a labour-intensive subsistence economy, the beliefs and practices associated with ancestors greatly contributes in this regard. "An essential qualification for becoming an ancestor in the past was to have children; and the greater the number the better."[46] It was therefore unheard of for an African to remain childless or unmarried. Ghana is still a developing country with a high unemployment situation. A lot of her population in the informal sector of the economy. The economic implication of large family size is therefore understandable.

With the majority of Ghanaians in the informal sector of the economy, the ability to have many children was and still seen as the best insurance package against old age. As Nukunya pointed out; "Even though the care of the old was considered the responsibility of the whole extended family, direct care rested more on the real children and other close relatives."[47] Family members more often than not are very supportive in many ways, but the reality is that the greatest of the supportive care comes from the nuclear family. For this reason, the desire of every traditional home was to have more children who are educated, well-endowed and in good health to take care of their parents in old age. The second factor which contributes significantly to family size is the position of women in traditional homes. In the past and even today, women in general occupy low

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[46] NUKUNYA, Tradition and Change in Ghana, 243.
[47] Ibid.

social positions in society. “Both at the community and domestic levels, the authority structure weighed heavily in favour of men. One important way of redeeming this low position women occupied was to have children whose number and achievements could boost their status.” [48] It was expected that the number of children could possibly compensate for their traditionally demeaned position as women. The love for children and the love for life amid poverty, economic dependence, social inequality, and diseases are the underlying cultural values that contribute to the large family size.

2.6 The value of sexual abstinence before marriage

One important consideration which permeates traditional homes is the conviction that sex and marriage are sacred realities. Traditional sexual morality is derived from the sense of the sacredness of the procreative function. Virginity before marriage was considered as the greatest honour a woman can have and the best gift she could give to her new husband. Ghana is one of the African countries where sexual issues are mostly seen as a taboo matter in traditional homes. Even among those who are customarily married, there is a profound sense of decorum and reservation with respect to external sexual expression at home. The public expression of any type of sexual familiarity is deeply guarded. Even though many things have changed due to urbanization, modernity, formal education, increased secularization and rapid technological advancement, the Ghanaian attitude to sexual morality and virginity before marriage is profoundly traditional and premarital sex is deeply frowned upon.

Girls are expected to uphold the image of their individual families and to portray to outsiders the quality of the training they receive at home. As an honour to their parents and the entire extended family, they are to carefully avoid any semblance of promiscuity and loose lifestyle. Marriage in the past was and still virtually compulsory for all adults, and every girl also desires to attract a good man with her character. Children are always advised to behave well so that they could get better life partners in future. The dream of most young girls is to have better education, better job and then a happy marriage. As Nukunya pointed out, this idea of marriage is deeply ingrained in the Ghanaian because in the past,

> “There was no way a normal person could opt out of it. In such a social environment, refusal or failure to marry was a great handicap and indeed only men and women suffering from serious physical or mental disabilities remained unmarried.”[49]

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[48] Ibid.
[49] Ibid., 244.

In addition to the desire of most girls to have better husbands, it is also the dream of most young men to find ladies of character, women with good training and dignity who could compliment them as life partners. In such a situation, sexual morality is what counts most. Morality is of utmost important to the Ghanaian no matter his or her cultural orientation in life. This is also recognised in the church who is a teacher of morality. In her rejection of sexual immorality and premature sex before marriage, the church in her teachings makes it categorically clear:

> "All these situations offend the dignity of marriage; they destroy the very idea of the family; they weaken the sense of fidelity. They are contrary to the moral law. The sexual act must take place exclusively within marriage. Outside of marriage, it always constitutes a grave sin and excludes one from sacramental union."[50]

Adolescent girls are therefore carefully prepared according to tradition and culture for the responsibilities of womanhood before they are transitioned into adulthood through the rite of passage or puberty rite. The puberty rite, which is common among certain tribes in Ghana, seeks to usher the adolescent girl into the age of responsibility, marriage, and family life. Values inform our thoughts, words, and actions. These traditional moral values of sexual abstinence, the correct application of individual freedom relative to choices in life and careful adherent to traditional marital norms and practices help people to grow and develop; they help in creating a future that is desirable and noble.

2.7 Marital stability in traditional homes

There is a considerable amount of stability in traditional homes. This sense of stability is predominantly absent in modern marriages. Traditional values are the glue that holds families together. Proper premarital investigations ensure that nothing hinders the success of the matrimonial union. The communitarian aspect of traditional marriage serves as a formidable supportive structure in the family. It provides emotional, social and psychological support in times of marital crises. Members are economically dependent on one another and challenges become less burdensome. Obedience and loyalty sustain family cohesion and ensure that conflicts are minimised. The values of duty, respect and perseverance in traditional homes contribute to a sense of safety and comfort, both between spouses and with their children.

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[50] CHAPMAN, Catechism of the Catholic Church, No. 2690, 512.

In exploring why many marriages fail these days, Nukunya pointed out that the reason given are the breakdown of traditional values which in the past helped to stabilise marriage".[51] The sense of culture, customs and traditions in traditional homes create an identity of self. A man and a woman joined in a sacred act of procreation and sworn to loyalty between each other under traditional marriage is the basic building block for a stable society. In traditional homes there exists this awesome feeling of unity in diversity. Parents, children, cousins, In-laws, grandparents, family heads and other members play their individual naturally assigned roles which help shape the growth of the family. The traditional division of labour which is so common in Ghanaian families helps form the structure and foundation of families and clans in Ghana.

2.8 Conclusion

Values in general seek to define a society's past, shape its present and project its future. They are essential in protecting and preserving community's cultural underpinnings and cultural identity. Ghanaians are who they are because of their values and traditions. Ghana is a land of rich culture, deep social bonding, varied traditions and a strong sense of religious consciousness. As one of the most peaceful nations on the African continents, Ghanaians are guided by these values. They provide structure, focus and direction for members of the family who need to be told what to do and when to do it. Without some of these inherent values, individual members of the society tend to travel on a slippery road and many families and marriages are bound to fall. Whiles one acknowledges the awesomeness of these traditional life principles, it must equally be reasoned out that some of them serve as a double-edged sword. The next chapter discusses some of the challenges that confront traditional marriage in Ghana.

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[51] NUKUNYA, Tradition and Change in Ghana, 203.

CHAPTER 3
CHALLENGES WITH TRADITIONAL MARRIAGE IN GHANA

3.0 Introduction

The inherent values discussed in chapter two of this work seek above all to strengthen and enhance the inner beauty of traditional marriage. They are the values that make marriage attractive and give it an enduring character. Marriage as a socio-cultural institution contributes significantly to the life of communities and individuals. The Pastoral Constitution of the church affirms the role of marriage in this regard and further calls on all people of good will to actively promote and enhance the dignity of the family. In the words of the council fathers:

> "The family is the place where different generations come together and help one another to grow wiser and harmonize the rights of individuals with other demands of social life; as such it constitutes the basis of society. Everyone therefore who exercises an influence in the community and in social groups should devote himself effectively to the welfare of marriage and the family." (GS 25)

The institution of marriage must stand for something; else it loses its relevance in society and fades away with time. This does not in any way suggest that marriage is absolved from challenges because of its inherent positive values. Marriage like any humanity institution is always confronted with challenges and difficulties due to its imperfections. Social Institutions are managed by human beings who are weighed down by their own flaws and limitations. Some of the values which are very fundamental to the very existence of marriage could also become double-edged swords that can possibly destabilize the very structures they seek to preserve. Traditional Marriage with all its worth and beauty, variety and resilience is sometimes confronted with challenges that threaten to disrupt the beauty of traditional homes in Ghana. Whereas many families have collapsed due to these socio-cultural flaws, there are more others that have stood the test of time. Discussing these traditionally induced institutional weaknesses will help in cultural restructuring and redefinition as well as finding lasting solutions to some of these challenges.

3.1 Conflict in the choice of a marriage partner

It has been pointed out in the second chapter of this work that, one of the major characteristics of marriage in traditional societies is its communitarian aspect. It was

mentioned that marriage is more than just a union between a man and a woman, it is a union between families, societies and ethnicities. These entities are considered as essential stakeholders in this matrimonial contract. It would therefore be considered a threat to social order when the permission of clan heads and authorities in one's social group is not sought before marriage. This is very paramount to the Ghanaian mindset. Due to exposure to different cultures and traditions, increased urbanization, formal education, secularization and the effects of contemporary social change, the role of parents and clan heads in the selection of marital partners has considerably diminished. The role has considerably diminished but is not totally absent or abolished. The clan or the family still constitutes a major stake in any marriage. It is argued that,

> "The school environment, migration, and the general contemporary flexible atmosphere as well as increased mobility makes it easier for boys and girls to associate more freely in an atmosphere that promotes conditions for mate selection by themselves."[52]

It is generally believed that the more exposed one is in terms of education, local and international media, human right issues and general academic literature, the smaller the chances of parents or family interfering in the selection of a marriage partner. However, this does not mean that parental or family involvement has completely ceased even among members of the middle class or among those who are well-educated. In the modern Ghanaian society, a parent will hardly attempt to choose a wife or a husband for a daughter or a son. People have come to the appreciation that marriage is a personal choice. Even though parental initiative is no more prevalent, their consent and support in respect of the choices made are necessary. In deciding the choice of a partner, the family plays a critical role. The son or the daughter must necessarily consult the parents before a final determination is made. According to custom and tradition, it is the family that accepts the bride-wealth and not the spouse themselves. The role of the family is therefore non-negotiable during the marriage processes.

It has also been argued that the involvement of the family can possibly affect the personal freedom of one or both spouses. There is always the danger that the rights and freedom with regard to the choice of the partners may be usurped by the other members of the family and that pressure may be put on one partner or both partners to accept what the family says. "Family pressure could certainly inspire such *reverential fear* in a person

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[52] NUKUNYA, Tradition and Change in Ghana, 195.

that he or she consents to the marriage."[53] According to Burke, if such a reverential fear is grave, then there is a possibility that the consent will lack minimum of freedom, and this could possibly nullify the marriage. The marriage, however, would be valid if the person concerned, despite the fear, decides in fact to accept the marriage and so gives true personal marital consent. The consent of the partners is critically important because it is this consent, freely given and freely received that gives birth to marriage. The church duly emphasizes "A marriage is brought into being by the lawfully manifested consent of persons who are legally capable. This consent cannot be supplied by any human power."[54]

Interestingly, the process leading to traditional marriage within the context of the Ghanaian social structure is not so much about the validity or otherwise of the marriage. It is about whether the family has agreed to the union or not and whether the family accepts the bride-wealth or not. In resolving this attitude of family pressure vis-à-vis individual freedom to choose a partner, Shorter counsels:

> "It must be acknowledged that community has no existence apart from that of its members, that partners to a marriage are points of contact between family-communities and points of contact which are not passive instruments of the family-communities. The rights that others in the family have over them derive from the partners themselves, who exercise their freedom within the community."[55]

In this regard the partners to the union represent the two families and it is their decision to come together that ought to be honoured by the families. It is commonplace, that whoever becomes an in-law will have to be accepted by the family. The lady's family will have to accept the man as son in-law and the man's family will have to accept the lady as daughter in-law. Without this mutual acceptance from both families, the proposed marriage is bound to encounter serious challenges. The joy of every young man or young lady is to be accepted by his or her In-laws. When it does not happen, the joy and peace of matrimonial life could be deeply affected. The best option is for clan members to allow individuals to exercise their naturally assigned rights in selecting their partners with whom they could share their entire life with.

When disagreements with regard to choices emerge, the opinions of the fathers from both families become critical. When the fathers say no to the marriage; that relationship hardly sees the light of the day. The wives on the other hand can only convince their husbands

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[53] CORMAC, Marriage and the Family: Position paper, 7.
[54] The Code of Canon Law. Can. 1057, 237.
[55] SHORTER, African Culture and the Christian Church, 179.

in such cases to accept the decision of the spouses or otherwise. Love is a gift and one of the essential qualities of love is freedom. True love can only be expressed in freedom. There must be freedom to ask one's hand in marriage and freedom to accept a marriage proposal from same. To marry constitutes one of the major turning points in a person's life. It is a life changing decision that must be taken freely, individually without any influence or duress from any other person. Any external pressure to abandon their preferred choices or to accept other choices could undermine the character and the dignity of the marriage.

3.2 Third party Interference

Marriage establishes a permanent and independent family life with deep bonds of mutual attachment to relations of both spouses. With these bonds, the marriage becomes the primary concern of spouses as well as their respective families or in-laws. This competition for genuine and sincere concern for the family has the potential to generate problems in the marriage. Parents and siblings have always had personal interests in the well-being of their married relatives. This quest to protect and enhance the well-being and the good of married relatives introduces an element of interference by in-laws. It is argued "that an individual's deportment and management of his personal and marital lives are his responsibility in which no one has the right to interfere."[56] Not every family member accepts this position of non-interference in traditional marriage. Often, family members see themselves part and parcel of the marriage and there is nothing wrong with such attitude. Indeed, the communitarian aspect of marriage is immensely helpful; however, what people object to is the sustained and aggressive intrusion which sometimes leads to disquiet, quarrels and marital instability.

In Ghana, it is mostly the parents and the siblings of husbands who are most culpable of such unsolicited matrimonial interference. These relatives tend to be so caring and consider themselves so close that they see it as their duty to comment, suggest or even attempt to offer guidance to their relative in the relationship. This has been a major factor in weakening many relationships between husbands and wives. In some extreme cases, even the type of food one eats, the amount of money spent as well as the treatment of the spouse and children become matters of consideration for in-laws. Naturally, such

[56] NUKUNYA, Tradition and Change in Ghana, 209.

open and unmerited intrusion will be resisted by individuals who desire to protect their love and marital privacy.

These cases of interference and harassment from in-laws do not only violate the privacy of the couples but have the potential to cause the breakdown of the marriage. Apart from factors such as neglect of marital responsibilities, domestic violence/abuse, impotence, denial of sexual pleasure and infidelity, undue interference from third parties (in-laws) has become one of the major causes of break ups in traditional marriages. It must be noted that, with respect to all the other factors enumerated above, it is in-laws who in most cases lead the crusade for dissolution of these marriages. This is unfortunately how far the communitarian aspect of traditional marriage could go in becoming a danger to the matrimonial relationship. There is a personal interest in every relationship, and this could be financial, emotional, psychological, and spiritual depending on what the individual needs at a point in time. However, when such personal interests are not carefully controlled and guarded, the resultant effects could be disastrous.

3.3 Childlessness in traditional marriage

The World Health Organization's revised glossary on Assisted Reproductive Technology (ART) offers a clinical definition of infertility. Infertility is considered as "a disease of the reproductive system defined by the failure to achieve a clinical pregnancy after 12 months or more of regular unprotected sexual intercourse."[57] Infertility or barrenness is therefore the inability of a sexually active couple to conceive after one year of regular unprotected sexual intercourse in the absence of known reproductive pathology. It is also instructive to know that infertility comes in different forms: it could either be primary or secondary infertility. Primary infertility is inferred when one is unable to conceive at all in life. Secondary infertility is referenced when one has at least conceived once but unable to conceive again. The priceless value of the Ghanaian child cannot be overemphasized in traditional homes. The child in most instances constitutes a crown of stability and completeness in a union between the husband and the wife. The new-born child becomes the glory of the family and the future of the clan or the lineage.

It has been pointed out that the desire to have children is so imperative to the Ghanaian couple that one's inability to conceive a child has always been a source of great

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[57] WORLD HEALTH ORGANIZATION, International Committee Monitoring Assisted Reproductive Technology: Fertility and Sterility, Vol. 92, No. 5. Nov. 2009. 4

worry. The child is always celebrated as a gift from the Supreme Being (God) and a blessing to the family. Sometimes the birth of a male child gives an added value to this celebration. For this reason, childlessness in traditional homes is hardly tolerated. It is therefore customary for the families of the newly married to anticipate the announcement of an expected baby within a year of marriage. Any delay in the signs of pregnancy by the woman has the capacity to ruffle feathers in the family. The belief is that a true Ghanaian must perpetuate himself; his offspring are a continuation of his life and whoever fails to give birth would consider himself dead and finished. Such a person's life traditionally has come to an end: it has no continuation. The concept of a deliberately barren marriage is inconceivable for the Ghanaian and for the African in general. According to Burke, "It would mean a choice not to express oneself; therefore, a *lack* of personality and of personal fulfilment; a choice to remain within an expressionless self-enclosure."[58]

The consequences of childlessness are enormous for the couple, particularly the woman. Apart from the public ridicule, harassment from in-laws and associated stigmatization from friends and colleagues, she is likely to suffer sustained and unsolicited interference from third parties, marital instability and possibly a divorce. In patrilineal societies where the children naturally belong to the husband's lineage, the pressure from family members becomes more deafening. The greatest possibility in such a situation is that the woman will be forced out of her matrimonial home by circumstances beyond her control. According to Sarpong, the love for children and the respect for life is one of the positive Ghanaian values. He, however pointed out that; "the worth of a human being cannot simply be judged by the ability to bear children. When absolutized, this otherwise beautiful value becomes disvalue."[59] In most cases the indissolubility of Ghanaian traditional marriage is conditioned to its fruitfulness and the birth of a child marks its consummation. The worrying trend is that many women are virtually forced out of their matrimonial homes because of their inability to conceive for their husbands. As pointed out by the Catholic Bishops' Conference of Ghana:

> "When marriage has been for some time without children, there is always pressure brought to bear on the man but most often on the woman. For many Ghanaian communities, it is only when a child is born to the couple that the marriage is seen as consolidated and no explanation to the contrary is good enough. In some extreme cases, some women, unable to bear the pressure are actually known to have allowed their husbands to marry another woman and get children by her. Such arrangements

[58] CORMAC, Marriage and the Family, Position paper, 6.
[59] SARPONG, Dear Nana: Letters to my Ancestor, 117.

> apart from being wrong and opposed to the teaching on Christian family often result in disaster and tragedy."[60]

For this reason, a lot of public education is very much needed to stem the tide of ridicule, stigmatization, public harassment, and intrusion from third parties as well as all the negative consequences associated with infertility and childless couples.

3.4 Polygyny (Polygamy) in traditional marriage

One cannot discuss marriage in Ghana without the issue of polygamy. Polygamy refers to the practice of having more than one wife or one husband. Within polygamy are polygyny and polyandry. Polygyny is when a man marries more than one wife. Polyandry on the other hand is when a woman marries more than one husband, a situation which is almost non-existent in Ghana. Polygyny could either be simultaneous or successive. Simultaneous polygyny happens when the polygynist (the man) is married to two or more women at the same time. According to Shorter, simultaneous polygamy (polygyny) is only possible in patrilineal families where the woman passes more completely under the authority of the husband and the members of his descent group.[61]

This position is highly debatable because in Ghana, simultaneous polygyny is widespread both in patrilineal and in matrilineal societies. Successive polygyny on the other hand happens when the man takes another wife and deserts the previous wife or wives. What really happens in Ghana is that more attention is given to the new wife, whereas the previous wife or wives receive(s) less attention from the husband. This naturally amounts to desertion by the man. It is also argued that in matrilineal societies where the children belong to their mother's descent, there is little motivation for men to marry more than one woman. This is also open to discussion since the situation in Ghana is totally different. In both patrilineal and matrilineal communities, polygyny is practiced. Polygyny which has been identified as another major challenge in traditional homes has always had underlying causes. It will however be unscientific to imagine that selfishness or lust on the part of men is the principal motive behind polygynous relationships. According to Shorter, "men could satisfy their lust through adulterous unions and concubinage."[62]

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[60] Ghana Catholic Bishops' Conference, Communiqué: The Pastoral Challenges of the Family in the Context of Evangelizations, Accra, 2014, 4.
[61] Cf. SHORTER, African Culture and the Christian Church, 172.
[62] Ibid.,

Polygyny ensures that the traditional family becomes more extended in time and space and that property and status pass on from generation to generation. Again, having many wives means more children to help in the farms to guarantee economic prestige and wealth in agricultural communities. One's ability to pay the bride-wealth of many women was also a sign of riches and prestige among one's peers. In situations where the wife is unable to bear children for her husband, polygyny serves as the kindest solution. The traditional wife would be prepared to remain the first wife, rather than be divorced and be confronted with her inability to find another suitor. Polygyny further helps to satisfy the sexual needs of the husband in communities where sexual intercourse is forbidden during the period of lactation. Nukunya calls it "the weaning taboo". According to him, "Husbands who could not wait for the breastfeeding period, three years in some cases, would find polygyny necessary if they had the means." [63] These and others are some of the reasons why polygyny has become entrenched in the Ghanaian traditional homes and in many African countries.

Polygyny was introduced to serve a useful purpose in traditional societies. However, from all indications, it has become one of the major disruptive forces tearing families and marriages apart in traditional homes. The Second Vatican Council affirms the dignity and the inner beauty of marriage as an institution. It equally accepts that polygyny has had destructive effects on this beautiful partnership and that ".... this happy picture of the dignity of these partnerships is not reflected everywhere, but overshadowed by polygamy, the plagues of divorce, so-called free love and similar blemishes" (GS 47). Even though there is a cultural diversity in Ghana with varied customs and traditions, polygyny is found in all the different communities and tribal groupings in Ghana. The negative effects of these relationships are also similar in all these varied tribal groupings.

Polygynous relationships breed a lot of tension between co-wives and between in-Laws. These tensions, the simmering jealousy among wives, coupled with unhealthy competition for attention and love undermine the conducive home-environment that supports peace and proper social integration of children. According to Shorter, "it is impossible to avoid partiality on the part of the husband and jealousy on the part of the co-wives".[64] Polygyny has been recognized as one of the most fruitful causes of desertion and divorce. Naturally, the taking of a second wife in many cases alienates previous wife or

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[63] NUKUNYA, Tradition and Change in Ghana, 201.
[64] SHORTER, African Culture and the Christian Church, 174.

wives. More attention and resources are spent on the new wife and when the two women are unable to cohabit peacefully, divorce is the resultant effect. Another area of great concern is the financial strain this type of relationship puts on the scarce resources of the family. Having many wives means potentially more children and more mouths to feed. With this financial burden on the family, other equally important areas such as nutrition, education, health and the integral human development of the children are negatively affected. For Shorter:

> "Polygyny creates a family of considerable legal complexity regarding property, inheritance and status of each child in the family. It lessens the educative influence of the father over his children and is irreconcilable with the educational and economic emancipation of women and the desire of woman to play independent roles in society."[65]

The father's influence relative to the training and upbringing of the children in traditional homes is very vital. The father is not only regarded as the soul of the family but also a voice that gives direction and a sense of purpose. He is the medium through which the customs, traditions and practices are transmitted from one generation to the other. He is the link to traditional wisdom. He is the first role model and has a huge stake in shaping the future of his children who represent the future of society. His voice is the voice of the family. The church acknowledges the influence of the father in the family as well as the urgent need to empower women so that they can play active role in society. The Second Vatican Council put its right:

> "The family is in a sense, a school for human enrichment. But if it is to achieve the full flowering of its life and mission, the married couple must practice an affectionate sharing of thoughts and common deliberation as well as eager cooperation as parents in the children's upbringing. The active presence of the father is very important for the training; the mother too has a central role in the home for the children; especially the younger children, depend on her considerably; this role must be safe guarded without, however, underrating women's legitimate social advancement." (GS 52)

These cooperation and respectful engagements between husband and wife which is required in the proper training and upbringing of children are not always guaranteed in traditional homes. With the practice of polygyny, women are always placed at the bottom of the social

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[65] Ibid., 174.

ladder. Polygyny as a matter of fact indirectly frustrates efforts towards the social, cultural and economic empowerment.

3.5 The Commercialization of Bride-wealth

Bride-wealth is offered or paid by the man to the family of the girl whose hand he is seeking in marriage. Its acceptance brings finality to the marriage process. Bride-wealth could be seen as an aspect of culture which has a steadying effect on traditional marriage. In some cattle herding societies in Northern Ghana for instance, cattle do not only have economic and nutritive value but more importantly, they are looked upon as especially bride-wealth currency. It is argued that "They are means by which adjustments are made between conjugal and affinal relationships; the means by which links are formed through exogamy."[66] Sometimes goats or sheep are also used as bride-wealth in traditional marriage ceremonies. The same can be said of ceremonial goods such as beads, gold, cowry shells and ornaments. Particularly interesting are drinks, hoes, kola nuts and many other household items which could also be used as bride-wealth. The emphasis was always on the symbolic value and not so much on economic value.

Among the Akan tribe in southern Ghana, drinks and money constitute the payment. According to Nukunya, "The formal establishment of marriage result from the payment by the groom and his people (lineage head and parents) of the *tiri nsa* (head wine) which is described as thanksgiving gift. This usually consists of two bottles of gin and an agreed equivalent in cash as the marriage gift."[67] There are many tribes and traditions in southern Ghana but despite the differences in detail, what is offered during the marriage appears similar. In all these varied traditions and customs, one finds drinks, wax print cloth, *kente* cloth (ceremonial cloth in Ghana) and cash amount as the gifts offered to the family of the lady. The amount could appear substantial, but no one is enriched by the payments because it is shared among the members of the family.

It must be stressed that different tribes in Ghana have different traditional rites and requirements for marriage. Depending on which tribe or family a person decides to take a wife from, he will be required to bring something as tradition and customs demand. Nukunya also observed that in addition to the payments amounting to some 3 cows, 1 goat and 20,000 cowry shells should be made during the lifetime of the marriage, the last

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[66] SHORTER, African Culture and the Christian Church, 171.
[67] NUKUNYA, Tradition and Change in Ghana, 53.

of these at the time the bride joins her husband.[68] Similar to what pertains in southern Ghana, what runs among all the different tribal groupings in northern Ghana with regard to bride-wealth are cows, goats, sheep, drinks, cowry shells, kola and cash amount. The number of cows or goats depends largely on the custom of the area.

Currently, bride-wealth in Ghana is an issue that concerns everyone due to its abuse and excesses. The intended purpose as seen above was as a process of real or symbolic gift exchange, legalizing a marriage, legitimizing the children of the union, indemnifying the bride's family and stabilizing the marriage to some extent. It has however been observed that, when the economic aspect of bride-wealth is unduly emphasized, it becomes an intolerable burden. This is evidenced in areas where a money economy has been introduced. The monetization of the Ghanaian economy and the economies of African societies has disrupted many modes of exchange across the continent.

Regarding traditional marriage, many existing presentations have been converted into money transactions. An even more drastic evolution is the involvement of cash and bargaining. The amount to be paid is rigorously negotiated by the families of the groom and the bride. It is believed by many that the payment of the bride-wealth is no more about the dignity and sanctity of traditional marriage as an institution but greed. As pointed out by Shorter, "When ordinary money is introduced, then it has a value outside the institution of marriage, and high bride-wealth is demanded out of the cupidity of an individual and not primarily for the reason above."[69] Due to this greed for money and the inordinate desire for wealth, bride-wealth in Ghana is now ridiculously exorbitant for many young people of marriageable age who are unable to afford it.

Some of these excesses include what is popularly known as "The List" among Ghanaians. Today, it has become fashionable for men of marriageable age to visit family of the lady they intend to marry for a list of items that will be needed for the marriage ceremony. This is something new to the Ghanaian tradition and customs. What is known is that in every tribe and tradition, there are accepted requirements for marriage ceremonies. The supposed list might include items that hitherto had no relevance to marriage rites. The items on the demand list have also taken on a modern look. Apart from what custom requires, the list may include latest mobile phones, laptops, travelling bags, footwear, gold plated wrist watches and many others that are hitherto unknown to

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[68] Cf. Ibid., 54.
[69] SHORTER, African Culture and the Christian Church, 171.

tradition and customs. Sometimes "marriage is delayed because of prohibitive bride-wealth and marriages are broken as a result of the cupidity of parents wishing to sell their daughters more profitably."[70] Certain items mobile phones, expensive travelling bags, latest designer shoes, expensive ornaments, imported clothing, huge sum of money and other items that were traditionally not part of the rites have all been introduced.

The question on many minds is, who is to be blamed for these exploitations? Is it the parents, the lady whose hand is being sought in marriage or the society? In many cases, it is not the parents who want to exploit prospective in-laws by demanding high bride-wealth. It is not always about greed but other factors that seek to maintain its exorbitant nature. Attempts have been made to abolish it in certain areas but "Bride-wealth cannot be abolished when economic and social pressures are keeping it alive."[71] The extravagance is worrisome, but who wants to be married cheap in Ghana and what will people say? A lot of the young ones do not want a low-keyed traditional marriage which will be ridiculed as cheap by colleagues and friends. There seem to be a subtle competition among the youth of today with regard to traditional marriage ceremonies in Ghana. These are some of the social pressures that seek to keep the excesses. With the advent of social media, many people want to be at the front pages. This craze for headline, prestige and popularity fuel some of these ridiculously exorbitant expenditures.

No one can completely deny the fact that the payment of the expensive bride-wealth in some cultures is partially to blame for the low place accorded woman in her marital home and in the society at large. According to someone like Shorter: "High bride-wealth, although flattering to the bride may also lead to the husband treating the woman as a chattel."[72] The most vicious critics see bride-wealth as a purely commercial transaction which is introduced into engagement and marriage in violation of human dignity. There is indeed a lot to be done in Ghana relative to the socio-economic advancement of women, obnoxious cultural practices, girl child education as well as reproductive health issues. However, whatever is given or accepted during traditional marriage ceremony does not in any way constitute an economic sell-out of the woman. Some men may see the payments as a purchase price and will likely treat the woman as an object that has been bought at a price. These are the challenges in relation to bride-wealth.

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[70] Ibid.
[71] Ibid., 172.
[72] Ibid.

3.6 Widowhood Rite in traditional marriage

Widowhood is a period of mourning for one's departed spouse. In Ghana widowhood is not only a time for grieving a departed partner, but more importantly a moment of emotional realignment, inner healing, family bonding and supportive care for the bereaved spouse. It is also a time to honour the memory of the departed partner and celebrate his or her achievements whiles alive. Traditionally, it is again a time to seek the protection and the blessings of the Supreme Being and the ancestral spirits to guide the departed in what is termed as final journey to the ancestral world. The process of dying is simply a movement of consciousness from one state to another which does not end existence. Every death is a transition which always results in separation of the souls from the body. It also separates a person from the living. Separation is arguably the most difficult thing in life. During this solemn period of pain and emotional adjustments, friends, relations and loved provide encouragement, companionship, and counselling to the bereaved spouse. At the same time certain customary rites are performed to formally separate the departed spouse from his or her living partner. These rites of separation which are also known as *widowhood rites* take many shapes and forms according to the traditions and customs of a particular people.

Those who go through these traditional rites do so to further demonstrate their love for the departed. Human beings are naturally inclined to do everything to prove their love. In marriage, love is considered as the foundation and life wire. This human quality of showing love, appreciation and affection is not truncated by the death of a partner. The traditional African views death only as a transition and not extinction. Widows and widowers are therefore required to go through these rites to prove their love and affection to the departed partner who now lives on the other side of the river.

There are also many people who submit themselves to these customs and practices in order to seek blessings and protection from the ancestors. The notion that the dead are more powerful than the living is very rife in traditional homes in Ghana as well as Africa in general. It is believed that those in the ancestral world have the capacity to intercede for their living relatives, help those who are in need and protect those who honour and cherish their memories. It is equally believed that the ancestors have the power to trouble those who dishonour their memories here on earth. To seek the blessings and spiritual protection of the ancestors in the moments of loss, grief and pain is an important factor in the performance of these rites for the dead. The belief is that one's inability to perform these rites will incur the wrath of their departed spouses.

One thing that runs through the Ghanaian social structure is the strong notion that nothing happens by chance in this world. This is the traditional attitude to life in Africa and in Ghana. When someone dies, what easily comes to mind is not the causal effect or what caused the death but who caused it. Sudden and unanticipated death more often than not arouses a strong suspicion that someone close to the person might have caused it. Such a suspicion is further heightened when a rich person dies unexpectedly. To prove their innocence in such matters, many people are made to go through these widowhood rites to absolve themselves from any accusation that might arise. Culture is life; the sum total of traditions and customs of a people in a given community. In obedience to tradition and custom, people willingly submit themselves or are made to submit themselves to some of these rituals. Refusal to perform such rites has its own attendance consequences.

3.7 Widowhood and inequality

The seemingly exclusion of males from these traditional rites of separation constitutes the greatest challenge to the proper understanding and acceptance of widowhood rites in traditional marriage. The argument that begs for discussion is that, if indeed widowhood rites are meant to terminate the relationship between the death and the living, then it is expected that everybody who loses a spouse must go through the process. Men also go through these rites but not as strict as their female counterparts. Men are considered as breadwinners in the family, they provide financial and social security and ensure the safety of the other members of the family. Customary, it is the man who seeks the hand of the woman in marriage. When the woman dies, the man is required to mourn his wife as custom demands, but at the same time, he has a responsibility to ensure that the material, financial and emotional needs of his children are catered for. For this and many other reasons, the man is dispensed from many of the rituals so that he could continue to work and provide for his household.

Ironically, in Ghana and in many African countries where these are applicable, the women who lose husbands are required to strictly go through all the traditional rites of separation. It is therefore being viewed as oppressive, gender insensitive and a show of male chauvinistic attitude towards women. The way some of these traditional rites are carried out also raises human rights concerns. Instead of benefiting from widowhood rites, the women rather become victims of these traditional rites of separation. Some of these rites involve physical, emotional, and psychological violence which may negatively have a lifetime effect on the woman.

The line between Rights and Tradition, between what is customary permissible and what is abusive is very thin; one can easily cross. When it comes to traditions, customs and socio-cultural practices such as widowhood rites, the freedoms and rights of individuals are extremely important. The General Assembly of the United Nations on the 10th of December 1948 adopted and proclaimed the Universal Declaration of Human Rights (UDHR).[73] For a better understanding, a working definition of human rights is provided for by the United Nations Office of the High Commissioner for Human Rights (UN OHCHR).

According to the UN:

> "Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equal to our human rights without discrimination. These rights are all interrelated, interdependent, and indivisible."[74]

Human Rights are universal in the sense that they apply to all persons at all places and at all times. They are inherent in the human condition and can therefore not be done away with. These inherent rights are also interrelated and do not operate in isolation. It therefore means that an improvement of one of these Rights facilitates the advancement of others. Likewise, the deprivation of one adversely affects the other. They are equal and non-discriminately. This principle of non-discrimination is complemented by the principle of equality which is stated in the preamble of the Universal Declaration of Human Rights: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."[75]

The Universal Declaration of Human Rights (UDHR) sets out our freedoms and responsibilities to one another. At the same time, it sets out boundaries to human freedom because no freedom is absolute. To further strengthen the efforts in the promotion and administration of human rights, the UDHR established several international and regional conventions in this regard. The International Covenant on Economic, Social and Cultural Rights (ICESCR),[76] the International Covenant on Civil and Political Rights (ICCPR),[77] the Convention on the Elimination of all forms of Discrimination against Women

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[73] UNITED NATIONS, General Assembly resolution 217 A (III) of 10 December 1948.
[74] UNITED NATIONS, Preamble of the Universal Declaration of Human Rights, URL: http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx [Accessed: May 27, 2020].
[75] UNITED NATIONS, Preamble of the Universal Declaration of Human Rights.
[76] General Assembly resolution 2200A (XXI) of 16 December 1966.
[77] Ibid.

(CEDAW),[78] the Convention against Torture and other Cruel, Inhuman or Degrading Treatment (CAT10).[79] Most member countries of the United Nations have ratified these conventions and Ghana is no exception.[80]

Ghana has a functioning democracy guided by a constitution that clearly forbids cultural practices that seek to undermine the rights of citizens. Ghana as a member of United Nations is a signatory to the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). The rights of every person including women are incorporated in the 1992 Constitution of Ghana. Chapter Five of the 1992 Constitution of the Republic of Ghana is particularly dedicated to Fundamental Human Rights and Freedoms. The Constitution clearly provides in Article 12(2):

> "Every person in Ghana, whatever his race, place of origin, political opinion, colour, religion, creed or gender shall be entitled to the fundamental human rights and freedoms of the individual contained in this Chapter but subject to respect for the rights and freedoms of others and for the public interest."[81]

The Framers of the constitution were very particular in their choice of words when addressing the issue of Human Rights. "Every person in Ghana" here refers to anybody; male or female, young or adult, black or white who lives in Ghana enjoys that fundamental human right. It must be further mentioned that the Constitution of the Republic of Ghana does not only guarantee the rights and freedoms of all people but also respects the rights and freedoms of every human being including women. Article 26, Section 1 of the same Constitution stipulates: "Every person is entitled to enjoy, practice, profess and promote any culture, language, tradition or religion subject to the provisions of this Constitution."[82] Even though the laws guarantee the rights and freedoms of individuals and communities to practice their culture under the current constitutional dispensation, it carefully abhors any semblance of infringement on the dignity of any person. Article 26, Section 2 of the Constitution provides that: "All customary practices which dehumanize or are injurious to the physical and mental well-being of a person are prohibited."[83] Here, the constitution of the Republic of Ghana is clear about the inherent

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[78] General Assembly resolution 34/180, 34 U.N. GAOR Supp. (No.46) at 193, U.N. Doc. A/34/46.
[79] General Assembly resolution 39/46, [annex, 39 U.N. GAOR Supp. (No. 51) at 197, U.N. Doc. A/39/51 (1984).
[80] Ghana ratified the CEDAW and the Convention against Torture in 1981 and 1987, respectively.
[81] 1992 Constitution of the Republic Ghana. Article 12 (2).
[82] Ibid., Article 26 (1).
[83] Ibid., Article 26 (2).

dangers and possibles abuses that could arise in the Ghanaian society. They framers therefore sought to prevent or cure these social ills that could have potential consequences on the rights and freedoms of others. In a report on violence against women in Ghana, the United Nations (UN) Division for the Advancement of Women indicated that widowhood rites included confining the widow to a room, shaving her head, having her wear a rope around her neck and conducting a ritual bath. The report also stated that,

> "[…] 31% of widowed respondents said they were being asked to marry their dead husband's brother and 23% of the other respondents said their relatives (who are widowed) were asked to marry their dead husband's brother".[84]

Some of these horrific traditional rites of parting include the wearing of black clothes for a long time as sign of mourning among Akan tribe of southern Ghana. In some communities the woman is not allowed to bath or change clothes. This could be extremely dangerous to the health and general wellbeing of the woman. Among some tribes in northern Ghana, widows are made to swallow certain concoctions or other substances to prove their innocence regarding the demise of their husbands. Sometimes widows are required to participate in sacrificial rituals which may expose them to physical harm and other associated health hazards. The rite of separation may include a long and lonely trek on paths in the night to the burial site of the husband. Many other dehumanizing treatments are meted out to the widow.

According to the Executive Director of the Widows and Orphans Movement (WOM) Betty Ayagiba, most of the widowhood rites are being spearheaded by women who suppress the widows, torture, strip them naked, shave their hairs, and force them to drink concoctions prepared with leaves, hairs and fingernails of their late husbands. According to her,

> "The multiple human rights violations widows and their children go through in this part of the country, in the name of culture, has led widows into extreme poverty, migration, social oppression, with many children being denied access to education and health. A lot of widows and their children are denied their autonomy and independence."[85]

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[84] United Nations (UN), 11–14 April 2005. Division for the Advancement of Women (DAW). *Violence Against Women: The Ghanaian Case*. April 2005. URL: https://webarchive.archive.unhcr.org/20230519072426/https://www.refworld.org/docid/45f147352f. html. [Accessed: May 27, 2020].

[85] United Nations, Violence Against Women, URL: https://www.modernghana.com/new/298544/widowhood-rites-still-rife-in-northern-regions.html) [Accessed: July 29, 2020].

Even though Article 26 subsection 2 of the 1992 Constitution stipulates: "All cultural practices which dehumanize or are injurious to the physical and mental wellbeing of a person are prohibited,"[86] the issue of widowhood rites and other negative cultural practices are still matters of great concern, especially, in the Upper East Region of Ghana. According to Ayagiba in a United Nations (UN) Division for the Advancement of Women report, "many widows are not aware of this legislation and those who are, will likely not want to proceed to trial because of lengthy delays and because they could face more and increased abuse".[87]

Furthermore, coercive mourning and other inhumane burial rites which include sexual intercourse with designated male relatives could possibly increase the spread of sexually transmitted diseases or lead to unprepared pregnancies. Some of the women are also forced to travel outside their communities in order to have sexual intercourse with unknown man at the end of the rite in order to shelve herself from the bad omen of the widowhood rite. Women who undergo such rites are subjected to mental, physical, and emotional torture. Majority of the victims are women who are advanced in age, people without formal education, who live in marginalized communities of Ghana. The well-educated women who live in the urban centres are made to go through a more "refined or modernized" widowhood rites when they lose their spouses. They are for instance not stripped naked, made to drink any concoctions or any of the demeaned treatments meted out to their older generation.

In spite of the wave of socio-cultural change in communities with regard to the position of women, there is more to be done to facilitate the real liberation of females from the oppressive structures laid down by customs and traditions. According to Seán Ruth (2006),

> "This mistreatment of women sometimes blocks women from self-development and excludes them from participation in true marital life and in society because they do not have certain rights that the men take for granted. Economically, the death of a spouse will result in loss of income and property that the deceased spouse received or owned, unless provision for their continuation and inheritance is made explicit in income program rules, laws of inheritance, or through the deceased spouse's will. For this reason, it is important to understand how marriage and inheritance rights to income and assets are defined in law and by programs that provide income to elderly persons."[88]

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[86] Article 26 (2) of 1992 Constitution of Ghana.
[87] United Nations, 11–14 April 2005 Division for the Advancement of Women (DAW). *Violence Against Women: The Ghanaian Case*, April 2005. URL: https://carijournals.org/journals/index.php/JAPSY/article/download/526/1005/2950 [Accessed: 30th July 2020].
[88] Cf. Ruth SEÁN, Leadership and Liberation: A Psychological Approach, Routledge, London and New York, 2006, pp.11 –117.

There is great amount of cultural deficit regarding the Ghanaian attitude towards women in general. Customs and tradition have largely been anti women from the beginning. These negative perceptions directed at women, the culturally induced exploitation of the Ghanaian women and the sustained political, economic and even religious intolerance deprive the Ghanaian women of their proper place in a civilized world. These widowhood rites deny them the chance to develop their full inherent potential. The continued perpetuation of customs and traditions not only discriminate against women, but they also have certain consequential bearing on their common right as human beings. These are some of the challenges that confront widowhood rites in Ghana. On the dignity and role of man and woman, John Paul II in *Familiaris Consortio No.*22 has this to say, "In creating the human race ´male and female` (Gen. 1:27), God gives man and woman an equal personal dignity, endowing them with inalienable rights and responsibilities proper to the human person."[89]

Even though males and females are biologically and emotionally different according to nature, they are nevertheless equal with regard to dignity, respect and basic human rights. However, adherents to traditional customary practices such as widowhood rites are yet to come to terms with such an understanding. The issue of widowhood rite is one of the serious blots within the Ghanaian cultural setting. It has been described as one of the most dehumanizing and uncivilized within the context of human dignity and its advancement. These customary rites of parting are still rife in many parts of Ghana.

3.8 Conclusion

The problems discussed in this chapter are not the resultant effects of modernization, secularization or technological advancement. Even though there is a greater awareness due to formal education, increased awareness of human rights and urbanization, these challenges are by-products of tradition and customs of the Ghanaian people. They have persisted until now because conservative traditionalists desire to protect their cultural heritage so that they do not offend their ancestors. Currents events point to the fact that there is wind of socio-cultural transformation in Ghana albeit at slower pace. One of the most difficult things to do is to change the mindset of a people. And since traditional marriage is not only part of the social structure of modern Ghana but the life wire of the

[89] Pope John Paul II, Apostolic Exhortation on the Role of the Family in the Modern World (*Familiaris Consortio No. 22*), Nov. 22, 1981.

family or clan, any invitation to change and modernization will require the collective effort of all. History has shown that every process of change has had to face some amount of resistance.

It is never an invitation to transform traditional marital values because they measure the worth of society. It is indeed the duty of every person to protect and preserve the cherished values of a society. What Ghanaians must seek to change, or transform are some of the excesses that debase the cultural dignity of traditional marriage. It is hoped that with growing awareness, public education, and sustained enthusiasm, this wind of change will gather momentum for the needed institutional transformation. Traditional marriage can shine when they are purified and purged of their cultural excesses.

CHAPTER 4
IMPLICATIONS OF TRADITIONAL MARRIAGE ON THE PASTORAL ACTIVITY OF THE CHURCH

4.0. Introduction

The Universal Church exists to evangelise and to perpetuate the Kingdom of God. According to the Decree on the church's Missionary Activity (*Ad Gentes Divinus*), "The Church on earth is by its very nature missionary since, according to the plan of the Father, it has its origin in the mission of the Son and the Holy Spirit" (AG 2). The Gospels are full of "send" words. Jesus is the son of God *sent* by the Father; this legitimizes his mission (cf. John 10:3), therefore he can solemnly assert "As the Father sent me so am I sending you" (John 20:21). He "sent" the twelve like sheep among wolves (cf. Mt 10:16; Luke 10:3). He "sent" the seventy-two (72) disciples into the towns and villages he himself would visit (cf. Luke 10:1). His own mission in the world is the basis for the mission of the disciples (cf. John 17:18). As the Evangelist Matthew records at the concluding part of his Gospel narratives, Jesus, at the very end of his ministry commissions his followers:

> "Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you; and lo, I am with you always, to the close of the age." (Matt 28:19-20).

The testimony which Christ has given of himself, and which St. Luke has recorded in his Gospel "I must preach the good news of the Kingdom of God" (Luke 4:43), is of the utmost importance because it sums up in a word the whole mission and mandate of Jesus. With this mission, and guided by the Holy Spirit, the church goes all out as an agent of evangelization with the sole aim of reforming social institutions, giving better meaning to cultures and traditions as well as helping individuals to appreciate the value of the Gospel message. As Pope Francis pointed out in his Apostolic Exhortation *Evangelii Gaudium* No.20,

> "The Word of God constantly shows us how God challenges those who believe in him "to go forth". Abraham received the call to set out for a new land (cf. Gen 12:1-3). Moses heard God's call "Go I send you" (Ex.3:10) and let the people towards the promised land (cf. Ex.3:17)". To Jeremiah, God says "To all whom I send you, you shall go" (Jer. 1:7). In our day Jesus' command to "go and make disciples" echoes in the changing scenarios and ever new challenges to the church's mission of

> evangelization, and all of us are called to take part in this new missionary "going forth."[90]

The Church is both a messenger and a living presence of the message that she communicates. As a messenger, the Church is entrusted with the responsibility of proclaiming a word that is salvific, truly liberating, a message that confronts evil in the world, a message that aims at reforming oppressive structures and dehumanising social institutions: a message that manifests God's Kingdom of peace, justice, love, and unity. The church therefore has a divine mandate to evangelise peoples and institutions, traditions and customs, cultures, and beliefs so that it becomes truly an instrument of salvation, a means to an end and not the end in herself. The church as an institution is further a living presence of the Kingdom she proclaims, a mystery of men's union with God. According to the Catechism of the Catholic Church "It is in the Church that Christ fulfils and reveals his own mystery as the purpose of God's plan: to unite all things in him".[91] As an institution that seeks to transform lives with the Gospel message, the Church in Ghana is aware of the different cultures and traditions, as well as the roles played by a social institution like marriage. The church is also not oblivious to the challenges that traditional marriage presents and their impact on her pastoral activities.

4.1. Pastoral challenges with the choice of a marriage partner

The church and society are not mutually exclusive; whatever affects society has direct or indirect impact on the church's mission of evangelisation. This is so, since it is the members of the society who constitute membership of the church. The church is therefore a community within a given community, a state within a state, a living cell within an organism. As discussed in the third chapter of this work, the communitarian aspect of traditional marriage has both positive and negative implications. On one hand it presents an enhanced image of the church as a family of God. As noted by the Catholic Bishops of Ghana,

> "This image emphasizes our common origin and destiny as Children of God *(Eph. 3:14).* The African cherishes the family as the fundamental base of humanity and of society. As a family, respect, sense of belonging and care for one another are our values. Like the African family, the Church always aims at building up her members,

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[90] Pope Francis, The Joy of the Gospel. Apostolic Exhortation *Evangelii Gaudium*, 20. Nairobi, 2013, 17.
[91] Geoffrey CHAPMAN, Catechism of the Catholic Church #772, (Libreria Editrice Vaticana, 1994), 178.

> to uphold her image and reinforce her values of care for others, solidarity, warmth in human relationships, acceptance, dialogue, and trust."[92]

Indeed, the community of believers consists of different families, from different backgrounds united in faith and love in search of eternal life through Jesus Christ. On the other hand, since the choice of a marriage partner is a decision for the entire family, it has been a source of division and acrimony among many relatives. The difficulty has to do with the one who has the final say when it comes to the choice of a marriage partner? Pastors and Christian community leaders are confronted with the situation, whereby parents' objection to the choice of a partner becomes a threat to the faith the future of the would-be couple. Some of these objections by parents are due to social stereotypes, deep seated suspicion, tribal considerations, differences in customs, and traditions of a particular group of people. In Ghana and in many countries of Africa, tribal affiliation comes with strong emotional underpinnings which are very enduring and pervasive. In many instances, it is the tribe which moulds one's worldview, shapes their sense of the sacred, determines the patterns of behaviour as well as the manner of socialisation. Individuals' response to situations and events in life are largely shaped by the ethnic groups to which they belong. In his analysis of tradition and change in Ghana, Nukunya pointed out that:

> "The tribe or the ethnic group is the one which provokes the deepest emotions in the process of nation-building and modernization. As the largest entity to which people belonged for the most part before the process of socialization started, it has become the rallying point and unit of identification."[93]

Notwithstanding the fact that the church is seen as a family, the ethnic groupings have strong influence on the choice of a marriage partner. Even among the members of the same catholic community, tribal affiliations can hold the church sway. In such cases, the direct intervention of the pastor and the leadership of the local Christian community is mostly required in resolving such matters. The greatest challenge, however, remains that, the final decision is contingent on the two families. There are several young people of marriageable age who have had to take the painful decision of abandoning their preferred choices because one of the families or both were against those choices due to tribal considerations. A preferred choice once rejected could have serious attitudinal,

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[92] Ghana Catholic Bishops' Conference, The Pastoral Challenges of the Family in the Context of Evangelisation 2014, 2.
[93] NUKUNYA, Tradition and Change in Ghana, 2016, 261.

psychological as well as emotional consequences on any future relationships. Such rejections tend to sow seeds of ethnicity and tribal discord among the Christian community.

Ghanaians are known for their communal spirit, their sense of responsibility towards each other, the value of friendship and hospitality and a deep-rooted supportive care from family members. These are characteristics that are traditionally well known and constitute essential features of the Ghanaian social structure. They need to be developed and enhanced in the service of the church and in the common interest of all men and women. However, as Sarpong pointed out,

> "The communal spirit of our people in itself is good but sometimes the communal spirit is restricted only to those we love, to those who belong to our tribe, other people do not matter. That is a value that could be wonderful, but which can also be perverted. This value must be cleansed."[94]

The Ghanaian sense of community is incredibly positive, however, when this quality is unduly overstretched with regard to decisions on marriage, it either overshadows or rules out individuals' interests and their freedom to decide who becomes a life partner. A church that seeks to proclaim a kingdom of justice, peace, unity, and love could not afford to remain indifferent when her members are being segregated and prevented from intermarrying among themselves because of stereotypes, unimagined fears, and suspicion.

The church needs to tread cautiously as a mediator in such cases because there is a thin line between religion and culture. Christianity can be said to be a culture, a way of life for its adherents. The individual members who constitute the church are also by-products of tradition and culture with all its ramifications. Culture is the sum-total of ideas, customs and social behaviour of a people and the church cannot completely do away with the culture of a people. It would mean destroying their worldview, their sense of identity and their life. Pastorally, the church can only serve as wise counsellor and mediator with regard to the choice of marriage partners. The church as a matter of fact has no role in deciding who marries who. The church only gives guidance to those who seek it, gives due recognition to the choices made by partners, respects the approval from both families and the desire of partners to regularise their union sacramentally as provided for by the church's laws. What the church could possibly do is to educate would-be

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[94] SARPONG, Dear Nana: Letters to my Ancestor, 1998, 57.

couples and their families to understand the essence of marriage, the role of matrimonial consent and its implications as captured by the Second Vatican Council,

> "It is an institution confirmed by the divine law and receiving its stability, even in the eyes of society, from the human act by which the partners mutually surrender themselves to each other, for the good of the spouses and their offspring as well as of society, this sacred bond no longer depends on human decision alone. For God is the author of marriage and has endowed it with various benefits and purposes." (GS 48)

The Second Vatican Council makes it clear that marriage is not only the result of human conventions, cultures, traditions, and customs but must be guided by a divine disposition. The choice of a partner therefore does not only rest on the family, tribal considerations, or the fear of the unknown, but principally on the partners themselves who are guided by their hearts, prayers, and the will of God. However, the situation profile in Ghana is such that, the man or the woman needs the approval of the parents to enjoy a fruitful marriage. The Laws require that customary marriages must be legally contracted indicating that all customs and traditions required must be fulfilled. There must be express consent from the parents of both the groom and the bride and consent from both the groom and the bride themselves. There must be a traditional ceremony according to the customary requirements of the bride's family. "Payment of a bride price or dowry as agreed upon by both families and presence of key relatives such as uncles at the ceremony to act as witnesses to the adherence of all customary requirement."[95] It is absolutely important to note that whether christian marriage, marriage of Mohamedans, or civil ordinance, the first step to a fruitful marriage is Ghana is the performance of the appropriate customary rites. It is the foundation of all the other forms of marriage. The supremacy of customary marriage cannot be overlooked in this regard. The consent of the parents, especially the consent of the father thus becomes absolutely crucial in the processes that lead to customary marriage. The permission or the blessing of the father constitutes the manifest consent of the family. This approval comes with ripple effects on the marriage.

First and foremost, without this express consent from the father, the traditional rites which naturally birth marriage cannot be performed. It is worth noting that in Ghana, sacramental marriage is only possible after the traditional rites have been successfully

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[95] Cf. Customary Marriage and Divorce (Registration) Law, 1985 (PNDCL 112) as amended in 1991 by PNDCL 263. Section 14. URL: https://yen.com.gh/110523-customary-marriage-ghanalaws-registration.html (Accessed: 3rd August 2020).

performed. With this in mind, if the parents who are against the marriage are not Christians and have no idea what the church does and teaches, then the case becomes more daunting and frustrating. In many instances, it becomes a matter of my tribe versus my church or my decision versus that of my family. How could the young couple go ahead with a marriage against the wishes of their parents and how can such union survive? To what extent can the community of believers convince such parents to allow their children to go ahead with the marriage? How are they going to overcome their personal interest and tribal considerations in order to accept the position of the church? These are some of the difficulties with regard to the choice of a married partners.

4.2. Ghanaian attitude and Polygynous unions

A common feature of traditional marriage in Ghana is polygamy which is strictly referred to as polygyny (the phenomenon of a man marrying more than one wife). Polygyny is as old as customary marriage itself and quite prevalent in Ghana. It currently presents one of the serious threats to sacramental marriage in the Church. In all the different ethnic groupings in Ghana, a man can marry more than one wife if he so chooses. This is the main point where traditional marriage departs from the norm of the natural law and what the scripture says. Some of the reasons for this practice were given in the third chapter of this work. The Catholic Church has always maintained that monogamy (one man, one wife) is natural and consistent with divine law of love and mutual self-giving. The creation account of Genesis 2:24 presents us with the perfect picture of a man leaving his father and mother and clinging to his wife. With this image from the Yahwist account of creation, marriage is seen as a union which is deeply personal, religious, and intimate with some amount of autonomy.

It must however be noted here that the rest of the Old Testament narratives give a totally different picture of marriage among the people. What is read in the Old Testament books reflects what pertains to traditional Ghanaian society where polygyny serves the needs of fertility. The New Testament writings on the other hand do not deal explicitly with the issue of polygynous or polygamous unions. When the Pharisees came to Jesus with the controversial issue of divorce, his response was more focused on the oneness of the married couple (Mark 10:2–9). First-century Jews understood Deuteronomy 24:1–4, which allows

for divorce on the grounds of "indecency," in two major ways. Rabbi Hillel [96] and his companions understood "indecency" liberally, allowing a husband to divorce his wife for anything that offends him, even the quality of her cooking. More conservative was Rabbi Shammai,[97] who understood the divorce-permitting clause of indecency as lewd sexual behaviour. "Naturally, the starting point for a marriage discussion cannot be the argument as to what constitutes lawful grounds for divorce. According to Christ, man must look first to God's original intent for marriage: a lifelong bond between one man and one woman (Matt. 19:4–6; cf. Gen. 2:24)"[98]. The rabbinic debate was only concerned with how one may exit the marriage covenant. Jesus does not answer the Pharisees' question with a clear yes or no, because he was more interested in the spiritual meaning of marriage, derived from sacred scripture and not on legality. Jesus himself unequivocally affirmed the principle of indissolubility of marriage in Matthew 19:9.

A deeper appreciation of customs and traditions of some tribes interestingly reveals that Ghanaian culture frowns on polygynous relationships. For instance, among the *Akan* [99] tribe, whoever desires to marry a second or a third wife must necessarily seek permission from the first wife. Afterwards the man must in accordance with custom and tradition pacify or appease the first wife who granted the permission. There is a deeper traditional appreciation and moral significance to this practise. What exactly does this mean? The fact that a man needs permission from his first wife and the fact that the first wife needs to be pacified or compensated suggest that something untoward has been committed. It means a moral breach has been committed against the dignity of marriage. Permission and pacification here constitute some form of traditional apology, an indirect admission, that polygynous relationships are serious contradictions to natural law.

As a complement to this custom are some of the witty and simple statements that encapsulate the Ghanaian traditional thoughts and philosophy of life regarding marriage. It is said that "The cock has seventy-seven wives and yet it takes its bath in the dust." This is

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[96] Hillel was one of the Jewish religious leaders and biblical scholars in the first century. He was associated with the development of the Mishna (the original written version of the Tora) and of the and the Talmud (written commentary on Jewish religious traditions).

[97] Shammai was also a Jewish scholar of the first century. In Judaism, he was an important character in the core work of rabbinic literature called the Mishna. Rabbi Shammai was more conservative and stricter in his biblical analysis.

[98] Hard Hearts and Divorce, URL: https://www.ligonier.org/learn/devotionals/hard-hearts-and-divorce (Accessed: 3rd August 2020).

[99] The Akans constitute the most dominant tribe in Ghana and some part of Ivory Coast. They are mostly found in southern Ghana.

one of the proverbs that summarise the Ghanaian attitude and perception towards polygynous relationships. According to Sarpong "If seventy-seven wives (hens) cannot provide water for the cock to bathe, then what is the use of the cock marrying seventy-seven hens?"[100] It is also averred that marrying many wives only lead to poverty. A marriage to many wives means many children and many more mouths to feed. In traditional homes it is believed, "When one has many wives, he has several tongues". Multiplicity of tongues carries the nuance of someone lacking credibility and consistency in word and action. These are some of the many derogatory Akan proverbs that indirectly cast a slur on polygynous relationships. It is difficult to get a single Akan proverb or wise saying that speaks well of polygynous unions. Even though the negative consequences of these unions are widely known in traditional homes, there is not enough cultural drive towards its eradication. These adverse consequences impact heavily on the pastoral activities of the church as well.

4.3. Polygyny and the Sacrament of Baptism

Even though all the sacraments are oriented toward the sacrament of the Holy Eucharist, Baptism serves as the door to all the other sacraments. This is what makes baptism an important sacrament of Christian initiation. The church's teaching on this sacrament is clear in the Code.

> "Baptism, the gateway to the sacraments, is necessary for salvation, either by actual reception or at least by desire. By it, people are freed from sins, are born again as children of God, and made like to Christ by an indelible character, are incorporated into the church. It is validly conferred only by a washing in real water with the proper form of words." (CIC 1983, Can.849)

Even though polygyny has been part of the Ghanaian traditional system before the advent of Christianity, the church has always been promoting the ideal of Christian monogamy. One of the biggest pastoral challenges is the admission of people in these unions to Baptism. There are different possibilities relative to polygyny and baptism: Is the church ready to baptise a man who is married to more than one woman? What happens to a woman in polygynous relationship who desires baptism? What will be the pastoral response, when the husband and some of his wives desire the sacrament of baptism? What is the church's position when all the wives but the husband desire baptism? Should the man repudiate all but one wife for the sake of baptism? And what happens to those wives who have been

[100] SARPONG, Dear Nana: Letters to my Ancestor, 1998, 170.

divorced and the children who are products of the union? It takes time to nurture a relationship, build trust and instil confidence. When a relationship has run its course and given birth to marriage, when children have been born and the love has grown to a certain point, abandoning such a relationship or marriage would become an act of violence and evil. These are some of the grey areas that are becoming a worrying concern for pastoral agents in Ghana. According to Shorter, "Unless polygamists are admitted to baptism, they are faced with the cruel choice of either breaking up the family or waiting as catechumens for a death-bed baptism".[101] Sarpong was more concerned about the image of the Catholic Church as an institution that offers people hope, healing and the opportunity to embrace the God of love who is a father to all his creation. When a polygynist desires baptism, the position of the church is that he should do away with all his wives but one or do away with all of them and marry another woman.

> "But the problem is, he has not been offended by any of them. The wives are accepted in the society as wives and not as concubines. Pathetic is where not the man is involved but one of the women especially the first wife. The man married her when they were not baptised, she wants to be baptised and the church says she cannot marry a polygynist and that if she so desires, she has to do away with her polygynist husband."[102]

The above concern from Sarpong happens to be the case for many women in many catholic communities in Ghana. Customarily, it is difficult to divorce a partner for no fault of his or hers, because every divorce comes with consequences: the man loses the bride-wealth when he initiates the process of divorce, and the woman must return the man's bride-wealth when she leaves her husband. For those women who are economically independent and could afford to take care of themselves and their children, divorce becomes not a threat to their relationship or to their faith and the church. The difficulty is that whoever is in a polygynous relationship cannot complete his or her Christian Initiation after baptism in the church. Even if the person had already received baptism before the marriage, she or he would be unable to receive the Holy Eucharist. In the catholic sense, the sacraments of Baptism, Confirmation, and the Holy Eucharist constitute the foundation of every Christian life. These are the sacraments of christian initiation that seek to nurture members in the faith.

> "The sharing in the divine nature given to men through the grace of Christ bears a certain likeness to the origin, development and nourishing of natural life. The faithful

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[101] SHORTER, African Culture and the Christian Church, 1973. 176.
[102] SARPONG, Dear Nana: Letters to my Ancestor, 1998. 69-70.

> are born anew by Baptism, strengthened by the sacrament of Confirmation, and receive in the Eucharist the food of eternal life." (CCC 1994, #1212)

The act of baptising polygynists or someone in such a relationship will not only lower the standard of the church's teachings but would also serve as a scandal to the many Christians who have in humility and in obedience accepted the discipline of the church with regard to the sacraments. There are a lot of men and women who find themselves in such a dilemma of choices. They are unable to break away from their marriages and embrace the Christian faith because of the attendant consequences. Unfortunately, any attempt to lower the standard and rules that govern the reception of the sacraments could potentially open the floodgates for other problems with regard to other sacraments of the church. Could there be a middle way or another gracious option? Is it possible for the church to embrace such people mercifully halfway on the way to Christ? Should the church listen to the concern of those in polygynous unions or adhere strictly to her laws and governing structures? What would be the benefit of receiving baptism when one cannot complete his or her Christian initiation? These are some of the silent voices begging for answers.

4.4. Polygyny and Access to the Sacrament of Eucharist

The Holy Eucharist is the most important of all the seven sacraments of the church. It is in the Eucharist and in no other sacrament, that we receive the very body and blood, soul and divinity of Jesus Christ in an unbloodied manner. The Holy Eucharist, according to the Dogmatic Constitution on the Church *Lumen Gentium* is the foundation and the ultimate end of the Christian spirituality. "Taking part in the Eucharistic sacrifice, the source and summit of the Christian life, they offer the divine victim to God and themselves along with it" (LG 11). Since the Christian life is essentially a spiritual life, it could as well be said that the Eucharist is the source and summit of Christian spirituality. All the other sacraments are oriented toward the Holy Eucharist as their ultimate end. The Laws that govern the church and the administration of the sacraments are categorically clear on the relationship between the sacraments in Canon 842 §1 and §2. "A person who has not received baptism cannot be admitted validly to the other sacraments. The sacraments of baptism, confirmation, and the Most Holy Eucharist are interrelated in such a way that they are required for full Christian initiation" (CIC 1983, Can. 842).

Baptism opens the door to the other sacraments of the church. For those in polygynous relationships, this door seems closed. For this reason, many are they who are unable to have access to this wonderful sacrament of the church. It is spiritually troubling

that many who received Baptism as infants or as adolescents are unable to receive the Holy Eucharist because of such polygynous traditional unions. It is clear from the teachings of the church that such people might never have the opportunity to complete their initiation in the Church. The sacrament of the Eucharist strengthens one's union with Christ, separates one from sin and endows the Christian with the needed graces to live his or her Christian obligations to God, himself or herself and neighbour. In the Catechism of the Catholic Church, the beauty of this wondrous gift as well as the common participation of the Christ's faithful in this sacrificial meal is made manifest.

> "The holy Eucharist completes Christian initiation. Those who have been raised to the dignity of the royal priesthood by Baptism, and configured more deeply to Christ by Confirmation, participate with the whole community in the Lord's own sacrifice by means of the Eucharist." (CCC.1994, #1322).

Even though they might have a genuine desire to be part of the Body of Christ (the church) and unite themselves so close to Christ, they are impeded by their faithfulness to tradition and custom and their unwillingness to leave such polygynous unions in accordance with the Christian tradition. Marriage is a matter of the heart and just like Christianity, people freely choose to be in such unions. It will also be pastorally scandalous to ask people in such relationships to break away so that they could be admitted to the sacraments of the church. The church should never give the impression that she supports divorce and broken homes. The Christian community in such an environment can do very little because admitting them will be problematic for the larger community. Shorter does not only see scandal but the emergence of a more serious pastoral difficulty.

> "That a disparity of practice would result in the church between areas where polygamy is a problem and areas where it is not a problem. That the Christian community would not be united, or even viable, if it contained both polygamist Christians and Christians for whom polygamy was prohibited because of their prior baptism."[103]

Shorter in this instance uses the term "polygamy" instead of "polygyny" to refer to the marriage of a man to more than one woman. Apart from the canonical impediments, there are socio cultural impediments that disincentivise the women in abandoning such unions. In many traditional homes, the husbands are the breadwinners. Majority of Ghanaian women are not economically independent and rely solely on their husband for support. In matrilineal societies, where the children belong to the mother's lineage or clan, the

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[103] SHORTER, African Cultural and Christian Church, 1973, 177.

economic difficulties connected with divorce discourage many wives to leave their polygynous husbands. Majority of those who are in such unions are not prepared to break up due to the financial implications, the educational and material needs of their children, the emotional attachment, family concerns, the stigma of divorce, their own personal welfare as well as their future financial security.

The Catholic Church has always affirmed monogamy as the best that guarantees lifelong relationship between a man and a woman. Pope John Paul II was aware of the dangers that polygyny can potentially cause to the communion between the spouses. In using the commonly accepted word "polygamy" instead of "polygyny" a more technical term, the Pope in his Apostolic Exhortation counsels,

> "Such a communion is radically contradicted by polygamy: this, in fact, directly negates the plan of God which was revealed from the beginning, because it is contrary to the equal personal dignity of men and women who in matrimony give themselves with a love that is total and therefore unique and exclusive."[104]

Polygynous relationships taint the natural awe and beauty of traditional marriage. They further weaken the permanent bond of love and affection, the sense of sincerity and trust and the spirit of equal dignity and mutual acceptance which sustain a union between two individuals. According to John Paul II, this radical denial of God's original plan is found in polygamy, "because it is contrary to the equal personal dignity of men and women who in matrimony give themselves with a love that is total and therefore unique and exclusive".[105] Polygyny essentially violates the divine design that marriage should be a communion of life between a man and a woman who then become two in one flesh (Gen. 2, 24). Polygynous unions further negate the fundamental equality of the spouses which is grounded both in nature and in the scripture. Monogamy is therefore essential for upholding the naturally endowed worth and dignity of womanhood.

4.5. Irregular marriages or concubinage in the Church

Apart from polygyny which prevents many couples especially women from participating in the sacramental life of the church, there are increasing cases of irregular marriages or cohabitation among many Catholics. Cohabitation in this sense does not simply mean the situation whereby two people choose to live together in an intimate relationship without

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[104] Pope John Paul II, Apostolic Exhortation *Familiaris Consortio*, 19: AAS 74 (1982), 102.
[105] Ibid.

legal or religious sanctions. Cohabitation as understood in the catholic sense is totally different from the secular understanding of the word. The Catholic Church in Ghana duly recognises and respects traditional marriage in all its forms, however, in pursuance of Canon 1055, only marriages that are celebrated in accordance with the laws of the church are considered valid and legitimate. The Code of the Canon Law is explicit, "Consequently, a valid marriage contract cannot exist between baptised persons without its being by that very fact a sacrament" (CIC 1983, Can. 1055).

The understanding of Canon 1055 is that a marriage between two baptised Catholics would still be considered "notorious concubinage" even when the indigenous rites of marriage have been properly performed. As a follow up to the Extraordinary Synod of Bishops on the Family, which was held in Rome from 5th to 19th October 2014, the Ghana Catholic Bishops' Conference held a meeting in Accra from 4th to 15th November 2014 on the theme: *"The pastoral challenges of the family in the context of evangelization*". This was meant to consider the pastoral challenges that the family faces today. According to the Bishops of Ghana, the incidence of cohabitation or notorious concubinage is becoming a worrying signal in the church. They therefore called on people to work on their state of life so that they could benefit from the fruits of the sacraments.

> "We bemoan the practice of cohabitation or concubinage in which couples that have performed the customary marriage see no need to go ahead to regularise their marriages. We call for an end to this practice. Reasons such as the need to study each other, lack of funds to celebrate the marriage, among others, do not hold any significance. For in such a practice, not only do the couples fail to make God the centre of their marriages but they also cut themselves off from the Eucharist as the source of their spiritual sustenance."[106]

After many years of sustained evangelisation and vigorous catechetical instructions, there still exists within certain people some amount of apprehension in respect of sacramental marriage in the church. For some married couple, wedding is a taboo subject. Even though some have duly performed the appropriate indigenous rites of marriage, they are still unprepared to submit themselves to Ordinance or Sacramental marriage. As pointed out by the Catholic Bishops of Ghana, the need to study themselves, the consent of family members, the cost implications of Church weddings are some of the reasons cited for their inability to regularise their unions. Another area which was not mentioned by the Bishops is the nature of ordinance unions which has become one of the reasons for this unfounded

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[106] Ghana Catholic Bishops' Conference, Communique, 2014, 5-6.

fear and unresolved apprehension among many people. There are still many men who have the notion that Ordinance Marriage (catholic marriage inclusive) is a burden that will ultimately tie them down to one partner. Christian marriage connotes continued monogamy and an enforced indissolubility. Men and women in Ghana are well familiar with polygyny and divorce, they are also used to situations where divorce is used as a coercive force to either get what they want or to maintain order in the family. A lifetime commitment to one person therefore appears too foreign, seemingly unrealistic and potentially burdensome. Civil Ordinance is always looked upon with some amount of suspicion and dread. In an extreme case, it is viewed as "marital imprisonment" or matrimonial bondage which seeks to confine couples to each other in their whole life. Nukunya observed that since traditional marriage is potentially polygynous, many men would want to reserve that right instead of submitting themselves to strictly monogamous unions.

> "Many men, including the well-educated, believed that such unions tie the hands of the man unduly and restrict his extra-marital activities. The fact is that many, if not most Ghanaian still consider access to a plurality of women a man's right and would like to reserve this right to be when the need arises either in casual affairs or traditional marriage."[107]

Another aspect of sacramental marriage or ordinance marriage is its emphasis on nuclear family at the expense of the traditional extended family. Ghanaians love the old family system. To many conservative Ghanaians who are not familiar with the teachings of the church, ordinance marriage is always viewed with certain level of apprehension and sometimes open hostility. Christian marriage more often than not connotes modernity, enlightenment and economic security for the woman and the children. Many women see Christian marriage as an opportunity to secure monogamous union without any threats from co-wives. On the other hand, many conservatives and the Gatekeepers of tradition and custom consider sacramental unions as a means of denying the relatives access to the man during his lifetime and his property after his death. It is therefore not uncommon to find Catholics (especially the men) who have customarily married for so many years but unwilling to commit themselves permanently in sacramental union. These unfounded dreads and the fear of the unknown are some of the pastoral challenges that confront the church in Ghana today. Many Christians are aware of the importance of sacramental

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[107] NUKUNYA, Tradition and Change in Ghana, 2016, 199.

unions, but the men mostly are scared of the implications that come with church marriages.

4.6. The high cost of Bride-wealth in Ghana

The Catholic Church in Ghana, while acknowledging the positive impact of customary marriage on society, also concedes that there are certain excesses in respect of the processes that lead to marriage. What easily comes to mind relative to these excesses is the cost of Bride-wealth which has become a major concern to would-be-couples. As discussed in the second chapter of this work, Bride-wealth is considered as one of the values in traditional marriage. It serves to validate customary marriages in a most dignified manner, strengthens new family bonds created by marriage and legitimises children born to marriages. The offering of and acceptance of the same, customarily, brings finality to traditional marriage. However, the cost of the ceremony has become a matter of concern. The Catholic Bishops' Conference of Ghana expressed grave concern about the role of money in traditional marriage which seems to put many young men at disadvantage when it comes to marriage. The Conference observed:

> "The issue of bride-wealth (also known in some societies as dowry) and its significance for marriages also needs to be addressed. Even though most Christians would not accept the complete abolition of the bride-wealth because of its significance for the stability of the marriage, we must do away with the excesses that are making it difficult for poor people to marry."[108]

The Bishops of Ghana in their communique clearly demonstrated the cultural significance of bride-wealth for the continuous survival of traditional marriage. The worrying signals however are the excesses that characterise the traditional rites of marriage. They placed a special emphasis on the monetary cost which of late has become disincentive to many young men of marriageable age in Ghana. A complete abolition of bride-wealth will not only be far fechted, but technically impossible due to its social implications on marriage. This is so since it is that which legitimises marriage within the context of the Ghanaian social structure. The high cost of bride-wealth and its associated excesses have also had a significant impact on church weddings. Pope Francis in his Apostolic Exhortation on love in the family *Amoris Laetitia* acknowledges that preparations for marriage "tend to drain not only the budget but energy and joy as well" (*Amoris Laetitia 212*).

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[108] Ghana Catholic Bishops' Conference, Communique, 2014, 5.

The same attitude and mentality that characterise traditional marriage are brought to bear on church weddings. The twin celebration of customary and sacramental marriage increases the financial burden on the couple. In Ghana, it is unthinkable to celebrate a feast without the participation of the whole community or village. The communitarian aspect of the African traditional societies is very perversive in all aspects of their social life, and that includes the ceremony of marriage. Ghanaian marriage is never a small social event because it involves two big extended families, friends and acquaintances. Marriage has therefore become a capital-intensive project for many would-be couples. For this reason, both sacramental and customary marriages are celebrated with a pomp and pageantry. Separating the two celebrations means that the couple will spend on the marriage feast twice. The high cost of bride-wealth which has indirectly affected sacramental marriages has become a challenge for many young men and women in the catholic church. A lot therefore needs to be done in terms of catechetical instructions with special emphasis on preparation before marriage.

4.7. Expensive Bride-wealth and Illicit sexual unions

The difficulty in raising the needed funds to perform the rites of marriage has given rise to many socially illicit relationships which are deemed conventionally alien and unknown to tradition and customs of the Ghanaian people. Many Christians including Catholics for that matter do not see anything wrong with such illicit sexual unions. It was culturally unimaginable for two people to freely decide to live together in an intimate relationship without being married customarily. However, today such unions are termed as consensual relationships between two adults. These free, consensual, semi-casual unions have become very prevalent among many young Catholics. People in such boyfriend/girlfriend relationships are not in a hurry to leave because it has become fashionable. Some even see these relationships as a preparation for marriage. The consequences of such consensual unions principally undermine the values such as responsibility, commitment and moral accountability cherished within the confines of traditional marriages. In the 21st century, the quest for autonomy, privacy and personal freedom leads many people to shy away from strong commitment with the view of seeking independence and self-fulfilment in relationships.

Since such unions have neither been institutionalised by the performance of appropriate customary rites nor by civil/religious ceremonies, they become pastorally scandalous and sources of concern for the larger Christian community. These traditionally

unrecognised relationships which are frowned upon by the church are termed cohabitation in the secular world. The cases of such unions keep increasing by the day. The Demographic and Health Surveys of Ghana suggest that the incidence of such unions is on the ascendancy. The people who were co-habiting in 2003 according to the Ghana Demographic and Health Survey were about 8.1%, this figure increased to 13.1% in 2008 (Cf. Ghana Demographic and Health Survey. 2008 Report). This number rose to 14.1% in 2014 (Ghana Demographic and Health Survey, 2014 Report, 10). These revelations clearly suggest that informal unions between the opposite sex is becoming a common trend in Ghana. This further points to the fact that the institution of indigenous socially sanctioned marriage is gradually being compromised by such free and consensual unions. Since these unions are not recognised according to law and custom, the potential implications could be dire for the children who are products of such unrecognised relationships.

The church aims at inculcating high moral values in the youth which will prepare them adequately for the marriage and family life in future. The situation where members live together in such unrecognised relationships without going through the formalities of customary, religious, or civil marriage weakens the virtue of chastity and sexual abstinence, erodes the principle of self-control and moral discipline, and further presents a challenge to the Gospel message. It is for these reasons that the Bishops of Ghana expressed grave concern about the high cost of bride-wealth and its attendant consequences on the church and society. This concern by the Catholic Bishops of Ghana is therefore a wakeup call to all men and women of goodwill especially the leadership of the church who are the gate keepers of the Christian faith to protect the beauty and sanctity of marriage and family life.

The high cost of bride-wealth is gradually eroding the cultural significance of traditional rites of marriage as well as the aura and the dignity associated with marriage. Pope Francis agrees that "*de facto* unions are very numerous, not only because of rejection of values concerning the family and matrimony, but primarily because celebrating a marriage is considered too expensive in the social circumstances." [109] Some staunch young men and women are unable to celebrate the traditional and sacramental marriages because of the economic burden that these twin celebrations bring to their families. There

[109] Ibid., #294, 222.

are cases of people contracting loans to facilitate these processes that lead to marriage. They therefore start their new life with a "marital debt" hanging on their necks. The resultant effect is that fewer marriages are celebrated in the catholic church. It is hoped that with the needed education and awareness, people would come to appreciate the need to cut down these excesses and make marriage less burdensome, simpler, and attractive to the young generation.

4.8. Traditional marriage and Mixed Marriage

From the very beginning of her existence the Church of Christ has been opposed to marriage between her members and those outside the Church. As Christ raised the union between man and woman to the dignity of a sacrament, a marriage between a Catholic and a non-Catholic was rightly looked upon as degrading the holy character of matrimony, involving as it did a communion in sacred things with those outside the fold. The union between man and woman in Christian marriage has always been compared to the union between Christ and his church with a pointed emphasis that the sacredness and sanctity of such union be maintained. It is for this and many other religious reasons that the catholic church in the past prohibited a marriage between a catholic and non-Catholic. It was meant to as it were safeguard the religious disposition and the spirituality of the catholic party and to prevent him or her from falling away from the true faith. When it came to those who did not recognise the sacramental aspect of marriage, the church was extremely strict. The church's law makes it unconditionally clear:

> "Without the express permission of the competent authority, marriage is prohibited between two baptised persons, one of whom was baptised in the Catholic Church or received into it after baptism and has not defected from it by a formal act, the other of whom belongs to a Church or ecclesial community not in full communion with the catholic Church." (CIC 1983, Can. 1124)

Accordingly, when someone who has been baptised in the catholic church or baptised in another church but received into the catholic church marries another person who is a christian but not a catholic, that marriage is termed a mixed marriage. Pastoral experiences and examples from history has shown that in many cases there are problems when someone who is not a catholic is married to a catholic especially with regard to the upbring of children in the catholic way. The catholic church can allow a non-Catholic to marry a catholic on condition that the non-Catholic party will allow the catholic to practice his or her faith. Some of the questions that beg for answers are the following:

"How can a marriage survive when two people have fundamentally different views about marriage?" "How can they live together peacefully when they hold on to different religious beliefs and spirituality?" When couples have different beliefs about the indissolubility of marriage or about openness to children or the raising of children in a faith, conflicts are bound to develop that may be exceedingly difficult to resolve.

To safeguard the faith of her members, the Church has always developed a cautious and feet-dragging attitude with regards to such unions. In order not to compel anyone to abandon his or her preferred religious affiliation, the church gives conditions under which such unions could be possible.

> "The local Ordinary can grant this permission if there is a just and reasonable cause. He is not to grant it unless the following conditions are fulfilled: 1° the catholic party is to declare that he or she is prepared to remove dangers of defecting from the faith, and is to make a sincere promise to do all in his or her power in order that all the children be baptised and brought up in the catholic Church; 2° the other party is to be informed in good time of these promises to be made by the catholic party, so that it is certain that he or she is truly aware of the promise and of the obligation of the catholic party; 3° both parties are to be instructed about the purposes and essential properties of marriage, which are not to be excluded by either contractant." (CIC 1983, Can. 1125)

To give further assurance to the catholic church and the catholic party, the non-Catholic partner is required to write an undertaking to the effect that she or he will not prevent the catholic partner from practising the catholic faith as required. This is done during the preparation for the marriage. Again, he is she is required to give further and better particulars to the effect that the children would be trained according to the catholic teachings and practices. These are needed to serve as guarantee for such marriages. It is the duty of the church to protect and sanctity of marriage, the faith of the catholic party, the spirituality of catholic marriage and the future of the children who will come out of such marriages.

Religion does not play a critical role in mate selection in traditional marriage. For this reason, inter-faith marriages are quite common in Ghanaian traditional societies. Mixed marriages therefore become the resultant effects of such diminished role of religion in traditional marriage. In simple terms, by the time the couple decide to regularise their union, they are already in mixed marriage. Although mixed marriages are no topics in traditional homes, it is one of the problems that confront the church in the 21st century Ghana. Those who contract marriage according to customs and tradition are the same people who later seek to regularise these same unions in the Church.

Notwithstanding the fact that few families or a particular clan may raise concerns with respect to someone's religious affiliation or ethnic background, tribe and religion have never been a condition precedent in traditional marriage processes.

Under normal circumstances, once the two are known to be members of a particular church, and there are no adverse findings against any of them, there is always no objection from the families to their union in traditional marriage. They are simply considered as Christians without any recourse to the nature of their beliefs and practices and their corresponding impact on the success or otherwise of the union. The two families are more focused on moral character, social status, family background of the partners, and their ability to maintain and support a home. How much the man brings in as bride-wealth counts more than his religious affiliation. With this lessened appreciation of religious affiliation, religious education, and upbringing of children in the family and in the society, traditional homes become fertile grounds for Mixed Marriages. Prior to sacramental marriage there must necessarily be a proper customary rite by the families. The condition of "mixed marriage" could therefore be said to be a creature of tradition and customs that are associated with family systems in Ghana.

Inter-ethnic marriages are also on the ascendancy in Ghana. In his analysis of urbanisation, social change, and the family, Nukunya observed that "An important development resulting from individual rather than parental initiative in mate selection is inter-ethnic marriage, which is undoubtedly on the increase."[110] Ghana is a unitary state with cross cultural interactions among citizens. Religious pluralism is considered a value that ought to be cherished and there is a diversity of religious belief systems co-existing peacefully in traditional homes. Accordingingly,

> "Inter-ethnic marriages have become a fact of life and their incidence is bound to rise with increased education and mobility. Today many people, especially the well-educated, are more concerned with the qualities in their spouses than their tribal affiliations or places of origin."[111]

Whereas Inter-ethnic marriage may not be problematic for the Catholic Church in Ghana, it must nevertheless be acknowledged that people who come from different ethnic backgrounds have different situation profiles with regard to their upbringing and cultural orientations in life. Such people will still need to appreciate each other's culture and

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[110] NUKUNYA, Tradition and Change in Ghana, 196.
[111] Ibid., 197

traditions for a peaceful bond in the family. Present in such unions are cultural dissimilarities, language barriers and traditional stereotypes which could be problematic if they are not professionally managed. For a long time, Ghanaians have coexisted peacefully with each other, appreciating their naturally endowed beauty of cultural variations and their linguistic differences. Even though there are attitudinal, cultural, social, and emotional challenges relative to inter-ethnic marriages, the people have always lived above such difficulties.

4.8.1. Challenges for Catholic Women in mixed marriages

People in mixed marriage require special attention from the church and pastoral Agents with regard to the position of the church on such unions, in respect of the sacraments and the liturgy. Attitude of husbands towards their wives and their wives' religious obligations has been an area of great concern for the church. In most cases, the desire of the couple to have their union regularised is given more attention than the underlying challenges that are bound to arise in the future. Traditionally, husbands have the upper hand in the family. Having performed the customary rites, majority of husbands would prefer that their newly married wives share in their faith by joining them in their churches for worship. A catholic man has no problems asking his wife to join him in the Catholic Church. And many are the women who are willing to join their husbands in the Catholic Church or at least assist them in the performance of their catholic obligations when such wives are unwilling to abandon their religious denomination. However, there arises a pastoral challenge when the woman is a baptised catholic whereas the man belongs to another Christian denomination. It is always difficult to convince the man to assist the woman in accessing the sacraments and in fulfilling her catholic obligations as required. It becomes even more difficult for the man to abandon his church and join his wife in the catholic church. Even though some men would gladly accept to accompany their wives, the number is simply insignificant.

It is instructive to note that conversion to Catholicism has never been a prerequisite to a catholic marriage, and that is the reason why the Local Ordinary (the bishop) can grant permission for such unions to be regularised so that partners could worship according to their preferred denomination. Even though women naturally are more religious than men, the Ghanaian mentality tends to overlook the religious consciousness of the women and their fundamental rights to freedom of worship. Family members would rather advise the woman to be obedient to her husband as tradition and scripture require

and worship with him rather than remaining in a different church. There are such women in many parishes who are suffering in the name of mixed marriage. The traditional rites have been duly performed without any recourse to the religious affiliation of the man, and even though the man is not prepared to assist her receive the sacraments of the church, divorce is not an immediate option for such women. Because of mixed marriage, the church in Ghana continues to lose dedicated and pastorally motivated young ladies who serve as role models to their peers and to the future. these women abandon their catholic faith and their catholic identity in order to worship with their husbands. In most instances, they have no choice because it is the only way to save their marriages from collapse and secure a future for themselves and their families. The church does not believe in arranged marriage, neither does she practice mate selection for would-be couples. She rather believes in the ability and freedom of her members to either choose or accept partners of their choice. Losing members because of marriage is a pastoral challenge that confronts pastors of souls and the leadership of the church in Ghana.

4.8.2. Other post marital challenges in mixed marriage

It is becoming more evident that even after such marriages have been regularised according to the laws of the church, there are still post marital challenges. Partners in such unions (Disparity of Worship) may be supportive of each other's religious beliefs but still often run into unexpected issues. Differences in the way people in these marriages celebrate certain holidays could become a problem. A Catholic woman who is married to an Adventist man could have problems about the sabbath and Sunday worship. Dietary restrictions in respect of the family menu could potentially cause marital conflicts. Times and duration of worship, the mode and types of prayer, issues of morality are all expected to generate arguments and debates in the family house.

Parenting is an important aspect of marriage. Partners in such unions often face additional struggles in the field of parenting. Raising a child could lead to conflicts if the parents are not on the same religious page, and for parents in mixed marriages, these conflicts often multiply and become potential source of concern not only to the family but to pastoral agents. Theological and doctrinal differences could in all possibility affect the upbringing and moral education of the children. "Parents are also responsible for shaping the will of their children, fostering good habits and a natural inclination to goodness" (*Amoris Laetitia* 264). There is a school of thought that morality and religion are mutually exclusive. Such a proposition reinforces the believe that human behaviour

should be based effectually on sympathy, education, and social ties and the needs of people to the extent that there might be no need for religious basis. The African by nature is notoriously religious in all aspects of life. The Ghanaian is therefore not only a living being but a moral being. The upbringing of children does not only involve the provision of the basic needs like food, shelter, and clothing. To achieve an integral human development, there must be a mental, moral, social, religious, and cultural dimension of the child's upbringing. Human beings do not just grow up, they develop and mature in varied ways. For this reason, morality is as important as anything to the Ghanaian mindset. In order to curb some of these post marital infractions, potential conflicts and arguments in mixed marriages, the Canon makes certain recommendations to Bishops and pastors of souls even after the celebration of such mixed marriages.

> "Local Ordinaries and other pastors of souls are to see to it that the catholic spouse and the children born of a mixed marriage are not without the spiritual help needed to fulfil their obligations; they are also to assist the spouses to foster the unity of conjugal and family life." (CIC 1983, Can. 1128)

The concern of the Church does not only relate to events before the celebration of mixed marriage but even after the marriage. The dangers that are associated with mixed marriage might linger on during the entire life span of the marriage. When it comes to women's voice in traditional homes, that voice is often a dimmed voice that can easily be overlooked, abused, or go unnoticed by the husband. Even though with the impact of education, modernism, improved legal services, many husbands are sensitive to the needs of their wives and other women. Nevertheless, mixed marriages can always be a challenge to many women. The need to synchronize two different sets of cultural and religious backgrounds, the participation of other members of the society in the marriage, who takes decision when it comes to the faith of the children, and the issues of morality, can potentially cause unnecessary disruptions in the family. When such matrimonial arguments and disagreements are not carefully managed and resolved amicably, they could lead to the breakdown of the marriage. People in such unions therefore require constant and sustained special pastoral attention so that their faith as Catholics is not in any way endangered by their partners. In Ghana, it is mostly the women who might require this special attention and pastoral care so that they do not abandon their catholic faith midstream.

4.9. The Ghanaian and Inequality in Marriage

After the traditional wedding, the newly married is expected to leave her family home to the husband's home. But the question is, why should the woman move to the husband's home after traditional marriage? Some even change their surnames and take on their husband's surnames. Some consider these as forms of inequality, others are of the view that it is all part of custom and tradition. No queries are raised, no assumptions are challenged and apparently in the name of tradition and customs, there are no discussions. Ghanaians have lived with this maze of social norms called "our culture" and have internalized its subjugation so well that it has virtually become part of their identities and belief system. The stark reality is that many marriages within the context of Ghanaian culture and society cannot be described as a celebration of two people pledging their lives and welfares to each other on equal grounds in the name of love. There are many families in Ghana that have become living examples of the Holy Family of Nazareth, however, the inequality in traditional marriage is a common reality among traditional homes. The society is so blatant about this inequality that it refuses to define it as such. In most cases, the debate is shut down even before it begins. The bishops of Ghana in their communique recognised this unfortunate but hardly discussed topic.

> "Ghanaian Christians have to be educated out of their belief in the inequality of husband and wife. Most of us in Ghana live in male-dominated societies which believe in the superiority of the man over the woman. As such, the Christian doctrine on the equality of husband and wife is a teaching that some find difficult to accept. The traditional Ghanaian male believes that the woman is inferior to the man in marriage. We observe the phenomenon of polygamy among our Christian faithful as some men prefer to marry more than one woman. This is due to the Ghanaian culture which seems to condone polygamy. These notions are wrong and ought to change."[112]

Even though this system of matrimonial inequality is inherently unfair to both partners (man and woman), women are the most disadvantaged. It is argued that a man should not have to carry the full financial burden of a household and a woman should not have to throw away her career and become the most qualified housewife in a man's home. There are different facets to this inequality in marriage. The lack of respect for the dignity of women, the stereotypes against women, and the culturally induced superiority complex of husbands over their female counterparts have contributed in no small measure to the

[112] Ghana Catholic Bishops' Conference. Communique, 2014, 5.

many incidences of violence against women in their matrimonial homes. With all the legal framework in place in Ghana as well as the many other laws that seek to empower and strengthen the capacity of women, improve their social, cultural, and economic status, violence against women is still rampant in many homes. In their communique which was issued at the end of their plenary in November 2014, the Bishops of Ghana stressed the need to curb the incidence of domestic violence against women in Ghana.

> "Domestic violence is a real issue in many Ghanaian homes and is suffered by both men and women. While some wives are battered into silence and therefore live in perpetual fear of their husbands, some husbands are also unable to come home after work for fear of their wives. This often leads some men and women into alcoholism, and some enter into amorous relationships with other women and men. The workplace, the market and even at times, the Church, have become the refuge for some men and women escaping the hazards of domestic violence. In some cases, innocent children and house helps fall victim to this violence."[113]

The bishops did not only talk about the violence perpetuated against women, but also against men. Women are not the only victims of domestic violence. It is sometimes taken for granted that men also suffer from domestic violence. Even though it might not be easy to recognize domestic violence against men, they do become victims, and this can take many forms, including emotional, sexual, and physical abuse, stalking and threats of abuse. Abusive relationships always involve an imbalance of power and control. An abuser uses intimidating, hurtful words, and behaviours to control his or her partner.

4.10. Irregular unions and leadership positions

Leadership is key to socio economic development of institutions and nations. The church as an institution requires leadership that is qualitatively competitive to develop the spiritual life of all Ghanaian Catholics and to perpetuate the Kingdom of God. Leadership in the catholic church begins at the parish level. As defined by the law of the Church "A Parish is certain community of Christ's faithful stably established within a particular Church [diocese], whose pastoral care, under the authority of the diocesan Bishop, is entrusted to a parish priest as its proper Pastor" (CIC 1983, Can.515). A Parish is the community where the spiritual life of each member is nourished. Every catholic parish is a beautiful family of many families. The parish community is like a nest for the young and the aged, men and women, educated and uneducated, the poor and the rich, blacks

[113] Ibid., 4

and whites and all manner of people. Under the spiritual guidance of a pastor, the parish struggle to grow in the Lord. Members of Christ's faithful are called upon to participate in the sacramental life of the church. They are also encouraged to contribute financially toward the building of the Kingdom of God here on earth.

In many Dioceses and Archdioceses in Ghana, leadership positions in the catholic church are reserved only for those who are baptised and communicant. Leadership by example is particularly important in any institution. The idea is to encourage more Catholics to avail themselves of the graces inherent in the sacraments. In many parishes and rectorates, only those who are communicants qualify for election to the various Parish Pastoral Councils. According to the Bishops of Ghana, "Parish Pastoral Council (commonly referred to as the Parish Council) is an advisory body, comprised of parishioners and parish clergy, that meets regularly with the pastor to offer advice and assistance on the short and long-term needs of the parish".[114] This means that the many who are in irregular unions due to polygyny, cohabitation, and the inability to perform traditional rites of marriage because of financial challenges cannot be elected to leadership positions. The issue on the minds of people is whether the church will continue to deny such people leadership roles because they are not "sacramentally qualified?" There is therefore the need to look at this issue critically because catholic communities are suffering due to this.

In villages and small communities where there are limited number of communicants, it becomes difficult to get people into leadership positions because many of the faithful in these communities are in irregular unions. The inability of non-communicants or those who have not regularised their unions to assume leadership positions in the Catholic Church often leads to a loss of quality human resources. Every pastoral council need experts in finance, architecture, administration, engineering, education, counselling, planning and many others valuable talents and services that are needed by the church. These people might not be the "Ideal Catholics" that we all want to have; they might be in irregular unions, not communicants, not qualified according to our standards, but their acquired qualities, and technical skills could possibly propel the parish community to greater heights.

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[114] Ibid, 4.

4.11. Conclusion

The vocation to marriage and family life in Ghana requires the attention of all people of good will because “the welfare of the family is decisive for the future of the world and that of the church” (*Amoris Laetitia* 31). When the Church speaks of marriage as a call or a vocation, it implies that the couple’s relationship is more than simply their choice to enter a union which is a social and legal institution. In the exchange of consent, they freely respond God's call to build, with the help of divine grace, a lifelong, intimate, and sacramental partnership of love and life. In *Amoris Laetitia* #72, Pope Francis pointed out: "Marriage is a vocation, inasmuch as it is a response to a specific call to experience conjugal love as an imperfect sign of the love between Christ and the Church. Consequently, the decision to marry and to have a family ought to be the fruit of a process of vocational discernment” (*Amoris Laetitia* 72). The challenges that traditional marriage presents to the church in Ghana could be surmounted if more attention is dedicated to the crises that couples face. In many instances, the difficulties are not about what is moral or immoral, but a contest between Traditional values and Christian principles. Sometimes they are about doctrinal differences: Catholicism and other Faiths.

These disputes between traditional values and Christian principles as well as the doctrinal differences between Christians call for deeper and sustained catholic education on the sacraments. When Ghanaian Catholics are well informed to understand and appreciate the values of the sacraments, they might do all in their power to preserve not only their faith but their marriage. There ought to be a “cultural pruning” through education, adult instruction, family-centred apostolate, and dialogue. This is necessary because "the sacrament of marriage is not a social convention, an empty ritual or merely the outward sign of a commitment" (*Amoris Laetitia* 72). Historically, the church of Christ has come into contact with many cultures and traditions, some very violent and antagonistic. However, she has always remained focused on the proclamation of the Kingdom of God, the salvation of humanity and the values inherent in each person. The catholic church in Ghana must therefore remain united and concentrate on evangelising Ghanaian culture so that marriage would ultimately become a channel of God’s grace and not and obstacle to the attainment of sacramental grace.

CHAPTER 5
RECOMMENDATIONS AND CONCLUSION

5.0. Introduction

This chapter discusses recommendations that could possibly address some of the challenges that married couples go through. It also captures the concluding remarks on this work. Marriage is one of the most important turning points in a person's life. It affects not only one's entire perspective and identity, but places additional responsibility on a person. Marriage, whether customary or sacramental, transitions a person from one state of life to a different state. The church admits, "Marriage introduces one into an *ecclesial order and* creates rights and duties in the church between the spouses and towards their children. Since marriage is a state of life in the church, certainty about it is necessary, hence the obligation of witnesses" (CCC 1631). Marriage could be compared to a school. It is indeed "a school of love and life" where couples continue to learn the art of living, loving, and growing together. It is in this "school of love and life" that couples are given the opportunity to learn and sincerely apply the principles for living and loving. Essentially, it is not just what they live through, but what they "learn through" in union with God. Couples are expected to grab onto the wisdom they gain, apply it, and then pass them on to their children and others. The recommendations proffered in this chapter are not intended to insulate sacramental marriages from all problems and challenges, they are only meant to assist couples understand the essence of marriage, how they could possibly deal with such difficulties as they seek to grow in love and in their faith.

5.1. The need for adequate preparation before marriage

A lot of the aforementioned challenges or difficulties are as a result of tradition, various cultural manifestations, and the lack of adequate knowledge about sacramental marriage. In order to avoid these elementary problems as well as the risk of separation, divorce and broken homes, there is the need for the young couples to have enough resources at their disposal. Sound, comprehensive and knowledge-based preparation is therefore required before one takes that major life-changing step called marriage. Preparation for marriage normally begins at birth.

> "For every couple, marriage preparation begins at birth. What they received from their family should prepare them to know themselves and to make a full and definitive commitment. Those best prepared for marriage are probably those who

> learned what Christian marriage is from their own parents, who chose each other unconditionally and daily renew this decision."[115]

Without any formal laid down procedures, boys in Ghana are trained to take over from their fathers whereas girls are brought up to take up roles as future wives and mothers. This is based on a hopeful anticipation that these young ones will ultimately grow and become the torchbearers of their individual families and clans. Even though what they receive at home is necessary and important, it is nevertheless inadequate for the challenges that lie in the future. The ups and downs in traditional marriage and their negative impact on the church in Ghana as discussed in various chapters of this work call for urgent actions. The situation demands concerted efforts to prepare would-be couples adequately before they receive the sacrament of Holy Matrimony. "Preparation for marriage, for married and family life, is of great importance for the good of the church".[116] Couples need to understand the essence of marriage, the significance of living together as husband and wife in a Christian way. Such preparation should also aim at deepening the faith of the couples. It is everybody's responsibility to make sure that marriage is preserved in its content and character and the church in Ghana should particularly be concerned about this. Canon 1063 encourages pastors of souls and the ecclesiastical community (that is every catholic) to offer assistance to those preparing for marriage and those who are in the matrimonial state. It therefore becomes everyone's responsibility as Catholics and Ghanaians to uphold the institution of marriage.

Currently, marriage preparation in Ghana begins when a couple becomes engaged. "Pastors of souls are obliged to ensure that their own church community provides for Christ's faithful the assistance by which the married state is preserved in its Christian character and develops in perfection".[117] Such assistance is to be given principally by preaching, by catechetical instruction adapted to children, young people, and adults, indeed by the use of the means of social communication, so that Christ's faithful are instructed in the meaning of Christian marriage and in the role of Christian spouse and parents.[118] With the awareness that "all Christians in whatever state or walk of life are called to the fullness of Christian life and to the perfection of charity" (LG. 40), the church believes that adequate preparation aids in this vocation to perfection and love. The

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[115] Pope Francis, Apostolic Exhortation, *Amoris Laetitia* 208, 2016, 155.
[116] Pontifical Council for the Family. Preparation for the sacrament of marriage. 1996. 1.
[117] The Code of Canon Law, Can 1063.
[118] Cf. Ibid.

catholic church accepts and values the importance of marriage. The church also plays important premium on preparation before marriage. Those who are prepared for the matrimonial life must also be prepared to learn the art of marriage.

It is important to further acknowledge that marriage preparation is not only limited to the would-be couple. The parents who are giving away their daughter in marriage as well as those who are accepting a son as an in-law need to be prepared. The families must come to terms with the implications of giving somebody out in marriage or accepting somebody as an In-law. This is especially so because each marriage has consequential effects on both families. They must appreciate their roles and responsibilities as family members and co-actors in the matrimonial journey. They are co-actors and co-actresses in the marriage because of their supportive roles as parents, in laws, distant relatives and traditional advisors. The family can make a marriage flower and blossom. The same marriage can become sterile and wither on account of the family. Some parents are too anxious to give their child away so that the responsibility at home may be lessened. Whereas some parents want to make the choice for their children, others take hundred percent "hands off" attitude towards the young couple. Attitudes such as these do not provide sound footing in the matrimonial journey.

5.2. Reasons for pre-marital catechesis

Why should newly engaged couples be made to undergo marriage instructions (school of love and life) when they have been trained at home to become fathers and mothers? Is the home training not enough? The world seems to be undergoing tremendous changes not only in the field of medicine, technology, and education but also in areas of morals and values. The Pontifical Council for the Family rightfully acknowledged, "Today we see with alarm the spread of a 'culture' or a mentality that has lost heart with regard to the family as a necessary value for spouses, children and society."[119] Indeed, there are attitudes and laws that hurt the dignity of marriage and family life. The world has evolved into what is known as a global village with an intensified secularisation and dechristianization of moral values in different parts of the world. These have negative effects especially on young people who are subjected to enormous pressure of a secularized environment. The Ghanaian child also reads and watches on the print and in

[119] Pontifical Council for the Family, Preparation for the sacrament of marriage, 1996. 5.

the electronic media the happenings in the world. They are consequently influenced by what they experience through the power of the media. A lot of them end up losing the sense of God and as a result, the deep meaning of spousal love and the family as well. The social structure of Ghana is currently undergoing some kind of moral and cultural revolution with regard to people's attitude and beliefs. There is a lessened appreciation of God in many forms and appearance, overtly or covertly, people are trying to distance the family from God's original plan. The Council further made a serious observation that calls for urgent action with respect to preparation before marriage.

> "The recovery of values and some important aspects of marriage and the family can be observed together with the flourishing of joyful testimonies by countless Christian spouses and families. However, on the other hand, the number of persons is increasing who ignore or reject the riches of marriage with a form of mistrust that goes so far as to doubt or reject its goods and values."[120]

The church in Ghana is susceptible to attitudes and beliefs that threaten the stability of marriage and family life. For these and many other reasons, the need for thorough, holistic, and comprehensive preparation has become more urgent than ever. Below are some of the reasons why couples must be prepared sufficiently before they are joined in Holy Matrimony.

5.2.1. The nature of marriage requires preparation.

Even though Ghana is a melting pot of different cultures, marriage differs significantly in all these different traditions. The Ghanaian cultural identity has a lot in common and this is beautiful. However, as Nukunya pointed out "the process of inter-ethnic co-operation and understanding have not yet reached a stage which will result in complete acceptance and identification of interests. Many people still know next to nothing of the cultural values of other ethnic groups."[121] The processes leading to marriage varies in each ethnic group or clan. The three dominant Religions in Ghana (Christianity, Islam, and African Traditional Religion) differ significantly in their attitude towards the nature of marriage and how it is contracted among their adherents. Individuals enter the married state with their cultural and religious backgrounds, they come with a mindset of their own that is fashioned according to their tradition and custom. Religion and culture have a lot of influence on individual's perception and expectations regarding marriage and family. The

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[120] Ibid., 5
[121] NUKUNYA, Tradition and Change in Ghana, 2016, 197.

nature of marriage requires that prospective couples take time to learn and understand the art of living together before they make any definitive commitments to one another. "Marriage is never a palm wine for us to taste before we buy" is an African proverb that summarises the nature of marriage as an institution. Marriage is a package that is delivered to adults who are willing and prepared.

Traditional marriage which is regulated by customs of a particular clan has its own terms and conditions, strengths, and limitations. Even though the church and (Ghanaian) tradition have a lot in common in respect of marriage and its importance, there are marked differences that set them somehow on parallel lines. Traditionally, it is the man who marries the woman. This has its own ripple effects with regard to equality in the marriage. The man is treated as the "Headmaster" in the family. Issues such as divorce, polygyny, consent, and purpose of marriage are some of the dissimilarities between a pure catholic marriage and traditional marriage. Catholic marriage is different from traditional marriage and for this reason *Pre-Cana*[122] instructions are very necessary.

Pre-Cana instructions must be designed in such a way that they help couples come to terms with the church's appreciation of marriage: that the one who created man and woman also instituted marriage with its own guiding principles and inherent goodness. The church's teachings on marriage come from the time-tested conviction that marriage is a value that takes its origin from creation and that it is deeply rooted in human nature. God is the author of marriage, and this vocation is written in the very nature of man and woman as they came from the hand of the Creator. Newly engaged couples should view marriage as a divine institution even though the partners are human beings. "Marriage is not a purely human institution despite the many variations it may have undergone through the centuries in different cultures, social structures, and spiritual attitudes".[123] The vocation to marriage is therefore a call to a life of holiness and service within the couple's own relationship and in their family. Those who are preparing themselves for marriage should accordingly note that, "The sacrament of marriage is not a social convention, an empty ritual or merely the outward sign of a commitment"[124] but a special gift from the church which is given for the sanctification and salvation of the spouses. It is therefore

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[122] "Pre-Cana" refers to catechesis or preparatory course for newly engaged couples who are preparing to be married in the catholic church. The idea of Pre-Cana is derived from John 2:1–12, where Jesus performed his first miracle of turning water into wine during a wedding feast at Cana in Galilee.
[123] Catechism of the Catholic Church #1603, 1994.
[124] Pope Francis, Apostolic Exhortation *Amoris Laetitia* 72, 2016, 55.

believed that through the sacramental sign, their union becomes a living testimony of the relationship between Christ and his Church. Consequently, "The married couple are therefore a permanent reminder for the Church of what took place on the cross; they are for one another and for their children witnesses of the salvation in which they share through the sacrament."[125]

The young would-be couples need to understand this so that they will be properly disposed toward the reception of such a sacrament. Their ability to nurture their love and grow in their relationship is largely dependent on their attitude toward the sacrament of marriage. Ghana is a nation with rich but varied cultures and customs. Those who desire the sacrament of Holy Matrimony therefore need a catholic attitude and a catholic understanding on what it means to marry. In life attitude is everything and marriage mostly survives or collapses because of people's attitude towards it. Couples must be helped to appreciate that "The intimate community of life and love which constitutes the married state has been established by the Creator and endowed by him with its own proper laws" (GS 48). They should be ready to affirm that God is the author of marriage, a lifelong union of one man and one woman who pledge to be faithful to one another until death. They must also be prepared to welcome children as gifts crowning their union as blessings and not as burdens.

5.2.2. False Ideas about Marriage

Marriage provides opportunity for genuine commitment, growth, and everything else in between. There is plenty of upside to it, but it also comes with some myths and misconceptions. Young adults often cling to romantic notions of possessive love and the myth of the special soulmate who will be responsible for their happiness. While it is good to have some form of expectation, a lot of these expectations are exaggerated and taken out of context. The combined effects of media advertisement and overrated weddings have generated a lot of fantasies about marriage and married life in Ghana. Whereas weddings are a celebration of new beginnings, marriages are much more than that. Intimacy, vulnerability, commitment, and patience are all great attributes of marriage. The union between man and woman is not always fanfare and romantic as portrayed by the media. It begins with "I do" but certainly, it is more than that. The notion of getting

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[125] John Paul II, Apostolic Exhortation *Familiaris Consortio*, (22 November 1981), 13: AAS 74 (1982). 94).

someone who will love them unconditionally, and without having to communicate their needs is only a fantasy. One's ability to identify these misleading conceptions can help in avoiding a lot of pain down the road.

Today, there are competing and contradictory views about marriage. Misrepresentations and false literature about marriage and family life abound in books and on the internet. Some radical feminists claim that a heterosexual, misogynist patriarchy invented marriage as a way of enslaving women. Pope Francis in his Apostolic Exhortation on love in the family *Amoris Laetitia* expresses his fears with regard to entrenched feministic ideas that can potentially harm marriage and family life.

> "The weakening of this maternal presence with its feminine qualities poses a grave risk to our world. I certainly value feminism, but one that does not demand uniformity or negate motherhood. For the grandeur of women includes all the rights derived from their inalienable human dignity but also from their feminine genius, which is essential to society."[126]

Advocates of a secularist, atheistic understanding of the human person also judge marriage as a legal contract between two persons, whether of opposite sexes or of the same sex. Today, those who believe in such philosophy are seriously pushing for a redefinition of marriage as an institution and a reconstruction of the family. There are others who think of marriage as a purely human invention, a cultural construct subject to radical change. Other misleading opinions suggest that marriage is morally irrelevant to sexual behaviour or to decisions whether or not to have children. People's attitude toward childbearing also differs; while some see children as blessing in marriage, others see them as a burden. In many cases, marriage is totally different from what individuals think or read from the media. Marriage is not a modern phenomenon and requires no new definition in modern times. All these competing opinions have consequential effects on people's attitude and perceptions about marriage. It is said that when society sets wrong as a standard, even the best effort cannot measure right. The presence of these false opinions about marriage demands that a proper catechetical instruction tailored to the needs of society and of the would-be couples are drafted to help them in their union.

In his Address to the Ninth General Assembly of the Pontifical Council for the Family on October 4, 1991, the Holy Father clearly pointed out, "The greater the difficulties caused by one's surroundings for knowing the truth of the Christian sacrament

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[126] Pope Francis, Apostolic Exhortation *Amoris Laetitia* 173, 2016, 130.

and of the institution of marriage, all the greater must be our efforts to prepare spouses adequately for their responsibilities". [127] It is not enough to only make couples comprehend the differences between traditional and catholic marriage, but young couples must come to a better appreciation of some of the misleading conceptions and misrepresentations about marriage among Christians and traditionalists. Pre-Cana instructions therefore become a helpful tool in addressing the deliberate misrepresentations and unrealistic fantasies on marriage.

5.2.3. Future Challenges

It is often suggested that the hard part is getting to the altar. While getting down the aisle may be a difficult task, the real work begins once the vows are exchanged. It is one thing getting married but staying married is another thing all together. Individuals must come to terms with the fact that staying married is real task that requires commitment, genuine love, and positive attitude. It is the hope of the church that Catholics may see marriage as a vocation in life, as a response to God's call, and that through marital love, many Catholics will find true happiness, inner peace and self-fulfilment. The need to have spouse, children, and a beautiful family has been the dream of many. However, it is also clear that not every marriage becomes a living incarnation of the love of God as espoused by the church. In fact, for many, in our heavily secular culture today, there is little understanding of the true nature of love, marriage, commitment, and self-giving which are all part of the Catholic vision of love.

The vocation to the married life does not always promise a rose paradise, but a life inundated with challenging moments, hard work, resilient and tenacity. The immediate backgrounds of newly engaged couples are not always the same; their sense of responsibility, their orientation to life, and their capacity in dealing with complexities in life differ from each other. With this in mind, Pre-Cana instructions become an opportunity for them to understand themselves and appreciate that marriage is not all that rosy. The period of catechesis will therefore be an opportunity for learning, reorientation, and adjustments so that they could face their difficulties together in their future life. In his Apostolic Exhortation on love in the family, Pope Francis makes it clear:

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[127] Pontifical Council for the Family. Preparation for the Sacrament of Marriage, 1996. 3.

> "The timely preparation of engaged couples by the parish community should also assist them to recognize eventual problems and risks. In this way, they can come to realize the wisdom of breaking off a relationship whose failure and painful aftermath can be foreseen."[128]

There is a deep sense of pervasive loneliness in modern society and some people see a damaged or unhealthy relationship as better than being alone. Sometimes people are convinced that their love is fatally flawed but hope and fear combine to keep people together who would, objectively, be better off apart. Marriage instructions help people not only to become abreast with the risks, challenges, and realities in marriage life, but they become more aware of their own weaknesses relative to their future commitment. It is a fact that "Nothing is more volatile, precarious, and unpredictable than desire. The decision to marry should never be encouraged unless the couple has discerned deeper reasons that will ensure a genuine and stable commitment."[129] Those who believe that any deficits they have in themselves can be compensated by their spouse must be made to understand that marriage is a work. People's attitudes and opinions need to be finetuned so that they will be ready to shoulder the burdens that the future brings. It is through Pre-Cana instructions that young people are made to accept that it is possible for one to feel the same emptiness and loneliness even in their marriage. Becoming aware of these risks, challenges and problems associated with marriage helps people to be psychologically disposed to confront future eventualities in their union. Preparation towards the future involves building "emotional shock absorbers" to sustain the equilibrium of life. For the sake of the future challenges in marriage, the newly engaged couples need to be given the necessary training so that they become indeed husband/wife materials in the future.

5.2.4. Knowledge Sustains Love and Commitment

Knowledge affects not only inputs but anticipated outcomes. A Knowledgeable person is also potentially a successful person. Knowledge plays many important roles in marriage. A successful marriage depends on the application of knowledge and love. The ability to understand what lies ahead is vital to charting a successful life together. Love is important in marriage, but it is knowledge that sustains marital love. Through catechetical instruction the newly engaged are led to a better understanding of one another. How they

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[128] Pope Francis, Apostolic Exhortation *Amoris Laetitia 209*, 2016, 156.
[129] Ibid., 209, 157.

think, what they love and what they want from life can all be make-or-break issues for compatibility. It is through pre-marriage catechesis that they will come to a better appreciation of the essentials of marriage, what it means to be a married catholic woman and what it means to be a married catholic man. The art of communication in marriage as well as how they will manage emotions could all be handled through their interaction with the pastors and marriage counsellors. In his Apostolic Exhortation on love in the family, Pope Francis emphasised that "Training in the areas of emotion and instinct is necessary, and at times this requires setting limits. Excess, lack of control or obsession with a single form of pleasure can end up weakening and tainting that very pleasure." [130]

This period of preparation is also an opportunity for the engaged to understand the dynamics of disagreement, how to handle unfaithfulness, how to manage in-laws, family members and friends. Knowledge in these areas is absolutely crucial in keeping ones' marriage intact. Even though the couple may care so much about one another, many marriages fail because the individuals lack adequate knowledge to fix certain situation or manage unanticipated challenges. Christian marriage is a vocation with love as its basis and thriving force, but the most misunderstood element of a relationship is love. Love is not just emotional sentiment; it is a choice. It is the response to understanding the value of a thing. Proper Pre-Cana education will throw more light on marital commitment, love, forgiveness, understanding and those things that make marriage an enduring experience. Christian marriage must never lose its loveliness, for, love is a force generated by a decision. It is an act of the will. Sustained and guided preparation is therefore a *conditio sine qua non* for a successful matrimonial life. Knowledge about marital love and commitment will not only add beauty to the marriage but it will ultimately sustain it to the end. With these and many others in mind, the promotion of better and more intensive programmes of marriage preparation are required by the church in Ghana. A proper catechesis on marriage will help eliminate as far as possible the difficulties, misrepresentations, and some of the fantasies that many married couples find themselves in.

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[130] Ibid., 148, 107.

5.3. THE NEED FOR A CATHOLIC PERSPECTIVE ON MARRIAGE

The difficulties and challenges that traditional marriage presents show that there remains a great need to recover a clarity of understanding when it comes to the Church's teachings and laws on marriage. This is very fundamental if the various marital situations that are encountered in Ghana by pastoral agents are to be addressed effectively. It therefore places a corporate responsibility on the church to develop a comprehensive and sustainable ongoing formation program to guide all married couples as they journey through the uncharted waters of catholic marriage. Newly engaged couples need a lot more clarity on what the church teaches about sacramental marriage so that they do not enter this important state with misconceptions and prejudices. The church's laws on marriage are definitive, comprehensive, and consistent. The code of Canon law is not intended to be a substitute for faith, grace, charisms, and charity but its main purpose is rather to create an order in the Church where these elements can flourish.

The catholic Church's understanding of marriage is unmistakably clear from the beginning. In canon 1055, the Church affirms,

> (§1) "the matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole of life and which is ordered by its nature to the good of the spouses and the procreation and education of offspring, has been raised by Christ the Lord to the dignity of a sacrament between the baptized. (§2) For this reason, a valid matrimonial contract cannot exist between the baptized without it being by that fact a sacrament." (CIC 1983, Can. 1055 §1)

The Code of Canon Law gives what is arguably the most beautiful and profound definition of marriage. In fact, the Catechism of the Catholic Church at the beginning of its section on matrimony (CCC 1601) simply quotes this definition from canon law. In this profound definition, the church summarizes the nature, the value, the purpose as well as the inherent goodness of marriage. Canon 1055 also brings to the fore, the main aspects of what constitutes marriage naturally and what constitutes it sacramentally. The purpose of church law is not to make things more difficult for Catholics; rather, its purpose is to put into practice and safeguard what the church believes about marriage. Whether canonical or liturgical law, the church's regulations on marriage seek to reflect faithfully her teachings on marriage, safeguard them, and put them into practice. Canon 1055 lists some of the natural law elements that are particularly essential to the nature of any marriage.

5.3.1. Man and woman.

The would-be couple needs to understand that marriage is first and foremost a covenant relationship between man and woman. True marriage can only exist between man and woman and this basic principle cannot be compromised. The combined effects of Ghanaian culture and tradition may give full support to this "man and woman" principle. It is natural, basic, and very fundamental to our proper understanding of marriage. The church has been very categorical and has consistently maintained her position that marriage can only exist between man and woman. In his Apostolic Exhortation on love in the family pope Francis clarified that, "Regarding proposals to place unions of homosexual persons on the same level as marriage, "there are absolutely no grounds for considering homosexual unions to be in any way similar or even remotely analogous to God's plan for marriage and family."[131]

It is argued that any breach of this fundamental principle will be a violation of God's design for humanity as well as an affront on natural law. The recognition and acceptance that marriage is principally a natural institution, established by God as a good in creation is essential in safeguarding it. Consequently, the church "Basing itself on Sacred Scripture, which presents homosexual acts as acts of grave depravity, tradition has always declared that "homosexual acts are intrinsically disordered." They are contrary to the natural law. They close the sexual act to the gift of life. They do not proceed from a genuine affective and sexual complementarity. Under no circumstances can they be approved" (CCC 1994, #2357),

5.3.2. Matrimonial Consent

Another area of critical concern is Matrimonial Consent in marriage. In traditional marriage, the union is not only between two individuals but between two families. For this reason, marriage is brought into being by the approval and consent from both families. This is done by the presentation and subsequent acceptance of the bride-wealth from the man's family. Without the support of both families, it will be incomprehensible for marriage to take place. In sacramental unions, unlike traditional marriage, the emphasis is more on the partners (the man and the woman) who constitute the principal architects of Holy Matrimony. Even though the approval from both families is necessary

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[131] Pope Francis, Apostolic Exhortation *Amoris Laetitia* 251, 2016, 188.

for the good of the young couple, “A marriage is brought into being by the lawfully manifested consent of persons who are legally capable. This consent cannot be supplied by any human power” (CIC 1983, Can.1057 §1). Matrimonial consent is given when a man and a woman manifest the will to give themselves to each other freely and irrevocably in order to live a covenant of faithful and fruitful love. “The Church holds the exchange of consent between the spouses to be the indispensable element that ‘makes the marriage.’ If consent is lacking, there is no marriage.” [132]

According to the church, “The consent consists in a ‘human act by which the partners mutually give themselves to each other’: ‘I take you to be my wife’ – ‘I take you to be my husband.’ This consent that binds the spouses to each other finds its fulfilment in the two ‘becoming one flesh’ (Gen 2:24, cf. Mark 10:8, Eph. 5:31)."[133] Matrimonial consent should principally be a human act and not an act of man (CIC 1983, Can. 1057 §2). A human act is an act which a person performs with full consciousness bearing in mind all the consequences. It is a full and deliberate act performed wilfully and voluntarily without duress or external coercion. An act of man on the other hand is an involuntary act performed outside the remit of free will and full consciousness. The man must freely choose to marry whoever he wants. The woman should equally have the capacity to freely accept whoever she loves as a life partner. This is where traditional marriage differs from sacramental marriage. In traditional marriage, one needs the consent of the family.

5.3.3. Sacramental Marriage is a Partnership

Catholic marriage is partnership of a sort. This aspect of catholic marriage is not powerfully felt in traditional unions in Ghana where the woman is seen as a passive recipient of the fruits of marriage. Traditionally, it is the man who marries the woman. It therefore becomes the responsibility of the man to take care of the woman and the children. It is his duty to “rule over his household” and give the members what they need at the appropriate time. In the catholic church, marriage is established by mutual consent by both spouses with equal rights and responsibilities. It is not the man who marries the woman or vice versa. Unlike traditional marriage where the man becomes the breadwinner who shoulders all the responsibilities in the family as well as “the

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[132] Catechism of the Catholic Church #1626, 1994. 364.
[133] Ibid. #1627. 364.

headmaster" whose words naturally translates into "domestic law", catholic marriage advocates for equal voice on all decisions that have bearing on the family. Equality in marriage with a considerable amount of equal influence are needed in all functioning catholic homes and families. Catholic marriage therefore challenges gender stereotypes and promotes women's rights. Domestic violence, female genital mutilation in some tribes in Ghana as well as the commercialisation and exploitation of women's bodies in the media are affront to marriage as an institution. In his *Amoris Laetitia* pope Francis makes it clear enough that "even though significant advances have been made in the recognition of women's rights and their participation in in public life, in some countries much remains to be done to promote these rights. Unacceptable customs still need to be eliminated".[134]

5.3.4. Sacramental unions are for life. (Indissolubility)

The canon brings a lot of clarity on sacramental unions between men and women. The couple establish between themselves a partnership of their whole life. A catholic marriage is primarily a lifetime affair. A catholic perspective on marriage is that "In his preaching Jesus unequivocally taught the original meaning of the union of man and woman as the Creator willed it from the beginning."[135] A validly contracted matrimonial union of man and woman is therefore indissoluble. The Lord Jesus Christ himself has made a definitive determination when he proclaimed, "what therefore God has joined together, let no man put asunder" (Matt. 19.6). "Both short-term and long-term marriage preparation should ensure that the couple do not view the wedding ceremony as the end of the road, but instead embark upon marriage as a lifelong calling based on a firm and realistic decision to face all trials and difficult moments together."[136] The indissolubility of marriage simply means that the sacramental union is lasting, unbreakable and cannot be destroyed by any human power. In his Apostolic Exhortation on love in the family, Pope Francis reaffirms the position of the catholic church and encourages would-be couples to view their union in such regard. "Another great challenge of marriage preparation is to help couples realize that marriage is not something that happens once for all. Their union is real and irrevocable, confirmed and consecrated by the sacrament of matrimony." [137]

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[134] Pope Francis. Apostolic Exhortation *Amoris Laetitia* 54, 2016. 43
[135] Catechism of the Catholic Church #1614, 1994. 361.
[136] Pope Francis. Apostolic Exhortation *Amoris Laetitia* 211, 2016. 158.
[137] Ibid., 218, 163

5.3.5. Catholic marriage has a unique purpose.

The newly engaged couple should be made to understand that sacramental unions are ordered by their nature to the good of the spouses and the procreation and education of offspring. This is another indispensable layer of a catholic marriage – the openness to fertility. In the catholic perspective, it is believed that "the family is the sanctuary of life, the place where life is conceived and cared for."[138] Indeed, the Pastoral Constitution on the church in the modern world, *Gaudium et Spes* captures the inherent purpose of marriage. "By its very nature, the institution of marriage and married love is ordered to the procreation and education of the offspring, and it is in them that it finds its crowning glory." (**GS 48**). Procreation has always been the primary objective of traditional customary marriage and the main motivation for many polygynous relationships in Ghanaian society. "The pastoral care of newly married couples must also involve encouraging them to be generous in bestowing life." [139] However, Canon Law further intimates that it is not procreation for the sake of bestowing life, but towards the education and upbringing of children. Love always gives and protects life. Conjugal love does not end with the couple who pledge fidelity, mutual self-giving, cooperation and a life that is lived in togetherness. The couple, in giving themselves to one another, give not just themselves but they also become co-actors in creation in bringing forth life and caring for that life. "The family is the setting in which a new life is not only born but also welcomed as a gift of God."[140] A humble admission on the part of the young couple that marriage is a natural, permanent, faithful, and a fruitful partnership between one man and one woman is necessary for their future. The wellbeing of the spouses includes "unity, openness to life, fidelity, indissolubility and, within Christian marriage, mutual support on the path towards complete friendship with the Lord."[141]

A proper Pre-Cana instruction therefore aims at helping "couples to experience in a complete, harmonious and conscious way their communion as husband and wife, together with their responsibility for procreating life."[142] There is no other relationship that symbolizes life and love as marriage does. The procreative purpose recognizes that married love is by its nature life-giving. The children who result from this union are the

[138] Cf. Ibid., 83, 64.
[139] Ibid., 222, 166.
[140] Ibid., 166, 123.
[141] Ibid., 77, 60.
[142] Ibid., 82, 64.

supreme gift of marriage. Even when there are cases of infertility which is very challenging for Ghanaian couples, it does not invalidate the marriage. Marriage is still beautiful even without children. The new couples need to be nourished with the right information, so that it will enable them to have a clear distinction between truth and falsehood. Being well informed, they will be in the best position to protect their relationship.

5.4. THE WAY FORWARD FOR THE CHURCH IN GHANA

There is also the need to recognise that the task is not complete if the church in Ghana only limits herself to faith statements. The church must understand that marriage is a vocation and there is the need to prepare people to respond to that vocation. Marriage should never be seen as business-as-usual institution. The church in Ghana should think of a deliberate, comprehensive and sustained catechetical instructions aimed at enriching catholic marriages and would-be couples. Whatever is received is received according to the ability of the receiver, to paraphrase Aristotle and Saint Thomas Aquinas. The church in Ghana needs to train ministers so that they are properly equipped to handle complex issues among married couples. In their final document, the synod of bishops identified an important loophole among pastoral agents, even among the clergy. It became clear that "ordained ministers often lack the training needed to deal with the complex problems currently facing families. The experience of the broad oriental tradition of a married clergy could also be drawn upon." [143] Seminarians should therefore be given more extensive interdisciplinary, and not merely doctrinal, formation in the areas of engagement and marriage. There is a need to ensure that the formation process enables them to attain the maturity and psychological balance needed for their future ministry.

The need for ongoing formation program. Marriage preparation should not have a limited or restricted shelf-life. Pre-Cana instructions must transcend wedding days and honeymoons. Pre-marital counselling should not only prepare couples for the developmental tasks they face early in marriage but more importantly, the tasks they face later in their matrimonial journey. Ongoing formation, guidance and counselling during the initial years of married life is therefore absolutely important. There must be at least a

[143] Ibid., 202, 151.

period for reflecting on and deepening one's experience of the sacramental mysteries. As long as the church in Ghana continues to treat sacramental unions as graduation events from classroom learning, marriage will continue to suffocate under these challenges that have been discussed in this paper. When love is merely physical attraction or a vague affection, spouses become particularly vulnerable once this affection wanes or physical attraction diminishes. The church should ensure that constant monitoring, ongoing formation, and supportive care are always available for the newly wedded couples.

Marriage counselling should not be voluntary. Given the challenges that traditional marriage poses to the church and the rate at which new marriages are breaking up, pre-Cana instructions should be mandatory for all would-be couples. It will clearly be serving a particularly useful purpose for every couple to undergo "a school of marriage" so that the lessons gained will ultimately help them realise the fruits of catholic marriage.

Pre-Cana requires not only the presence of priests but a team. Marriage preparation is perceived as most valuable when it is administered by a team. A team made up of clergy and experienced lay couples could yield the highest perceived values. Experience is always the best teacher and that is why the church will need the hands of lay couples to add experiential touch to the pastoral and canonical contribution of the priest. The priest is an official of the church and for this reason the absence of a priest from the marriage preparation process could be seriously detrimental to the process.

Quality of marriage counselling and not the quantity of information. It has been observed that more often than not, pastoral ministers throw a lot of stuff at people with the hope that some might stick. A more proper approach is to accompany the newly engaged couple and walk them through the school of marriage. Pastoral agents are to encourage them to see their interior life being awakened in the context of marital love. They do not need to be overwhelmed with too much information especially those who have been married for a long time. It is also not "a great knowledge" but rather the ability to feel and relish things interiorly with contents that satisfies the soul. Quality is more important than quantity. "Marriage preparation should be a kind of "initiation" to the

sacrament of matrimony, providing couples with the help they need to receive the sacrament worthily and to make a solid beginning of life as a family." [144]

Knowing one another before marriage is absolutely critical. Young couples should be strongly encouraged to discuss what each expects from marriage, what they understand by love and commitment, what each wants from the other and what kind of life they would like to build together. Such discussions would help them to see if they in fact have little in common and to realize that mutual attraction alone will not suffice to keep them together. Indeed, history and experience have proven that nothing is more volatile, precarious, and unpredictable than desire and emotions. The decision to marry should therefore never be encouraged or supported unless the couple has discerned deeper reasons that will ensure a genuine, stable and sustainable commitment.[145]

Important topics for discussion. Topics such as the nature of catholic marriage, communication in marriage, financial issues in marriage, equality between the spouses in marriage, conflict resolution, parent – child relationship in marriage, the role of a Christian spouse, love and law in marriage, attitudes towards In-laws in marriage, and other equally essential issues could be addressed during Pre-Cana catechesis. It is hoped that these recommendations, though not sacrosanct could help solve some of these challenges.

5.5. CONCLUDING REMARKS

At the initial stages of this paper, attempts were made to shape the structure and direction of this research work. In furtherance to this a general definition of marriage was carved. Again, to appreciate the church's understanding of the topic under consideration, a catholic definition of marriage was employed to lay bare the church understanding and teaching on marriage. This was not meant to deflate or contradict the general definition of marriage, but to present another perspective on marriage as understood by the church. The church's teachings on marriage are fundamentally biblical, natural and in accordance with creation. Since the research is centred on the church in Ghana and the effects of traditional marriage on the church in Ghana, the different types of marriages in Ghana

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[144] Ibid., 207, 154.
[145] Cf. Ibid., 209, 156.

were further mentioned to give a balanced view of the situation profile as found in Ghana. In Ghana one can either contract civil marriage (Ordinance), Islamic marriage (Mohammedans) or Customary marriage (Traditional marriage). The research work was on traditional marriage and its effects on the missionary activity of the church in Ghana. Even though the research paper is not on Islamic marriage, marriage of Mohammedans was mentioned as one of the marriage types in Ghana. All these were done in order to narrow down the discussions on Ghana, traditional marriage in Ghana and the Ghanaian catholic church.

Again, it is crucial to note that the research work is not an attempt to demonise Traditional Marriage or blame traditional marriage for all the challenges that couples in sacramental unions face. It is also not intended to scapegoat tradition and culture as the only factors that hinder the proclamation of the Gospel message. Marriage and family are key structures in all the societies around the world. While the two institutions have historically been intricately linked in Ghanaian culture, their connection is becoming more complex. The reality is that whatever affects any of them has consequential effects on the other. Together, marriage and family life have ripple effects on the activity of the church in Ghana. Marriage as a social institution manned by human beings is naturally exposed to the vicissitudes of life and many of these challenges are culturally induced. Some of the problems discussed in this work constitute a sustained onslaught on the cultural integrity and dignity of marriage itself. They do not only affect traditional homes but the church as a whole. Some of these challenges are directed at the very root of sacramental marriage itself as they seek to deconstruct the core principles that support sacramental unions. The church firmly holds that "The welfare of the family is decisive for the future of the world and that of the Church." [146] It is therefore in the interest of the Universal Church and the Ghanaian church in particular to seek answers to the challenges that young couples face. The church in Ghana can flourish when families live together in peace and in harmony.

The church as an institution exists to evangelise peoples and cultures in every generation. The challenges that confront the church in Ghana are more than just traditional marriage, cultural beliefs, and practices. Indeed, whereas we acknowledge that the difficulty in the choice of marriage partner, third party interference from family,

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[146] Pope Francis, Apostolic Exhortation *Amoris Laetitia* 31, 2016. 23.

childlessness, polygyny, commercialisation of bride-wealth, unacceptable widowhood rites and inequality in traditional marriage constitute a great concern to the church and all people of good will, these same challenges become opportunities for dialogue, social realignment, and attitudinal change. Awareness of such problems should trigger a national search for solutions that will ultimately lead to institutional reforms, liturgical inculturation and a family centred approach to evangelization. The good news is that some of the difficulties observed in the course of this research are not beyond redemption. They could be solved with a united front, commitment, and dedication. As clearly articulated by Pope Francis, "The life of every family is marked by all kinds of crises, yet these are also part of its dramatic beauty." [147] The life of the church as a family is sometimes inundated with challenging situations. Fortunately, these challenges become opportunities for reflections, renewal, change and growth in the community of believers.

The effects of traditional marriage on the Ghanaian Catholic Church are enormous. Whereas exorbitant bride-wealth constitutes a threat to the financial stability of young people, many young men of marriageable age are reluctant or are unable to marry because of bride-wealth. The difficulty in accessing the sacrament of Eucharist, inability to participate fully in the liturgical life of the ecclesia community, and the gradual weakening of the faith due to lack of interest in church activities are all matters of great concern. Revelations in this research work call for urgent attention with regard to these negative effects on the very life that the church seeks to transform as well as the very people who are destined for eternal happiness. It is anticipated that these challenges will eventually ignite in the hearts of all evangelisers the need for sustained family apostolate, formation of parish-based marriage and family life committees, liturgical assessment, evaluation of youth programs and activities, sustained pre-Cana instructions tailored to the needs of young people as well as the provision of pastoral care for the newly married couples.

The attention of this paper was not solely on the problems of traditional marriage and its effects on the church in Ghana. Presenting only the dark side of culture and tradition of a particular people, without taking into account the other aspect of the same culture naturally betrays the principle of proper research analysis. Since every dark cloud has its own silver lining, the paper looked into the positive side of traditional marriage

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[147] Ibid., 232, 174.

and how they impact society and families. As pointed out in this paper, there are indeed values in traditional marriage that have contributed significantly towards social cohesion, family integration, community development, and individual's self-fulfilment. Marriage is after all not a bad thing to humanity. Values such as Bride-wealth, pre-marital investigations, communitarianism, the value of motherhood, the role of the extended family system, the value of sexual abstinence before marriage, the sense of marital stability in traditional homes, demarcation of marital responsibilities in traditional homes, and mutual respect are some of the cherished aspects of traditional or customary marriage. These inherent values serve as catalysts that sustain marriages both in the church and outside the confines of the ecclesia community. The church must embrace these traditional marital values, refine them into proper tools of evangelization, and strengthen her resolve in safeguarding these traditional values.

The family is very central and critical to the development of every individual person because it is in this cradle of life that people are born and grow. Every child comes from a family. The family is a natural environment for physical growth and social development. In this environment of life and love "children develop their potentialities, become aware of their dignity and prepare to face their unique and individual destiny." [148] All the suggestions that have been enumerated above are attempts to widen the net of research, responsible parenting, marriage counselling, aggressive evangelisation, and family-based apostolate. It is hoped that if these suggestions are duly implemented, the problems that traditional marriage poses to the church in Ghana will significantly reduce so that many married couples could live their Christian vocation and catholic identity to the fullest. This paper further opens the way for additional investigations into other areas that require the attention of the Catholic Church and opinion leaders for further cooperation in the interest of the church and the state.

[148] John Paul II, Encyclical Letter *Centesimus Annus,* AAS 83 (1991), 841.

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Abstract

Marriage is one of the important institutions of the Ghanaian social structure which serves as the bedrock of the family. Whether traditionally, civil, or religious, the entire architecture of the Ghanaian family revolves around marriage. The family is the most important aspect of every society. It is commonplace that the future of every society depends on the kind of family it accepts. The primary function of the family is to ensure the continuation of society, both biologically through procreation, and socially through socialization. As an original cell of the social life, traditional families also serve as natural society. It is therefore the responsibility of the church to make sure that the dignity of family life is protected, the love among relations is nurtured, and that there is stability and security in the family.

Marriage and religion are not mutually exclusive. For this reason, this paper attempts to examine traditional marriage and its pastoral implications for the catholic church in contemporary Ghana. This work will also lay bare the values inherent in the Ghanaian traditional marriage as well as the challenges that confront marriage in Ghana. The church as an institution does not exist in isolation but always within the context of a given socio-economic environment. Attempts will therefore be made to further analyze the implications of these challenges and how they directly or indirectly affect the pastoral activity of the church in Ghana. Other relevant contemporary threats to traditional and sacramental marriages will be discussed. Finally, having discussed traditional marriage and its associated implications on the pastoral life of the church, the researcher will delve into the way forward for the church in Ghana. Here some recommendations that will enhance and preserve the institution of traditional marriage will be tabled.

Abstrakt

Die Ehe ist eine der wichtigsten Institutionen der ghanaischen Sozialstruktur, die als Fundament der Familie dient. Ob traditionell, bürgerlich oder religiös, die gesamte Architektur der ghanaischen Familie dreht sich um die Ehe. Die Familie ist der wichtigste Aspekt jeder Gesellschaft. Es ist allgemein bekannt, dass die Zukunft jeder Gesellschaft davon abhängt, welche Art von Familie sie akzeptiert. Die primäre Funktion der Familie besteht darin, den Fortbestand der Gesellschaft zu sichern, sowohl biologisch durch Fortpflanzung als auch sozial durch Sozialisation. Als Urzelle des gesellschaftlichen Lebens dienen traditionelle Familien auch als natürliche Gesellschaft. Es ist daher die Aufgabe der Kirche, dafür zu sorgen, dass die Würde des Familienlebens geschützt, die Liebe zwischen den Beziehungen gepflegt und die Stabilität und die Sicherheit in der Familie herrschen.

Ehe und Religion schließen sich nicht aus. Aus diesem Grund versucht diese Arbeit, die traditionelle Ehe und ihre derzeitigen pastoralen Implikationen für die katholische Kirche in Ghana zu untersuchen. Diese Arbeit wird auch die Werte offenlegen, die der traditionellen ghanaischen Ehe innewohnen, sowie die Herausforderungen, denen sich die Ehe in Ghana stellen muss. Die Institution Kirche existiert nicht isoliert, sondern immer im Kontext eines gegebenen sozioökonomischen Umfelds. Daher wird versucht, die Implikationen dieser Herausforderungen zu analysieren und zu untersuchen, wie sie sich direkt oder indirekt auf die pastorale Tätigkeit der Kirche in Ghana auswirken. Andere relevante zeitgenössische Bedrohungen für traditionelle und sakramentale Ehen werden diskutiert. Nachdem die traditionelle Eheschließung und die damit verbundenen Auswirkungen auf das pastorale Leben der Kirche erörtert wurden, werden schließlich mögliche Konsequenzen für die Kirche in Ghana untersucht. Hier werden einige Empfehlungen vorgelegt, die die Institution der traditionellen Ehe stärken und bewahren können.