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HIV and AIDS: United Church of Zambiaø

Response to Traditional Marriage Practices

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## Abstract

In the wake of HIV and AIDS in Africa, culture has been identified as central to HIV prevention, care, and support. Therefore, scholars have argued that HIV intervention in communities should focus on cultural practices rather than just individual behaviour. Researchers have also taken note of the interconnectedness between religion and culture in Africa. Therefore the African theologian, Mercy Oduyoye, proposed the term ‘religio-culture.’ In the light of this connection, it has become crucial to examine not just cultural practices but the response of religion to cultural practices in the context of HIV. Given that Zambia is a Christian country, this qualitative empirical study sought to examine the response of a church, the United Church of Zambia (UCZ), to traditional marriage practices that I consider to be harmful in the context of HIV. Traditional marriage practices such as child marriage and widowhood inheritance were analysed through gendered theological perspectives. The study was located in the United Church of Zambia in the towns of Mufulira and Kitwe in the Copperbelt Province of Zambia. The reason for choosing the practices of widowhood inheritance and child marriage as the areas of focus was twofold: first, throughout history and in the current context, the church and society’s perception of these two practices has been ambiguous. Depending on the time and event in history, the practices were seen as either a norm or a problem. In this study, I have questioned the extent to which this historical ambiguity towards these traditional marriage practices has contributed to the way in which the church today is responding to these culture practices. The second reason for choosing these two marriage practices was to highlight how the institution of marriage has been challenged in the context of HIV and AIDS. When marriage ceases to be a safe practice for couples, how should the church respond to the harmful cultural practices associated with marriage, especially in the context of HIV and AIDS? The question that this study posed, therefore, was: What role has the United Church of Zambia played in either promoting or discouraging harmful marriage practices in the context of HIV and AIDS?

The methodology used to answer this question included: semi- structured interviews, open-ended in-depth interviews, Contextual Bible Study, and focus group discussions as forms of data collection from: church leaders, lay people, widows, girls involved in child marriage, and members of the Marriage Guidance Committee. Thereafter, the data was thematically



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feminist cultural hermeneutics. The study is divided into one of the objectives of the study.

Through the use of the tools for data collection stated above, the study drew a number of conclusions. Firstly, it was established that indeed child marriage and widowhood inheritance are contributing factors to the spread of HIV. Secondly, the Marriage Guidance Programme of the United Church of Zambia was identified as a point of entry in re-examining the theology of marriage that is contextual and holistic in the United Church of Zambia. Thirdly, the church's ambivalence with regard to harmful marriage practices in the context of HIV and AIDS was attributed to people's belief systems about their cultures which are embedded in their worldviews. Overall, the study has shown that there is a need for an analysis of culture within the church which can enable it to respond to harmful cultural practices in the context of HIV.

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## Declaration

This dissertation was undertaken at the School of Religion and Theology, at the University of Kwa-Zulu Natal, Pietermaritzburg. Unless specified in the text, this thesis is my own work. It has not been submitted to any other university.

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As candidate supervisor I hereby agree to the submission of this thesis.

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## YMS/ABBREVIATIONS

HIV	Human Immunodeficiency Virus
AIDS	Acquired immune deficiency syndrome
UCZ	United Church of Zambia
WHO	World Health Organization
UNAIDS	Joint United Nations Programme on HIV/AIDS
UCCAR	United Church of Central Africa in Rhodesia
CCAR	Church of Central African Rho
DCCS	District Church Council Secretary
NGOsø	Non-Governmental Organization
UNFPA	United Nations Fund for Population Activities
UNICEF	United Nations International Children's Emergency Fund
DHS	Demographic Health Survey
LMS	London Mission Society
SIGI	Social Institution and Gender Index
WCC	World Council of Churches
JCTR	Jesuit Centre for Theological Reflection
ZANIS	Zambia Nation Information Services
UNZA	University of Zambia
CLAIM	Christian Literature Association in Malawi
UNGASS	United Nations General Assembly Special Session
SAP	Structural Adjustment Programme
CHAZ	Churches and Health Association in Zambia
EATWOT	Ecumenical Association of Third World Theologians
ABC	Abstain Be faithful Condomise
HEART	Helping Each other Act Responsibly Together
PEPFAR	Presidentø Emergency Plan for Aids Response
AMBC	Abstain get Married Be faithful to your partner Condomise when advised by doctor
EHAIA	Ecumenical HIV and AIDS Initiative in Africa
TEEZ	Theological Education by Extension in Zambia

## 1.1 Introduction

Zambia has 73 different ethnic groups with different traditional practices associated with marriage such as child marriage, widow inheritance, payment of bride wealth, and polygamy. Most of these traditional marriage practices are similar across many ethnic groups even though there may be some small differences between them.<sup>1</sup> In some societies, these traditional marriage practices seem to be diminishing due to different factors such as Christian and Western influences on marriage. However, there are still some traditional marriage practices which are maintained in both the society and the church even when they are harmful in the current context of HIV and AIDS. For example, research on marriage has shown that in Zambia most HIV infections are as a result of unprotected heterosexual sex, especially among married couples, which account for 78 percent of new infections.<sup>2</sup>

Zambia is one of the countries most affected by HIV and AIDS in sub-Saharan Africa.<sup>3</sup> A 2010 Zambia Country report shows that in 2009, 14.3 percent of Zambia's estimated 12.9 million population was infected with HIV. Zambia is seventh worldwide among the countries experiencing the effects of the pandemic. About 1 million people are estimated to be living with HIV and AIDS.<sup>4</sup> AVERT's 2006 study reports that the country's first reported case of AIDS was in 1984.<sup>5</sup> Since then, HIV and AIDS have become one of the country's challenges to development. As a result, in 2004 the government declared HIV and AIDS a national emergency in a bid to boost treatment and prevention efforts.<sup>6</sup> The early spread of the

---

<sup>1</sup> See the book by Chindoka which deals with traditional marriage practices across various cultural and ethnic groups in Zambia. Both Chindoka and this in-depth study have shown that there are far more similarities than there are differences in traditional marriage practices across the various ethnic groups in Zambia. Yizenge A. Chindoka, *Traditional Marriages in Zambia: Study in Cultural History* (Ndola: Mission Press, 1988).

<sup>2</sup> Anthony Simpson, *Boys to Men in the Shadow of AIDS: Masculinities and HIV Risk in Zambia* (New York: Palgrave MacMillan, 2009), 28.

<sup>3</sup> AVERT, *HIV/AIDS in Zambia (2010)* [www.Avert.org/aids-projects.htm](http://www.Avert.org/aids-projects.htm) accessed on 12/03/2010.

<sup>4</sup> Zambia Country Progress Report, March 31<sup>st</sup> 2010 Monitoring the Declaration of Commitment on HIV and AIDS and the Universal Access.

[http://data.unaids.org/pub/Report/2010/zambia\\_2010\\_country\\_progress\\_report\\_en.pdf](http://data.unaids.org/pub/Report/2010/zambia_2010_country_progress_report_en.pdf) accessed 12/05/2010.

<sup>5</sup> AVERT, *HIV/AIDS in Zambia* <http://www.avert.org/aids-zambia.htm>. accessed on 20/03/2009.

<sup>6</sup> Zambia Country Progress Report 2010, March 31<sup>st</sup> 2010.

ed earlier on by Zambia's economic decline, increasing bank programmes that caused health programmes to introduce user fees in the health sector through the Structural Adjustment Programme (hereafter SAP).<sup>7</sup>

In the African continent, the emergence of HIV and AIDS has increased gender awareness by most of the scholars in different disciplines.<sup>8</sup> Orobator observes that the situation of HIV and AIDS in most of the developing countries (including Zambia) will show that the face of HIV and AIDS, like that of poverty, is pre-dominantly feminine.<sup>9</sup> Therefore, in most cases gender has been mainstreamed as one of the influencing factors for the spread of HIV and AIDS.<sup>10</sup> As a result, one of Zambia's major goals in its response to HIV and AIDS is to delay the age at which young people have sex, and to discourage pre-marital sexual activities.<sup>11</sup>

Furthermore, a 2006 UNAIDS report states that women are most vulnerable to HIV infection based on factors such as social, biological and gender inequality.<sup>12</sup> Traditionally, most men in marriage decide the when, the how, and the why of sex between themselves and their partners.<sup>13</sup> This gender imbalance which is fuelled by traditional, cultural, and economic factors that silence women has been recognized for its role in the HIV and AIDS pandemic.<sup>14</sup> However, the question remains as to whether all sectors have responded effectively to mainstream gender in their planning on HIV and AIDS interventions.<sup>15</sup> Therefore, the reason for addressing gender and HIV and AIDS in this study is, as Price puts it, a way of addressing

<sup>7</sup> Simpson, *Boys to Men in the Shadow of AIDS: Masculinities*, 3.

<sup>8</sup> Ivone Gebara, *Out of the Depths: Women's Experience of Evil and Salvation* (Minneapolis: Fortress Press, 2002), 10.

<sup>9</sup> Agbonkhanmeghe E. Orobator, "Ethics of HIV/AIDS Prevention: Paradigms of a New Discourse from an African Perspective", in *Applied Ethics in a World Church: The Padua Conference*, edited by Linda Hogan (Maryknoll: Orbis Books, 2008), 151.

<sup>10</sup> Malebogo Kgalemang, "John 9: Deconstructing the HIV/AIDS Stigma", in *Grant Me Justice HIV/AIDS Gender Reading of the Bible*, edited by Musa Dube (Pietermaritzburg: Cluster Publications, 2004), 152.

<sup>11</sup> Zambia Country Progress Report March 31<sup>st</sup> 2010.

<sup>12</sup> Report on the Global AIDSEpidemic: Executive Summary. A UNAIDS 10<sup>th</sup> anniversary edition 2006 [http://data.unaids.org/pub/Globalreport/2006/2006\\_GR-ExecutiveSummary\\_en.pdf](http://data.unaids.org/pub/Globalreport/2006/2006_GR-ExecutiveSummary_en.pdf) accessed on 03/08/2008.

<sup>13</sup> Geeta Rao Gupta, "Gender, Sexuality and HIV/AIDS".

[http://siteresources.worldbank.org/EXTAFRREGTOPGENDER/Resources/durban\\_speech.pdf](http://siteresources.worldbank.org/EXTAFRREGTOPGENDER/Resources/durban_speech.pdf) accessed 22/02/2008.

<sup>14</sup> Musa Dube, "Grant Me Justice: Towards Gender-Sensitive Multi-Sectoral HIV and AIDS Readings", in *Grant Me Justice: HIV/AIDS Gender Reading of the Bible*, edited by Musa Dube (Pietermaritzburg: Cluster Publications, 2004), 7.

<sup>15</sup> Dube, "Grant Me Justice", 7.

e pandemic, since HIV and AIDS is the problem of both

A study by Kimuna and Djamba has found out that knowledge about HIV and AIDS among many Zambians has not fully transformed their sexual behaviour. This is attributed to the role that cultural norms play in their understanding of sexuality.<sup>17</sup> In a country like Zambia where culture plays a very important role in informing people's social behaviour, a study of this nature aimed at addressing some of the cultural practices that hinder HIV prevention, is of great importance. Therefore, the importance of addressing traditional marriage practices in relation to HIV and AIDS in Zambia cannot be over emphasized. Furthermore, Zambia's HIV prevalence rate of 17 percent continues to pose one of the most significant development challenges.<sup>18</sup> A study by Mukuka and Slonim-Nevo has found out that in Zambia, the church claims that HIV and AIDS is a moral issue and the best way to prevent it is to promote fidelity in marriage and discourage child marriage.<sup>19</sup>

## 1.2 Brief History of United Church of Zambia (UCZ)<sup>20</sup>

Unlike other churches in Zambia whose mission work was directed by either one or two foreign missions, the UCZ was born out of the merging of many missions to form one united church.<sup>21</sup> Commenting on the history of UCZ in Zambia, Hastings' study shows that Northern Rhodesia<sup>22</sup> (now Zambia) had a long history of unity negotiations among the missionaries that operated in the area. The need for unity was because there were many small protestant missions operating regionally in the country at that time.<sup>23</sup>

<sup>16</sup> B. Prince et al. 'Introduction' in *Gender Mainstreaming in HIV/AIDS: Seminar Proceedings from the Satellite Sessions held during the 7<sup>th</sup> AIDS Impact Conference Cape Town*, edited by Sharon Kleintjes et al. (CapeTown: Human Sciences Research Council, 2005), 1-13.

<sup>17</sup> Sitawa R. Kimuna and Yanyi Djamba, 'Wealth and Extramarital Sex among Men in Zambia', *International Family Planning Perspectives* 31, no. 2 (June 2005).  
<http://www.guttmacher.org/pubs/journals/3108305.html> accessed on 21/08/2008.

<sup>18</sup> Zambia Country Progress Report March 31<sup>st</sup> 2010.

<sup>19</sup> Lawrence Mukuka and Vered Slonim-Nevo, 'The Role of the Church in the Fight Against HIV/AIDS Infection in Zambia', *International Social Work* 49, no. 5 (2006).

<sup>20</sup> This is the name given to a church that was formed in 1965 out of the coming together of different missions.

<sup>21</sup> Bwalya Chuba, *A History of Early Christian Missions and Church Unity in Zambia* (Ndola: Mission Press, 2005), 135.

<sup>22</sup> This was the name given to Zambia by the British colony at the time of the federation of Rhodesia and Nyasaland which took place from 1953-1963, See Chuba *A History of Early Christian Missions and Church Unity in Zambia*, 1-8. In this study the term UCZ will be used interchangeably with the word church where necessary.

<sup>23</sup> Adrian Hastings, *A History of Christianity 1950-1975* (London: Cambridge University Press, 1979), 161.

was born, missionaries were too slow to recognize the central importance of the province for the whole country and the life of the church. A study by Froise shows that a brief history of the development of the church in the Copperbelt is recorded to have emerged around 1925. During this period, Zambia experienced a dramatic economic change due to the discovery of copper deposits on the Copperbelt province.<sup>24</sup> This is because many people from around the country were drawn to the Copperbelt to work in the mines. As Gifford states, some of the immigrants who were already exposed to the Christian faith joined with the Protestant missionaries on the Copperbelt and formed the first church called the Union Church of the Copperbelt (UCC).<sup>25</sup> In 1945 the Church of Central Africa in Rhodesia (CCAR) was formed as a union of the London Mission Society (LMS) and Church of Scotland congregations in Northern Rhodesia with the African congregations that had formed the (UCC). Within the CCAR, there was a steady move towards Africanization of church and a transfer of power from the missionaries to the Africans within the church.<sup>26</sup>

Hastings<sup>27</sup> and Bolink<sup>28</sup> discussing further show that, the union between the African immigrants and the missionaries came after a long period of negotiations. Parry records that in 1962, all the work of the mission came under the United Church of Central Africa in Rhodesia (UCCAR).<sup>29</sup> In January 1965 the UCCAR joined with the Methodist Church and the Church of Barotseland to form the United Church of Zambia under the influence of Kenneth Kaunda.<sup>30</sup> This was the first merging of a church in Zambia resulting from an African initiative which became the most significant church union in the country.

The influence of Kenneth Kaunda as a national leader of Zambia (the country that had just gained independence in 1964) and a son of a Presbyterian Protestant missionary saw the church grow into a national church which had also embraced the affairs of the country. Apart

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<sup>24</sup> Marjorie Fraise, ed., *World Christianity: South Central Africa* (California: MARC Publications, 1991), 138.

<sup>25</sup> Paul Gifford, *African Christianity: Its Public Role* (London: C. Hurst and Co., 1998), 183.

<sup>26</sup> John Parry, *Zambia: All Things Newö*, in *Gales of Change: Responding to a Shifting Missionary Context. The Story of the London Missionary Society 1945-1977*, edited by Bernard Thorogood (Geneva: WCC Publications, 1994), 55.

<sup>27</sup> For full details see Hastings, *A History of Christianity 1950-1975*.

<sup>28</sup> Peter Bolink, *Towards Church Union in Zambia: A Study of Missionary Co-operation and Church-union Efforts in Central Africa* (Franeker: T. Wever Publishers, 1967). The author also provides a full account of the formation of the UCZ.

<sup>29</sup> Parry, *Zambia: All Things Newö*, 55.

<sup>30</sup> Kenneth Kaunda was the first president of Zambia. He is the son of one of the first Scottish Presbyterian ministers who came to Zambia from Malawi as a missionary. For information see Bolink, *Towards Church Union in Zambia*.

The church also had a very strong influence in the political national leaders, including the second president of the republic of Zambia, President Fredrick Chiluba, were also strong members of the UCZ. Cook's response to this merging is that:

In the campaign to nationalize the church in Zambia, most churches and missions opted to merge. Most mission churches began to integrate their European and African churches í Rev. Moris Collins and his colleagues successfully forged links between Kenneth Kaunda and what became the United Church of Zambiaí The significant feature of this new church was not only the merger of denominations but the coming together of white and African churches into a self-governing structure in which African leadership predominates.<sup>31</sup>

Looking at Cook's response, the question that can be asked is, how did this merger that brought both Africans and Europeans into one church affect discussions on issues like traditional marriage practices within the church?

### **1.3 Motivation for Undertaking the Study**

#### ***1.3.1 Personal Motivation***

My personal motivation for this study is threefold. The first comes out of my experiences in the UCZ as a senior elder from 1991 to 1999. The second is my own experiences of growing up in Zambia and witnessing how marriage is held in such high regard. Third, during my Masters research on HIV and AIDS in this community, it became evident that more research on traditional marriage practices was needed.

#### *My Experiences as an Elder at UCZ*

During my time as a senior elder in the UCZ between 1991 and 1999, most of the deaths that happened in the country were HIV related. The church however, seemed unable to respond appropriately to the consequences of HIV related deaths. There are at least two concerns which stand out for me in terms of why the church needs a more adequate response to harmful practices in the context of HIV and AIDS. The first concern is the way in which

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<sup>31</sup> David Cook, "Church and State in Zambia: The Case of the African Methodist Episcopal Church" in *Christianity in Independent Africa*, edited by E. Fashole et al (London: Rex Collings Ltd., 1978), 290.



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h of their husbands. Widespread abuse and property

As the pandemic took its toll, the number of widows in the church increased. Most of these widows were being “cleansed” according to traditional cultural practices which involved, among other things, forced sexual intercourse with a relative of the deceased husband either before or after burial and other alternative rituals where possible. While these practices were happening within the church, cases of widow cleansing were not even discussed by the church. In the case of property grabbing, the church simply referred matters either to the family, the Victim Support Unit<sup>32</sup> or the court of law.

Secondly, because of the increase of HIV related deaths, child marriage seemed also to be on the increase in the church consistory this is because either young girls were married off to the widowers or young girls had little recourse after the death of their parents. The response of the church leadership was to issue a mandate to suspend the girls involved in these practices with or without the partner having to be involved in the suspension. Furthermore, during my time as an elder, I witnessed the death of a young girl of 14 years during childbirth. She was married to one of our older church elders after he was widowed.

### *My Experiences of Growing up in Zambia*

My growing up in the Tonga ethnic group in a setting where marriage is held in high esteem influenced my thoughts on the value of the institution of marriage. In this community, a home is only considered complete when marriage occurs. Even the community is considered incomplete if those who are of marriageable age remain unmarried. As such, the pressure for one to marry is very high. As a young girl, when I saw other young girls who had just completed their initiation ceremony get married in their teens, I too was sometimes envious. The age difference between a husband-to-be and the girl does not really matter, as older men are seen as responsible husbands. During my teen life, I saw this setting as a societal norm that did not need any challenge even when it called for coercion on the side of the girl. This is because in a cultural setting of this nature, marriage is more of a mandate than an option. The

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<sup>32</sup> This is a branch of the Zambia Police Service which deals with issues of gender based violence, and property grabbing from widows and orphans upon the death of a the partner. For more information see <http://www.hrw.org/en/news/2008/05/04/universal-periodic-review-zambia> accessed on 12/06/2010.

on in my ethnic group is widow inheritance. Upon the perform rituals aimed at cleansing the remaining partner from the spirit of the deceased. The main form of cleansing in my ethnic group is sexual cleansing, even though other forms of ritual cleansing are also performed, especially now with the advent of HIV and AIDS. However, even in this time of HIV and AIDS, sexual cleansing is still advocated by some families. As a member of the Tonga ethnic group, I grew up knowing that the only form of widow cleansing is sexual cleansing. Although I may not have been directly involved in these practices, I am motivated to talk about these practices from the experiences of others, as a person born and living within the cultural context where these practices take place. Women and girls whom I have witnessed entering into these marriage practices made me question the validity of these marriages in the context of HIV and AIDS.

### ***1.3.2 Academic Motivation***

#### *Building on my Masters Research*

My Masters research in 2004 in Kitwe in the Copperbelt Province of Zambia focused on how African women's *hospitality*<sup>33</sup> has been abused especially in the time of HIV and AIDS. One of the findings of this study was that within the theology of women's *hospitality*, issues of culture, sexuality, and HIV and AIDS are not well addressed in the church. Other findings showed that the silence on traditional marriage practices like polygamy, widowhood inheritance and child marriage within the church pose a threat of HIV infection to the members involved in these practices. The practices were also seen as a form of oppression to women and girls and, therefore, needed to be challenged. This research set the stage for my current study because this is where I drew my topic of research, which focused on assessing the church's response to these cultural practices in the context of HIV and AIDS.

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<sup>33</sup>By *hospitality* in this study, I meant the works and services rendered by women to others in their families, communities, or in the church in the name of offering service to God. For more information see Lilian Siwila's *African Women, HIV/AIDS and Hospitality: The Case of the Mothers' Union of St. Margaret United Church of Zambia* (Masters thesis, University of KwaZulu-Natal, 2005).

the Study

A study by Clark has shown that, marriage for women is almost universal and is a fundamental social and cultural setting common for child bearing.<sup>34</sup> As an institution that is highly valued by both church and African culture, the institution of marriage is also saturated with Christian and indigenous patriarchy.<sup>35</sup> In most parts of Zambia, as soon as a girl-child is born, the society into which she is born will perform certain rituals that will be focused towards preparing her for marriage.<sup>36</sup> According to Campbell et al., in most developing countries, by the time women reach their early 30s, 98 percent of them are married either formally or informally.<sup>37</sup> In addressing the position of widows, Potash has shown that most of the research done on widows does not show the actual figures of the number of widows. This is because there has been no systematic investigation on the topic.<sup>38</sup> Slater argues that there has been scant research on the plight of widows,<sup>39</sup> especially in relation to the cleansing rituals that widows go through and the concept of property rights. Furthermore, Women 2000 comment that:

It can also be said that there is no group more affected by the sin of omission than widows. They are painfully absent from the statistics of many developing countries, and they are rarely mentioned in the multitude of reports on women's poverty, development, health or human rights published in the last twenty-five years. Growing evidence of their vulnerability, both socio-economic and psychological, now challenges many conventional views and assumptions about this 'invisible' group of people affected or infected with HIV and AIDS.<sup>40</sup>

This is a very significant point for this study as it helps to bridge the research gap created by the silence on these marriage practices. As asserted above, while traditional marriage practices are diminishing because of the Christian and Western influences, nevertheless

<sup>34</sup> Shirley Clark, 'Early Marriage and HIV Risk in Sub-Saharan Africa', *Studies in Family Planning* (2004). [www.infotraconefile.htm](http://www.infotraconefile.htm) accessed on 20/08/2007.

<sup>35</sup> Ezra Chitando, *Acting in Hope: African Churches and HIV/ AIDS 2* (Geneva: World Council Churches, 2007), 9.

<sup>36</sup> Audrey I. Richards, *CHISUNGU: A Girl's Initiation Ceremony among the Bemba of Northern Rhodesia* (London: Faber and Faber Limited, 1982), 41-43.

<sup>37</sup> T. Campbell and M. Kelly, 'Women and AIDS in Zambia; A Review of the Psychosocial Factors Implicated in the Transmission of HIV', *Journal of Pub-Med* 7, no. 3 (1 July 1995), 365-374

<sup>38</sup> Betty Potash, 'Widows in Africa: An Introduction', in *Widows in African Societies*, edited by B. Potash (Stanford: Stanford University Press, 1986), 4.

<sup>39</sup> Mirriam K. Slater, 'Forward', in *Widows in African Societies*, edited by B. Potash (Stanford: Stanford University Press, 1986), xviii.

<sup>40</sup> 'Widowhood: Invisible Women Secluded or Excluded', *Women 2000* (December 2001). [http://www.un.org/womenwatch/daw/public/wom\\_Dec%2001%20single%20pg.pdf](http://www.un.org/womenwatch/daw/public/wom_Dec%2001%20single%20pg.pdf) accessed on 08/10/2007.

ices still continue even among church-goers, posing as  
HIV and AIDS.

For example, Chummar asserts that it is ironic that as Christianity is growing rapidly in Africa, the highest infection rate of HIV and AIDS are in the so-called Christian countries<sup>41</sup> with Zambia as one of these countries.<sup>42</sup> Orobator adds that, on the silver jubilee of the pandemic, statistics continue to paint a frightening tableau of the havoc unleashed by this modern pandemic on the continent.<sup>43</sup> Ayanga further cautions that, from the onset of HIV and AIDS, the pattern of infection has been changing, and therefore there is a need for us to be aware of these changes so that we do not overlook some of the areas that are seemingly a threat to HIV infection.<sup>44</sup> In the context of this study, traditional marriage practices can be identified as some of the challenges to the pandemic.

Hence, theologians researching in the area of HIV, most notable, those who belong to the Circle of Concerned African Women Theologians (the Circle),<sup>45</sup> have challenged the church in Africa to critically examine the institution of marriage.<sup>46</sup> Chitando further argues that across the continent, African Women Theologians have argued that Christianity in most of our African societies must come to terms with African culture. These theologians call for the church to engage in dialogue with local cultures.<sup>47</sup>

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<sup>41</sup>Paul Chummar, "HIV and AIDS in Africa: An Urgent Task for an Inculturated Theological Ethics," *Applied Ethics in a World Church: The Padua Conference*, edited by Linda Hogan (Maryknoll: Orbis Books, 2008), 158.

<sup>42</sup>For more information see Isabel Phiri, "President Fredrick F.T.J. Chiluba of Zambia: The Christian Nation and Democracy," *Journal of Religion in Africa* 33, no. 4 (2003), 401-428.

<sup>43</sup>Orobator, "Ethics of HIV/AIDS Prevention: Paradigms of a New Discourse from an African Perspective," 147.

<sup>44</sup>Hazel Ayanga, "Religio-Cultural Challenges in Women's Fight Against HIV/AIDS in *Women, Religion and HIV/AIDS in Africa: Responding to Ethical and Theological Challenges*, edited by Theresa Hinga et al (Pietermaritzburg: Cluster Publications, 2008), 38.

<sup>45</sup>The term Circle in this sense refers to the name "Circle of Concerned African Women Theologians" as used in different context the word sometimes also serves as a theoretical framework. It describes African women theologians in various contexts, concerns, and methods, who work together for the empowerment of women and recognition of human dignity. A circle in this sense describes connectedness seeking the connectedness of life. It signifies life as continuous flow of force that needs to be nurtured by all at all times. For more information see Musa, M Dube 2001, Introduction: Little Girl, Get Up! in Njoroge N. and Dube M (eds.) *Thalitha cum! Theologies of African Women* Pietermaritzburg: Cluster Publications, 11.

<sup>46</sup>Among the African Women Theologians who have challenged the institution of marriage in the context of HIV and AIDS are: Madipoane Masenya, "Seeking Security Through Marriage: Ruth 1:6-18 Placed Under an African Women's HIV and AIDS Perspective," *Journal of Constructive Theology: Gender Religion and Theology in Africa* 13, no. 2 (2007), 57-70.

<sup>47</sup>Ezra Chitando, *Troubled But Not Destroyed* (Geneva: WCC Publications, 2009), 40.

...use of African Women Theologians who in most of their concerns on some of the oppressive structures within African cultures.<sup>48</sup> Chitando argues that, in the wake of HIV and AIDS, we see that African cultures are heavily implicated in the HIV and AIDS pandemic especially with regard to women.

This has come as a challenge for African churches to re-think their defensive attitudes towards African cultures, as it is no longer possible to adopt an uncritical attitude towards African cultures in the face of the pandemic.<sup>49</sup> This study also aims to build on the call by African Women Theologians to continuously challenge the church to re-examine its teachings and practices on marriage in the context of HIV and AIDS.

#### 1.4 Problem Statement and Objectives of Study

Given the personal and academic motivation I have provided above, the problem that my study wishes to address is the church's position on harmful cultural marriage practices in the context of HIV and AIDS. Further, I wish to examine how these traditional marriage practices have influenced the church's teaching and understanding of Christian marriage. Therefore, the research question is: What role has the church played either to discourage or promote traditional marriage practices that are a threat in the context of HIV and AIDS?

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<sup>48</sup> African Women Theologians have condemned African cultures that are oppressive to women. In most of their writings, these women have shown that their main focus is not to condemn African cultures altogether but to address those cultural practices that are oppressive to humanity and bring them under scrutiny. Examples of these books include; Mercy Oduyoye and Musimbi Kanyoro, eds., *The Will to Arise: African Women and Culture* (Maryknoll: Orbis Books, 1992); Musimbi Kanyoro, *Introducing Feminist Cultural Hermeneutics: An African Perspective* (Cleveland: Pilgrim Press, 2002); Mercy Oduyoye, *Daughters of Anowa: African Women and Patriarchy* (Maryknoll: Orbis Books, 1995); Theresa Hinga, et al., *Women, Religion and HIV/AIDS in Africa: Responding to Ethical and Theological Challenges* (Pietermaritzburg: Cluster Publications, 2008); Elizabeth Amoah, Dorcas Akitunde and Dorothy Akoto, eds., *Cultural Practices and HIV/AIDS: African Women's Voices* (Accra: Sam-Woode Ltd, 2005).

<sup>49</sup>Chitando, *Troubled But Not Destroyed*, 40.

are:

1. To discuss why child marriage is a contributing factor in the spread of HIV.
2. To discuss why widowhood inheritance is a contributing factor in the spread of HIV.
3. To critically examine the role the church has played either in promoting or discouraging traditional marriage practices in the church.
4. To analyse the Marriage Guidance Programme and the Marriage Guidance teaching guides as an entry point to re-examine the theology of marriage, using the principles of African feminist cultural hermeneutics.

## 1.5 Research Methodology

In order to meet the objectives of the study, I conducted empirical research which used in-depth interviews, Contextual Bible Study, and focus group discussions. In this section, these tools are discussed in detail showing how each of them is relevant to the study. Other details discussed are the design of the study that includes sampling, sampling procedures, ethical issues, and data analysis techniques. One of the major aspects of field research is the choice of the research site. In the discussions that follow, I have shown the importance of the research site and its effect on the findings of the study.

### 1.5.1 Research Site and the Procedures to Gain Access

The research sites for this study were the two towns of Kitwe and Mufulira in the Copperbelt province of Zambia. As Strydom states, the choice of the problem is directly linked to the particular field in which the inquiry is to be undertaken.<sup>50</sup> In this case the problem of the church's perception of child marriage and widowhood inheritance has a strong bearing to the research site. This is because, first, traditionally the Copperbelt province is the birth place of the UCZ. Hence the formulation of most of the church's policies including marriage policy emerged from this province.<sup>51</sup> Second, the Copperbelt province is among the provinces with

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<sup>50</sup> Herman Strydom, "Information Collection: Participant Observation", in edited by A. de Vos, et al., *Research at Grassroots: For the Social Science and Human Service Professions* 2<sup>nd</sup> ed. (Pretoria: Van Schaik Publishers, 2005), 282.

<sup>51</sup>For more information of the history of the church see Peter Bolink, *Towards Church Union in Zambia*.

e country.<sup>52</sup> The economic position of the two towns as a great deal of migration of people from the rural areas. This has exacerbated the spread of HIV and AIDS in the Copperbelt.<sup>53</sup> The other factor, as related by Ilana Ron, Wenjuan Wang and Obiko Magvanjav, is that the Copperbelt province is among the highest in heterosexual infections in Zambia. At the same time, Zambia's HIV infection is generally influenced by heterosexual sex within marriages.<sup>54</sup> Thus, this site was chosen not only because of its accessibility but its relevance to the research question.<sup>55</sup>

Strydom suggests some of the concerns to look for in the choice of a research site are: the policy of that community, the visibility of the problem in that particular community, the attitude of the community towards outsiders, and the format of getting permission.<sup>56</sup> All the above concerns were covered by both my position as a part of these two communities and my professional exposure to research ethics. In view of some of the concerns raised above, I had to get permission to enter this field from the hierarchy of the church.

### ***1.5.2 Methods of Data Collection***

Having established the importance of the location of the study, I now turn to the question of how my data was collected. I used three research instruments: Interviews, Contextual Bible Studies and focus group discussions. I will detail each of these in turn below.

#### *Interviews*

Interviews are one of the qualitative research methods that were used in this study. According to Greeff, interviewing is the predominant mode of data or information collection in qualitative research. It is a way of getting to hear other people's stories.<sup>57</sup> Kvale defines qualitative research interviews as attempts to understand the world from the *participants'*

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<sup>52</sup> Zambia Country Progress Report March 31<sup>st</sup> 2010.

<sup>53</sup> AVERT, *HIV/AIDS in Zambia* <http://www.avert.org/aids-zambia.htm> accessed on 05/03/2010.

<sup>54</sup> Ilana Ron, Wenjuan Wang and Obiko Magvanjav, "Who Goes Where and Why? Examining HIV Counseling and Testing Services in the Public and Private Sectors in Zambia", (October 2009). [www.psp-one.com/files/5350\\_filezambiaBrief-final.pdf](http://www.psp-one.com/files/5350_filezambiaBrief-final.pdf) accessed on 10/03/2010.

<sup>55</sup> John W. Creswell, *Qualitative Inquiry and Research Design: Choosing Among Five Traditions* (London: SAGE Publications, 1988), 117.

<sup>56</sup> Strydom, "Information Collection: Participant Observation", 282.

<sup>57</sup> Minrie Greeff, "Information Collection: Interviews", in *Research at Grassroots: For the Social Science and Human Service Professions 2<sup>nd</sup> Edition*, edited by A. de Vos (Pretoria: Van Schaik Publishers, 2002), 292.

ing of people's experiences.<sup>58</sup> In a further discussion,  
ing the most widely used methods for data generation in  
the social sciences.<sup>59</sup> Holstein and Gubrium also concur that:

Interviews provide a way of generating empirical data about the social world by asking people to talk about their lives. In this respect, interviews are special forms of conversation. While these conversations may vary from highly structured, and standardized, quantitatively oriented survey interviews to semi-formal guided conversations, and free-flowing informational exchanges. All interviews are interactional.<sup>60</sup>

It is this interactional focus, and a focus on people's experiences that made interviews an attractive option for my data collection it is also in line with my feminist theoretical framework. A cornerstone of feminist theology, as many scholars have argued, is experience.<sup>61</sup> Therefore, in order to gain access to women's experiences, the use of in-depth interviewing was necessary as discussed below.

#### *In-depth Semi-structured Interviews with Church Leaders*

The first form of interview that was conducted in this study was in-depth semi-structured interviews. All interviews were conducted in both Bemba and English, and where interviews were conducted in Bemba I translated the transcripts myself. The first sets of interviews were conducted with 16 church leaders drawn from four congregations namely Mindolo, Mwaiseni, Jordan and Mufulira central UCZ. (Four leaders were chosen from each of the four congregations). Each of these leaders was interviewed individually using a semi-structured interview guide (see Appendix A). These leaders were selected according to hierarchy and gender. The preferable choice was the clergy, church secretary and two elders in each congregation.

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<sup>58</sup> Steinar Kvale, *Interviews: An Introduction to Qualitative Interviews* (Thousand Oaks California: Sage Publishers, 1996), 1.

<sup>59</sup> Carolyn Baker, "Membership Categorization and Interview Accounts", in *Qualitative Research: Theory, Method and Practice*, edited by David Silverman (Thousand Oaks: Sage, 1997), 130-143.

<sup>60</sup> James A. Holstein and Jaber F. Gubrium, "Active Interviewing", in *Qualitative Research: Theory, Method and Practice*, edited by David Silverman (Thousand Oaks: Sage, 1997), 113.

<sup>61</sup> Rosemary R. Ruether, "Feminist Interpretation: A Method of Correlation", in *Feminist Interpretation of the Bible*, edited by Letty M. Russell, (New York: Basil Blackwell, 1985), 114; Elisabeth Schüssler Fiorenza, *Wisdom Ways: Introducing Feminist Biblical Interpretation* (Maryknoll: Orbis Books, 2005), 171-172.

comfortable with the interviews despite the permission sought and their Bishops.<sup>62</sup> This discomfort was mainly due to fear of hierarchy. To some, this fear went beyond the hierarchical fear to fear of being interviewed by a woman who was not ordained, on matters they thought that they were theologically conversant with. My position as a theologian and professional could not make up for the fact that I still was a woman and not ordained.<sup>63</sup> This shows how even the process of research is gendered.

These church leaders were asked to consent either verbally or in written form before the interviews (see Appendix G). The church leaders were asked to provide information on: a) what they knew about child marriage and widow inheritance? Whether these two practices are found in the church? b) What is the position of the church on these two practices? c) What is their perception on these marriage practices in relation to the teachings of the church? d) What is their perception of these marriage practices in relation to HIV and AIDS infection on the couples involved? e) Are there any HIV and AIDS educational programmes within the church that are used to address these traditional practices? f) What is the theology of the church on the institution of marriage?

#### *In-Depth One-on-One Open-Ended Interviews with Women and Girls*

The second form of interviews was one-on-one open-ended interviews with 24 participants consisting of girls and women who are involved in child marriages and widowhood inheritance practices respectively. The 24 participants included 12 girls involved in child marriage, and 12 widows all drawn from four congregations. The study focused on only those girls who were married to men who were older than them. This helped to respond to the

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<sup>62</sup> My previous experience in this church has shown that without following the protocol of getting permission, it would become almost impossible to reach the required participants. If reached, it may be difficult to collect the required data. The discomfort among some of these leaders could only be overcome by assuring them that the correct procedure for getting permission, as stipulated by the church, has been followed.

<sup>63</sup> I bring this point to emphasise the role that masculinity plays in the church. My encounter with what I would call patriarchal oppression was first with one church pastor. When approached at his office to book for an appointment for interviews, he asked me what I had to offer to his church as an unordained woman, even though I was a theologian. Although my position as a woman was challenged, I did not allow this gender oppression to override my position as a researcher. Despite the negative response, he agreed to be interviewed, and signed the consent form. The interview proved fruitful as I located myself not only as a woman but as theologian and researcher.

marriage of girls to men who are older than them carries an

The age group of these girls ranged from 16-19 years at the time of the interview, even though many of them were married at a much younger age. Ethically, the consent form administered to this group was designed in such a way that these girls were treated as adults as such in Zambia at 16 years, these girls qualify as adult citizens of the country. For this reason, they consented as any other person in the study without the support of their husbands. However, verbal permission from their spouses was sought where recommended by these spouses. This is because in research, gatekeepers sometimes can also be family members who need to be consulted for permission in order to gain access to the required data.

The sampling procedure for these participants was through purposive and snowball sampling. In this case, the focus was on girls and women involved in widowhood inheritance and child marriage in the UCZ. Purposive sampling as Strydom and Reid suggest, is a kind of sampling that is based on the researcher's judgment, in that the sample is composed of elements that contain the most characteristics representative of typical attributes of the population.<sup>65</sup> The purposive sampling was used to identify the first participants who were involved in these traditional marriage practices. These participants were later on used as agents of snowball sampling that was used to access participants through what Krathwohl calls audience credibility.<sup>66</sup> In order to avoid stigmatization, the first participant to be identified was also used as a key participant in the study. The use of the participants to identify other possible participants for the study helped to eliminate any hierarchical position that may interfere with the findings. Strydom and Venter define snowball sampling as a method which involves approaching a single case that is involved in the phenomenon to be investigated, in order to gain information on other similar persons.<sup>67</sup>

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<sup>64</sup> For more information see Nawal Nour, "Child Marriage: A Silent Health and Human Rights Issue", *Pub-Med Journals Rev Obstet Gynecol*, no. 1(Winter 2009), 51656.

<sup>65</sup> Herman, Strydom and Leone Venter, "Sampling and Sampling Methods", in *Research at Grassroots: For the Social Science and Human Service Professions* edited by A.S. de Vos (Pretoria: Van Schaik Publishers, 2002), 207.

<sup>66</sup> David Krathwohl, *Social and Behavioral Science Research: A New Framework for Conceptualizing, Implementing, and Evaluating Research Studies* (San Francisco: Jossey-Bass Publishers, 1985), 142.

<sup>67</sup> Strydom, and Venter, "Sampling and Sampling Methods", 208.

considered as major factor in the sampling procedure. identify the difference between the youngest widow and the oldest as 25 years and 62 years respectively. This helped to show that widowhood inheritance runs across all the age groups. Most of the interviews took place within the environmental setting of the participants, except for those participants who opted to be interviewed outside their home setting. Although this may not be a good approach due to distractions especially when dealing with a sensitive topic, it also has some advantages. Bogdan agrees that interviewing people in their own settings is similar to participant observation. This is due to the fact that you are interacting with them in the place that they normally spend their time. In this way, they can be observed as they interact with the objects of their worlds.<sup>68</sup>

During the interviews, all participants from this category were asked to provide verbal or written consent for the interviews (see Appendix B and C). Questions to be covered included: a) How did you find yourself in the practice? b) Did you have a choice whether to be involved in these practices or not? c) Do you have any fears or worries about your position? c) Do you think of HIV as a potential risk to your marriage? d) What do you think is the position of the church to your situation? The objective of these interviews was to find out how these participants perceive these traditional marriage practices in view of their possible HIV risk factor, and what they think is the position of the church on these practices. The interviews were treated with high confidentiality due to the nature of the topic.

Another aspect that needs to be taken into consideration when conducting interviews is the concept of discourse analysis. One positive aspect of discourse analysis that worked well in this study was the whole idea of using discourse analysis to understand the silences surrounding African cultures. The silent words spoken through discourses in some instances held more meaning to the problem than the audibly spoken words. Given that the study was focusing on traditional marriage practices, this created space for the use of proverbs, myths and idioms that were mostly expressed in the form of discourse. As a way of retrieving indigenous knowledge, these discourses emerged consciously or unconsciously from the participants as a rich form of data that sometimes can be withheld by the participants.

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<sup>68</sup> Robert Bogdan, "Interviewing People Labelled Retarded", in *Field Work Experience: Qualitative Approaches to Social Research*, edited by W.B. Shaffir et al (New York: St. Martins, 1990), 242.

One way of addressing the problem of discourse is to see the interviewee as someone who does not just give out information but as one who also accounts for information. This means that while she is formulating each and every response she *accounts* for her position in society and specifically her position and experience with regard to the research topic.<sup>69</sup>

Following the interviews conducted in this study among women and girls, some of the participants were very cautious about the information they gave out during the interview. This was evident from the way that some of the participants selectively provided information, at the same time withholding some of the information. This became more evident when dealing with topics related to sexuality. Most of the women and girls avoided questions related to their sexuality or sexual rituals by answering them in a discursive manner. One of the reasons given by these participants was fear of breaking the taboo of silence on sex matters. In some cases the participants tended to provide what I call ‘blurred answers’ or disguised ‘with false positives’. As Chitando has argued, sexuality, gender, and poverty in Africa are shrouded in secrecy.<sup>70</sup> It is this secret approach to sex that made the participants to be careful of the kind of answers that they provided to the point that they did not just give out information but accounted for their responses on behalf of the society.

In the context of HIV and AIDS, Weinreich and Benn argue that the spread of HIV and AIDS in most parts of sub-Saharan Africa is directly related to conspiracies of silence and secrecy related to sexuality.<sup>71</sup> There are various reasons that lead to secretive behaviour especially among the women in Africa. Chitando observes that in some societies, keeping secrets is regarded as a negative trait while in others it will be regarded as a mark of maturity.<sup>72</sup>

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<sup>69</sup> Elizabeth Henning, et al. *Finding Your Way in Qualitative Research* (Pretoria: van Schaik Publishers, 2004), 55.

<sup>70</sup> Ezra Chitando, ‘Disclosing Layers of Secrecy: Studying African Indigenous Religion in Context of HIV and AIDS’, in *Mainstreaming HIV and AIDS in Theological Education: Experiences and Explorations*, edited by Ezra Chitando, (Geneva: WCC Publications, 2008), 174.

<sup>71</sup> Sonja Weinreich and Christoph Benn, *AIDS: Meeting the Challenge* (Geneva: WCC, 2004), 47.

<sup>72</sup> Chitando, ‘Disclosing Layers of Secrecy’, 174.

related to sexuality especially among the women, is part of initiation ceremonies that are intended to prepare girls for marriage.<sup>73</sup> In this context, it can then be argued that the women and girls could either have been following cultural values learned during initiations in their withholding data and opting to use discourses, or were doing so to protect the community values. This is a factor that I had to be constantly aware of when conducting these interviews.

Although interviews are seemingly viewed as the most common form of data collection in most qualitative studies, this study also used other methods such as group work in the form of Contextual Bible Studies and focus group discussions. I now turn to a discussion of how I used Contextual Bible Study as a method of data collection.

### *Contextual Bible Studies*

West<sup>74</sup> is one of the male theologians who has advocated for a reading of the Bible with ordinary readers in different communities. West's methodology goes beyond the biblical scholarship of reading and interpreting the Bible to a more contextual approach to the reading of the Bible. His work emerges as the major influence to the birthing of Contextual Bible Study method of reading the bible which has been effectively used in addressing various issues that affect people in their communities such as gender based violence. This is the reason why this study adopted the Contextual Bible Study<sup>75</sup> as it allowed the reading and interpretation of the Bible by ordinary readers. According to West this method emerged out of a range of Bible studies with men and women from Anglican Bible study groups in Pietermaritzburg in South Africa. It is these series of Bible studies that saw the birth of what

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<sup>73</sup> Among the Bemba and Tonga ethnic groups of Zambia, as girls undergo the initiation ceremonies, the teaching on secrecy in marriage is so intense that some of the proverbial songs sung for the bride during the wedding are to tell her to keep secrets in her marriage. As much as this helps to keep the integrity of the community and the marriage, this teaching has also contributed to the silencing of women even when there is abuse in the family. Siwila states that in most Zambian societies, the culture of silence among women is so strong that it has contributed to the oppression of women. For more discussion see Lilian Siwila, "When Home is Not a Safe Place: Examining the Vulnerability of Orphans in Foster Homes in Zambian Communities", in *Compassionate Circles: African Women Theologians Facing HIV*, edited by Ezra Chitando and Notando M. Hadebe (Geneva: WCC publications 2009), 145-156.

<sup>74</sup> See Gerald O. West, *The Academy of the Poor: Towards a Dialogical Reading of the Bible*, (Sheffield: Sheffield Academy Press 1999). Other sources where West provides details of contextual reading of the bible include; Gerald O. *Contextual Bible Study*, (Pietermaritzburg: Cluster Publications 1993). (2000), West (2006).

<sup>75</sup> The use of Contextual Bible Study as a methodology has received a lot of discussion around its viability as an academic method other than a form of Bible study used to convert people or provide a spiritual direction. Scholars like West and Nadar have shown the viability of this method for academic purposes especially when collecting data related to subject matters of oppression and gender based violence.

Contextual Bible Study, a Bible reading process of liberation

Apart from the works of West on Contextual Bible Study, Nadar has also engaged her work in Contextual Bible Studies. The author defines Contextual Bible Studies as; 'an interactive study of particular texts in the Bible which brings the perspectives of both the context of the reader and the context of the Bible into dialogue, for the purpose of transformation.'<sup>77</sup> For Nadar, the main focus of Contextual Bible Study is transformation and change.<sup>78</sup> In this study, I opted to use Contextual Bible Study as one of the tools for collecting data for various reasons.

First is the concept that the Bible is close to the lives of many Africans. One important factor to note within the writing of the Circle of Concerned African Women Theologians is the closeness of the Bible to women's lives.<sup>79</sup> Kanyoro adds that the awe that rural women in Africa have for the Bible and foreign religion means that they take the Bible seriously.<sup>80</sup> The Bible in most African societies is seen to be authoritative. Africans look to the Bible for all the answers to their problems. Therefore, using the Bible in this study was significant in that the people were using their readily available resource to address problems affecting their communities. An emphasis though should be added that Contextual Bible Studies challenge the uncritical reading of the Bible that is dominant in most African communities.<sup>81</sup> It also allows for a critical reading of the Bible from a particular perspective.<sup>82</sup>

<sup>76</sup>West, *The Academy of the Poor*, 5.

<sup>77</sup>Sarajini Nadar, 'Beyond the 'Ordinary Reader' and the 'Invisible Intellectual'', *Old Testament Essays* 22, no.2 (2009), 387.

<sup>78</sup>Nadar, 'Beyond the 'Ordinary Reader' and the 'Invisible Intellectual'', 390.

<sup>79</sup> In most of her studies, Dube has written on the need for women scholars to read the Bible with the ordinary people especially in the context of HIV and AIDS. Much of this information can be found in Musa W. Dube, *The HIV and AIDS Bible: Selected Essays*, (Scranton: University of Scranton Press, 2008).

<sup>80</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 10.

<sup>81</sup> Isabel A. Phiri, 'HIV/AIDS: An African Theological Response in Mission', *The Ecumenical Review* 56, no. 4 (2004), 425. See also Sarajini Nadar, 'The Bible Says! Feminism, Hermeneutics and Neo-Pentecostal Challenges', *Journal of Theology for Southern Africa* 134 (July 2009), 131-146. Nadar also raises challenges on the uncritical reading of the Bible, especially among the Pentecostal readers where part of her religious roots are traced from. The author tries to call for life affirming rather than life denying interpretations of the scripture.

<sup>82</sup> Beverley Haddad, 'Living It Out: Faith Resources and Sites as Critical to Participatory Learning with Rural South African Women', *Journal of Feminist Studies in Religion* 22, no.1 (Spring 2006), 136-145. Research conducted by Haddad with a group of women from KwaZulu-Natal exposed the critical reading of the Bible from a perspective of rape, violence and poverty. Although this is just one example of the many Contextual Bible Studies conducted by different scholars, it stands out as one example where the Bible was used from a particular perspective; one different from the way it has always been read. For more information on Contextual reading of the Bible see also G. West, *Contextual Bible Study* (Pietermaritzburg: Cluster Publications, 1993).

used due to its approach of reading the Bible with one's with the church's understanding of traditional marriage practices meant working with the bible. This meant that, apart from using the African culture and the Christian traditions, some biblical texts needed to be read and analyzed critically so as to determine the bible's contribution to the way these marriages are addressed by the church. In order to provide a better analysis of these texts, a feminist biblical hermeneutics coupled with a contextual reading of the bible provided this platform. West asserts that:

Ordinary Christians are not used to reading the bible closely and carefully either in its literary or its social-historical dimensions, so by enabling a more careful reading process we develop reading strategies that are not only useful for the reading of the Bible but that are also useful for reading reality.<sup>83</sup>

West's argument agrees with Kanyoro's work among the Bware people<sup>84</sup> that informed her discussions of a hermeneutics that will also address the interpretation of biblical texts by ordinary African women. In this study, the use of Contextual Bible Study helped to engage the ordinary readers both men and women in the discussions of their perception of traditional marriage practices found within their church. This therefore shows that since the Bible is one of the tools apart from African culture and church traditions that has been identified as oppressive to African women, its interpretation and analysis becomes crucial to the liberation of both men and women. This means that feminist cultural hermeneutics theories, when used in the ecclesial realms, cannot operate outside the Bible.

According to Dube, among African Women Theologians, the concept of the Circle represents the space of speaking, listening and affirming each other as well as mobilizing social action.<sup>85</sup> Dube sees this to have been made possible by women gathering together to read biblical and cultural stories. Dube, whose focus has lately been re-directed to HIV and AIDS, emphasizes that if a theology of HIV and AIDS must be life and action oriented, then the challenge of reading with, and reading from one's community cannot be overemphasized.<sup>86</sup>

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<sup>83</sup> Gerald West, "Contextuality", in *The Blackwell Companion to the Bible and Culture*, edited by J.F.A. Sawyer (Malden: Blackwell Publishing House, 2006), 409.

<sup>84</sup> This is a group of women that Kanyoro worked with on the book of Ruth whose work she discusses in her book on feminist cultural hermeneutics. Having conducted a Bible study on the book of Ruth with these women, Kanyoro concluded that African women's biblical hermeneutics required a complementary work of both the ordinary scholars and academically trained scholars who will provide guidance on the historical and context readings of the text. See Kanyoro, *Introducing Feminist Cultural Hermeneutics*.

<sup>85</sup> Dube, *The HIV and AIDS Bible*, 109.

<sup>86</sup> Dube, *The HIV and AIDS Bible*, 110.

Conducted in this study brought together men and women from different backgrounds to read the Bible with each other. It also helped participants to facilitate discussions on marriage practices that affect members of the UCZ in the context of HIV and AIDS. Because of their allegiance to the Bible, the Contextual Bible Studies provided a safe space to elicit the thoughts and views of the participants on the issue of traditional marriage practices. At the same time, in line with my feminist stance of mutuality in research, through the research process the community became empowered to critically engage the Bible and their own cultural practices. This is the point of the theory of feminist cultural hermeneutics which will be discussed later.

In this study small groups for Contextual Bible Studies were conducted with one group of eight women and one group of eight men in each of the four congregations on two selected Bible passages; 1Kings (1:1-4),<sup>87</sup> ( see appendix K for full biblical passage)and Genesis (38:1-28)<sup>88</sup>(see appendix L for full biblical passage). Each congregation provided 16 participants consisting of both men and women, bringing the total to 64 participants. The Bible studies were conducted in the four congregations of the Copperbelt presbytery, namely Mufulira, Jordan, Mindolo and Mwaiseni congregations. Participants for the Bible study were selected through their section leaders<sup>89</sup> with the help of a research assistant.<sup>90</sup> Sampling involved participants who were 18 years and above. This was done in order to suit the requirements of age related research ethics. Only one member from each family was allowed to participate in the Bible study so as to allow for a wide range of representation from the communities. All

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<sup>87</sup> This is the passage telling the story of King David who, when he became old, was given a virgin girl by his servants so that she can lie at his bosom in order to keep him warm. According to the text, King David never had sex with her. The story can be related to *mpokeleshi*, a cultural practice that was common among some ethnic groups like the Mambwe, Nawanga, Tumbuka and Bemba of Zambia. The practice held that as a husband is getting old, the family of the wife found a young virgin for him who could warm him up and provide sexual pleasure in the absence of the wife. This is because after menopause the wife was considered sexually inactive. This passage was chosen to discuss the problem of child marriage, in the context of HIV and AIDS and the church's response to the practice.

<sup>88</sup> This is a story of Tamar, Judah's daughter-in-law whose first husband died. The young brother was asked by the father to have sexual intercourse with the widow in order to raise children in the name of the deceased brother. However, this son instead spilled the sperm on the ground, not wanting to have a child with the widow. This displeased God, and the man died after the ritual. Tamar was then told to wait for the youngest son of Judah to grow up so that he can raise children in his brother's name. The climax of this story is when Tamar traps her father-in-law so that she could have children by him, thereby restoring her status in the community. This passage brings out many issues on widowhood inheritance that will be addressed during my research.

<sup>89</sup>Section leaders are men and women who are in-charge of Bible study groups within the church. The job of these men and women is to conduct weekly Bible studies in their sections and also to care for the spiritual needs of people.

<sup>90</sup>This was a student minister who was selected to help in the process of Bible studies. His main task was to help in writing of the Bible study scripts.

nt in order to participate in the study (see Appendix I).  
ected, pastors of these congregations were consulted for  
permission to hold Bible studies in their churches. This was to create a good rapport with the  
gate keepers of these communities. The premises for conducting the Bible studies were  
within the congregations.

Two Bible study guides were used to conduct Contextual Bible Studies on the two topics  
identified in the study (see Appendix E and F). The following were the questions that were  
included in the guide: a) How do the two passages relate to the widowhood inheritance and  
child marriage practices respectively? b) How common are the practices in the UCZ? c) Do  
members of the UCZ involved in these practices use such kinds of Bible passages to validate  
their acts? d) What is their position on these practices in relation to HIV infection of the  
people involved? e) How are these practices viewed in the church? d) What is the role of the  
UCZ in addressing these practices in view of their HIV and AIDS risk factor? f) What are the  
ways in which the UCZ can respond to these marriage practices using the existing resources  
in the church?

#### *Focus Group Discussion with Marriage Guidance Committee*

The last methodology used in this study was a focus group discussion with eight participants  
who were members of the Marriage Guidance Committee. The members were drawn from  
the four congregations that were visited during the field research. Mouton states that focus  
group discussion allows people to communicate in a more meaningful way on a particular  
topic.<sup>91</sup> In this case, the participants were members of the Marriage Guidance Committee  
and were all involved in pre-marital and marital counselling in the church. The questions  
were prepared to be used as a guide to the discussions (see Appendix D). The purpose of the  
focus group discussion in this study was twofold. First, it acted as a means of evaluating an  
existing programme so as to produce new interventions in the Marriage Guidance  
Programme. Together with the focus group discussion, I also evaluated the marriage guidance  
teaching guides that were collected from the two churches visited during the field research.  
The second reason for using focus group discussion was to clarify potential opinions and  
suggest new ideas on the programme.

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<sup>91</sup> Johann Mouton, *Research Methodology: The Practice of Social Research* (Cape Town: Oxford University, 2001).

session included gender and membership in the marriage committee. The committee had two members, a man and a woman. These were members who had served on the committee for more than two years. The focus group discussions were held at a central place which was conducive for all the participants. The participants of each focus group discussion were asked to consent either verbally or in writing (see Appendix J). The questions for this group included: a) What are the topics covered in the Marriage Guidance programme? b) How do you understand your role as Marriage Guidance Committee members? c) What are some of the challenges in your leadership position? d) What changes do you want to see in the Marriage Guidance Committee?

### 1.6 Data Analysis and Theoretical Framework

Having described how my research data was collected, I now move on to discuss the ways in which the data was analysed. Data analysis is the process of bringing order, structure, and meaning to the complicated mass of qualitative data that the researcher generates during the research process.<sup>92</sup> Qualitative analysis of the data based on the notes taken and the tape recording during the Contextual Bible Studies, individual interviews, and focus group discussion from the four congregations were typed and coded thematically using both content and discourse analysis. The codes for this study were as follows: for the Contextual Bible Studies, the participants were coded according to name of the congregation, and gender. Church leaders' interviews were coded according to gender, name of congregation, and position held in the church where necessary. Interviews for the women and girls were coded according to the kind of traditional marriage practice one is involved in, and the name of the congregation. The responses from the focus group discussion for Marriage Guidance Committee were coded according to gender, name of the congregation, and age (optional).

All the information gathered during the field research was divided into three categories for analysis: a) traditional marriage practices in general; b) child marriage and c) widow inheritance. Cutting across all three of these categories was the central research question: -What is the response of the UCZ to traditional marriage practices which are harmful in the context of HIV and AIDS?

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<sup>92</sup>John Swinton and Harriet Mowat, *Practical Theology and Qualitative Research* (London: SCM Press, 2006), 57.

collected to answer this central question was filtered through a theoretical framework. In most social science research, theories act as the backbone to the research. They are the perspectives through which the study can be viewed in order to validate the findings of the study. Barker further describes theory as:

a tool, instrument or *logic for intervening* in the world; it involves the thinking through of concepts and arguments, often redefining and critiquing prior work, with the objective of offering new tools by which to think about our world. It is a story about humanity with implications for action and judgments about consequences.<sup>93</sup>

This study adopted feminist cultural hermeneutics as developed by Oduyoye<sup>94</sup> and Kanyoro<sup>95</sup> as its theoretical framework. This framework provides a *logic for intervening* in that it provides a perspective by which traditional marriage practices and the responses of the church can be analysed using a gendered framework. Kanyoro sees cultural hermeneutics as an analysis and interpretation of how culture conditions people's understanding of reality at a particular time and location.<sup>96</sup> Context and time play a very important role in any cultural analysis. This is because not all cultures are the same and nor are they all static<sup>97</sup> even though there are some cultural rituals that are common within the African continent. Phiri and Nadar view feminist cultural hermeneutics as a tool through which both the biblical practices of the culture and the varied cultures extant within Africa are interrogated.<sup>98</sup>

Rakoczy further states that, feminist cultural hermeneutics helps women read biblical texts in dialogue with their own cultural understanding and become critical of the intersections between them.<sup>99</sup> Kwok Pui-lan adds that, feminist cultural hermeneutics is an important tool that African Women Theologians have developed in order to analyse their culture, religion and Christian heritage.<sup>100</sup>

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<sup>93</sup>Chris Barker, *Cultural Studies: Theory and Practice* (London: Sage Publications, 2000), 33.

<sup>94</sup>For more information see the first and second chapter, Oduyoye, *Introducing African Women's Theologies*.

<sup>95</sup>See the book by Kanyoro, *Introducing Feminist Cultural Hermeneutics*.

<sup>96</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 9.

<sup>97</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 64.

<sup>98</sup>Isabel Phiri and Sarojini Nadar, "What is in a Name? Forging a Theoretical Framework for African Women's Theologies," *Journal of Constructive Theology* 12, no.2 (2006), 5-20.

<sup>99</sup>Susan Rakoczy, *In Her Name: Women Doing Theology* (Pietermaritzburg: Cluster Publications, 2004), 166.

<sup>100</sup>Pui-lan Kwok, "Mercy Amba Oduyoye and African Women's Theology," *Journal of Feminist Studies in Religion* 20, no.1 (2001), 15.

an cultures, Kanyoro sees most African cultures as a creed both as a creed for the community's identity, and as the justification for oppression and injustice<sup>101</sup> especially towards women. Elaborating further on women's experience of culture, Kanyoro argues that:

Women in Africa are custodians of cultural practices. For generations women have guarded cultural prescriptions strictly governed by the fear of breaking taboos; harmful traditional practices are passed on as cultural values and therefore are not to be discussed, challenged or changed.<sup>102</sup>

Following Kanyoro's argument, this study too asserts that in the name of culture preservation, traditional marriage practices like widowhood inheritance and child marriage have been perpetuated in the UCZ as part of a cultural norm. Therefore, Kanyoro argues that issues such as women being custodians of culture illustrate the reality of women's vulnerability in the face of culture in Africa.<sup>103</sup> The need for cultural hermeneutics in this sense cannot be over emphasized. In another development Kanyoro argues that in trying to analyse women's experience of traditional marriage practices, there is need to deal with the historical and social context of the people involved in the culture coupled with factors that influence these cultures.<sup>104</sup> Kwok further argues that, since African women's cultural heritage is multi-layered, their cultural hermeneutics too has to be multi-dimensional so that it can analyse different aspects of culture.<sup>105</sup> This then calls for a need to address women's experience of culture holistically and contextually. In an endeavour to analyse culture, it is also important to guard against any form of stereotype that may lead to passing judgment on the culture without applying any form of cultural analysis.

In this study, Kanyoro's feminist cultural hermeneutics has been used in three ways: First, Kanyoro argues that feminist cultural hermeneutics is a tool which enables women's voices to be heard and that unless women's voices are heard, their oppression will continue through power imbalances.<sup>106</sup> Both Phiri and Nadar<sup>107</sup> agree with Oduyoye<sup>108</sup> and Kanyoro<sup>109</sup> that

<sup>101</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 13.

<sup>102</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 15.

<sup>103</sup> Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 15.

<sup>104</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 16.

<sup>105</sup>Kwok, "Mercy Oduyoye and African Women's Theology", 15.

<sup>106</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 57.

<sup>107</sup> Phiri and Nadar, "What is in a Name?" 7.

<sup>108</sup> Mercy A. Oduyoye, *Introducing African Women's Theologies* (London: Sheffield Academic Press, 2001).

<sup>109</sup> See the work of Kanyoro in Kanyoro, *Introducing Feminist Cultural Hermeneutics*.

cornerstone for women doing theology in most African churches. Phiri's work aims to uphold feminist cultural hermeneutics for its current engagement with HIV and AIDS research within the Circle and its commitment to what they call grassroots women living in faith communities.<sup>110</sup>

In most of her scholarly work Phiri often argues that African women need to begin to write their own stories that have for a long time been written by male African Theologians.<sup>111</sup> In order to respond to Phiri's call, this study focused on traditional marriage practices that mainly affect women, and sought to make the voices of women who were involved in these oppressive practices of child marriage and widowhood inheritance to be heard. Therefore, one can say that feminist cultural hermeneutics provide a platform for all stakeholders in traditional marriage practices to have their voices heard.

Second, because feminist cultural hermeneutics is interested in the intersection between the gospel and culture, this theory was helpful to my study particularly when analysing the data obtained from the church and society. Kanyoro asserts that, feminist cultural hermeneutics is an important theological tool of analysis because it takes both culture and the gospel seriously.<sup>112</sup> She further asserts that women's experience of church comes with a contradiction between the sense of belonging and the silencing women feel within the body of Christ.<sup>113</sup> In the context of child marriage and widowhood inheritance when found in the church, most women opt to undergo oppressive practices secretly in order to protect the image of the church even when it is done at the expense of their dignity and humanity.

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<sup>110</sup> Isabel A. Phiri and Sarojini Nadar, "Introduction: 'Treading softly but Firmly'", in *African Women Religion and Health: Essays in Honor of Mercy Amba Ewudziwa Oduyoye*, edited by Isabel Phiri and Sarojini Nadar (Pietermaritzburg: Cluster Publications, 2006), 6.

<sup>111</sup> Phiri uses these words in most of her address in describing some of the features of the Circle of Concerned African Women Theologians. Phiri's position is one that is reflected in her literature and the literature of other African women Theologians. For more see Phiri and Nadar "What is in a Name?", 12. Here Phiri and Nadar show that Kanyoro proposed feminist cultural hermeneutics as a response to the inculturation project proposed by African theologians and the broader black consciousness movement. This is one of the things that make African Women's Theologies different from African theology.

<sup>112</sup> Musimbi Kanyoro, "The Challenge of Feminist Theologies", in *In Search of a Round Table: Gender Theology and Church Leadership*, edited by Musimbi Kanyoro (Geneva: WCC Publications, 1997), 177.

<sup>113</sup> Musimbi A. Kanyoro, "God Calls to Ministry: An Inclusive Hospitality", in *Groaning in Faith: African Women in the Household of God*, edited by Musimbi Kanyoro and Nyambura Njoroge (Nairobi: Acton Publishers, 1996), 150.

engages in dialogue that is going to help these men and women to be church<sup>114</sup> within the context of their culture. As will be shown later, some of the men and women involved in child marriage and widowhood inheritance in the UCZ participate in these practices in order to uphold their cultural values. This is despite the consequences these practices have for them, hence, the need for a cultural analysis. Furthermore, in some cases the Bible has also been used as a means for justifying these cultural practices. Hence, feminist cultural hermeneutics is valuable as a tool for examining the Bible from a cultural perspective and for scrutinizing the multi-cultural layers embedded in biblical narratives.<sup>115</sup>

Third, feminist cultural hermeneutics is also interested in how oppressive cultural practices can be transformed. Transformation in this case will mean doing away with the oppressive practices while returning and affirming those practices that are life giving. In this study, one particular aspect that I also had interest in is the Marriage Guidance Committee. Feminist cultural hermeneutics contributed towards the development of more gender equitable teachings that could be incorporated into the Marriage Guidance Committee. It does all of this while remaining critically faithful to African culture. Thus, it can be said that the use of feminist theories like feminist cultural hermeneutics acts as the key to African women's liberation.<sup>116</sup> In this respect, this study aims at challenging the UCZ to heed the silent screams of millions<sup>117</sup> of widows and young girls who suffer marital oppressions within the church in the name of culture - bearing in mind that women are very much concerned about church but the church is not so concerned about women.<sup>118</sup>

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<sup>114</sup> To illustrate this point further, I use the title of the book edited by Phiri and Nadar where the contributors were addressing the question of what it means for women to be church in Africa. For more information see Isabel Phiri and Sarojini Nadar, eds., *On Being Church: African Women's Voices and Visions* (Geneva: WCC Publications, 2005).

<sup>115</sup> Kwok, Mercy Oduyoye and African Women's Theology, 18.

<sup>116</sup> Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 58.

<sup>117</sup> Kanyoro, *God Calls to Ministry*, 151.

<sup>118</sup> Mercy A. Oduyoye, *Hearing and Knowing: Theological Reflections on Christianity in Africa* (Maryknoll: Orbis Books, 1986), 124.

## Table of Contents

In this chapter, I have attempted to first describe why this study is important, by outlining my personal and academic motivations for engaging in this research. Second, I described the statement of the problem and the objectives of this study which are: To describe why child marriage and widowhood inheritance are contributing factors to HIV infection; To critically examine the role the church has played either in promoting or discouraging traditional marriage practices in the church; And to analyse the Marriage Guidance Programme and the Marriage Guidance teaching guides, as an entry point to re-examine the theology of marriage using the principles of feminist cultural hermeneutics. Third, I explained how data was collected using three tools, namely; interviews, Contextual Bible Studies and focus group discussions. Fourth, I described why the theory of feminist cultural hermeneutics was most appropriate to analyse the data collected. Finally, I provided a concluding remark and chapter outlines showing the contents of each chapter.

In the other chapters that follow, I will expand on each of these areas covered above in an attempt to answer the central research question of this study. Chapter two contains an analysis of child marriage showing how the church has responded to the practice in the context of HIV and AIDS. The chapter is located in the first objective of this study which is to describe why child marriage is a contributing factor to the spread of HIV. In order to effectively respond to the set objective for chapter two, I use the data collected from the interviews with girls involved in child marriage, interviews from the church leaders, data collected from the Contextual Bible Studies with lay people, and literature sources related to this study.

Chapter three contains discussions on widowhood inheritance as a religio-cultural practice and its influence to the spread of HIV. In this chapter, I focused on the second objective which is to describe why widowhood inheritance is a contributing factor to the spread of HIV. In order to address this objective, I use data collected from selected widows, church leaders, lay people who participated in the Contextual Bible Studies and literature source that is related to the study.

Chapter four is a biblical and theological examination of the church's response to child marriage and widowhood inheritance. This chapter is a response to the third objective of this

the role the church has played either in promoting or practices in the church. In order to respond to this objective, I have used literature sources both from the historical and current debates on the institution of marriage and traditional marriage practices like child marriage and widowhood inheritance.

Chapter five contains an analysis of the Marriage Guidance Programme and the marriage guidance teaching materials of the UCZ. This is done by examining the discussions on the theology of marriage that proceeded among the missionaries who formed the UCZ. I will also discuss the birthing of the Marriage Guidance Committee and its effect on the church today. In the chapter I respond to the fourth objective which is to analyse the Marriage Guidance Programme and the Marriage Guidance teaching materials as an entry point to re-examine the theology of marriage using the principles of African feminist cultural hermeneutics. In order to respond to this objective, I used the primary data collected from the focus group discussion, marriage guidance teaching guides and church archives. I also used literature sources that were relevant to the study.

In Chapter six I have focused on the major themes that emerged from the study. In order to do so, I provide an in-depth discussion on how these themes have influenced the way in which the church has responded to cultural practices that influence the spread of HIV. Chapter seven is a quest for a transformational approach to the understanding of culture. This is done through a proposed cultural analysis model. Chapter eight is a conclusion of the whole study. In this chapter, I bring together all the concepts and views developed from the study to form a conclusion and provide recommendations as an attempt to close the research gaps identified in the study.

## Chapter Two

### Child Marriage and HIV and AIDS

#### 2.1 Introduction

In chapter one I have provided an overview of the whole thesis, indicating the motivation for undertaking the study and describing how the study was undertaken. I demonstrated through my personal experience and through research, that in the context of HIV and AIDS, traditional marriage practices such as widowhood inheritance and child marriage are harmful. Since marriage is central to both church and African culture, I argued that an appropriate response regarding traditional marriage practices is required from the church (UCZ).

The objective of this chapter is to describe why child marriage poses a threat in the context of HIV and AIDS. In order to meet the objective of this chapter, I will first provide a brief historical background of child marriage. Second, I will discuss child marriage as it is practised in the current context in Zambia. Third, I will show how child marriage is linked to the spread of HIV. Finally I will detail the response of the UCZ to the practice of child marriage. The information in this chapter was sourced from literature and primary sources, including in-depth interviews, focus group discussion, and Contextual Bible Study as described in the previous chapter.

#### 2.2 Brief Historical Background of Child Marriage

The Convention on the Rights of the Child hereafter (CRC) is the most widely ratified United Nations (UN) human rights treaty. The CRC defines the child, for the purposes of the Convention, as "every human being below the age of 18."<sup>119</sup> Nour defines child marriage as a marriage of a child who is below the age of 18.<sup>120</sup> In most African societies, a girl's marriageable age was (and still is in some societies) fixed at puberty. This means that society determines the marriageable age for girls on the grounds of the girl's reaching puberty rather than on whether they are mature enough to marry.

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<sup>119</sup> UNICEF, *Childinfo: Monitoring the Situation of*

*Children and Women* (2009) <http://www.childinfo.org/marriage.html> accessed on 2/12/2009.

<sup>120</sup> Nawal M. Nour, "Health Consequences of Child Marriage in Africa," *EID Journal* 12, no. 11 (November 2006) <http://www.cdc.gov/ncidod/eid/vol12no11/06-0510.htm> accessed on 22/10/2008.

ty indicates that the institution of marriage is associated in many other parts of Africa, historically marriage was arranged by the parents or the guardians of the boy even though in some cases the couple to be also had an opportunity to consent before the marriage. The girls got married soon after puberty, whereas the boys were married when they were considered old enough to take on family responsibilities. In some instances, the young girls were engaged at a tender age (for some even before they were born) to men who were older than them. Child marriage took on different forms, within different ethnic groups in Zambia.<sup>122</sup> Richards states that initiation ceremonies normally reflect the attitude of the ethnic group to sex, fertility and marriage. Marriage is used to reinforce the responsibility of a girl as a mother.<sup>123</sup> In most of the traditional Zambian society, premarital pregnancy is one thing which is forbidden for girls. Most of the ethnic groups encourage girls to marry as virgins. Whatever sex relations may have been allowed before marriage cannot surpass the sex relations encountered after initiation. Looking at these factors, we can then conclude that child marriage though seen from the negative perspective also had some form of positive that helped to uphold the values of the community. In the context of HIV and AIDS, we can look to the issue of sex education that were practised in these initiation ceremonies as a positive point for HIV intervention. Even though the issue of abstinence has not been fully embraced in our society today, previously it was used a tool against promiscuity especially among the girls.

According to Coldham, in 1917 Britain enacted the marriage ordinances in the then Northern Rhodesia (Zambia) based on the British colonial African standards. Under these conditions, Africans could marry under customary law but the option of entering into a statutory monogamous marriage was closed to them. Even though African Christian marriages could be celebrated in church, such a blessing had no legal consequences.<sup>124</sup> This meant that customary laws determined the way the marriage regulations could be carried out. This move also defeated the church's stand on the age of marriage, especially for the girls. This is because marriages were in the hands of the local courts that had no legal age of marriage for girls, but instead, used puberty as the requirement for marriage.

<sup>121</sup> Nobath Ngulube, *Aspects of growing up in Zambia* (Lusaka: Nalinga Consultancy, 1989).

<sup>122</sup> For more information see Richards, *CHISUNGU: A Girl's Initiation Ceremony among the Bemba of Northern Rhodesia* (London: Faber and Faber Limited, 1982).

<sup>123</sup> Richards, *CHISUNGU: A Girl's Initiation Ceremony among the Bemba*, 18

<sup>124</sup> Simon Coldham, "Customary Marriage and the Urban Local Courts in Zambia", *Journal of African Law* 34, no. 1 (Spring 1990), 69.

53, marriage ordinances in Zambia were amended. This led to participants in the statutory marriages governed by the English law, which meant confining to the rules and regulations of the state.<sup>125</sup> From the discussions by Coldham, it is evident that the practice of child marriage was in existence in Zambia even before the arrival of the missionaries. Therefore, it can also be argued that the missionaries who formed the UCZ adopted a teaching which normalized a practice which was already in existence.<sup>126</sup>

### ***2.2.1 Missionary Response to Child Marriage in UCZ***

An example of the missionaries' response to the marriage of girls which is also related to the UCZ mission work in Zambia was that of Mable Shaw Boarding school<sup>127</sup> of the (LMS) of 1912-1940. LMS is one of the missions that merged with other missions to form the UCZ. According to Marrow, African men from the LMS seminaries demanded education for women. This demand came initially at least from the educated male youth trainees who were attached to the mission.<sup>128</sup>

Allen observes that the LMS did not seek to offer the indigenous student a liberal education but rather the main interest was in basic literacy skills.<sup>129</sup> Their reason for asking for girls to be trained was for the men to find wives out of these trained girls. By 1912, the concept of *boarding houses* for girls under a white female missionary was being mooted. Missionaries advocated a boarding house which would bring girls under constant Christian influence and train them for Christian marriage.<sup>130</sup>

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<sup>125</sup>Coldham, 'Customary Marriage and the Urban Local Courts in Zambia', 69.

<sup>126</sup>CCAR Draft Constitution of 1949, article number vii (Kitwe: Mindolo Theological Institute archives).

<sup>127</sup> Mable Shaw was one of the most prestigious and well recognised education centres of the LMS in Northern Rhodesia between 1920-1930. Under Mable Shaw as the Principal 1915-1940, the school gained an international recognition. See Sean Marrow, 'No Girl Leaves School Unmarried: Mable Shaw and the Education of Girls at Mbereshi Northern Rhodesia 1915-1940', *The International Journal of African Historical Studies Vol. 19 No 4 (1986)* 601-635, Boston University African Studies Centre.

<sup>128</sup>Marrow, 'No Girl Leaves School Unmarried', 601-610.

<sup>129</sup>Julia Allen, 'Women and Theology: Cultural Exchange and the Transformation of Christian Identity and devotion in Colonial Southern Africa 1915-1940', *Journal of Theology for Southern Africa* no. 136(March 2010), 26.

<sup>130</sup>Marrow, 'No Girl Leaves School Unmarried', 604.

the school, Marrow pointed out that:

In 1929 Shaw wrote *No girl leaves the school unmarried*, and this statement was almost literally true. In making the assumption that all females would marry, the girls' boarding school did not differ from the pupils' own society, except that the schoolgirls married later than was the norm for the time and place. The role of the school in approving and even organizing this vital link, not only between two individuals but between two family or kinship structures, is notable. In this role the girls' boarding school went well beyond the functions of a girls' school as normally conceived of in Britain and involved itself in an area of central importance to African life.<sup>131</sup>

Some of the activities that these girls were involved in at the school included: extra-curricular instruction in hygiene, nursing, and native cooking, sewing, and child-care. This was done in order to make the students fit to be the wives of Christian men. Therefore, the main focus for the girls to be in that school was to be prepared for marriage apart from the little formal education they received. This can be argued on grounds that one of the intentions for the missionaries in Africa was to develop Christian families. Girls from about nine years old would be cared for until marriage.<sup>132</sup> A close look at Marrow's discussion shows that the intention of introducing girls' boarding school to prepare girls for marriage may also have been a response of the missionaries to the already existing child marriage practice in the community. The approach used by Mable Shaw reflects a patriarchal view of a girl child as it did not give these girls a chance to make choices as to whether they wanted to get married or not.

Another important factor to consider is the issue of the elite men and trainee ministers from the Copperbelt province demanding for the girls who would be fit to be the wives of Christian men. Parpart confirms this statement saying, most of the wives of the better educated men in the Copperbelt province were often products of the Mable Shaw boarding school.<sup>133</sup> Again, the problem of patriarchy emerges in this case although this time it is coupled with religious-cultural values. The training of these girls and the match-making that occurred as the men came to choose their wives require a gender critique of the missionaries' understanding of child marriage. Mable Shaw's idea of preparing girls for marriage without providing some form of education that would equip them for professional jobs is also a clear example of a

<sup>131</sup>Marrow, *No Girl Leaves School Unmarried*, 605.

<sup>132</sup>Marrow, *No Girl Leaves School Unmarried*, 605.

<sup>133</sup>Jane L. Parpart, *Where is Your Mother? Gender, Urban Marriage, and Colonial Discourse on the Zambian Copperbelt, 1924-1945*, *The International Journal of African Historical Studies* 27, no. 2 (1994), 251.

... as housewives.<sup>134</sup> Looking at the role that the ...  
... , it then becomes prudent to investigate how this kind  
of approach to child marriage affected the way the practice is addressed in Zambia today.

### 2.3 Child Marriage in the Current Context of Zambia

A Country Report on Human Rights asserts that child marriage is still common in Zambia even in the urban areas where the law is supposed to be stricter than in the rural areas.<sup>135</sup> My field research also confirms that this is indeed still practised, as I was able to have access to at least 12 girls who were involved in child marriages.

Further, this claim that child marriage is still common in Zambia is supported by the Population Council Child Marriage Briefing report which states that:

Child marriage is widespread in Zambia, even though the legal age of marriage is 21 for both males and females. Customary law and practice discriminate against girls and women with respect to inheritance, property and divorce rights. Domestic violence is a serious problem with over half of the married girls reporting ever experiencing physical violence<sup>136</sup>

Literature from Zambia has shown that, both the civil society and the Zambian government have expressed concern about early marriage. Some of the reports from the country's newspapers state that:

Chief Zombe of Mpulungu punished 14 parents who had withdrawn their children from school to force them into early marriage. Child marriage is rampant in Zambia where girls as young as 10-17 years were unceremoniously married to elderly men of 30-40 years for the benefit of the parents. Chief Zombe managed to take back the girls to school under the strict supervision of the teachers and called on the government to urgently intervene in the matter as child marriage retarded the development of education in the country.<sup>137</sup>

<sup>134</sup> Mable Shaw herself is quoted by Marrow to emphasise that these girls needed a basic understanding of the roles of a good housewife by acquiring the required skills. These included cooking, knitting, hygiene, and many other duties as required by the family. Although the treatment at this school seems to have been abusive to the girls, the school had a very high reputation that has lived on to date. The *bakwaShaw* (those of Shaw) certainly saw themselves as elite, above the girls of the Mbereshi Girls Day School. They were envied and emulated by them, and further still above ordinary village girls. Many of their husbands were those who worked on the Copperbelt. Shaw, despite appearing a feminist in her administration was the decisive voice in the marriages of these girls. A man or his family first approached Shaw before approaching the girl and her parents. Shaw had prepared a small hut in the school where the man would meet the girl after she had approved the marriage. Sometimes she wrote to the missionaries to seek suitable husbands - normally ministers or evangelists - for these girls. For more see, Marrow, 'No Girl Leaves School Unmarried', 11.

<sup>135</sup> Human Rights Watch, 'Suffering in Silence: A Link Between Human Rights Abuses and HIV Transmission to Girls in Zambia', (2007) <http://www.hrw.org/reports/2003/zambia/zambia1202.pdf> accessed on 12/01/2007.

<sup>136</sup> Population Council, 'Child Marriage Briefing of Zambia', (August 2004) [www.popucouncil.org](http://www.popucouncil.org) accessed on 20/08/2008.

<sup>137</sup> Emmanuel Kapamba, 'Chief Zombe Punishes Parents Involved in Child Marriage', *The Post Newspaper* (June 12<sup>th</sup> 2009), 6. <http://www.postzambia.com> accessed on 2/10/2009.

that 20 parents faced local courts for withdrawing their children from school in Mporokoso. According to Kapamba 35 pupils consisting of three boys and 32 girls were forced to stop school by their parents. In this group, most of the girls had since been forced into marriage.<sup>138</sup> The fact that there were more girls than boys who were forced to stop school shows the presence of child marriage in this community.

The problem of parents forcing their children into marriage was also confirmed by my field research. The girls interviewed in this study indicated dissatisfaction that either their fathers or uncles played pivotal roles in influencing their marriages. Furthermore, some of the responses included: parents arranged their marriages, women from the church<sup>139</sup> arranged the marriages through their parents, others got married out of personal choice to the men they were in relationship with. The girls also stated that some of their husbands were church members within their congregations.

When asked about the age difference between their husbands and the girls themselves, all the girls could not disclose the actual age difference. Instead they gave estimates which were also not clear. Despite the lack of providing the actual age difference, all of them were able to confess that their husbands were older than themselves by a good margin.<sup>140</sup> The girls also confirmed that some of these men were either divorced or widowed. Asked about the way in which they got married, some girls said that they eloped, while others were married in a traditional way as preferred by the parents. None of them got blessings from the church despite being church members of the UCZ.

The level of entry into marriage was almost the same. The majority of the girls entered their marriages soon after completion of primary education or they had to stop school before they finished their primary education level after finishing their primary education level. None of the girls had finished their high school education.

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<sup>138</sup> Emmanuel Kapambe, "Courts Order Parents to take Children Back to School", *The Post Newspaper* (October 10<sup>th</sup> 2009), 4. <http://www.postzambia.com> accessed on 4/11/2009.

<sup>139</sup> If you grew up in the UCZ you will be exposed to women who are mainly middle class and are involved in the marriages of the young couples in the church. Most of them play the role of matron and pre-marital counsellor. Once a young person has found a partner to marry, it is this group of women that the mother will contact for guidance.

<sup>140</sup> Culturally, in most of the Zambian ethnic groups, age disclosure is not encouraged especially when a person has to discuss the age of someone older than themselves. This is one of the reasons why these girls could not give a specific age of their partners.

maintained in the group was grade ten. After looking at the becomes important to look at the factors contributing to the current practice of child marriage in the country.

## 2.4 Factors Influencing Child Marriage

A study by the International Centre for Research on Women's studies (ICRW) has found out that 51 million girls in the developing countries are child wives through the influence of parents for: economic security for both the parents and the girl, protection from pre-marital sex, protection from pregnancy outside marriage, and protection from HIV infection.<sup>141</sup> The United Nations International Children's Emergency Fund (UNICEF) report also confirms some of the influencing factors stated by ICRW. The report adds other factors such as family honour and provision of stability during unstable social periods.<sup>142</sup> Furthermore, my interviews with these girls who were involved in child marriage also confirm the findings documented above. The girls indicated that there were multiple factors which contributed to the practice of child marriage. Some of the reasons that they mentioned were: financial constraints within the family, protection from HIV and pre-marital pregnancies, and desire for independence. I will discuss each of these in turn below:

### 2.4.1 Financial Constraints

*When I saw that my parents were really suffering to get my young sisters and brothers back to school plus too much hunger at home I just said in my heart, apa tebeta lesa tapa fuka ichushi meaning (you don't need to see smoke to know that this is God's blessing). After much thought I told my mother that I will agree to marry this man may be he can help my family to come out of all these problems as long as I look after him well.<sup>143</sup>*

<sup>141</sup>International Center for Research on Women's Studies, *When Marriage is No Heaven: Child Marriage in Developing Countries* (2004) [http://www.icrw.org/docs/2004\\_info\\_childmarriage.pdf](http://www.icrw.org/docs/2004_info_childmarriage.pdf) accessed on 22/09/2008.

<sup>142</sup> UNICEF, *Early Marriage: A Harmful Traditional practice, A Statistical Exploration* (New York: 2005), 2 [www.unicef.org](http://www.unicef.org) accessed on 17/08/2007.

<sup>143</sup> Interviews with a 17 year old girl in Mwaiveni UCZ Kitwe, Date 9<sup>th</sup> July 2007 interviewed by Lilian Siwila

an interview with one of the girls who was married as a result of a choice between gender oppression and poverty. In this case a mother negotiates with her daughter to enter into a marriage relationship so as to save the rest of the family from poverty. This is what I would call *a marriage of convenience*, where marriage ceases to be a mutual relationship between two people but rather becomes a source of financial support for the other.

An argument that can be drawn from this discussion above is that the institution of marriage is a practice steeped in patriarchy. At the same time for the girl to say that this kind of marriage could be God's intended way to bless her family demeans the image of God to a patriarchal God who uses women as objects of financial liberty in their families. Here we see poverty also playing a role in influencing child marriage. According to Nour, poverty plays a significant role in perpetuating child marriage in Africa.<sup>144</sup> Zambia is one of the countries in the world with high poverty levels.<sup>145</sup> Additionally, a 2005 report by UNICEF has also shown that parents encourage their children to marry while they are still young in the hope that marriage will benefit them socially and financially.<sup>146</sup> In the context of HIV and AIDS, the Ministry of Health Zambia reports that there is a synergetic relationship between poverty, and HIV and AIDS.<sup>147</sup> Poverty can bring HIV and AIDS, and HIV and AIDS can promote poverty which also leads to child marriage.

In Zambia, the demand for financial security is reflected in the way most of the parents behave towards the payment of *lobola*<sup>148</sup> for their girls. In an article from *The Post Newspaper* Chakwe cites Siame who argues that out of desire for financial stability some parents have given out their daughters in exchange for *lobola*. Siame also blames the excess consumption of alcohol that has influenced some men into abducting these young girls as

<sup>144</sup>Nour, "Health Consequences of Child Marriage in Africa".

<sup>145</sup>Jorge F. Balat and Guido G. Porto, "Globalization and Complementary Policies: Poverty Impacts on Rural Zambia", in *Globalization and Poverty* edited by Ann Harrison (Chicago: University of Chicago Press 2007), 375 Chapter site; [URL:http://www.nber.org/chapters/co115.pdf](http://www.nber.org/chapters/co115.pdf) accessed on 27/11/2009.

<sup>146</sup> UNICEF, *Early Marriage: A Harmful Traditional practice, A Statistical Exploration* (New York: 2005), 1. [www.unicef.org](http://www.unicef.org) accessed on 17/08/2007.

<sup>147</sup>Ministry of Health, "Zambia Demographic Health Survey (DHS) Education Survey", (2002). This was the first and only survey so far in the country that was designed to provide information on the education of children aged 6-14 years, with a focus on the factors influencing household decisions about the education of the children by the parents. <http://www.zamstats.gov.zm/nada/ddibrowser/?id=47> accessed on 27/10/2008.

<sup>148</sup>This is a term used in most of the Zambian ethnic groups to define the sources paid to the bride's family after the marriage negotiations. The sources may include cows, hoes, spears, clothing, money, chickens and goats.

and poverty are to blame for early marriage.<sup>149</sup> In an  
mother confessed to the media of having married off her  
two daughters aged 11 and 14 years respectively for an amount of K600, 000.00 each  
(equivalent to US\$77 as at time of writing) in order to raise money for food and school fees  
for the other remaining siblings.<sup>150</sup> Besides financial constraints, another reason that is  
provided for child marriage is protection from HIV and pre-marital pregnancy.

#### ***2.4.2 Prevention of Pre-marital Pregnancy and HIV and AIDS***

The girls who were interviewed in this study stated that traditionally it was a taboo for a girl to have a child outside marriage, even though this taboo is no longer as strict as before. The girls stated that both the church and society teach them to abstain from sex outside marriage, and if possible preserve their virginity. As a result of such teachings, the girls stated that if one is pregnant before marriage, it is better to marry than to bring shame on the family. As a result of such teachings, Chakwe blames the high rate of infant mortality in Zambia on child marriage, which she sees as leading young girls to have children at an early age when their bodies are not yet fully matured. This causes a health risk for both mother and child. Chakwe continues to say that girls who give birth before the age of 15 are five times more likely to die in child birth.<sup>151</sup>

The other point the girls raised on pre-marital sex is that the practice can lead to promiscuity which later leads to HIV infection. Therefore, instead of being infected with HIV, these girls stated that once one feels the desire to start having pre-marital sex, it is better to get married. Asked whether the girls would use condoms to prevent themselves from pre-marital pregnancy and HIV infection, the girls stated that condoms were not recommended for young people who are not yet married as they promoted promiscuity.

<sup>149</sup>Masuzyo Chakwe, "Alcohol Abuse, Poverty to Blame for Early Marriage", *The Post News Paper* (June 4<sup>th</sup>, 2007), 1. [www.postzambia.com/content/view/4074/68](http://www.postzambia.com/content/view/4074/68) accessed on 3/12/2007

<sup>150</sup>Baslidon Peta, "Sale of Child Brides Dooms Zambia to AIDS Disaster Africa-world", *The Independent Newspaper* (November 26, 2002), 3. [www.independent.co.uk/news/html](http://www.independent.co.uk/news/html) accessed on 12/02/2007.

<sup>151</sup>Chakwe Masuzyo, "Report Ranks Zambia 13<sup>th</sup> on World Under Five Mortality", *The Post Newspaper* (October 5<sup>th</sup> 2009), 6. [www.postzambia.com/content/view/4074/69](http://www.postzambia.com/content/view/4074/69) accessed on 11/11/2009.

HIV infection which was mentioned by the girls is also shown to show that protection from HIV and AIDS is another reason for child marriage.<sup>152</sup> The understanding of these girls and their parents is that sex within marriage is safer than sex outside marriage. A 2005 United Nations Family Planning Association (UNFPA) report also confirms that parents seek to marry their children off in order to protect them from HIV and men too often seek younger women as wives as a way of avoiding HIV infection.<sup>153</sup> The UNFPA report further points out that while parents may consider early marriage as a strategy to safeguard their daughters from HIV infection, the result has often been the opposite.<sup>154</sup>

Chakwe also agrees with this statement saying child marriage is a harmful cultural practice that influences the contracting of HIV.<sup>155</sup> The factors of financial constraints, the prevention of pre-marital pregnancy, and HIV indicate pressure from external forces that are brought to bear on the girls to get married early. However some reports and my field research results indicate that the girls themselves have been socialized to desire independence.

### 2.4.3 Desire for Independence

Most of my age mates have married and some have children which I greatly admire. They have their homes and are taking care of their husbands. Their parents have enough food because their in-laws help them cultivate the fields.<sup>156</sup>

The story of Maria, which appeared in the *Times of Zambia* News Paper, represents many Zambian girls,<sup>157</sup> who have been socialized to idealize child marriage. Even I felt this way when I was growing up as indicated in chapter one. While this desire for independence may seem to come from the girls themselves, often the girls are also forced by negative

<sup>152</sup>Nour, "Health Consequences of Child Marriage in Africa".

<sup>153</sup> UNFPA, "Marriage Fact sheet: State of World Population", (2005).

[http://www.unfpa.org/swp/2005/presskit/factsheets/facts\\_child\\_marriage.htm](http://www.unfpa.org/swp/2005/presskit/factsheets/facts_child_marriage.htm) accessed on 20/11/2008.

<sup>154</sup> UNFPA, "Marriage Fact Sheet: State of World Population".

<sup>155</sup> Chakwe, "Report Ranks Zambia 13<sup>th</sup> on the World Mortality".

<sup>156</sup> Sheila Chanda, "Early Marriage Affecting Girls' Education", *The Times of Zambia* (August 11<sup>th</sup> 2007). <http://www.times.co.zm> accessed on 4/11/2007.

<sup>157</sup> While early marriage occurs frequently in Zambia, this is not a problem that is unique to Zambia. The United Nations Fund for Population Activities (UNFPA) 2005, report states that many countries of the world have declared 18 years as the legal age for marriage and yet in these same countries young women have been married as early as 10 years. The report further shows that Zambia is among the few countries that opted for the age of marriage to be 21 for both boys and girls. This is also approved in the *Zambian Constitution gazette*, even though the customary law does not have the fixed age of marriage. Under the customary law girls can be married as long as they have attained puberty, as stated above.

es to seek independence through marriage. This was interviewed as shown below.

This girl reported that she got married through the influence of her aunt who felt that she was an extra burden at home as an orphan. At the time of interviews, the girl had already been married twice. The nineteen year old girl stopped school in grade four due to financial constraints following her parents' death. During the period she stayed with her aunt, she decided to join the Girls' Brigade<sup>158</sup> and became an active member of the group. One day her aunt told her that she was approached by a man from church who was interested in marrying her. I narrate this story at length below as it was told with all the mixed emotions so as to express some of the effects of child marriage on these girls. Out of all the participants of this study, this girl was one of the most willing participants to be interviewed. To her this was an opportune time to tell her story<sup>159</sup> which she hoped was going to act as a warning to other young girls in the church. This is her story:

*Since he was a Christian and old enough to be my father I agreed to this proposal so that I could come out of my aunt's abuse, even though I was afraid of having sex with him since I was a virgin. However I was happy again because my aunt arranged bana chimbusa<sup>160</sup> to teach me how to handle a man. When I went into the marriage it was hell...mmm having sex was very painful. I used to cry every night but he didn't care. I couldn't tell my aunt because I was told even before marriage that I will have to be strong sexually. The women had told me that it was good for our marriage because it meant that my husband was enjoying sex with me and he would not go for other girls. The women advised me to use salt on the bruises that I had developed. They also told me that I should be courageous - Mwanakashi tachepe (a woman is never too young for a man). A tight woman is a pleasure to her husband. We had two children within a space of three years and then trouble began. He started beating me and*

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<sup>158</sup>This is a church group for young girls, whose focus is to prepare the girls in the Christian faith. The group has many activities including bible lessons, choir, and other lessons related to their Christian living.

<sup>159</sup> One of the methodologies that have been used in the works of African Women's Theologies is narrative theology. This is confirmed in the Introduction of one of the Circle publications where the editors show the importance of storytelling in research. For more information see Isabel Apawo Phiri, Devarakshanam Betty Govinden and Sarojini Nadar, "Introduction", in *Her-Stories: Hidden Histories of Women of Faith in Africa*, edited by Isabel Phiri, Betty Govinden and Sarojini Nadar (Pietermaritzburg: Cluster Publications, 2002), 1-13.

<sup>160</sup>This is a group of women who teach the roles of a good housewife to girls intending to get married. As stated earlier in this study, the women work within and outside the church even though much of their work is done outside the church. The reason for operating more from outside the church is that most of their teachings to the girls intending to get married are not accepted by the church. The presence of these women as married counsellors has remained as an on-going tension between the Marriage Guidance Committee of the church and the parents of the girls who intend to get married.

...en told me that I was too childish and that I could not be  
...ays threatened to divorce me and we had sex whenever  
he wanted. When I suggested that we do family planning since the children were too young  
and close to each other he threatened to divorce me and constantly reminded me that I was  
an orphan so I needed him as my family.<sup>161</sup>

From the story related above, the negative effects that traditional marriage teachings play on girls are evident. For example the idiom that a girl is never too young for a man contributes to the idealization of child marriage. Further, through initiation teachings (*imbusa*) girls are taught to persevere within marriage, even when it is detrimental to their well-being.

Also, traditional teaching on marriage portrays sex as an act that is only meant for the man's pleasure. The story told above is not unique. As another girl related, *I have missed out on what I was dreaming to do in life. I had always wanted to be a reporter and marry in church with a white wedding but now I have to look after my children and husband. I envy my friends whom I was with in class who are still in school.*<sup>162</sup> From this quote we can conclude that even though the girls are socialized to desire child marriage, at the end of the day they regret the effects that child marriage has on them.

#### **2.4.4 Additional Factors**

In addition to the factors influencing child marriage that were cited by the girls above, I also identified three additional factors that contribute to child marriage. The first is that there seems to be a perception that child marriage is a way of redeeming a man's sexuality and masculinity. This means that patriarchy tends to play a significant role in the practice. During the Contextual Bible Study on 1 Kings (4:1-4) such views regarding child marriage emerged from the participants. Most of the men in the groups argued that even though the intentions may be different from that of the Bible days.

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<sup>161</sup>Interviews with a girl from Jordan UCZ, Date 4<sup>th</sup> July 2007. At the time of interviews, this girl was three months old in the new marriage. The girl said her new marriage was better than the previous marriage despite the fact that her husband was still older than her by a big margin. Interviewed by Lilian Siwila.

<sup>162</sup>This was a response from one of the girls interviewed in Mufulira central church. At the time of interviews this girl had two children and was married under arranged marriage by the parents. Date of interview 4<sup>th</sup> July 2007. Interviewed by Lilian Siwila.

beliefs that a younger bride will help energise their sexual study discussions from nearly all the groups in the four congregations. Most of the participants argued that Abishag was organised for the king in order to help energise his sexual drive because the king was too old to remain sexually active.

The phrase which the participants used to describe how they understood the role of Abishag was *keeping the king warm*.<sup>163</sup> In this discussion the men related how most of the men prefer young girls to *keep them warm* through tight vaginas and their energetic movements. This enhances their sexuality and their sense of manhood.

The women too understood this phrase well, in that they understood that the king needed to be *kept warm* because he was losing his *sexual vibe* and therefore he needed a young girl to revive him. The women identified that this is also the case with many men even today, hence the common practice of child marriage. What I can conclude from the discussions which emerged during the course of the Bible studies is that masculinity and sexuality have also been contributing factors to child marriage.

Second, another factor which I identified in the process of my field research as contributing towards child marriage is the use of the Bible to justify the practice. The majority of the members both from male and female groups in all the Bible studies felt that the Bible has also been used in many cases by people who practice child marriage to justify their unacceptable acts.

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<sup>163</sup> An elderly woman from a group in Mufulira congregation confirmed that it is indeed the job of a woman to keep the husband warm. The girls were taught during initiation that they were to take a clay pot of warm water to the bedrooms at night. This elderly woman said *“This practice is still encouraged even today. At marriage we give a girl a basin and a towel for her to use. Every night the girl will carry warm water in this basin to the bedroom for use at night to gently press around the penis of her husband in order to help him provide better sex. We teach it to the girls both for pleasure and as a form of hygiene. In terms of pleasure the girl’s touch of the man causes him to be strong and energetic enough to make love. Second, hygienically the couple is advised to wash their private parts after the sexual act. This is the job of a woman and we tell them to keep this as a secret even from close families.* A response from a Contextual Bible Study in Mufulira congregation on 2<sup>nd</sup> July 2007.

igation related an incident in a kitchen party, where the book of Esther encouraged the young girls to look out for old men so that they can live like -queens<sup>164</sup> The point of this sermon was that marrying an older man is better than getting married to a younger man.

On the contrary, few of the male members from all the Bible studies had a different answer to this question. To them, the silence of the Bible on the subject was a contributing factor to the way in which Christians found in this practice justified their actions. One of the men in this group argued that most of the people found in such practices will tell you that there is nowhere in the Bible where it says that you cannot marry a young girl. These men said that as long as the girl has reached her puberty she is old enough for marriage. The members also stated that culturally most African cultures have no age limit for marriage and neither has the Bible.

Third, another contributing factor to child marriage which I identified is the setting of the constitution in Zambia. Zambia has a dual system, namely, the customary law and the statutory law. Since most of the customary marriages are controlled by the local courts, Coldham states that, the local courts are the successor of the native courts which the British set up in Zambia to administer impartiality just like in other British colonies in Africa. These were re-named after independence as local courts and integrated into the judiciary system of the country because it was recognized that the local courts had a very important role to play in the administration of justice especially in the rural areas.<sup>165</sup> Until now, it is in these local courts that customary laws such as child marriage are administered. Traditionally these local courts seem to operate more effectively especially on issues of marriage, inheritance, divorce, adultery, family succession and other cases related to community life.

Another observation to make is that most Zambian marriages are carried out under customary laws without legally binding documents. Child marriages which are mainly arranged between the parents/guardians of the girl and the husband-to-be normally fall into this category. Since most of the customary courts do not have the stipulated age limit of marriage, young girls fall

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<sup>164</sup>A kitchen party is a celebration that is conducted for a woman preparing for marriage. In most church settings in Zambia, elderly women use this opportunity to teach the girls who are getting married some biblical principles of marriage. Most of the preaching that takes place is focused on the woman's submission to her husband. The gender implication of this ceremony is that it locates women in positions of vulnerability by putting all the marital obligations on them.

<sup>165</sup>Coldham, *Customary Marriage and the Urban Local Courts in Zambia*, 67.

each puberty. A gendered analysis of the customary laws  
enacted under these customary laws.

A report by Human Rights Watch 2007 describes this situation as follows:

Zambia's constitution recognizes a dual legal system, which allows local courts to administer customary laws, some of which discriminate against women. A range of indicators show that women are at a distinct social and economic disadvantage in Zambia. Statistics on literacy show that only 59.7 percent of women are literate compared to 76.1 percent of men. Poverty affects women disproportionately. Since many people in Zambia prefer to marry according to customary law rather than according to the civil marriage statute, the protections of the Matrimonial Causes Act, once in force, will not apply to them. The Zambian government describes customary law as "unwritten, patriarchal, and administered by nonprofessional justices who are predominantly male."<sup>166</sup>

Having established the factors which contribute to the practice of child marriage in the current context, I now turn my attention to the links between child marriage and HIV, thereby establishing that child marriages are a threat when practiced in the context of HIV.

## 2.5 Correlation between HIV and Child Marriage

*I hated marriage and I decided to go and stay with my cousin because my aunt would not take me in, because she had already accepted the lobola. We divorced last year and by then he was very sick. I won't even care even if he died. He was too cruel to even be called a Christian. Even though I'm scared of AIDS I know God was with me in that marriage because I never forgot my faith. I used to pray to God to help me and protect me from this disease when this man started sleeping out.*<sup>167</sup>

The girl who relates this story above is the same person who related how she was being sexually abused by her older husband whom she married to escape the hardships of living as an orphan with an abusive aunt. The abuse that she endured as a child bride and her fear of contracting HIV due to her age and to the fact that her husband was sleeping around clearly demonstrate the risks of HIV to which child marriage exposes young girls. The first risk is due to the fact that usually these older men (like the one in the story above), have already had

<sup>166</sup>Human Rights Watch 2007 *Gender-Based Abuses in Zambia* Volume 19, No 18(A) December 2007, 52  
<http://www.hrw.org/reports/2003/zambia/zambia1202.pdf> accessed on 12/01/2008.

<sup>167</sup>Interviews with a girl from Jordan UCZ, Date 4<sup>th</sup> July 2007 conducted by Lilian Siwila. This is the same girl whose story above talks about the abusive husband.

It is evident that Zambia has a high prevalence of AIDS-related diseases and there is a possibility that partners of the young girls' husbands may have died from AIDS, thus exposing their new younger wives to the virus as well.

The second risk is caused by the bruising that young girls experience during the act of intercourse. Haddad points out that the genital tissues of women in general are easily damaged during sexual intercourse which results in cuts and bruises that provide an entry point for the virus.<sup>168</sup> This phenomenon is likely to be more pronounced in child marriage where girls, who in most cases are virgins, are married to men who are older than they are. The third risk that is evident from the above story is that young girls are not able to negotiate safe sex because of the power dynamics which exist between an older man and a younger girl, the latter being called 'childish' as we have seen above.

While the above clearly indicates that child marriage puts girls at risk of HIV,<sup>169</sup> most of the girls themselves were unable to make this link. For them, as long as they kept themselves away from promiscuity, they thought they were likely to remain protected from HIV infection. This point was substantiated by their belief that God would protect them from the virus if they remain faithful to God and to their marriage partners. These girls claimed that it would be unfair for God to punish them for a sin they did not commit. One of the girls commented that:

*Awe ba aunt chikulu uleisunga fye bwino teti amalwele akukonke, nga fyaisa ninshi lesa asuminisha otherwise kupepa fye noku chetakela muli Lesa pakuti alekuchingilila* translated as 'No aunt (meaning me as the researcher) as long as you look after yourself well this sickness cannot come on you. If it comes then God has allowed it otherwise you just need to pray and have faith in God to protect you.'<sup>170</sup>

<sup>168</sup> Beverly Haddad, 'Choosing to Remain Silent: Links between Gender Violence and HIV and AIDS and the South African Church', in *African Women, HIV and AIDS and Faith Communities*, edited by Isabel Phiri and Beverley Haddad (Pietermaritzburg: Cluster Publications, 2003), 151.

<sup>169</sup> Ruth O. Oke, 'Child Marriage: A Ticket to HIV/AIDS', in *Cultural Practices and HIV/AIDS African Women's Voices*, edited by Elizabeth Amoah, Docus Akitunde and Dorothy Akoto (Ghana: Sam-Wood Ltd. Press, 2005), 39-46.

<sup>170</sup> Interview with a girl from Mindolo UCZ 3<sup>rd</sup> July 2007 Interviewed by Lilian Siwila.

were able to see the correlation between HIV infection . What these girls asserted was that if a man is unfaithful then he can bring the virus into the marriage and if he is faithful then the marriage is safe. The argument from these girls was that sex in their marriages was determined by the man. Their lack of power to negotiate safe sex made them fully dependent on their husbands' safety from HIV infection.

Asked if they speak to their spouses about being faithful, the girls claimed that they try to talk to their spouses about the danger of HIV and AIDS even though their husbands would always opt for what is best for themselves and not the wives.<sup>171</sup> Asked whether they could use condoms to protect themselves, most of the girls did not approve of the condoms either for HIV protection or procreation. As related above in this chapter the girls reported that condom use in marriage brings mistrust between the partners. One girl commented that:

*It's not good for a married woman to use condoms unless both of you agree and have been advised by the doctor. Besides, most of our men do not like condoms or family planning pills because they think you do not want to be pregnant and you are cheating on him.*<sup>172</sup>

Besides the evidence presented by the girls in the field research findings, other studies have also shown that child marriage is a contributing factor to the spread of HIV. For example, the Population Council 2004 report states that in Kenya and Zambia, HIV prevalence was 48-68 percent higher among married girls than single girls of the same age. The report also confirmed that child marriage puts the girls who are married at increased risk of HIV infection compared to unmarried sexually active girls. This is because married girls have sex

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<sup>171</sup>A great deal has been said by different scholars and gender activists on women's vulnerability and lack of power to negotiate for safe sex in marriage for example see Geeta Rao Gupta, "Gender, Sexuality and HIV/AIDS". Current research has also shown that heterosexual relationships have become more vulnerable to HIV and AIDS infection for women. This however does not mean that women are not aware of this danger. Masenya agrees with the girls' concept that some church women have focused on "God the protector dependency syndrome" in their fight against HIV in their marriages. This teaching has sometimes been generated from the church teachings of the attribute of God as protector, which in some cases has contributed women's abuse in relationships. For example, the analogy used for marriage as *shipikisha* club translated as survival club also makes women remain faithful in abusive relationships. For more discussions see Madipoane Masenya, "The Sword that Heals! The Bible and African Women in African-South African Pentecostal Churches", in *On Being Church: African Women's Voices and Visions*, edited by Isabel Phiri and Sarojini Nadar (Geneva: World Council Churches Publications, 2005), 47-59.

<sup>172</sup>Interview with a girl from Mwaiseni UCZ Kitwe, date 6<sup>th</sup> July 2007, Interviewed by Lilian Siwila.

ected sex with men who are older than them and lack of  
e men who may be HIV positive.<sup>173</sup>

A further response by Bruce states that, the conditions of girls' sexual lives in these marriages place them at a danger of contracting HIV and AIDS. The risk of HIV acquisition increases even further during the act of sex in which vaginal or cervical trauma occurs, a phenomenon more likely when virgin girls are having sex with older men,<sup>174</sup> as discussed above. To conclude this section, I wish to highlight that through field research and through the various literature cited in this study, I have shown that there is indeed a direct link between child marriage and HIV. Child marriages expose young girls to a greater risk of contracting the virus. Given this, the final question that I seek to answer in the next section is how the church (UCZ) has responded to the issue of child marriage, particularly in the context of HIV.

## 2.6 The Response of UCZ to Child Marriage

In order to understand how the UCZ has responded to the issue of child marriage I solicited the views of three groups of people: church leaders, lay people and, girls who were involved in child marriages. In what follows, I will present the views of these three groups.

### *Church Leaders and Lay People*

Although the findings represent three groups, the response from both the church leaders and lay people were grouped together. This was because of the similarities in their responses. Both groups confirmed that child marriage was a common practice in Zambia even among members of the UCZ. Other participants reported that they have had incidents where girls have just disappeared from their congregations only to discover that they have stopped coming to church because they have been married off by their parents. One male leader from Mwaiseni congregation lamented that the practice is so common in their area that the church is struggling to cope with the many young girls getting married, most of whom stopped school in grade seven. One respondent from the same area said:

<sup>173</sup> Population Council, "Child Marriage Fact Sheet", (2005).

[http://www.unfpa.org/swp/2005/presskit/factsheets/facts\\_child\\_marriage.htm](http://www.unfpa.org/swp/2005/presskit/factsheets/facts_child_marriage.htm) accessed on 06/09/2008

<sup>174</sup> Marie Laga et al., "To Stem HIV in Africa Prevent Transmission to Young Women", *AIDS* 15, no. 7(2001).  
[http://www.ternyata.org/hiv/scientific\\_papers/prevent\\_transmission\\_%20to\\_young\\_women.pdf](http://www.ternyata.org/hiv/scientific_papers/prevent_transmission_%20to_young_women.pdf)  
accessed on 17/03/2007.

the church. As soon as the girl drops out of school the  
forming the church.<sup>175</sup>

The other question the leaders were asked was on their knowledge of child marriage. All the leaders were knowledgeable of child marriage practices. In terms of definition, most of the leaders identified child marriage as a marriage of young girls who are below the marriageable age as stipulated by the Zambian constitution, which is 21 years of age without consent and 16 years with consent. Therefore, these leaders said as good Christian citizens they needed to respect the law. Some of the leaders also stated that the practice is against the human rights law that protects the girl-child. What needs to be challenged in this statement is the whole idea of the church depending on the law of the country as opposed to sound theological principles on which to base an opposition to practices like child marriage.

A small group of participants saw the practice as unacceptable in the church stating that God condemns what does not fit in the Bible. A male minister from Mindolo congregation said:

*...we as church leaders should not accept to marry these young girls and as for widows/widowers who want to be cleansed in whatever method they shouldn't be allowed back to the church unless they undergo a series of discipline... we are polluting the church of God by continually upholding these traditions in the name of culture.<sup>176</sup>*

There participants argued that the practice is slowly fading out in the church as the members involved in the practice are normally disciplined by the church. However, this discipline which sometimes leads to ex-communication seems not to be enacted on men as the following example will illustrate. During my field research an incident that was cited by various participants in both the interviews and the Bible studies was a case where a prominent church minister married his granddaughter whom he had raised after he lost his wife.<sup>177</sup> Even though the incident brought a lot of debate in the church, the church did not

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<sup>175</sup>Interview with a male participant from Mwaiseni congregation on 4<sup>th</sup> July 2007 interviewed by Lilian Siwila.

<sup>176</sup>Interviews with a male church leader from Mindolo UCZ on 6<sup>th</sup> July 2007, interviewed by Lilian Siwila.

<sup>177</sup>Although the church members could not give the actual age of this granddaughter in order to see this marriage as child marriage, most of them argued that, the fact that this was a biological granddaughter to this minister was a case enough to qualify the act as child marriage. One minister argued that according to the tradition of this minister who married a granddaughter, the girl that was taken as *mpokeleshi* as was the case of this girl, was supposed to be a virgin.



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der as it did not have a constitutional law on which to

As a member of the UCZ, I one time served as an elder in the congregation where this minister was acting as a visiting pastor. Having him around was very difficult for the church leadership and those members who knew the story, as it did not reflect well on the image of the church. One incident that was a true reaction of the members in the church happened in 1995 when a group of women walked out of a baptismal church service, refusing to have their children baptized by this minister. Despite such reactions, the man continued to be recognized by the church as a leader and the matter is still kept secret by some structures of the church even today.

It is clear from this story that the UCZ was unable to respond with disciplinary action against this man and this created ill-feelings among some church members. While there have been those who are against the actions of this the man, my discussions with church leaders and lay people during research revealed that not all the church leaders were against him, or the practice of child marriage. A few male leaders argued that, the marriage of a girl who has attained puberty does not fall under the category of child marriage, irrespective of her age. According to these men, child marriage was a tradition that was practiced in most parts of Zambia as part of people's culture. Through this practice, girls were married through arranged marriages. Asked on the legality of these marriages, the participants responded with mixed opinions. One group felt that these marriages were legal as long as the girl had attained puberty while the other group felt that the marriages were illegal because they involved minors, as is stipulated in the Zambian Constitution.

My conclusion of these mixed ideologies on the practice is threefold: first is the problem of lack of exposure on the side of the leadership to what the Zambian constitution says about child marriage. Second, is the whole problem of the Zambian dual system where the customary law which allows child marriage is also upheld in the country. Third, is the lack of theological engagement by the church on the issue of child marriage.

Responding to the position of the church on child marriage, two of the women ministers reported that at the time of the interview, they were dealing with pastoral cases of marriages of eight girls whom they had just suspended from their congregations because they were

is common to both men and the girls, these women  
primary action taken against the men involved in these  
marriages. This was an indication that no action is taken on men who marry these young  
girls, just as in the case the minister who married his granddaughter.

Elaborating further on the position of the church on these practices, all the participants  
acknowledged that the church has struggled to find a balanced teaching on the practice of  
child marriage. One of the ways in which the church was viewed to have failed its members  
was on its silence on such practices. In all the four congregations, the participants observed  
that the UCZ constitution is not clear on the issue of child marriage.

The participants further argued that, in their capacity as leaders, they had not come across a  
church statement stating the church's position on child marriage. Most of them stated that the  
church constitution only carries a small portion on the institution of marriage, claiming that  
even that portion does not say anything about this marriage practice. Asked how they address  
these issues in their congregations, most of them said they depend on the country's  
constitution and the teachings of the Bible. And sometimes they use the decision from the  
families. One respondent was quoted as saying:

*The church has no power over the decisions that families make. Some of these practices are  
beyond the authority of the church; as a result we sometimes just let the parents go on with  
these marriages.*<sup>178</sup>

It is clear from the above, that many participants in the group of church leaders and lay  
people perceive that, according to the UCZ, child marriage is either a cultural issue to be  
dealt with by the family or a legal issue to be dealt with by the state as the church has no  
specific policy to address the problem.

Other participants saw the church as operating in a very difficult position in its attempt to  
respond to the practice, claiming that the practice has always been in existence in the society.  
These participants claimed that even the Bible records incidents where young girls were  
being married to older people (for example Abishag and David). A conclusion that was

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<sup>178</sup>Interview with a male church leader from Mwaiseni UCZ on 8<sup>th</sup> July 2007, interviewed by Lilian Siwila.

at the UCZ has no fixed position on these marriage it difficult for UCZ to make decisive decisions on the matter. The inability of the church to respond to child marriage was also identified by the girls involved in child marriage practice as we shall see below.

### *Response of the Girls Involved in Child Marriages*

*Since the church does not recognize my marriage, I'm not allowed to take Holy Communion; I can't wear my church uniform or join the choir. Some of the women in the group even come and tell me that God is not happy with my marriage and they laugh at me that I rushed into marriage without waiting for church blessings. I feel so guilty before God. I think when I die I'm not going to heaven.*<sup>179</sup>

The above statement was made by a girl who was involved in child marriage. This girl saw herself as not being able to participate in the life of the church even though she was a member the church. This girl further indicated that the church is silent about all the girls who married young and outside the church, we are forgotten, even when we have marital problems we can't go back to the church leadership for help. It's like we were never their members<sup>180</sup> Most of these girls reported that they found the suspension very painful and unfair to them as Christians. Although the UCZ is responding to child marriage when disciplining these girls, from a gendered perspective, we see the church's response to be inappropriate because instead of dealing with the cause of child marriage and its harmful effects on girl children, it focuses on the symptoms, and imposes punishment on the girls.

This approach by the church to the problem of child marriage was also reflected in the story told by one girl. According to this girl, when she got married as a minor, the church decided to call her mother for discipline instead of her. They told the mother that she had a disciplinary case to answer before the church leadership because she had married her daughter without the consent of the church. The girl said that she felt sorry for her mother even though she was the one who initiated her marriage.<sup>181</sup>

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<sup>179</sup>Interview with a girl from Jordan congregation in Mufulira, on 3<sup>rd</sup> July 2007, interviewed by Lilian Siwila.

<sup>180</sup>This was a response from one of the girls interviewed from Mwaiseni UCZ congregation.

<sup>181</sup>This story was told by a girl from Jordan UCZ congregation on 2<sup>nd</sup> July 2007, interview conducted by Lilian Siwila.

Marriage affects their faith as Christians, most of the girls had lost their relationship with God especially after such treatment by the church. The lack of desire to go back to church was echoed by almost all the girls as most of them stopped going to church upon suspension. A different response came from two girls in Mufulira central and Mindolo UCZ. These girls argued that their marriage does not affect their faith in any way. For them, they felt that they remain Christians and did not want to allow their marriage to interfere with their faith even though the church condemns them. One of these girls argued that:

*As long as I continue to trust God in my heart I don't feel that I have done anything too serious for God not to forgive me. I don't want to wait for the church to tell me if I'm wrong or right. I have to let God judge me. For the sin I committed of not getting married in the church I always pray to God to forgive me. I refuse to lose my faith in God as he is all I have now. I know Jesus understands why I did what I did.*<sup>182</sup>

While the church views child marriage from a narrowly moral perspective and only punishing the girl child, these girls also justified the practice through desperation from an economic and practical perspective. I know Jesus understands why I did what I did.<sup>183</sup> Therefore while the girls know that they are outside the church's approval, they are also aware that they are not outside God's grace.

## 2.7 Conclusion

This chapter has shown that child marriage as a practice has been eschewed by the church in many ways. In today's society, child marriage carries socio-economic, political, religio-cultural dimensions that cannot be seen outside of the role of gender. The problem of child marriage has a long history in the society.

In Zambia most of the literature on child marriage has been on the agenda of many non-governmental organizations and the press, as we have seen. Despite all this, evidence from studies conducted and my field research has shown that the UCZ has not been able to fully engage itself in the discussion of child marriage. In this chapter I have also identified factors that influence child marriage. The findings of this study are that there is inter-connectedness

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<sup>182</sup>Interview with a girl from Jordan UCZ 2<sup>nd</sup> July 2007. Interviewed by Lilian Siwila.

<sup>183</sup>These are the exact words said by the girl during the interviews see citation on footnote 180, page 51.

selves to each other in their performance thus creating a chapter I discovered that most of the parents who marry their children early are under pressure from poverty, culture, fear of pre-marital pregnancy, HIV infection, illiteracy, and ignorance of the state laws. Therefore, the UCZ intervention will require a holistic approach which will allow the church to develop a theology with ða newspaper in one hand and a Bible in the other hand.ö<sup>184</sup>

The other issue that emerged from this chapter is the continued belief that marriage is a final destiny for the girls. According to Oduyoye idealization of marriage results in early marriage that deprives women of education and training for economic skills as they are passed directly from the authority of the father to that of the husband. The girl then has no opportunity to face the challenges that demand decision-making and she becomes dependent on others for direction.<sup>185</sup> In response to the objective of this study, it is imperative to show that child marriage is an unjust and unlawful practice that needs to be discouraged by the church. Sanctioning such a practice will only further the abuse of women in the church. As recognized by the participants, one way in which this can be done is to revise the UCZ constitution in order to allocate a clause that will protect these girls. The findings in this chapter have revealed that there is also need for education of the members on the laws of the country concerning marriage. In situations where the girls are already involved in these practices, the church needs to come up with educational programmes that will embrace these girls and help create awareness on some of the effects of the marriage of girl children, especially in the context of HIV and AIDS.

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<sup>184</sup> Karl Barth, *The Church and State* translated by Ronald Howe (Grenville sc: Smyth and Helwys, 1991).

<sup>185</sup> Mercy Oduyoye, ðCulture and Religion as Factors in Promoting Justice for Womenö, in *Women in Religion and Culture: Essays in Honour of Constance Buchanan*, edited by Mercy Oduyoye (Ibadan: Olusey Ltd., 2007), 4.

## Chapter Three

### Analysis of Widowhood Inheritance

#### 3.1 Introduction

In chapter two I discussed the current situation of child marriage in Zambia, its correlation with HIV and AIDS, and the UCZ response to the practice. In order to meet the objective of the study, I first looked at the historical background of child marriage and thereafter, I discussed child marriage as is practised in the current context showing how the practice has influenced the spread of HIV. Using the primary sources from in-depth interviews and Contextual Bible Studies, and literature sources, I have shown that child marriage is a practice that has affected both the church and society in many ways. I have also shown that there are many factors influencing child marriage in Zambia and that these factors are interconnected in many ways.

The objective of chapter three is to describe why widowhood inheritance is viewed as a threat to the spread of HIV and AIDS. In order to meet this objective, I will first, provide a historical background of widowhood inheritance. Second, I will discuss the current situation of widowhood in Zambia. Third, I will look at the factors that influence widowhood inheritance in Zambia. Fourth, I will show the correlation between HIV and AIDS and widowhood inheritance. Finally, I will provide a detailed discussion of the UCZ response to widowhood inheritance in the context of HIV. The information in this chapter comes from primary data, which included in-depth interviews with 12 widows, and 16 church leaders and Contextual Bible Studies with 64 lay members as described in chapter one.

#### 3.2 Brief Background of Widowhood Inheritance

According to Thurston, the Hebrew word for widow *almanah* has its roots in the word *alem* 'unable to speak'. Thus the word was the 'silent one' as it was used to refer to the hopelessness, to oppression, or the harsh treatment the widows experienced.<sup>186</sup> Cahill asserts that in the history of the church, women outside the male support system were at a serious

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<sup>186</sup>Bowman Bonnie, Thurston, *The Widows: A Woman's Ministry in the Early Church*.(Minneapolis: Augsburg Press, 1989), 9.

This is because a woman's social and religious identity is tied to her family members.<sup>187</sup> This means that the death of a husband meant a loss of a male support system. Bunnett sees the position of widows as one of suffering, unjust treatment and socio-economic hardship.<sup>188</sup>

According to Labeodan, nearly all marriages ultimately end with the death of a spouse apart from divorce.<sup>189</sup> The death of a spouse in Africa marks another stage in the life of an individual, with separation rites to terminate the coital rights of the deceased partner.<sup>190</sup> This is thought to help to rest the spirit of the deceased. Most of the research done by African Women Theologians on widowhood inheritance has shown that women are more vulnerable to the practice of widow cleansing than men.<sup>191</sup>

Furthermore, Ofei-Aboagye adds that women practise more complex, intensive, restrictive, and potentially humiliating and abusive widow rites than men.<sup>192</sup> And yet, little has been recorded on the rituals performed on a man for the death of his wife because the practice is minimal.<sup>193</sup> Generally, Oduyoye associates this with the fact that most African societies have more rituals for women than men.<sup>194</sup> Kanyoro views this in the sense that women in Africa are custodians of cultural practices.<sup>195</sup>

<sup>187</sup> Lisa Sowle Cahill, *Sex, Gender and Christian Ethics* (New York: Cambridge University Press, 1996), 143.

<sup>188</sup> Harold V. Bannett, *Injustice Made Legal: Deuteronomic Law and the Plight of Widows, Strangers and Orphans in the Ancient Israel* (Grand Rapids: William B. Eerdmans Publishing Company, 2002), 24-26.

<sup>189</sup> Helen Kunbi Labeodan, 'Are Women Their own Enemies', in *Women in Religion and Culture: Essays in Honour of Constance Buchanan* edited by Mercy Oduyoye (Ibadan: Oluseyi Press, 2007), 119.

<sup>190</sup> Mercy Oduyoye, 'Women and Ritual in Africa', in *The Will to Arise: Women Tradition and the Church in Africa* edited by Mercy Oduyoye and Musimbi Kanyoro (Maryknoll: Orbis Books, 1992), 15.

<sup>191</sup> In almost all the publications of the Circle, research has shown that widows are the most vulnerable group when it comes to widowhood inheritance. For more information see Mercy Oduyoye and Musimbi Kanyoro, eds., *The Will to Arise*; M. Oduyoye, *Daughters of Anowa*; Isabel Phiri, *African Women, Presbyterian and Patriarchy: Religious Experience of Chewa in Central Malawi* (Blantyre/Bonn: Christian Literature Association in Malawi. Blantyre: CLAIM, 1997); Peggy M. Kabonde, 'Widowhood in Zambia the Effects of Ritual', in *Groaning in Faith: African Women in the Household of God*, edited by Musimbi Kanyoro and Nyambura Njoroge), (Nairobi: Acton Publishers, 1996); Fulata Lusungu Moyo, 'Singing and Dancing Women's Liberation: My Story of Faith' in *Her-Stories: Hidden Stories of Women of Faith in Africa*, edited by Isabel Phiri, Betty Govinden and Sarojini Nadar (Pietermaritzburg: Cluster Publications, 2002), 386-405; Constance A. Chisanya, 'Unsexing the Sexualized: Implications of Celibate Widows on HIV and AIDS Transmission in Nairobi, Kenya', *Journal of Constructive Theology: Gender Religion and Theology in Africa* 12 no. 2 (2006), 45-64; and Lois Moyo, 'Widowhood Rituals, African Lutheran and HIV prevention: A Gendered Study of the experience of widows in the Kamwala Evangelical Lutheran Church in Zambia' (Masters thesis, University of KwaZulu-Natal, 2007).

<sup>192</sup> Esther O. Ofei-Aboagye, 'Women's Wisdom and the Challenge of Religion in Africa', in *Women in Religion and Culture: Essays in Honour of Constance Buchanan*, edited Mercy Oduyoye (Ibadan: Oluseyi Press Ltd, 2007), 54.

<sup>193</sup> Oduyoye, *Daughters of Anowa*, 15.

<sup>194</sup> Oduyoye, 'Women and Ritual in Africa', 16.

<sup>195</sup> Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 15.

riage, a study by Owen suggested that marriage in most  
Instead widows are re-married by the relatives of their  
late husbands. This scenario when found in the context of HIV and AIDS has made most  
widows and their new partners vulnerable to HIV infection.<sup>196</sup> However, Kanyoro sees the re-  
marrying of widows as the responsibility of the community. She argues that this is done in  
order to ensure that the bereaved wife is taken care of and would continue to be part of her  
married family.<sup>197</sup>

From a socio-economic perspective, Heine associates widowhood inheritance with a form of  
inheritance that involves property grabbing and sexual cleansing.<sup>198</sup> Kisembo and Kalanda  
argue that the term widowhood inheritance is misleading as African widows cannot be  
inherited. Instead, they prefer the phrase *õcare of the widowsõ*. Their argument is that the  
purpose of the African customs concerning widows is to care for their domestic, sexual, and  
reproductive needs as a community.<sup>199</sup> This approach to widowhood inheritance has some  
positive aspects that can be adopted by the church in its fight against HIV.

Oduyoye however dismisses this argument with the contention that in our today's society  
such allegations only justify the concept of *lobola* that makes women to be treated as  
*õtransferable objectsõ*.<sup>200</sup> In agreement with Oduyoye, Kirwen sees widowhood inheritance as  
associated with certain pre-suppositions about the nature of institutions of marriage like  
*lobola* and procreation that are linked to the covenant that binds the woman to the family of  
the husband.<sup>201</sup> Among the Tonga and Bemba of Zambia, before any cleansing ritual takes  
place, the families will check if all the *lobola* was paid and if not the man's relatives will  
have to pay the *lobola* before the widow is cleansed.

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<sup>196</sup>M. Owen, Women 2000 United Nations Division for the Advancement of Women.

<http://www.un.org/womenwatch/htm> accessed on 11/02/2007.

<sup>197</sup>Kanyoro *Introducing Feminist Cultural Hermeneutics*, 60.

<sup>198</sup>Rachel Heine, *Widows and Orphans Empowerment Initiative (2009)* <http://www.africanwidows.org/Widows>  
accessed on 10/07/2010.

<sup>199</sup> The problem of widowhood inheritance has been heavily debated by these two scholars. Benezeri Kisembo  
argues that when a woman loses her husband, her marriage in the family is still regarded to be in existence and a  
surrogate or proxy husband must be found within the family from among the male relatives of her husband. See  
Laurenti, M. Kisembo and Alyward Shorter *African Christian Marriage* (Nairobi: Paulines Publications, 1977),  
10.

<sup>200</sup>Oduyoye, *Daughters of Anowa*, 137.

<sup>201</sup>Michael C. Kirwen, *African Widows: An Empirical Study of the Problems of Adjusting Western Christian  
Teachings on Marriage to the Levirate Custom for the Care of Widows in Four Rural African Societies*  
(Maryknoll: Orbis Books, 1979), 10.

I relate an incident that happened in my family. My grandfather had been married for 75 years. During the family meeting that usually happens after the burial, it was discovered that my grandfather had not completed paying *lobola*. He still had a balance of five pence (the currency which was used in Zambia during the colonial days) from his *lobola*. Despite the long spell of time that had passed my 96 year old grandfather (the widower) could not be cleansed until he had paid the balance.<sup>202</sup> The payment of *lobola* was seen as an indication of breaking the marriage covenant between my late grandmother and my grandfather. This case study highlights the connection that exists between widowhood inheritance and *lobola*.

Historically, most societies in Zambia paid special attention to widows and orphans. It was the duty of the community to see to it that the widows' needs were taken care of. This is one of the reasons why in some societies, widows were not allowed to leave the homestead of their husband upon the death of the spouse. Instead, they were taken into marriage by either the brother, cousin, nephew or uncle of the late husband.<sup>203</sup> The first duty of these inheritors *abapiyani* or *basikunjila munga'nda*,<sup>204</sup> was to cleanse the widow of the spirit of the deceased. In Zambia there are both matrilineal (which is the largest group) and patrilineal societies. This means that succession depends on rules of these societies and the common factor that unites both groups is the issues of an heir.<sup>205</sup> Following this discussion, it can then be said that widowhood inheritance as a traditional marriage practice also has some positive aspects that can be used in the fight against HIV and AIDS. For example the African spirit of community living as been used as a positive tool in addressing the issue of widowhood inheritance as it incorporates the widows/widowers and orphans back to the community.

When discussing widowhood inheritance, missionaries who formed the UCZ seemed to concentrate more on polygamy and levirate marriage, rather than in sexual cleansing. The missionaries saw widowhood inheritance as a practice that promotes levirate union which

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<sup>202</sup> This incident happened in 2000 after 75 years of marriage. This shows the impact of *lobola* on an African family. The amount of money involved in this incident when translated to the present currency could have amounted to about R5. In this case the money is not really the issue. What matters most is the tradition of *ukulobola*.

<sup>203</sup> Joyce Shezongo-Macmillan, "Women's Property Rights in Zambia" (unpublished paper presented to the Strategic Litigation Workshop held from 14<sup>th</sup> to 18<sup>th</sup> in Johannesburg South Africa, 2000), 2.

<sup>204</sup> These are names given to the inheritors in Bemba and Tonga respectively. These men are respected by the community. In most ethnic groups of Zambia, inheritors are members of the family of the deceased husband and they are chosen by the members of the family.

<sup>205</sup> Kabonde, "Widowhood in Zambia: The Effects of Ritual", 199.

enacted in the 1949 CCAR draft of the constitution which was included in the 2004 UCZ. In this constitution, widowhood inheritance was condemned by the missionaries.<sup>206</sup> Despite this condemnation, there was very little evidence from the Africans of the change of attitude towards widowhood inheritance practices. The poor response from the Africans could be attributed to the embedded beliefs on the practice by the Africans. The Presbytery minutes of 1952 also show that the lack of approval of the marriage booklet that was circulated to all congregations contributed to the way widowhood inheritance was addressed in the church.<sup>207</sup> What is even more challenging is that the current constitution of the UCZ does not have any clause on widowhood inheritance.<sup>208</sup> This raises questions on where the UCZ bases its teaching in addressing such cultural practices.

### 3.3 Current Situation of Widowhood Inheritance in Zambia

According to Heine, to be widowed in Zambia is a terrible and dreadful experience, ðit's like being sentenced for murder that one did not commit.ö<sup>209</sup> A study by Malungo has shown that widowhood inheritance is still common in Zambia. His findings reviewed that the practice is more popular in the urban areas than in the rural areas.<sup>210</sup> This statement may be seen as a contradiction to the popular belief that traditional practices such as widowhood inheritance are more common in rural areas than urban areas. The observation by Malungo can be attributed to the fact that although people may move from one geographical setting to another, most of them do not abandon their embedded cultural belief systems. Instead, people may use their culture in a different setting other than theirs to claim their identity. Therefore, practices such as widowhood inheritance are used as cultural identity and a way of protecting

<sup>206</sup>CCAR Draft Constitution 1949.

<sup>207</sup> During the formation of the church constitution, one of the suggestions from the missionaries was to develop a booklet that was going to address issues related to marriage. This booklet did not materialize however, due to the negative response from the African ministers and church members. For more information see the CCAR minutes of Presbytery 1952 CCAR/12/5 C2.

<sup>208</sup>The 2004 Constitution was the latest document of the church's constitutional laws at the time of writing this study. See *Constitution of the United Church of Zambia* (revised edition) (Lusaka: University of Zambia Printers, 2004). Following all the other previous constitutions, this study was able to conclude that the UCZ no longer has any written laws on widowhood inheritance apart from the archival materials left by the missionaries. My analysis of this is twofold: either the church did not see it necessary to add this clause in the constitution because the church took it for granted that the members will know that this practice is wrong and should not be accepted in the church. Or the church may have just ignored the practice as part of the accepted culture since this time the church was in the hands of the black Africans.

<sup>209</sup>Heine, *Widows and Orphans Empowerment Initiative*. 1-5.

<sup>210</sup> Junior Malungo, ðChallenges to Sexual Behavioural Changes in the Era of AIDS: Sexual Cleansing and Levirate Marriage in Zambiaö, in *Resistance to Behavioural Change to Reduce HIV/AIDS Infection in Predominantly Heterosexual Epidemics in Third World Countries*, edited by R. Caldwell (Canberra: The Australian National University, Health Transition Centre, 1999), 41.

with Malungo, Kabonde<sup>211</sup> and Simfukwe<sup>212</sup> assert that in some areas there are funeral rituals that are performed on the remaining spouse for the purpose of resting the spirit of the deceased.

This was also confirmed by the participants from the field research who said that there are serious consequences associated with failure to rest the spirit of the deceased.<sup>213</sup> According to Mbozi, ritual cleansing is documented as one of the most deep-rooted and widespread practice among the 73 ethnic groups in Zambia.<sup>214</sup> A more recent study by Moyo has confirmed that widowhood inheritance practices are still common in Zambia even within the church.<sup>215</sup> In agreement with the above literature, widows, church leaders and lay people who participated in the interviews and Contextual Bible Studies conducted in this study also confirmed that widowhood inheritance is still common in Zambia. According to these participants, widowhood inheritance cleansing rituals take on two forms, namely sexual cleansing and the use of alternative rituals, as I shall show in the next section.

### ***3.3.1 Widow/widower Cleansing Rituals (Sexual Cleansing)***

According to Chisanya, in most African communities the death of a spouse is believed to make the widow/widower impure and separated from the community. Therefore, there is need to perform rituals that will help to re-integrate the widow/widower back to the society.<sup>216</sup> The participants in this study defined widowhood cleansing as a ritual that is aimed at cleansing the remaining spouse upon the loss of the partner. Within widowhood cleansing there are rituals that are performed in order to complete the practice of purification. Sisanya observes that both purification rituals and sexual cleansing rituals differ from one society.<sup>217</sup>

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<sup>211</sup> Kabonde, *Widowhood in Zambia: The Effects of Ritualö*, 199.

<sup>212</sup> Joe Simfukwe, *Funeral and Burial Ritesö*, in *African Bible Commentary: One Volume Commentary Written by 70 Africans: ABC Editorial Boards, Association of Evangelicals in Africa*, edited by T. Ademeyo (Nairobi: World Alive Publishers, 2006), 1462.

<sup>213</sup> Some of the widows interviewed during June/July 2007 stated that widow cleansing, if not well addressed, can cause insanity on the widow/widower because of the restless spirit of the deceased.

<sup>214</sup> Peter Mbozi, *The Impact of Negative Cultural Practices on the Spread of HIV/AIDS in Zambia* (Lusaka: Department of Mass Communication, University of Zambia, 2000), 76.

<sup>215</sup> Moyo, *Widowhood Rituals, African Lutheran and HIV Prevention*:

<sup>216</sup> Constance Ambasa Chisanya, *Widowhood and HIV Transmission in Siaya District, Kenyaö*, in *Compassionate Circles: African Women Theologians Facing HIV*, edited by Ezra Chitando and Nontando Hadebe (Geneva: WCC Publications, 2009), 55.

<sup>217</sup> Chisanya, *Widowhood and HIV Transmission in Siaya District, Kenyaö*, 55.

stated that the practice is common in almost all the ethnic groups. The participants stated that for a long time society has upheld the practice to the extent that widowhood inheritance constructs the community identity. This made it difficult for the people to easily do away with the practice. The participants also stated that widowhood cleansing is a way of announcing to both the living and the dead that a sexual covenant that existed between husband and wife has been terminated by death.

Traditionally, it is believed that a widow or widower who is not cleansed is a danger both to herself or himself, and to the community.<sup>218</sup> Both Idoh<sup>219</sup> and Malungo<sup>220</sup> confirm that in Zambia, a widow is cleansed either sexually or through the use of alternative rituals. The cleanser is normally a brother, male cousin, nephew, or in rare cases a son, female cousins, and sisters of the late husband. The literature above was also confirmed by widows who were interviewed in this study. These widows stated that traditionally, sexual cleansing has been viewed as one of the main forms of cleansing by most of the ethnic groups in the country. One widow went further to state that:

*Sexual cleansing is still common in our country and even among church goers, despite the threat that HIV and AIDS pose on the practice. I always thank God that I was spared of the practice.*<sup>221</sup>

The statement from the widow above raises three significant issues; first the widow confirms that the practice is still common in Zambia. Second, that the practice poses a threat to the spread of HIV, third, the widow is thanking God for not being sexually cleansed. The widow's statement shows that she is among those widows who were against the practice of sexual cleansing.

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<sup>218</sup>James Cox, "Ritual, Rites of Passage and the Interaction between Christianity and Traditional Religions", in *Rites of Passage in Contemporary Africa*, edited by James L. Cox (Cardiff: Cardiff Academic Press, 1998), xi.

<sup>219</sup>Idah Idoh, "Gender Inequalities in HIV/AIDS in Zambia" (Masters thesis, Sodertorns Hogskola, 2004).

<sup>220</sup>Junior S. Malungo, "Sexual Cleansing (*kusalazya*) and Levirate Marriage (*Kunjilila mung'anda*) in the Era of HIV/AIDS: Changes in Perceptions and Practices in Zambia", *Journal of Social Science and Medicine*, no. 53 (2001), 371-382.

<sup>221</sup>A response from a widow from Mwaiseni Congregation Interviewed by Lilian Siwila 22/07/2007.

*I know of a friend who got pregnant soon after the sexual cleansing and was later discovered to be HIV positive after her baby died. Even though society wants to pose as though the practice has been completely erased from the country especially in the church there are widows who are still experiencing the pressure to undergo sexual cleansing.*<sup>222</sup>

Although this widow related the story of another widow who was a victim of sexual cleansing, her story reveals some of the realities that society would want to keep as a secret. Her statement also shows that a cultural practice like sexual cleansing that is deeply rooted in people's world views cannot easily be exterminated from society. This is affirmed by Mbozi who argues that, although steps have been taken to eradicate these cultural practices from modern Zambia, especially in the light of HIV and AIDS, there are traces suggesting that such habits are still a part of Zambian lifestyle albeit in varying degrees.<sup>223</sup> Mbozi's statement also resonated with comments from the late president of Zambia, Mr. Levy Mwanawasa. President Mwanawasa reminded the traditional leaders that they were the best people to address practices like widowhood inheritance and sexual cleansing, which he saw as contributors to the spread of HIV in the country.<sup>224</sup>

In a response to Mwanawasa, Chief Lukwesa argued that "As far as we are concerned, sexual cleansing has to continue because without it we don't have any tradition."<sup>225</sup> Lukwesa also quotes other chiefs who threatened that their villages risked being cursed if true cleansing did not take place. These chiefs believed that the deceased would come back to haunt them<sup>226</sup> due to unsettled mourning rituals. These separation rites are performed to terminate the coital rights of the deceased partner.<sup>227</sup>

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<sup>222</sup> This is a response from a widow at Jordan UZC congregation interviewed on 6<sup>th</sup> July 2007 by Lilian Siwila

<sup>223</sup> Mbozi, *The Impact of Negative Cultural Practices on the Spread of HIV/AIDS in Zambia*, 75-76.

<sup>224</sup> "Traditional Leaders in Zambia: A Weapon Against AIDS", (Sept 2004). <http://www.abtassociates.com/Page.cfm?PageId=12626> Accessed on 21/08/2008.

<sup>225</sup> "Traditional Leaders in Zambia: A Weapon Against AIDS".

<sup>226</sup> "Traditional Leaders in Zambia: A Weapon Against AIDS".

<sup>227</sup> Oduyoye, "Women and Rituals", 15.

in Zambia, some of the chiefs argued that, when new rituals, tradition must adapt to protect the community and its heritage.<sup>228</sup> This was said in order to show the traditional leaders who were holding on to sexual cleansing that culture is dynamic and that it must adapt to the changing lifestyles especially when the practice is life threatening. According to Mbiti, ritual cleansing is a solemn seal or signature in which sex is used in and as a sacred action or as a sacrament<sup>229</sup> signifying inward spiritual values.<sup>229</sup>

Mbiti further warns that breaking some of these sex taboos may be considered as a serious sex offence which may disturb the smooth running of the community. The offences may involve ritual cleansing of both the community and the people involved.<sup>230</sup> Van Dyk affirms that sex not only serves a biological function in African societies, but that sex also conquers death and symbolizes immortality.<sup>231</sup>

Apart from the sexual cleansing rituals discussed here, the participants in this study also mentioned another form of widowhood cleansing that is advocated in widowhood inheritance, called alternative ritual cleansing.

### **3.3.2 Alternative Rituals**

All the participants in this study were aware that in most of the ethnic groups in Zambia, widows and widowers are also cleansed using alternative rituals. These are rituals that do not involve sexual intercourse. A study by Kalinda and Tembo confirms this statement by showing that among the Bemba people of Mansa Zambia, there are a variety of alternative rituals that are observed in the place of sexual cleansing.

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<sup>228</sup>Traditional Leaders in Zambia: A Weapon Against AIDS.

<sup>229</sup>Mbiti, *African Religion and Philosophy* (Oxford: Heinemann, 1969), 143.

<sup>230</sup>Mbiti, *African Religion and Philosophy*, 144.

<sup>231</sup>Alta van Dyk, *HIV/AIDS Care and Counselling: A Multidisciplinary Approach 4<sup>th</sup> ed.* (Cape Town: Pearson Education, 2008), 207.

ified in their study were, the tying of hot beads *ku kaka* of the maize flour on the body of the widow/widower. The maize flour in this case symbolizes purity and once smeared it cleanses the widow/widower from the spirit of the dead spouse.<sup>233</sup>

Other alternative rituals that are common in Zambia are *kucuta*. This is a practice where the cleanser slides over the body of the widow/widower while both of them are half naked. This is sometimes also called thigh brushing.<sup>234</sup> The common alternative ritual in most ethnic groups is the drinking of herbal water, putting the herbs in the food or bathing in herbal water.<sup>235</sup> The latest form of alternative ritual that was identified by the widows interviewed in this study is the use of prayers. This practice was found mainly among the born again group of Christians.

Kalinda and Tembo further argue that alternative cleansing rituals have become more popular with the increased awareness of HIV and AIDS risk involved in sexual cleansing. Despite the increased use of alternative cleansing rituals, the authors argue that calls to abandon sexual cleansing have not been well received by local people.<sup>236</sup> This is confirmed by this study where the majority of the women in the Contextual Bible Studies indicated that there has been a lot of campaigning against sexual cleansing and advocacy for alternative rituals especially in the wake of HIV and AIDS. A study by Malungo has confirmed that alternative rituals to sexual cleansing which were rarely used before the advent of HIV are now considered useful.<sup>237</sup> Participants from Contextual Bible Studies and the individual interviews in this study also stated that the church too advocates for these alternative rituals, despite the fact that sexual cleansing is still common even among church members.<sup>238</sup>

<sup>232</sup> This is literally translated as hot bead bracelet. This kind of cleansing involves a couple from the family of the deceased. This couple is given a bead bracelet before the sex act. The couple is expected to have sex and after the sexual act they will have to smear their body fluids with the bracelet and give the bracelet to the widow/widower to wear as a sign of cleansing. The bracelet is called hot because of the body fluids smeared on it. For more see Thomson Kalinda and Robert Tembo, "Sexual Practices and Levirate Marriages", in *Mansa District of Zambia Electronic Journal of Human Sexuality* 13 (March 23 2010), 9. See also, Stephen Kapambwe, "Chiefs Battle to Dislodge AIDS in Zambia", *Times of Zambia Monday* (December, 22. 2003). <http://www.times.co.zm/news/viewnews.cgi?category=all&id=1072070262> accessed on 19/02/2007

<sup>233</sup> Kalinda and Tembo, "Sexual Practices and Levirate Marriages", 9.

<sup>234</sup> Malungo, "Sexual Cleansing (*Kusalazy*) and Levirate Marriage", 373.

<sup>235</sup> Kabonde, "Widowhood in Zambia: Effects of Ritual", 196-197.

<sup>236</sup> Kalinda and Tembo, "Sexual Practices and Levirate Marriages", 9.

<sup>237</sup> Malungo, "Sexual Cleansing (*Kusalazy*) and Levirate Marriage", 373.

<sup>238</sup> Interviews with church leaders, lay people, and widows in the UCZ Copperbelt province June/July 2007.

to be encouraged by society today, reports from field studies show that were cleansed through these alternative rituals, there were some who reported threats, victimization and intimidation. These threats were because these widows did not undergo sexual cleansing rituals. The threats included the possibility of becoming insane, bringing a curse to themselves, their families and the community, loss of property, and children. When asked why these widows opted for alternative ritual cleansing, most of the participants said they did so in fear of church discipline. Others said it was against their faith as Christians. The majority said they feared to be infected or infect the cleansers in cases where one of them could have the virus.

Despite all the stated reasons for not undergoing sexual cleansing, nearly all the participants of this study indicated that they had fear of the spirit of the dead when it came to the issue of sexual cleansing. When asked why, the widows stated that culturally the issue of widowhood cleansing is very complex, as one cannot be sure whether the spirit of the deceased is well rested or not during the process of cleansing. This was confirmed by one widow who said that:

*You cannot tell yourself that now I'm fully cleansed and free to move around, sometimes even after many years you may find yourself in trouble, that is why we need to really pray and trust God for protection. Sexual cleansing is a complex matter in our society.<sup>239</sup>*

The sentiment presented by this widow was also raised by most of the female participants in the Contextual Bible Studies. Apart from the fear of the spirit of the dead person, some of the participants also saw sexual cleansing as a cultural construct despite it being valued as an African cultural practice. According to these participants, most widows who undergo sexual cleansing do so in response to the cultural demands that are placed before them by society. At the same time the participants also saw the practice as a social construct when it is used to for economic gain and as a way of punishing the widow. In response to this argument, the question that will be addressed in the next section of this chapter is: What are the some of the

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<sup>239</sup>One thing that is worth noting about the issue of sexual cleansing is that not all ethnic groups in Zambia practise sexual cleansing, even though it is one of the most common traditions of cleansing a widow in most ethnic groups. The widow reporting above comes from a culture where sexual cleansing is advocated for widow cleansing. Her fear was that she did not do the prescribed cultural requirement of widow cleansing according to her ethnic demands.

...situation of cleansing rituals even when they pose a threat

### 3.4 Factors Influencing Widow Cleansing

Culturally, widow cleansing is a societal norm that is practised for the purpose of resting the spirit of the deceased in a culturally defined manner of a particular society. The participants in this study identified two factors explaining why widowhood cleansing rituals are perpetuated in Zambia today. First, they said it is a cultural way of respecting the dead person by resting his/her spirit in a dignified manner, who if not respected through prescribed cleansing rituals, may come back to haunt the community as discussed earlier on in chapter. The second reason identified mainly by women in almost all the groups, was greediness driven by socio-economic factors. Each of these factors has been discussed in details below using the experiences of the widows as related during field research study.

#### 3.4.1 *Fear of Being Haunted by the Spirit of the Dead*

*I always have terrible dreams in the night. Sometimes I dream about my husband coming to me in anger asking me why I have abandoned him. I have tried to pray every time I have this kind of dream but sometimes I feel as though there is something that was not done well. My parents and my in-laws wanted me to be sexually cleansed but I told them I was a Christian and I did not need this kind of cleansing. They respected my stand but I don't know any more whether this was the right thing to do. I'm afraid to tell the church leaders because when I shared this with one of my friends she told me that I had no faith.<sup>240</sup>*

The widow in this story told me that she underwent an alternative ritual of bathing in the herbal water. Her reason for doing so was because she was a Christian and also she was afraid of HIV infection. Although this widow underwent this kind of cleansing, there were still some uncertainties as to whether she was fully cleansed due to the fear of the spirit of the dead. This is confirmed from the way in which she expressed her dreams and her decision to undertake alternative ritual cleansing. Among all the widows interviewed and the lay people

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<sup>240</sup>Interview with widow from Mwaiseni UCZ 10<sup>th</sup> July 2007, Interviewed by Lilian Siwila.

ear of the spirit of the dead emerged as one of the major  
widow stated that:

*The church leaders would tell you that this is not Christian but some of them are also secretly following the practice. They just hide in the uniform, but they are also afraid of the spirit of the dead.*<sup>241</sup>

The fear of the spirit of the dead as identified by the widows is also confirmed by Kalinda and Tembo who argue that, strong beliefs and fear of the spirit of the dead spouse compels widows to undergo sexual cleansing and this exposes them to greater risks of HIV infection.<sup>242</sup> The widows in this study went on to state that even some family members were also afraid of the spirit of the deceased. This was confirmed by the story told by one widow who narrated her experience of sexual cleansing saying:

*This happened after I opted to be prayed for and not be sexually cleansed. The first three months all seemed okay I was in the city with my children everyone had gone home and I thought to myself I'm free now... But I was wrong, I will never forget that night nobody knows about it except for a few of my friends. I was called to the homestead of my husband to take the children to see their grandparents. At night there was a meeting where my father-in-law explained how his son has been troubling him in the dreams asking for a house to rest. My father-in-law then told me that I was the only one to give him that kind of rest. He further said that part of the reason I was called to the village was to help rest my late husband. I was not able to fully understand until later in the night I was visited by my husband's cousin in the house where I was sleeping. My husband's cousin came to the house half-dressed and told me that he was just following the tradition. He had sex with me and told me to keep it as a secret especially from the family and the church. When I asked him about the condom he told me that the use of a condom will block the flow of semen and defeat the effectiveness of the cleansing process.*<sup>243</sup>

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<sup>241</sup> This was a response from one of the widows who did not want to disclose whether she had been sexually cleansed or not. Due to the ethical codes signed in this study, such participants were left to tell their story in any way that suited them well. A widow from Mindolo congregation interviewed by Lilian Siwila 10<sup>th</sup> July 2007.

<sup>242</sup> Kalinda and Tembo, "Sexual Practices and Levirate Marriages", 9.

<sup>243</sup> Interview with a widow from Jordan congregation Mufulira 6<sup>th</sup> July 2007, interviewed by Lilian Siwila. This view is also echoed by van Dyk, in his book, *HIV/AIDS Care and Counselling*, 209.

ased man highlighted another reason to practice sexual  
t of the deceased, which in most cases is believed to be  
moving around restlessly. Apart from this, the fear of the spirit of the dead is very clear,  
which later on turns the widow into a victim of sexual abuse in an attempt to bring order in  
the family. Due to the vital force associated with ritual sex, the in-laws saw the breaking of  
the sexual covenant as the only solution to the resting of their son's spirit. In agreement with  
the story above, Oduyoye argues that the man's soul rests peacefully only when his spouse  
has meticulously observed all the rites of widowhood.<sup>244</sup>

As indicated in the story, this incident happened after the widow was cleansed using  
alternative rituals. While the latter process of cleansing may have rested the spirit of the  
deceased, it also had a negative effect on the people who participated in the sex ritual. Since  
the ritual was performed without condoms, both the widow and the cousin of the deceased  
were at a risk of contracting HIV. The other thing is the silence around the ritual. This widow  
shared her story with resentment as she did not want to be identified by her church. The  
widow reported to me that she decided to keep this story from the church because it was  
going to bring shame on her. The position of this widow is confirmed by Moyo who argues  
that the position of a widow in Zambia is a contentious one.<sup>245</sup> The question that such an  
incident raises is: How should the church respond to situations such as this of the widow  
above? To what extent has the church contributed to the silence of women on issues of sexual  
abuse like the one stated by the widow above? These and other issues raised in this study will  
be addressed later in chapter six where I will be dealing with broader themes that have  
emerged from this study. Another reason for sexual cleansing that was identified by the  
participants is socio-economic factors and greediness as will be shown below.

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<sup>244</sup>Oduyoye, "Women and Ritual in Africa", 15.

<sup>245</sup>Moyo, "Widowhood Rituals in Zambia".

Henriot records a particularly disturbing phenomenon present among the many ethnic groups of Zambia of property grabbing which is inflicted upon the widows after the death of the husband. This is done in the name of cultural traditions of inheritance, whereby the widow, children and all possessions of their home belong to the family of the husband.<sup>246</sup> Varga calls the hardship of widows by losing property a shift from care to aggression and greed.<sup>247</sup> Through the process of property grabbing, in some cases in-laws have also insisted that a widow undergoes sexual cleansing if she does not cooperate with them on the issue of properties. As a result, widows sometimes give up their property to avoid this practice.<sup>248</sup> A 2007 Human Right Watch report blames property grabbing from widows to the Zambian legal system that uses the Local Courts Act to distribute inheritance without reference to the percentages specified by the Intestate Succession Act. The report also blames the state attitude of often mandating low fines for property grabbing.<sup>249</sup>

The literature above is also confirmed by the response from most of the participants involved in this study. The participants from the interviews and Contextual Bible Studies reported of a new phenomenon where some of the family administrators of property have come back after the funeral of a husband to demand sex from the widows or they get all the property.

*There is no culture in what these people are doing it is just pure greed and lust. After all there is no time to even love someone when you are still mourning.*<sup>250</sup>

This widow's observation was confirmed by another widow from Mindolo congregation who related her experience of abuse from her brother-in-law saying:

*My brother-in-law who was chosen as the administrator started frequenting his visits soon after the funeral. One day when coming from work I found him in my bedroom sleeping on*

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<sup>246</sup>Peter J. Henriot, "Grassroots Analysis: The Emphasis on Culture" in *Liberation Theologies on Shifting Grounds*, edited by G. de Schrijver (Leuven: Leuven University, 1998), 346.

<sup>247</sup>Both Varga and Henriot have shown that in Zambia property grabbing is a common practice that has been exacerbated by the high HIV and AIDS mortality rates among the couples.

<sup>248</sup>"Gender-Based Abuses in Zambia", *Human Rights Watch* 19, no. 18(A) (December 2007) 52.

<http://www.hrw.org/reports/2003/zambia/zambia1202.pdf> accessed on 12/01/2008.

<sup>249</sup>Human Rights Watch, *Hidden in the Mealie Meal Bag*, 57.

<sup>250</sup>Interview with a widow from Mindolo congregation 6<sup>th</sup> July 2007, Interviewed by Lilian Siwila.

...naturally I consider him as my father-in-law. Therefore, I  
...room and go to the spare bedroom. But he told me that I  
was too young to stay with the children and manage the businesses of my late husband. He  
told me that we needed to devise a plan on how we can live together so that he can help me  
as the administrator. At first I did not understand what he meant but when he started making  
sexual advances I knew that he meant business. I told him I was a Christian and that he was  
just like my father. He threatened to get all the money and children from me. I tried to tell  
some of my church leaders but they told me that this was a family matter I needed to discuss  
it with my husband's family. I was not able to go back to my husband's family because I knew  
their answer. I lost all the businesses to my brother-in-law but I thank God that I'm still with  
my children and I did not allow him to touch my body. Since 2007 none of my husband's  
family has come to see me or the children.<sup>251</sup>

The story of this widow was not exceptional in that most of the lay people who participated in the Contextual Bible Studies shared stories of the abuse of widows by the family property administrators. The lay people spoke about the experiences of widows who have been either sexually abused or lost their property to the family administrators because they have refused sexual advancements. The participants identified greed as the motive behind actions of the family property administrators. As widow inheritors these administrators saw themselves as people with power to use sex as a weapon to manipulate the property of the widows. In addition, Dube summarizes three scenarios that characterize these widow inheritors as:

First those who are in power are not bothered about the suffering of the oppressed, second, when people get drunk with power, the fear of God leaves their hearts leaving them with no respect for humanity as created in the image of God, last their response to the oppressed is for their own selfish gain.<sup>252</sup>

In addition to the factors of fear of the spirit of the dead and socio-economic factors associated with greediness, which were cited by the widows and the lay people, I also identified two more reasons that influence widowhood sexual cleansing as follows.

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<sup>251</sup>This story was among the many narrated by the widows during the interviews. Unlike this widow who was able to resist the brother in-law's sexual advance, reports from the groups related incidents where some of the widows gave in to sex in order to preserve the property and the children.

<sup>252</sup> Dube, "Grant Me Justice", 17-18.

## iring Women as Custodians of Culture

During the Contextual Bible Studies, discussions on the themes that emerged from the texts used in the Bible studies included the role of patriarchy in preserving culture. From the Contextual Bible Studies on Genesis (38:1-28), it was argued that the role that Judah played in the story displayed the position of patriarchy in widowhood cleansing. Women participants in this group pointed out that, in most Zambian ethnic groups, men are the ones who decide how and when cleansing rituals should take place. These participants asserted that although the intentions of the cleansers today are different from those of the Bible times, Judah's delay in releasing Tamar can still be associated with the behaviour of some of the in-laws today who punish the widows by delaying the cleansing period and in the process prolonging their mourning.

Some of the women participants linked the sexual experience of Tamar in the story of Judah to what some of the widows in the church today have gone through. These women saw Tamar as a woman silenced by both patriarchy and culture, while Judah was seen as a male who is privileged and empowered by the same culture that silenced Tamar. The conclusion from the discussions on the story of Tamar was that patriarchy, culture and religion are some of the influencing factors in the oppression of widows which later leads to the possibility of the spread of HIV. In a further discussion on the vulnerability of widows, one woman stated that:

*Even though the Bible tells us that Tamar trapped Judah so that she could leave an heir in the family of Judah, according to most of our Zambian cultures we can say that Tamar's sexual encounter with Judah was for the purpose of ritual cleansing. Tamar trapped Judah so that she could be set free from her late husband's spirit that was not well rested by Onan. Traditionally we cannot say that Onan cleansed Tamar because he spilt the semen outside her body. Thereafter, Judah punishes her by making her wait for a long time before she is cleansed. Therefore, for Tamar to be completely free she needed to be cleansed by a member of her husband's family and the only person who was available at that time was Judah. We therefore should also see this story in the light of widow sexual cleansing.<sup>253</sup>*

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<sup>253</sup> Response from Bible studies in Kitwe Mindolo congregation 5<sup>th</sup> July 2007.

Tamar and Judah locates Judah in the group of male persons in a patriarchal way to ensure women as custodian of culture. The participant also shows how Tamar emerges to redeem herself from the position of being a victim of patriarchy and culture. Tamar's response to patriarchy is confirmed by Chitando who asserts that women need to challenge dangerous masculinities that are promoted for the benefit of males.<sup>254</sup>

#### ***3.4.4 Disposition of Women in the Culture***

The other factor I was able to identify as a contributing factor to widowhood cleansing was the way in which widows are depicted by society. During the Contextual Bible Studies, widowhood inheritance was seen as a cultural practice that makes women vulnerable to cultural oppression. Using Tamar's experiences, the participants argued that some of the experiences that are recorded in the story of Judah and Tamar are also found in most communities in Zambia. In one of the Bible studies one woman said:

*I don't see much difference between the treatment of Tamar and that of most widows today. Sexually Tamar was just like a family property in the house of Judah. Even today we have incidents where once you are widowed your brother in-laws take advantage of you and begin to want to abuse you sexually in the name of culture.*<sup>255</sup>

According to these women, Judah's continued pressure on Tamar to stay in his house until she has provided him with an heir for his family was a patriarchal way of promoting his own culture, while disposing Tamar by allocating her in a place of abuse.<sup>256</sup> The women in the Contextual Bible Studies argued that in most cases widows are positioned in a situation where they are custodians of the customs that promote widowhood inheritance. Relating the story of Tamar to the current situation of widowhood inheritance in Zambia, these participants observed that in most of their communities, a widow is a victim of oppressive cultural practices that promote the spread of HIV. A further comment on Tamar's position came from a man from Mindolo who argued that:

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<sup>254</sup> Chitando, *Troubled But Not Destroyed*, 88.

<sup>255</sup> Response from a woman from Jordan congregation in Mufulira date of Bible study 23<sup>rd</sup> June 2007 Interviewed by Lilian Siwila.

<sup>256</sup> See Kanyoro's *Feminist Cultural Hermeneutics*, and Oduyoye, in *Daughters of Anowa*.

...e Judah they hide in the name of culture and oppress  
from the widow. Judah just wanted an heir from Tamar  
for the sake of his family without looking at the plight of Tamar as a person.<sup>257</sup>

Contrary to the views of this men quoted above, other men saw Tamar's action to trap Judah as unjustified. These men were trying to show that culture does not dispose of women. One of the men from this group stated that:

*Tamar was an uncultured girl who did not respect the mourning period as a widow. This woman was just being outrageous and obsessed for nothing. If she was my daughter-in-law I would charge her family heavily for causing such shame to the family. She is just like some of our widows who put on lipstick even before their husband's bodies are lowered to the grave. It's not up to the widow to push for cleansing; there are many reasons why these things are delayed.*<sup>258</sup>

The quote above is an indication that within our societies, there are still men who see women as objects of culture. The fact that this man was not happy with Tamar's decision to fight for her freedom is a sign that society still needs conscientization on the position of widows in the culture. The man's negative attitude towards Tamar and his desire to protect the position of Judah in the sexual relationship between Tamar and Judah is also an indication of how society views women's sexuality.<sup>259</sup> The phrase "widows putting on lipstick" illustrates the cultural construct that is associated with how a widow should behave and present herself during the mourning period. Therefore, the statement from the participant above provides a clear picture on the position of widows in our societies. The question that needs to be asked is how does such treatment of widows relate to widows' vulnerability to HIV?

<sup>257</sup> Interview response from a male from Mindolo congregation by Lilian Siwila 21<sup>st</sup> June 2007.

<sup>258</sup> Response from a male respondent from Mwaiseni congregation, date of Bible study 12<sup>th</sup> July 2007.

<sup>259</sup> Fulata Moyo, "Sex, Gender, Power and HIV/AIDS in Malawi: Threats and Challenges to Being Church", in *On Being Church: African Women's Voices and Visions*, edited by Isabel Phiri and Sarojin Nadar (Geneva: WCC Publications, 2005), 135.

## Widow Inheritance and HIV and AIDS

A 2005 study by African Women's Development Fund (AWDF) has found out that traditional cultural practices that are entrenched in most African societies exacerbate the spread of HIV. The study points to practices such as widow sexual cleansing which are also seen as infringing on the rights of women.<sup>260</sup> In all widowhood inheritance rituals, when sex is involved, especially when it is unprotected sex, the ritual becomes a risky potential avenue for transmitting HIV.<sup>261</sup> According to the 2004 National AIDS Council (NAC) report, sexual cleansing is one of the traditional practices that have been identified as having the potential to influence the spread of HIV in Zambia.<sup>262</sup> The NAC further describes the practice as common in Zambia and more prevalent in the areas where the law of secession is traditionally transferred in matrilineal descent.<sup>263</sup>

In agreement with the NAC report, Malungo and other scholars have shown that sexual cleansing practices are influencing factors in the spread of HIV.<sup>264</sup> Malungo goes on to say that the implication of the practice to HIV infection has generated a great deal of debate, impetus and pressure aimed at ending the practice in order to prevent the spread of the epidemic.<sup>265</sup> Van Dyk affirms that research has shown that there is a link between widow sexual cleansing in Zambia and Botswana and the spread of HIV.

<sup>260</sup> African Women's Development Fund 2005, HIV/AIDS and Cultural Practices  
mhtml:file://E:\AWDF.mht accessed on 19/06/2008.

<sup>261</sup> Chisanya, 'Widowhood and HIV Transmission', 57.

<sup>262</sup> National AIDS Council 2004, <http://www.avert.org/aids-zambia.htm> accessed on 22/10/2008

<sup>263</sup> National AIDS Council 2004.

<sup>264</sup> Malungo, 'Sexual Cleansing (*kusalazya*) and Levirate Marriage (*Kunjililamung'anda*)', 374. Other scholars who have also contributed to this debate include; Lou Nandi, 'Social Structure and Economic Dimensions of HIV and AIDS in Zambia', in *Positive Living Network* (Lusaka 1993), 1; J.C. Caldwell, I.O. Orubuloye and P. Caldwell, 'The Destabilisation of the Traditional Yoruba System', in *Sexual Networking and AIDS in Sub-Saharan Africa: Behavioural Research and the Social Context* Health Transition Series no.4, edited by I.O. Orubuloye and J.C Caldwell (Canberra: The Australian National University 1994), 53; C. Opong, 'A High Price to Pay: For Education Substance or a Place in the Job Market', in *The Third World AIDS Epidemic, Supplement to Health Transition Review* Vol. 5, edited by I.O. Orubuloye et al (Canberra: The Australian National University 1995), 42; I. Ekanem, *HIV and AIDS and Labour Force Productivity in Africa* PSTC Working paper no. 96 (Providence: Brown University, 1996), 12-15; H.O. Mogesen, 'The Narrative of AIDS among the Tonga of Zambia', *Social Science and Medicine* 44, no. 4 (1997) 436; J.P.M. Ntozi, 'Widowhood, Re-marriage and Migration during the HIV/AIDS Pandemic in Uganda', in *Vulnerability to HIV infection and effects of Aids in Africa Asia/India Supplement to Health Transition Review* Volume. 7, edited by J.P.M. Ntozi et al (Canberra: The Australian National University, 1997), 128; Malungo, 'Challenges to Sexual Behavioural Changes in the Era of AIDS: Sexual Cleansing and Levirate Marriage in Zambia', 41.

<sup>265</sup> Malungo, 'Sexual Cleansing (*kusalazya*) and Levirate Marriage', 372.

according to context.<sup>266</sup>

The literature above is confirmed by the responses from all the participants who acknowledged that sexual cleansing is a risk factor in the spread of HIV. Most of the lay people who participated in the Contextual Bible Studies stated that as long as the practice involves sexual contact without the use of a condom, there is a chance of the parties involved in the practice contracting the virus. One woman commented that:

*There are men who are not even afraid of HIV and AIDS in our communities nowadays. These men just look at your health and assume that you are healthy and come after you. How can AIDS finish in the communities with such kind of behaviour around?*<sup>267</sup>

Another elderly man from Mwaiseni suggested that if people want to continue observing the practice, they should make it a rule that both the widow and the cleanser know their HIV status before the sexual cleansing ritual. Despite all these suggestions, the conclusion from all the participants was a suggestion for the use of alternative rituals. My argument on the use of alternative rituals is that some of these rituals also have disadvantages, especially for women. For example, there are rituals that have to be performed in the presence of selected elders of each family. While their presence assures the woman of protection from abuse, the fact that both the widow and the man whom she is performing the ritual with are half-naked means their self-dignity is taken away as they become exposed to one another and the people around. Second, since their half-naked bodies touch each other in the process of the man rolling over the widow's body, some of the cleansers come back to demand sex from the widows after going through such alternative rituals, as reflected in one of the case studies above.<sup>268</sup> In order to make such rituals effective to the society, there is a need to address such practices found within the alternative rituals. Having looked at the correlation between HIV and sexual cleansing I now move on to the church's response to widowhood inheritance.

<sup>266</sup>van Dyk, *HIV and AIDS Care and Counselling*, 213.

<sup>267</sup>A response from an interview with a widow at Mufulira central congregation on 4<sup>th</sup> July 2007 interviewed by Lilian Siwila.

<sup>268</sup>This is one of the themes that emerged during the field research. Most of the widows complained of the behaviors of their brothers-in-laws who were appointed as administrators. These administrators used their position to demand sex from the widows even after widows have publicly agreed not to be involved in sexual cleansing.

## f Zambia on Widowhood Inheritance

Responses from all the three groups of participants for this study showed that the church's response to widowhood inheritance is ambivalent. This was proved by some of the responses from these groups as it shall be shown below.

### *Response from Widows*

*Our church does not allow Christian widows to be sexually cleansed. If you are discovered you may face severe discipline to the point of excommunication because you have let the name of the Lord down, but there are widows within our church who have been sexually cleansed and are keeping it as a secret.<sup>269</sup>*

*For me the main problem why we still have widows undergoing sexual cleansing in the church is because the church has no strong teachings on the practice. Our church does not have any prescribed rules on the practice and so people are still not sure whether to abandon the practice or not.<sup>270</sup>*

The two participants above agree that the practice is still common in the church. One widow said that the church is against the practice, others saw the church's lack of prescribed rules on the practice as a contributing factor for still having the practice in the church. The widows in this study called for prescribed regulations in the constitution or from Synod to intervene on the practice of widowhood inheritance especially sexual cleansing. The widows saw the UCZ's lack of intervention as a contributing factor to continued practice of widowhood sexual cleansing by some church members. The widows also stated that as a result of this lack of prescribed guidelines on the matter, the church is sometimes forced to be silent. The widows called for the church to be gender sensitive when addressing issues of widows and orphans, so as to provide them with support in the absence of a father figure. This comment was raised by widows who felt that widowhood inheritance has lost its first purpose of care for the widow and orphans. The widows stated that the practice has instead been redirected to economic gain of the administrators rather than the wellbeing of children and the widow.

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<sup>269</sup>A response from a widow in Mufulira congregation interviewed by Lilian Siwila on 21<sup>st</sup> July 2007.

<sup>270</sup>A response from a widow in Mindolo congregation interviewed by Lilian Siwila on 19<sup>th</sup> July 2007.

an analysis of alternative rituals so as to eliminate those

### *Response from Lay People*

According to this group, the church is only against sexual cleansing because it is considered adulterous. Participants in this group were comfortable with the church using what they called alternative cleansing rituals other than sexual cleansing. Their arguments were based on the fact that widowhood inheritance cannot be easily done away with or else they will be working against their culture as Zambians. These participants pointed out that historically sexual cleansing and other alternative cleansing rituals were performed without any complexity. They cited the advent of HIV and AIDS as a negative factor that has influenced discussions on widowhood inheritance. These participants felt that the presence of HIV and AIDS has made it difficult for the church to have a clear stand on these practices since all discussions related to these practices seem to be centered on HIV and AIDS infection. Some of the challenging questions these participants raised were: What would happen to these cultural practices if there was no HIV and AIDS? Can we discuss the negative aspects of these cultural practices outside HIV and AIDS context? They however cautioned that in the present context where any encounter of unprotected sexual intercourse poses a threat to possible HIV infection, there is need to heed the risk of any cultural practice that poses a threat to the HIV pandemic. Other lay people also connected the silence of the church to the fact that some of the church elders are also perpetrators of widow sexual cleansing.<sup>271</sup>

### *Response from Church Leaders*

All the leaders indicated knowledge of the practice and its presence in the church. Most of the church leaders saw widowhood inheritance as a valuable practice that needs to be preserved by society as part of African culture. These church leaders however were quick to point out that the church does not allow sexual cleansing. On the contrary, a group of young male pastors pointed out that this practice, despite its strength in preserving traditional aspects of African culture, is slowly dying out and is unacceptable in the church. Despite this response, other leaders had different views on the practice.

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<sup>271</sup> Comment from a male member during Contextual Bible Studies in Mindolo congregation on 16<sup>th</sup> June 2007.

...y that the practice is dying out would be wrong as they still had members within the church that are secretly practicing sexual cleansing. These leaders associated the way the church has handled the matter to the continued observance of the practice by church members. Most of the leaders felt that the church's lack of prescribed regulations on the practice has created a great deal of ambivalence about how it has handled this traditional practice. One leader was reported saying;

*As a church leader, I feel that in many issues related to traditional practices, we as church have failed our members. As leaders we have been divided on issues like sexual cleansing mainly because we have no guidelines to follow. The UCZ constitution is not clear on the matter and so the church is seen to be silent. In my capacity as a leader, I have not come across a church statement stating the church's position on widow inheritance.<sup>272</sup>*

Despite the presence of the policy on the church's position on widowhood inheritance which was reflected in the 1949 draft of CCAR,<sup>273</sup> all the participants in this study indicated that they were ignorant of this policy. This can be attributed to the UCZ's lack of continued implementation of this policy in the current constitution.<sup>274</sup> None of the members interviewed in this study had an idea of this policy. This is because, by the time the UCZ was being inaugurated, the clause on widowhood inheritance was among the portions of the 1949 constitution that were removed. The absence of this policy in the current constitution confirms why these church members said that the church has no policy on the practice.

Asked about what they base their teachings on concerning this issue, the church leaders said they depend on the country's constitution and the teachings of the Bible as guides<sup>275</sup> when they are confronted by such cases from their church members. In conclusion it can be said that, church leaders' response to these challenges has shown limitations and lack of

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<sup>272</sup>Interview with a church leader from Mufulira congregation on 5<sup>th</sup> July 2007 Interviews conducted by Lilian Siwila.

<sup>273</sup>CCAR Draft Constitution 1949.

<sup>274</sup>Although it is difficult to trace the period in time when the policy on widowhood inheritance that was added to the 1949 draft constitution was left out of the church constitution, it is evident that this policy is no longer reflected in the current constitution of the UCZ.

<sup>275</sup>The use of the Bible among the church leaders in the UCZ to find solutions to issues affecting the congregation is fully reflected in chapter five where I was analysed the UCZ marriage guidance policy.

some of the questions that widowhood inheritance as a

### ***3.6.1 Summary of the Response from the Three Groups of Participants Involved in this Chapter***

From all the three groups interviewed on the issue of widow inheritance, there is evidence of how people value widowhood inheritance as a cultural practice that needs to be preserved. This is despite the negative sentiments on some of the rituals associated with the practice. The main reason why these men and women would still wish to uphold such practices can be answered by Simfukwe who cautions that:

Due to spiritual and psychological power associated to such rituals, Christians should not ban them, but should thoroughly and sensitively replace them with alternative rituals that will meet the spiritual and psychological needs of the people.<sup>276</sup>

Simfukwe's caution provides a profound point to the church especially on the fact that many of the Christians still live within their cultural heritage despite their being Christians. For the church to abandon the practice without providing any alternative means for people to follow will not sustain the current situation of widows in the UCZ. This is because verbally the church is against the practice but practically the people are still observing the practice. The result of this kind of response by the church is similar to that reflected by Kanyoro when she says:

Many Africans today have embraced the new religious belief with sincerity and might. However the depth of the belief is always challenged by circumstances. In times of real challenges, Christianity is shelved for a bit and then picked up again. In illness and death, Christian faith is most put to the test.<sup>277</sup>

In this respect, Chitando urges the church to find ways of responding to culture in the era of HIV and AIDS apart from calling for abandoning of what are called unacceptable practices.<sup>278</sup> The challenge that comes with this kind of approach to cultural practices is the problem of identifying the kind of alternative practices that can be used as a replacement to

<sup>276</sup>Simfukwe, "Funeral and Burial Rites", 1462.

<sup>277</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 62.

<sup>278</sup>Chitando, *Troubled But Not Destroyed*, 43.

context of HIV. What would be the church's criteria in practices?

Potash argues that although Christianity in theory frees widows to avoid widowhood inheritance, there is a considerable variation among the responses concerning widows.<sup>279</sup> Reggy-Memo affirms Potash's statement that many widows have been disappointed by the response of the church. Reggy-Memo further states that despite the fact that widows in most African churches constitute two-thirds of the congregation, they have been neglected in many ways.<sup>280</sup> The church seems to be silent on the widows, leading many Christians to succumb to the cultural pressure of practices like sexual cleansing and widowhood inheritance that pose a danger to HIV infection.<sup>281</sup> Reggy-Mamo argues that:

Widowhood inheritance conflicts with the Christian belief that death ends the marriage union. Romans (7:2) states that a married woman is bound by law to her husband as long as he lives, but if he dies, then she is free from the law that bound her to him. In a Christian marriage, the contract is absolutely and completely dissolved by the death of one partner hence the phrase 'until death do us part' in the marriage ceremony.<sup>282</sup>

A study by Malungo has shown that people who regularly attend church services tend to have reduced chances of experiencing sexual cleansing, arguing that members found in this practice are likely to be excommunicated from the church.<sup>283</sup> Malungo concludes that this may suggest that such people believe in cleansing (*kusalazya*) but opt for rituals that do not involve sexual intercourse as sexual cleansing is not acceptable in their churches.<sup>284</sup> Kabonde on the other hand seems to suggest that the practice of sexual cleansing in Zambia is seemingly no longer in existence in most of the churches.<sup>285</sup> Unlike the findings from the two scholars, this study agrees with the study undertaken by Moyo which revealed that sexual

<sup>279</sup>Potash, "Widows in African Societies", 35.

<sup>280</sup>Mae Alice Reggy-Mamo, "Widow Inheritance", in *Africa Bible Commentary: One Volume Commentary Written by 70 Africans*, edited by T. Ademeyo (Nairobi: Word Alive Publishers, 2006), 323.

<sup>281</sup>Reggy-Mamo, "Widow Inheritance", 323.

<sup>282</sup>Reggy-Mamo, "Widow Inheritance", 323.

<sup>283</sup>Malungo, "Sexual Cleansing (*kusalazya*) and Levirate Marriage", 374.

<sup>284</sup>Malungo, "Sexual Cleansing (*kusalazya*) and Levirate Marriage", 376.

<sup>285</sup>Although Kabonde's study can be validated as evidenced by the author, this study has found that sexual cleansing is still practiced in the UCZ, although it is done secretly.

of the church of Zambia even though the churches

Focusing on the UCZ, Sikazwe argues that from the Christian understanding of widowhood inheritance, God does not condemn widow cleansing and inheritance. Sikazwe sees the practice as the bond between families that should be encouraged in the African families as part of one's life.<sup>287</sup>

Furthermore, Sikazwe outlines some of the suggestions for the church on widow inheritance:

Sexual purification is evil and should be condemned; Widowhood inheritance for support bases should be encouraged; Christians should be allowed to inherit widows and property since Jesus did not condemn it; only members of the family should be allowed to inherit the widow for the sake of the children.<sup>288</sup>

A close look at the points raised by Sikazwe, will show that the author's views on the practice are influenced by both his African tradition and his Christian tradition. Although his urge to encourage widowhood inheritance need to be encouraged in the church, the practice also requires a scrutiny in the light of gender and HIV and AIDS. Simunyola sees the practice as affecting most of the congregations, especially the ministers who also have to consider the cultural context at hand when dealing with such cultural practices.

One important observation that he makes on widowhood inheritance is that each church minister seems to be dealing with these practices according to the context in which he/she is operating from.<sup>289</sup>

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<sup>286</sup> This information is from the findings of a study conducted by Moyo among the church leaders and the widows of the Lutheran church in Zambia. For more information see Moyo, "Widowhood Rituals in Zambia".

<sup>287</sup> Leonard Sikazwe, "Modern Understanding of African Custom of Inheritance in the Light of Christian Teaching with Particular Reference to the People of Luapula". Unpublished paper presented as part of the requirement for a degree at Mindolo Theological College Zambia, (Kampala: Makerere University 1994).

<sup>288</sup> Sikazwe, "Modern Understanding of African Custom", 20-23.

<sup>289</sup> Stanely Simunyola, "Polygamy Among the People of Nakonde District of Zambia: Its Effects on Christian Teaching with Particular Reference to the UCZ". Unpublished paper presented at Mindolo Theological College for the requirement of the Diploma (Kampala: Makerere University, 1991).

This chapter contains discussions on widowhood inheritance in the context of HIV and AIDS. Through the use of literature and the responses from the field research, I have shown the importance of widowhood inheritance as a religio-culture heritage. I have also indicated that historically, discussions on widowhood inheritance were focused on levirate marriage which was also a way of taking care of the widow. The current situation in Zambia has shown that there is a paradigm shift in the way widowhood inheritance is practised in the country today. For example, in most cases the practice has been used for economic gain. From a cultural perspective the chapter has found out that secret ritual sexual cleansing is still common among the church goers.

One of the reasons for the continued practice of sexual cleansing despite its HIV risk factors was identified as fear of the spirit of the deceased. Even though there were some widows who opted for alternative ritual cleansing, the fear of the spirit of the dead was a dominant factor from all the study participants. Therefore, culturally sanctioned practices like widowhood inheritance need to begin to be addressed using a religio-cultural perspective. Unless the church sees widow cleansing not as a moral issue to be condemned, but as a cultural issue that requires analysis, HIV interventions on widow cleansing will not come that easily. Thus, the fear of the spirit of the dead expressed by these members requires further investigation.

The issue of alternative rituals is another problem that needs to be addressed in terms of its gender sensitivity and its position in the understanding of African culture. For example, when the church conducts prayers for the widow to be cleansed<sup>290</sup> can it be concluded that this is done out of fear of HIV infection or as a way of resting the spirit of the deceased? In this study I suggest a gender analysis of these rituals beyond the pandemic so that when these rituals are introduced by the church they do not only come to rescue the HIV crisis but create a new phenomenon that is life affirming for all humanity and can be upheld as part of the people's culture.

On the question of the correlation between HIV and widowhood inheritance, it was asserted that the practice has HIV risk factors especially when there is unprotected sex. On the

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<sup>290</sup>Malungo, "Sexual Cleansing (Kusalazya) and Levirate Marriage", 378.



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show that the church's lack of prescribed rules in the practice has contributed to its failure to effectively address the practice. Therefore my conclusion in this chapter is that the church's response to widowhood inheritance is ambivalent. While in theory the church is against the practice, there are church members who have been involved in the practice. All these findings have shown the need to investigate further how the church has in its history viewed the position of widows and how that has affected the way the UCZ has responded to widowhood inheritance today.

## **The Historical Examination of Marriage in the Church and the Influence of the Church's Response to Traditional Marriage Practices**

### **4.1 Introduction**

In chapter three I have discussed widowhood inheritance as understood by the United Church of Zambia (UCZ) in the context of HIV and AIDS. Using the existing literature and the responses from field research of this study, I outlined the current situation of widowhood inheritance in Zambia. I identified some of the contributing factors to widowhood inheritance rituals, especially among the members of the UCZ and its correlation to HIV infection. The findings from that chapter showed that; first, widowhood inheritance is a common practice in Zambia; second, sexual cleansing is a possible contributing factor to the spread of HIV; and third, the church's response to widowhood inheritance is ambivalent. Theoretically the church is against the practice of widowhood inheritance, while practically the findings revealed incidents of widows who have undergone sexual cleansing. This stood as an indication that the practice is still common among church goers. This kind of scenario raises questions about the church's position on traditional marriage practices as will be discussed in this chapter.

The objective of chapter four is to critically examine the role the church has played either in promoting or discouraging traditional marriage practices throughout history. This will be done by engaging in theological debates on the position that the church has taken to address traditional marriage practices. In order to effectively respond to this objective, I will first discuss the history of marriage in the church. Thereafter, I will provide a theological and historical overview of the two traditional marriage practices addressed in this study, namely child marriage and widowhood inheritance. The aim is to show how the history of these marriage practices has influenced the way in which these practices are understood in the church today. Some of the questions to be asked in this chapter will be: What has been the church's perception of traditional marriage practices? How has this perception influenced the way marriage is understood in the church today?

Marriage, as one of the oldest institutions in human history, has played a significant role in the lives of many communities of people. In almost every human society marriage has been viewed as an important rite of passage that every individual should undertake. Both the biblical and ethical perspectives hold numerous theories associated with marriage in relation to human creation. Many biblical interpretations will show that God is the initiator of marriage.<sup>291</sup> For example, Taylor sees marriage as part of God's plan for the world. Taylor further argues that marriage is not just a cultural habit which has developed in various ways according to people's needs. Instead, marriage should also be seen as the order of creation, how God intends God's people to live together as man and woman sharing their sexuality and growing into a new family.<sup>292</sup>

### *Definition of Marriage*

According to Browning, the Western meaning of marriage and its definition was once commonly assumed, yet this is no longer the case. Throughout the world there have been serious debates on the definition of marriage from the legal, religious, cultural, health, social, and political perspectives.<sup>293</sup> Witte sees marriage as one of the great mediators of individuality and community, revelation and reason, tradition and modernity – a symbol of divine love and a structure of reasoned consent, an enduring ancient mystery, and a constantly modern invention.<sup>294</sup> Browning further acknowledges marriage as a multi-dimensional reality which is not static, and these dimensions are always in tension with each other.<sup>295</sup>

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<sup>291</sup> See James Parker, Merrill C. Tenny and William White, eds., *Marshall's Bible Handbook* (London: Marshall Morgan and Scott Co, 1980).

<sup>292</sup> Harold Taylor, *Tend My Sheep* (London: Society for Promoting Christian Knowledge, 1983), 178.

<sup>293</sup> Don S. Browning, *Equality and Family: A Fundamental Practical Theology of Children. Mothers and Fathers in Modern Societies* (Grand Rapids: William B. Eerdmans Publishing Company, 2007), 201.

<sup>294</sup> John Witte Jr., "The Meaning of Marriage" *First Things, A Journal of Religion Culture and Political Life* 1<sup>st</sup> October, (2002).

accessed on 12/02/2009.

<sup>295</sup> Browning, *Equality and Family*, 201.

sees marriage as involving the whole community of both  
is also seen as an alliance between families, and the  
covenant goes to the living dead and the unborn.<sup>296</sup> Mbiti<sup>297</sup> and Shorter<sup>298</sup> view African  
marriage as a very important aspect of an individual's life, embracing all spheres of life.  
According to Kerwin, marriage in Africa is the major rite of passage into adulthood. A  
marriage is considered to be in process in a patrilineal community after a portion of *lobola*  
has been paid.<sup>299</sup> As for Kerwin, marriage in a patrilineal society of Africa is associated with  
*lobola*.

From an African woman's perspective, Oduyoye defines traditional marriage as a political  
alliance between groups – as such the issue of choice on the prospective partners plays a  
minor role. In marriage the private and the public sphere meld together.<sup>300</sup> Akoto states that  
the central thread that runs through the definition of marriage in Africa is that marriage  
involves the whole community and it entails the performance of social-cultural customary  
ceremonies to ensure its consummation.<sup>301</sup> Yet Phiri associates marriage with patriarchal  
subordination of African women.<sup>302</sup> All these descriptions show that generally there is no one  
single definition of marriage. This also means that there is no single definition of Christian  
marriage to that can be embraced in the church. Until now marriage is still a developing  
process that is evolving according to time, location and events as will be shown in the next  
section. Taylor concludes that marriage is one of the most important events in the lives of  
people in every culture. But marriage cannot just be fitted into or extracted from the  
cultural situation as if it stood by itself.<sup>303</sup>

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<sup>296</sup>Benezet B. njo *The Ethical Dimension of Community: The African Model and the Dialogue between North and South* (Nairobi: Paulines Publications, 1997), 94.

<sup>297</sup>John Mbiti, *Love and Marriage in Africa* (London: Longman Group Ltd, 1973).

<sup>298</sup>Aylward Shorter, *African Christian Culture: An Overview of Social-Cultural Anthropology* (Nairobi: Paulines Publications, 1998), 83.

<sup>299</sup>Michel C. Kirwen, *African Cultural Knowledge: Themes and Embedded Beliefs* (MaryKnoll: Institute of African Studies, 2005), 130

<sup>300</sup>Oduyoye, *Daughters of Anowa*, 132-133.

<sup>301</sup>Dorothy Akoto, "What if the Woman does not Consent to Follow? Marriage in Genesis 24 Read Through the AvatimeKusakorkor Perspective", *Journal of Constructive Theology: Gender Religion and Theology in Africa* 13, no. 2 (2007), 39.

<sup>302</sup>Isabel A. Phiri, "African Women of Faith Speak Out in an HIV/AIDS Era", in *African Women, HIV/AIDS and Faith Communities*, edited by Isabel Phiri, Beverly Haddad, and Madipoane Masenya (Pietermaritzburg: Cluster Publications, 2003), 10.

<sup>303</sup>Taylor, *Tend My Sheep*, 171-172.

## gical Debates on the Institution of Marriage

According to Parker, the history of marriage in the Bible can be traced as far back as the time of creation where God first created a pair of human beings. This pair, according to Parker, consisted of a man and a woman. God put this couple together and God instituted marriage, the most basic of all social relationships. Marriage according to Parker enabled humankind to fulfil God's command to rule and replenish the earth (Genesis 1:28). Therefore marriage is viewed as a covenantal commitment between two people that forbade the breaking of this bond (Exodus 20:14).<sup>304</sup> Conversely both Akoto<sup>305</sup> and Orsy<sup>306</sup> argue that there is no systematic doctrine of marriage in the books of the Old Testament apart from fragments of beliefs and practices of the Hebrew people. According to the authors, the creation story is the fruit of a long maturation of culturally advanced and supplicated understandings of marriage. The creation story of Genesis (1:28) strengthens the ideal form of marriage as laid down by God, to be monogamous despite the fact that the Bible records many other marriage practices.

Lawler argues that as in all other matters, the Biblical teaching on marriage should be seen in the context of the Near Eastern cultures with which the people of the Bible had intimate links.<sup>307</sup> This shows that the Bible is not independent of the people's culture. Practices like polygamous marriage, child marriage and widowhood inheritance are recorded in the Bible from both a contextual and cultural perspective.

From the New Testament perspective, Orsy indicates that the theology of marriage was also not systematic, with few principle pieces found in the synoptic gospels. Jesus spoke of marriage as a reality that belonged to this passing world, showing that when the dead rise they neither marry nor are given in marriage, but are like angels.<sup>308</sup> On the contrary McBrien sees Jesus as deepening the Hebrew concept of marriage by insisting on oneness that exists between man and woman. Further, McBrien, argues that the Pauline theology of marriage is ambivalent. He cites situations where Christians were asked to leave spouse and family for the sake of the soon coming Christ, reducing the concept of marriage to something secondary

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<sup>304</sup>James Parker, et al, *Marshalls Bible Handbook*, 431- 433.

<sup>305</sup>Akoto, ðWhat if the Woman does not Consent to Followí ?62.

<sup>306</sup>Ladislav S.J. Orsy, *Marriage in Cannon Law: Texts and Comments, Reflections and Questions* (Wilmington: Michal Glazier, 1986), 15.

<sup>305</sup>Michael G. Lawler, *Secular Marriage Christian Sacrament* (Connecticut: Twenty-Third Publications, 1985), 5.

<sup>308</sup>Orsy, *Marriage in Cannon Law*, 18.

of Genesis.<sup>309</sup> At this point in history, marriage is said to have been a sacrament of God's grace especially among the Christians. This move is believed to have affected the later focus of marriage in ecclesial circles. In another development Graff argues that:

Christians as we may know for centuries wanted nothing to do with marriage. When asked, some priests might come by and say a blessing as a favour just as they would say a prayer over a child's first haircut. No one considered marriage as sacred, as celibacy was; marriage was one of those secular and earth bound forms rendered to Caesar.<sup>310</sup>

As time went on, the position of marriage in the ecclesial realm raised new concerns. These were voiced by ecclesiastical scholars.

In the first three centuries there was no official legislation concerning Christian marriage.<sup>311</sup> However, Wojcik argues that the church did not attempt to change the social order but to transform individuals.<sup>312</sup> One wonders how individuals could be transformed without the transformation affecting the society in which they live. In response Rubio points out that scholars during the first centuries agreed in principle that marriage was a holy institution blessed by Jesus, but it was seen more as a mundane matter needing no theological sanction.<sup>313</sup> In all these discussions, Graff confirms that, the church's push to rule on marriage was slow and uneven but very determined.<sup>314</sup>

During the Augustinian period there was little regard for marriage as an exalted spiritual way of life despite it being a sacrament and a sound way of Christian living. Marriage was seen as a remedy for sin, not a recipe for righteousness.<sup>315</sup> This is partly because in the early centuries Christians did not introduce any specifically Christian pattern for marriage but followed the customs of the places they lived in or the ethnic groups to which they belonged.<sup>316</sup> Therefore, as Kasper points out, it is not possible to conclude that any one

<sup>309</sup>Richard Mac Brien, *Catholicism* (London: Geoffrey Chapman, 1981), 853.

<sup>310</sup>E. J. Graff, *What is Marriage For?* (Boston: Beacon Press 1999), 195.

<sup>311</sup>Orsy, *Marriage in Cannon Law*, 19.

<sup>312</sup>Thaddeus Wojcik, "Marriage: An Orthodox Analysis" (Masters of Divinity diss., St. Vladimir's Orthodox Theological Seminary, 1968), 21.

<sup>313</sup>Hanlon J. Rubio, *A Christian Theology of marriage and Family* (New York: Paulist Press, 2003), 73.

<sup>314</sup>Graff, *What is Marriage For?*, 195.

<sup>315</sup>John Witte Jr. and Robert M. Kingdon, *Sex, Marriage and Family in John Calvin's Geneva: Courtship, Engagement and Marriage Vol.2* (Grand Rapids: Wm. B. Eerdmans Publishing Co., 2005), 43.

<sup>316</sup>Orsy, *Marriage in Cannon Law*, 19.

of marriage is absolute.<sup>317</sup> Christianity has to remain  
unchanged through all changes that have affected marriage,<sup>318</sup> especially the  
transition from the western culture to other cultures.

Both Martos<sup>319</sup> and Rubio<sup>320</sup> record the eleventh century as a turning point where the blessing of the priest in a marriage ceremony between Christians became a must. The marriage ceremony was no longer conducted near the church but moved inside the church and by the twelfth century the church introduced wedding ceremonies. Theologians of that time however did not all agree on these changes; some still remained sceptical of the idea of moving marriage from the secular to the sacred. It is this transition on marriage that influenced discussions on the definition of Christian marriage in the church. The debate on the definition of Christian marriage continues even in the UCZ today. This was confirmed from the responses during my field research. Some of the participants in this study wondered whether the wedding ceremony conducted in the church is what defines a Christian marriage. A number of girls who were interviewed in this study also stated that their traditional marriages were not recognized by the church because they did not get married in the church through a white wedding.<sup>321</sup> According to these girls, a Christian wedding is a ceremony conducted in the church.

Following the discussion above, it can then be argued that the recognition of marriage in the church jurisdiction did not make marriage free of ecclesial struggles and challenges. Hillerbrand observes that one of the main aims of the reformers was to address some of the teachings related to marriage without altering its definition.<sup>322</sup> Reformers saw marriage as a holy estate but not a sacrament; they all valued it as *ōa* hospital for the soul which is unable to resist its own predilection to *sinō*.<sup>323</sup>

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<sup>317</sup>Walter Kasper, *Theology of Christian Marriage*. (New York: The Seabury Press, 1980), 7.

<sup>318</sup>Kasper, *Theology of Christian Marriage*, 7.

<sup>319</sup>Joseph Martos, *ōMarriage: A Historical Surveyō*, in *Perspectives on Marriage: A Reader*, edited by K. Scott and M. Warren (New York: Oxford University, 2007), 36.

<sup>320</sup>Rubio, *A Christian Theology of Marriage*, 74.

<sup>321</sup> The qualification for a Christian marriage cited by some of the participants was the celebration of a wedding in church. This belief disqualified child marriages from being considered as Christian marriages since most of these marriages are conducted traditionally without a white wedding and outside the church. This kind of conception has serious implication on the church's understanding of marriage and how it responds to practices like child marriage.

<sup>322</sup> Hans Hillerbrand, ed., *The Oxford Encyclopedia of the Reformation Volume 3* (New York: Oxford University Press, 1996), 18.

<sup>323</sup>Hillerbrand, *Oxford Encyclopedia*, 20.

the sacramental aspect of marriage, Stevenson points out and the Roman Catholic perspective of the family as an association created for procreation and mutual protection by mutual consent of the couple.<sup>324</sup>

The reformers approved procreation as the core value of marriage. All men were expected to marry except those who practised chastity, the impotent, and those who were castrated. This was because marriage was viewed as working for the salvation of the soul.<sup>325</sup> Witte states that Calvin believed that marriage was a good and holy ordinance of God, just like farming, building, and cobbling. Marriage serves to procreate children. He taught that marriage was not a sacrament of the heavenly kingdom even though it symbolized the bond between Christ and his church, *Yahweh* and *Yahweh's* divine people.<sup>326</sup> Contrary to the view of the early fathers, the reformers saw sex as the reason for marriage and viewed it as a gift from God.<sup>327</sup> For Calvin, what was important in a marriage was affection and attraction.<sup>328</sup>

One critique that emerged regarding the reformers was in the way they viewed marriage. According to Harrington, the reformers saw marriage as a public joining of the two individuals representing the fundamental link between the private and the public with regards to its sacredness.<sup>329</sup> In the UCZ, Christian marriage is linked with the legal, African cultural and ecclesial institution. This is in line with the reformers' concept of marriage which worked within the framework of the governing society's legal regulations in their effort to reform marriage laws. The challenge that is associated with this kind of setting is the implication of connecting the legal, sacred and the cultural context of marriage. How does this connection influence the way practices like child marriage and widowhood inheritance are understood in the church?

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<sup>324</sup> Kenneth Stevenson, *Nuptial Blessing: A Study of Christian Marriage Rites* (New York: Oxford University Press, 1983), 126.

<sup>325</sup> Carter Lindberg, *The European Reformations* (Oxford: Blackwell Publishers, 1999), 364.

<sup>326</sup> Witte, *Sex Marriage and Family in John Calvin*, 39.

<sup>327</sup> Hillerbrand, *Oxford Encyclopedia*, 19.

<sup>328</sup> William J. Bouwsma, *John Calvin: A Sixteenth Century Portrait* (Oxford: Oxford University Press, 1988), 137.

<sup>329</sup> Joel F. Harrington, *Recovering Marriage and the Society in Reformation Germany*. (New York: Cambridge University Press, 1995), 3.

argues that sixteenth century marriage reform was both traditional and modern.<sup>330</sup> This is confirmed by Moynahan who states that, both Calvin and Luther saw the ideal biblical family as obedient, orderly and patriarchal with duties divided between husband and wife. The wife was to be a submissive housewife, pious and respectable. Refusal to have sex was a ground for divorce.<sup>331</sup> This kind of approach to marriage also explains why the reformers failed to liberate women from sex related oppression.<sup>332</sup>

In the case of the missionary concept of marriage, Jeater raises a concern about the response of the missionaries in Southern Rhodesia, saying missions needed to convince their funders of the success of their projects. One of the best ways to do so was to report the number of Christian marriages and Christian families they had established among the people they called -heathens.<sup>333</sup> Among the LMS missionaries in Zambia, the girls' school opened by Mable Shaw served as a good example of a centre where missionaries emphasised the need for marriage among the converts.<sup>334</sup>

From the draft constitution drawn by the missionaries that formed UCZ, heterosexual marriage was the approved form of marriage. The missionaries condemned all forms of traditional marriage practices and called for those involved in these practices to be punished.<sup>335</sup> Having looked at the biblical and church historians' developments on the institution of marriage, it becomes necessary to discuss the current theological debates on marriage from a gendered approach.

<sup>330</sup>Harrington, *Recovering Marriage and the Society*, 44.

<sup>331</sup> Brian Moynahan, *The Faith: A History of Christianity* (London: Aurum Press, 2002), 389.

<sup>332</sup>The early fathers never saw women's bodies as worthy of God's dwelling. The three groups mentioned above all viewed women's bodies as a resort for men's sexual pleasure. For example, Luther claimed that a woman does not have complete mastery of herself. God created her body so that she should be with the man and bear him children. He held that men have broad shoulders and narrow hips and accordingly they possess intelligence, by contrast women have narrow shoulders and broad hips to sit on. See Moynahan, *The Faith: A History of Christianity*, 398-390.

<sup>333</sup> Diana Jeater *Marriage Perversion and Power: The Construction of Moral Discourse in Southern Rhodesia 1894-1930*. (Oxford: Clarendon Press, 1993), 62.

<sup>334</sup>Marrow, "No Girl Leaves School Unmarried".

<sup>335</sup> CCAR draft Constitution 1949.

## Approach to Current Debates on Marriage

In my approach to the current debates on marriage I will use the works of African Women Theologians. The reason for using African Women's Theologies to address the issue of marriage in the church is that African Women Theologians address marriage from a religio-cultural, gendered and HIV perspective, which is also the interest of this study. The first point I wish to raise is that African Women Theologians do not hold a homogeneous approach on issues of marriage<sup>336</sup> even though they all call for the liberation of women from traditional marriage practices and other forms of oppressions. For example, Phiri argues that patrilineal and matrilineal marriages in African societies can best be understood from the insider's and women's perspective.<sup>337</sup> Phiri's statement is confirmed by Pobee and Ositelu II who plead for an *emic* and not *etic* approach<sup>338</sup> when scholars are analysing any African phenomenon, as this will help them read the story through the eyes of the participants in a particular tradition.<sup>339</sup> Missionaries saw polygamy as a norm in most African societies and yet there are some societies within Africa that are strictly anti-polygamy.<sup>340</sup>

This is confirmed in the works of Bediako who uses his Akan culture to show that traditionally monogamy in most African societies is the accepted form of marriage. In his works, Bediako further points out that discussion on polygamy has so often started from an assumption that polygamy is the African form of marriage, so that the essential universal challenge of the gospel concerning marriage has sometimes been obscured.<sup>341</sup>

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<sup>336</sup> A response from the Kwa-Zulu Natal Circle on Landman's call for polygamy among white South Africans showed the Circle's response to different marriage practices. For more details see *Journal of Constructive Theology* 5, no. 1 (1999), 71-86.

<sup>337</sup> Isabel Phiri, "Doing Theology as African Women," in *A Reader in African Christian Theology*, edited by J. Parratt, (London: Society for Promoting Christian Knowledge revised ed., 1997), 50.

<sup>338</sup> Pobee and Ostitelu II have argued that the historical churches have often applied an *Etic* approach to the interpretation of AICs. The authors define *etic* as a term scholars use for interpretations by which observers and researchers read meanings into a phenomenon, and in the process, imposing their biases and interpretations on the case; whereas an *emic* approach reads the story through the eyes of the actors and participants in a particular tradition. For more information see John Pobee and Gabriel Ositelu II, *African Initiatives in Christianity: The Growth, Gifts and Diversities of Indigenous African Churches – A Challenge to the Ecumenical Movement* (Geneva: WCC Publications, 1998), 2-3.

<sup>339</sup> See Pobee and Ositelu II, *African Initiatives in Christianity*, 3.

<sup>340</sup> Judith Mbula Bahemuka, "Social Changes and Attitudes: Towards Marriage" in *The Will to Arise: Women, Tradition and Church in Africa*, edited by Mercy Oduyoye and Musimbi Kanyoro (Maryknoll: Orbis Books, 1992), 121.

<sup>341</sup> Kwame Bediako, *Christianity in Africa, The Renewal of a Non-Western Religion* (Mary Knoll: Orbis Books, 1995), 183.

men Theologians are not against marriage; however their marriage is practised in most of the African communities.

Patriarchy seems to penetrate into marriage to the point where it becomes a threat to women's lives. Therefore, African Women Theologians are calling for mutuality and negotiated space within marriage that will allow for respect for one another and return women's full humanity.<sup>342</sup>

An observation by Oduyoye that a woman has no dignity outside marriage<sup>343</sup> should be discouraged as it only leads to "idolization of marriage", causing women to be defined according to their marital status.<sup>344</sup> Although we still find such kind of persuasion in the church today, the compulsion for all to marry is now beginning to meet a great deal of challenges. Masenya warns against the emphasis on marriage at all costs. She also argues that even though the emphasis on marriage is drawn both from most African and Christian teachings, there are disadvantages to such kind of teaching especially in the context of HIV and AIDS.<sup>345</sup> Therefore, the gender stereotyping of women in marriages, whether in African culture, ecclesial traditions or the society at large, in the context of HIV and AIDS, has become a major risk factor for women. If marriage is to return to its valuable ideal as an institution of mutual love and respect for one another, there is a need for the church to provide life-giving teachings that will allow women freedom to marry or not to marry and be able to control their own sexuality. However, this does not come easily since the church is located in a culturally defined community where marriage roles are prescribed according to the needs of the community.

<sup>342</sup>Moyo, "Sex, Gender, Power and HIV/AIDS in Malawi", 135.

<sup>343</sup>Oduyoye, *Daughters of Anowa*, 62.

<sup>344</sup> The idolization of marriage was also acknowledged by most of the participants during field research. Their argument was that for a woman to be respected in the church, she needed to be a wife of someone. This sense of belonging is also discussed by Chitando when he talks about the experiences of unmarried women in the church. For more information see Ezra Chitando *Living With Hope: African Churches and HIV/AIDS 1* (Geneva: WCC Publications, 2007).

<sup>345</sup>Masenya records a story that was published in the *City Press*, a South African newspaper, in June 19 2005 with the headline "Give Me AIDS My Love". In this story she relates an incident where a young woman was ready to risk her life by having unprotected sex with an HIV positive fiancé for the sake of marriage. For more details see Madipoane Masenya, "Seeking Security through Marriage: Ruth 1: 6-18 Placed under African Women's HIV and AIDS", *Journal of Constructive Theology* 13, no. 2 (2007), 57-70.

al construction of the institution of marriage which and produce children as though a woman is meant to be procreative<sup>346</sup> a teaching that Oduyoye says still has its footing in the reformed churches.<sup>347</sup> The urge for women to procreate from both the church and society is also influenced by the fact that sometimes society fails to separate marriage from children, as is reflected in Oduyoye's article *A Coming Home to Myself*.

In this article, Oduyoye discusses her experiences of childlessness in the church as an African woman.<sup>348</sup> The fourth point which African Women Theologians point out is the problem of submission in marriage. This is another approach to marriage which is believed to have left many women vulnerable to HIV and AIDS infection. Both Phiri<sup>349</sup> and Djomhoue<sup>350</sup> show that selected texts from the Bible have been used to address women's submissive roles in marriage. In this era of HIV and AIDS, to *Be faithful* in a heterosexual marriage has become a risk factor for HIV infection.<sup>351</sup> The problem of submission in marriage can be confirmed by a study that was conducted among the women of the UCZ in Zambia. The study found out that African women's hospitality - which can also be related to submission especially in marriage - has contributed to women's vulnerability to HIV.<sup>352</sup> The lack of power to negotiate for safe sex especially in marriages cannot just be attributed to power imbalance but an attitude of poverty which says *'hunger will kill you tomorrow while AIDS will kill you in ten years' time*'.<sup>353</sup> Women's submission in marriage has also contributed to women succumbing to cultural practices that cause a threat of HIV infection.

<sup>346</sup> Theresa M. Hinga, 'AIDS, Religion and Women in Africa: Theo-Ethical Challenges and Imperatives', in *Women, Religion and HIV/AIDS in Africa Responding to Ethical and Theological Challenges*, edited by T. Hinga et al (Pietermaritzburg: Cluster Publications, 2008), 90-92.

<sup>347</sup> In sharing her story of childlessness, Oduyoye sees the church as still bound by this teaching, especially in dealing with married women. See Mercy Oduyoye, 'A Coming Home to Myself: The Childless Women in the West African Space', in *Liberating Eschatology: Essays in Honor of Letty M. Russell*, edited by Margaret Farley and Shannon. Jones (Westminster: John Knox Press, 1999), 105-120.

<sup>348</sup> Oduyoye, 'A Coming Home to Myself'.

<sup>349</sup> Isabel Phiri, 'Domestic Violence in Christian Homes: A Durban Case Study', in *Journal of Constructive Theology* December 6, no. 2 (2000), 85-110.

<sup>350</sup> Priscille Djomhoue, 'Redefining the Marriage Relationship within the Context of the Bamileke of Cameroon: Ephesians 5:21-31 Reconsidered', in *Journal of Constructive Theology* 13, no. 2 (2007), 43-56.

<sup>351</sup> Dube, 'Grant Me Justice', 9.

<sup>352</sup> Siwila, *African Women, Hospitality and HIV and AIDS*.

<sup>353</sup> Phiri, *African Women and Faith Communities*, 10.

Women Theologians on marriage were confirmed by my this study stated that in the UCZ, marriage is still seen as an obligation for everywoman. Almost all the girls interviewed reported that for them to be married was such an important aspect of life because it gave them an identity. The women participants from the Contextual Bible Studies observed that even in the church, an unmarried woman faces some challenges especially when it comes to leadership. This is because she is always considered as a threat to the married women. This is also affirmed by Chitando who argues that in some denominations, the politics of who puts on the uniform reflects the patriarchal definitions of a "good wife" which continues to marginalise single women. This makes single women experience the church as an exclusive club for married women.<sup>354</sup>

To conclude the section on the definition of marriage from the ecclesial, historical, and African women's perspectives, it can be argued that in the beginning the church had little value attached to marriage. However, with the passing of time, the church began to recognise the value of marriage as a Christian institution. In the section on African Women Theologians, marriage has been valued both in the church and the society even though these theologians have also indicted areas where marriage has been seen to be a threat to women. Having looked at the definition of marriage, in the next section, I will focus on the two traditional marriage practices that are addressed in this study.

The aim is to show how these marriage practices have been viewed in church history and how this view has contributed to the way in which these traditional practices that pose a risk of exposure to HIV are understood in the UCZ today. The first practice that I wish to address is child marriage.

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<sup>354</sup>Chitando, *Living with Hope*, 29.

## Research to Child Marriage

A woman in medieval society was virtually the property of the male. She was given away by her father at the canonical age of consent which was fixed at thirteen years, into the hands of the care of her husband.<sup>355</sup> As pointed out by Witherington III, in the right of maintenance a woman's transfer from her father to her husband's sphere of authority was in most cases done without consultation.<sup>356</sup> Witherington III argues that this was because the authority of the father in ancient Rome was as great as or greater than that of a Jewish father in Judaism. He further shows that the Roman father had the power of life and death over his children, wife and slaves to the point of slaying, particularly his daughters, if they did something wrong.<sup>357</sup> This right to ownership of the girl child was what defined the position of girl children. During this period, marriage took the centre stage in the lives of women. Following this statement, Gardner confirms that child marriage was practised in this period. What cannot be determined at this stage however is how the church responded to these marriages. The chief purpose of Roman matrimony, as stated in marriage contracts and various laws, was the obvious one of producing and bringing up children. The Roman government often made efforts to encourage marriage and large families. In particular, the Emperor Augustus introduced a law which laid down penalties for those who remained unmarried.<sup>358</sup>

Clark hypothesizes that early marriage was one way of keeping the girls out of moral danger and social disgrace.<sup>359</sup> Brown concurs with Clark that sexuality was not regarded as a problem for young people but for their parents. The author further argues that it was believed that parents would be held responsible on the Day of Judgment if their children lapsed into fornication. According to Brown this was as a result of parents' failure to provide their

<sup>355</sup> Eleonor L. Mc Laughlin, "Male and Female in Christian Tradition", in *Male and Female: Christian Approaches to Sexuality*, edited by R.T. Barnhouse and U.T. Holmes (New York: The Seabury Press, 1976), 40.

<sup>356</sup> Ben Witherington III, *Women and the Genesis of Christianity*. (Cambridge: Cambridge University Press, 1990), 4. Other authors like Gardner also state that with a few exceptions all Roman women were, for their entire lives, subject to authority of a male and limited in their legal action until the time of Augustus. See Jane F. Gardner, *Women in Roman Law and Society* (Beckenham: Groom Helm Ltd., 1986), 7.

<sup>357</sup> Ben Witherington III, *Women in the Earliest Churches: Society for New Testament Studies Monograph Series 59* (New York: Syndicate Press of the University of Cambridge, 1988), 17.

<sup>358</sup> Rebecca Steffoff, *Open for Debate: Marriage* (New York: Marshal Cavendish Benchmark publishers 2007), 44-45.

<http://books.google.co.za/books?id=IYmjRqrByvAC&pg=PA44&dq=The+Roman+government++and+Augustu+on+marriage#v=onepage&q=The%20Roman%20government%20%20and%20Augustus%20on%20marriage&f=false> accessed on 04/12/2009.

<sup>359</sup> Clark, *Women in Late Antiquity*, 80.

an appropriate and early age.<sup>360</sup> As Clark observes, women gave assurance that they were virgins at first marriage,<sup>361</sup> a reason that mainly benefited the parents and not the children. This kind of scenario also reflects the role that patriarchy plays in subordinating women. Although marriage for girls at this point was considered important, there were still on-going debates on the age of marriage as we shall see below.

#### ***4.4.1 Debates on the Age at Marriage***

The church's debate on the age at marriage can be understood according to both the cultural context and the period of time during which the issue was being discussed. Clark provides an overview of the problem of age of the girl at first marriage by showing that due to lack of data to show the preferred age of marriage from the Bible, debates around the age of marriage continued to be raised by different authors.<sup>362</sup> However, this does not overrule the fact that in the Bible, marriage for girls is fixed at puberty. This position continued to be acknowledged even in the early church.

During this period the debate on age at first marriage took on different forms at different times.<sup>363</sup> However, unlike in the Bible times where age at first marriage was fixed at puberty as a norm, the patristic period saw a paradigm shift on the matter. During Reformation, the

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<sup>360</sup>Peter Brown, *The Body and Society Men Women and Sexual Renunciation in Early Christianity*.(New York: Columbia University Press, 1988), 149.

<sup>361</sup>Gillian Clark, *Women in the Ancient World: Greece and Rome New Surveys in the Classics No 2* (Oxford: Oxford University Press, 1989), 21.

<sup>362</sup> Clark, *Women in Late Antiquity*, 80.

<sup>363</sup>During the first part of the century through to the twelfth century, child marriage seemed to have been condoned by the church as a practice that was carried on from the pagan world through to Christianity. Clandestine marriages and other forms of marriage of minors continued to be practised within the circles of the ecclesia. The argument for this kind of practice was based on the fact that marriage could be validated as long as the couple consented to marry even when there was no parental consent. Many authors have shown that this kind of marriage received a great deal of challenge from within the church leadership. This is because some saw it as a weakness on the side of the church, to encourage marriage of minors. Most of these marriages were out of lustful desires or girls deceived by older men out of their selfish gains. In order to emphasise the point, see. Harrington who quotes an argument from Wider den Eheteuffel Stambuagh, in *Against the Marriage-Devil (1556)* saying: "whenever God builds a church, Satan also puts up a chapel and a tavern next door"... under such incitement from the marriage -devil, young people willingly and with their eyes wide open decide to take and embrace whatever moves them - one out of indecent passion another out of drunkenness or for other lustful reasons...without God's invocation or the divinely ordained mediation of parents and relatives", 169. For more information See also: Steven E. Ozment, *When Fathers Ruled: Family Life in Reformation Europe*.(Cambridge: Harvard University Press, 1983).

er debate.<sup>364</sup> Clark points out that, during this period the age was put at twelve years for women assuming that by this time the so called *flower of youthfulness* begins to shine and the girl may have already reached her puberty. Conversely Clark also notes that there were certainly variations in the age of marriage according to regions.<sup>365</sup> During the Reformation period, child marriage and age difference in marriage became one of the major issues that Calvin and his colleagues had to address.

Calvin himself was against the idea of disparate age difference.<sup>366</sup> According to Witte:

In his late 1545 draft of the marriage ordinances, Calvin seemed so eager to maximize the rights of the parental consent that he set the age of marriage unusually high. Boys had to be twenty-four, girls twenty before they could marry without seeking the parents' consent. The 1546 marriage ordinance lowered the ages of the majority to twenty for the boys and eighteen for the girls. This was closer to the protestant norm but still a bit high. The document also advised that the children still be guided by the parents.<sup>367</sup>

The debates on the age at first marriage also contributed to the health factors of the girls. Clark acknowledges that doctors were well aware that pregnancy was dangerous until the girl had finished growing. Even though the uterus was functioning, child birth could still be difficult. However, Clark asserts that despite the danger of child marriage to the health of the girls especially during child birth, the church took a long time to accept these consequences.<sup>368</sup> The result of this was an increased mortality rate for both mothers and their children. This was because the mother's body had not reached full maturity. Another health consequence for early marriage as shown by Gardner was a possible danger of increased risk of cancer.<sup>369</sup> Following all these debates were disputes among the church fathers on whether such marriages could be deemed legal. These debates become more pronounced during the

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<sup>364</sup> From the first Christian centuries, marriage was a private affair. Around the tenth century, the essential part of the wedding was celebrated outside the doors of the church. In the twelfth century, priests began to take part in the wedding. At the same time, age of marriage came under serious debate until the seventeenth century. Apart from focusing on the age at marriage for the girls, the issue of consent for both parents and the couple especially on marriage between the minors took a center stage among the reformers. In 1563 the Council of Trend in session no. 24 demanded that all marriages take place before a priest and two witnesses. For more information on this debate see: Jack Goody *The Development of the Family and Marriage in Europe* (Cambridge: Cambridge University Press 1983); Ozment, *When Fathers Ruled: Family Life in Reformation; Decrees of the Ecumenical Councils* (London: Sheed and Ward Publishers, 1990).

<sup>365</sup> Clark, *Women in Late Antiquity*, 881.

<sup>366</sup> Witte Jr. and Kingdon, *Sex, Marriage and Family in John Calvin's Geneva*, 43.

<sup>367</sup> Witte Jr. and Kingdon, *Sex, Marriage and Family in John Calvin's Geneva*, 166.

<sup>368</sup> Clark, *Women in Late Antiquity*, 80.

<sup>369</sup> Gardner, *Women in Roman Law and Society*, 40.

especially with the emergence of clandestine marriage as

#### 4.4.2. Clandestine Marriage

One form of marriage that came under scrutiny was the marriage of young girls before the legal age of marriage which is called clandestine marriages. Goody describes clandestine marriages in the following way:

The marriage of wards received the special attention of moralists and reformers, "little infants" wrote Stubbes in his *Anatomy of abuses* (1583) are often married by their ambitious parents and friends when they know neither good nor evil (1877:77). Indeed every saicy boy ofx, xiii, xvi, or xx years of age wanted to catch up a woman and marry her, installing her in a cottage before he has means to support her.<sup>370</sup>

This quotation should be understood in the context of the twelfth century when marriage was legalised in the church. According to Goody, the twelfth century's declaration of marriage as part of the sacrament was partly an attempt to validate marriage both from the civil and legal perspective which was not the case with clandestine marriage.<sup>371</sup> During the twelfth century, many questions were raised over the validity of certain marriage practices within the Christian circles. In this period, clandestine marriage were so prominent that they turned out to be what Ozment called the fertile seed bed for domestic strife and litigation.<sup>372</sup> Clandestine marriages continued to be a contested issue in the fifteenth and sixteenth century. One of the major factors for condemning these marriages was their lack of publicity and parental consent.<sup>373</sup>

According to Harrington, nothing more clearly illustrated the crisis of patriarchal authority for sixteenth century Protestants than the presence of clandestine marriages among minors.<sup>374</sup> Outhwaite adds that, clandestine marriages also covered any marriage that failed to conform

<sup>370</sup> Goody, *The Development of the Family and Marriage in Europe*, 128.

<sup>371</sup> Goody, *The Development of the Family and Marriage in Europe*, 128.

<sup>372</sup> Ozment, *When Fathers Ruled: Family Life in Reformation*, 25.

<sup>373</sup> The Reformation period saw this kind of marriage as coming from strong minded girls whom they called disobedient children, who married against their parents' consent. The story of Romeo and Juliet is one example of such marriage that filled most European literature around the reformation period. For more see Paul N. Siegel "Christianity and the Religion of Love in Romeo and Juliet", *Shakespeare Quarterly* 12, no.4 (Autumn 1961), 371-392, Folger Shakespeare library.

<sup>374</sup> Harrington, *Reordering Marriage and Society*, 28.

<sup>375</sup> Goody saw the irregular or clandestine marriages  
<sup>376</sup> As a result, clandestine marriages were condemned and  
equated to rape. Furthermore, a father was permitted to kill the clandestine husband of her  
daughter.<sup>377</sup> Goody has argued that, the practice of legalising marriage by fathers giving  
consent (the consensual theory) was the basis for the increase in clandestine marriages.<sup>378</sup>  
Therefore, it becomes important to analyse the consensual theory as discussed below.

#### 4.4.3. The Problem of Consent

Historically, the problem of child marriage has shown that parental consent was an important factor in the life of the marriage. Calvin and his colleague took pains to ensure that free and full consent of both parties was adhered to before the couple was finally allowed to get married. In essence, the mutual consent of the parties was essential to form the engagement contract.<sup>379</sup> On the surface it would seem as though Calvin put more emphasis on parental consent. However, he was quick to caution that the idea of involving parents in the marriage of their children could not be used as a weapon to force the children into unwanted relationships that only benefited the parents. Witte and Kingdon warned parents against coercing their children into unwanted engagement as this would lead to forcing youngsters into early marriage before they were mature enough to be involved in marital affairs. Parental consent was viewed as a supplement to and not a substitute for the consent of the couple themselves.<sup>380</sup> Despite this rule, today we still see incidences where parental consent has overruled this concept.<sup>381</sup>

According to Harrington, the basis for complaint among the reformers was canon law's recognition of simple vows of consent between the marrying couple as being the sole requirement for a legitimate union. The reason was that this kind of consent provided an opportunity for minors to consent to marriage without consulting their parents.<sup>382</sup>

<sup>375</sup>Robert B. Outhwaite, *Clandestine Marriage in England, 1500-1800*. (London: Hambledon Press, 1995), xiv.

<sup>376</sup>Goody, *The Development of the Family and Marriage in Europe*, 151.

<sup>377</sup>Harrington, *Reordering Marriage and Society*, 30.

<sup>378</sup> Goody, *The Development of the Family and Marriage in Europe*, 148.

<sup>379</sup>Witte Jr. and Kingdon, *Sex, Marriage and Family in John Calvin's*, 119.

<sup>380</sup>Witte Jr. and Kingdon, *Sex, Marriage and Family in John Calvin's*, 42.

<sup>381</sup> The responses from the field research indicate that one of the factors for child marriage was due to the parents forcing their children into marriage. This information is recorded in chapter two of this study.

<sup>382</sup>Harrington, *Reordering Marriage and Society*, 29-30.

that recognized these secret marriages evolved from the  
y legal theorists, namely Gratian and Peter Lombard.<sup>383</sup>

In an attempt to address these theories, Goody first looks at the Gratian theory and asserts that:

The older view which was supported by Gratian and the school of Bologna in about 1140 maintained that marriage was initiated by the consent of the parties but was only made indissoluble by sexual union. Peter Lombard 20 years later distinguished between two kinds of *desponsatio* one by words of present consent the other by words of future consent. Consent alone and not coitus made a marriage valid.<sup>384</sup>

Ozment further confirms that the Gratian theory held that a couple's private exchange of vows did not make a marriage valid until the couple's relationship was sexually consummated. After that the marriage also became sacramentally sealed.<sup>385</sup> This theory then concluded that sexual engagement was the only way to deem any marriage as valid.

Similarly, in my field research, I discovered that in the UCZ marriage begins with the exchange of vows and thereafter sexual intimacy acts as a seal of the covenant. This is seen as one of the main factors that define a Christian marriage.

From the African perspectives in the Zambia context, most of the marriages begin with pre-marital engagement known as *nkobekela*,<sup>386</sup> thereafter a marriage ceremony will follow. During this period the couple is prohibited by society and the church from sexual intercourse until the wedding day. Furthermore, during my field research I noted that in line with the Gratian theory, many young girls have found themselves in early marriages. Some of the girls interviewed in this study reported that they were forced to marry the first man with whom they had sexual intercourse because sex before marriage is against their religious and cultural beliefs.

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<sup>383</sup> Ozment, *When Fathers Ruled: Family Life in Reformation Europe*, 26.

<sup>384</sup> Goody, *The Development of the Family and Marriage in Europe*, 147.

<sup>385</sup> Ozment, *When Fathers Ruled: Family Life in Reformation Europe*, 26.

<sup>386</sup> This is an engagement which involves both parental and couple's consent to marry. In most cases it is done after a certain amount of money has been paid, as a sign of commitment. Among the Bemba, payments called *Insalamu* should be offered to the girl's family before this arrangement is done. Traditionally a Tonga girl would be tied with white beads on her wrist as a sign that she is engaged to be married. The girl at this time becomes officially attached to the husband's family even though she is not allowed to engage in sexual intimacy with her fiancé until marriage. The engagement however, can be dissolved should there be issues that make the marriage unsuccessful. That is why among the Bemba, there is a saying to this effect that *nkobekela te chupo*; meaning an engagement can never be a valid marriage.

in pre-marital sex sometimes led to victimization from  
However, the Gratian theory was challenged by the

Lombard theory. This is reflected by Ozment who asserts that:

Lombard on the other hand was impressed as most canonists would be by the example of Mary and Joseph whose marriage had been consummated by verbal consent alone without sexual consummation. He therefore argues that marriage was both valid and sacramentally sealed at the moment a couple who were of age and without impediments freely promised one another in good faith to be man and wife, what came to be known as present vows of marriage.<sup>387</sup>

From the discussion above, it is evident that Lombard's view of a valid marriage was centred on verbal consent by people of appropriate age other than sexual consent. Therefore, Lombard's theory would rule out clandestine marriage that did not recognise the issue of appropriate age of marriage.

#### ***4.4.4 Arranged Marriages as a Challenge to Child Marriage***

Concerning the issue of arranged marriage, Calvin in his commentaries argues that if the father arranged the marriage of his daughter to a well prized man, according to common law, the agreement implied the daughter's consent and this was only to take effect if it was obtained from the daughter.<sup>388</sup> In order to justify his arguments, Calvin tried to relate this doctrine to biblical teachings. He used stories from some early patriarchs who participated in the marriage of their children, such as those found in Genesis 24:1-67 and Joshua 15:16-17.<sup>389</sup> The two stories depict two different approaches to marriage as practised in the Old Testament. In both stories, parents played significant roles in the marriage of their daughters by either giving consent or refusing consent. As for Caleb in Joshua 15:16-17, Calvin saw the incident as depicting a patriarchal structure of marriage where the girl-child is given in marriage as a form of commercial transaction for the benefit of a father or any paternal figure in the family.

<sup>387</sup>Ozment, *When Fathers Ruled: Family Life in Reformation Europe*, 26.

<sup>388</sup>Witte Jr. and Kingdon, *Sex, Marriage and Family in John Calvin's*, 121.

<sup>389</sup>Abraham is recorded pursuing a wife for his son Isaac. He sought a woman who would become his wife, a woman who he saw to be spiritually and physically compatible. The servant was sent to this woman's parents with presents for consent. The authors further suggest that Calvin noted that all this was done with full consent of Rebecca and Isaac who were made to meet to ensure their compatibility before the contract was sealed by the parents. Calvin saw this kind of arrangement to have stood in marked contrast with Caleb's approach to the marriage of his daughter Achsah whom he had promised for marriage to any soldier who would kill the pagan leader in order to possess the land that was rewarded to him by Joshua after the conquest of Jericho. Othriel killed the leader and he was given Achsah to marry. For the information above see. Witte Jr. and Kingdon, *Sex, Marriage and Family in John Calvin's*, 173.

re of the arrangement or is silenced by the patriarchal that she is taken as an object of exchange for the benefit of the father. On the positive side, Calvin sees a different scenario in Genesis 24:1-67 where the Bible records that the brothers and the mother to Rebekah asked her whether she was willing to go with the servant as a way of seeking consent from Rebekah.<sup>390</sup>

On the positive side, despite what seemingly looks like the problem of Canonical definition of marriage, both Protestants and the Roman Catholics viewed child marriage as a problem even though they failed to redeem the practice. Harrington argues that, although Protestants generally viewed clandestine marriages as lacking in parental consent and publicity, the intent was on how to promote and preserve both the spiritual and social character of marriage.<sup>391</sup>

To conclude the discussions on child marriage, it can be argued that in the history of the church the practice of child marriage went through different stages. While the church showed concern with the practice, there were also times in history when the church compromised in the way it addressed child marriage. An example of this was the on-going debate on age of marriage and parental consent, which has continues to be discussed in the church today. Even though conclusions can be drawn from the Bible that a girl should reach puberty before marriage, practically this cannot become a determining factor for a girl's readiness for marriage. This is because the girl has not reached full maturity. It is such kind of teachings that affected the way in which the church has responded to child marriage even today. Another marriage practice that was covered in this study is widowhood inheritance. This is a practice that has also generated a great deal of debate throughout church history as it is reflected in the following section.

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<sup>390</sup>Witte Jr. and Kingdon, *Sex, Marriage and Family in John Calvin's*, 173.

<sup>391</sup>Harrington, *Re-ordering Marriage during Reformation*, 180.

## ance in the Church

According to Bunnett, the position of widows in the Old Testament is that of unjust treatment and socio-economic hardship.<sup>392</sup> A widow was exposed to a levirate marriage or underwent public rejection by her levir before she could re-marry outside her husband's family.<sup>393</sup> Otherwise she was to stay with her family as a widow for the rest of her life or worst still to be sold into slavery. Those who were above the age of sixty could earn money as professional mourners at funerals; or they could serve in the Temple, even though there were some widows who were cared for outside the levirate marriage.<sup>394</sup>

### 4.5.1 Patriarchal View of Widowhood Inheritance

The position of widows in the society and the church will be discussed from four perspectives. First, from the Old Testament stand point, women outside the male support system were at a serious social and economic disadvantage. In the Ancient Israel, a woman's identity was always hidden in the male figure. Therefore, a widow having lost a husband needed a replacement of a male figure in her life. This is because a woman's social and religious identity was primarily in relation to male family members. Her communal status was secured by marriage and the birth of sons.<sup>395</sup> Therefore, the death of a husband meant a loss of a male support for a widow. According to Stuhlmueller, the experience of widowhood is often used in the Bible to convey desolation.<sup>396</sup> Smith sees this tradition of oppressing widows to be rooted in the Hebrew Bible.<sup>397</sup> Judging from the way the patriarchs are positioned in the discussion above, it can be concluded that widowhood inheritance represented the way in which women were positioned in the patriarchal communities. A widow was not allowed in making decisions that concerned her welfare. This was despite her position as a determining factor to some of the decisions made in the family. Apart from the patriarchal depravity of widows, gender and class also became a social barrier for widows.

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<sup>392</sup> Harold V. Bannett, *Injustice Made Legal: Deuteronomic Law and the Plight of Widows, Strangers and Orphans in the Ancient Israel* (Grand Rapids: William B. Eerdmans Publishing Company, 2002), 24-26.

<sup>393</sup> Thurston, *The Widows: A Woman's Ministry in the Early Church*, 13.

<sup>394</sup> Thurston, *The Widows: A Woman's Ministry in the Early Church*, 11.

<sup>395</sup> Cahill, *Sex, Gender and Christian Ethics*, 143.

<sup>396</sup> Carol Stuhlmeveller, ed., *The Collegeville Pastoral Dictionary of Biblical Theology* (Collegeville: The Liturgical Press, 1996), 1072.

<sup>397</sup> Susan E. Smith, *Women in Mission: From the New Testament Today* (Maryknoll: Orbis Books, 2007), 33.

s, the Hebrew law was careful to see to it that the rights

This is confirmed by Thurston who has stated that:

In the Old Testament God is viewed as the only one who can ultimately bring justice to the weak<sup>398</sup> the vertical line to God is clearly linked with the horizontal line of response to the poor<sup>399</sup> In the law of the prophets and the wisdom of literature of the Old Testament God is the protector of the legally defenceless. "God will hear their cry" Exodus (22:23ff), Deut. (10:18), Psalms (146:9) and punish those who oppress them. Exodus (22:24)<sup>400</sup> God is the protector of widows Psalms (68:5). God maintains the widows' boundaries Prov. (15:25)<sup>401</sup> All this shows that widows were harshly treated.<sup>399</sup>

Second, unlike in the Old Testament where the focus was on levirate marriage, in the New Testament, the focus on widows was on social support through the church ministry. This difference did not mean that widowhood inheritance was not practised in this period. Stuhlmuehler observes that Jesus showed compassion toward the widows (Luke 7:11-17) his mother Mary on the cross, the poor widow in the Temple (Mark 12:41-44) and the persistent widow (Luke 21:1-4).<sup>400</sup> Additionally, Witherington III uses the incident of Jesus' death to note that Jesus calls his mother "woman" (John 19:25-27) on the cross and hands her over to a male disciple to continue taking care of her as a widow. This is an indication that Jesus was aware that Mary needed a male member to provide for her as a widow after his death.<sup>401</sup>

In the Pauline literature, Cahill observes that widows were apparently more numerous than widowers since women married much older men. Therefore, the church discouraged young widows in their twenties from remarriage.<sup>402</sup> For this reason the debate over the "order of widows" continued to be a concern to the church.<sup>403</sup> Smith shows how Paul refers to widows in 1 Corinthians 7:8, although he does not mention any particular office associated with widows. Based on 1 Timothy 5:13 Smith further gives detailed instructions on how the church was to address the office of widows due to increased number of widows.<sup>404</sup> Unlike in the Old Testament where widows appeared to be a vulnerable group, the early church divided widowhood in two groups, namely young widows that could re-marry and those that needed to serve in the church.

<sup>398</sup> Stuhlmeveller, ed., *The Collegeville Pastoral Dictionary*, 1072.

<sup>399</sup> Thurston, *The Widows: A Woman's Ministry in the Early Church*, 14.

<sup>400</sup> Stuhlmuehler, ed., *The Collegeville Pastoral Dictionary*, 1072.

<sup>401</sup> In the Jewish culture, before a person was hanged to death, he was given a change to say his last words to the surviving relatives. Witherington, III, *Women and the Genesis of Christianity*, 97.

<sup>402</sup> Cahill, *Sex Gender and Christian Ethics*, 155.

<sup>403</sup> Mary T. Malone, *Women and Christianity Volume 1: The First Thousand Years* (Maryknoll: Orbis Books, 2000), 128.

<sup>404</sup> Smith, *Women in Mission*, 33.

women that needed to be married did not remarry, they were  
legal requirements.<sup>405</sup> Following this pattern, Osiek, et al.  
confirm that, widows in the early church formed a more or less distinctive group as both  
objects of charity and a group of women on whom the church leaders came to depend on for a  
variety of services.<sup>406</sup> Osiek et al. further state that:

the evidence concerning widows in early Christian literature indicates that networks of women  
contributed to the expansions of Christianity among women and children. Both Paul's letters  
and the Acts bear testimony to the importance of the presence and influence of widows among  
the first generations of believers.<sup>407</sup>

Third, Malone records that, history has shown that the church was never happy with the order  
of widows.<sup>408</sup> Despite their active participation in the life of the church in the early history of  
the church, their lives still remained ambiguous. Osiek et al. attributes this to how the church  
has always defined the female body as a symbol of political, social, and theological  
integrity.<sup>409</sup> As a result of this, widows were either taken to monastic life or re-marriage,  
especially for the young widows. Kelly affirms that, this was done in order to protect the men  
from temptation that may come if widows were left unmarried. The other reason was to  
lessen the stress of widowhood from the church by raising the status of women through  
marriage.<sup>410</sup>

From the fourth century onwards, Goody states that the church either forbade or discouraged  
issues like widowhood inheritance and levirate marriages.<sup>411</sup> This became a challenge to the  
church as it was still finding its roots in its establishment. Verdon argues that, forbidding the  
levirate and widowhood inheritance and extending marriage prohibitions resulted in the lack  
of heirs in families. In this way, the church made marriage for widows difficult. Verdon saw

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<sup>405</sup>Smith, *Women in Mission*, 33.

<sup>406</sup>Carolyn Osiek, Margaret Y. Macdonald and Janet Tulloch, eds., *A Woman's Place: House Churches in the Earliest Christianity*. (Minneapolis: Augsburg Fortress, 2006), 230.

<sup>407</sup>Osiek, et al. *A Woman's Place: House Churches*, 230. The author also provides biblical texts such as (Acts 6:1-2, 9:36-43 and 1 Corinthians 7) as evidence of the church's ministry to women in the church.

<sup>408</sup>Malone, *Women and Christianity Volume 1: The First Thousand Years*, 129.

<sup>409</sup>Osiek, et al. *A Woman's Place: House Churches* 5.

<sup>410</sup>Joseph Kelly, *The World of Early Christians: Message of the Fathers of the Church Vol. 1* (Minnesota: The Liturgical Press, 1997), 153.

<sup>411</sup>Goody, *The Development of the Family and Marriage in Europe*.

the church, as much of the widows' properties were now  
ease the alienation of property for women.<sup>412</sup>

Malone agrees with Verdon on the church's transmission of widows' property to the church saying during this period women were widowed at a tender age. This is because most of women were married to men who were not approved by the church. Despite this fact, the church still found ways to keep the widows' riches at its disposal.<sup>413</sup> Malone tells a story of a widow by the name of Olympias who lived between the third and fourth century, to illustrate her point. Olympias was widowed at the age of twenty. Soon after that, the church ordained her as a deaconess so that her wealth could remain in the church. Her palace became a centre for the distribution of food to the poor.<sup>414</sup>

Fourth, during the Reformation period, Calvin asked whether the doctrine of mutual consent should be read into God's command that a man must marry the widow of a deceased brother.<sup>415</sup> The question Calvin posed in arguing against this kind of arrangement was: What if the widow or the brother of the late husband did not want to get involved in this type of marriage arrangement?<sup>416</sup> Judging from the statement above, it seems as though even when the Bible records the doctrine of *Yubim* and widowhood inheritance, Calvin could not accept the practice as valid. According to Calvin, widowhood inheritance was another form of incest that did not respect the consent of the parties concerned.<sup>417</sup> Witte and Kingdon give a summary of Calvin's view on widowhood inheritance saying:

Calvin condemns patriarchs like Judah in Genesis (38) who in his endeavour to find an inheritor caused the death of his son who had refused to bear a son for his late brother. Calvin further argues that Judah also abused his daughter-in-law Tamar who had to live in his house as a widow for a long time. In her waiting to be cleansed, she could not contain the abuse anymore and ended up trapping her father-in-law into a sexual act. Calvin sees this to have been avoided if Jacob was not bound by the Jewish law.<sup>418</sup>

<sup>412</sup>Michel Verdon, 'Virgins and Widows: European Kinship and Early Christianity', *Man, New Series* 23, no. 3 (Sep., 1988), 490. London: Royal Anthropological Institute of Great Britain and Ireland <http://www.jstor.org/stable/2803262> accessed: 13/04/2009 05:40.

<sup>413</sup>Malone, *Women and Christianity Volume 1: The First Thousand Years*, 148.

<sup>414</sup>Malone, *Women and Christianity Volume 1: The First Thousand Years*, 148.

<sup>415</sup>Witte Jr. and Kingdon, *Writings of Calvin 1555*, 120.

<sup>416</sup>Witte Jr. and Kingdon, *Writings of Calvin 1555*, 120.

<sup>417</sup>Witte Jr. and Kingdon, *Writings of Calvin 1555*, 121.

<sup>418</sup>Witte Jr. and Kingdon, *Writings of Calvin 1555*, 122.

on the issue of widows, his influence and his position on be reflected in the churches that adopted the Reformed theologies both in Europe and Africa. This is confirmed by Kirwen who observes that Protestant churches through their western missionaries reject the levirate customary marriage as it is seen to be incompatible with the Christian way of life and an unlawful sexual union that sanctions punishment on members who practise it.<sup>419</sup> To conclude the church's response to widowhood inheritance, I use the words of Osiek et al. who argue that, the treatment of widows throughout church history was an ambivalent one, carrying both the negative and the positive images of women.<sup>420</sup> This is because the church's response on widows carries along legal, cultural, social and spiritual implications of the position of women in society.

#### 4.6 Conclusion

In this chapter I have laid down the historical background of the position of the church on the institution of marriage and the two traditional marriage practices covered in this study. The main focus in this chapter was to examine the church's response to these practices and how its response has influenced the way in which these traditional marriage practices are understood in the church today. In order to effectively address these practices, I started by addressing the church's understanding of marriage. In this chapter I have shown that the understanding and definition of marriage throughout history has never been determined. Despite the effort by the church to Christianise marriage, the practice still remained as both secular and sacred. The transition that marriage has undergone in history has also affected the way in which traditional marriage practices are understood in the church today. The other thing to note is that the church's teaching on child marriage and widowhood inheritance practices has been inconsistent throughout church history until the present day. At one point in history these traditional marriage practices were encouraged while at the same time we see instances when the church was against these practices. The inconsistency in the addressing of these practices can also be attributed to other factors, such as geographical, culture, social and historical settings.

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<sup>419</sup>Kirwen, *African Widows: An Empirical Study of the Problems of Adjusting Western Christian Teachings on Marriage*, 11.

<sup>420</sup>Osiek, *A Woman's Place: House Churches*, 231.



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of the church's response to marriage practices through  
chapter, I wish to streamline the focus and examine the  
way in which the institution of marriage has been understood in the UCZ. This will be done  
by examining the way in which the missionaries that formed the UCZ responded to the issue  
of marriage and how their response influenced the way traditional marriage practices were  
addressed by the church. In my discussion, the main point of reference will be the Marriage  
Guidance Programme which was displayed by the missionaries that formed the UCZ.

## Chapter Five

# A Critical Analysis of the Marriage Guidance Programme of the United Church of Zambia

### 5.1 Introduction

In chapter four I discussed the role that the church has played either in promoting or discouraging traditional marriage practices. I have also shown how historically, the church's perception of marriage and traditional marriage practices have influenced these practices today. Using historical and theological debate on the history of marriage and traditional marriage practices, the findings from this chapter were that the church's response to marriage practices is ambivalent. As such, marriage has undergone a lot of changes which are still reflected in the church today.

Following the findings in chapter four, in chapter five, I will re-examine the Marriage Guidance Committee and the Marriage Guidance Programme of the UCZ so as to provide a holistic and contextual theology of marriage in the church. The reason for doing so is because the Marriage Guidance Programme is arguably one of the most important vehicles through which the church promotes its understanding of marriage. Hence, if one wants to understand the church's view on marriage, there is the need to analyse this programme ó its history and its theology. In this chapter, I will outline and analyse the history and theology of marriage in the UCZ as expressed in the Marriage Guidance Programme.

Therefore, the objective of this chapter is to analyse the Marriage Guidance Programme and the Marriage Guidance teaching materials as an entry point to re-examine the theology of marriage, using the principles of African feminist cultural hermeneutics. This will be done by first examining the history of marriage in the UCZ. Second, I will discuss the missionary formation of the Marriage Guidance Committee Programme. Third, through the responses of the participants of this study, I will analyse the Marriage Guidance Programme and the marriage guidance teaching guides. Fourth, I will provide some possible suggestions on how the UCZ can re-examine the theology of marriage using the existing programme.

## Marriage Guidance Programme of the UCZ

A brief background of mission work in Zambia show that most missionaries who came to Zambia arrived between the 18<sup>th</sup> and 19<sup>th</sup> century.<sup>421</sup> The history of marriage in the UCZ is associated both with the coming of the missionaries who formed the UCZ and with the life of the people who became members of the UCZ. This is confirmed from the many meetings that were held by the CCAR. Even before the formation of the UCZ, the CCAR held meetings on various issues including their understanding of marriage, which is of interest to this study. The 1949 interim constitution of CCAR raised many issues concerning marriage. The missionaries provided guidelines for what they called Christian marriages and marriages in African society. In the following section I wish to show how each of these types of marriage were understood by the missionaries and how this has affected the way marriage practices are carried out in the UCZ today.

### 5.2.1 Missionary Understanding of Christian Marriages

In attempting to describe missionary the concept of marriage in Africa, Tylor cites a response from one of the missionaries saying:

In 1912, J.H. Oldham, the first Editor of the *International Review of Missions*, conducted an inquiry among missionaries in many lands about their most urgent problems. Many of them mentioned the problem of marriage. One missionary in Africa wrote: -not only the most pressing but the most puzzling, and far-reaching of problems, is that of Christian marriage in the heathen world. It is ever present.<sup>422</sup>

In the 1949 CCAR interim constitution, marriage emerged as one of the issues that was addressed by the missionaries. The first topic to be addressed on Christian life was the definition of Christian marriage. Under this heading, the constitution read that a Christian marriage was to be described as:

A public service in a place of worship, usually the place where one or both members worship, making of vows by a man and woman, to serve and to love each other as Christian partners until death separate them. The vows and forms of service shall be set out in the service books. A Christian marriage ceremony shall be solemnised by a minister or where legal an elder instructed and appointed by the consistory. Notification to the minister must be well in advance. Couples intending to get married are to be called in the church for three consecutive

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<sup>421</sup>Bolink, *Towards Church Union in Zambia*.

<sup>422</sup>Taylor, *Tend My Sheep*, 171.

be between communicant members or between a member  
l be performed in accordance with the law of the country.  
certificates and keep marriage rolls. Teachings on Christian  
marriage should be taught in all churches.<sup>423</sup>

These regulations laid down in the interim constitution were an indication of the missionary view of a Christian marriage. The regulations continued to be reflected in most of the meetings held by the CCAR after the 1949 interim constitution, until the formation of the UCZ in 1965. The current UCZ constitution that was available at the time of writing this thesis also confirms the missionary definition of Christian marriage in the UCZ. According to the constitution:

Our Lord's teaching is that marriage is a sacred relationship instituted by God involving a life long union for better for worse<sup>1</sup> In all consideration of Christian marriage the church shall seek to act in such a way as both to uphold the church's witness to Christian marriage<sup>1</sup> The UCZ also takes responsibility to provide proper instruction on the meaning, privileges and duties of Christian marriage.<sup>424</sup>

Second, following this definition of marriage from the constitution of the UCZ, it becomes necessary to discuss the church's view of the Christian marriage relationship based on biblical principles that are to be upheld and encouraged in the church. In most African societies, the majority of the marriages, though contracted in the church as covenant marriages, are also viewed as alliance between the families. Therefore, the covenantal aspect goes beyond the couple, involving the family and communities of both the living and the dead.<sup>425</sup> Looking at the definition of marriage laid down by the 1949 interim constitution of CCAR and the current 2004 UCZ constitution, it can be argued that to a greater extent, the understanding of marriage in the teachings of UCZ has been influenced by the 1949 CCAR constitution. This is due to the similarities found in both clauses of the constitutions on the section of marriage. Apart from the two constitutions, in the minutes that proceeded from 1951-1957, the clause on Christian life defined marriage in the same way as it is reflected in the UCZ constitution today. If this definition of Christian marriage as adopted by the UCZ was seen as the valid form of marriage even among the African Christians, how did this affect the African Christians' understanding of marriage?

<sup>423</sup> *CCAR Draft Constitution 1949 Article Number VII* (UCZ Theological College Archives Kitwe: Zambia).

<sup>424</sup> *The Constitution of the United Church of Zambia* (Lusaka: UNZA Printer, 2004 revised version).

<sup>425</sup> B njjo, *The Ethical Dimensions of Community*, 94.

... laws on marriage from the motherland to the mission  
... missionaries had no Christian marriage laws to introduce  
to African churches other than those which applied in their respective home churches.<sup>426</sup> This  
made it difficult for the missionaries themselves to make general rules on certain issues  
concerning marriage. Some of the marriage laws they introduced in the church had more to  
do with the state laws than the church laws.

According to Harries:

if the official action by missions in promoting the Christian ideal of marriage has never been initially directly related in principle to what missions have learned about African indigenous marriage. The relationship of principle has always been to the Christian ideal itself. The function of customary marriage within the tribal context has not constituted the normal objective of the missionary claim...Although deeper knowledge of African custom has often resulted, the priority of Christian doctrine and practice has been maintained.<sup>427</sup>

In view of the observations made by Harries, it then becomes prudent to address the fourth point concerning how the Africans themselves viewed Christian marriage as presented to them by the missionaries. In response to this statement, I will use the study of Mulonga. His study has found out that Christian marriage is understood as a marriage entered into by two Christians with the full knowledge and understanding of God's teachings on marriage. However, Mulonga argues that to be married in the church does not make the marriage Christian unless the marriage is ordained by God.<sup>428</sup> Following Mulonga's argument, the challenge to the church is how to authenticate as to which marriage is ordained by God - even when biblical texts talk about *what God has put together let not anyone put asunder?*<sup>429</sup> The question still remains as to which marriage God puts together; is it the one celebrated in the church, the customary marriage or the civil marriage?

My experience as a member of the UCZ shows that the struggle left by the missionaries on the definition of Christian marriage continues to prevail in the church even today. Western oriented church weddings in the UCZ seem to be viewed as the Christian form of marriage. These weddings have also become more commercialized and expensive than holding a

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<sup>426</sup> Lyndon Harries, "Christian Marriage in African Society" in *A Survey of African Marriage and Family Life*, edited by A. Phillips (Oxford: International African Institute, 1953), 329.

<sup>427</sup> Harries, *Christian Marriage in African Society*, page 332.

<sup>428</sup> Mulonga, *The Influence of Christianity on the Traditional Marriage*, 11.

<sup>429</sup> Mathew (19:6-7) is one of the common scriptures used in marriage ceremonies to authenticate the marriage bond as a seal approved by God. Biblical texts have also been used in the reformed circles to warn against divorce among Christians.

ch. To hold a church white wedding ceremony is more  
is viewed as the church's acceptable form of marriage.

This is due to the fact that the initial definition of Christian marriage by the missionaries seemed to put more emphasis on the white wedding ceremony. In response to this seemingly misleading notion of the definition of Christian marriage in Africa, Fielder calls for the ban of church weddings arguing that:

Because of the process of change in African society, the growing social stratification í expenses associated with the weddings in some cases forced the young people to marry illegally outside the churchí The main problem to all this is that the church did not take the wedding ceremony as the blessing of an existing marriage but as the real thing. Therefore a marriage without a church ceremony cannot be a real marriage or at least not a Christian marriage.<sup>430</sup>

And yet as observed in chapter four, looking back on church history we see that wedding ceremonies were the last part of a marriage to be accepted by the church. Before then priests blessed the couple outside the church without participating in the wedding ceremony as it was considered more of a family matter.<sup>431</sup>

### ***5.2.2 Missionary Perception of Traditional Marriages***

The first point that I wish to raise in this section is the debate about the traditional marriages. From the outset, it is important to state that when the missionaries who formed the UCZ came to Zambia, they found that the British colony had already set out rules for the native people especially on issues related to marriage. According to Parpart, the nineteenth century missionaries condemned African marital practices such as child marriage, polygamy, and widowhood inheritance. In an effort to halt these practices, mission öcourtsö excommunicated offenders who strayed from the Christian nuclear family model. Parpart further asserts that, the British South Africa Company (BSAC) which ruled Zambia from 1898 to 1924 set up Native Commissioner Courts where officials addressed different kinds of disputes among Africans especially issues of marriage.<sup>432</sup>

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<sup>430</sup> Klaus Fielder, öFor the Sake of Christian Marriage: Abolish Church Weddingsö, in *Rites of Passage in Contemporary Africa*, edited by James Cox (Cardiff: Cardiff Academic Press, 1998), 52.

<sup>431</sup> Many early writers agree with this statement and approve it in their scholarship as they show the progression of the recognition of marriage in the church. For more information see Erwin J. Haeberle, öHistory of Marriage in Western Civilizationö, in *The Sex Atlas New Popular Reference Edition. Revised and Expanded* (Magnus Hirschfeld Archive for Sociology, 1983) <[http://www2.hu-berlin.de/sexology/ATLAS\\_EN/html/history\\_of\\_marriage\\_in\\_western.html/](http://www2.hu-berlin.de/sexology/ATLAS_EN/html/history_of_marriage_in_western.html/)> accessed on 20/08/2009.

<sup>432</sup> Parpart öWhere is Your Mother?ö, 244.

marriages were under the customary laws. This means, of marriage did not hold any legal implication. Not until early 1963 when Africans were allowed to participate in the statutory marriages did the issue of involving the church in the marriage ordinances begin to be addressed.<sup>433</sup> This is also confirmed in the minutes of the CCAR 1956 which reads:

Presbytery heard the reply of the Native Courts that the law does not recognise Christian marriages between Africans. The only valid marriage was one according to native law and custom. The church should discuss this problem with Native Court authorities; it was then agreed that the committee dealing with the memorandum on Christian marriage should take note of the desirability of early recognition of the validity of marriage according to the practice of the Christian church.<sup>434</sup>

The report stated above came about as a result of the on-going CCAR discussions on the need to introduce Christian marriages among the Africans. In an attempt to respond to this call, missionaries engaged themselves in the understanding of traditional marriage practices of the African people. In the 1949 draft constitution of CCAR, marital regulations involved discussions on how marriage is carried out in African society. On the question of customary marriages, it was agreed that these marriages shall be recognised as valid. However, upon the couple's conversion or reconciliation back to the church, their marriage shall then be recognised as Christian marriage through church blessings and by registration with the colonial government. In this way the marriage will then be recognised as 'christened' by the parties.<sup>435</sup> This meant that traditional marriages were to remain as African marriages and only be recognised by the church once the couple had converted and become members of the church. With such kinds of approaches to marriage I question the value that missionaries attached to customary marriages.

Some of the traditional marriage practices that the missionaries condemned in the CCAR were polygamy, separation, divorce (except on grounds of adultery), child marriage and widowhood inheritance.<sup>436</sup> According to Hastings, missionaries saw African marriage customs as the greatest obstacle in the way of realizing the missionaries' ambitions to evangelize Africa; and when missionaries said marriage they meant polygamy.<sup>437</sup> This means that

<sup>433</sup> Coldham, *Customary Marriage and the Urban Local Courts in Zambia*.

<sup>434</sup> *CCAR Minutes of the Presbytery CCAR/12/5 C4 of 10<sup>th</sup> December 1952* (UCZ Theological College Archives Kitwe: Zambia).

<sup>435</sup> *CCAR Draft Constitution of 1949*.

<sup>436</sup> *CCAR Draft Constitution of 1949*.

<sup>437</sup> Adrian Hastings, *The Church in Africa 1450-1950* (Oxford: Clarendon Press, 1994), 317.

that most African marriages were all polygamous. That is polygamy as an unacceptable form of marriage. In the UCZ, missionaries advocated for a monogamous heterosexual marriage which is still encouraged even today. Nasimuyu justifies this point as a historical heritage, saying when Christianity came to Africa, it taught monogamous and heterosexual marriage as the only valid form of marriage.<sup>438</sup> Even though monogamy which is heterosexual has stood as the church's approved form of marriage, I wish to concur with Bahemuka that the fact that monogamy was always widespread in Africa should not be taken to mean that this is the most desired form of marriage in Africa.<sup>439</sup>

On the problem of widowhood inheritance, the CCAR constitution of 1949 stated that those who practice inheritance show lack of faith in Jesus Christ and His love. The suggested penalty for inheritance was suspension from the church membership irrespective of the time of co-habitation.<sup>440</sup> Although this policy is no longer reflected in the current UCZ constitution, responses from the field research showed that there are some congregations within the UCZ that are still advocating for this 1949 policy on widowhood inheritance.

Another practice that was addressed by the missionaries in the church minutes was *lobola/impango*.<sup>441</sup> The missionaries saw this practice as an integral part of the African social system. They saw its true purpose as a token and pledge for care and proper conduct of the bride. The church therefore urged the members to oppose excessive payment of *lobola* by accepting only a minimal amount.<sup>442</sup> Thus while the missionaries were expressly negative towards widowhood inheritance and polygamy, they were accommodative on the issue of *lobola*.

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<sup>438</sup> Nasimuyu-Wasike, "Polygamy: A Feminist Critique", 113.

<sup>439</sup> Bahemuka, "Social Changes and Attitudes Towards Marriage", 121.

<sup>440</sup> CCAR, *Draft Constitution of 1949*.

<sup>441</sup> The word *impango* is another Bemba name for *lobola*. Both words mean payment for a marriage, sometimes called bride wealth. For more details on the discussions on *lobola* see Isabel A. Phiri "Weddings and *Lobola*", in *African Bible Commentary: A One-Volume Commentary Written by 70 African Scholars*, edited by T. Ademeyo (Nairobi: ABC Editorial Board Association of Evangelicals of Africa, 2006), 799.

<sup>442</sup> CCAR, *Draft Constitution of 1949*.

## ***Statutory Marriage or Marriage under Ordinances***

A civil marriage is defined as a form of marriage where the marriage ceremony has government or civil, official performance. In this kind of marriage, a wedding may be conducted without any religious affiliation as long as the marriage meets the legal requirements of the particular country.<sup>443</sup> A study by Mulonga also gives a detailed account of this kind of marriage practice. He identifies civil marriage as a marriage under ordinance. In this marriage, a couple (a man and a woman) goes to the city council and a marriage ceremony is conducted there by the commissioner under the following conditions: A couple be 21 years of age before they can be married; no polygamy; couple be married under two witnesses; couple give a notice for 21 days in written form before the day of marriage, and the couple completes an affidavit.<sup>444</sup>

The information on the notice board is the couple's intention to marry and is kept on the notice board over 21 days for public approval. The couple then would report to the civil authority on a stipulated date and there they will be asked to pronounce vows to each other formalized by the state legislator. After the ceremony, a copy of marriage certificate is kept in the government office and the original copy is taken to the church; that is if the marriage is to be conducted in the church.<sup>445</sup> To confirm this point, Westbrook argues that if marriage is a contract then the contractual attachments like the signing of the marriage certificates will qualify the statement, on the other hand if we say that marriage is a covenant then the personal vows that are sworn between the couple will qualify the statement.<sup>446</sup> This means that both forms of marriage are important making marriage in the UCZ both civil and ecclesial. According to the Zambian government, this kind of marriage can only be dissolved by the court of law and only the judge is sanctioned to offer a divorce not the pastor, even when the marriage was sanctioned in the church.

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<sup>443</sup>For more details see the Zambian Constitution Act

<sup>444</sup>Mulonga, *The Influence of Christianity on the Traditional Marriage Customs*, 12.

<sup>445</sup>This is the common phenomena on marriage regulations in Zambia. Every civic centre will have these regulations and are displayed on notice boards for the public. The information is drawn from the Zambian constitution act. see

<sup>446</sup>Raymond Westbrook, "Prohibitions of Restoration of Marriage in Deuteronomy 24:1-4" in *Studies in Bible, Scripta Hierosolymitana* Vol. 3, edited by S. Japhet (Jerusalem: Magnes Press, 1986), 387-405.

contracted through the signing of the marriage certificates, contractual aspect of it. What seems to be emphasised most is the covenant aspect which makes the church bind its members to the matrimonial wordings such as *'till death do us part'*.

Failure to expose the members of the church to the legal aspect of marriage in order to allow marriage to be flexible has created a lot of tension in marriages especially when it comes to widowhood inheritance and property rights. At the same time, in most cases women are the victims of this covenant.

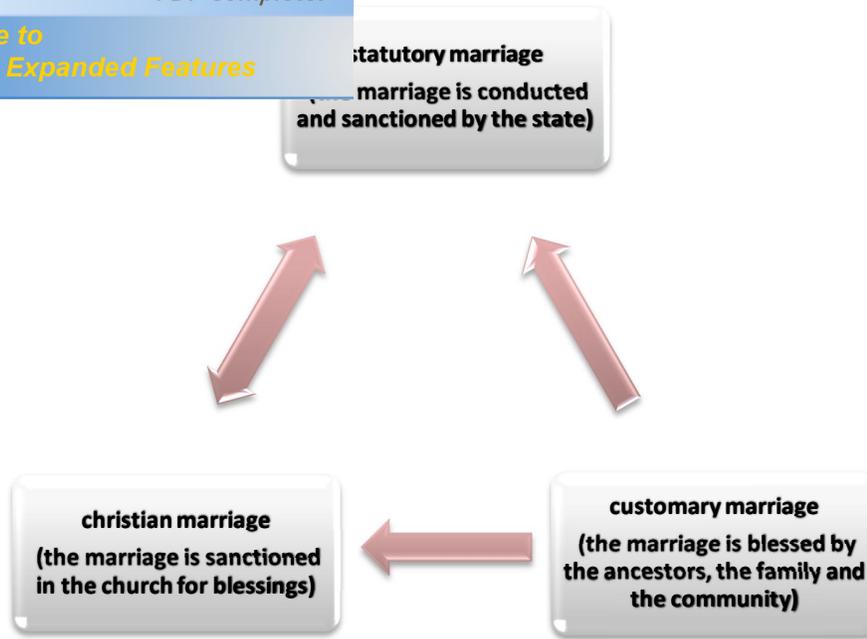
In times of disputes they will be constantly reminded by the church leaders of the marriage vows they made before God and the people.<sup>447</sup>

#### ***5.2.4 An Evaluation of the Missionary Perception of Marriage in the UCZ***

The missionaries were not aware that they were requesting African Christians to go through three levels of marriage, which are customary, statutory and the Christian forms of marriage as presented in the diagram below.

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<sup>447</sup>One of the most common phrases heard in the church during marital counseling is a reminder to the couple on the vows that they made to each other during the wedding. Words like *Mwalilaya kuchinso cha kwalesa* (meaning you made a vow before God) sometimes make women to opt to stay in abusive relationships in order to maintain the vows. This kind of teaching on marriage needs to be revised. Should the women be allowed to continue with abusive marriages for the sake of the covenant? A violence against women abuse T-Shirt campaign developed during the 16 days of Activism by University of KwaZulu Natal read *õTill Death Do Us Part: Does This Mean Until He Kills Me?* Such words should stand as a challenge to the church in its address of abusive marriage relationships.



**Fig 1.1 showing the three stages of marriage as perceived by the missionaries in Zambia**

In the diagram above, I have shown the threefold process of marriage that went on in the UCZ as discussed earlier in this chapter. A conclusion of the three stages of marriage will show that the statutory, customary and Christian form of marriages were all practised in the UCZ, even though the missionaries put much emphasis on Christian marriage and worked towards uniting these marriages with statutory marriages. Today these practices are still common in the UCZ even though customary marriages are not adequately recognised in the church as a valid form of marriage. This has created a state where some church members find themselves trapped between these marriage practices and the demands of the church.

Both Simunyola and Mulonga agree that members of the UCZ are what they called *‘living on the fence’* in as far as marriage in the church is concerned.<sup>448</sup> Most of the marriages in this church go through the three stages outlined in the diagram above. This creates a dilemma for both pastors and the members of the church who in some cases are caught in two worlds as Simunyola and Mulonga put it, not knowing whether to follow either their traditional custom or the Christian teaching. To sum up the diagram above, it is important to address marriage in a holistic way, especially in attempting to develop a theology of marriage. UCZ members

<sup>448</sup>Simunyola, *Polygamy among the People of Nakonde District of Zambia*, 10-22.

the three types of marriage as they are practised in the

The dialogue between the missionaries and the state meant that the church needed to create a mutual understanding on marriage between the two parties, while the dialogue between the native courts and the missionaries seemed to suggest that the church needed to amend the customary marriages practiced in these native courts. From the statement above, it becomes clearer that the missionaries were more interested in negotiation with the state in their developing of Christian marriage than with the Africans. This then could have been the most critical part of the church's response to marriages in Africa, as each of these marriage ordinances continues to be practiced in the church. Apart from the problem of the definition of marriage in the church, the missionaries also made suggestions for the development of a Marriage Guidance Committee and marriage guidance training materials as will be discussed below.

### **5.3 Suggestions for Marriage Guidance Training Materials and Marriage Guidance Committee**

Having looked at the definition and understanding of marriage in the UCZ, it becomes imperative to address the issue of training materials and the Marriage Guidance Committee that was put in place by the missionaries. The discussions on marriage life among these missionaries continued in the minutes that followed after the initiation of the draft constitution of 1949. The minutes of the Presbytery meeting held on 4<sup>th</sup> December 1951 on the section of Christian marriage life read:

It was agreed to ask Mr. Fielder, after consultation with Rev. Mwanakube and Mr. Nkamba, to draw up a memorandum on Christian marriage for the guidance of the CCAR. The memorandum was to be sent in the first instance to the executive for approval and then to be circulated throughout the CCAR districts.<sup>449</sup>

The aim of this memorandum on Christian marriage was to set some guiding principles on how Christian marriages were to be conducted in the church following the suggestions made

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<sup>449</sup>CCAR. *Minutes of the Presbytery CCAR/12/4 C2 1951* (UCZ Theological College Archives Kitwe: Zambia).

the meeting of the 5<sup>th</sup> December 1952, a review of the response of the executives and the districts to the memorandum was very poor. Many congregations did not bother to send their comments on it, especially Africans. Despite the poor response from the congregation to the memorandum, the missionaries agreed that a marriage booklet be published and circulated to all the congregations. The booklet was to be given to the couple before marriage.<sup>451</sup>

In the minutes of the presbytery July 1954, another manuscript was prepared on marriage in African society. During this meeting it was agreed that after comments had been received on the manuscript, it was to be sent to all districts to be used by all ministers, elders and teachers when giving guidance to all those who are preparing for marriage. On the same subject matter, the minutes of 1955 read:

The Reverend Fielder reported that the manuscript on marriage had been sent to some ministers for their comments but that no replies had been received. Presbytery asked all ministers to use this manuscript as their basis of teaching and other two books "Marriage has been arranged" and "One Husband & One wife."<sup>452</sup>

Although this manuscript could not be found at the time of writing this thesis, the minutes showed that the focus of this manuscript was mainly to create a guideline for marriage centred on Christian teachings. This was confirmed in the 1956 minutes that also indicated that the manuscript was turned into a booklet. The report in the minutes read:

Anything that is not considered Christian should be seen as paganism and it should not be included in the marriage booklet. If it be included, then it should be used as a warning for the believers not to follow. Practices like widow inheritance, polygamy, and eloping, adultery and child marriage are included for the believers to heed against.<sup>453</sup>

The missionaries intended the booklet to be used by the African Christians. This can be confirmed from the topics that were included in the booklet as stated above. One thing that we do not see in these minutes is the response of the African Christians to the decisions made by these missionaries on how they should address the marriage issues once the united church

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<sup>450</sup>This memorandum could not be traced during the time of field research for this study. The reason given for this was that most of the documents have been lost in the process of moving offices. However there were a lot of references made to this memorandum in most of the meetings that followed.

<sup>451</sup>*CCAR Minutes of the Presbytery CCAR/12/5 C4 of 10<sup>th</sup> December 1952* (UCZ Theological College Archives Kitwe: Zambia).

<sup>452</sup>*CCAR Minutes of the Presbytery CCAR/12/5 C4 of 12<sup>th</sup> August 1955* (UCZ Theological College Archives Kitwe: Zambia).

<sup>453</sup>*CCAR Minutes of the Presbytery CCAR/12/5 C4 1956* (UCZ Theological College Archives Kitwe: Zambia).



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...ce of the African community on the booklet, it becomes laid down marriage regulations were not accepted by most Africans.

In order to reinforce the use of the church booklet on marriage, the Marriage Guidance Committee was introduced in the CCAR. The interim constitution of 1949 provided for the Marriage Guidance Committee. The section on Marriage Guidance Committee read:

It is suggested that these committees should each consist of two elders, the minister and a woman. They should be responsible for guiding Christian couples in such matters as the suitability of an engagement, bride price, the physical relationship of marriage, difficulties of married people and the need to encourage Christians to talk about their intended marriages to the committee.<sup>454</sup>

A progress report on the formation of the Marriage Guidance Committee and the intended booklet was given at a meeting held at Kawimbe mission in the Northern Province of Zambia in the same year the booklet was produced. The meeting was on Thursday 19 July 1956. In this meeting, under the section on Christian life a report on Marriage Guidance Committees read:

It was noted that many Christians are receiving help from some of these committees that have been set up by the District Council Church Secretary (DCCS). The few remaining district council church secretaries who have not yet offered this help to our people are urged to do so.<sup>455</sup>

A close look at how the church proceeded with the Marriage Guidance Committees and the booklet, especially during the formation of the UCZ, has shown a different picture from what is reported in the 1956 minutes of CCAR. Despite the positive reports on the production of this booklet, further reports show that the booklet was never put to good use due to the negative response, especially from Africans. At the time of writing this thesis, the booklet could not be traced. However, the CCAR Marriage Guidance Committee continued to function and was later adopted by the UCZ and is still active today.<sup>456</sup> What is of interest to this study is how the church opted to adopt the use of Marriage Guidance Committee and not the booklet as originally recommended.

<sup>454</sup> *CCAR Draft Constitution of 1949.*

<sup>455</sup> *CCAR Minutes of the Presbytery CCAR 12/9 C31956* held at Kawimbe Mission on Thursday 19<sup>th</sup> July 1956. (UCZ Theological College Archives Kitwe: Zambia).

<sup>456</sup> Although the composition of this committee has changed in most of the churches so as to suit the preference of the church, most of its functions are still the same as those outlined in the 1949 constitution of the CCAR.

fluence, the idea of doing away with the booklet can also  
understanding of marriage in their own traditional setting  
other than the western approach. Today the UCZ has adopted an approach where each church  
has its own guidelines on how to counsel couples intending to get married, with different  
topics according to the preference of a particular congregation. The other thing that is of  
interest to this study is that responses from the field research, apart from the collected  
archival materials, do not seem to reflect anything on this booklet. None of the participants  
seemed to have any knowledge of the existence of the booklet or what happened to the  
booklet after the formation of the UCZ.

The question that can be asked in this case is, to what extent did this kind of division between  
the missionaries and the Africans on marriage regulations influence the way the church has  
responded to practices like child marriage and widowhood inheritance today? How did this  
kind of perception by both the missionaries and the Africans contribute to the UCZ  
understanding of Christian marriage? One of the responses to all the questions above is that  
the UCZ constitution shows a lack of adequate documentation on what it calls Christian  
marriage practices.

This is reflected from the time of the formation of the UCZ constitution to date. The other  
point to consider is that the UCZ Marriage Guidance Committee has not been effective in  
addressing marital issues in the church. This statement is confirmed by the findings from the  
field research as it will be reflected below.

#### **5.4 Response from the Focus group discussion on the Marriage Guidance Programme**

Today, Marriage Guidance Committee in the UCZ consists of diverse numbers of men and  
women who are chosen by a congregation. Marriage is still a requirement for membership in  
this group. This is because these people are also expected to give guidance based on their  
lived experiences of their Christian marriage. Despite its long history, the programme has  
challenges to its operation. Each of these challenges will be discussed in this section as part  
of the responses from the field research. The marriage guidance teaching guides that were  
collected during the field research will also be analysed together with the responses from the  
gleaned field research.

## ance Committee in the Church

Before looking at the topics covered by this Committee, it is necessary to discuss the role of these marriage guidance members as understood by the participants in this research. The Marriage Guidance Committee identified their duties in the congregations as teaching people who are preparing for marriage, addressing disciplinary issues related to marriage for example, pre-marital pregnancies, adultery and other marital conflicts. Two participants from the Kitwe congregations stated that the role of the Marriage Guidance Committee in most of the congregations on issues such as child marriage and widowhood inheritance is reduced to only suspending and restoring those who go against the church teachings. The participants said that this is also a big challenge to them, as most of the girls are suspended on grounds of verbal consent from their congregations without any guiding principles from the church constitution.

The group complained of lack of involvement especially when parents marry their children using traditional teachers (*bana chimbusa*). This was seen as a setback on the side of the Marriage Guidance Committee who complained that they needed opportunities to help these young girls before they were married. The participants further said, they found it very difficult to execute their duties when it comes to suspending the girls because they do not see it as the best way to help the girls. However a few male participants did not agree with this point. Instead, they saw the act of suspending the girls who got married before their legal age of marriage as a good lesson for the other young people in the church to learn.

One participant stated that:

*...Marriage Guidance Committee is not well recognized on matters of marriage in our congregations. Sometimes we make decisions on issues that are not even documented in any church policy. When it comes to marriage, our duties end even before the wedding. Even in the weddings we are sometimes not invited. The congregations send couples to us few weeks before their marriage to be counselled. We try to do our best but without any common booklet. Some parents do not recognize us because they say that our teachings are too shallow because we do not address traditional issues seriously.<sup>457</sup>*

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<sup>457</sup>A response from one of the participants of the focus group discussion conducted by LilianSiwila on 03/01/2008.

recognise the teachings done by the marriage guidance programme as one debate that has created tension between the parents of the children getting married and the Marriage Guidance Committee. Even among the Marriage Guidance Committee members who were involved in the focus group discussions, there were some mothers who said that they would not send their children to the marriage guidance group for counselling because they felt that the lessons offered there were too shallow as compared to the teachings from *bana chimbusa*.<sup>458</sup> This raises questions on the nature of topics covered by this group and the validity of these topics to the communities to which the Marriage Guidance Committee are obliged to provide marriage counselling. In order to understand the nature of topics covered, in the next section I will discuss the content of the Marriage Guidance Programme.

#### ***5.4.2 Content of the Programme***

From the outset, it would be imperative to state that the Marriage Guidance Programme of the UCZ has no standard content. Both the response from the focus group discussion and the records of the marriage guidance teaching guides collected during field research indicated that topics differed according to congregations. In the section to follow, I will discuss the topics identified by the participants during the focus group discussions, the topics omitted, by the participants but which are in the marriage guidance teaching guide, and those which I discussed with the participants but were neither identified by the participants nor are in the marriage guidance. In each of these stages, I will also try to show why some of the topics were left out either in the programme or by the participants.

The first set of topics that are identified in this study are those stated by the participants. The participants in the focus group discussion were asked to identify the topics that are covered in their teachings. All the participants reported that each congregation has its own teaching materials. Most of them are Bible-centred and are only focused on the couple intending to get married. When asked to mention some of these topics covered in their teachings, they listed the following: what is Christian marriage, purpose of Christian marriage, love, patience, submission and respect for one another, hospitality, finances, family roles, childlessness and Christian conduct. HIV and AIDS and family planning were stated as optional. Asked

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<sup>458</sup> See definition of the term in chapter two.



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covered the topics they listed, it was again discovered that s.

The second set of topics that I wish to discuss were those omitted by the participants but which were reflected in the marriage guidance teaching guide. These topics were identified after examining the actual marriage guidance teaching guides that were collected during the field research. These marriage guidance teaching guides were collected from two of the congregations visited for data collection purposes (see Appendix M and N). The topics that were omitted by the participants are: the origin of marriage; who was the first person to initiate marriage; in-laws and extended families; whether marriage is a choice or an obligation from God; choice of a marriage partner; problems in marriage; monogamy; divorce; need for parental guidance in marriage; and why God made marriage. In this teachings guide, Ephesians (5:22-24) is reflected as an important text for Christian living.

Both the topics that were stated by the participants and those listed in the marriage guidance teaching guide are all taught with reference from the biblical texts. Asked why there is so much use of the Bible in their teachings, the participants argued that the Bible is the best term of reference if they are to teach values of good Christian marriage. They also saw the Bible as the answer to most of the questions related to marriage in a Christian home. On the issue of the topics omitted by the participants but found in the teaching guides, the main reason given was the lack of standard teaching guides which has forced each congregation in the UCZ to develop their own teaching guide.

Following the listed topics from both the participants and the marriage guidance teaching guides, I present the third set of topics. These were topics that were omitted by the participants and were also not mentioned in the documents; but I decided to bring them during the focus group discussion as topics that needed attention. My intention for raising these topics was to examine UCZ response to these topics through the Marriage Guidance Committee. The identified topics were: HIV and AIDS, traditional marriage practices like child marriage and widowhood inheritance, sex and sexuality, civil and church ceremonies and family planning. Among these topics, we see topics like HIV and AIDS having been identified by the participants as well, even though it was categorized as an optional topic.

for discussion, sex and sexuality emerged as a topic the congregations. Sex and sexuality were discussed in line with the need for sex education in the Marriage Guidance syllabus. The problem of sex has already been identified in chapter two and three as one of the contributing factors to the debates around practices like child marriage and widowhood inheritance, especially in the context of HIV. However, during the focus group discussions, the participants did not mention this issue. When asked why, the participants argued that the problem of sex is never addressed in the church and when it is, the main focus is to tell young people to abstain from sex before marriage. Therefore, they did not see the need to include it in their teachings. One elderly man stated that:

*For us Africans discussing issues of sex especially with these young couples who are more like our children is very difficult. Traditionally sex issues are supposed to be covered by the family that is why we find that parents take their children to the imbusa once they reach puberty to be taught on sex related issues. As for the church we see this topic as a moral issue that is why the church is silent about it.<sup>459</sup>*

In the light of the above statement, I argue that the problem of no sex education in the church is one of the major themes that has affected constructive discussions on culture and HIV and AIDS. This is also reflected throughout church history, where debates on sex related issues have had a negative impact on constructive discussions on sexuality.

The idea of giving the responsibility of teaching sex education to the traditional *imbusa* seems to be the ideal way of addressing sex matters in most *Zambian* families. However, this should not give the church an excuse for not addressing sex issues especially for the Marriage Guidance Committee whose role is to provide teachings to a new couple. This statement was confirmed by one female participant from *Jordan* congregation who argued that the idea of leaving sex matters to traditional initiators called *imbusa* without involving the church was not realistic. According to this woman, the *imbusa* initiation ceremony is not the best place to take the girls for sex education teachings. The participant stated that, *imbusa* was unchristian and needed to be discouraged. She cited physical abuse of girls that goes on during the teachings as not reflecting what she called òa Christian attitudeö to pre-marital counselling.

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<sup>459</sup>Response from an elderly male member of the Marriage Guidance Committee from *Mwaiseni* congregation, focus group discussion conducted by *LilianSiwila* on 03/01/2008.

education from the *imbusa* as putting more pressure on the  
usually to their spouses without question. She then called  
for sex education to be added in the Marriage Guidance Programme.

The majority of the group saw the ceremonies to be effective cultural tools for sex education that should be used in the preparation of girls for marriage. The group advocating for sex education to be left in the care of *imbusa* argued that this is a cultural issue that does not need to be included in the church programme. For them, what happens at the *imbusa* teaching is cultural and it should remain there. A few of the male participants and one woman suggested that *imbusa* teachings be introduced in the Marriage Guidance Programme. This woman even suggested that sex education should be taught from Sunday School level so that the church can help to correct some of the wrong teachings that young people receive from outside the Christian doctrine of sex. In agreement with this woman, one man said that:

*We have allowed our children to learn about sex from friends, schools and other sources like media and as such their knowledge about sex is without Christian values. That is why we need to bring the imbusa teachings in the church. After all, most of the women who teach these girls are church members and some of them are even members of the marriage guidance. If we bring this teaching in the church we can use it to address sex issues with our children and other culture issues related to marriage.*<sup>460</sup>

Unlike in Malawi where the missionaries involved themselves in the discussions on initiation ceremonies upon arrival in the country, missionaries that formed the UCZ did not say much about the initiation ceremonies such as *imbusa*. The only time we see the *imbusa* ceremony being addressed by the missionaries is when Mable Shaw uses it as a model for educating girls at her boarding school.<sup>461</sup> The silence of the missionaries on *imbusa* was also revealed by the participants during the focus group discussion. The participants argued that *imbusa* was condemned by the missionaries just like any other cultural practices such as polygamy. The fact that the missionaries in Malawi seem to have embraced the girls' initiation ceremony does not mean that initiation ceremonies in Malawi did not meet any challenges from the

<sup>460</sup> A response from a man from Mufulira congregation, during the focus group discussion conducted by Lilian Siwila on 03/01/2008.

<sup>461</sup> See Marrow, 'No Girl Leaves School Unmarried' 4-6

theologian, has also challenged the *chilangizo*<sup>463</sup> as a  
is gender insensitive.

Moyo argues against the socialization of being ða good wifeö in these practices, which is associated with protecting the husbandø abuse by keeping secrets, and being able to avail themselves sexually at all times to the pleasure of the man.<sup>464</sup> Notwithstanding the abusive nature of the teachings of *chilangizo* stated by Moyo above, she also affirms the *chilangizo*, saying within the cultural context of these practices they are teachings that empower women to participate fully in the sexual pleasure of a marriage without being used as sex objects.<sup>465</sup> This is confirmed by Phiri who believes that the combination of traditional and modern elements makes *chilangizo* very attractive even to non-Christian parents. According to Phiri, in the missionary era, the practice did not only fulfil the moral obligation but it was also used as an evangelical programme with considerable success.<sup>466</sup> In her critique of this practice, Phiri points out that, there were some important issues that were not taken into consideration when implementing the *chilangizo* teaching. As a result, Phiri concludes that the things that

<sup>462</sup> In the late 19<sup>th</sup> century, most of the missionaries in Malawi began to address the problem of initiation ceremonies among the people whom they preached to. Different mission stations had different responses. For example the response of the Presbyterian missionaries to the *chilangizo* was different from the response of the Catholics to the *chinamwali*. However, the main focus of the missionaries was to Christianize the practice so that it was relevant to the Christian faith. The literature on these initiation ceremonies show that not all missionaries were successful in incorporating these initiation ceremonies in the church. And not all missionaries succeeded in discouraging these initiation ceremonies among the Africans. In the Catholic Church, for example, the tension was around two points, first between what the church said and what the culture said about these puberty rites. Second was the tension created by those who opted to give up on Christian faith in order to preserve their cultural heritage. The punishment that went along with those parents who insisted on participating in these initiation ceremonies also created an awakening call for missionaries in churches. For example, in the Presbyterian Church, members began to leave the church as a form of resistance to the choices made by the missionaries. Therefore, in order to protect the membership, the missionaries had to come up with conditions that were favorable for the Africans. All these developments need to be considered in the UCZ when discussing the possible ways of incorporating the *imbusa* initiation ceremony into the church. For more information see Isabel Apawo Phiri, ðThe Initiation of Chewa Women of Malawi: A Presbyterian Perspectiveö, in *Rites of Passage in Contemporary Africa*, edited by J. Cox (Cardiff: Cardiff Academic Press, 1998), 129-145; Felix Chingota, ðA Historical Account of the Attitude of Blantyre Synod of the Church of Central Africa Presbyterian Towards Initiation Ritesö, in *Rites of Passage in Contemporary Africa*, edited by J. Cox (Cardiff: Cardiff Academic Press, 1998), 146-156; James. C. Chakanza, ðUnfinished Agenda: Puberty Rites and the Response of the Roman Catholic Church in Southern Malawi, 1901-1994ö, in *Rites of Passage in Contemporary Africa*, edited by J. Cox (Cardiff: Cardiff Academic Press, 1998), 157-167.

<sup>463</sup> This is a similar practice to *imbusa* initiation ceremony done in Zambia.

<sup>464</sup> Moyo, ðSex, Gender, Power and HIV/AIDS in Malawiö, 133-135.

<sup>465</sup> Fulata Moyo, ðThe Red and White Beads and the Malawian Womenø Sexual Freedomö, in *Cultural Practices and HIV/AIDS African Women's Voices*, edited by E. Amoah, D. Akitunde, and D. Akoto (Ghana: Sam-Wood Ltd. Press, 2005), 68-77.

<sup>466</sup> Isabel Apawo Phiri, ðAfrican Women in Religion and Culture, Chewa Women in the Nkhoma Synod of the Church of Central Africa, Presbyterian: A Critical Study from a Womenø Perspectiveö (PhD thesis, Department of Religious Studies, University of Cape Town, 1992), 122.

negative implications for women.<sup>467</sup> Therefore, in the church, it will be important to take the Malawian experience into consideration.

#### *5.4.2.1 Reasons for Not Addressing Some of the Topics Discussed Above*

When asked why these Marriage Guidance Committee members have not been able to teach some of the topics stated above, the members provided various reasons. The first point identified was the lack of a standard teaching guide - which again emerged as the main factor. Some participants saw this lack of a standard teaching guide to have been influenced by what they called -the lack of a fixed theology of marriage in the UCZ.ø These participants argued that the UCZ has an experience of adopting marriage patterns according to the context from which the congregation is operating. As such, the church seems to have different views on different cultural practices. These participants gave examples of practices like polygamy and widowhood inheritance as practices that seem to be overlooked by the church. The participants stated that even though the church does not allow these practices, there are church members who are still involved in these practices in their context, as part of their cultural heritage.

Another reason for not addressing some of the outlined topics above was lack of training on the side of the Marriage Guidance Committee. The majority of the Marriage Guidance Committee members stated that they find it difficult to address issues of HIV and AIDS in their teachings because of inadequate information on the subject matter. These participants stated that, although they have basic ideas of HIV and AIDS, most of them called for a training that would equip them to effectively address issues related to HIV. The participants stated that in most of their teachings they simply depend on their past experiences. When asked whether leaving out lessons on HIV and AIDS was not risky for the couples, most of the participants agreed that it was a risk factor. However, others also saw the issue of HIV as the work of the HIV and AIDS coordinators who work in the church.<sup>468</sup> All of them stated that HIV and AIDS is a moral issue and not just a virus, therefore it is rarely discussed in the

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<sup>467</sup> Phiri, *African Women in Religion and Culture*, 123.

<sup>468</sup> These are men and women who are chosen by the church to do some kind of social work in the church on issues related to HIV and AIDS.

ance Committee, they find it difficult to suggest things to young people intending to get married.

Despite this limitation, the participants were able to admit that some of the HIV related deaths that have occurred among the young couples whom they had counselled in their congregations could be associated with lack of pre-marital counselling on HIV and AIDS related matters. These participants stated that they have had painful experiences of deaths of young couples just months after their marriage. One woman complained that:

*The whole thing is like a game we just move from ululating to lamentation. We bury the same children we married within a short period of time. Thereafter we are faced with issue of widows who also are a big challenge in the church. We appeal to the leadership of the church to give us permission to ask these young people to go for voluntary testing.<sup>469</sup>*

The emphasis laid by this woman, though already stated elsewhere, simply shows the church's lack of aggressiveness in addressing issues of HIV and AIDS and marriage. Despite the presence of the HIV policy in the UCZ,<sup>470</sup> the document does not seem to have provided effective lessons on marriage and HIV and AIDS. The only emphasis is on AB and the problem of condoms in the church. Other topics like family planning, and understanding of the implications of civil marriages were all identified as topics where they needed training in order to be competent to handle them.

Just as in the case of sex education, the Marriage Guidance Committee also treated widowhood inheritance and cleansing rituals as family matters. The participants stated that the church's teaching on widowhood inheritance is that there should be no marriage to the same family after the death of a partner. This means that the widow/widower is free to marry anyone apart from a member of a family. The other teaching stressed by the Marriage Guidance Committee was that sexual cleansing is not allowed, as it is considered as adultery. The participants were however quick to state that all these were verbalized regulations with no written policy.<sup>471</sup> Because of this kind of scenario, the participants in the marriage guidance reported that in most cases they could only be involved in family matters with

<sup>469</sup> Response from a female member during the focus group discussion held on 22/07/2007.

<sup>470</sup> See Patrice Siyameto, *UCZ Church policy on HIV and AIDS*. (Lusaka: University of Zambia, 2004).

<sup>471</sup> See the *1949 CCAR Draft Constitution*.

blem of the gap between the family and the church was  
nes for the Marriage Guidance Committee to follow, on  
such traditional practices. The problems on the topics covered also contributed to the  
limitation of the programme as we shall see below.

### **5.5 Limitations of the Marriage Guidance Programme**

The effectiveness of this programme can be measured against its output in the church. This is despite the fact that the programme has gone through a great number of challenges. Although the Marriage Guidance Programme is one of the oldest programmes initiated by the missionaries, its effectiveness in the area of marriage has been very minimal. One of the major reasons for its setback as stated by the participants was lack of standard materials for use in their counselling sessions. On the issue of the booklet prepared by the missionaries and circulated in the congregations for approval, all the participants stated that they had no knowledge of it. Their complaint on the lack of standardized materials is confirmed by the fact that out of all the four churches that I visited, only two churches had teaching manuals which were prepared by the members themselves. The participants in the marriage guidance reported that Synod has not been able to develop a standardized booklet for all the congregations, so each church develops its own materials. For those congregations that have not been able to develop their own manual, they reported that they resort to the use of the Bible and the church booklet for the doctrines of the church<sup>472</sup> when preparing couples for marriage. The participants commented that the lack of standard teaching materials for the marriage guidance group has also contributed to the church's poor policies in handling marital issues like child marriage and widow inheritance.

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<sup>472</sup> This is a doctrinal booklet of the church that is used during catechumen classes for members hoping to join full membership of the church. It is part of the church requirement that all churches have this booklet.

## Guidance Teaching Materials

My first critique of the materials is their wide use of the biblical texts. As a result of this, all teachings seem to be based on biblical principles. In as much as this kind of approach would help to focus the discussion on marriage within the Christian framework, there is a danger when it comes to interpretation of these biblical texts. The fact that most of the Marriage Guidance Committee members are ordinary people who are not biblical scholars makes the whole issue of interpretation problematic.

My second critique of these teaching materials is their lack of a holistic approach to the definition of marriage. The manual tends to focus on defining Christian marriage through the western perspective, associating it with the so-called white wedding. Such views become problematic especially when it comes to celebrations of marriages through the customary ways. The emphasis of the church on white western weddings reflected in this chapter can be addressed by developing a contextualized transformational theology of marriage. This will help to transform the image of marriage in the church into one that embraces African reality as well. Also, the understanding of marriage that is presented in the two teaching materials does not reflect the way in which marriage is practised in the UCZ. Theoretically the definition of marriage is seen to be Christian and embracing limited characteristics of African life; and yet practically marriage is reflected in a multi-sectoral and multi-cultural setting. This is affirmed by Browning who argues that:

There is great debate in society and throughout the world about the definition of marriage. Social sciences tend to reduce it to its health producing consequences. The legal professions often reduce it to its contractual dimensions and the church tends to reduce its religious meaning- its covenantal or sacramental dimensions.<sup>473</sup>

Browning further states that yet, marriage is a multi-dimensional reality which is not static and always revolving. Some of the features of marriage that are outlined by Browning are: affection, legal, financial, religious rites and procreation.<sup>474</sup> Browning therefore warns that ignoring any of these violates the meaning of marriage.<sup>475</sup> Even though Browning seems to have exhausted the list, from the UCZ context the definition of marriage goes beyond these outlined features.

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<sup>473</sup>Browning, *Equality and Family*, 207.

<sup>474</sup>Browning, *Equality and Family*, 201.

<sup>475</sup>Browning, *Equality and Family*, 209.

to the third critique of UCZ marriage guidance materials which is their lack of context. In as much as the emphasis on these materials is the Christian way of understanding marriage, it is also important to realize that the materials are presented to African Christians. This then brings the challenge of integrating traditional marriage practices such as the ones addressed in this study; child marriage and widowhood inheritance in the teaching guides. The lack of focus on the African cultural aspect of marriage has an enormous implication for the church. This is because it tends to create a gap between what I would call the lived theology (what people know about their marriage practices) and the learned theology (what the church is requiring them to follow). The result of this kind of oversight on the side of the church is a situation where couples would come to church for lessons as a requirement, and thereafter look for traditional teachings elsewhere to supplement the teachings received from the church.

The fourth point is the lack of inclusion of current issues affecting marriage, such as HIV and AIDS and gender. While some of the members of the Marriage Guidance Committee who participated in the focus group discussion reported that they talk about the HIV and AIDS only where possible, HIV and AIDS was reflected as an optional topic and not a requirement, while the Marriage Guidance teachings guides reflected a gender bias. And yet gender has been identified as one of the contributing factors to the spread of HIV, especially in marriages. Following the discussion above, it is also important to state that marriage in the UCZ is not free from external influences.

Having analysed the marriage guidance materials and the response from the focus group discussions, the question is how can the church help to transform this programme and make it effective to the needs of its members? From a theological point of view, the discussion above calls for a need for the church to develop a transformational approach to the practice that will help the programme. The church needs what Ross calls a theology of marriage marked with dialogue in which each partner is valued.<sup>476</sup> It is this kind of theology that will inform the Marriage Guidance Committee.

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<sup>476</sup> Susan A. Ross, "God's Embodiment and Women", in *Freeing Theology: Essentials of Theology in Feminist Perspective*, edited by C.M. LaCugna (San Francisco: Harper Collins Publications, 1993), 202.

## the Programme

During the focus group discussion conducted with the Marriage Guidance Committee, participants made the following suggestions for amendment to the programme. First was a call for the church leadership to draft a policy that will address the challenges stated in this chapter. In order for the policy to be effective, the participants called for the involvement of the Synod in the development of that policy. This will help to address some of the actions that the Marriage Guidance Committee has taken, especially on child marriage and widowhood inheritance. The second suggestion was a development of a standard marriage guidance teaching manual which can be used by all the congregations of the UCZ. Topics to be included in the new booklet are: HIV and AIDS, sex, ABC slogan, teachings on traditional marriages like child marriage and widow inheritance, ritual cleansing, *imbusa*, marital civil laws, and UCZ understanding of marriage. Third, there was a call to teach all the above topics to the whole church and not only to the couples who are about to get married. This will mean developing a Sunday school and youth syllabus on some of the topics stated above.

The fourth point was a call for cultural analysis in the process of addressing cultural practices that pose a threat to the spread of HIV. The participants cautioned the church not to condemn all cultural practices as evil but to assess the practices and affirm those that are life giving to humanity. For example, alternative rituals to sexual cleansing should be encouraged in widowhood inheritance instead of banning the rituals completely. The danger to the complete ban of the practice is that those who still want to practise them will resort to doing it secretly, sometimes causing more harm to humanity. Sermons on widowhood inheritance and child marriage were to be encouraged in the church in order to create awareness on the impact of these practices in the spreading of HIV.

The fifth recommendation calls for the need to network with other organizations that are already addressing child marriage and widowhood inheritance. The network in this sense would help in the development of the marriage guidance training manual for the church. Using the already existing materials from different bodies of knowledge, the church will then add the prophetic voice on these traditional marriage practices in an attempt to fight against HIV and AIDS. Finally, participants stated that there is need for them as leaders to change their attitudes towards cultural practices and on matters of discipline of members involved in these marriage practices. The participants observed that, instead of restoring the members

church, many times the church has driven them away with lack of counseling and delay in restoration of the members. All these recommendations and suggestions were pointing to one important aspect that is, the need for UCZ to re-examine their current understanding of marriage.

### **5.8 Towards a Re-examination of a Theology of Marriage in the UCZ**

The central question in this study was to find out the role the church has played either in discouraging or promoting traditional marriage practices that are a risk factor in the spread of HIV. One of the suggestions from all the participants of this study was a call for UCZ to develop a theology of marriage that will be able to address the challenges faced by the church. This theology of marriage should be able to undergird the Marriage Guidance Programme of the UCZ. As reflected throughout this study, marriage emerged as one of the contributing factors to the spread of HIV in Zambia, and yet marriage also emerged as a requisite especially among the women. Its expectations and implications for women are so high that in some cases to remain single can be considered as a curse. Despite the fact that this could be a socially constructed phenomenon, its impact has influenced the way in which society in Zambia views marriage.

According to Edwards, for any theology to be effective in the society, it needs to be continuously reworked so that as a living theology it remains active and contextual. This is because contexts are always changing and do vary according to time and locality.<sup>477</sup> In this case, the UCZ cannot afford to stay with the same principles on its understanding of a theology of marriage that have existed since its inauguration. A response from the participants together with the findings from collected literature on marriage in the UCZ indicates a dire need for a new approach to the theology of marriage in the church. In a church where the development of marriage policies was influenced by the missionaries that formed the UCZ, the members saw the need to re-examine the church's understanding of marriage today. At the same time, the changing environment combined with the HIV pandemic calls for a multifaceted theology of marriage that is going to be holistic, workable in a multi-lingual and multi-ethnic society, at the same time responding to the changes around it.

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<sup>477</sup>Felicity Edwards, "A Theology of Sexuality", in *Church and Marriage in Modern Africa*, edited by Trevor D Verry (Groenloof: The Ecumenical Research Unit, 1975), 51.

context within which marriage has been defined in the especially on the meaning of marriage. As a result, we have seen a situation where the church does not have specific policies on some of the marriage practices. From the ecclesial point of view, marriage is celebrated with a great deal of appreciation to God as the giver of marriage. However, this does not make marriage complete, bearing in mind that from history marriage has either been a secular or a religious ceremony. This means that Christian marriage cannot be free from outside influences.<sup>478</sup> That is why members of the UCZ involved in this study called for a development of a theology of marriage that will help to validate marriage policies on issues like child marriage and widowhood inheritance. Some of the suggestions made towards the development of a theology of marriage are listed below.

### ***5.8.1 A Need for a Multi-Sectoral Approach to Christian Theology of Marriage***

A multi-sectoral approach to the development of a theology of Christian marriage will require a theological analysis that will challenge the non-embracing approach of streamlining the definition of marriage to focus only on the Christian perspective. First a multi-sectoral approach to the theology of marriage will call for a *‘theology that speaks to the public square’*. This becomes imperative in this case, in the sense that it emphasizes the need to see theology as another way of telling the world what is right or wrong using modern secular language, without showing any bigotry or judgement.<sup>479</sup> To concur with de Gruchy, Moltmann affirms that public theology thinks critically about the religious and moral values of the societies in which it exists, and presents its reflections as a reasoned position.<sup>480</sup> In the case of the UCZ, participants in the study called for the theology of marriage that will address issues like child marriage and widowhood inheritance from an HIV standpoint in a multi-sectoral way.

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<sup>478</sup> Following the discussions in this chapter, it is evident that the history of Christian marriage has had many challenges from outside forces. It is some of these challenges that continue to threaten the definition of Christian marriage even today.

<sup>479</sup> Steve de Gruchy, *öKerina as both Citizen and Christian: Teaching Pastors Why the Gospel Needs the Law in our Public Lifeö*, *Journal of Constructive Theology: Gender, Religion and Theology in Africa* 14, no. 2& 15, no 1 (2008/2009),125.

<sup>480</sup>Jurgen Moltmann, *God for Secular Society*.(London: SCM Press, 1999), 1.

o marriage will require that the definition of Christian so that it is inclusive of all the dimensions of life that are life giving and liberating to both men and women - a definition of marriage that will use both historical and modern resources in an attempt to provide a *life affirming* theology that will help people to reclaim their identity. In the context of HIV, this kind of theology should be able to converse with the existing evidence that heterosexual sex is the main mode of HIV transmission in most marriages in Zambia. The church needs a theology of marriage that will be able to address issues of gender injustices. One way of responding to this challenge is to find redemptive ways of addressing marriage in the context of HIV. Moyo argues that, marriage should be mutual between the partners and there should be a negotiated space as this will allow for respect for one another and return women's full humanity.<sup>481</sup> As Ruether states, theologically speaking, whatever diminishes or denies the full humanity of women must be presumed not to reflect the divine.<sup>482</sup>

#### 5.8.1.1 Response to Child Marriage

During my field research, it was discovered that the church's response to traditional marriage practices such as child marriage requires an approach which will challenge the church to interact with the public sphere. First, it is important to note that child marriage is not only a religious issue but it is a practice associated with other factors. The first factor can be identified from the 2005 report by UNFPA which states that child marriage is both a health and a human rights issue with social, cultural and economic dimensions. This is because it takes place in the context of poverty and gender inequalities.<sup>483</sup> Additionally it can also be argued that child marriage is a religio-cultural issue with gender, patriarchy and HIV and AIDS as its focus. A question of whether child marriage can be seen as a norm or a problem will have to focus on the factors stated above and the implication of child marriage to the girls involved in the practice.

<sup>481</sup>Moyo, 'Sex, Gender, Power and HIV/AIDS in Malawi', 135.

<sup>482</sup>Rosemary Radford Ruether, *Sexism and God Talk: Towards a Feminist Theology*. (London: SCM, 1983), 19.

<sup>483</sup>UNFPA State of World Population (2005).

Child Marriage Fact Sheet [http://www.unfpa.org/wsp/2005/presskit/factsheets/facts\\_child\\_marriage.htm#top](http://www.unfpa.org/wsp/2005/presskit/factsheets/facts_child_marriage.htm#top) accessed on 22/02/2007.

Child marriage require scrutiny using a theological lens. A  
require Forrester's dialogical approach that opens to the  
public, discussion of events relevant to what is going on in the world and pressing issues that  
are facing people and society today.<sup>484</sup> In all these interventions there will be a need for a  
detailed study on some of the outlined factors that influence child marriage using a gendered  
theological approach, without creating any gender bias to the outcome.

Third, child marriage also calls for a theology of compassion that will be able to call back  
into the church those girls who are suspended and provide them with space and sense of  
belonging. According to Phillips:

The church is an institute with powers of exclusion and inclusion through baptism and  
excommunication. Excommunication can take two forms: The first excludes an individual from  
the sacrament and the second from the building itself. The concept of inclusion and exclusion  
gives rise to a notion of boundaries and boundaries suggest space. The believer stays within  
those boundaries or places himself or herself outside them or is expelled beyond them.<sup>485</sup>

Following Phillips's statement, it can then be said that the church needs a theology of  
marriage that will be able to identify with those who face exclusions from either the  
sacraments or the church building on grounds of their involvement in these marriage  
practices.

Fourth, the *imbusa* teachings on girls also need to redirect its teachings on sex education to  
mutuality and communality in marriage. This will help to curb the HIV and AIDS among the  
couples. The lack of gender balance in the teachings of *imbusa* needs to be questioned as it  
positions girls in conditions where they are not able to negotiate for safer sex.

The fifth challenge to the church's response to child marriage is to call for a theology that  
begins to touch base with the society using the indigenous knowledge from the community.  
This will also require engaging people at the grassroots level to address the factors  
influencing child marriage. Stackhouse poses a challenge to this effect; that any viable  
theology will have to resonate with what people already know by experience. It must

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<sup>484</sup>Duncan B. Forrester *Truthful Action* (Edinburgh: T & T Clark 2000), 127-128.

<sup>485</sup>Henry Phillips *Church and Culture: In Seventeenth-Century France* (Cambridge: University of Cambridge  
1997), 1.

ment in the sensibilities and practice of life.<sup>486</sup> Following  
it can be assumed that the UCZ had not been able to  
develop a serious dialogue with these local communities on traditional marriage practices.  
Instead much of the dialogue has been that of condemning the practices without giving much  
thought to what the community has to say about these practices. A theology of marriage that  
hopes to work with the indigenous knowledge will attempt to ask why child marriage is seen  
as a cultural issue. Unless child marriage is evaluated in the light of African culture, the  
social economic conditions, and HIV and AIDS context, the UCZ will continue to struggle  
with the practice in the church. Therefore, a multi-sectoral approach to the theology of  
marriage in the church will require that the UCZ locates its theological discourses on child  
marriage within a holistic global framework.

### ***5.8.1.2 Response to Widowhood Inheritance***

In an attempt to develop a theology of marriage that will respond to the issue of widowhood  
inheritance, it will be important to first address the reality we are dealing with.<sup>487</sup> This reality  
is the church's position on widowhood inheritance practices such as sexual cleansing.  
Thereafter, we need to ask questions such as "What are the major cultural structures which  
determine how society organises meaning?"<sup>488</sup> In relation to the study, this question will be  
directed to structures that shape the way widowhood inheritance is addressed both in the  
church and society.

The second question will address the historical and present context in which the practice is  
located. This will mean an investigation of where the practice comes from, where it is now  
and where it is going. Henriot argues that taking history seriously is a liberating exercise  
since it places current events and challenges into perspective.<sup>489</sup> Therefore, a theology of  
marriage that addresses widowhood inheritance will also require an action and reflection  
process on how the UCZ has responded to widowhood inheritance using both current and

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<sup>486</sup> Max L. S Stackhouse, *Public Theology and Political Economy: Christian Stewardship in Modern Society* (Lenham: University Press of America 1991), 13.

<sup>487</sup> Joe Holland and Peter Henriot, *Social Analysis: Linking Faith and Justice* (Maryknoll: Orbis Books, 1983), 14.

<sup>488</sup> Peter Henriot, "Grassroot Analysis: The Emphasis on Culture", in *Liberation Theologies on Shifting Ground*, edited by G. de Schrijver (Leuven: Leuven University Press, 1998), 337.

<sup>489</sup> Holland and Henriot, *Social Analysis: Linking Faith and Justice*, 21.



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also entail a cultural analysis of the practice. Holland

Culture is never an angelic spirit floating above society. At the same time culture is not the prisoner of its context í but often culture functions in the mode of legitimization, it can also be the point of critique and creativity.<sup>490</sup>

Henriot further argues that cultural analysis opens up reality and enables the church to move effectively and engage in a truly liberative evangelization.<sup>491</sup> Therefore an effective theology of marriage will require an analysis of widowhood inheritance that will focus on issues such as widowhood inheritance and sexual cleansing from a cultural perspective. Henriot agrees with the statement above by stating that:

A call for cultural analysis will show that issues like the tradition of inheritance assured that the widow and the children were in fact looked after by the husband's family. Care was taken that the woman was not left isolated on her own. Subject to social and economic hardships with the harsh reality of the economy the practice does just the opposite. By asking the question why again and again the insights come from cultural analysis of women's status and role in society today.<sup>492</sup>

In this way we call for a theology of marriage that will call for a church that seeks to say something to today's African cultural context.<sup>493</sup>

Third, UCZ needs what Barton calls a theology whose emphasis is on sexuality as a process of communication between embodied selves where the end result is joy, justice for all, affirmation and healing.<sup>494</sup> Widowhood inheritance and widow cleansing need to be assessed in terms of its worthiness within the UCZ. Some of the theological questions that need to be asked are those asked by Kirwen:

What does the death of one partner imply in view of levirate marriage and widow cleansing? How can the question of the freedom of the widow to decide on her future be addressed by the church so that the church can introduce cultures that can give consent to the women?<sup>495</sup>

<sup>490</sup>Holland and Henriot, *Social Analysis: Linking Faith and Justice*, xii-xiii.

<sup>491</sup>Henriot, "Grassroot Analysis", 349.

<sup>492</sup>Henriot, "Grassroot Analysis", 346.

<sup>493</sup>Henriot, "Grassroot Analysis", 348.

<sup>494</sup>Stephen. C. Barton, *Life Together: Family Sexuality and Community in the New Testament and Today* (Edinburgh: T and T. Clark 2001), 80.

<sup>495</sup>Kirwen, *African Widows: An Empirical Study of the problems of Adopting Western Christian Teachings*, 261.

expressed in view of re-examining a theology of marriage is  
ces. This needs to be identified as one of the barriers in  
developing an effective theology of marriage in the church. As Peterson states, one of the  
most difficult challenges facing our church leaders is to break the silence on cultural practices  
that often surround HIV and AIDS.<sup>496</sup> Breaking this silence means allowing cultural practices  
to be spoken of freely so that factors that lead to vulnerability are addressed. As Kanyoro  
states, this calls for scrutiny of culture. This should be done theologically for the wellbeing of  
the women.<sup>497</sup> A gender approach to the analysis of these cultural practices will require that  
any form of alternative practices implemented to replace those seemingly life threatening  
practices should be gender sensitive and call for the full humanity of both men and women.  
Iliffe observes that, although Christians and traditionalist might quarrel over customs, they  
generally share a strong moralistic view of HIV and AIDS.<sup>498</sup> This is the reason why cultural  
analysis that involves the church in addressing HIV and AIDS becomes inevitable. Culturally  
sanctioned practices like widowhood inheritance need to begin to be addressed using a  
religio-cultural lens.

### ***5.8.1.3 Sensitivity to the Use of the Bible***

After the discussion in chapter five about the way in which the Bible is used in the teachings  
of the Marriage Guidance Programme, it becomes important to address the issue of the use of  
the Bible in the development of a theology of marriage. From the analysis of the marriage  
guidance teaching guides it was discovered that most of the teaching is done through the use  
of biblical texts. Although this was a good idea for the church in that members were using the  
biblical texts to address marital issues, there was also a need to caution the way the Bible was  
being used by these ordinary members of the church. This is also confirmed by Oduyoye who  
warns that we must exercise caution when approaching the Bible because not everything said  
in the Bible is good news for women.<sup>499</sup> Therefore, feminist cultural hermeneutics suggests  
that women read the Bible from a gendered perspective. This is because the Bible is a  
patriarchal book with historical and colonial language which is male oriented. Therefore, a  
theology of marriage will need to be generated by scrutinizing the texts of the Bible that are

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<sup>496</sup> Gillian Peterson, *HIV Prevention a Global Theological Conversation* (Geneva: Ecumenical Advocacy Alliance 2009), 36.

<sup>497</sup> Kanyoro, *Introducing Feminist Cultural Hermeneutics*.

<sup>498</sup> John Iliffe, *The African AIDS Epidemic: A History* (Oxford: James Currey Ltd., 2006).

<sup>499</sup> Oduyoye, *Introducing African Women's Theology*, 11-12.

e Programme, both for their relevance and gender

In this study, one of the findings from the analysis of the biblical texts used in the marriage guidance teaching guides was the possible danger of misinterpretation of texts by the Marriage Guidance leaders. This is because most of these marriage guidance leaders are not trained enough in the interpretation of the Bible. A study by Okure shows that, men, women, and the poor in most African societies all have a firm belief in the Bible and it is seen as most capable to fulfil all their promises. Okure then calls for a correct understanding of this valuable book through feminist hermeneutics.<sup>500</sup> Therefore, Kanyoro suggests a contextual reading of the Bible as a way of being accountable for how a particular text impacts on women and the situation around them.<sup>501</sup> Feminist cultural hermeneutics demands that African Women read the Bible not only for self-edification but also through a critical eye.<sup>502</sup> That is why a theology of marriage that uses feminist cultural hermeneutics to address biblical, cultural, and social issues that have affected the definition of marriage in the church is needed by the UCZ.

The misinterpretation of the biblical texts that is discussed above occurs more often on texts related to women's issues. That is why the use of the Bible in these teachings sometimes also has a gender bias. This was also confirmed by the participants in the Contextual Bible Studies, where it was discovered that the use of the bible in the teachings on marriage was also used to oppress the women. Kwok suggests that the best way to realize women's experience of the Bible is through what the author calls a reading of the text through both the cultural perspective and a gendered perspective so as to see the multiple layers found in the text.<sup>503</sup> Schüssler Fiorenza poses a challenge saying:

Hermeneutics of experience approaches a text by asking for reader's experience to the text saying: does it resonate with one's experience? What kind of experience does the text evoke? What kinds of experiences are inscribed in the text? Whose experience stands in the centre and whose experience is ruled out?<sup>504</sup>

<sup>500</sup> Theresa Okure, 'Feminist Interpretation in Africa', in *Searching the Scripture: A Feminist Introduction* edited by Rosemary Schüssler Fiorenza (Crossroad, New York: 1993), 83.

<sup>501</sup> Kanyoro, 'Preface: Reading the Bible in the Face of HIV and AIDS', x.

<sup>502</sup> Oduyoye, *Introducing African Women's Theologies*.

<sup>503</sup> Kwok, 'Mercy Amba Oduyoye and African Women's Theology', *Journal of Feminist Studies in Religion*, 8.

<sup>504</sup> Schüssler Fiorenza, *Wisdom Ways: Introducing Feminist Biblical Interpretation*, 171-172.

er simplification of cultural practices found in the Bible and how they are used on women.<sup>505</sup> Therefore, cultural hermeneutics encourages us to pay attention to the use of African cultural resources as critical tools for interpreting the Bible,<sup>506</sup> bearing in mind the difference that goes along with experience. Kanyoro asserts that cultural hermeneutics can also be done from a different standpoint. This is because the Bible forms the base and informs the African Christian on what can be validated or not in the culture.<sup>507</sup> A theology of marriage then will have to also take into consideration the people that do the interpretation of the Bible and the way in which the Bible is read and interpreted by the Marriage Guidance Committee of the UCZ.

### **5.9 Church as a Model for a Christian Theology of Marriage that will help address Culture and HIV and AIDS**

In discussing the statement above, I first begin by stating that in Zambia, religion plays a very important role in informing people's lives. Christianity is the leading religion in the country, with eighty-five percent of the Zambian population being Christian.<sup>508</sup> Most of the faith-based organizations have networked with the church in the fight against the HIV and AIDS pandemic.<sup>509</sup> A study by Chaava has found out that churches and church leaders in Zambia represent a strong community structure for decision-making and problem solving. They are located in almost every community in the country, and this gives them strength and credibility to make a difference in combating HIV and AIDS since they are part of the community.<sup>510</sup>

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<sup>505</sup>Phiri and Nadar, "What is in a Name? Forging A Theoretical Framework for African Women's Theologies", (2006), 17.

<sup>506</sup>Kwok, "Mercy Amba Oduyoye and African Women's Theology", *Journal of Feminist Studies in Religion*, 18.

<sup>507</sup>Musimbi Kanyoro, "Engendering Communal Theology", in *Thalitha Cum! Theologies of African Women*, edited by Nyambura Njoroge and Musa Dube (Pietermaritzburg: Cluster Publications, 2001), 165.

<sup>508</sup>Siyameto, *Church Policy on HIV and AIDS*, 10.

<sup>509</sup>Churches and Health Association in Zambia (CHAZ) is one of the largest non-governmental organization bodies that work with churches to address health issues in Zambia. One of its targets is the issue of HIV and AIDS. For more information <http://www.chaz.org.zm/> accessed on 22/05/2010.

<sup>510</sup>T. Chaava, *Congregational Breakdown and HIV/AIDS among Rural Zambia's Salvation Army Voice from Africa*, 9. <http://www.un.ngl.org/documents/publications.en/voices.africa/num> accessed 13/9/2007

ment in the fight against the pandemic received a great  
ne in Zambia, the church approached the pandemic with  
a judgmental view, especially toward people living with AIDS. Stigma and discrimination-  
related messages preached in most pulpits made people fearful of disclosing their HIV status.  
Chitando affirms this point saying, when the HIV pandemic first broke out in Africa, the  
church was fuelled with stigma and discrimination. The Bible was read in ways that  
condemned people living with AIDS. HIV and AIDS were associated with morality and  
promiscuity. Chitando sees this kind of approach to the pandemic as one of the causes for the  
church's rigidity in its response to the pandemic.<sup>511</sup> Dube associates the church's initial  
attitude to the pandemic to be first the silence, and when the church leaders began to talk it  
was the message of condemnation.<sup>512</sup> And yet the church remains as one of the main support  
systems for many people, especially when addressing issues of marriage and HIV and AIDS.

Okaalet affirms this statement by stating that:

the church by virtue of its longstanding multifaceted presence has a great potential for  
supporting people in responding to issues that are of critical (maybe life and death threatening)  
importance to them. Churches shape people's attitudes. They have the capacity to influence  
the powerful. They bring people together in prayer. They are able to walk with people in  
life's journey. All above the church is committed to its people.<sup>513</sup>

Other potentials found in the church as outlined by Diers include, its unique position in the  
society. Its capacity to influence is related to its:

long term view of development and transformation; excellent coverage in the field; regular  
contact with the community (same place, same time) in large and small groups; critical life  
transitions are marked (potential points of life intervention- baptism, confirmation, marriage...;  
moral authority and leadership; responsibility to nurture and protect the community; trusted  
by the community.<sup>514</sup>

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<sup>511</sup> Ezra Chitando, *Living With Hope African Churches and HIV and AIDS 1* (Geneva: WCC Publications 2007), 19.

<sup>512</sup> Musa Dube, *The HIV and AIDS and Bible: Selected Essays*, 49.

<sup>513</sup> Peter Okaalet, "Behavior Change and the Role of the Church: Towards Reducing and Eliminating Risk", in *HIV Prevention: A Global Theological Conversation*, edited by Gillian Paterson (Geneva: Ecumenical Advocacy Alliance, 2009), 83.

<sup>514</sup> Judy Diers, "Child Marriage and Married Adolescents: Potential Role for Faith Communities", *Population Council* (2005) [www.populationcouncil.org](http://www.populationcouncil.org) accessed on 3/11/2009.

would call entry points for churches like UCZ to begin to develop a theology of marriage; as a response to cultural practices that influence the spread of HIV. Despite such possible suggestions, the church has struggled to live up to these expectations.

However, the UCZ introduction of the HIV and AIDS policy in 2004 under the influence of the synod office can be seen as a way of showing the church's commitment to the pandemic. The policy shows that the church's response to HIV and AIDS comes with a sense of agency and commitment, even though it is limited in areas such as gender and culture in its fight against the pandemic. On the other hand, the policy outlines a number of issues that the church needs to adhere to in its fight against the pandemic. One of them is the issue of fidelity in marriage, sending a message that the church is concerned with marital issues.<sup>515</sup>

A further observation on the content of the UCZ policy indicates its focus on sexual behavioural change. The policy discusses the issue of abstinence for young people and faithfulness to one sexual partner regarding married couples. Condoms are morally unacceptable for youths.<sup>516</sup> The problem of condoms is clearly defined in the HIV and AIDS church policy as follows:

The church endeavours to fulfil the teaching role on sexuality in order to break the silence created by discomfort and tradition. The church will give special emphasis to gender issues, including the empowerment of women and girls; the necessity for men to change their behaviour and take responsibility for containing the spread of HIV/AIDS, and sex education that helps people to understand the health benefits of counselling and testing, of abstinence, faithfulness and protected sex. Where a couple knows their HIV status and through Voluntary Counselling and Test, the church will encourage the use of condoms to avoid infections and re-infection. However the United Church of Zambia will not promote and contribute condoms. The church will not condemn or interfere with agencies which for health reasons are promoting and distributing condoms.<sup>517</sup>

The controversy in the statement above is that while the church will not involve itself directly with the distribution of condoms, its members would still obtain the condoms from other agencies and use them. Thus, the church's restrictions to the use of condoms have not yielded much fruit in the church. Having looked at the position of UCZ in the task of developing a theology of marriage, it can be argued that the church needs to re-examine its HIV policy.

<sup>515</sup>See Siyameto *UCZ HIV and AIDS Church Policy*, 10.

<sup>516</sup>See Siyameto, *UCZ HIV and AIDS Church Policy*.

<sup>517</sup>Siyameto, *UCZ HIV and AIDS Church Policy*.

work with other policy makers. Susser and Stein argue that HIV and AIDS prevention will be successful only to the degree that the changing needs of men and women are recognized and responded to by all stakeholders and policy makers.<sup>518</sup> The church as one of the stakeholders is challenged to be in dialogue with other stakeholders in its attempt to develop a theology of marriage that will be holistic and redemptive. Nadar asserts that the mission of the church is often considered to be "bringing the kingdom of God to the people."<sup>519</sup> This means that, for any theology of marriage to be developed, it should be one that is able to challenge UCZ to step out of its comfort zone and engage with the outside world. Newlands concurs with Nadar that a theology which is done in isolation from the world affairs may be a coherent and academically satisfying enterprise but it can hardly be adequate.<sup>520</sup>

Oduyoye further adds that, a church is only a church when it seeks justice.<sup>521</sup> The problem of traditional marriage practices and HIV and AIDS require the church to engage with other stakeholders. The challenge then is what kind of communicative tools should the church use to dialogue with other communities? How does the church manage to break the culture of silence on issues like widow sexual cleansing and child marriage, which in some cases are seen as secret affairs of the family? De Gruchy asserts that:

Traditionally social and political ethics have eschewed what is going on behind closed doors, and allowed the dictates of culture and religion to shape the relationships between parents and children. But feminist analysis has blown this apart and pointed to domestic relationships as a key locus for reflection on oppression and injustice.<sup>522</sup>

The UCZ too has potential to challenge these silences through the use of feminist cultural hermeneutics that calls for culture to be put up to scrutiny, so that liberative sources of culture can be identified and accepted. Apart from the use of cultural hermeneutics, Gill

<sup>518</sup>Ida Susser and Zena Stein, "HIV/AIDS in Africa: Beyond Epidemiology", in *Culture, Sexuality and Women's Agency in the Prevention of HIV/AIDS in Southern Africa*, edited by E. Kalipeni et al (Oxford: Blackwell Publishing Ltd., 2004), 133.

<sup>519</sup>Sarajini Nadar, "On Being Church: African Women's Voices and Visions", in *On Being Church: African Women's Voices and Visions*, edited by Isabel A. Phiri and Sarajini Nadar (Geneva: World Council of Churches, 2005), 19.

<sup>520</sup>George Newlands, "Human Rights, Divine Transcendence", in *Public Theology for the 21<sup>st</sup> Century*, edited by W.F. Storrar and A.R. Morton (London: T & T Clark Ltd, 2004), 130.

<sup>521</sup>Mercy A. Oduyoye, "Ecclesiology in African Women's Perspective", in *On Being Church: African Women's Voices and Visions*, edited by Isabel A. Phiri and Sarajini Nadar (Geneva: World Council of Churches 2005), 152.

<sup>522</sup>de Gruchy, "Kerina as both Citizen and Christian", 132.

a distinctive critical moral function of addressing moral  
These Christian ethics then become entry points for  
engagement on moral issues.

My concluding remark on the position of the church as a role model for developing a theology of marriage that will respond to issues of culture and HIV and AIDS is the call for the church to be all inclusive. Phillips argues that if the church is a space then its control over that space is in large part determined by its power to define the criteria for belonging to it.<sup>524</sup> This means that a model to be developed by the church should help to create space for the widows and girls involved in child marriage to make informed decisions about their lives. Marriage should be seen as a negotiated space other than a mandate for every woman in society.

Orobator argues that, prevailing patterns of ecclesial organizations, the tenets of orthodox ecclesiology, and the ecclesiastical leadership combine to reinforce the gospel-based gender bias of not counting women and children.<sup>525</sup>

This concept has in most instances defeated the idea of the church being the model for developing the theology of marriage. This is true especially when it does not take into consideration the position of women in these traditional marriage practices. Hinga alludes to this fact saying, the church aggravates women's helplessness by propagating theologies that reinforce and legitimate traditional gender stereotypes and encourage the socialization of women into learned helplessness.<sup>526</sup>

## 5.10. Conclusion

In this chapter I have discussed how the missionaries who formed the UCZ worked towards addressing the issue of marriage. The CCAR 1949 constitution was the most prominent constitution that proposed the formation of the Marriage Guidance Committee and the drafting of a standard booklet to be used by all congregations. In the discussions I also

<sup>523</sup> Robin Gill, *Health Care and Christian Ethics: New Studies in Christian Ethics* (Cambridge: Cambridge University, 2006).

<sup>524</sup> Phillips, *Church and Culture in the Seventeenth Century France*, 1.

<sup>525</sup> Orobator, "Ethics of HIV/AIDS Prevention: Paradigms of a New Discourse", 151.

<sup>526</sup> Theresa Hinga, "Introduction", in *Women, Religion and HIV/AIDS in Africa: Responding to Ethical and Theological Challenges*, edited by Theresa. Hinga et al (Pietermaritzburg: Cluster Publications, 2008), x.



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Churches did not adopt the booklet because it did not suit  
embraced the concept of having Marriage Guidance  
Committees in all congregations.

The other points that I have highlighted in this chapter include the following: In as much as the Marriage Guidance Committee has continued to be functional in the church today, it is not without challenges. The findings from this chapter show some of the challenges that were identified by the participants themselves such as lack of standard teaching materials, and the lack of policy on traditional marriage practices like child marriage and widowhood inheritance. The suggestion for a policy that will address marriage issues in the church meant that both the Marriage Guidance Committee and the Marriage Guidance Programme be re-examined in the light of their effectiveness to the church.

Therefore, the conclusion from this chapter is that there is need for the UCZ to re-examine its theology of marriage, so that it becomes contextual, holistic and relevant to the issues faced by the congregants. Thus, in his chapter I have tried to provide suggestions on how the UCZ can re-examine its existing understanding of marriage in an attempt to develop a holistic and contextual theology of marriage that will help to undergird the existing marriage Guidance Programme in the church. Having discussed all the findings from the field research in the previous chapters, in chapter six I bring together the major themes that have emerged from the field research and provide an in-depth analysis of each theme, in the hope of answering the research question as will be reflected below.

## Chapter Six

# Major Issues that Emerged from the Study of Traditional Marriage Practices in the UCZ

### 6.1 Introduction

In the first five chapters of this study, I have addressed the role that the church has played either in promoting or discouraging traditional marriage practices that influence the spread of HIV. In order to respond to this statement, I have used both literature and responses from field research. From these responses, a number of themes were generated in each of the chapters addressed. In this chapter, I intend to recapture some of the major themes that emerged from this study and do a further analysis on each of these. It is this further analysis of each of these themes that will lead to recommendations on how the UCZ can respond to cultural practices that are a threat to the spread of HIV. The themes that have been identified from this study are: sex as a contested arena, masculinity and patriarchy as a threat to women's sexuality, the implication of socio-economic factors to traditional marriage practices, the church's silence on cultural practices, debates on culture, gender, and HIV and AIDS. A holistic approach to the discussion of these themes will include socio-economic, religio-cultural, gender, HIV and AIDS perspectives.

### 6.2 Sex as a Contested Arena

One of the themes that emerged during field research was on the problematization of sex. From both literature and responses from the participants in this study, sex emerged as one issue which the church has struggled to address. In this study, sex was seen as carrying multiple responsibilities and therefore, sex emerged as a contested arena. In an attempt to define sex and sexuality Dingilian states that:

Sexuality from the perspective of the Bible is that spiritual, mental and physical aspect of each person related to his or her ability to create, and is an integral part of every relationship that he or she forms with others. The desire for and the choice to practice the sexual act is only a portion of the overall sexuality of a person and a relationship.<sup>527</sup>

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<sup>527</sup> DérStépanos Dingilian, "Sexuality Beyond Sex: A biblical Understanding", (2000).  
[http://www.hopeforfamily.org/sexuality\\_bynd\\_sex.htm](http://www.hopeforfamily.org/sexuality_bynd_sex.htm) accessed on 03/04/2010.

of sex and sexuality in this study went beyond the sexual which women's bodies were defined in the traditional marriage practices that were addressed in this study. Both literature and primary sources used in child marriage in chapter two and widowhood inheritance in chapter three viewed sex positively and negatively. This is partly because the African traditional worldview and the Christian worldview place great emphasis on sex and sexuality, especially in marriage.

In his article, Barton argues that although Protestantism brought a much more positive attitude to sexual relations within marriage, they still were uncomfortable with matters related to the body and sex.<sup>528</sup> This means that within the church history, the stage was set for a sex-denying theology that looked at sex with suspicion. Manning also argues that Christianity has been criticized as the world religion most antagonistic to sexual pleasure. According to Manning, due to the negative sentiments attached to sex by the early Christians, most of the Christians today still remain deeply ingrained with the belief that sex is shameful.<sup>529</sup> Johnson and Jordan affirm that the deep ambivalence concerning sexuality finds its roots in classic Christian history. The authors add that, Christian teachings and traditions approve heterosexual activity within the bounds of marriage and reject sex outside marriage.<sup>530</sup> Taylor confirms Johnson and Jordan's statements saying, the "wrong use" of sex includes sexual relationship outside marriage, meaning that sex in Christian teaching is meant for marriage.<sup>531</sup> It is these perceptions of sex that led to the church's development of theories, which encouraged sex to be celebrated within the bounds of marriage.<sup>532</sup> From an African perspective, Machera states that:

Childhood and adolescent socialisation in most African communities do not embrace the pleasurable aspects of sex. Girls are told that sex is only good in marriage, that a woman should not have sex with any other man except her husband; one should not deny the husband his right to sex intercourse. And most rightly one should preserve one's virginity<sup>533</sup>

<sup>528</sup> S.C. Barton, "Is the Bible Good News for Human Sexuality? Reflections on Method in Biblical Interpretation", in *Christian Perspectives on Sexuality and Gender*, edited by Elizabeth Stuart and Adrian Thatcher (Grand Rapids: Eerdmans, 1996).

<sup>529</sup> Christel Manning, *Sex and Religion* (Belmont: Thomson Wadsworth, 2005), 3.

<sup>530</sup> Luke Timothy Johnson and Mark D. Jordan, "Christianity", in *Sex, Marriage and Family in World Religions*, edited by D.S. Browning, C.M. Green and John Witte Jr, (New York: Columbia University, 2006), 77.

<sup>531</sup> Taylor, *Tend My Sheep*, 180.

<sup>532</sup> Johnson, and Jordan, "Christianity", 77.

<sup>533</sup> Mumbi Machera, "Opening a Can of Worms: A Debate of Female Sexuality in the Lecture Theatre", in *Rethinking Sexualities in Africa*, edited by S. Arnfred (Nordiska: Foundation Seydou Ke ta, 2004), 166.

affirmed by some of the participants during field research reported that in different social and cultural settings, sex may mean different things in different occasions for a given community, as is also reflected by Kunani.<sup>534</sup> In the case of the two traditional marriage practices addressed in his study, each one of them views sex differently. Therefore, in most of the Zambian ethnic groups, sex during ritual widowhood cleansing has a different meaning from sex experienced in child marriage, where the focus is on procreation. The question then is, how do such perceptions of sex help the UCZ to respond to traditional marriage practices like widowhood inheritance and child marriage in the context of HIV and AIDS? The answer to this question can be drawn from discussions on the various uses of sex in an African cultural setting, as will be discussed below.

### ***6.2.1 The Use of Sex in Ritual Practices***

From the findings of this study, it was evident that sexual cleansing is still common even among church members. This makes it imperative to address the problem of sex as a ritual practice. The use of sex as a ritual practice was found to be common in widowhood cleansing. Although this study was not focused primarily on widowhood cleansing, much of the discussion on widowhood inheritance was directed at sexual cleansing. A larger number of the widows interviewed found sexual cleansing problematic as they could not arrive at a conclusive solution as to whether to abandon the practice completely or respond to it as the need arises. This was because of the cultural attachments associated with the practice. In most African societies, sex rituals are especially associated with women's sexuality.<sup>535</sup> Chitando sees sexuality in African religion and culture to be an integral part of society. Beliefs relating to the perpetuating of the ancestral lineage, flows of sexual substance, flows of blood and other concepts are central to an African indigenous culture.<sup>536</sup> Thornton affirms that sex is implicated in flows that move through generations and through time and space.<sup>537</sup> Therefore, sexual cleansing rituals demand that there should be some flow of fluids if the ritual is to be culturally satisfactory.

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<sup>534</sup>Violet Nyambura Kunani, "Human Sexuality: Meaning and Purpose in Selected Communities in Contemporary Kenya," *The Ecumenical Review* 56, no. 4 (October 2004), 404.

<sup>535</sup>Oduyoye, "Women Rituals in Africa."

<sup>536</sup>Ezra Chitando "Disclosing Layers of Secrecy," 178.

<sup>537</sup>Robert Thornton, "Flows of Sexual Substance and Representation of the Body in South Africa," 5. <http://wiserweb.wits.ac.za/PDF%20Files/sex%20-%20thornton.PDF> accessed on 02/04/2010.

ed fluid which has in it a potential for human life and so  
and it becomes a serious immoral and an ethical act.<sup>538</sup>

Therefore, in sexual cleansing, sex becomes a tool for ritual cleansing of the individual and the community, with the emphasis on the flow of fluid rather than for pleasure or procreation. However, this cannot be ruled out, as conception is likely to occur depending on the biological circumstances of the woman during the period of cleansing, as reflected in the story found in chapter three. To show that sex carries many duties, Dingilian suggests that:

í then it follows that there is no such thing as a sexual act by itself independent of intent. In other words, there is no such thing as "Sex for the sake of sex!" Every sexual act has a conscious or unconscious intent; it is a part of the larger human creativity known as "sexuality"<sup>539</sup>

This is confirmed by Nganda who asserts that, from an African perspective, sexuality means attitudes, values, and relationships that are attached to human interaction.<sup>540</sup> Therefore, in most African societies, the idea of "sex for the sake of sex" does not come easily. This is because African indigenous culture has no "hang-ups" about sexuality.<sup>541</sup>

Another point to consider when discussing sex as a ritual is the location of the ritual. Bruce states that all sexual acts take place within social and cultural contexts. Therefore, it is important to analyse the social frameworks within which sexuality is exercised and submit them to gender critique.<sup>542</sup> In this case, the sexual act that takes place during widowhood cleansing and the coercive sex in child marriage need to be critiqued from a cultural and gender perspective with an awareness of the value associated with sex in most African cultures. The ideas above bring to the fore one argument that dominated discussions among the widows, which is the value of sexual cleansing in African culture. Some of these widows were firm in their Christian faith which they said was against sexual cleansing. The widows found sexual cleansing a debatable issue that needed clarifying from both the church and their

<sup>538</sup> Harold J. Ellens, *Sex in the Bible: A New Consideration* (Westport, Conn: Praeger Publishers, 2006) 49.

<sup>539</sup> Dingilian, "Sexuality Beyond Sex: A Biblical Understanding".

<sup>540</sup> Scholastica Nganda, "Sex Education: Do Our Teens Need It?" in *Human Sexuality in Africa*, edited by Maticka-Tyndale et al (Auckland Park: Action Health Incorporated, 2007), 54.

<sup>541</sup> Nganda, "Sex Education: Do Our Teens Need It?", 54.

<sup>542</sup> Patricia Frances Bruce, "The Mother's Cow: A Study of Old Testament References to Virginity in the Context of HIV/AIDS (sic) in South Africa", in *African Women HIV/AIDS and Faith Communities*, edited by Isabel A. Phiri, Beverley Haddad and Madipoane Masenya (Pietermaritzburg: Cluster Publications, 2003), 65.

... was the essence of terminating the sexual covenant  
indications for the community.

As Thornton argues, at the end of life sex is also interrupted, thus leading to contamination, since the reciprocity of exchanges of substances through normal interaction is distracted. Thus, Thornton cautions that if the contamination of death is not removed by any means of ritual intervention, then it can be transmitted to others especially through sexual contact. This causes illness and might even lead to death.<sup>543</sup> This statement is also approved by Nganda when he shows that sexuality in indigenous Africa was looked upon as mysterious, sacred, and evil resulted in the misuse of it. Its powers were understood as permeating every level of human existence.<sup>544</sup> As a result of this, in most African societies, just as marriage is entered through the covenant of sex which requires exchange of fluids, so it should also be dissolved after the death of a partner by breaking the sex covenant as stated above.

Hence, this study found out that the problem of sex is one of the unresolved issue related to sexual cleansing that has affected the church's response to practices like widowhood inheritance. The complexities in addressing issues of widowhood inheritance are embedded in African belief systems and within people's thought pattern. Culturally the embedded religio-cultural beliefs in people's lives can only be understood by first understanding their worldviews. In the case of widowhood cleansing, the people's worldviews include their perception of the practice, their perception of the spirit world and the world of sex and sexuality. This makes it difficult for some of the African Christians to live by commitments such as "until death do us part" in their marriage relationships. Instead they carry along the sexual covenant that keeps them bound to their late spouses.

In the case of the widows who participated in this study, as discussed in chapter three, respect for the dead and fear of the spirit of the dead kept them bound to the tradition of sexual cleansing. In the context of HIV and AIDS, such beliefs can become a threat to health and human dignity. Makinwa-Adebuoye and Tiemoko argue that HIV has brought African sexuality into the public domain. With the spread of the pandemic, the understanding of human sexuality becomes crucial, meaning that the reaction to HIV and AIDS has rather been

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<sup>543</sup> Thornton, "Flows of Sexual Substance and Representation of the Body in South Africa", 7.

<sup>544</sup> Nganda, *Human Sexuality in Africa*, 54.

lly-defined heterosexual patterns like widow sexual

A further analysis of the use of sex as a ritual requires an assessment of the role of acquired knowledge in any given cultural setting, in terms of its objectivity and subjectivity. The knowledge that most Africans have acquired on widow sexual cleansing and child marriage has emerged both as belief and truth depending on the cultural setting of the source and audience. The source in this case is the culture from which such beliefs are drawn and the audience is the people found in that culture. These embedded beliefs, which in most cases are reflected in discourses and secrecy, need to be reflected upon and analysed so as to fit the context in which they are in operation. The challenge of the UCZ at this point is to find ways of addressing the beliefs which are embedded in people's minds. This will be discussed further in the next chapter, where I will be addressing cultural analysis as a tool for the church's response to traditional marriage practices in the context of HIV.

### ***6.2.2 The Teaching on Abstinence and Virginity***

The other issues that required attention from the theme of sex as a contested arena, are the debates on abstinence (meaning no sex before marriage) and the need for girls to remain virgins until marriage. In this study, it was discovered that the two teachings are emphasized by the church concerning young people, especially girls. As stated earlier on in chapter two, due to the emphasis on abstinence in the UCZ, it was then discovered that some girls got married early because they did not want to indulge in sex outside marriage. According to these girls, encountering sex outside of marriage was seen as sinful both culturally and ecclesiastically. The girls further stated that the act brought shame to the family and the church especially when it led to pregnancy. In agreement, Thatcher observes that for women and girls, the connection between sex and sin is a living one in many cultures.<sup>546</sup> A further observation by Johnson and Jordan sees sexual activity as only justified within marriage, though the principle can also be argued on different grounds.<sup>547</sup>

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<sup>545</sup>Paulina Makinwa- Adebusoye and Richmond Tiemoko, "Introduction: Healthy Sexuality Discourses in the East, West North and Southern Africa", in *Human Sexuality in Africa: Beyond Reproduction* edited by Maticka-Tyndale et al (Auckland Park: Action Health Incorporated, 2007), 12.

<sup>546</sup>Adrian Thatcher, *Marriage after Patriarchy: Christian Marriage in Postmodern Times Studies in Theology and Sexuality*(Sheffield: Sheffield Academic Press, 1999), 42.

<sup>547</sup>Johnson and Jordan, "Christianity", 86.

is that sex outside marriage is sin.<sup>548</sup> From a cultural perspective, attitudes to sexual relationships differ in different ethnic groups. In some societies, sex before marriage is permitted while in others it is strongly disapproved. This is common in societies where ideas about female purity are upheld.<sup>549</sup> Bruce confirms this point when she says, not all African societies value virginity; to some it is more important for a woman to prove her fertility before marriage.<sup>550</sup>

Following the responses from these girls and the statements above, the question to ask is: to what extent are such teachings justifiable in today's society both in the church and community? The response to this question takes into consideration the following points: first from the ecclesial perspective, De La Torre argues that when it comes to sex, Christians are usually taught to begin with the Bible. Based on how the Bible is read, the church arrives at a truth concerning sex, a truth that serves as the basis for establishing doctrines of the church.<sup>551</sup> On the contrary, Bruce argues that human sexuality is not well covered in the Bible, only scattered and sometimes incidental references are found in both Old and New Testament. Even these span a wide range of cultures.<sup>552</sup> In the case of virginity, the Old Testament serves as a source from which Christianity draws most of its teachings on virginity and abstinence even though, there are also teachings on the same from the New Testament. In both Testaments, sex outside marriage is discouraged. In the Old Testament, the girl's virginity was the property of the father which was transferred to the husband at marriage.<sup>553</sup> Several texts in the Bible show the value that was attached to virginity.<sup>554</sup>

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<sup>548</sup> Mathew A. Ojo, "Religion and Sexuality: Individuality, Choice and Sexual Rights in Nigerian Christianity", in *Human Sexuality in Africa: Beyond Reproduction*, edited by Maticka-Tyndale et al (Auckland Park: Action Health Corporation, 2007), 136.

<sup>549</sup> Taylor, *Tend My Sheep*, 176.

<sup>550</sup> This very common among the Chewa of Malawi and Zambia, where part of the initiation is to break the virginity. See Ngulube, *Aspects of Growing up in Zambia*.

<sup>551</sup> Miguel A. De La Torre, *Lily Among the Thorns: Imagining a New Christian Sexuality* (California: Jossey-Bass, 2007), 2.

<sup>552</sup> Bruce, "The Mother's Cow", 49.

<sup>553</sup> Bruce, "The Mother's Cow", 55.

<sup>554</sup> Some of the texts that speak of virginity in the Bible include; Exodus 22:16-17; this is where a man who seduces a virgin was made to pay the bride-price and obliged to marry the girl. In Leviticus 21: 13, the high priest was required to marry a virgin. The stories of Dinah in Genesis 34, and Tamar in 2 Samuel 13 serves as examples in the Bible where male members of the family responded angrily due to the defilement of a sister's virginity. The two stories show how women in the Old Testament were positioned as properties of the male members of the family.

be involved in sex before marriage for the benefit of the  
ed as virgins received high regard from society. The  
cultural and biblical teachings on virginity and abstinence were reflected from the responses  
of the girls, church leaders and the lay members who participated in this study. The  
participants indicated how both the church and society in the study area treated the problem  
of sex before marriage, especially among the girls in the church. The church's approach to  
sex outside marriage can also be drawn from its historical teachings on sex and sexuality.  
This is confirmed by Bruce who argues that:

In the church virginity has traditionally been seen as a purity issue and the church and society  
(until well into the twentieth century) advocated strong self-control and sexual intercourse  
outside marriage was condemned. A girl who lost her virginity brought shame on herself and to  
a lesser extent on her family.<sup>556</sup>

Furthermore, when the issue of the virginity of the girls is perceived from the feminist  
perspective, I agree with Bruce who argues that biblical texts relating to virginity are  
oppressive as they are a reminder of the issues of power and dominance that regularly  
accompany gender issues.<sup>557</sup> Therefore the introduction of gender voices on the issue of  
virginity has helped to reduce the practice of promoting virginity among young girls. Other  
factors that have led to relaxed measures on the breaking of virginity are: weakened family  
and community values; reduced rates of pregnancy due to abortions and contraceptives; the  
move from communal to individualistic attitude towards sex and women's demand for  
equality.<sup>558</sup> In the Zambian context, most of the ethnic groups do not advocate for virginity  
testing.

However, they still prefer that their daughters abstain from sex before marriage.<sup>559</sup> Despite  
the changes mentioned above, responses from my field research as stated earlier in chapter  
two indicate that the UCZ is among the churches that still advocate for no sex before

<sup>555</sup> Bruce, 'The Mother's Cow', 56.

<sup>556</sup> Bruce, 'The Mother's Cow', 62.

<sup>557</sup> Bruce, 'The Mother's Cow', 63.

<sup>558</sup> Bruce, 'The Mother's Cow', 62.

<sup>559</sup> Among the Bemba and Tonga ethnic groups, traditionally sex before marriage was a serious case as it made  
the girl unworthy for marriage. If she happened to get married she could not fetch as much *lobola* as a girl who  
was a virgin. As for the man who had sex with the girl, he was heavily charged and in some cases forced to  
marry the girl as it was believed that no man was ready to marry a defiled girl. For more information on  
virginity in most African societies see S. Leclerc-Madlala, 'Virginity Testing: Managing Sexuality in a  
Maturing HIV and AIDS Epidemic', *Medical Anthropology Quarterly* 15, no. 4 (2001), 533-552; S. Leclerc-  
Madlala, 'Protecting Girlhood? Virginity Revivals in the Era of AIDS', *Agenda* 56 (2003), 16-25.

emphasis on virginity. Ironically, Bruce perceives that there is some embarrassment about traditional sexual ethics.<sup>560</sup> The re-direction of focus on virginity is also associated with the call for respect for humanity from many organisations that deal with issues of human rights. This is due to connotations associated with the practice concerning women. One such study that can be cited in this chapter was undertaken by Phiri on virginity testing among the Zulu girls in Kwa-Zulu Natal province. Phiri places emphasis on the dehumanizing part of the act, stating that it invades the privacy of the girls and their families.<sup>561</sup>

Despite the call for respect of humanity,<sup>562</sup> Bruce argues that in some instances girls themselves have valued virginity because of what it means to them in marriage.<sup>563</sup> The statement by Bruce was also confirmed by the girls interviewed in this study. This however does not mean that these girls were upholding this practice for their own benefit. Their response could have been influenced by both their African cultural heritage and Christianity that sees the virginity of the girl as something of value to the family of the girl. This then shows the influence of the deep-rooted cultural values that most Africans grow up with and carry into their Christian faith.

The problem of virginity leads to another argument which concerns the relevance of the message of abstinence in the church today and how such discussions affect the church's fight against HIV and AIDS. As discussed earlier on in chapter five, the UCZ HIV policy does not promote the distribution of condoms to its members. Its main teaching on HIV and AIDS, especially to young people, is abstinence. If UCZ and society's teaching of abstinence is to encourage chastity among the youth, what then does that mean in the context of marriage for these young girls? In response, Bruce warns that if the church reiterates the importance of virginity, it must be done in a way that it does not repeat or lend itself to a repetition of negative attitudes toward women.

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<sup>560</sup>Bruce, "The Mother's Cow", 62.

<sup>561</sup>Isabel A. Phiri, "Virginity Testing? African Women Seeking Resources to Combat HIV/AIDS" *Journal of Constructive Theology* 9, no.1 (2003), 63-78.

<sup>562</sup>Ruether, *Sexism and God Talk*, 19.

<sup>563</sup> Bruce, "The Mother's Cow", 60.

Phiri's response that:

While it is true that having multiple sexual partners increases the chances of getting infected with HIV, it is also true to argue that there are a lot of spouses especially women who have been faithful to their partners but still have ended up being infected with the virus.<sup>564</sup>

Phiri's statement suggests that unless abstinence is presented with gender balance, it is rendered ineffective when only one partner is abstaining.<sup>565</sup> In the case of these girls, while the church and their African culture demands that they abstain from sex before marriage, there is a high likelihood, as Phiri puts it, the girls will get infected with HIV and AIDS within their marriages.<sup>566</sup> This is because some of them marry older men who have already had sexual encounters with other women. Therefore, the effort of promoting abstinence, especially from women, makes them become more vulnerable to HIV.

On the contrary, Bruce observes that there seems to be an underlying assumption that promoting abstinence would simply be too unpopular and be doomed to failure.<sup>567</sup> This is one of the current debates in the society that has affected discussions on abstinence. A move away from communal to a more individualistic approach to sex has meant that young people have choices as to when and who to have sex with. This is despite the restrictions on abstinence from family and church. This point is reflected in Phiri's work, when she argues that despite the constant message on abstinence and faithfulness, the majority of the Christians are not following the church's message.<sup>568</sup>

Nganda warns that abstinence, when taught as the only method to young people, becomes dangerous even when it would be good to see young people practising abstinence.<sup>569</sup> In the context of HIV and AIDS, the challenge remains to the church to see beyond the ecclesial and cultural values of abstinence and ask questions such as: What does it mean for a church to promote abstinence and faithfulness in the context of HIV and AIDS? What can the church do in order to respond to such an issue that is also embedded in cultural belief systems, so that its message is relevant to HIV and AIDS interventions?

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<sup>564</sup> Isabel Apawo Phiri, 'HIV/AIDS: An African Theological Response in Mission', *The Ecumenical Review* 56, no.4 (October 2004), 428-429.

<sup>565</sup> Phiri, 'HIV/AIDS: An African Theological Response in Mission', 428-429.

<sup>566</sup> Phiri, 'HIV/AIDS: An African Theological Response in Mission', 429.

<sup>567</sup> Bruce, 'The Mother's Cow', 46.

<sup>568</sup> Phiri, 'HIV/AIDS: An African Theological Response in Mission', 429.

<sup>569</sup> Nganda, 'Sex Education: Do Our Teens Need It?', 58.

, the church's response to traditional marriage practices effectively answered.

Since marriage is at the centre of controversy in the debate on abstinence, Phiri poses a question on the safety of these girls when they enter into marriages after practising abstinence.<sup>570</sup> Furthermore, Hinga argues that although abstinence has a definite place in the fight against HIV and AIDS, its role must be contextualized and explained culturally and scientifically using gender perspectives.<sup>571</sup> This then calls for an analysis of the implication of culture to sex before marriage, and what that means to the church in the context of HIV and AIDS.

The discussion above also questions the assumption that was made by the girls in chapter two of this study, that marriage in some cases is seen as an HIV preventive strategy rather than a threat to HIV infection. Following the theme on abstinence, it was discovered that the girls in this study came from a culture and a religion that upholds abstinence and sex before marriage, while putting emphasis on the need for one to marry. At the same time, some of these girls were also aware of the possibilities of HIV infection in marriages even after they have lived a life of abstinence.

Can we then say that these girls are *going through the fire with eyes wide open*<sup>572</sup> in light of the fact that they are aware of all these consequences? This question leads us to the discussions on the Abstinence, Be Faithful and use a Condom (ABC) slogan as it is understood in the church.

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<sup>570</sup>Phiri, "HIV/AIDS: An African Theological Response in Mission", 423.

<sup>571</sup>Teresa M. Hinga "AIDS, Religion and Women in Africa: Theo-Ethical Challenges and Imperatives", in *Women Religion and HIV/AIDS in Africa: responding to Ethical and Theological Challenges*, edited by Theresa Hinga et al (Pietermaritzburg: Cluster Publications, 2008), 81.

<sup>572</sup>Phiri and Nadar have used this analogy as part of the sub-title in their article "Going Through the Fire with Eyes Wide Open". This is a phrase from one of the songs that was presented by the participants in Phiri and Nadar's research on songs and proverbs dealing with marriage and sexuality. Other than talking about marriage and sexuality, the song was discovered to be promoting patriarchy, and expressing resignation to its destructive power. The teaching from the song is that even when one is aware of the husband's unfaithfulness, she will still not negotiate for the use of condom during sex. This, according to the authors, reflected the danger of marriage in the context of HIV. For more see Isabel A. Phiri and Sarojini Nadar "Going through the Fire with Eyes Wide Open: African Women's Perspective on Indigenous Knowledge, Patriarchy and Sexuality" *Journal for the Study of Religion* 22, no. 2 (2009), 12-13.

A study by Kvasny and Chong on the use of condoms in Sub-Saharan Africa revealed that most of the women despised condom use in marriages, claiming that it stigmatizes them as being promiscuous and reduces the level of trust between the partners.<sup>573</sup> This statement concurs with the response from the girls interviewed in this study. As for the girls, the ABC slogan was interpreted as (AMBC) which means: A= Abstain M= get Married B= Be faithful to your partner C= in marriage use Condoms only under medical advice. This phrase came out of the discussions with the girls involved in child marriage on the need for condom use. The only time they saw the need to use condoms in marriage was when advised by a doctor.

In discussing the church's response to condom use, Dube starts with a brief history of the church's initial reaction to HIV and AIDS, saying:

The initial theological response to HIV and AIDS demonstrated our theological poverty in many ways. First there was silence and indifference. Then there was association of HIV with immorality and God's punishment upon the sinful. When the church finally decided to be actively involved they insisted on abstinence and faithfulness as the only answer to the fight against HIV.<sup>574</sup>

In the UCZ HIV and AIDS policy document and among some of the Zambian ethnic groups, the use of condoms is discouraged especially among the young people. The main reason is that in many people's minds, condoms carry moral and spiritual implications, even though they also apply to HIV and AIDS prevention.<sup>575</sup> Therefore, the use of condoms is only encouraged in couples for family planning purposes, and for those who tested HIV positive.

In the Zambian context, the resistance to condom use was at one point a national phenomenon. Fiser argues that the promotion of condoms in Zambia was received with great resistance especially from the Christian fundamentalists. For these Christian fundamentalists,

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<sup>573</sup> Lynette Kvasny and Jing Chong, *The ABC Approach and the Feminization of HIV/AIDS in the Sub-Saharan Africa*, (1999), 5, [http://ist.psu.edu/faculty\\_pages/lkvasny/eHealthBookChapter-KvasnyChong.pdf](http://ist.psu.edu/faculty_pages/lkvasny/eHealthBookChapter-KvasnyChong.pdf) accessed on 6/04/2010.

<sup>574</sup> It is important to note that Dube here focuses on male condoms and not female condoms. For more discussion see Dube, *The HIV and AIDS: Bible Selected Essays*, 49.

<sup>575</sup> Siyameto, *HIV and AIDS Church Policy of the UCZ*, 15.

and be faithful aspect.<sup>576</sup> Fiser gives some of the  
following:

In 2001 the Christian Council of Zambia was successful in removing condom adverts from the radio claiming that it encouraged promiscuity. President Chiluba who declared Zambia a Christian nation in 1991 once stated that condoms were a sign of lax morals and supported the clergy in removing condoms from the adverts. However the situation is now different in 2005 the Christian Council of Zambia claimed that Zambia Council of Churches would promote the use of condoms only to prevent the further spread of the disease.<sup>577</sup>

The situation however is different now, especially in the secular society. ABC is one of the most effective secular strategies used to curb the HIV and AIDS pandemic in Zambia.<sup>578</sup> With the advent of HIV and AIDS, the government of Zambia and most of the non-governmental organisations have combined efforts to promote condom use in cases where people fail to abstain.

The issue of condoms as part of the ABC campaign requires a religio-cultural and gender sensitive approach. From a religio-cultural perspective, Phiri argues that:

The theology of sacredness of life also includes taking responsibility for life and protecting life. The majority of churches in Africa have stuck with the message of abstinence and faithfulness and fought for virginity against the use of condoms on the understanding that condoms promote promiscuous behaviour.<sup>579</sup>

In agreement with Phiri, it becomes prudent to point out that the discussions on the ABC campaign also require the application of the concept of how people value acquired knowledge. How does a claim that condoms promote promiscuity affect the response of

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<sup>576</sup>Wes Fiser, "Condom Controversy: Religious Fundamentalism and the Fight Against AIDS in Zambia", (October 22, 2008)

<http://Stanford.wellsphere.com/hiv-aids-articles/the-condom-controversy-religious-fundamentalism-and-the-fight-against-aids-in-zambia/439172> accessed on 5/04/2010.

<sup>577</sup>Fiser, "Condom Controversy: Religious Fundamentalism and the Fight Against AIDS in Zambia".

<sup>578</sup>PEPFAR is one of the main organisations in Zambia that has influenced the use of ABC approach especially among the youth. A study by Youthnet is among the many campaigns studies that have created campaigns such as HEART (Helping Each other Act Responsibly Together). This is designed by youth for youth to promote abstinence and use of condoms. This campaign also includes messages like "Virgin Power Virgin Pride" and "Abstinence iliche meaning Abstinence is Cool!ö. All these adverts have been presumed to be bearing good results among the youths. For more information see Youthnet, "Youth Perspective on Reproductive Health and HIV/AIDS", *Abstinence and Delayed Sexual Initiation*.

<http://www.fhi.org/nr/rdonlyres/esb6xiux6kbsmtlhxhdfofd5u2fu6e3x3wfoxy4yk5rkzqexgz4odj6lqqakgkt3bjal7pq54bwxp/issue8.pdf> accessed on 5th/04/2010

<sup>579</sup>Phiri, "HIV/AIDS: An African Theological Response in Mission", 428. See also Gideon B. Byamugisha, *AIDS, The Condom and the Church: Are Science and Morality Exclusively Antagonistic? The Theological and Pastoral Implication of AIDS in Uganda* Series Vol. 1 (Kampala: EATWOT Publishers, 1998).

observes, AIDS has challenged both our society and our  
g on and will impact on our sexual ethics. Therefore, it  
becomes imperative to use any method that will reduce the number of those exposed to the  
infection.<sup>580</sup> While the church is engaged in power struggles around issues of condoms, life  
needs to be served and protected.<sup>581</sup> A response to the UCZ's position on condoms should be  
to ask questions like: What is more important in the church now? Is it the theology of the  
church on condoms or the loss of human life?

In another development, Dube criticizes the "Be faithful and condomize" slogan showing that  
both elements of the slogan are crippled with gender inequalities. She defends her argument  
with the view that the use of condoms is in most cases limited by cultural and economic  
factors that always make women vulnerable to unprotected sex.<sup>582</sup> Dube further argues that  
while the ABC approach seems to deal with the truth, it overlooks the fact that HIV is a  
pandemic within other social pandemics.<sup>583</sup> In the case of my study, we can associate this  
with the girls's situation where abstinence may have proved successful for them before their  
marriages, but they were still vulnerable to HIV infection from their partners after they got  
married. This is because most of them had no power to negotiate safe sex with men who are  
older than themselves.

On the other hand, girls whose marriages were economically motivated also found it difficult  
to negotiate for safe sex. Therefore, Dube contends that gender inequalities render the ABC  
strategy ineffective since the power of both the condom and sex are in the hands of the  
male.<sup>584</sup> Hinga adds that the problem of equating safe sex to condom use is that its efficacy  
depends entirely on the willingness of the man who has the power to use the male condom,  
which is the one that is readily available. It is therefore concluded that, unless those who have  
the power to use the male condom co-operate, the idea that male condom use equals safe sex  
becomes a painful "hoax for women".<sup>585</sup>

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<sup>580</sup>Bruce, "The Mother's Cow", 63.

<sup>581</sup>Phiri, "Ecumenical Review", 428.

<sup>582</sup>Dube in his article argues this point see. Dube, "Grant Me Justice".

<sup>583</sup>Dube, *The HIV and AIDS Bible: Selected Essays*, 49.

<sup>584</sup>Dube, *The HIV and AIDS Bible: Selected Essays*, 50.

<sup>585</sup>Hinga, "AIDS, Religion and Women in Africa", 83.

Chong shows that women who are the dominant subjects risk by common systems of oppression through health campaigns. They problematize the ABC health campaign and its appropriation for women in Sub-Saharan Africa.<sup>586</sup> Kvasny and Chong emphasize that while health messages concerning ABC may be clinically accurate, they find moral judgment about self-control and sexuality embedded in the call for abstinence. In the case of women, personal choice over when and how to engage in safer sex is less prominent.<sup>587</sup> In agreement, Gupta affirms that abstinence in its essence is very difficult for the girls to practise. This is because the practice seems to be more focused on individual change without enacting societal change that would facilitate women's change.<sup>588</sup>

The effectiveness of this approach to HIV and AIDS prevention in the country can be questioned against the theory of belief and the power of knowledge. What is it that people have believed in that makes them accept the notion that condom use is unacceptable in their lives? How does that belief translate to truth and application of what they believe in? Therefore, the extent to which condoms have been understood to be morally unacceptable both in the church and the African culture can be determined by people's beliefs on the subject matter. It then becomes imperative to address the belief systems of the people on condoms and the theologies developed by the church around the issue. These too need to be assessed as to whether they are liberative and life giving to the people.

In summary, it would be appropriate to argue that unless the UCZ begins to seek to enact societal change in addressing the factors stated above from a holistic perspective, the change agents - who in this case are the men and women involved in sexual relationships - will continue to be vulnerable to the ABC theory. If discussions on sexuality can be problematic, ethically condoms too have become part of that problem. Thatcher, in his critique of the ABC slogan, states that there is the need to address what is really happening in communities, and not what one would like to believe is happening.<sup>589</sup> This then calls for a theology that will aim at integrating both men and women in a dialogue of the possible use of condoms as an HIV and AIDS preventive measure for church goers, and what that will entail for teachings of the church on sexuality and the position of women.

<sup>586</sup> Kvasny and Chong, *The ABC Approach and the Feminization of HIV/AIDS in the Sub-Sahara Africa*, 6-8.

<sup>587</sup> Kvasny and Chong, *The ABC Approach and the Feminization of HIV/AIDS in the Sub-Sahara Africa*, 8.

<sup>588</sup> Gupta, "Gender, Sexuality and HIV/AIDS: The When, the What and the How".

<sup>589</sup> Thatcher, "HIV Prevention: A Global Theological Conversation", 49.

## Threat to Women's Sexuality

Apart from the themes on sex, responses from widows, girls and lay people from Contextual Bible Studies during field research also showed that masculinity and patriarchy are contributing factors to women's oppression in widowhood inheritance and child marriages. In most of the African societies, most of the problems related to marriage are associated with masculinity.

Chitando argues that, in the radically hypothetical African male promiscuity or the presence of the unique African sexuality, the notion of blacks as having an insatiable sexual appetite are all focused on the male.<sup>590</sup> Chitando therefore cautions that in discussing gender and sexuality within African indigenous religions, there has been a tendency to completely overlook men.<sup>591</sup> This is in agreement with the findings of this study which also exposed some masculine tendencies among the men involved in child marriage and widowhood inheritance. As for the men who married young girls, their masculinities were exposed through having sex with young girls, whereas in widowhood inheritance some of the men who were mistreating widows were following the culturally constructed idea that a man is an inheritor of the brother's property.

All these ideas above are based on patriarchal ideologies that locate women in positions where they become the property of male members. Masculinity, just like gender, needs to be addressed on topics related to marriage and sex. In the stories of Genesis (38:1-28) and 1 Kings (1:1-4), the participants in the Bible studies related the masculine characters found in the stories with their own contexts. Dover indicates that in Zambia, although women are taking on new responsibilities, their ideological, symbolic and actual continuity with customary ideas around their womanhood is still maintained. This is partly because women's ideals of autonomy are perceived as threatening the moral order.<sup>592</sup> In the case of widows, this means that they cannot be allowed to take up the responsibility of looking after the property of the deceased husband without the help of a male administrator. A study by Simpson on masculinity and HIV and AIDS in Zambia has shown that unless the multi-

<sup>590</sup>Chitando, "Disclosing Layers of Secrecy", 177.

<sup>591</sup>Chitando, "Disclosing Layers of Secrecy", 181.

<sup>592</sup>Paul Dover, "Expectations of Manliness in a Zambian Village", in *African Masculinities: Men in Africa from the Late Nineteenth Century to the Present* edited by L. Ouzgane and R. Morrell (Scottsville: University of Kwa-Zulu Natal Press, 2005), 177.

addresses the issue of masculinity, women will continue the pandemic.<sup>593</sup>

The other point that needs to be addressed on masculinity is the abuse of power. The problem of power emerged as one of the factors which were disguised in masculinity. In this study I relate to the abuse of power from a gender perspective of understanding the concept of power.

According to Poling:

Power is often understood as a one way of effect on others. But power is actually organised by the relational webs which we are a part. Our ability to act in effective ways depends on our connections with other persons, and with the institutions and ideas that form the basis of our experience... power is relational; the web of relationship determines the nature of power.<sup>594</sup>

The kind of power that was identified in this study has both a personal and a social dimension. At the personal level there was a drive for power to actualize the self through the relational web. In the case of child marriage this sometimes led to the abuse of power. In the process of actualizing the power the person has over others, the recipients sometimes stand to lose. The abuse of power by individuals can also be motivated by fear and the desire to control. In the case of this study, the men exercised control over the women in both child marriage and widowhood inheritance through the use of power.

As Poling affirms, in this study social power inequalities too became occasions for the abuse of power.<sup>595</sup> This was reflected in the way in which society is organised. The patriarchal structures that surround girls and women involved in child marriage and widowhood inheritance in most cases become structures of oppression. These structures are also sometimes influenced by institutions and ideologies. Institutional power in this study involved power that is generated from both the church and the community where the person comes from. Therefore, the best way to deconstruct this power was to use a holistic approach which will address the individual, the society and the ideologies found in that particular community.

<sup>593</sup> Simpson, *Boys to Men in the Shadow of AIDS: Masculinities*, 6.

<sup>594</sup> James Newton Poling, *The Abuse of Power: A Theological Challenge* (Abingdon: Nashville Press, 1991), 24.

<sup>595</sup> Poling, *The Abuse of Power*, 29.

Another theme that emerged in this study is the way in which the socio-economic aspect was reflected in both child marriage and widowhood inheritance. Whereas in child marriage some parents and girls saw their marriage as a form of economic security, in widowhood inheritance it was discovered that it was male relatives of the deceased man who used the death as an economic asset. The socio-economic implications of these practices are also associated with the issue of poverty. On the part of the girls, it was discovered that the majority of the parents who forced their daughters into child marriage did so in order to get some form of income, in the form of *lobola*, in order to sustain the family. As for the widows, there was economic insecurity. Culturally, their economic standing depended on the decisions of their in-laws. Although issues like property grabbing were beyond the scope of this study, it is imperative to mention that this is one way in which some widows become economically impaired. The demand for sexual favours in exchange for property maintenance as identified in this study is also another way in which widows have been made vulnerable to HIV and AIDS. This kind of behaviour can be associated with increased poverty, exacerbated by HIV and AIDS. The correlation between poverty and HIV and AIDS requires theological reflection that will locate discussions on how the UCZ can respond to the issue of poverty and its relationship to child marriage.

## 6.5 Church's Silence on Cultural Practices

The problem of the church's silence on traditional marriage practices in the UCZ can be traced from the way in which the missionaries handed over the church to Africans. Chitando asserts that the coming of missionaries in most African churches meant that converts had to cut their cultural and religious ties from their ethnic past in order to embrace the new religion.<sup>596</sup> In the case of the UCZ, the quest for cutting ties with the people's indigenous religion was reflected by the way in which the members responded to the production of the marriage guidance booklet. The refusal to accept this booklet could have meant that this nationalized church that was run by the local Zambians continued to uphold these traditional marriage practices as part of their culture.<sup>597</sup> As a result of this, it became difficult for the

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<sup>596</sup> Chitando, *Troubled But Not Destroyed*, 15.

<sup>597</sup> See the "History of UCZ" by Bwalya S. Chuba, *A History of Early Christian Missions and Church*, 12-24. The author here discusses the different missions that formed the UCZ.

...ces that they themselves were also involved in. The  
...owed evidenced that there was very little attention from  
the UCZ on how to address traditional marriage practices. In some cases the UCZ addressed  
African culture through the western perspective by trying to Christianize these practices. This  
created problems for the church to distinguish between Christianity and western culture. And  
in some instances, the church condemned certain cultural practices without applying proper  
assessment to the practices. Chitando however contends that at the end of the 1950s,  
missionary trained African theologians emerged with a different theology that challenged the  
church to uphold positive African values and practices with the aim of helping Christianity to  
be truly African.<sup>598</sup> Despite this move, African culture continued to be viewed as a negative  
culture needing redemption. As a result of this, this study has found out that in most cases  
the church has been silent on cultural practices, especially those that are harmful to humanity.

The second reason for the church's silence on harmful cultural practices in the context of  
HIV is reflected in the 2001 Plan of Action report of Ecumenical HIV and AIDS Initiative in  
Africa (EHAIA). This Plan of Action is the outcome of the communication among three  
group partners: churches, ecumenical and church-related organizations in Africa, churches,  
ecumenical and church related organizations in Europe and North-America and the World  
Council of Churches. The Plan of Action came in force as a response to the challenge  
presented by the pandemic which is depopulating Africa faster than any other calamity since  
the slave trade.<sup>599</sup> The aim of the Plan was to add an extra ecumenical dimension to the  
already existing activities undertaken by churches in the fight against HIV and AIDS. In the  
preamble to the Plan of Action it is argued that:

The challenge to the church is felt at a deeper level than this. As the pandemic has unfolded, it  
has exposed fault lines that reach to the heart of our theology. Our ethics, our liturgy and our  
practice of ministry-today churches are being obliged to acknowledge that we have ó however  
unwittingly contributed both actively and passively to the spread of the virus. Our difficulty in  
addressing issues of sex and sexuality has often made it painful for us to engage in any honest  
and realistic way of addressing the pandemic.<sup>600</sup>

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<sup>598</sup>Chitando, *Troubled But Not Destroyed*, 15-16.

<sup>599</sup> "Plan of Action: The Ecumenical Response to HIV and AIDS in Africa", *The World Council of Churches  
Plan of Action: Ecumenical Response to HIV/AIDS in Africa* (Geneva: WCC, 2002), 11.

<sup>600</sup> "Plan of Action: The Ecumenical Response to HIV and AIDS in Africa", 11-12.

addressed the question of how to respond to cultural practices contracting HIV among the people involved in these practices.

Under the section on culture the following points were raised:

First we will commit ourselves as church to reflect on positive and negative aspects of culture, identifying harmful practices and working to overcome them. In particular, we will recognize the ways in which culturally supported behavior can make women, girls and also boys more vulnerable to HIV. Second, we will propose alternative rites and rituals in place of harmful practices. Third, we will challenge our churches, ourselves, and the structures to which we relate, to examine and address culture, traditions, and practices that enable the spread of the pandemic.<sup>601</sup>

In the context of UCZ, the objectives found in this Plan of Action Report can also be related to the UCZ response to cultural practices in the context of HIV and AIDS. Some of the suggestions raised in the objectives of the Plan of Action above were also reflected during the Contextual Bible Studies and interviews with the participants of this study. The objectives identified by the participants were: the need to address cultural practices that pose the risk of contracting HIV, a call for alternative rituals to sexual cleansing and a call for the church's intervention in cultural practices that are a risk factor for contracting HIV.

The problem of the church's silence to cultural practice also emerged in this study as one of the main themes. All the participants observed that when it comes to issues of culture, the UCZ has been silent. This can also be confirmed by Chitanda's comment on the church's position in terms of the Plan of Action. Chitanda argues that although the Plan of Action set the tone on the cultural impact of HIV, African church leaders and theologians have not lived up to the ideals that they articulated so well in the Plan of Action. On the clause on cultural practices, Chitanda observes that to date, very little creativity has been witnessed in terms of proposing alternative rites and rituals in place of harmful traditional practices.<sup>602</sup>

Chitanda's statement on the church's position regarding cultural practices can also be related to the position of the UCZ on these practices. This is confirmed by the findings from this study that showed that the leadership of the church has been silent on these cultural practices. One reason stated for the silence was the lack of policy on which to support their position on

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<sup>601</sup>Plan of Action: The Ecumenical Response to HIV and AIDS in Africa, 12.

<sup>602</sup>Chitanda, *Troubled But Not Destroyed*, 43.

in the church. In this study the debate on gender, culture  
requiring analysis, as is reflected below.

## 6.6 Debates on Culture, Gender, and HIV and AIDS

According to Chitando, the church's response to the HIV pandemic has been blunted by its general insensitivity towards the issue of gender.<sup>603</sup> Within every society there are significant differences in what women can do and cannot do in one culture as compared to another. This construction of gender has been and still is one of the ways that has enhanced the spread of HIV and AIDS.<sup>604</sup> A 2006 UNAIDS report has shown that women are most vulnerable to HIV infection, based on both social and biological factors including gender inequality.<sup>605</sup> This gender imbalance can also be fuelled by culture and other factors that silence women. Thus, gender injustice in this study was identified for the role it plays in the church's response to traditional marriage practices that are a threat in the spread of HIV. The participants in this study identified the correlation between HIV and culture as a gender problem. For example, the problem of sexual cleansing and its effect on the spread of HIV can be said to be a gender issue.

According to Dube, HIV and AIDS research has found out that gender-based inequalities overlap with other social, cultural, economic and political inequalities.<sup>606</sup> Mwaura affirms this point, stating that gender power imbalances in both the economic and social dimensions of life are a direct result of the patriarchal organization of most African societies.<sup>607</sup> Research in Zambia has confirmed that there is a link between gender inequalities and HIV, especially for girls between ages 15-19.<sup>608</sup> Some of the factors that contribute to women risking their lives in terms of HIV infection, in UCZ, are poverty, illiteracy, culture, gender stereotypes and identity crisis.<sup>609</sup> As a way of responding to the pandemic, Prince argues that studies related to

<sup>603</sup>Chitando, "Living with Hope: African Churches with HIV and AIDS", 26.

<sup>604</sup>Malebogo Kgalemang, "John 9: Deconstructing the HIV and AIDS Stigma", 152.

<sup>605</sup> Report on the global AIDS epidemic: Executive Summary A UNAIDS 10<sup>th</sup> anniversary edition 2006  
[http://data.unaids.org/pub/Globalreport/2006/2006\\_GR-ExecutiveSummary\\_en.pdf](http://data.unaids.org/pub/Globalreport/2006/2006_GR-ExecutiveSummary_en.pdf)  
accessed on 03/08/2008.

<sup>606</sup>Dube, "Grant Me Justice", 7.

<sup>607</sup> Philomena Njeri Mwaura, "Violation of Human Rights of Kenyan Women with HIV and AIDS Through Stigma and Discrimination", in *Women, Religion and HIV and AIDS in Africa: Responding to Ethical and Theological Challenges*, edited by Theresa M. Hinga et al (Pietermaritzburg: Cluster Publications, 2008), 127.

<sup>608</sup>Zambia Country Progress Report, 2010.

<sup>609</sup> This was revealed in a study undertaken by Siwila with the women group of UCZ. See Siwila, *African Women Hospitality and HIV and AIDS*.

is the issue of gender since HIV and AIDS is the problem because the highest mode of infection in Zambia is through heterosexual relationships with 78 percent infection rate.<sup>611</sup>In this study, gender issues emerged, especially in the way in which women are treated in these traditional marriage practices.

## 6.7 Conclusion

This chapter is an attempt to analyse observable behaviour, perceptions, institutional responses, culturally defined values, and ideologies on traditional marriage practices in the UCZ as discussed in the previous chapters. The chapter contains discussions on major themes that were drawn from the themes that arose in the study. The findings from this chapter are as follows. First, the problem of sex and sexuality, as found in both child marriage and widowhood inheritance practices, has a long history from both African culture and Christian faith, and yet in this study it emerged as a threat in the spread of HIV and AIDS. Sex also emerged with social, cultural and economic factors that are associated with HIV and AIDS. The challenge that came out of this chapter is to look at sex and sexuality holistically.

The second finding from this chapter is that the themes that were identified for further investigation in this study are interconnected with each other and all point towards gender, culture and HIV and AIDS. For example, the problem of sex as a contested arena can also be attributed to socio-economic factors, religio-culture factors leading to gender imbalance, and HIV infection. In this case, addressing these themes also required a multi-faceted approach that was able to look at the issues raised in these themes holistically.

The third finding from this chapter was that the problems of widowhood inheritance and child marriage are embedded in religio-cultural dimensions that are both visible and invisible. Therefore, addressing these religio-cultural dimensions will require the use of a cultural analysis approach that will address people's perceptions about these cultural practices. Oduyoye says, "Although our culture remains dynamic and is ever changing, it like other cultures has firm foundations in tradition. It is these traditions that continue to shape

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<sup>610</sup>Prince et al. "Introduction", in *Gender Mainstreaming in HIV/AIDS*, 1-13.

<sup>611</sup>Zambia Country Progress Report 2010.



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in this chapter is that in the context of HIV and AIDS, transforming cultures in a way that they become relevant in the fight against the pandemic. This is only possible through a cultural analysis model, as will be discussed in the following chapter.

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<sup>612</sup>Oduyoye, *Daughters of Anowa*, 80.

### Quest for Transformation: Cultural Analysis as a Hermeneutical Model

#### 7.1 Introduction

In chapter six I have provided an in-depth discussion on the themes that emerged from the study. I also looked at how these themes have contributed to the church's response to traditional marriage practices in the context of HIV and AIDS. I demonstrated through my discussions the interconnectedness found in these themes. I have also shown that in order for the church to effectively respond to traditional marriage practices in the context of HIV and AIDS, there is a need to address these themes in a more holistic way.

The objective of this chapter is to provide a cultural analysis model that can be used by the UCZ in its response to traditional marriage practices such as child marriage and widowhood inheritance. As opposed to inculturation, in this chapter I will discuss cultural analysis from a transformational perspective. Culture transformation in this case will be done by using African feminist cultural hermeneutics theory. This theory will help to propose ways in which people's embodied worldviews on issues related to their culture can be addressed and used to answer questions such as the church's response to HIV and AIDS. This model will also show the extent to which the participants in this study viewed culture in the context of HIV and AIDS.

In order to achieve this objective, the chapter is divided as follows: the first part begins with discussing the role of cultural transformation as opposed to inculturation in addressing cultural practices that influence the spread of HIV and AIDS. In the second part I examine how people perceive their cultures and how the interpretation of their cultures affect the way they understand cultural practices like child marriage and widowhood inheritance. The third part defines cultural analysis as a model for cultural transformation. This is done by focusing on people's worldviews.

Throughout this thesis I have asked the question, "What role has the UCZ played either in encouraging or discouraging traditional marriage practices that pose a threat to the spread of HIV?" This question has been asked from a socio-economic, religio-cultural, HIV and gender perspective. The answer to this question as reflected in all the previous chapters is that the church's response to these traditional marriage practices has been ambivalent. Findings of this study have shown that the response of UCZ on traditional marriage practices have taken on three dimensions that is, positive, negative or silent. Further findings have also shown that the reason for this ambivalence could be the way in which cultural practices were presented by the missionaries that brought Christianity to Africa. In order to respond to this ambivalence, I use the transformation approach to discuss the three responses as reflected in this study. It is this transformation approach that will lead to cultural analysis.

According to Dube, transformation is a term used to incorporate the will to change something. Transformation is not reformation, which maintains the basic structure. To transform is an attempt to inaugurate a complete change of the current situation.<sup>613</sup> On the case of culture, Chitando argues that African Women Theologians have brought the inculturation project into question, opting for transformation of culture.<sup>614</sup> Some of the claims against inculturation from the African Women Theologians are that, too often men have promoted harmful cultural practices in the name of preserving "African culture" In the process, women have been made sacrificial victims in the process of safeguarding African culture.<sup>615</sup> Kanyoro affirms that African Women Theologians are caught in the dilemma of disagreeing with the presentation of inculturation as the basis of African liberation theology. Thus, they aim to analyse all cultures to see those deemed worthy in promoting life holistically, especially the dignity of women.<sup>616</sup> The quest for transformation in this case comes as a way of providing a cultural analysis that will scrutinise both African culture and Christianity for their liberative and oppressive nature.

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<sup>613</sup>Musa Dube, "Introduction: Little Girl Get Up!" in *Thalitha Cum! Theologies of African Women*, edited by N. Njoroge and M. Dube (Pietermaritzburg: Cluster Publications, 2001), 9.

<sup>614</sup>Chitando, *Troubled But Not Destroyed*, 45.

<sup>615</sup>Chitando, *Troubled But Not Destroyed*, 45.

<sup>616</sup>Kanyoro, "Engendered Communal Theology," 167.

hermeneutics perspective, it can be argued that widowhood was once a valued practice, especially prior to the emergence of HIV and AIDS in Africa. However, the same cannot be said of this practice today, as a call to scrutinize such cultural practices comes with a sense of urgency.<sup>617</sup> At the same time, child marriage was also viewed as a norm of society until in recent years, when its normality was challenged by cultural changes and the HIV and AIDS pandemic. In the present state, these cultural practices need a transformational approach that will create a balanced and sensitive way of responding to HIV and AIDS. In an attempt to respond to this call for transformation, it will be important to reflect on the concerns raised by Chitando who questions the possibility of this approach in relation to the question of whose authority this needs to be done and to what extent the transformed values will remain authentically African.<sup>618</sup>

In response to Chitando's arguments above, I argue that if UCZ is to initiate transformation of these cultural practices, there is also a need for the church to be relevant to the needs of the people in the way it responds to culture. The answer to who should be assigned to work on these cultural practices is, first, the church and the community through a collaborative communal approach. In response to the possibility of these values remaining authentically African after the transformation, I suggest the approach used by the African Women Theologians in their response to African culture. Dube's analysis of Kanyoro's work in her introduction to *Thalitha Cum! Theologies of African Women* is that:

Kanyoro suggests that African theologians have sought to articulate inculturation hermeneutics, which is the meeting point of biblical and African religious/cultural point of view. On the other hand, African women do not and cannot concentrate on similarities between African cultures and biblical stories, for they more often than not concur in endorsing patriarchal oppression; women should apply a method that puts culture to a thorough exegesis. African women need to carry out a gender analysis of both the Bible the Bible and their cultures.<sup>619</sup>

Following this analysis, it can be argued that one of the functions of African feminist cultural hermeneutics is to provide communication among biblical and African religions and culture, using a transformational approach. The theory also seeks to identify those practices that are life affirming and encourage their existence, and identify those that are life threatening and

<sup>617</sup>For more information on this Plan of Action see. *The World Council of Churches Plan of Action: Ecumenical Response to HIV/AIDS in Africa* (Geneva: WCC 2002), 11.

<sup>618</sup>Chitando, "Troubled But Not Destroyed", 47.

<sup>619</sup>Dube, "Introduction: Little Girl Get Up!", 19.

states that the transformational approach is trying to drive both positive and negative aspects within itself. Second, both Christianity and African religion need to be challenged in dealing with cultural analysis. As Kanyoro rightly points out, culture is the most important authoritative canon to the African worldview.<sup>620</sup> At the same time, Christianity as a religion is also embedded in some form of culture that needs to be critiqued for its significance. Through the use of feminist cultural hermeneutics, this study has found out that a transformation approach becomes more appropriate in discussing cultural practices from a feminist perspective rather than inculturation which has been advocated in the scholarship of African theologies.

Therefore, despite the authenticity of African culture, there is need for African Christians to heed the danger of seeing this authenticity and value as a reason for upholding everything that is in African culture, at the same time Christians need to heed the danger of seeing Christianity as a religion whose "culture" is blameless. In this study, practices like child marriage and widowhood inheritance have been identified as cultural practices needing analysis both from the African and Christian perspective especially in the context of gender and HIV and AIDS. In her discussion of the dialogue between the gospel and culture, Kanyoro confirms that point by stating that neither African culture nor western culture should be embraced in Christianity as "angelic and free" from analysis.<sup>621</sup> Instead, all cultures should be brought into scrutiny so as to assess their significance in society. In the case of this study, both the biblical view and the African view of child marriage and widowhood inheritance were scrutinized and assessed in terms of both their threat and usefulness to the members found engaging in these practices. The assessment of these cultures then led to the suggestion of developing a cultural analysis through a transformation approach. In order to provide an effective approach to the cultural analysis that has been proposed for this study, I start by analysing different cultural perceptions from the responses of the participants to this study.

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<sup>620</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 55.

<sup>621</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 66.

## Cultural Perceptions

Through the responses of the participants of this study, I was able to identify some of the cultural perceptions that people hold about their cultures, and how that influence the way they understand cultural practices like child marriage and widowhood inheritance as church teachings and African traditional teachings. Three responses on how people view their culture were identified from girls, widows, church leaders and ordinary members of the UCZ who participated in this study. The first notion came from most of the male church leaders who argued that it is possible and desirable to live by the gospel above African culture.<sup>622</sup> The second notion came mainly from both male and female church members and a few male church leaders. This group emphasised the essence of seeing African culture as our culture. The last notion was a call for syncretism. This view was stated by almost all the participants involved in this study. In the section that follows, I have discussed each of these perceptions, showing how each one of them can be used in the process of cultural transformation.

### 7.3.1 The Gospel Placed Above African Culture

As stated above, the majority of the church leaders who participated in this study saw Christianity as superior to African culture. These participants felt that practices involving child marriage and widowhood inheritance need to be done away with, and replaced with what they called Christian values. These practices were viewed as unchristian and irredeemable; as such, they needed to be done away with and replaced by what they called Christian values. Nicholls sees this kind of approach to culture as emerging from mission and denominationally-founded churches, where there are enforced ecclesial structures or doctrinal standards of right conduct.<sup>623</sup> Following Nicholls' statement, it can then be assumed that the responses of these church leaders may have been influenced by their theological training which is engrossed in the origins of UCZ as a missionary-oriented church.

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<sup>622</sup> Kanyoro, *Engendered Communal Theology*, 158.

<sup>623</sup> Bruce J. Nicholls, *Contextualization: A Theology of Gospel and Culture* (Illinois: Inter-Varsity Press, 1979), 31.

an approach is based on the assumption that African traditional Christianity is the answer. Dube further states that such dualisms are regrettable, for no tradition - Christian or African Indigenous Religion - is wholly perfect and without gender and other forms of oppression.<sup>624</sup> This kind of approach to culture can also be critiqued for its focus on African culture as the one needing liberation from Christianity. In support of Dube's argument, Ntloedibe-kuswani asserts that western culture remains a stumbling block to establishing harmony between African culture and the Christian gospel.<sup>625</sup> In response to the notion above, Kanyoro's African feminist cultural hermeneutics becomes a necessary tool for critiquing this notion as it addresses both African culture and Christianity using gender lens.<sup>626</sup> Thus, a critique of African culture alone would not provide an effective response to the transformation that is advocated for in this study. At the same time, this response from the church leaders comes as a limitation to the research question of this study which is; an assessment of the UCZ response to traditional marriage practices that influence the spread of HIV.

### 7.3.2 The Response "It is Our Culture and We Live by It"

The second response from the participants of this study was the perception of African traditional practices as the essence of their culture and centre of their identity. This response came from the minority of male participants of the Contextual Bible Studies group. However in the context of this study, it can be proved as a valid point that needs analysis. This is because the concept of cultural identity comes as one area that has perpetuated the upholding of oppressive cultural practices in most of the African communities. In response to the notion of cultural identity, Kanyoro observes that it is a great threat to communal security to be critical of culture, for there are elements of these cultures that are the very roots through

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<sup>624</sup>Musa Dube, "HIV and AIDS Research and Writing in the Circle of African Women Theologians 2002-2006", in *Compassionate Circles: African Women Theologians Facing HIV*, edited by E. Chitando and N. Hadebe (Geneva: WCC Publications, 2009), 183.

<sup>625</sup>For more discussions on this theme see Gomang Seratwa Ntloedibe-kuswani, "Religious Life of an African: A God-given Praeparatio Evangelica? *Thalitha Cum! Theologies of African Women*", edited by N. Njoroge and M. Dube (Pietermaritzburg: Cluster Publications, 2001), 97-120.

<sup>626</sup>Musimbi Kanyoro's book entitled *Introducing Feminist Cultural Hermeneutics* is among the Circle literature that reflects the African women's response to cultural syncretism. Kanyoro and other African Women Theologians call for a move away from inculturation that seem to suggest the bringing together of the two cultures without putting Christianity into scrutiny. African Women Theologians are instead calling for a cultural transformation that is gender neutral in its critique, with its aim at liberating humanity. For more discussions on this see Kanyoro, *Feminist Cultural Hermeneutic*; Oduyoye, *Hearing and Knowing*; and Kanyoro and Oduyoye, *The Will to Arise*; Oduyoye, *Daughters of Anowa*.

es are nurtured.<sup>627</sup> This however does not mean that  
approach to culture. Instead she is calling for a choice of  
combining an affirmation of culture and a critique of it that will have the potential to sustain  
modern Africa.<sup>628</sup>

The response from the participants had both positive and negative implications for the UCZ. The positive implication is that their concern is to preserve one's culture from being seen as insignificant by people from other cultures. Nevertheless, the negative implication occurs when one wishes to preserve one's culture without considering negative consequences of that culture to the people who are practicing it. As pointed out by Dube, it can also be inferred that this group could have been responding to the colonized framework of understanding African culture which highlights the negative cultural practices, as is the case in many of the mission churches in Africa.<sup>629</sup> Engrossed in this kind of thinking, the intention from these participants was to protect these cultural practices from being outlawed by Christianity.

In the case of traditional marriage practices such as child marriage and widowhood inheritance, this kind of approach to culture comes with a threat to life. The threat comes when such practices are upheld as *our culture* to the point that they fail to promote the wholeness of life for men and women involved in these practices. Therefore, taking the route of seeing culture as *our culture* has the potential of embracing African culture without being critical of its oppressive nature. The danger of this kind of approach is that it also creates a power structure, entailing that those with power will determine how these cultures will be preserved and by whom. In view of the dangers that such kinds of perception of culture bring to society, it is important to be cautious of how we address this kind of cultural perception.

### 7.3.3 A Call for Syncretism

The third point was raised by a significant group of participants from this study. The group called for a dialogue between African culture and Christianity. Their main argument was the need to respect child marriage and widowhood inheritance from both the Christian tradition and as an African culture without much emphasis on the need to critique these cultural

<sup>627</sup>Kanyoro, "Engendered Communal Theology: African Women's Contribution to Theology", 159.

<sup>628</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 57.

<sup>629</sup>Dube, "HIV and AIDS Research and Writing in the Circle of African Women Theologians", 185.

group was the liberation of cultures in the form of the first one, seemed to have been favoured by the majority of the participants - even though some of them raised concerns over the oppressive nature of some of the teachings of the church. In both child marriage and widowhood inheritance, literature and the responses from the participants showed that both practices are found in Christian teachings and African culture. As Chitando points out, to a large extent, Christianity in Africa has a distinctively African outlook. What remains as a challenge is how to respond to some of the African cultural practices that increase vulnerability to HIV.<sup>630</sup>

In view of the three responses discussed above, what then should be the way forward for the UCZ? The answer to this question is a proposal for cultural analysis that will be able to analyse why different groups of people who participated in this study responded the way they did to these traditional marriage practices. How should the church respond to these traditional marriage practices that are perpetually practised within the church? In the section that follows, I will discuss the cultural analysis model in an attempt to understand why people continue to uphold cultural practices that are oppressive to humanity, despite the campaigns against these harmful practices.

#### 7.4 What is a Cultural Analysis Model?

According to Withnow et al, cultural analysis may be described as the study of the symbolic expressive dimensions of social life. The subject matter of cultural analysis is readily observable in the objective acts, utterances and objects of social interaction. Cultural analysis concerns itself with human behaviour.<sup>631</sup> Williams defines cultural analysis as an activity of criticism by which the nature of the thought and experience, the details of the language, form and convention in which these are active are described and valued.<sup>632</sup> In the era of HIV and AIDS, practices like child marriage and widowhood inheritance have been viewed negatively without assessing the cultural context from which these practices were used in the past, and how the past has influenced the way these practices are viewed in the present.

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<sup>630</sup>Chitando, *Troubled But Not Destroyed*, 52.

<sup>631</sup>Robert Withnow, James Davison Hunter, Albert Bergesen and Edith Kurzwil, *Cultural Analysis* (London: Routledge and Kegan Paul, 1984), 259.

<sup>632</sup>Raymond Williams, *The Analysis of Culture*, in *Culture, Ideology and Social Process*, edited by Tony Bennett, Graham Martin, Colin Mercer and Janet Woollacott (London: B.T. Batsford Ltd, Open University Press, 1981), 43.

Communities first formulated all these cultures for particular reasons that worked for them in their time and place. But at this time and in the HIV and AIDS context in particular some of these cultures have become counterproductive, the communities are aware of the limitations and researchers will find that reviews, renovations have already begun. These need to be documented and elaborated.<sup>633</sup>

In this context, the best way to respond to the changes suggested by Dube would be to first focus on the renovations and reviews in progress and thereafter do an analysis of these cultural practices. There is also a need to understand how these new reviews and renovations are being addressed in the community. Caution, however, should be taken to assess the extent to which these changes have been accepted by the community. This is due to the fact that in some cases there is also a possible danger of resistance to change by some of the members in the community, as is reflected in this study. This then will lead to an enquiry as to why some people still continue to secretly observe these practices that are seemingly harmful in the context of HIV. Thereafter, a cultural analysis can be suggested that will present ways in which the UCZ can address these cultural practices. A suggested cultural analysis should also eliminate any negative opinions attached to child marriage and widowhood inheritance that hinder discussions on finding solutions to these cultural practices can be addressed by the church.

Nicholls quotes Barney in his unpublished article where he talks about different layers of cultural knowledge that require discussion, critique and analysis using a gender lens. According to Barney:

Culture is a series of layers, the deepest of which consists of ideology, cosmology and world view. The second layer consists of values, stemming from both these layers is the third one which is a layer of institutions such as marriage, law and education. These institutions are a bridge to the fourth and surface layer which is artifacts and observable behaviour and customs. This surface area is easily described and more easily changed.<sup>634</sup>

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<sup>633</sup> Dube, "In the Life of the Circle", 222.

<sup>634</sup> Linwood Barney "The Spura Culture and the Cultural: Implications for Frontier Missions", in *The Gospel and Frontier Peoples Revised* unpublished edition, edited by Pierce Beave (South Pasadena: William Carey Library 1973) cited in Nicholls, *Contextualization*, 11. At the time of writing this thesis, the article in question could not be found anywhere except in the book written by Nicholls.

integrated systems of beliefs, feelings and values that further states that culture consists of layers. On the surface, culture is made of the document systems of symbols and beliefs. It also encompasses the ideologies that govern our societies. At the core of culture is the worldview.<sup>635</sup> Nicholls further shows that religion as a human factor in culture influences and is influenced by each of these layers.<sup>636</sup> For example, worldview and religion in a healthy culture are integrated with and supportive of each other.<sup>637</sup> A further discussion of this cultural analysis model is illustrated in the diagram below.

In the diagram below, the four divisions in which culture is reflected can be categorized according to the UCZ response to traditional marriage practices in the context of HIV and AIDS. In my analysis of this diagram I wish to begin from the outer part of the circle coming inwards. At each stage, I will try and show how the UCZ response to child marriage and widowhood inheritance can be applied culturally, so as to help the church to arrive at a more effective way of addressing these traditional marriage practices in the context of HIV.

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<sup>635</sup> Paul G. Hiebert, "The Gospel in our Culture: Methods of Social Change and Cultural Analysis", in *The Church Between Gospel and Culture: The Emerging Mission in North America*, edited by G.R. Hunsberger and Graig van Gelder Graig (Grand Rapids: Eerdmans Publishing Co., 1996), 142.

<sup>636</sup> Nicholls, *Contextualization*, 12.

<sup>637</sup> Charles H Kraft, *Christianity in Culture: A Study in Dynamic Biblical Theologizing in Cross-Cultural Perspective* (Maryknoll: Orbis Books, 1994), 382.

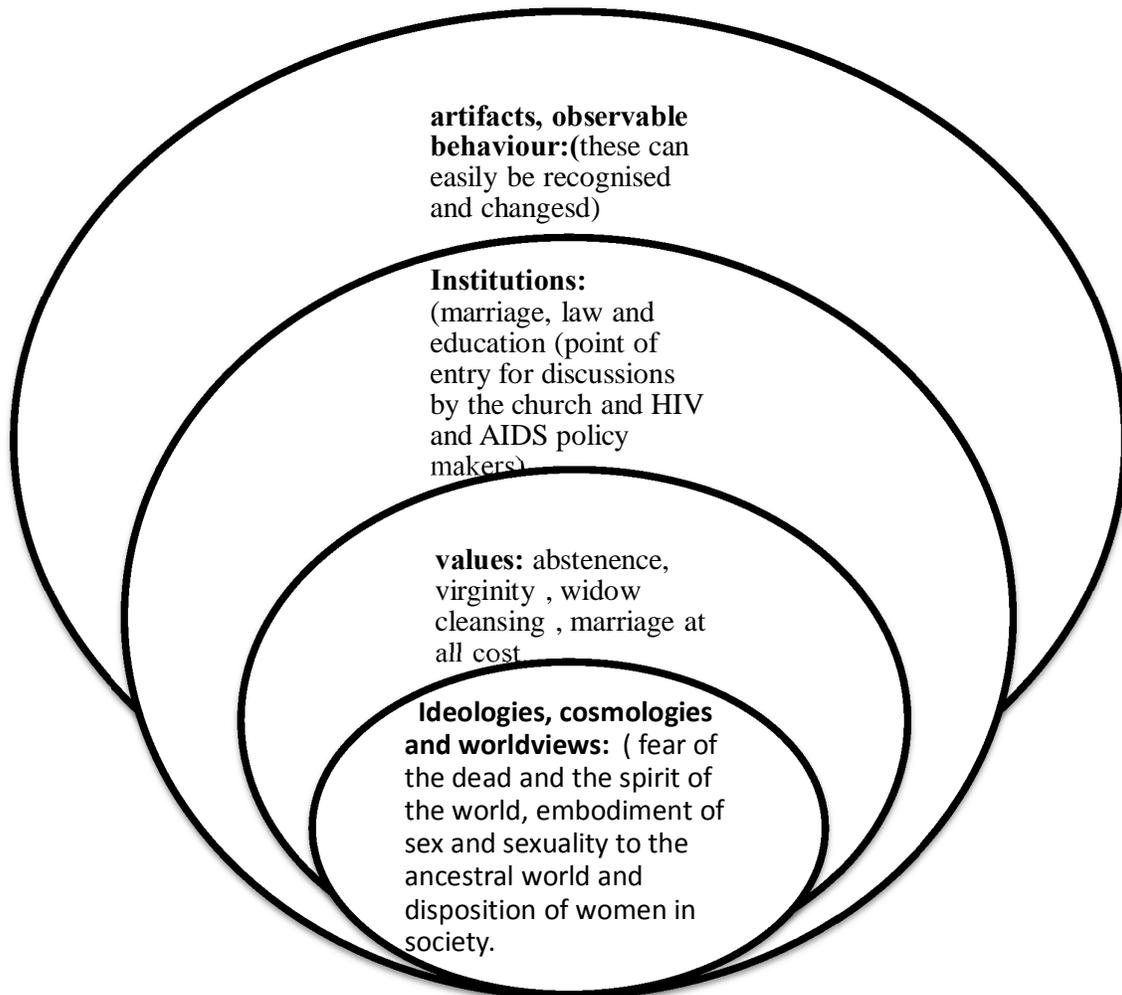


Figure 1.2 A Figure describing a cultural analysis model as adopted from (Barney 1973).

### *Artifacts and Observable Behaviour*

This is the first layer, which forms the surface part of culture and is easily observable and easily adaptable to change. Bate sees the outer layer of culture as cultural forms. Bate calls these cultural forms as observable parts of a culture which give us the first and superficial

In the case of child marriage and widowhood inheritance, the practices in which the church administers discipline to the widows and girls found in these practices, the mourning periods in the case of widows, and the kind of pre-marital teachings that a girl can be given before her marriage. All these are changeable artifacts and observable behaviours that may be done away with or changed at any time by society.

### *Institutions: Marriage, Law and Education*

This is the second layer of culture which focuses on institutions found in different cultures. In this layer we find the institutions where these values are implemented. In this study, I have called this the entry point for the church and other policy makers who are concerned about addressing cultural practices that pose a threat to HIV infection. In their efforts to curb the HIV pandemic, policy makers have identified marriage, where there are unequal power relations, as an institution that poses a threat for HIV infection. Young girls have been blamed for entering into marriage too early when they are not emotionally and physically mature to cope with the pressure that marriage brings upon them. Widows too have been blamed for accepting to go through sexual cleansing rituals. The question remains: Why is it that despite all the efforts to discourage these cultural practices people still continue doing the practices? The findings of this study have shown that the church's call to the members to abandon cultural practices that pose a threat to HIV infection have not been effective, as these practices are still common even among church goers. According to this layer, the problem could be that the UCZ has taken institutions like marriage as a Christian institution that does not require any cultural analysis. This means overlooking people's values and worldviews that are engrossed in these institutes and that need analysis. This then leads to the third layer; this is the values on which people's lives are constructed.

Apart from the institution of marriage, this layer also holds laws and education of the society. Under the laws and education, culture is learnt, adopted and passed on from generation to generation. In the case of this study, it was discovered that the customary law is one kind of law that can be identified from this layer. Under this law, child marriage and widowhood inheritance practices are upheld and accepted as norm of society without paying much

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<sup>638</sup>Stuart Bate, *Human Life is Cultural: Introducing Anthropology* (Pietermaritzburg: Cluster Publications 2002), 51.

these practices. The acceptance of these practices has education. What kind of education has been offered to the people on these two traditional marriage practices?

### *Values*

This is the third layer in the understanding of culture that deals with values that are found in a particular culture. In the case of child marriage and widowhood inheritance, some of the values that I included are; abstinence, virginity, widow sexual cleansing, condom use, and the need for every woman and man to marry. These values are embraced and preserved as a cultural heritage that helps to keep the cultural practices in place. For example, abstinence does not only come as a Christian value, but in some ethnic groups it is also a teaching that is given to the girls as soon as they reach puberty. Similarly, in the case of widowhood inheritance, it is a cultural requirement for widowers/widows to be cleansed before they are considered free to be reincorporated in their societies again. Therefore, these teachings emerge as society values that need to be addressed in relation to people's worldviews. It is therefore not enough for the church to simply state that sexual cleansing is not allowed in the church without analysing the factors that lead to the prohibition of sex outside marriage for these young people. The answer to this statement leads to the core of the circle, which is the need to address people's ideologies, cosmologies, and worldviews. In an attempt to assess the role that the church has played in either discouraging or promoting traditional marriage practices that pose a threat to the spread of HIV, this study found out that the position that the church has taken requires a cultural analysis that will address the core value of culture, which is people's worldviews.

Using the diagram above, I have shown the entry point for the church in its response to cultural practices that are a threat to HIV and AIDS. At the institutional level, we have the UCZ telling the people about the do's and don'ts of culture as reflected in the field research responses. This is mainly done without assessing why people continue to adhere to these practices even when they are life threatening. Then comes the values level -sometimes controversies begin to emerge in this level. This is because at times, Christian values and African values do not always agree with each other, even though there have been cases of compromise between the Christian values and African values on certain cultural practices. Having looked at all the layers of culture and how they influence the UCZ's response to



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her promote or discourage the spread of HIV and AIDS, as a starting point for cultural analysis, as I will show below.

**7.4.1 Worldviews as the Starting Point for Cultural Analysis**

In the two previous levels of culture, I have discussed the institutions and values that influence the way in which people respond to culture. In the two levels, I have also shown the reasons why the church needs to go beyond these two levels and address people’s worldviews. Therefore, the answer to how the church should address the problem of continued practising of life threatening cultural practices as reflected in this study is found in addressing people’s worldviews. This new approach to culture in the context of HIV and AIDS will call for a move away from merely condemning the practices and telling people to submit to the teachings of the church, but will focus on a deeper investigation as to why people continue to engage in practices that are life threatening even when they have been warned. Thus, I propose the attempt to understand people’s worldview since worldviews form the core of culture.<sup>639</sup>

When defining ‘worldview’ Hiebert states that:

At the core of culture is the worldview. These are fundamental unquestioned assumptions we make about the nature of things. Our worldviews give us both a synchronic and a diachronic understanding of reality. Synchronically they define for us the structure of that reality. They give us the categories with which we think and declare what is real and important and what is not. Our worldviews are what we think with and not what we think about. Diachronically our worldview provides us with the big story of ‘what is really going on here?’<sup>640</sup>

In the case of child marriage and widow inheritance, at the core of these two cultural practices is the whole crux of sex as a contested arena, and the idea of seeing these two cultural practices as irreversible practices that have held the community together for a long time. While respecting the views above, we can use statements from Hiebert in our analysis of these two practices. According to Hiebert, first one needs to ask questions such as: What is important and what is not in these practices? Second, one needs to find out how the practices are upheld. In this sense, a cultural analysis of this nature will help to understand how

<sup>639</sup>Kraft, *Christianity in Culture*, 383.  
<sup>640</sup>Hiebert, ‘The Gospel in our Culture’, 142.

influenced by the two factors stated above. Bate sees a worldview as a set of beliefs about the truth of how we see our world and reality, as an important concept in cultural analysis. It is a set of assumptions about the world which we are taught from childhood, and which we bring to everyday experience.<sup>641</sup> For example, the problem of fear of the spirit world is something that most people from all the ethnic groups in Zambia have been socialized into from childhood. As a child, one is given to understand that death is associated with mischief which if not addressed may cause havoc in the community. Therefore, a widow/widower is always made to be conscious of this spirit world which is only appeased with cleansing rituals. As a result of this concept, the church will have to address people's fear of the spirit of their departed ones, a fear that is embedded in their belief systems. However, the main challenge for the church is to find ways to help people to see the negative concepts within this kind of teaching, thereafter, to find ways to address the practice in a liberating way.

The church's failure to understand people's worldviews can also lead to laxity on the side of the church in its response to issues affecting its members. Thatcher points out that the lack of understanding of individual risk and vulnerability of people has led communities to attach moral blame to individuals. This is done without taking into account their context of vulnerability, or the power differentials that make it impossible for them to choose the less risky options.<sup>642</sup> In both child marriage and widowhood inheritance there are hindrances directed towards individuals that make it difficult for them to choose less risky options. Among others, gender, patriarchy and fear of the spirit of the dead are just some of such hindrances. Girls who went into forced marriage by their parents need to be understood separately from those who chose to get married for their own freedom. Those widows who were forced to be sexually cleansed need to be understood and helped by the church separately from those who opted for prayers. This means reaching the core value of culture, which is the way in which people perceive the world around them, and bringing these worldviews into scrutiny. If the UCZ aims at cultural transformation, it has to begin by understanding the worldview of its members on these traditional marriage practices.

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<sup>641</sup>Bate, *Human Life is Cultural*, 33.

<sup>642</sup> Thatcher, *Marriage After Patriarchy*, 40.

es seeking effective transformational change should try of *critical changes in the worldview*, rather than a large number of peripheral changes. This is because peripheral changes, if not well handled, can lead to hindrances to cultural transformation as they tend to ripple misleading information into the worldview.<sup>643</sup> Some of the effects of changes that were identified as forced to the periphery of culture in this study were the issue of condom use for young girls and use of alternative rituals in widow cleansing that are not gender sensitive. In as much as these practices are there to curb the HIV pandemic, there is still the need to assess whether they are oppressive, in terms of their gender sensitivity and acceptability as values of society.

Hiebert discusses the possible conflict between the society and cultural systems arguing that in the examination of social and cultural systems and the relationships between them, it is evident that the two reinforce each other. Changes in one are likely to produce changes in the other. However, there is usually tension between cultural ethics and social realities.<sup>644</sup> Hiebert further observes that we may change people's beliefs and worldviews but this does not guarantee change in society.<sup>645</sup> Societal change will require serious introspection into the way in which a particular society is structured. The question that we may need to ask is, who are the change agents in this particular society, and what effect will this change bring to the way in which the cultural practices we want to change are understood in this particular community. In the case of this study, it will be wrong to assume that since society is believed to be undergoing change with the advent of modernity, therefore the culture of the people has changed. Due to the embedded beliefs in people's lives about certain cultural practices, certain cultural practices may remain static even amidst vast social changes. That is why in this study, cultural analysis has been identified as the way of addressing such cultural practices as it deals with addressing people's embedded belief systems.

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<sup>643</sup>Kraft, *Christianity in Culture*, 362.

<sup>644</sup>Hiebert, "The Gospel in our Culture", 143.

<sup>645</sup>Hiebert, "The Gospel in our Culture", 143.

## to Cultural Transformation

After discussing the cultural analysis model applied in this study, I wish to show that cultural analysis is a solution to cultural transformation. According to Kraft, culture patterns and processes are constantly undergoing change due to the influence of human beings. Thus, when individual transformation takes place it leads to changes in the way the person uses and understands culture which later on affects the whole community.<sup>646</sup> In this study, I call for cultural transformation rather than inculturation as a model for responding to cultural analysis. Cultural transformation is a form of approach to cultural analysis that sees both the positive and the negative aspects of culture while responding to people's worldviews and ideologies. In this regard, Dube has rightly challenged African Women Theologians to begin to see some redeemable aspects of African culture other than concentrating on condemning it altogether. Of particular significance to this study, Dube further calls for an exploration of theologies and theories that hold various African communities together.<sup>647</sup> The grassroots theology that is lived will arise out of the needs of the communities,<sup>648</sup>

According to Hinga, our new context is riddled by HIV and AIDS with the consequence that our existing culture cannot provide easy and ready-made answers. HIV and AIDS challenge us to embrace culture as a dynamic reality.<sup>649</sup> A report by Health Link shows that a cultural approach sets out to systematically engage with the "webs of significance" that people create. The report further shows that culture is a factor in the social trends that contribute to infection.<sup>650</sup> As a result of this, any discussions on HIV and AIDS ought to also focus on the so-called "webs of significance" which are also associated with the culture of the people concerned and the significance that they assign to the cultural practices they are involved in.

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<sup>646</sup>Kraft, *Christianity in Culture*, 362.

<sup>647</sup>A summary of this article shows that part of Dube's argument was a call to a cultural analysis. This will help further research by African Women Theologians, as they begin to reflect on the positive elements of culture. For more discussions see Dube, "In the Life of the Circle: African Women Theologians' Engagement with HIV and AIDS".

<sup>648</sup> Kwame Bediako, *Jesus and the Gospel in Africa* (New York: Orbis Books, 2004), 9.

<sup>649</sup> Helen Ayanga, "Religio-Cultural Challenges in Women's fight against HIV/AIDS", in *Women, Religion and HIV/AIDS in Africa: Responding to Ethical and Theological Challenges*, edited by T. Hinga et al (Pietermaritzburg: Cluster Publications 2008), 37.

<sup>650</sup>Health Link Worldwide, *What's Culture got to do with HIV and AIDS?* London: February 2007, [www.healthlink.org.uk](http://www.healthlink.org.uk) accessed on 09/12/2008.



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...tment in relation to widowhood inheritance practices in

A call for a transformative approach to these cultural practices means that neither the church nor those in the academy can afford to remain culturally blind or insensitive to these practices. Mere condemnation of a given practice does not necessarily lead to its abandonment, very often it does the opposite. There is need to ask the right questions and tread steadily and carefully in these cultural arenas if appropriate solutions are to be found.<sup>651</sup>

In the context of UCZ, widowhood inheritance and child marriage practices need to be evaluated for their positive aspects, and the use of these positive elements for community edification needs to be encouraged while fighting against the negative elements in these same practices. For example, the idea of community spirit and care for the widows and orphans should be identified as a positive outcome of this practice. The problem of sexual cleansing needs to be understood and critiqued in the context of the spirituality of purity beyond pleasure. This can be done by using a cultural analysis model that involves understanding people's worldview. This is because in the African context, sex carries along a variety of duties other than intimacy and procreation. This then requires an approach that will aim at understanding the cultural values of the people to whom change will be applied.

Another example is that of seeing sex as a tool for oppression in child marriage. Even though sex in marriage is engrossed in patriarchal powers, it would be wrong to assume that sex in marriage is a symbol of domination. However, a positive way of transforming this concept isto re-examine practices such as initiation ceremonies for girls, for example, *imbusa* that provide sex education in preparation for marriage. These ceremonies need to be focused towards empowering the girls to see sex in marriage more for their own pleasure than procreation and satisfaction of their partners.<sup>652</sup> Despite the fact that these institutions may not have been providing the much needed education on HIV and AIDS, the initiators need to be encouraged to speak about HIV to these girls. This is only possible when the church begins to engage in HIV and AIDS educational programmes that will be able to address practices such as *imbusa* and their influence in either preventing or promoting the spread of HIV.

<sup>651</sup>Ayanga , *Religio-Cultural Challenges in Women's fight against HIV/AIDS*, 43.

<sup>652</sup>Moyo looks at how sex as a power issue has defeated the mutuality of intimacy in marriage. She therefore encourages assertiveness on women when addressing sexual intimacy in marriage See Moyo, *The Red and White Beads and the Malawian Women's Sexual Freedom*.

to be cautious of the fact that these same initiation practices are often seen as oppressive institutions, especially in the area of sex education. In response to the oppressive nature of *imbusa* it can be argued that cultural analysis is the best way to transform this practice. The best way to do this is by first examining the historical traditions from where these practices emerged, an issue that was overlooked by the missionaries. Stackhouse contends that no one can live without roots. "To have one's tradition destroyed is to be a victim of cultural, social and religious genocide. In the process of examining and preserving these historical roots the question which should be asked is, which roots are deepest, broadest and the most nourished?"<sup>653</sup> This is also confirmed by Shaw who, in her lived experience with the people of Zambia as missionaries called for missionary tolerance of African cultures saying, "the missions must conserve all that is true and good in the old life and build upon it."<sup>654</sup> In the case of transforming these cultural practices, each of these traditional roots will require a cultural analysis that will lead to critical analysis aimed at transforming the *imbusa* practices in order for them to become relevant to the context in which they will be of service.

Even though Stackhouse seems to uphold tradition, he also warns that when tradition is accepted as a criterion of validity in theology, the case for the contributions of forebears has to be made anew in each generation.<sup>655</sup> Therefore, if these traditional marriage practices are practised from the traditional point of a given culture, changes on the practice should affect each generation. In agreement with Stackhouse, Newlands asserts that from a cultural perspective, there has to be recognition of pluralism at many levels of social groupings. Instead of seeking the parochial or the locally dominant culture, we need to seek the best solution to problems...despite arising from different ethnic traditions.<sup>656</sup> In the case of child marriage and widowhood inheritance, the best solution will be to look at the liberative forms of addressing these practices from each of the different ethnic groups of Zambia - ways that will be free from patriarchal oppression, and be gender and HIV sensitive. Having looked at the way in which cultural analysis can be used as a model for transformation of cultural practices that are harmful to society, the question to be asked is how can we make people aware of the need to reflect on and critique their own culture?

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<sup>653</sup>Stackhouse, *Public Theology and Political Economy*, 8.

<sup>654</sup>Mable Shaw, *God's Candlelight: An Education Venture in Northern Rhodesia*(London: Edinburgh House Press 1933), 13.

<sup>655</sup>Stackhouse, *Public Theology and Political Economy*, 8.

<sup>656</sup> Newlands, "Human Rights: Divine Transcendence", 129.

Looking at the three perceptions from the people interviewed in this study, we can conclude that there is a need for consciousness-raising with the people on how to address these cultural practices using their worldviews as a starting point. The first thing to be addressed is the way some of the cultural practices associated with child marriage and widowhood inheritance have been interpreted. Oduyoye uses the analogy of Phillip's question to the Ethiopian - to be cautious against the danger of unguided interpretation - in her discussion of the danger of misinterpretation of text.<sup>657</sup> People need to be helped to realize that both African culture and Christian faith need to be analysed and critiqued. They need to be aware that although the Bible is the word of God, it carries an androcentric patriarchal and Eurocentric nature due to its contextual originality.<sup>658</sup> In another development, Kanyoro agrees with Phiri and Nadar on the danger of uncritical reception of the similarities found in the Bible and the African culture. Kanyoro warns against the hasty justification of cultural practices that are harmful - especially to women - despite the fact that they are found in the Bible. She also sees those cultures that are far removed from the biblical culture as being at risk of reading the content as biblical fiction.<sup>659</sup> In this case, Kanyoro calls for a cultural hermeneutics that puts every culture under scrutiny, with the intention of testing its liberative potential for people at different times in history.<sup>660</sup> This means that in a cultural analysis of practices such as widowhood inheritance and child marriage, we need to look out for trends within the practices that are liberative for men and women and uphold them, and condemn those that do not promote the fully humanity of both men and women. In this case, it calls for scrutiny of those practices that promote the spread of HIV and AIDS.

However, Kanyoro points out that there are profound difficulties in seeking the liberation of culture. In most parts of Africa, culture is perceived as the thread that strings the community beliefs and social structure together. It is therefore a great threat to community security to be critical of culture, for there are elements in these cultures which are the very veins through

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<sup>657</sup>The author illustratively asks the question that Philip put forward to the Ethiopian centurion in the book of Acts, "Do you understand what you read?" This illustration was used to challenge both theologians and ordinary readers to create a balanced, holistic view of understanding the Bible, culture and social political events that affect women. See Oduyoye, "African Women's Hermeneutics", in *Initiation into Theology: The Rich Variety of Theology*, edited by S. Maimela and A. König (Pretoria: J.L. van Schaik Publishers, 1998), 365.

<sup>658</sup> In chapter five of the book entitled *Wisdom Ways: Introducing Feminist Biblical Interpretation*, Schüssler Fiorenza discusses the multilayered tools that the Bible carries that also affects its interpretive authority.

<sup>659</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 10.

<sup>660</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 10.



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ty is nurtured.<sup>661</sup> Therefore, without conscientization on  
d up in dilemmas like the one of my mother in the case  
study below.

### *Case Study - The Hermeneutical Dilemma of my Mother*

My experience of Kanyoro's views on the dilemma of dealing with culture came in 2005 during a funeral in one of my childhood villages. A childhood friend lost her husband in a road accident. Due to ethnic difference and religious association, the issue of widow cleansing became a contentious issue among the family members and the entire community. The widow believed that as a born-again Christian she did not need to be cleansed in any way because according to her doctrinal understanding she was free. Her argument was that her marriage has ended through death (*till death do us apart*) therefore following this biblical teaching, she was a free woman. On the other hand, her family felt she needed to be cleansed because she was unclean and that might affect not only the family but the community as a whole.

My mother was asked to help the family in decision-making as one of the church leaders in the community. After the decision was made that the widow be forced into sexual cleansing, I asked my mother what she would have done if the case was concerned one of her girl children. My mother said that as much as she believed that there would be no harm that would befall us from refusing to be sexually cleansed due to her Christian belief, she was still convinced that she would follow what the community and my father's family would say. This for her was a better way of living at peace with the family and community. This to me was an indication that cultural analysis cannot be done outside the community of people who are involved in that particular cultural practice. My mother's answer also involves my father's family, showing the role of patriarchy in addressing African culture.

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<sup>661</sup>Kanyoro, *Introducing Feminist Cultural Hermeneutics*, 14.

other's story which is also reflected in this study is a  
'dilemma between the two canons'.<sup>662</sup> The members of the  
community were Christians who were trying to follow cultural practices of both traditions,  
which are the Christian tradition and the African tradition. In agreement with this dilemma,  
Kanyoro points out that African Christians live in two worlds; that of their African religion  
and culture, and that of the church and western culture. This dilemma cannot simply be  
ignored,<sup>663</sup> especially in the case where Christianity is also embedded in the western culture.  
This then calls for liberation of the cultures within the two religions. Thus, there is the need  
for people to be made aware of such dilemmas, in the form of conscientization.

To conclude the section on cultural analysis, I wish to use Reader's statement that theological  
reflection builds upon a practice of inner reflection, an awareness of the reflective dimension  
of human nature, and the capacity to stand back and both record and analyse what is  
happening at that particular level.<sup>664</sup> Reader calls this a point where Christians analyse,  
respond, and develop critiques of practices that are damaging to human life.<sup>665</sup> In this study, I  
have navigated through the process of trying to understand the church's response to cultural  
practices that pose a threat to the spread of HIV. After a detailed study of these practices, I  
have developed a critique and made suggestions as to how the church should respond to these  
practices in the context of HIV. Throughout my discussions of the UCZ response to these  
practices, I have indicated the ambivalence with which the church has responded to these  
practices. In my own words, I take the church as a person standing by the banks of the river  
trying to rescue a drowning person, while holding on to the life jacket. The church as a  
community of faith is supposed to be the support system for the people, and be able to throw  
the life jackets to its people who are affected by the pandemic through these traditional  
marriage practices.

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<sup>662</sup> I use this phrase from Masenya to illustrate the dilemma that many African Christians experience in their  
effort to negotiate the space between African Christianity as their new found religion and their original faith  
which is African Traditional Religion. This is where most Christians struggle, especially when they are faced  
with the challenge to analyze culture in such a way that the better part of the culture is upheld and encouraged  
and the waste part is discouraged. For more information see Madipoane Masenya, *Trapped Between the Two  
Cannons: African-South African Christian Women in the HIV/AIDS Era in African Women HIV/AIDS and  
Faith Communities* edited by Phiri, I., Haddad, B., and Madipoane M. Pitertermaritzburg: Cluster Publications,  
2003,114.

<sup>663</sup> Kanyoro, *Introducing Feminist Cultural Hermeneutics*,13.

<sup>664</sup> John Reader, *Reconstructing Practical Theology: The Impact of Globalisation* (Hampshire: Ashgate  
Publishing Limited, 2008), 14.

<sup>665</sup> Reader, *Reconstructing Practical Theology: The Impact of Globalisation*.

...itance need to be understood and analysed in the light of human rights and gender lens. Newlands argues that even when churches campaign against human rights abuses, they are sometimes caught in a trap where they begin to invoke ancient legislation which concedes their autonomy under God.<sup>666</sup> Following the findings of this study, it can be argued that the UCZ has in some cases responded to child marriage and widowhood inheritance using these ancient legislations. Women and girls found in these practices were suspended from the church as a form of discipline for the offence. The problem that was discovered from these suspensions, as discussed in this study, is the way in which these women and girls withdrew from the church membership. This kind of treatment, though informed by the church's policy, has been critiqued for its lack of sensitivity to the welfare of these women and girls.

## 7.6 Conclusion

To conclude this chapter, I wish to use the words of Ayanga who argues that in contemporary African society, the use of the term culture is almost always negatively referred to as a customary or pre-colonial African way of life - sometimes seen as archaic, no longer of value and backward.<sup>667</sup> However, in the context of HIV and AIDS, culture has emerged as one of the factors that influence the spread of HIV.<sup>668</sup> Thus, the wake of HIV and AIDS requires the church to re-examine its position as far as cultural practices are concerned. In order to do so, in this chapter I proposed cultural analysis as an appropriate model for this purpose.

In order to support my decision I have provided a detailed description of cultural analysis showing why it is the best mode for cultural transformation. Findings from this chapter have shown that people perceive culture in many different ways. It is these different perceptions that also inform how people interpret their worldview. Therefore, in relation to this study, the worldview of the people becomes a starting point to discuss cultural practices that pose the threat of HIV infection. Situations like fear of the spirit of the dead in cases of sexual cleansing were critiqued from the point of the African concept of the spirit world. Questions that were asked in this study are: Why do people always fall back to their tradition of

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<sup>666</sup> Newlands, *Human Rights: Divine Transcendence*, 128.

<sup>667</sup> Ayanga, *Religio-Cultural Challenges in Women's Fight against HIV and AIDS*, 37.

<sup>668</sup> See Chitando *Troubled But Not Destroyed*.



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alamities? Why is it that even people who confess to be  
ld?

Other aspects of this chapter addressed cultural transformation. In an attempt to address the church's response to cultural practices that are a risk factor for contracting HIV, this study has opted for cultural transformation rather than inculturation. Using the works of African Women Theologians including Dube, and feminist cultural hermeneutics as a theory, I have shown how transformation has been used as an effective tool for addressing cultural practices such as child marriage and widowhood inheritance. Having discussed the cultural analysis model that was used to address cultural practices that put women and girls at risk for contracting HIV, in the next chapter I will provide an overall conclusion of the study.

### **8.1 Introduction**

In chapter seven I discussed a quest for transformation of culture using the method of cultural analysis. The findings from this chapter revealed that people's embedded belief systems about certain cultural practices can be effectively addressed by focusing on people's worldviews. This will mean asking investigative questions such as: Why is it that despite the harmful effects associated with certain cultural practices, people still go on to observe these same practices? As a hermeneutical principle of feminist cultural hermeneutics, cultural analysis was used as a model for cultural transformation. This was done in order to find ways in which the church can respond to cultural practices that are perpetuated by the members, despite the fact that the practices pose HIV risk factors.

In this chapter, I bring together themes, insights and concepts from the previous chapters and analyse them in light of the findings of this study. As a conclusion to the study, in this chapter I will also provide a summary of each of the chapters covered. In each of the summaries I will show how the objectives of this study have been fulfilled in response to the research question. Following the issues that have emerged from this study, in the last section of this chapter I will deal with the recommendations and suggestions for future research in an attempt to close the research gaps brought into focus by this study.

### **8.2 General Overview of the Study**

Throughout this study, I have dealt with questions concerning the role that the church plays either in discouraging or promoting traditional marriage practices that contribute to the spread of HIV. Feminist cultural hermeneutics was used as the theoretical framework of this study. Data was collected from girls involved in child marriage, widows, church leaders and lay people using interviews, Contextual Bible Studies and focus group discussion as tools for collecting data. In addition, other literature sources relevant to the study were used. It is this data that helped to answer the research question. Against the background of the research question of this study are the objectives that were also used to address the church's response

es in the context of HIV. Each of the objectives was study.

This study has approached traditional marriage practices from a gendered perspective that also takes into account cultural, theological and HIV and AIDS issues. It has also drawn insights from other disciplines such as history, anthropology, and sociology. These helped to identify the research gaps which were explored further and discussed in this study. The challenge for the church - to reflect on cultural practices that influence the spread of HIV - came with a sense of urgency.<sup>669</sup> This study also agreed with Chitando that sexuality, gender, and poverty are influencing factors to the spread of HIV and AIDS in Africa.<sup>670</sup> Following the discussions above, I wish to draw the following conclusions through the chapter summaries provided below.

### 8.3 Chapter Summary

This study is comprised of eight chapters which are all focused on the research question of this study. Chapter one contains an overall introduction to the study. I began discussions in this chapter with an overview of the HIV and AIDS situation in Zambia, followed by the history of the UCZ. In the second part, I described the importance of the study, and provided both the personal and academic motivations for the study. In the third part, I presented a discussion of the statement of the problem and the objectives of the study. In this section I also addressed the research question, which is to find out the role played by the UCZ in its response to traditional marriage practices that are a threat to HIV infection. Fourth is the explanation of how data was collected, and methods used to collect and analyse the data. Data collection methods included primary sources such as open-ended interviews with church leaders, in-depth interviews with girls involved in child marriage and widowhood inheritance, Contextual Bible Studies with lay people, and focus group discussion with members of the Marriage Guidance Committee. Secondary sources included literature relevant for this study. The data collected in this study was thematically analysed using African feminist cultural hermeneutics as its theoretical framework. The last part of this chapter is a chapter outline.

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<sup>669</sup> The WCC, through the Plan of Action, emerges as one of the bodies that has challenged the church to address cultural practices in its effort to curb the HIV pandemic.

<sup>670</sup> Chitando, *Disclosing Layers of Secrecy*, 172.

...e as a practice that poses a threat in the spread of HIV  
...describe why child marriage poses a threat in the context  
of HIV and AIDS. The findings from this chapter have shown that, first, the idolization of  
marriage is the major factor that has influenced child marriage. Second, the factors identified  
in this chapter are all interconnected in their influence on the practice. The third point is that  
child marriage is an unlawful practice which needs to be discouraged. The best way to do this  
is to revise the UCZ constitution and allocate a clause that will address child marriage. The  
final point is a call for the UCZ to effectively engage with the factors influencing child  
marriage and provide a holistic approach to the problem.

Chapter three contains discussions on widowhood inheritance and its influence on the spread  
of HIV. The main objective in this chapter was to describe why widowhood inheritance is  
viewed as a factor in the spread of HIV and AIDS. The findings from this chapter show that,  
first, widowhood inheritance is common in Zambia and sexual cleansing is still practised  
among church goers even though it is done secretively. Some of the reasons given for the  
continued practice were fear of the spirit of the dead and greediness on the side of the  
administrators. Second, there is a correlation between widowhood inheritance and HIV  
infection especially when sex is used in the ritual act.

At the same time, findings also showed a paradigm shift in the way widowhood inheritance is  
practised in the society today. This shift is from culturally defined practices to more  
economically-oriented practices, coupled with sexual abuse. Third, there is the need to  
address rituals that serve as alternatives to sexual cleansing. This requires a gendered-  
transformed approach to the rituals; providing transformed approaches that do not perpetuate  
gender injustice, and which will remain effective when HIV and AIDS is no longer a threat.  
Finally, the church's response to widowhood inheritance is ambivalent in that theoretically  
the church is against the practice, but practically there are members who are still involved.

Chapter four is a historical investigation of the institution of marriage, with a focus on  
traditional marriage. In this chapter, I also discussed how the church's perceptions of these  
practices throughout history have influenced the way in which these practices are understood  
in the church today. The objective of this chapter was to critically examine the role the  
church has played in either promoting or discouraging traditional marriage practices  
throughout history. This chapter found that first, the definition of marriage has never been

h the church and society. As a result of the different  
rgone, marriage has always been viewed both from the  
secular and the sacred point of view. Second, both child marriage and widowhood inheritance  
practices have been practised throughout church history. However, the church's response to  
these traditional marriage practices has always been ambivalent, in that at one point in history  
the church was against the practices and at another point the church was for the practices.  
Therefore, it is this contradiction that has continued to affect the way these practices are  
understood in the church today.

Chapter five contains an analysis of the Marriage Guidance Programme and the Marriage  
Guidance teaching guides used in the UCZ. Using the missionary response to marriage, the  
Marriage Guidance Programme and the Marriage Guidance teaching guides were analysed as  
an entry point to re-examine the theology of marriage, using the principles of African  
feminist cultural hermeneutics. Addressing this objective, I used responses from the Marriage  
Guidance Committee members through a focus group discussion and the marriage guidance  
teaching guides that were collected from the churches participating in the study. In this  
chapter, I found out that there were no standardized teachings on marriage in the UCZ. The  
lack of standardized materials has also highlighted the need to address the development of  
policies and regulations to be used when addressing marriage related matters. My conclusion  
in this chapter was that the UCZ requires a multi-dimensional theology of marriage that will  
be able to address issues of marriage from a holistic perspective.

Chapter six contains a discussion on the major themes that emerged from the field research.  
The objective of this chapter was to bring together all the themes and analyse them in an  
attempt to find out how these themes have contributed to answering of the research question  
and the objectives of this study. The findings from this chapter are: child marriage and  
widowhood inheritance as practices are wrapped in religio-culture dimensions that are both  
visible and invisible. Therefore, addressing these practices require a cultural analysis that will  
also address people's perceptions about their own culture. One of the themes that was  
addressed at length in this chapter is the issue of sex and sexuality. In this chapter I have  
shown that the problem of sex has a long history that can only be understood by appreciating  
the fact that sex in most African societies has many duties associated with people's belief  
systems.

on the cultural analysis model that was used as a way of of cultural practices that are harmful. Its main objective was to suggest ways in which the church can respond to cultural practices that influence the spread of HIV. Having exhausted the four objectives outlined in this study in the previous chapters, this chapter amalgamated these objectives together in an attempt to arrive at a model that will help to address harmful cultural practices. The proposed model was meant to move away from inculturation to transformation in addressing people's worldviews. The conclusion of this chapter was that in the context of HIV and AIDS, there is a need for the UCZ to aim at transforming cultures in a way that they become relevant to the fight against the pandemic. Chapter eight is a conclusion of this study. In this chapter I bring together all the insights and discussions that emerged out of the study. Thereafter, I concluded the study by first answering the research question, and then providing suggestions and recommendations on the study using the identified research gaps.

#### **8.4 Practical Suggestions to the UCZ Response to Traditional Marriage Practices**

The main focus of this study has been an attempt to answer the question -how the church has responded to traditional marriage practices in the context of HIV. Having answered this question in the previous chapters, I wish to end this study with some practical suggestions that will help to close the research gaps that were identified during the research and writing of this study. The first area of concern is the need to re-examine the teachings of the church on marriage. This can be done by redefining the theology of marriage to be more holistic and contextual, a theology that will help to undergird the existing Marriage Guidance Programme. As reflected in chapter five, the aim of this study was not to develop any theology of marriage but to suggest ways in which the church can use the existing programme to improve its response to marriage practices in the church. A proposed multi-dimensional approach to the theology of marriage will help the inclusion of all aspects of marriage, so that the new theology of marriage is relevant to the current context.

The second suggestion is the need for theological education for the Marriage Guidance Committee. In many cases the church has associated theological education with preachers ordained in the ministry. This however should not be the case, especially when dealing with people who are involved in the teaching ministries within the church.

A theological programme that seeks to integrate HIV and AIDS will demand for commitment from the institutions and leaders concerned to create space and resources. Theological training in the time of HIV should also be focused on training trainee ministers and other church workers. This is because the complexity of HIV as a pandemic among many others demands for a curriculum that is holistic.<sup>671</sup>

The best way to address the need for theological training in a holistic way is through the use of the Theological Education by Extension in Zambia (TEEZ) program that is already in existence in the UCZ.<sup>672</sup> TEEZ as it is commonly known in Zambia will act as a catalyst for ordinary people to undertake theological education because of its inclusive approach to education. Khotso suggests that:

TEE programmes of the church are an excellent and viable opportunity for making theological education accessible to all God's people. Their development as programmes for primary theological education should be encouraged and extensively used by the church leaders and due encouragement should be given to lay members of the congregations to avail themselves for such training.<sup>673</sup>

In the UCZ context, using TEEZ, the church can create space for the Marriage Guidance Committee members to undergo theological training that will equip them with skills on marriage counselling. TEEZ can also include topics on marriage in its syllabus. Theological training for the Marriage Guidance Committee members will help the committee members to conscientize people on how to address marital issues theologically. When this group is equipped with theological education, then they will also be empowered to address certain sensitive topics that they have avoided to teach in the past.

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<sup>671</sup> Musa Dube, "An HIV and AIDS Curriculum for Theological Institutions in Africa", in *HIV/AIDS and the Curriculum: Methods of Integrating HIV/AIDS in Theological Programmes*, edited by Musa Dube (Geneva: WCC Publications, 2004), 156-157.

<sup>672</sup> The TEE movement began in the 1960s with the primary purpose of giving access to a much wider circle of clergy, laity, and ministerial candidates for theological education and ministry. TEE affirms that theological education should give priority to local leaders who demonstrate their calling, and should do not require uprooting from their diverse cultural context. In case of this study, TEE would be an appropriate mode to be used with the Marriage Guidance Committee. For more information see Ezra Chitando, "The Ecumenical HIV/AIDS Initiative in Africa (EHAlA) and the Mainstreaming of HIV and AIDS in the Theological Programs", in *Mainstreaming HIV and AIDS in Theological Education: Experiences and Explorations*, edited by Ezra Chitando (Geneva: WCC Publications, 2008), 112.

<sup>673</sup> Walter Khotso, "Theological Education in Africa: Quo Vadimus?", in *Theological Education in Africa: Quo Vadimus?* edited by John Pobee and J.N. Kudadjie (Accra: Asempa Publications, 1990), 3.

the Marriage Guidance Programme as a setback in their use of biblical texts were used in the training manuals. An analysis of the marriage guidance teaching guides provided for this study shows that Marriage Guidance Committee members use many Bible verses when preparing couples for marriage, and yet most of them do not have any form of theological background. Therefore, theological teaching based on TEEZ will help to expose these committee members to some form of biblical interpretation that will help them in their teaching.

The third point is the need for the church's mainstreaming of gender, HIV and AIDS and cultural practices in its theological debates.<sup>674</sup> Gender, culture and HIV awareness becomes imperative in addressing these traditional marriage practices that are risk factors for the spread of HIV. The interconnection of gender, culture and HIV has been identified in the fight against HIV. Despite this exposition, the three aspects still remain as challenges to the church's response to traditional marriage practices. The church's mainstreaming of gender, culture and HIV and AIDS will then require gender awareness in form of training as a means of conscientization. Schüssler Fiorenza defines conscientization as:

A term derived from the Portuguese conscientização. It was introduced by Brazilian educator Paulo Freire to designate a learning process in which groups become skilled at recognizing forms and experiences of solid political, cultural, religious and economic oppression and dehumanization. Such a consciousness raising process was first used in literacy training among poor Brazilian peasants in order to teach them how, with the help of systematic analysis, to decode their situation of poverty and exploitation.<sup>675</sup>

Freire himself defines conscientization as a means of learning to name and change oneself and one's situation.<sup>676</sup> In the case of the UCZ, the church needs to make people aware of the need to change the way they respond to their own cultural practices through conscious awareness. Dube argues that the only way we can create this awareness is by capitalising on a strong base of human rights approaches to gender. This can be done by training individuals within the church through theological institutions and programmes that are gender

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<sup>674</sup>The contributors in one of the books edited by Chitando call for need to mainstream HIV and AIDS in theological education as a way of responding to the pandemic. In this book, gender and culture emerge as one of the main issues that need to be addressed in most of the African churches. For more information see Chitando, ed., *Mainstreaming HIV and AIDS in Theological Education: Experiences and Explorations*.

<sup>675</sup>Schüssler Fiorenza, *Wisdom Ways: Feminist Biblical Interpretation*, 94.

<sup>676</sup>Paulo Friere, *Pedagogy of the Oppressed* (New York: Seabury Press, 1970), 100.

to help to address the dangers posed by the continued  
s in the church.

The fourth point that needs to be addressed is the need for networking. The call to address the pandemic in Africa needs a more aggressive approach that is holistic in nature. Dube confirms that networking between churches themselves, the government, and the NGOs is of vital importance in the fight against the pandemic. Dube however warns that denominational divisions are rife. These shortcomings all highlight theological poverty and the dire need for educational programmes for the church and its leadership.<sup>678</sup> One of the findings in the area of child marriage in the UCZ was that much of the literature on child marriage in Zambia is drawn from NGOs and the government. Therefore, discussions of child marriage in the UCZ require some form of networking that will help the church to use the existing resources from other organisations, in its attempt to develop its own theologies on the subject matter. From a cultural point of view, the church's need for networking will involve touching base with traditional leaders in the communities and creating space where issues like widow sexual cleansing and abstinence can be discussed-both as African cultural issues and Judeo-Christian issues. From a broader perspective, networking in this case will also act as an opening for similar research in other spheres of life.

After looking at possible suggestions for the church in its response to the issues raised in this study, I also wish to discuss the concept of change and its effects in an attempt to explore new ways of addressing issues related to gender, culture and HIV. A caution in addressing all these changes is that change always comes with resistance. In as much as change is inevitable in the UCZ, African Women Theologians have called for a careful approach in any attempts to enact change, especially when change involves gender and cultural issues that affect women.

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<sup>677</sup>Dube, *öCulture, Gender and HIV/AIDSö*, 97.

<sup>678</sup> Dube, *öAn HIV and AIDS Curriculum for Theological Institutions in Africaö*, 156.

...treading softly but firmly' rather than 'the hammer and axe (Oduyoye), need to be pursued as the best tool when addressing change of these cultural practices aimed at the liberation of women.<sup>679</sup> The resistance to change on issues affecting women in the church has taught African Women Theologians fighting for justice to tread softly but firmly. The hammer and axe theory has perpetuated women's oppression under these cultural practices. Maslow argues that 'if the only tool you have is a hammer, you tend to see every problem as a nail.'<sup>680</sup> In response to this hammer and nail approach, in terms of theology Nadar underlines the need to respond with caution to the challenges of our context - particularly in Africa. Using the words of Jesus in Mathew 10:16 'See I am sending you out like sheep into the midst of wolves so be wise as serpents and innocent as doves' she advises that in our determination to transform the patriarchal traditions that exist within the church, culture and society, we need to use a less intrusive dialogical approach so that it may achieve critically accepted results.<sup>681</sup> The proposed model of cultural analysis requires a lot of reflection. However, what is needed in this case is a theology of life that will aim to protect the life of women and girls in this era of HIV and AIDS. Therefore, with all the proposed interventions regarding the church's response, it is necessary to exercise caution in terms of the ways in which change will be enacted.

## 8.5 Conclusion

To conclude this study, I emphasize that the problem of harmful cultural practices in the church requires a response that will be able to redefine and transform African culture, using gender, HIV and AIDS, and theological perspectives. The church is living at a time when society has turned towards a human rights approach where, even in the church, people's rights override the traditions and doctrines of the church. Reflecting theologically, this study concludes that the realization of the need for the church to address traditional marriage

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<sup>679</sup> The other name for this method is a Ga word *Malaka-le*. This statement was used by Mercy Oduyoye at the Kempton park conference in 2003 to illustrate her experience of trying to open the locked drawer in her house which contained some valuables. Oduyoye used this to illustrate the struggles of African Women Theologians towards gender justice. The thrust of her argument was that the hammer and axe theology is not always the best way of pursuing gender justice. Phiri and Nadar quotes Oduyoye saying 'God may not be in the thunder so listen for the calm whisper' 'For more information, see Isabel Phiri and Sarojini Nadar, 'Introduction: 'Treading Softly but Firmly': African Women, Religion and Health' in *African Women, Religion and Health: Essays in Honor of Mercy Amba Ewudziwa Oduyoye*, edited by Isabel A. Phiri and Sarojini Nadar (Pietermaritzburg: Cluster Publications, 2006), 1-2.

<sup>680</sup> Jo Rowlands, *Development Methods and Approaches: Critical Reflections: Selected Essays from Development in Practice* (Oxfam: Oxfam, 2003).

<sup>681</sup> Nadar, 'On Being Church: African Women's Voices and Visions', 16-17.



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quires a response that is holistic and contextual. As Carr  
print of its own time and place.<sup>682</sup> This means that the  
kind of theology appropriated and the theological reflection applied should be relevant to  
today's context. The fact that these cultural practices can be seen as a 'norm' in some of our  
societies makes them even more appropriate for analysis aimed at transformation.

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<sup>682</sup> Anne E. Carr, *Transforming Grace: Christian Tradition and Women's Experience* (New York: Harper  
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## Appendix A

### Members from Kitwe and Mufulira consistories UCZ

- Age í (optional) í í í í í í í í í í Gender í í í í í í í í í í
1. Name of the congregation í í í í í í í í í í í í í í í í í í ..
  2. Position held in the church í í í í í í í í í í í í í í í í í í
  3. What do you know about child marriage
  4. What do you know about widowhood inheritance.....
  5. How common are these traditional marriage practices in your church today?
  6. What is the position of your church on these traditional marriage practices  
í í .....
  7. What is your perception of these traditional marriage practices in relation to HIV infection among the members involved in these practices?
  8. What is your perception on these traditional marriage practices in relation to the teachings of the church on marriage?
  9. What specific topics and HIV prevention programmes are there to address these marriage practices?
  10. Are there any church policies or programmes that address these traditional marriage practices in your church?
  11. How do you think the church should address these issues?



### Appendix C

#### Interview guide for 12 widows

- Gender í í í í í í í í í í í í í í Age í í í í í í í í
1. Name of the congregation í í í í í í í í í í í í í í í í
  2. How long have you been widowed
  3. What were some of the experiences that you encountered at the loss of your husband?
  4. How would you describe the kind of widow cleansing that you went through? Any challenges, fears, benefits or worries concerning the ritual?
  5. Some people think that HIV infection may be a potential risk factor to the people involved in widow cleansing practices. What is your view on the issue?
  6. Do you think that this type of marriage practices can affect a person's Christian faith?
  7. How has the church reacted to the issue of widow inheritance?
  8. What would you say about the alternative rituals to sexual cleansing that are suggested by the church
  9. What do you think is the church's appropriate role or actions with regard to traditional marriages such as yours?
  10. What kind of teachings on marriage would you want to see implemented in your church?

## Appendix D

### Questions for focus group discussion

Gender

Age (optional) | | | | | | | | | | Gender | | | | | | | | | |

1. Name of the congregation
2. What do you know about child marriage
3. What do you know about widowhood inheritance
4. How common are these traditional marriage practices in your church today?
5. What is the position of your church on these traditional marriage practices
6. What is your perception of these traditional marriage practices in relation to HIV infection among the members involved in these practices?
7. What do you think are some of the challenges to the marriage guidance committee in your churches today?
8. What specific topics would you want to be included in the marriage guidance programme?
9. How do you think the church should address these issues?

## Appendix E

### **Contextual Bible Studies guideline for church members in the 4 congregations of UCZ in Kitwe and Mufulira**

Questions for the Bible study on Widowhood inheritance (Genesis (38:1-28))

1. What is the text all about?
2. Who are the main characters in the story and what do you know about them?
3. What happened to Tamar's first husband?
4. Why was Tamar given the young brother to the husband to have sex with her after the death of her husband?
5. Why Tamar was not allowed to re-marry after the death of the second husband?
6. Why do you think Tamar trapped the father-in-law to sleeping with her?
7. How did Judah react after hearing that the prostitute he had slept with was Tamar?
8. Are there any situations like that of Tamar in our community/church today?
9. What are some of the cleansing rituals that are used in Zambia today?
10. Do church members who are involved in this practice use these kinds of Bible passages to rationalize their acts?
11. What is the position of the church on this matter?
12. Does this practice when found in the church affect your faith?
13. Do you think this practice has any HIV risk factors to members found in this practice?
14. Are there any church policies and HIV and AIDS educational programmes that address issues of traditional marriage in your church?
15. Develop a plan of action that will help to address traditional marriage practices and HIV and AIDS in the church.

## Appendix F

for church members in the congregations of UCZ in

### Kitwe and Mufulira

Questions for Bible study on child marriage: Bible reading (1 Kings 1: 1-4)

1. What is the text all about?
2. Who are the main characters in the story and what do you know about them?
3. Who organized the young girl for David and why?
4. What do you think was the reason for selecting a virgin girl for the King?
5. What role did Abishag play in David's life?
6. How does this story relate to child marriage practice?
7. Are there any situations like that of David and Abishag in our communities/church today?
8. Do church members who involved in this practice use these kinds of Bible passages to rationalize their acts?
9. Does this practice when found in the church affect your faith?
10. Do you think this practice has an impact on HIV and AIDS infection on girls and men involved in this practice?
11. Are there any church policies and HIV and AIDS educational programmes that address issues of traditional marriage in your church?
12. Develop a plan of action that will help to address traditional marriage practices and HIV and AIDS in the church.

## Appendix G

### Forms for church leaders.

**Study Title:** Culture, Gender and HIV and ADS: United Church of Zambia's Response to Traditional Marriage Practices

Principal Investigator: **Lilian Cheelo Siwila (MTh)**

#### **Purpose**

I am grateful for your interest in participating in this research study designed to the church's response to traditional marriage practices that pose HIV risk factor in the UCZ. The ultimate goal of this study is to find ways in which UCZ can respond to cultural practices that are perceived as a threat to HIV infection among its members. The study also aims at re-examining the Marriage Guidance Programme so as to make it more holistic and multi-dimensional in its approach.

In order for you to make a decision as to whether or not you wish to be a part of this research study, you should know enough about its risks and benefits to make an informed judgement. This consent form gives you detailed information about the research study as follows:

#### **Description of Procedures**

If you agree to participate in this study, you will be asked to participate in an in-depth semi-structured interview that will be conducted by the researcher. During this interview, you will be requested to provide information on your age, gender, name of your congregation, position held in the church. Other information will include, how common you perceive the child marriage and widowhood inheritance practices in the church; the position of your church on the issue; your perception of these marriage practices in relation to HIV and AIDS infection of the couples involved; any HIV and AIDS educational programmes within your church used to address the issue of HIV prevention and the theology of the church on these cultural issues. Please note that we do not want you to give us your name or address in this interview as no names of participants will be used during this study.

The answers you will provide will be available to you in case you may wish to make any clarification before the notes are taken by the researcher. You will be free to use the language you are comfortable with that is either English or Bemba. I anticipate that the interviews will take not more than two hours.

#### **Risks and benefits**

This study involves giving information about matters that may make you feel uncomfortable. The study is also likely to take some of your time off your daily routine. However; I will make sure that the agreed time is strictly followed. If participating in this research causes you distress, please report to the researcher and you will be given information on where to go for free counselling within the study area.

will learn about your culture and its effect on HIV and you as a church leader to discuss issues that you are your leadership. At the end of the research process, you will receive feedback on the findings of the study through your local church leaders. Your contribution will also help the church in developing responses to the issue of traditional marriage practices and their implication to HIV infection among the partners involved in the practice

### **Confidentiality**

Every effort will be made to keep your responses confidential; therefore, no names will appear on any research forms. When the results of the research are published no information will be included that would reveal your identity unless your specific consent for this activity is obtained.

### **Voluntary Participation**

Participation in this study is completely voluntary. You are free to decline to participate, to withdraw from participation at any time for any reason, or to refuse to answer any individual questions without penalty or loss of compensation.

### **Questions**

For any queries, you may contact:  
Lilian Cheelo Siwila  
School of Religion and Theology,  
University of KwaZulu Natal,  
Private Bag X01, Scottsville,  
3201, Pietermaritzburg,  
South Africa.  
Cell: 0766136751 email. [203512142@ukzn.ac.za](mailto:203512142@ukzn.ac.za)

### **Agreement to Participate:**

I have read the above information, have had the opportunity to have any questions about this study answered and agree to participate in this study.

\_\_\_\_\_  
(Printed name)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

## Appendix H

### **Consent forms for women, and girls involved in widowhood inheritance and child marriage.**

**Study Title:** Culture, Gender and HIV and ADS: United Church of Zambia's Response to Traditional Marriage Practices

Principal Investigator: **Lilian Cheelo Siwila (MTh.)**

#### **Purpose:**

I am grateful for your interest in participating in this research study designed to the church's response to traditional marriage practices that pose HIV risk factor in the UCZ. The ultimate goal of this study is to find ways in which UCZ can respond to cultural practices that are perceived as a threat to HIV infection among its members. The study also aims at re-examining the Marriage Guidance Programme so as to make it more holistic and multi-dimensional in its approach.

In order for you to make a decision as to whether or not you wish to be a part of this research study, you should know enough about its risks and benefits to make an informed judgement. This consent form gives you detailed information about the research study as follows:

#### **Description of procedures**

If you agree to participate in this study, you will be asked to participate in an informal semi-structured interview which will be conducted by the researcher. In this interview, you will be requested to provide information on your gender, type of marriage practice you are involved in and name of your congregation. You will also be requested to answer questions on; how you found yourself in the marriage practice you are involved in; any benefits, fears or worries about your situation; whether you think of HIV as a potential risk factor to the practice; what you believe the position of your church is to your situation. These interviews will be treated with high confidentiality due to the nature of the topic. Please note that we do not want you to give us your name or address in this interview as no names of participants will be used during this study.

The answers you will provide will be available to you in case you may wish to make any clarification before the notes are taken by the researcher. You will be free to use the language you are comfortable with that is either English or Bemba. I anticipate that the interviews will take not more than two hours.

#### **Risks and Benefits**

This research involves participation that may make you feel uncomfortable to share your private life and take some of your time. Should this happen, you will be free to withdraw your services at any time and you will not be blamed for that. You are also free to withhold any information you do not wish to be included in the data. If participating in this research causes you distress, please report to the researcher and you will be given information on where to go for free counselling.

By participating in this study and sharing your experience, you will not only add to the body of knowledge on the problem of traditional marriage and HIV and AIDS but you will also help the church to come up with a suitable solution to this issue. Your story will also help

Involved in these marriage practices on how to address their process, you will receive feedback on the findings of the researchers.

### **Confidentiality**

The researcher will keep your information confidential. While the research is going on, no relative, friend or any person known or not known to you will have access to your stories. You will also be expected to keep the interview confidential and not disclose any information shared during the interview.

### **Voluntary participation**

Your participation in this research is voluntary; therefore you are free to decline or withdraw your participation without any penalty. This will not affect your relationship with the researcher.

### **Questions**

For any queries, you may contact:  
Mrs Lilian Cheelo Siwila  
School of Religion and Theology,  
University of KwaZulu Natal,  
Private Bag X01, Scottsville,  
3201, Pietermaritzburg,  
South Africa. Cell: 0766136751 email [203512142@ukzn.ac.za](mailto:203512142@ukzn.ac.za)

### **Agreement to Participate:**

I have read the above information, have had the opportunity to have any questions about this study answered and agree to participate in this study.

\_\_\_\_\_  
(Printed name)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

## Appendix I

### ns for Bible study Participants

**Study Title:** Culture, Gender and HIV and ADS: United Church of Zambia's Response to Traditional Marriage Practices

Principal Investigator: **Lilian Cheelo Siwila (MTh )**

#### **Purpose**

I am grateful for your interest in participating in this research study designed to the church's response to traditional marriage practices that pose HIV risk factor in the UCZ. The ultimate goal of this study is to find ways in which UCZ can respond to cultural practices that are perceived as a threat to HIV infection among its members. The study also aims at re-examining the Marriage Guidance Programme so as to make it more holistic and multi-dimensional in its approach.

In order for you to make a decision as to whether or not you wish to be a part of this research study, you should know enough about its risks and benefits to make an informed judgement. This consent form gives you detailed information about the research study as follows:

#### **Description of Procedures**

If you agree to participate in this study, you will be asked to participate in two Contextual Bible Studies that will be conducted by the researcher and the research assistant. During the Bible Studies, you will be asked to provide answers to the questions on; the meaning of the two stories from the Bible; how the two stories relate to the two marriage practices that are addressed in the study; your perception about the church members involved in these practices whether they are using these kinds of Bible passages to validate their acts; your perception on HIV infection on the people involved in these practices; your their assessment of the church's response to HIV and AIDS as to whether it is addressing issues of sexuality and HIV and AIDS; and your suggestions on how you would want the church policies and programmes to address these practices in view of their implications on HIV and AIDS infection. Please note that we do not want you to give us your name or address in this interview as no names of participants will be used during this study.

The answers you will provide will be available to you in case you may wish to make any clarification before the notes are taken by the researcher. You will be free to use the language you are comfortable with that is either English or Bemba. I anticipate that the Bible Studies will take not more than two hours.

#### **Risks and benefits**

This study involves giving information about matters that may make you feel uncomfortable. The study is also likely to take some of your time off your daily routine. However; I will make sure that the agreed time is strictly followed. If participating in this research causes you distress, please report to the researcher and you will be given information on where to go for free counselling within the study area.

By participating in this study and sharing your experience, you will not only add to the body of knowledge on the problem of traditional marriage and HIV and AIDS but you will also help the church to come up with a suitable solution to this issue. At the end of the research

on the research findings through your local church. Your  
h in developing responses to the problem of traditional  
ion to HIV infection among the partners involved in the

practice

### **Confidentiality**

Every effort will be made to keep your responses confidential; therefore, no names will appear on any research forms. When the results of the research are published no information will be included that would reveal your identity unless your specific consent for this activity is obtained.

As you participate in this research, you will be expected to maintain strict confidentiality about the information you encounter during the Bible Studies. Under no circumstances are you to reveal to others the opinions, situations, or circumstances of particular people who are participating in this research, either by associating their specific names with such information implicitly indicating their identity to others in any way.

### **Voluntary Participation**

Participation in this study is completely voluntary. You are free to decline to participate, to withdraw from participation at any time for any reason, or to refuse to answer any individual questions without penalty or loss of compensation.

### **Questions**

For any queries, you may contact  
Mrs. Lilian Cheelo Siwila  
School of Religion and Theology,  
University of KwaZulu Natal,  
Private Bag X01, Scottsville,  
3201, Pietermaritzburg,  
South Africa. Cell: 0766136751 email [203512142@ukzn.ac.za](mailto:203512142@ukzn.ac.za)

### **Agreement to Participate:**

I have read the above information, have had the opportunity to have any questions about this study answered and agree to participate in this study.

\_\_\_\_\_  
(printed name)

\_\_\_\_\_  
(Date)

## Appendix J

### Form for Focus Group Discussion

**Study Title:** Culture, Gender, and HIV and ADS: United Church of Zambia's Response to Traditional Marriage Practices

Principal Investigator: **Lilian Cheelo Siwila (MTh)**

#### **Purpose**

I am grateful for your interest in participating in this research study designed to the church's response to traditional marriage practices that pose HIV risk factor in the UCZ. The ultimate goal of this study is to find ways in which UCZ can respond to cultural practices that are perceived as a threat to HIV infection among its members. The study also aims at re-examining the Marriage Guidance Programme so as to make it more holistic and multi-dimensional in its approach.

In order for you to make a decision as to whether or not you wish to be a part of this research study, you should know enough about its risks and benefits to make an informed judgement. This consent form gives you detailed information about the research study as follows:

#### **Description of Procedures**

If you agree to participate in this study, you will be asked to participate in focus group discussion conducted by the researcher. During the focus group discussions, you will be asked to provide answers to the questions on; your knowledge of the two marriage practices discussed in the story; how common you think these practices are common in the church; the position of the church on these practices; your perception on HIV infection on the people involved in these Please note that we do not want you to give us your name or address in this interview as no names of participants will be used during this study.

The answers you will provide will be available to you in case you may wish to make any clarification before the notes are taken by the researcher. You will be free to use the language you are comfortable with that is either English or Bemba. I anticipate that the Bible Studies will take not more than two hours.

#### **Risks and benefits**

This study involves giving information about matters that may make you feel uncomfortable. The study is also likely to take some of your time off your daily routine. However; I will make sure that the agreed time is strictly followed. If participating in this research causes you distress, please report to the researcher and you will be given information on where to go for free counselling within the study area.

By participating in this study and sharing your experience, you will not only add to the body of knowledge on the problem of traditional marriage and HIV and AIDS but you will also help the church to come up with a suitable solution to this issue. At the end of the research process, you will receive feedback on the research findings through your local church. Your contribution will also help the church in developing responses to the problem of traditional

ion to HIV infection among the partners involved in the

### **Confidentiality**

Every effort will be made to keep your responses confidential; therefore, no names will appear on any research forms. When the results of the research are published no information will be included that would reveal your identity unless your specific consent for this activity is obtained.

As you participate in this research, you will be expected to maintain strict confidentiality about the information you encounter during the discussions. Under no circumstances are you to reveal to others the opinions, situations, or circumstances of particular people who are participating in this research, either by associating their specific names with such information implicitly indicating their identity to others in any way.

### **Voluntary Participation**

Participation in this study is completely voluntary. You are free to decline to participate, to withdraw from participation at any time for any reason, or to refuse to answer any individual questions without penalty or loss of compensation.

### **Questions**

For any queries, you may contact  
Mrs. Lilian Cheelo Siwila  
School of Religion and Theology,  
University of KwaZulu Natal,  
Private Bag X01, Scottsville,  
3201, Pietermaritzburg,  
South Africa. Cell: 0766136751 email [203512142@ukzn.ac.za](mailto:203512142@ukzn.ac.za)

### **Agreement to Participate:**

I have read the above information, have had the opportunity to have any questions about this study answered and agree to participate in this study.

\_\_\_\_\_  
(printed name)

\_\_\_\_\_  
(Date)



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## Appendix K

### Text for Contextual Bible Study

#### 1Kings 1:1-4

1 King David was old and advanced in years; and although they covered him with clothes, he could not get warm. <sup>2</sup>So his servants said to him, "Let a young virgin be sought for my lord the king, and let her wait on the king, and be his attendant; let her lie in your bosom, so that my lord the king may be warm." <sup>3</sup>So they searched for a beautiful girl throughout all the territory of Israel, and found Abishag the Shunammite, and brought her to the king. <sup>4</sup>The girl was very beautiful. She became the king's attendant and served him, but the king did not know her sexually.

### Genesis 38:1-28

1 It happened at that time that Judah went down from his brothers and settled near a certain Adullamite whose name was Hirah.<sup>2</sup> There Judah saw the daughter of a certain Canaanite whose name was Shua; he married her and went in to her.<sup>3</sup> She conceived and bore a son; and he named him Er.<sup>4</sup> Again she conceived and bore a son whom she named Onan.<sup>5</sup> Yet again she bore a son, and she named him Shelah. She<sup>\*</sup> was in Chezib when she bore him.<sup>6</sup> Judah took a wife for Er his firstborn; her name was Tamar.<sup>7</sup> But Er, Judah's firstborn, was wicked in the sight of the LORD, and the LORD put him to death.<sup>8</sup> Then Judah said to Onan, "Go in to your brother's wife and perform the duty of a brother-in-law to her; raise up offspring for your brother."<sup>9</sup> But since Onan knew that the offspring would not be his, he spilled his semen on the ground whenever he went in to his brother's wife, so that he would not give offspring to his brother.<sup>10</sup> What he did was displeasing in the sight of the LORD, and he put him to death also.<sup>11</sup> Then Judah said to his daughter-in-law Tamar, "Remain a widow in your father's house until my son Shelah grows up" for he feared that he too would die, like his brothers. So Tamar went to live in her father's house.

12 In course of time the wife of Judah, Shua's daughter, died; when Judah's time of mourning was over,<sup>\*</sup> he went up to Timnah to his sheep-shearers, he and his friend Hirah the Adullamite.<sup>13</sup> When Tamar was told, "Your father-in-law is going up to Timnah to shear his sheep,"<sup>14</sup> she put off her widow's garments, put on a veil, wrapped herself up, and sat down at the entrance to Enaim, which is on the road to Timnah. She saw that Shelah was grown up, yet she had not been given to him in marriage.<sup>15</sup> When Judah saw her, he thought her to be a prostitute, for she had covered her face.<sup>16</sup> He went over to her at the roadside, and said, "Come, let me come in to you" for he did not know that she was his daughter-in-law. She said, "What will you give me, that you may come in to me?"<sup>17</sup> He answered, "I will send you a kid from the flock." And she said, "Only if you give me a pledge, until you send it."<sup>18</sup> He said, "What pledge shall I give you?" She replied, "Your signet and your cord, and the staff that is in your hand." So he gave them to her, and went in to her, and she conceived by him.<sup>19</sup> Then she got up and went away, and taking off her veil she put on the garments of her widowhood.

20 When Judah sent the kid by his friend the Adullamite, to recover the pledge from the woman, he could not find her.<sup>21</sup> He asked the townspeople, "Where is the temple prostitute who was at Enaim by the wayside?" But they said, "No prostitute has been here."<sup>22</sup> So he returned to Judah, and said, "I have not found her; moreover, the towns people said, 'No prostitute has been here.'"<sup>23</sup> Judah replied, "Let her keep the things as her own, otherwise we will be laughed at; you see, I sent this kid, and you could not find her."

was told, "Your daughter-in-law Tamar has played the  
a result of whoredom." And Judah said, "Bring her out,  
and let her be burned." As she was being brought out, she sent word to her father-in-law, "It  
was the owner of these who made me pregnant." And she said, "Take note, please, whose  
these are, the signet and the cord and the staff."<sup>26</sup> Then Judah acknowledged them and said,  
"She is more in the right than I, since I did not give her to my son Shelah." And he did not lie  
with her again.

<sup>27</sup> When the time of her delivery came, there were twins in her womb. <sup>28</sup> While she was in  
labour, one put out a hand; and the midwife took and bound on his hand a crimson thread,  
saying, "This one came out first."

## Appendix M

### Marriage guidance teaching materials

The following materials were collected from the two churches that participated in this study. The other two churches did not have any written documents but reported that they depended on the Bible and catechumen materials for counselling couples. The two teaching materials presented below were typed as they were presented except for the one in Bemba which I had to translate in English.

#### **Programme for Marriage Guidance and Counselling (For new Couples: from Kitwe Congregation)**

Wedding date and registering of the marriage to the civic centre should be brought to the attention of the church leadership well in advance.

##### **First session**

##### **Where did marriage come from?**

Genesis 1:27-28 God started marriage. Marriage is a partnership blessing and command given to both husband and wife.

Why? Genesis 2:18-25

It is not good for man to be alone

I will make him a helper suitable for him/comparison partner.

For this reason (companionship) a man will leave, cleave, be united become one flesh.

The reason for this is because God got the rib out of Adam to create Eve and the two became one flesh.

##### **Second session**

##### **2. Purposes of Marriage.**

Mutual help, Genesis 2:18.

Mutual love and faithfulness to each other, to find completion in the other essentially one being Genesis 2:24

Permanent union, no one should break the marriage Mark 10:1-9

Procreation, children are a blessing from the Lord Gen. 2:18), Genesis 1:28

For sexual fulfilment between man and woman 1 Corinthians 7:1-5

##### **Third session**

##### **2.3 Companionship between Husband and Wife**

How to live together, Ephesians 5:21-33, 1 Peter 3:1-7.

Man and woman must submit to one another in marriage

What is submission?

Wives submit to husbands (verse 22-24) why should wives submit themselves to their husbands as proverb women. Proverbs 31:10-31; Proverbs 14:1. This is a very important aspect of Christian marriage also husbands love your wives as your own bodies.

to their extended families?

Do you think relatives help marriages to be stronger or weaker?

Ruth 1:15-18 your people will be my people

Main source of strength for a Christian to make a good marriage is our union with Christ.

State different ways in which we can relate with our extended families in our marriages

### **Sixth session**

#### **Finances**

How should money issues be handled in a Christian home?

If you are both working what kind of measures do you put in place to ensure that you both share family responsibilities?

What is the role of a husband as head of the house?

Who should be responsible for family support in the home?

Why is it important to budget?

## Appendix N

### Marriage guidance from Mufulira

#### 1. Bushe icupo cabwinaKlistu cishi? What is Christian marriage?

Ukutendeka 1:27	Genesis 1:27
Ukutendeka 2:24	Genesis 2:24
Mateo 19:6	Mathew 19:6
1 AbenaCorinto 7:27	1 Corinthians 7:27

#### 2. Bushe nani uwabalile poukufya Icupo? Who was the first person to initiate marriage?

Lesu ewabalilepo ukufa icupo Cantanshi  
God is the initiator of marriage

Ukutendeka 1:27	Genesis 1:27
Ukutendeka 2:18	Genesis 2:28
Ukutendeka 2:23-24	Genesis 2:23-24
Mateo 19:5	Mathew 19:5
Marko 10:7	Mark 10:7
Ukuffuma 20:14	Exodus 20:14

#### 3. Cinshi Lesu abikilelifunde Ukuba likankala mucupo? Why did God make this teaching from the text to be very important in marriage?

AbenaEfeso 5:22-24	Ephesians 5:22-24
Peterowakutendeka 3:1-7	1 Peter 3:1-7
Mufula wacupo	The core value of marriage
Ulupwa	The family
1 Korinto 7:10	1 Corinthians 7:10

#### 4. Bushe Lesu alapatikisha abantu ukuti baleupana? Does God force people into marriage? 1 Korinto 7:7-8 (1 Corinthians 7:7-8)

#### Amepusho questions

1. Bushe umuntungaaupaalingile ukwika no mukashi inshikushinga?  
How long should a marriage couple stay together?
2. Bushe lesu alitemwa icupo?  
Does God love marriage?

ngaafwileukupa?  
an marry?

4. Busheabafyashibalinesambuishakusambilishaabana mu nshilaishisuma?  
Do parents have power to teach their children the good ways of life?
5. Busheumwaumekutialekaumukashiilyo talefyala?  
Does the man have the power to divorce the wife?

### **5. Nimunshila nshi umwuame nangu umwanakashi enga salila uwakwikala nankwe mucupo?**

**In which way does a man or a woman choose a marriage partner?**

Amapinda 31:10-31	Proverbs 31:10-31
2 Korinto 6:14	2 Corinthians 6:14
1 Samuel 16:7	1 Samuel 16:7

### **6. Cintu nshi icingatungulula ifunde lya cupo What is the guiding principle for marriage?**

1 Icitewiko Love  
2 Ukupepa prayers

### **7. Imilimo ya mwaume**

Amapinda 5:18  
Efeso 5:25  
1 Peter 3:7  
1 Timoti 5:8  
Ukwafwilisha Ukufunda Abana  
Amalango 6:6-7

### **Duties of a man**

Proverbs 5:18  
Ephesians 5:25  
1 Peter 3:7  
1 Timothy 5:8  
helping to teach children in the home

### **8. Imilimo ya mwanakashi**

Efeso 6:22  
Ukutendeka 3:16  
Tito 2:4  
Amapinda 31:10-31

### **Duties of a woman**

Ephesians 6:22  
Genesis 3:16  
Titus 2:4  
Proverbs 31:10-31

### **9. Amafya mucupo**

Indalama:  
Hebrews 13:5  
Amapinda 19:13  
Timoti wakutendeka 6:10

### **Problems in marriage**

Money  
Hebrews 13:5  
Proverbs 19:13  
1 Timothy 6:10

Fisumanshi indalama shileta mufyupo?  
What good does money bring into marriage?

Bwafyanshi nshi indalama ileta muchupo?  
What bad things does money bring into marriage?

Ukutendeka 11: 13	Genesis 11:13
Ukutendeka 1:27-28	Genesis 1:27-28
Ukutendeka 25:21	Genesis 25:21
Ukutendeka 29:31	Genesis 29:31
1 Samuel 1:17-27	1Samuel 1:17-27
Abapingushi 13:2-3	Judges 13:2-3
Luka 1:7, 56-57	Luke 1:7, 56-57
Amalumbo 127:3	Psalms 127:3

**Bushe icupo bana nabafyashi?  
Is marriage all about father, mother and children?**

**11. Abafyshi**

Gen. 2:21-22  
Mateyo 19:3-8  
Tito 2:2-5  
Heb 13:5  
Mateyo 2:14-16  
Amapinda 18:22-24

**Parents**

Genesis 2:21-22  
Mathew 19:3-8  
Tito 2:2-5  
Hebrews 13:5  
Mathew 2:14-16  
Proverbs 18:22-224



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