

Visting Mission to the
Trust Territories in West Africa

CAMEROONS UNDER BRITISH ADMINISTRATION:
COMPULSORY MARRIAGE AND CHILD BETROTHAL

Note:- One of the problems brought specifically to the attention of the Visiting Mission by the Trusteeship Council is that of compulsory marriages and child betrothals in the Cameroons. This problem is dealt with briefly in document TC/VM.1949/4, Summary of Conditions and Problems, and is discussed more fully in the following additional note.

1. Introduction

Problems arising from the indigenous marriage customs in the Cameroons under British administration have been discussed by the Trusteeship Council on two separate occasions.

During its third session, the Council examined a petition relating to the specific problem of marriage practices among the chiefs of the Tikar communities of the Bamenda Division, and in particular the case of the Fon (highest-ranking chief) of Bikom. It passed a resolution directing the attention of the first Visiting Mission to the Cameroons to the problem.

During its fourth session, the Council, in the course of its examination of the Annual Report for 1947, discussed marriage customs in the Territory in general, with particular reference to the questions of compulsory marriages and the betrothal of children.

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Since these more general aspects of the marriage customs may serve as a background against which the specific case of the Tikar chiefs may be considered, they are dealt with first in the following account.

2. Marriage Customs in the Cameroons

Factual Situation

Throughout the non-Moslem parts of the Territory the custom of paying a bride price is almost universally recognised, though the method of payment varies in detail among the several tribes, and it is regarded as an earnest of a permanent union, being the outward and visible sign of a marriage contract. The marriage customs of the pagans of the hill districts in the Dikwa area are in essentials similar to those of the neighbouring pagan districts. The general principle is that a suitor works for his future father-in-law for a period and makes a series of presents both to him and to the girl. When the latter becomes of marriageable age, which is normally two years after puberty, the main dowry is paid and the marriage takes place. The girl can however, on reaching marriageable age, refuse the accepted suitor and in that case the principal dowry is returned to him.

In the Ngoro clan of the Kentu tribe a girl is betrothed while a child by the presentation of a gift to her parents.

It was stressed in the 1948 annual report that should a betrothed girl express a marked dislike of her betrothed, neither the parents nor the proposed husband would be likely

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to be too insistent about the marriage. Her refusal would however, be unpopular since it would involve her parents in a refund of the bride price and for this reason a certain amount of moral pressure would be brought to bear upon her to accept the existing arrangement.

In Moslem areas, the law permits coercion into marriage in the case of a girl not previously married. Physical coercion may be resorted to in some rare instances, though the 1948 annual report states that anxiety lest the girl should run away generally restricts coercion to moral persuasion and such discomforts as result from acute parental disapproval.

During the examination by the Trusteeship Council at its fourth session of the Annual Report for 1947, the representative of Belgium in supplementary questions put to the special representative of the Administering Authority asked whether the administration did not consider that the betrothal of children should be regarded as a reprehensible custom (T/247). The special representative replied that child betrothal was not regarded as a reprehensible custom in so far as the child before reaching puberty remained in the guardianship of her parents or relations and also on attaining puberty had the right to repudiate the marriage. Native Authorities were also empowered to issue orders regulating child betrothals when the child betrothed left the place in which her parents and guardians were residing. (T/251).

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During the discussion on the annual report it was observed by the representative of Belgium, that although indigenous custom provided certain safe-guards, so that the celebration of a marriage did not necessarily entail consummation; it was none the less a fact that a marriage between children whether consummated or not, was a union of persons obviously incapable of consent and should be prohibited by law. The Council recommended that uncivilized practises which are gradually disappearing, such as child marriage, should be expressly forbidden by law.

3. Customs of the Tikar Chiefs

The more specific question of marriage customs among the chiefs of the Bikom and other Tikar communities in the Bamenda Division of the Cameroons was raised in the Trusteeship Council at its third session as a result of a petition received from the St. Joan's Social and Political Alliance. (T/PET.2/4). The petition contained an extract from an article appearing in the Catholic Citizen which described the taking by force of a young girl to be the wife of the Fon of Bikom.

The Administering Authority, in its observations on the petition (Doc. T/178), stated that the author of the article did not appear, from enquiries made among the Roman Catholic authorities in the area, to have any particular case in mind, and for the sake of vividness had used a certain amount of literary license to dramatize a Bikom custom.

The Fon of Bikom, in common with chiefs of other Tikar communities had the traditional right to take as wives all the first born daughters and all female twins of certain families within his tribe, or to give the girls in marriage to his sons or personal attendants. The young girls destined to become his wives were chosen at an early age by his senior wives and entered his compound to be trained by them in farm work, cooking and etiquette. From enquiries made after the receipt of the petition, it was ascertained that the Fon of Bikom had 110 wives within his compound, forty-four of whom had been inherited from a previous Fon and were beyond the age of child-bearing. One young girl was found to be there irregularly, that is, her introduction into the compound had not been in accordance with custom and she was returned to her mother. Further investigations were put into operation to decide whether a charge of child stealing, assault or false imprisonment against the Fon or any members of his household could be made.

The Administering Authority stated that during the past years no serious complaints had been received either by, or about, the Fons' wives. Between 1930 and 1937 the Roman Catholic missionaries in the Bamenda Division had encouraged the wives of the Fons to leave their compounds, and were ready to marry them to mission converts. This policy had little success and many of the women returned to their compound of their own accord. The present Bishop and missionaries now recognized the strength of the custom, and considered that it could best be modified by the effect

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of continuous disapproval of any coercion into marriage, by deterrent action by the administration if and when cases of coercion were discovered, and by the spread of education and Christianity.

The Administering Authority added that the custom might appear strange or reprehensible to Christian sentiment, but emphasized that it was based on the strongest superstitious belief. There could be no question of attempting to achieve a sudden break with long-established tribal custom. If the attempt were made, the parties principally aggrieved would be the wives themselves and their families. The policy of the administration therefore, was to endeavour to achieve a gradual modification of the custom and at the same time to ensure that individual hardship or cruelty was prevented. It was well understood by the wives themselves and the families of the girls that they had free access to the administration if they wished to make complaints. Further improvement depended upon the continued efforts of the missionaries and the influence and advice of the government officers. A government woman education officer had recently been appointed to work among the women in the area.

Action by the Council

The Council discussed the petition at the seventh and eighteenth meetings of its third session. Generally, the attitude of the Administering Authority was considered to be the right one, although there was some criticism expressed that the administration appeared to be leaving it to the missions in the area to combat the custom when

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the principal part should be played by the officials themselves, not the religious missions. The Council itself passed a resolution in which it condemned the customs of compulsory and child marriage; noted the policy of the Administering Authority; and expressed its confidence that the Administering Authority would take all appropriate steps to end such practices. The attention of the first visiting mission to the Territory was also directed towards the problem. (T/189).

Subsequent Events

The annual report for 1948 states that the Fon of Bikom has given the administration an assurance that there are no women in his compound who are not there entirely of their own free will, and that he is not prepared to accept any new wives except under the same condition. He has stated further that full opportunity has been given to any woman to leave his compound if she wished, and that some forty women have left.