

Ugandan Muslims block marriage bill, 2004-2005

- [\(mainly or initiated by\) people of color](#) [1]
- [included participation by more than one social class](#) [2]

Timing

February

2004

to:

March

2005

Location and Goals

Country:

Uganda

Location City/State/Province:

Kampala

[View Location on Map](#)

Goals:

To exempt Muslims from the Domestic Relations Bill because the Koran speaks on issues of polygamy and inheritance and cannot be compromised.

Methods

Methods in 1st segment:

- 001. Public speeches
- 020. Prayer and worship

Methods in 2nd segment:

Methods in 3rd segment:

Methods in 4th segment:

Methods in 5th segment:

Methods in 6th segment:

- 001. Public speeches
- 003. Declarations by organizations and institutions
- 007. Slogans, caricatures, and symbols
- 008. Banners, posters, and displayed communications
- 015. Group lobbying
- 018. Displays of flags and symbolic colors
- 038. Marches
- 047. Assemblies of protest or support

Notes on Methods:

No sources were found that covered the middle part of the campaign (Segments 2-5)

Segment Length:

Approximately 2 months

Classifications

Classification:

Defense

Cluster:

Human Rights

National/Ethnic Identity

Group characterization:

- Muslims throughout Uganda

Leaders, partners, allies, elites

Leaders:

Sheikh Shaban Ramadhan Mubajje (Islamic scholar), Sheikh Jamil Kakeeto (Tabliq sect leader), Sheikh Hussein Rajab Kakooza (Uganda Muslim Supreme Council), Kaddunabbi Ibrahim Lubega (chairman of the parliamentary Islamic caucus and Butambala county Member of Parliament), Abbass Kiyimba (Uganda Muslim Youth Assembly)

Partners:

Uganda Muslim Youth Assembly, the Tabliqs, Uganda Muslim Supreme Council, Uganda Muslim Women's Association for Daa'wa and Development

External allies:

Not Known

Involvement of social elites:

Muslim leaders led the campaign

Joining/exiting order of social groups

Groups in 1st Segment:

Groups in 2nd Segment:

Groups in 3rd Segment:

Groups in 4th Segment:

Groups in 5th Segment:

Groups in 6th Segment:

Additional notes on joining/exiting order:

Joining order not known

Segment Length:

Approximately 2 months

Opponent, Opponent Responses, and Violence

Opponents:

The Uganda Human Rights Commission

Nonviolent responses of opponent:

Not Known

Campaigner violence:

Campaigners threatened to use violence to resist the proposed law, but no violence has been recorded

Repressive Violence:

Not Known

Success Outcome

Success in achieving specific demands/goals:

6 points out of 6 points

Survival:

1 point out of 1 points

Growth:

2 points out of 3 points

Total points:

9 out of 10 points

Notes on outcomes:

In the debate of the DRB following the protest, members of Parliament altered the bill significantly in favor of Muslims. In the July vote the Domestic Relations Bill failed to pass, despite pressure from the Uganda Human Rights Commission. The protest's effects reached into 2009 when the Domestic Relations Bill split to form a separate law for Muslims. Prominent Sheikhs were allowed to negotiate the terms of the Bill, basically preserving their traditions completely.

The Muslim community remained strong and essentially united.

The campaign began with speeches from prominent Sheikh's but Muslims from all over Uganda participated in the march in March 2005, but did not seem to gain much support outside of the Muslim community

In 2003, the Domestic Relations Bill (DRB) was reintroduced to the Ugandan Parliament after being dormant for nearly forty years. It was revived largely because of strong encouragement from groups like the Uganda Human Rights Commission that were looking to improve conditions for women and families in Uganda. Women's activists like those of the Uganda Women's Network saw the bill's potential to eliminate traditional practices like female genital mutilation, bride price, and widow inheritance.

The DRB was drafted to affect standing practices of marriage and divorce. On the issue of polygamy, a fairly common practice throughout Africa, the bill required any husband to receive permission from his wife to take a second wife. The proposed law also called for women to be given a fair share of a husband's wealth if divorced or in the case of a husband's death. It also would put a ban on practices of bride price and dowry and promoted cohabitation. These were the some of the major changes the bill proposed.

On 1 February 2004, Muslims, a substantial minority in Uganda, celebrated their religious holiday Idd Adha. In the capital city of Kampala, Muslim Leaders gathered at the Uganda Muslim Supreme Council, the governing organization for Muslims across the country, overseeing the activities of the thousands of mosques in Uganda. The leaders vowed to disobey the proposed Domestic Relations Bill, which came into conflict with the marital practices of Islam. Polygamy was a long-standing tradition of their faith, the Koran allowing for each man to take four wives. Distribution of a husband's wealth in respect to his wife had also been clearly outlined by the Koran. Women do not share equal inheritance with other men in the family.

The leaders called for defiance and prayer. Mufti (the title for an Islamic scholar) Sheikh Rajab Kakooza spoke, “In Islam we are taught to obey our leaders, but when they are diverting us from the Koran, we have to oppose them and obey Allah.” Kakooza also stressed the importance of politicians consulting religious leaders “before making laws that could spark off chaos in the country.”

Unfortunately, close to nothing has been recorded on the campaign front in the months following this first event. Presumably the leaders of the campaign were organizing, because a massive action resulted when the bill was put up for debate in Parliament. Statements can be found from Muslim groups commenting on the Domestic Relations Bill, including the Uganda Muslim Women’s Association for Daa’wa and Development. In contrast to women’s activists that supported the bill, the association’s secretary general said, “The law should not deny our men from marrying the number of women they want. A man marries to please Allah (God) and not to please people.”

In the last week in March 2005, just as Parliament was about to enter discussion about the Domestic Relations Bill, an estimated 7,000 Muslims from different areas of Uganda took to the streets of Kampala. On the morning of the 29th the group converged again at the Uganda Muslim Supreme Council headquarters at Old Kampala. Before Mufti Sheikh Shaban Ramadhan Mubajje initiated the march through the center of the city, he called for every Muslim in Uganda to stick to the rules written in the Koran. “The Koran caters for every aspect of marriage, children, and relationship,” he said. “There is no need of making another law for Muslims.”

Women of all ages dressed in hijab and men in traditional cloaks moved through Kampala chanting “Allah Akbar” (God is Great). Some men also chanted “Twagala kuwaasa banna” (We want to marry four wives) and the women would echo “Mutuleke batuwasse” (Let them marry us). Some demonstrators held up four fingers resembling the Islamic law that allows a man to have four wives. Placards and banners carried through the streets had messages like “Dare not tamper with our Constitution- The Quran” and “Leave Islam alone or we declare a Jihad against you.” Others read, “Ugandan Women condemn the Domestic Relations Bill” and “Don’t force us to become terrorists.”

Once at Parliament, a ten-member delegation led by chairman of the parliamentary Islamic caucus and Butambala county Member of Parliament, Kaddunabbi Ibrahim Lubega, entered the building. They proceeded to the Deputy Speaker’s chambers to present their Memorandum to Deputy Speaker Rebecca Kadaga. The Memorandum was written mostly by Mubajje who was clear in saying, “It is neither possible nor necessary to improve the DRB to the Muslims’ satisfaction. Therefore, we pray that we be excluded from the application of this law.” Mubajje said Muslims demanded the title of the bill be changed, and that a woman’s “age of puberty” should dictate marriage ages. He included how the law would defile the sanctity of marriage as envisioned in Islam. He also explained that the law would cause religious disharmony, and said, “The Muslims are an important minority and their rights should be respected.”

The ensuing debates over the DRB were visibly affected by the demonstration. The Legal and Parliamentary Affairs Committee “toned down” many sections of the bill, according to cultural and religious sentiments. But many of the changes were in the rhetoric of the bill rather than in composition. When the bill was voted on in July 2005, it failed to pass. Its failure was a victory to the campaign.

The years to come were clogged with Parliamentary back-ups, consistent with the prior history of the Domestic Relations Bill. However, in June 2008 the bill faced another Parliamentary rejection. In early 2009, to the campaign’s pleasure, the bill split into two bills for a more attainable passage. The bill’s spawns were the Marriage and Divorce Bill pertaining to most of Uganda, and then the Administration of Muslim Personal Law Bill, especially for the Muslims. Prominent Sheikhs were granted many of their demands. The Koran’s stance on inheritance remained untouched, as did polygamy. The leaders did end up accepting 18 as the marital age,

finding this to be a reasonable guideline.

Research Notes

Sources:

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