

SOUTH SUDAN



Bring Enough Cows to Marry: Brideprice, Conflict, and Gender Relations in South Sudan

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Abbreviations

CPA	Comprehensive Peace Agreement (Sudan, 2005)
FCDO	Foreign, Commonwealth and Development Office (United Kingdom)
IDP	Internally displaced person
IOM	International Organization for Migration
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
PeaceRep	Peace and Conflict Resolution Evidence Platform
POC	Protection of civilians
SPLM/A	Sudanese People's Liberation Movement / Army
UN	United Nations
UNMISS	United Nations Mission in South Sudan
WFP	World Food Programme

Key Findings

- ▶ This report offers the first comprehensive empirical assessment of brideprice in South Sudan, based on quantitative data from fifteen counties and qualitative insights from four states to understand the economic, social, and political implications of brideprice and its impact on gender relations and violent conflict. The report employs a mixed-method approach, combining quantitative surveys with qualitative interviews and focus group discussions.
- ▶ In South Sudan, brideprice is a vital part of the marriage process, legally finalising a union under customary law. It is a practice embraced by all communities, often paid in cattle, or with cash and other assets. The brideprice system reinforces community ties and acknowledges the efforts of a woman's family in raising their daughter. It also represents a crucial source of income in economically challenged settings.
- ▶ Brideprice symbolises more than a financial transaction; it represents social approval from family and clan, linking families across generations. However, its form and value vary significantly across regions and communities, reflecting diverse cultural norms. Culturally, brideprice is linked to social settings, community pride and identity, affecting the status of both men and women. The practice has spiritual dimensions, influencing perceptions of marriage, family, and kinship bonds, extending beyond the couple's lifespan.
- ▶ Brideprice payments often involve significant numbers of cattle or substantial cash payments, reflecting its importance in marriage and societal status. Variations in volume exist across regions and communities, with pastoralist areas like Greater Bahr el-Ghazal and Greater Upper Nile typically having higher averages. Monetisation of brideprice is increasingly common, with cattle often valued in US dollars.
- ▶ The volume of brideprice in South Sudan varies based on several factors, including regional traditions, family background, and the perceived beauty and educational background of the bride. The survey data, however, shows it is not strictly correlated with the financial wealth of the groom's family. Nonetheless, people suggest brideprice reflects social status, with higher payments signalling wealth and status. The amount is negotiated between families, and marriages across ethno-linguistic lines tend to incur higher brideprices.

- ▶ Brideprices are primarily paid by the groom and his family, often with contributions from extended family and friends. Male relatives, especially the groom's father, play a key role in gathering funds. Despite cultural norms, some women discreetly contribute to their own brideprice. Payment distribution favours the bride's male relatives, with her father, uncles, and brothers usually receiving the most. This distribution varies among different ethno-linguistic groups, reflecting diverse cultural practices, but across all groups, men receive the bulk of the money, and women close to none.
- ▶ Paying brideprice often involves financial strain, with many facing difficulties. The extent of these challenges varies by region and does not correlate directly with wealth. Most rely on extensive family and community networks for contributions, reflecting the importance of social support systems. Some resort to extreme measures like cattle raiding to be able to make payments. This debt burden can impact families and newlyweds, indicating a need for manageable brideprice practices that consider broader societal and economic impacts.
- ▶ Negotiations are traditionally male-dominated and lengthy, often leading to costly wedding celebrations. Brideprice is typically paid in instalments due to its excessive cost, with practices like "booking systems" in place in some communities, where men start brideprice payments for young girls to reserve the right to marry her later. Family pressure can influence brideprice negotiations and payments.
- ▶ Disputes around brideprice are common in customary courts, reflecting underlying gender and social norms. Divorce processes are heavily influenced by brideprice dynamics since a significant amount has to be paid back to the husband's family. This often disadvantages women, restricting their rights and options, even in cases of domestic violence.
- ▶ Brideprice transactions, typically between men, often lead to a sense of entitlement over women, affecting women's rights and their treatment. The practice is deeply ingrained in socio-economic structures, influencing women's roles, rights to children, and perceptions in marriage. Brideprices are intrinsically linked to practices such as polygyny, early and child marriages, and widow inheritance, showing its complex role in perpetuating gender imbalances and cultural norms.

- ▶ There is an empirical link between brideprice and violence against women in South Sudan. Research results indicate that brideprice can cause or justify various forms of abuse, including physical, sexual, and financial violence. The perception of women as property due to brideprices, alongside the financial stress and a sense of entitlement it can foster in husbands, often leads to abuse. Violence may also be perpetrated by in-laws who feel entitled to mistreat women due to their contribution to the brideprice.
- ▶ In turn, brideprices reinforce masculine ideals and expectations, which also results in societal pressures on men. Additionally, the need to acquire cattle for brideprice payments is linked to armed violence and cattle raiding, exacerbating conflict in the region. Raiding is a common pathway to resolve brideprice-related issues, sometimes triggering wider conflict between communities. Brideprice-related conflicts are exacerbated by socioeconomic factors, including the influx of oil money and the availability of firearms, intensifying inter-communal violence and raids.
- ▶ Due to its deep-rooted social functions, any legal reforms will need to be holistic and socially sustainable. Top down or heavy-handed reforms are likely to be hotly contested, despite brideprices' documented discriminatory effects on women. Because brideprice represents cultural roots, identity, and sense of belonging, there is a need for pragmatic regulations. The introduction of brideprice caps may offer a potential solution, but the use of caps has, so far, always failed in the face of stiff resistance. In the long run, pragmatic regulations, especially when embedded in a broader programme of socio-economic development, can work towards a cultural shift to perceiving marriage as an individual union rather than a family arrangement, aiming to balance respect for tradition with human rights protection.

Introduction

Brideprice is a constant topic of debate in South Sudan. Brideprice is commonly understood to be high, even excessive by regional and international comparison and at the same time, accepted as an indispensable factor in keeping family ties and kinship intact, particularly among communities with pastoralist traditions. Brideprices are also known to vary widely across the different communities and ethno-linguistic groups in the country. Brideprices, however, are also known to negatively impact gender relations and to potentially trigger gender-based violence and armed encounters. This is not the least because they are seen as signifying status and power, in particular, when men are married to more than one wife and, hence, show their privileged position.

Despite the obvious importance of the issue, comparative empirical studies have not yet been available. Most knowledge about brideprices in South Sudan that has been applied stems either from a limited number of communities based on qualitative research from anthropological studies, or from anecdotal evidence and hearsay. This report is meant to close this research gap by providing the first thorough empirical assessment of brideprice in South Sudan and its impact on gender relations and armed violence in the various parts of the country based on quantitative data from fifteen counties in ten states across South Sudan. The quantitative data is supplemented by qualitative interviews from four locations from four different states, representing the three big regions of the country.

In so doing, the report aims to broaden the contextual knowledge about the social fabric of South Sudan and its ongoing transformation. It hopes to offer a contribution to the transition of the country out of decades of violent conflict. A clearer understanding of the socially deeply embedded practice of negotiating marriages – and divorces – and its economic, social, and political implications can also help improve the targeting of external support for South Sudan's transition process.

The research leading to this report has been funded by the Peace and Conflict Resolution Evidence Platform (PeaceRep), a multi-year research programme supported by the UK Foreign, Commonwealth and Development Office (FCDO) for generating new insights into complex peace and post-conflict transition processes. The study was implemented by a research team located at and contracted by Coventry University's Centre for Trust, Peace and Social Relations (CTPSR) in collaboration with Melissa Johnston from the University of Queensland. The quantitative survey component has been implemented by Detcro Research and Advisory as part of the fourth iteration of the South Sudan Public Perceptions of Peace Survey¹ under the team lead of David Deng.

The report starts with an overview of the key characteristics of brideprice payments in South Sudan, mainly from a comparative angle, focusing on the differences between the regions and ethno-linguistic groups. The second part focuses on brideprice economics, including the increasing trend to monetisation, followed by a discussion of its modalities and the ways brideprice is negotiated and paid. Finally, the report dives into the two main questions it seeks to answer: the impact of brideprice on gender relations in South Sudan, and the relationship between brideprice and violent conflict. Several conclusions, including reflections on what would be possible ways forward for stakeholders to tackle the challenges around gender relations and violent conflict, are presented at the end of the report.

Research Approach and Methods

The report is based on a mixed-method research approach. Quantitative survey data was complemented and triangulated by qualitative data from interviews and focus group discussions, as well as by lived experiences and numerous social discussions. The methodology, qualitative interview questionnaires and the survey instruments were developed by the team in close collaboration with a related and ongoing project led by Melissa Johnston at the University of Queensland, *Brideprice, Conflict and Violence Against Women in Asia (2022-2025)*.

A gender lens was applied to both the qualitative and quantitative data as phenomena can be framed, interpreted, and experienced differently according to a person's gender. For instance, one participant who was currently using the brideprices of his sisters for his daily living costs asserted that "brideprices have an important economic function", while some female participants said that brideprice made men "look at women as a commodity".

The survey component was implemented as part of the fourth iteration of the South Sudan Public Perceptions of Peace Survey, a nationwide survey on people's everyday experiences of peace, conflict and the peace process implemented by Detcro Research and Advisory. Data was gathered in person across fifteen counties in ten states and one special administrative area, including three Protection of Civilian/IDP sites (Juba, Bentiu, Malakal) in South Sudan. The experienced and well-trained enumerators worked in gender-balanced teams of three and, in total, gathered 4,482 responses in March and April 2023.

Ethical clearance for the research has been provided by Coventry University. Apart from the module on brideprices, the survey asked for demographical and socio-economic characteristics, everyday experiences of peace, public perceptions of the political transition process in South Sudan and opinions with regards to the forthcoming elections. Within the fifteen target counties, the sampling was randomised and, thus, guarantees statistically representative results.² However, especially when it comes to breakdowns along ethno-linguistic groups, the data shown in the report only represents the fifteen surveyed counties and, thus, focuses only on groups from which a relevant sample of responses have been collected. Table 1 in the Annex provides a breakdown of locations and other key characteristics.

The surveyed counties are a convenience sample of areas that represent principal regions and conflict theatres in South Sudan. Within each county, the team adopted an approximately self-weighting stratified random sampling approach to select individuals. Simple random sampling was not possible due to the absence of recent census data. Therefore, the team divided each county into environments (urban, rural and IDP camps) and evaluated their relative population densities using the GRID3 South Sudan Settlement Extents, Version 01.01 dataset. Informed by this data, the research team randomly sampled map coordinates in urban and rural areas.

Male-female enumerator pairs began each workday at one of these randomly selected map coordinates, and then followed a random walk script assisted by a smartphone app. Respondents from camps for internally displaced persons (IDP) were sampled using the most up-to-date United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA) Protection-of-Civilians (POC) Head Counts and International Organization for Migration (IOM) IDP Site Multi-Sector Needs, Vulnerabilities data.

For the qualitative part of the research, Alaak Garang, Pospisil, and Rambang Tai recruited three groups of interviewees and focus group participants: individuals who have had recent personal experience with brideprice and marriage, either as groom or bride or as negotiators; cattle vendors; and several community or political leaders, such as elders involved in customary courts. Interviews were carried out in March and April 2023 in Bentiu Town, Unity State, Bor Town, Jonglei State, Juba and Juba IDP site, Central Equatoria State, and Rumbek Town, Lakes State. Table 2 in the Annex provides a list of all interviews that have been conducted.

Despite the limited number of participants in the qualitative component, the insights gained on the processes, meanings, and outcomes of brideprice practice in South Sudan are highly insightful and add context to the data collected in the quantitative survey. After the interviews were completed, the transcripts and notes were coded using qualitative software, deriving the major themes, and grouping these into coherent categories that speak to the research question. The report is organised along these major themes that emerged through the interviews.

While the survey data reaches across all ten states and one additional administrative area (Greater Pibor), it still only covers fifteen counties and can, therefore, not claim to be statistically representative of South Sudan as a whole. Brideprice traditions and payments often differ significantly between counties, especially in states where the population is highly diverse, such as in Jonglei, Unity State or Upper Nile. Brideprice traditions are deeply embedded within community and family structures and differ widely, a gap that also cannot be bridged by the qualitative research component. However, despite these limitations, we are confident that the data presented in this report provides a useful and realistic overview of ongoing practices.

Characteristics of Brideprice in South Sudan

Brideprice (sometimes called bridewealth) is one of the most important social institutions in South Sudan, especially among the pastoralist communities.³ It symbolises the connection not only between the groom and the bride, but between families and kin. The socio-cultural dimension of marriage is the context in which brideprice acquires its real meaning. While this is true, at least to some extent, for all ethno-linguistic groups in South Sudan, it is particularly true for those coming out of a pastoralist tradition. Among Dinka, for instance, "marriage is not simply a union of a man and a woman, but an alliance between their respective bodies of kin. This transforms the personal desire for marriage into a social obligation" (Deng, 2010: 58). The same is true among the Nuer, where "the institution of bridewealth [...] serves as a most important principle in defining the Nuer social order" (Burton, 1982: 56).

In terms of language, there is a common misunderstanding in South Sudan whereby the contributions given by the groom and his family to the family of the bride, in English, is commonly called "dowry", which actually refers to goods or money transferred from the bride's side to groom's side (Deng, 2021: 4). In this report, therefore, we will stick to the wording of "brideprice", even though the majority of the interviewees referred to it as "dowry". The meaning in the local languages is often related to the paramount role cattle plays for paying brideprices among pastoralist communities. In Dinka, brideprice is usually called *hock*, which literally translates to cows, or *hock ke theik*, the cows paid in marriage. The Nuer expression, *hok kuen*, equally refers to cows that have been paid.

There are several further clarifications required on brideprice and brideprice payments in the South Sudanese context which this chapter subsequently deals with, especially how it is paid by which communities, how it is understood, and the cultural and spiritual values attached to it.

Brideprice in the South Sudanese Context

In South Sudan, brideprice is usually paid upon a woman's marriage by the groom's family to the bride's family. In fact, it is the full payment of the brideprice that makes a marriage legal in terms of customary law of the pastoralist communities, so, technically, a marriage is legally not fully completed if only parts of the brideprice have been paid. Brideprice payments are not just common in South Sudan, they are unavoidable. One hundred percent of survey respondents agreed that brideprice is either common in the country, their community, or their respective family.

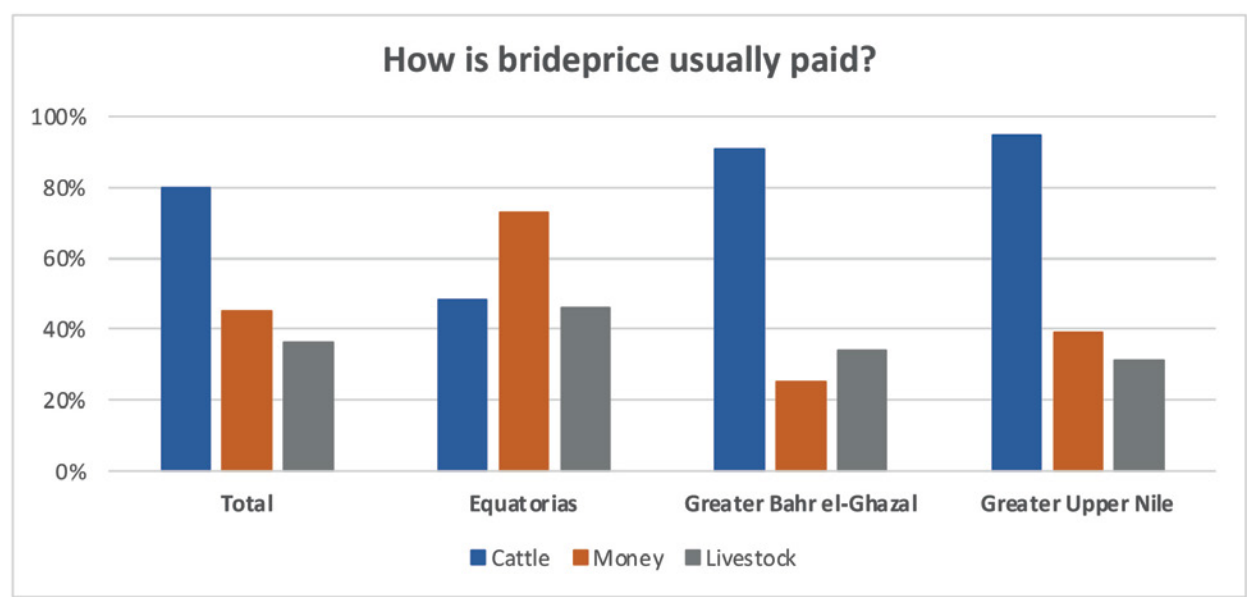
The compulsory nature of brideprice is also visible among South Sudanese in the diaspora, reflecting their kinship relations, notwithstanding their actual citizenship.

Unsurprisingly then, brideprice is a topic that concerns each and every South Sudanese, irrespective of their ethno-linguistic and regional background. However, how brideprice is treated, and how and how much it is paid differs between regions and communities. In general terms, the brideprice symbolises that marriage is not an individual choice but a social affair. Against this background, the payment of the brideprice materialises the necessary approval of the marriage by family, relatives, and the lineage (Madut, 2020: 7; Stern, 2011: 3).

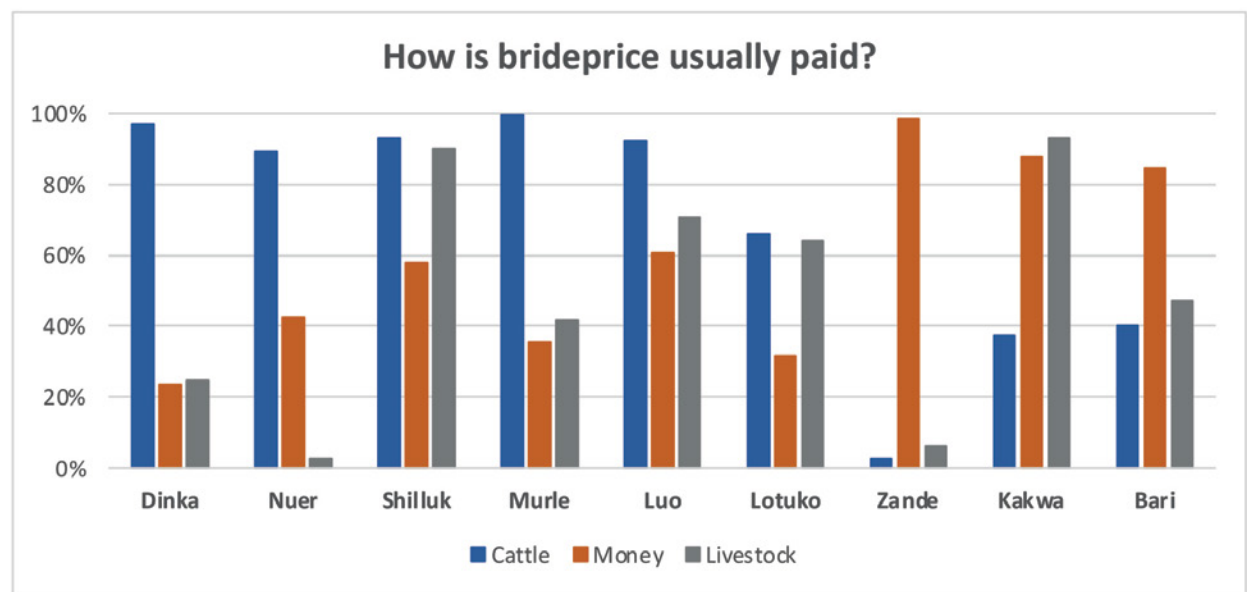
Brideprice is most often paid in cattle, especially among the traditionally pastoralist communities in Bahr el-Ghazal and Greater Upper Nile, and/or in cash and other livestock. Cash payments are common throughout the country, often as a supplement to the heads of cattle transferred. Other livestock is mainly used in the Equatorias, but payment in non-cattle livestock is also common among Shilluk and Luo communities in Greater Upper Nile and Greater Bahr el-Ghazal. Other sources of payment, such as farming tools or tobacco, are also used, especially among farming communities. Among pastoralists, the use of cattle is obligatory, demonstrating the symbolic importance of cattle in creating, defining, and maintaining social relations. Among Dinka communities, "[a]ny marriage in which the bridewealth is not paid in cattle is not treated as valid in the eyes of the law" (Deng, 2010: 116). Sometimes, other material goods and property, such as land and cars, are used as well, with the latter, however, often treated as an additional gift instead of as a part of the negotiated brideprice.

Brideprice represents a significant transfer of wealth. It creates links between families and groups over generations and is often a relevant source of income. Because of its significance to individuals and families, brideprice is a frequent subject of debate. As one female MP said, "brideprices are a huge topic. It is discussed a lot."⁴ Of particular interest is the volume of brideprice in terms of the number of cattle. As it will be shown later, the volume of the brideprice is both used to ascribe a certain "value" to the bride, and to symbolise the (financial, social, political) capabilities of the groom, and hence creates broad social interest far beyond the immediate act of the payment and the marriage.

Graph 1: How is brideprice usually paid (by region, n=4,482)



Graph 2: How is brideprice usually paid (by ethno-linguistic group, n=4,482)



Graphs 1 and 2 show how brideprice is currently paid. In general, it shows that the agriculturalist communities in the Equatorias have a much higher proportion of cash and livestock payments compared to pastoralists. Among Dinka and Nuer, non-cattle livestock are often considered as too inferior to be used as brideprice payments. In these communities, cash is often accepted, but only as equivalent or representative of a certain number of cattle, otherwise it is only counted as a gift (Deng, 2010: 116). Graph 2 shows the difference among some ethno-linguistic communities. Cattle is almost always used by pastoralist groups such as the Murle, Dinka, Luo, and Nuer, with the latter interestingly having a slightly lower percentage of cattle use. This might be explained by the fact that a considerable number of Nuer in South Sudan are still living in IDP camps, where cattle are not readily available.

On the other hand, Zande know almost no cattle and livestock payment; brideprices are almost always settled in cash. For other Equatorian communities, the picture is more mixed and involves both livestock and money payments. As seen in Graph 2, the cash proportion also increases among the pastoralist communities. This may have difficult cultural consequences, as the cultural kinship bond created by cattle gets lost (Danish Refugee Council and Danish Demining Group, 2017: 20). As indicated above, the increasing use of cash among some South Sudanese is likely linked to their displacement. This has been confirmed by research in IDP camps (Stites et al., 2022: 5), where there is only a limited availability of cattle.

While brideprice expectations have not been reduced, there has been a strengthening of individual agency against family control coming along with this shift, since family and kin contributions – and, vice versa, disbursements – change when brideprice is paid in money. Family and extended kin are often not able to contribute in the same way. Also, the bride's family faces certain losses. Cattle reproduces and, thus, increases the brideprice within the family – even the offspring in the herds remains symbolically tied to a particular marriage, thus perpetuating kinship bonds (ibid: 6). On the other hand, money, South Sudanese pounds in particular, loses value in inflation. Hence, among the Murle, the “term for bridewealth is *tiin ci aroyai*, literally, ‘cows of X’” (Felix da Costa, 2019: 31). This bond gets lost when the brideprice is only paid in money.

Reasons People Pay Brideprice

Among interviewees, there were various interpretations of brideprice and the reasoning behind it, but a majority agreed that it is a token of appreciation and respect to the bride's parents, and a sign of a man's capacity to protect and provide for his wife.⁵ Brideprice was most frequently described as being a form of compensation to the parents and the wider family of the bride for the parental care and attention given to the girl in her upbringing, a form of "exchange given to a bride's family for her hand in marriage".⁶ Chiefs, who deal frequently with brideprice processes, said that brideprice:

*"...means paying the parents back for taking care of their daughter and raising her, paying back for all the medical bills you spent; it means paying a tip of gratitude to all the family who contributed to raising her, it means appreciation."*⁷

Likewise, cattle vendors, who buy and sell the cattle used in brideprice, talked about the father's investment in his daughter, "he spend of lot on raising his daughter",⁸ and grooms talked about brideprice as a way of "showing gratitude to the bride's family for raising a woman I want and love".⁹ Focus group discussions with married women (brides) held similar opinions about the reasons or justifications for paying brideprice. One young bride said it "means appreciating my parents for raising me".¹⁰

Scholarship on brideprice in South Sudan mainly points to the function of brideprice in systems of kinship alliance. Brideprice payments offer the opportunity to become integrated in kinship groups (Beswick, 2004: 134). The bride becomes part of her husband's kin group, and the groom and his family have new ties with the bride's extended family. Hence, it creates kinship ties, and produces support networks that can be counted on in times of need: "Exchanges made through bridewealth establish and consolidate bonds that can support people in times of need" (Felix da Costa, 2019: 30).

Practically, brideprice is an accepted source of income that often relies on the compensation paid for daughters in the face of economic hardship. Cattle is often the only monetary source in economies deprived of capital and the only reliable way to save financial means in the absence of dependable bank accounts. The marriage of daughters, hence, is often the sole way to generate income that could be monetarised. One interviewee confirmed that while waiting for a political appointment and having no regular cash income, he relied on the cattle paid as brideprices for his two sisters as the main source for funding his families' cost of living.¹¹

Cultural and Spiritual Importance of Brideprice

Participants also acknowledged the cultural importance of brideprice, with several mentioning how brideprice was attached to a sense of identity. Frequently, participants talked about brideprice using the word "pride" – pride in the community, a sense of pride in roots and culture and where somebody comes from, or a sense of pride in the value that is attached to brideprice.¹² This linkage comes to life in the words of one family in Bor Town who said, "the more cattle was paid for the girl, the more proud the girl's family would be, the larger the wedding would be".¹³

The notion of how honour and value attaches to men and women in the brideprice and marriage process also came up frequently (see also Deng, 2010: 117). For instance, participants mentioned how "being attached to a family and marriage brings a lot of respect for women" and that people "respect you more when you have a man".¹⁴ The same is true for young men, who, only with marriage and the respective payment of brideprices, become "full persons" (Leonardi, 2007: 402-403). The brideprice is "also a sign of your husband and his family loving you enough to pay all this amount just to have you as their wife".¹⁵

Especially among pastoralist communities, bond produced by the brideprice is considered to outlive the physical lifespan of the couple. Death does not dissolve a marriage that is based on a fully paid brideprice. As shown later in this report, the phenomena of "ghost marriage" and "widow marriage" are rooted in this spiritual acknowledgement of the brideprice. This attribution also confirms that the bond is not an individual one, but one that concerns family and kin as a whole.

The Brideprice Economy

Historically, high brideprices have not been seen as problematic in South Sudan, but rather as a source of pride and wealth. As Beswick (2004: 137) observes when investigating Dinka oral history, wealth is shown by marriage, and is thought to attract more wealth. In recent times, especially after the signing of the Comprehensive Peace Agreement (CPA) in 2005, brideprices were hit by rampant inflation. While this inflation could be prevented in earlier times (for the Nuer, Evans-Pritchard, 1940: 69), the war since the 1980s changed the dynamics significantly and led to a continuous rise that exploded after independence (Danish Refugee Council and Danish Demining Group, 2017: 20).

As Rodenbeck (2021) found out in interviews, “[a]fter the 2011 referendum in which South Sudan voted to become independent from Sudan, the typical price of an educated bride rose from 12 to 50 cows, an inflation of over 300 percent. By 2012, a single marriage could cost a family 100 cattle.” Unsurprisingly, brideprice payments quickly became the main concern among male youth in the post-CPA period (Sommers and Schwartz, 2011: 4).

Two reasons for this constant rise have been identified. On the one hand, the war has resulted in a breakdown of most economic activities, hence, many families became reliant on brideprice payments for economic survival (Luedke and Logan, 2018: S109). Paradoxically, there was also enormous wealth that became available, especially to elites in the Sudanese People's Liberation Movement (SPLM) in the post-CPA period through oil revenues. These revenues created opportunities that were both a source of pride and wealth, yet also problematic in South Sudan.

Spending in hitherto unknown quantities, newly wealthy men saw brideprice payments as a welcome opportunity to demonstrate their financial capabilities, thus, in turn, creating inflated expectations among recipients. “It becomes an ego issue, the more you pay, the higher the status the husband and his [new] wife receive.” (Juba businessman quoted in Sommers and Schwartz, 2011: 4). This rise was not met with any significant resistance. “Parents naturally see it in their interest to maximize their wealth in exchange for marrying off a daughter” (ibid).

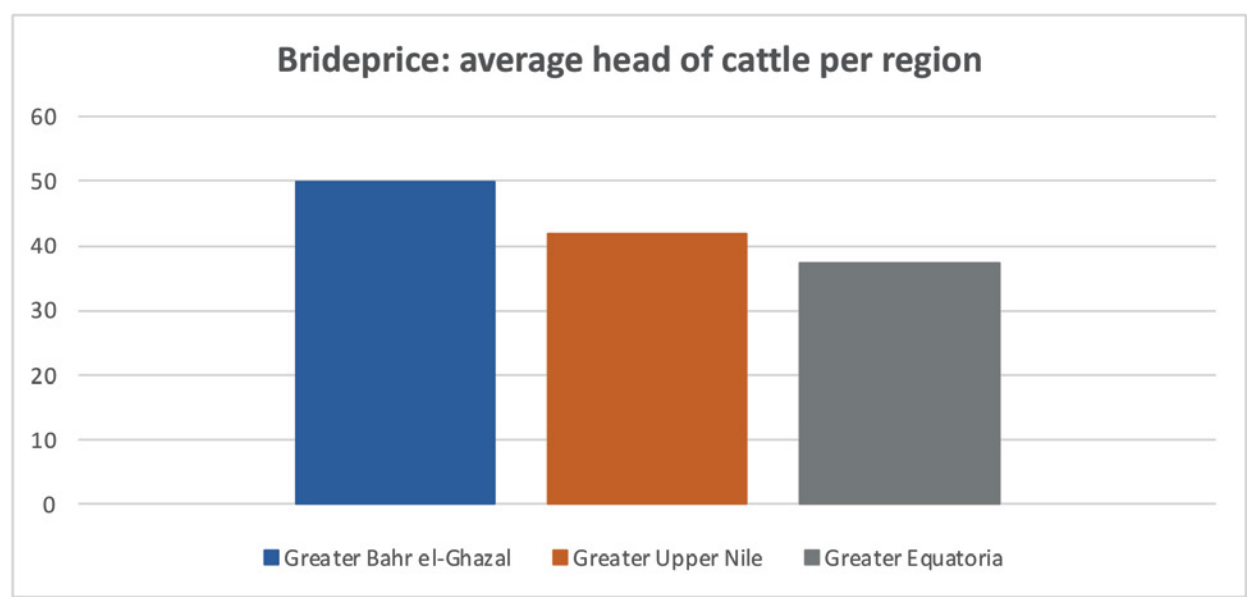
Brideprice Volume

These findings from the literature are largely confirmed by interviewees. Brideprice was recognised by participants as comprising significant volumes of cattle and/or cash, with a few participants talking about how “expensive” marriages have become in South Sudan, so much so that “some people fear marriage because of how expensive” it has become.¹⁶ Yet, as shown above, as one interviewee in a qualitative study from 2017 in Rubkona puts it, “you pay more to show your name” (cited in Danish Refugee Council and Danish Demining Group, 2017: 20)

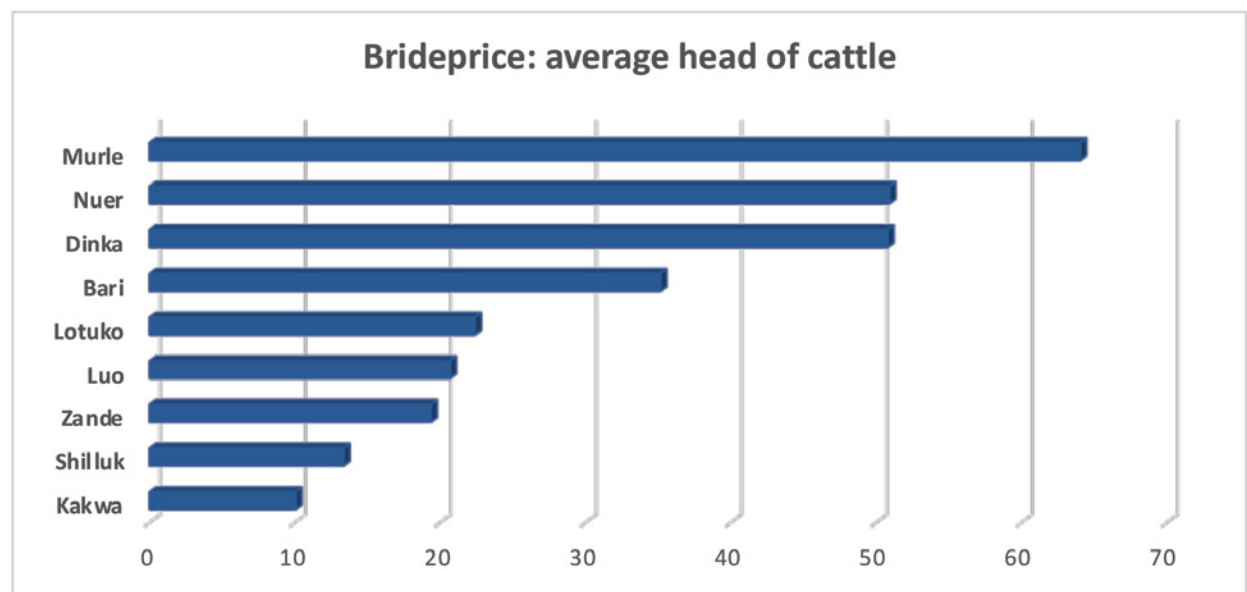
In the qualitative data, participants frequently talked about ranges from 33 to 50 cows, 60 to 80 cows, or even 200 to 250 cows. This is confirmed by Graphs 3 and 4 that show the average head of cattle negotiated in brideprice payments in the three greater regions of South Sudan and among some of the most populous ethno-linguistic groups. With the average sitting between 40 and 50 cows in the pastoralist regions of Greater Bahr el-Ghazal and Greater Upper Nile, the assessments of the interviewees are largely confirmed.

Common assessments by South Sudanese, including the idea that brideprice payments in Greater Bahr el-Ghazal are higher compared to Greater Upper Nile due to the greater availability (and, thus, lower price) of cattle, are also confirmed in the survey findings. On average, brideprices in Greater Bahr el Ghazal are ten head of cattle higher compared to Greater Upper Nile, and the spread of extraordinarily high brideprices – the number of instances where very high brideprices have been paid – is higher as well. As the outliers, the volume among Murle is the highest in comparison of heads of cattle (Graph 4).¹⁷ This can be explained by the high competition within Murle age-sets and the comparably insignificant role of cash payments. The high volume of brideprices among the Murle has also been confirmed by previous qualitative research. Thomas (2015: 200), for instance, reported a minimum number of 42 cows for brideprices paid in Greater Pibor, which had already started to delay marriage among young men.

Graph 3: Brideprice – average head of cattle (by region, n=4,482)

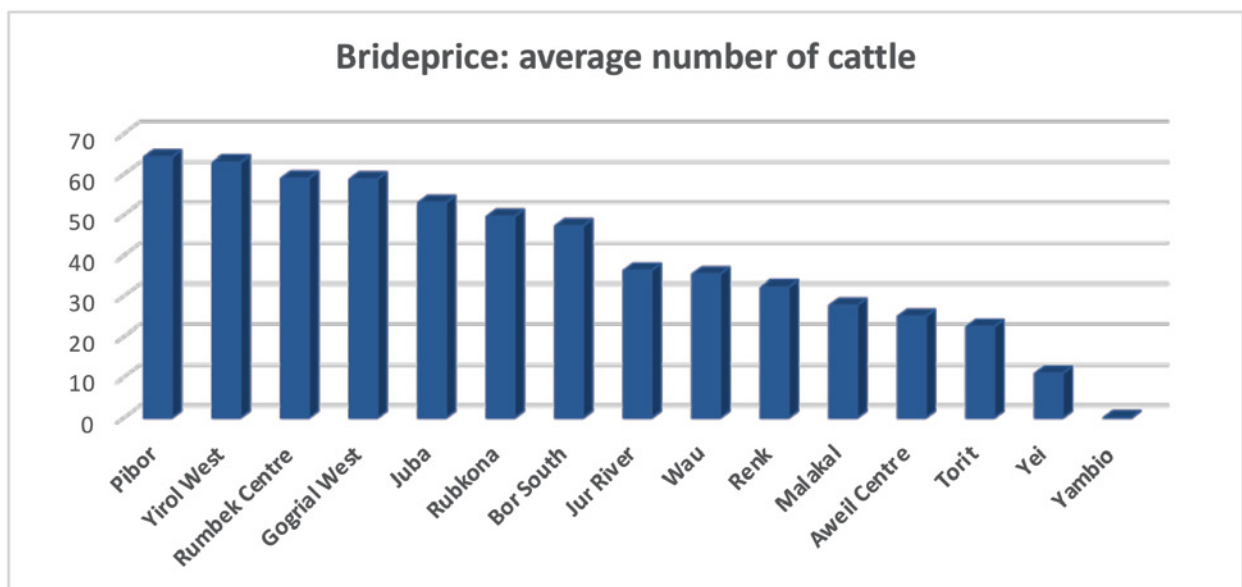


Graph 4: Brideprice – average head of cattle (by ethno-linguistic group, n=4,482)



The comparatively high volume of cattle paid in the Equatorias is an unexpected finding. As Graph 5 below shows, however, this is mainly due to the brideprices in Juba County, which is ethno-linguistically mixed. Graph 4 shows that among Equatorian communities, the volume of cattle paid is significantly lower (and, what the graph does not show, much less frequent). Interestingly, Zande report payments in cattle, but only outside their home county, Yambio, where there are no payments in cattle reported (see Graph 5). Apart from that, the overview of the counties confirms the findings: apart from Pibor, counties from Lakes State (Yirol West, Rumbek Centre) and Warrap State (Gogrial West) dominate, with significantly lower proportions paid in Jonglei (Bor South) and Upper Nile (Malakal), but also in Bahr el-Ghazal (Jur River, Wau). The Equatorian counties (Torit, Yei, Yambio) do not practice significant payments in cattle (with the capital Juba, accommodating a significant population originating from other states, the notable exception).

Graph 5: Brideprice – average head of cattle (by county, n=4,482)



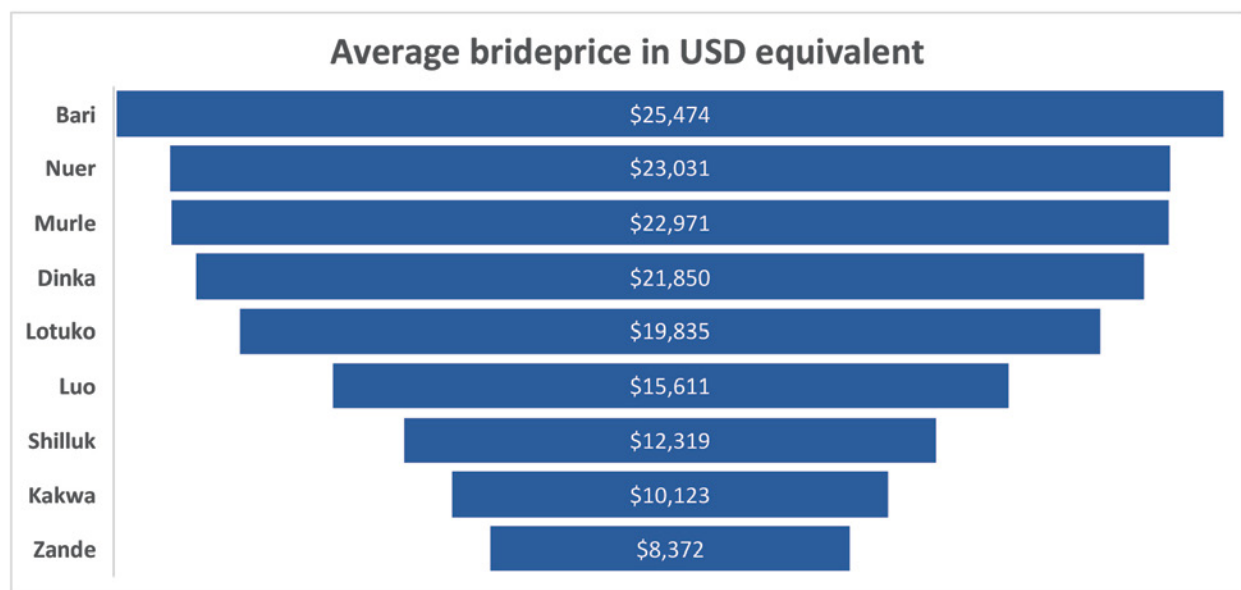
Monetisation

Several participants noted that brideprice is currently paid in a mixture of cash and cows also among the pastoralist communities. For instance, three grooms from Nuer background from Juba noted that they paid their brideprice half in cash, half in cows. In their reckoning, one cow was worth around 300 USD, and that the price was then calculated as a total number of cows, but half to be paid in cash at the rate of 300 USD per cow.¹⁸ Among pastoralist communities, brideprice is usually negotiated in cattle, even when paid in cash, a practice usual among diaspora communities (cf. Deng, 2010: 119).

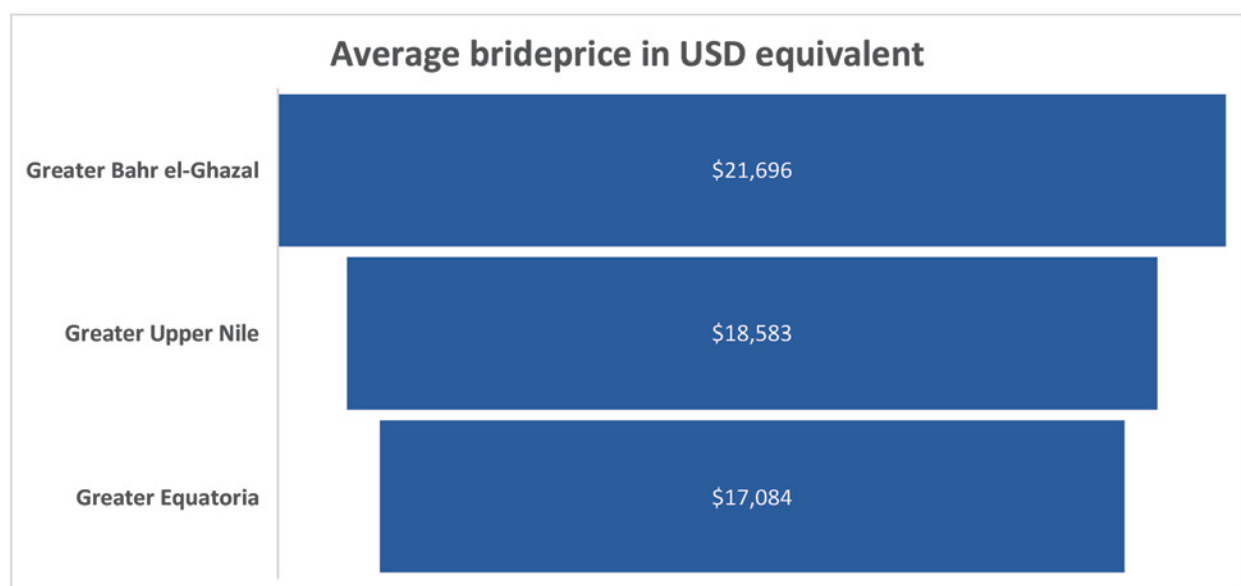
A Nuer bride and her family also brought up the issue of monetisation of brideprice, saying that “cows are being measured in the form of [US] dollars, nobody measures brideprice in the form of South Sudanese pounds”. The preference for USD instead of pounds was because of the threat of economic crises, but inflation of the USD also affected the rate for brideprice.¹⁹ The survey results confirmed that cash payments are now common among all communities in South Sudan, albeit to varying extents.

Against this background, the survey asked about the accumulated volumes of brideprice paid in heads of cattle, cash, and livestock, to make total brideprice payments, at least to an extent, comparable between regions and ethno-linguistic groups. The results are shown in Graphs 6 and 7 below. For the calculation, an average head of cattle was calculated at 400 USD (slightly above the rate mentioned by the interviewees above),²⁰ and other livestock at 200 USD per head.

Graph 6: Brideprice – average in USD equivalent (by ethno-linguistic group, n=4,482)



Graph 7: Brideprice – average in USD equivalent (by region, n=4,482)



The overall comparison in Graph 7 confirms what could be seen already when looking at the average number of heads of cattle: Greater Bahr el-Ghazal, with 21,696 USD as a calculated approximate average, has the biggest overall volume also in monetary terms, before Greater Upper Nile and Greater Equatoria. Greater Equatoria, however, presents the said mixed picture, with comparably high brideprice payments among Juba-based communities from a pastoralist background.

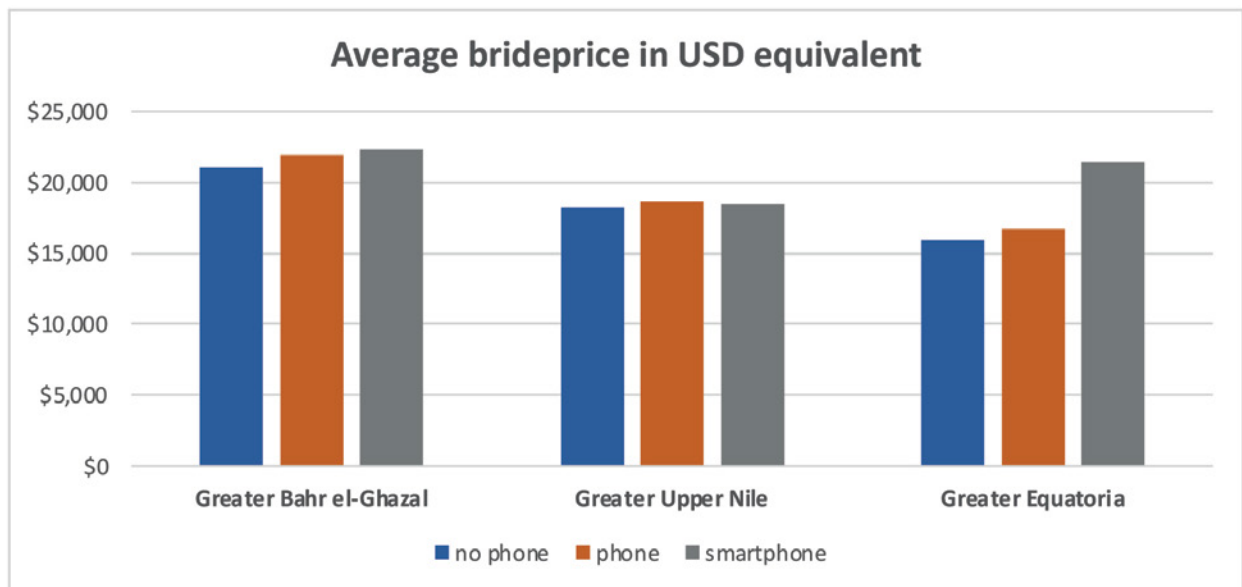
When looking at the ethno-linguistic groups, Graph 6 offers the surprising finding that the overall brideprice among the Equatorian Bari is highest, even by a considerable margin. The reason for this is, on the one hand, the still high number of cattle payments among them due to their pastoralist roots, but also the generally inflated price level and availability of monetary resources in their home area of Juba. In social conversations, this finding was subsequently confirmed. As one female participant of such a conversation revealed to a member of the research team, "you want to marry a Bari lady, I tell you, you will cry".

Determinants of Brideprice Volume

Interviewees for this research all agreed that brideprices were not uniform. The main determinant of the volume was the region of origin and the applicable brideprice traditions there. Other factors point towards the family background and what is considered as "beauty" – often equivalent with the height – and the educational background of the bride (Deng, 2021: 2). In the last instance, while there are objective factors constituting elements of the brideprice, the outcome is a matter of negotiation between the families. In marriages across ethno-linguistic groups, prices depend on the price differentials between these groups. In general, between groups with equivalent brideprice traditions, inter-ethnic marriages tend to be more expensive than those within communities.

Strikingly, the volume of brideprice payments – and the struggle to honour them – is not correlated with the financial means directly available to the groom and his family, which is shown by Graph 8 below. In other analyses of the data from the South Sudan Public Perceptions of Peace Survey, it has become clear that access to phones and smartphones is the strongest indicator of material wealth that can be applied across South Sudan. What Graph 8 impressively shows is that this factor is not determining the height of brideprice payments – with the Greater Equatoria region being the, expected, exception. Within communities with a pastoralist tradition, family background and even wealth, apparently, are still determined by factors other than visible assets like smartphones.

Graph 8: Brideprice – average in USD equivalent (by region / phone access, n=4,482)



The interviews confirmed the findings from the survey and the literature. A decisive factor determining the brideprice was outward factors such as “education level and beauty, for example having white teeth, being tall and having smooth skin”.²¹ Education and height were mentioned most frequently by participants. An additional element has been the age of the bride and if she had been married or engaged before.²² Other characteristics of the bride, such as a “way of carrying herself” or “how good she was raised”, would also feature in the answers, which favours brides from a groom’s own ethno-linguistic community.²³

The family background still had a significant role to play, even though, as discussed above, it might not directly correspond with material wealth. In four out of five of the focus groups, participants mentioned the status of the family, including class status, as the main factor affecting the brideprice. Consider the response to the following question: "Researcher: Why are some bride prices so high? – Respondent 1: Because of family background – Respondent 2: Social status and class".²⁴ There is a view among respondents to the interviews and focus groups that people from a higher social class paid higher brideprices, through which they signalled and reinforced their higher social status. For instance, a Nuer bride and her family said:

"Yes, yes, the wealthier you are, the more brideprice you can afford. You use your social status and your cows to impress your in-laws, to impress the people who are coming to be part of the wedding, and also to impress the society – for your name to be praised and mentioned in high places".²⁵

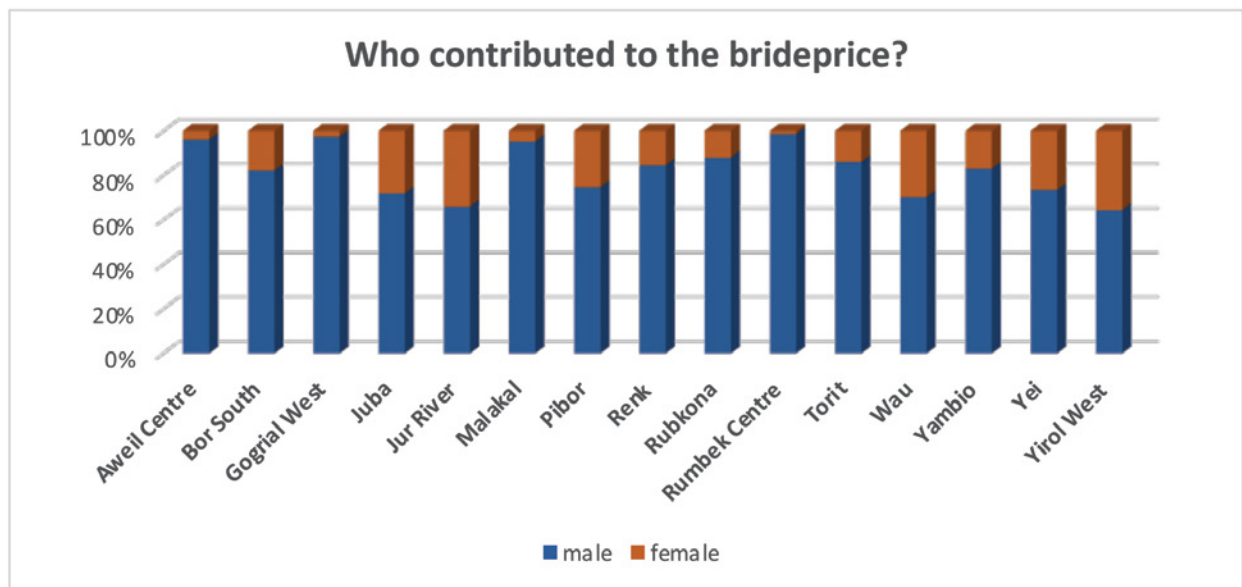
Not only did high brideprice signal wealth and high social status, but conversely, a lower brideprice signalled a lower social status. Again, the Nuer bride and her family explained:

"Yes, the more the brideprice the more it's a sign of wealth and social status and being an elite if it is high the lowest the more it shows that reflects your background and where you come from and sometimes if you pay less it is associated with poverty and not being able to cover the bright price that is required".²⁶

Who Pays the Brideprice?

In South Sudan, it is grooms' parents, uncles and the groom who must come up with the brideprice, but the groom "must get contributions from friends and family members" and maternal uncles also contribute a portion of the brideprice.²⁷ As Graph 9 below shows, indeed, most contributors are male. "The collection of bride wealth is the task of the bridegroom or his father with the help of kinsmen on his father's and mother's sides, as well as of in-laws" (Deng, 2010: 118). Usually, this help is reciprocal, so it generates the expectation that help will go the other way should kinsmen marry.

Graph 9: Who contributed to the brideprice (by county, n=4,482)

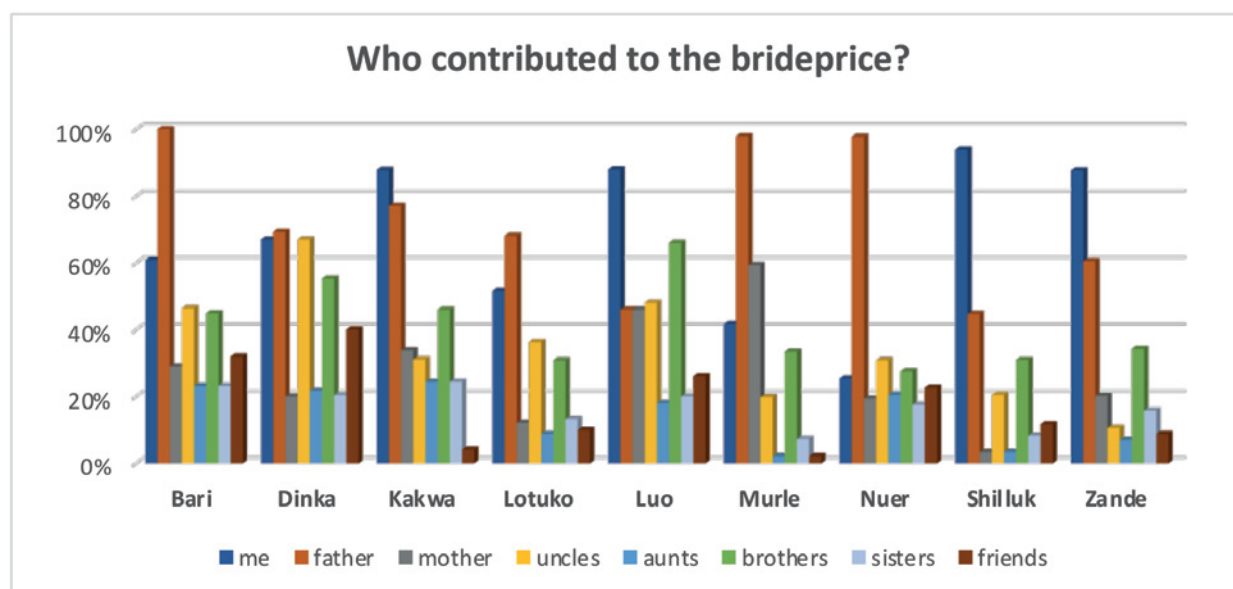


Interestingly, several participants mentioned that in the contemporary period, some women are also contributing to their own brideprice, but that this was not culturally sanctioned, and women's contribution is kept secret and unacknowledged, so as not to bring shame to the bride's family:

*"In this modern era, educated working women contribute but hide it, as in the negation is not allowed to say that a women contributed in paying her own bride price, it shows desperation and it's against the norms as its thought to bring shame and stereotype to the bride's family, only the man will know and maybe his family but they end up giving credit to the man and his family for paying all the bride prices even through the women contributed."*²⁸

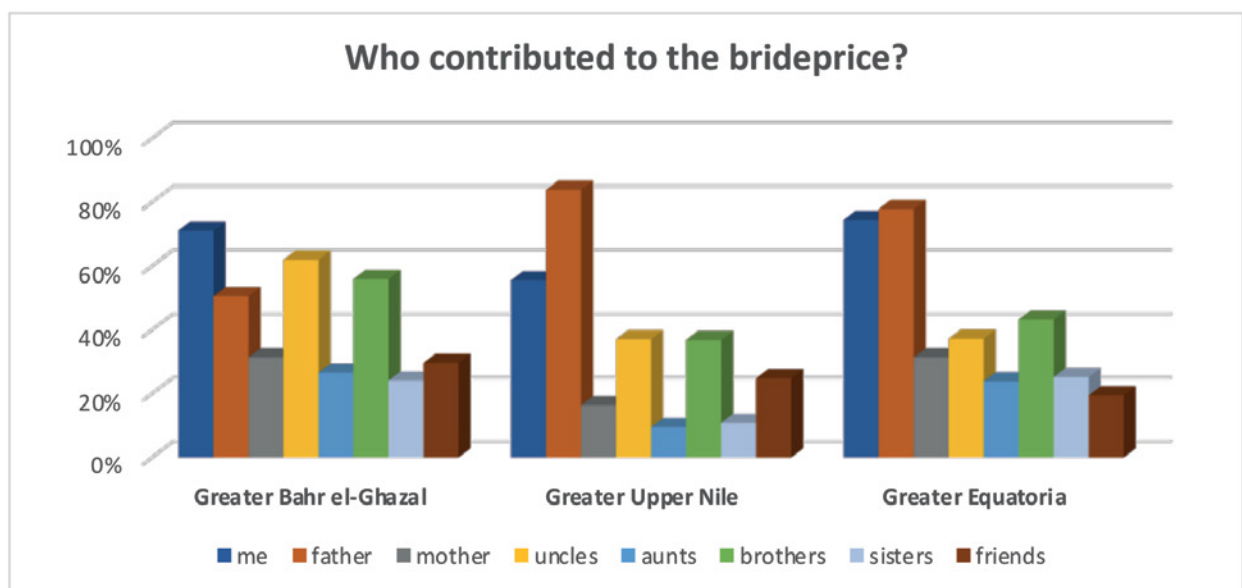
In more detail, Graph 10 shows the remarkable differences in contribution across ethno-linguistic communities. Very interesting is the comparatively low own contribution of the groom among Nuer, Murle, and, to some extent, Dinka, which points towards the substantial involvement of the whole family in dowry payments. Among some of the Equatorial communities, the own contribution of the groom is much higher in comparison, which suggests that the individual components in marriage and brideprice negotiation and payments are stronger. Interestingly, the same is true for the Shilluk (at least in Malakal County and the Malakal PoC site, where the quantitative data was gathered).

Graph 10: Who contributed to the brideprice (by ethno-linguistic group, n=4,482)



The regional differences, as shown in Graph 11, are not significant. Surprisingly, the outlier is Greater Upper Nile, where the own contribution of the groom was substantially lower than in other parts of the country. In Greater Bahr el-Ghazal, where brideprices tend to reach a maximum, family involvement was stronger, with a more important role given to uncles and brothers, and to female members of the households. In Greater Equatoria, these family contributions are still present, but the direct contributions of the core family are stronger, particularly the father of the groom.

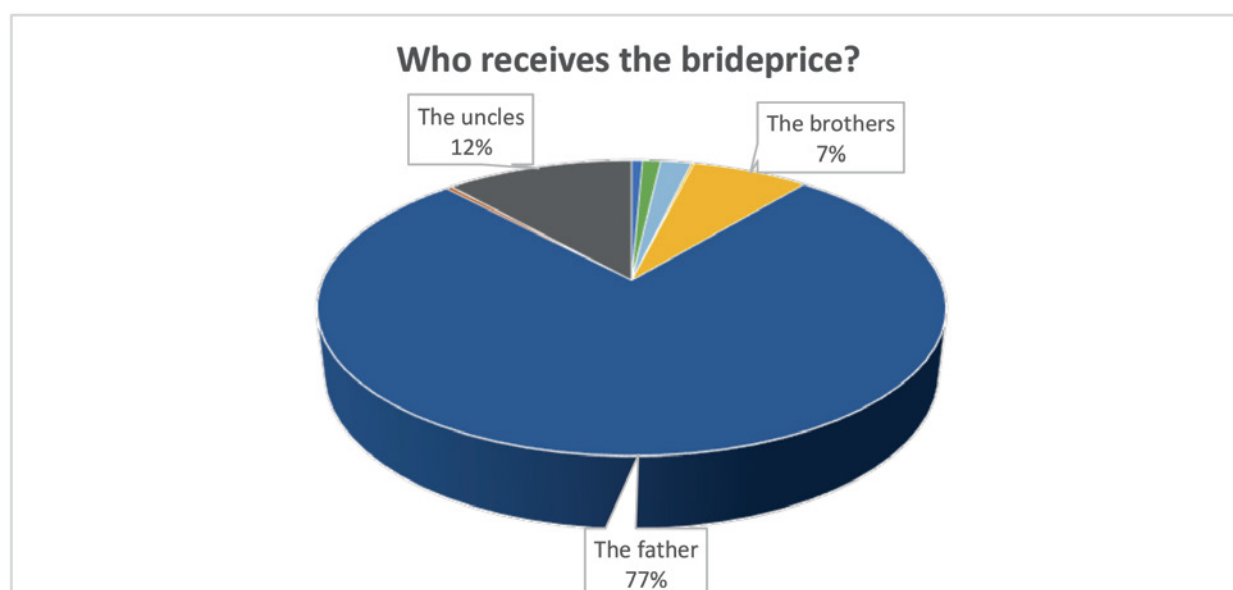
Graph 11: Who contributed to the brideprice (by region, n=4,482)



Who Receives the Brideprice?

It was unanimously reported by research participants that the bride did not receive the brideprice, although the payment is also supposed to bring her honour and benefits. In fact, the distribution follows established formula and favours the male kin (Deng, 2010: 119). Another unanimous view from the fieldwork was that male relatives receive the bulk of the brideprice, although there was variation as to whether the bride's father or her uncles received more. Graph 12 confirms this with overall data gathered in the survey: the overwhelming majority of recipients indeed are male members of the family, first and foremost the father of the bride, then the uncles and the brothers.

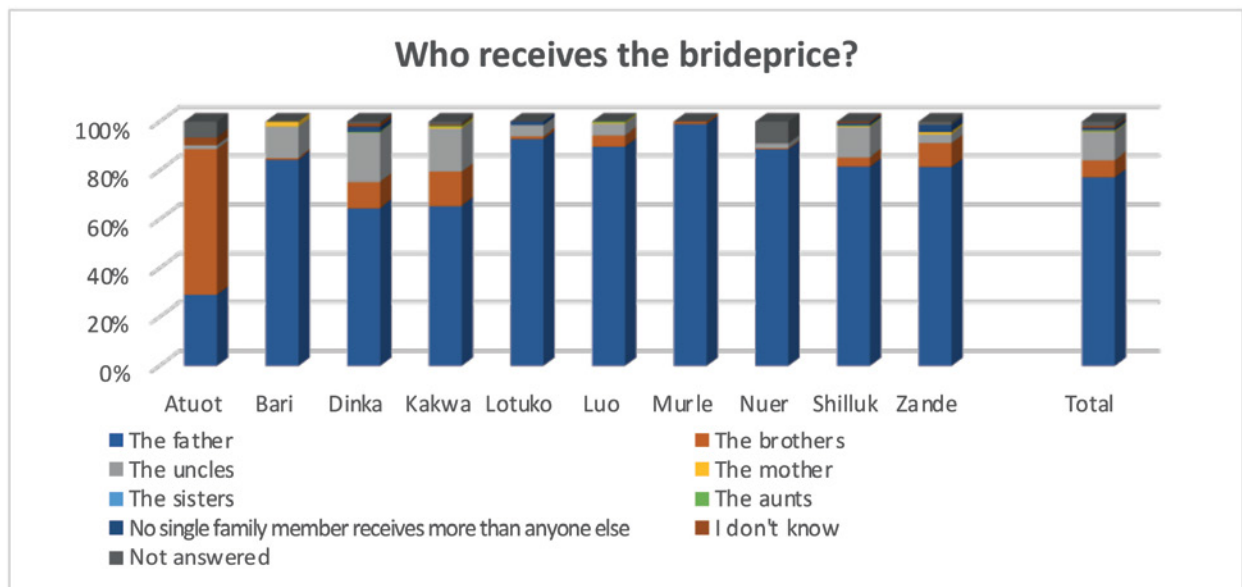
Graph 12: Who receives the brideprice (n=4,482)



The specific division of the brideprice differs among the ethno-linguistic groups. Grooms from Juba reported that their father-in-law received most of it, with some going to uncles. Families and vendors in Bor town held that the bride's father received most of the brideprice, while married female Nuer interviewees said the "uncles dominate the brideprice negotiations and talks, they get the cows"²⁹ and that the father of the bride gets a lesser share – uncles and relatives get more. In Nuer culture, both maternal and paternal uncles of the bride get around seven cows each, the brothers of the bride get a bull each, and one cow for the grandmother and for the ancestors.³⁰

Graph 13 shows the quantitative comparison of who receives the brideprice among ethno-linguistic groups. It confirms the bulk of the transfer to the father, with minor amounts to uncles and brothers. The only significant outliers are the Atuot, who are mostly based in Greater Yirol in Lakes State. Among them, the father is not the major recipient; instead, it is the brothers who receive the majority of the brideprice.

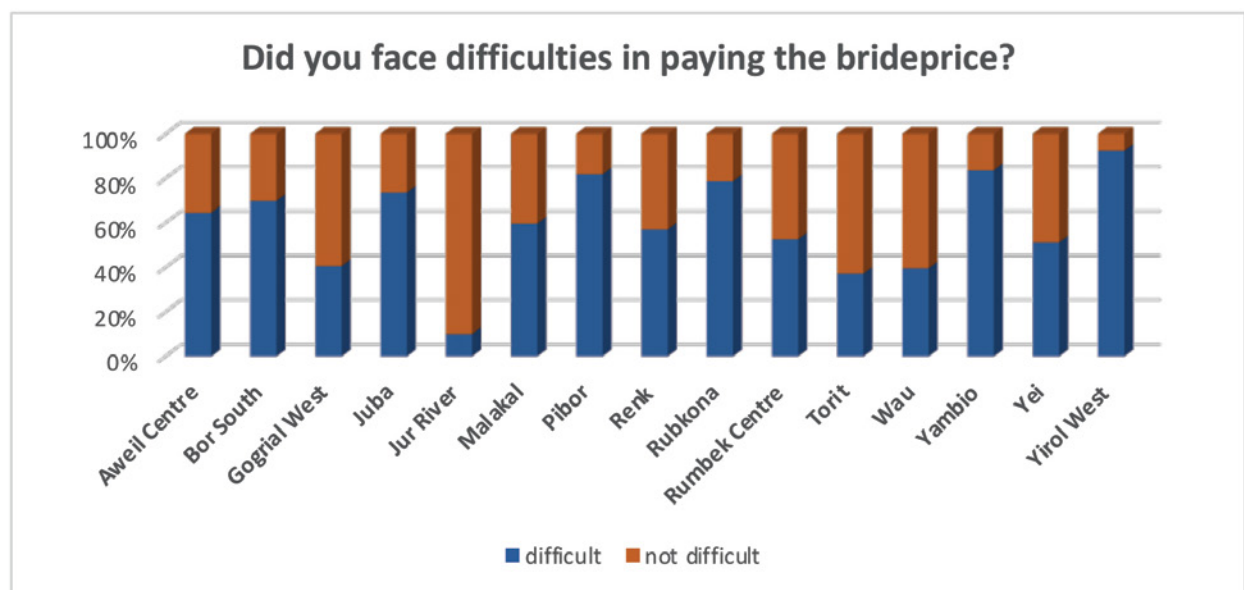
Graph 13: Who receives the brideprice (by ethno-linguistic group, n=4,482)



Issues in Paying the Brideprice

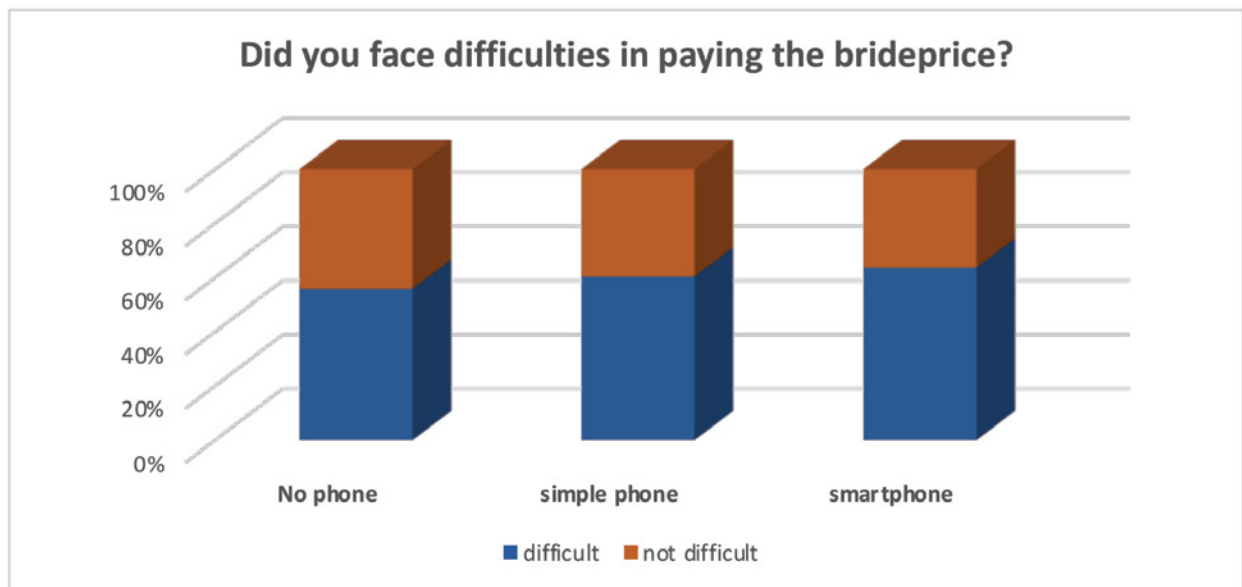
Most survey respondents confirm facing difficulties in paying the brideprice. There are some astonishing differences, however, that cannot be explained by different ethno-linguistic backgrounds, but instead by different traditions in different parts of the country. Graph 14 shows the results by county. Interestingly, the two counties around Wau town, Wau County and, especially, Jur River County, have the least proportion of respondents facing difficulties, which points both towards reasonable negotiation practices which appears to take into account the level of wealth among families and extended kin. Equatorial provinces as well have a higher proportion of respondents not facing difficulties. At the opposite end of the spectrum is Yirol West, known for its notoriously high brideprices. Here, almost all respondents face difficulties in paying.

Graph 14: Difficulties in paying the brideprice (by county, n=1,776)



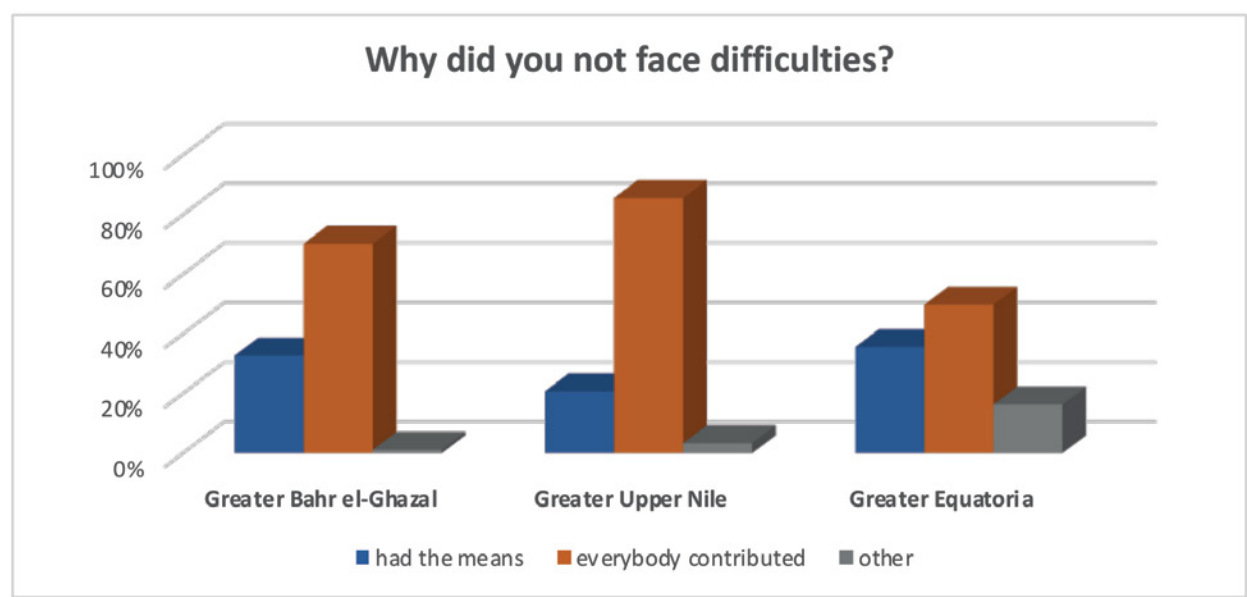
Again, the difficulties in paying the brideprice do not correlate with the material wealth, as Graph 15 confirms, which suggests that the bride's family's attempt to make the maximum gain in the negotiations even stretches comparably rich families to their limits. The number of respondents who confirm difficulties in paying only marginally differs between those without a phone, with a regular phone, and with a smartphone. This confirms that the economic challenges brideprice payments confer are to be found in all social sectors of South Sudanese society.

Graph 15: Difficulties in paying the brideprice (by phone access, n=1,776)

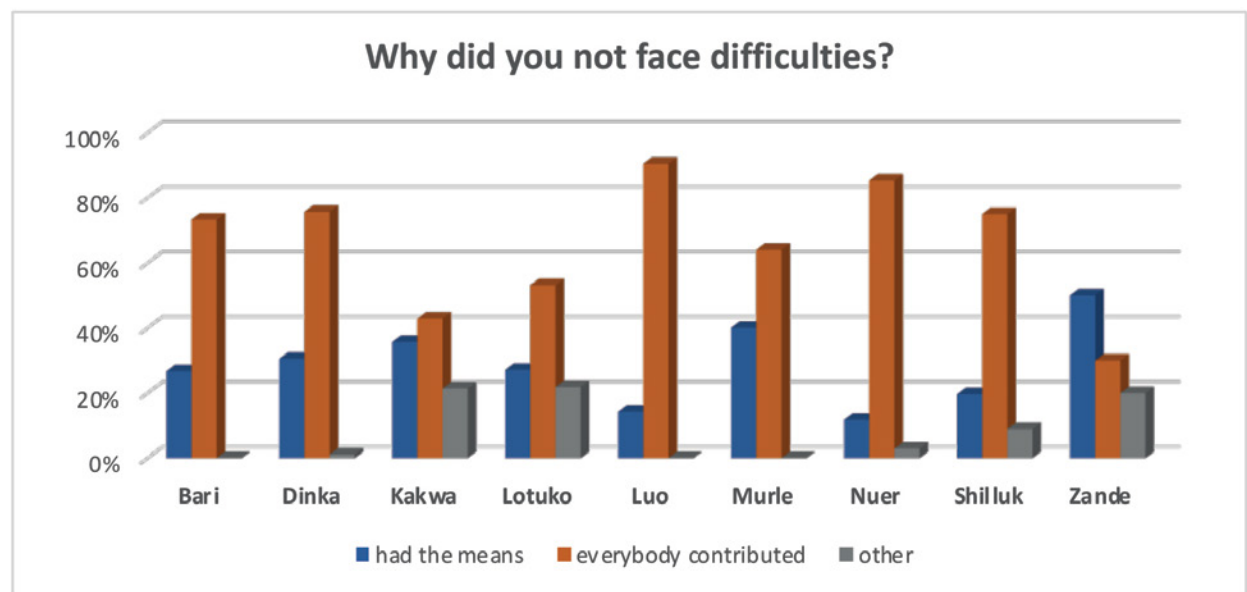


When it comes to the question of why people did not face difficulties, results show that it overwhelmingly comes down to when everybody – family, friends, and the wider kin group – contributes (see Graph 16). There are also surprisingly few differences between the ethno-linguistic groups, as Graph 17 confirms. In general, the family contributions are less important among Equatorian groups, especially among the Zande in Western Equatoria, but also among the Kakwa and Lotuko. This points towards the different traditions in marriage and the different, less socially encompassing role of brideprices in these areas.

Graph 16: Why no difficulties in paying the brideprice (by region, n=721)



Graph 17: Why no difficulties in paying the brideprice (by ethno-linguistic group, n=721)



Reciprocity/Debt

As mentioned above, participants described several positive benefits from brideprice, and chief among these was a sense of community belonging – a feeling of reciprocity and family ties. This linkage via marriage was seen to be part of the creation of culture and community. For instance, an older female relative of a Nuer bride said:

*"Back in the day sometimes talking about brideprice is not even relevant – it's about good relationships with families. We were married off at a young age because we are from the previous generation, but it wasn't because of brideprice, it was more about family ties, about building friendships, about building networks. It was all about keeping families together and keeping the love in the same circle."*³¹

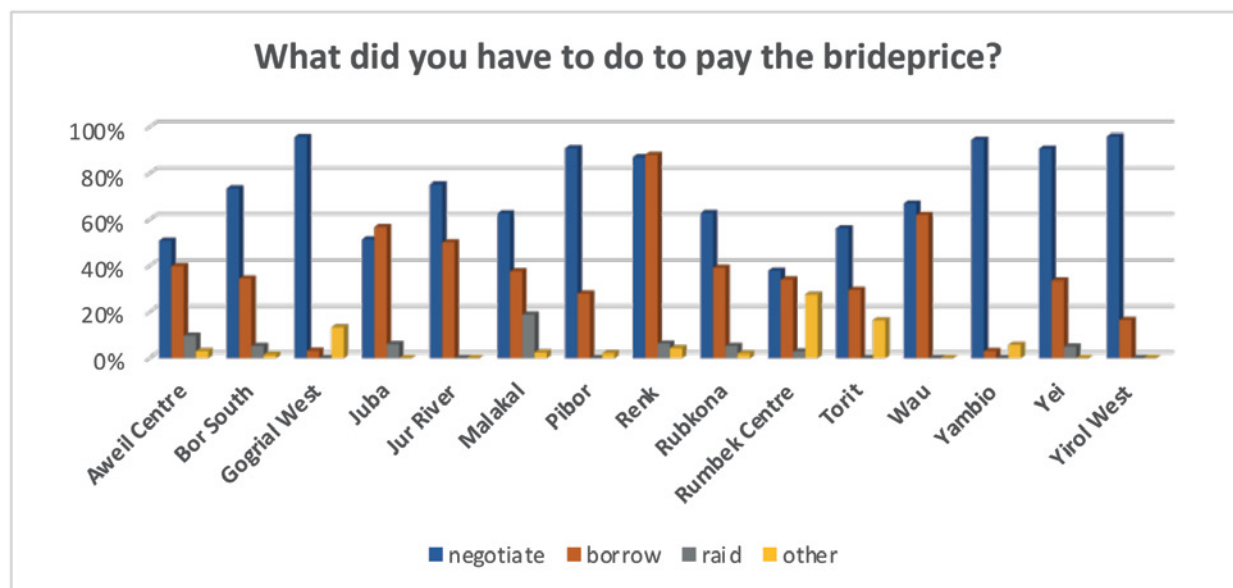
In the interviews, the exchange in brideprice resulted in concrete, material relations of cows and cash between families and groups. Men from Juba stated that brideprice initiates a series of payments, and that it is more like an investment:

*"When people contribute for your marriage is not as free as others thinks, for them it's an investment and later when they face hardship or in need of money they come back and ask you to help them, sometimes you pay back to them more than what they have contributed."*³²

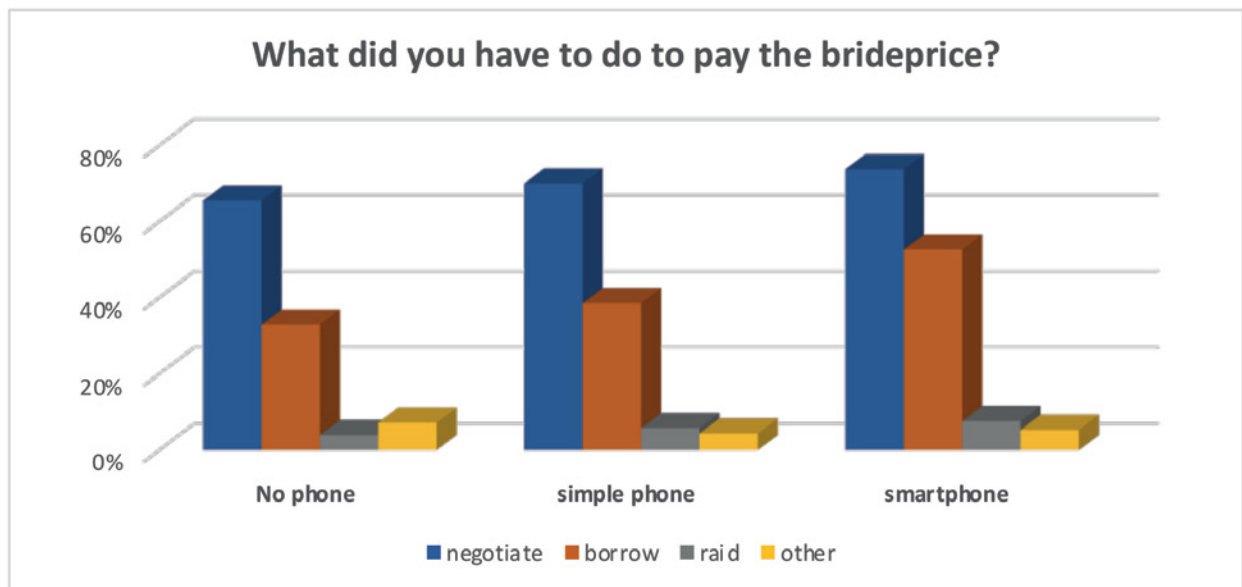
The main strategies to deal with difficulties in paying the brideprice confirm the networking component. As Graph 18 confirms, in most of the surveyed counties the negotiation of the brideprice and the process of its payment is the most important element when it comes to mitigating the challenges. As one recently married man said, "I just married, and the dowry [brideprice] is high; I have to pay instalments".³³

Borrowing is the second most common strategy, even though it differs significantly depending on region and socio-economic status. The likelihood of borrowing follows no clear logic, as it is also confirmed by Graph 20, which shows that it is common among all ethno-linguistic groups. As Graph 19 demonstrates, it is clearly more likely among people with smartphones, which suggests that people with better economic standing can command larger formal and informal networks to borrow from. The distribution across counties, however, underlines the prevalence of localised traditions: whereas borrowing is unusual in Yirol West, it is common in Rumbek Centre, which are only a slightly more than 100 kilometres apart in Lakes State. While borrowing is usual in Wau and Jur River, it almost never happens in Gogrial West, which is also close to them both (albeit in another state).

Graph 18: What did you have to do to pay the brideprice (by county, n=1,055)

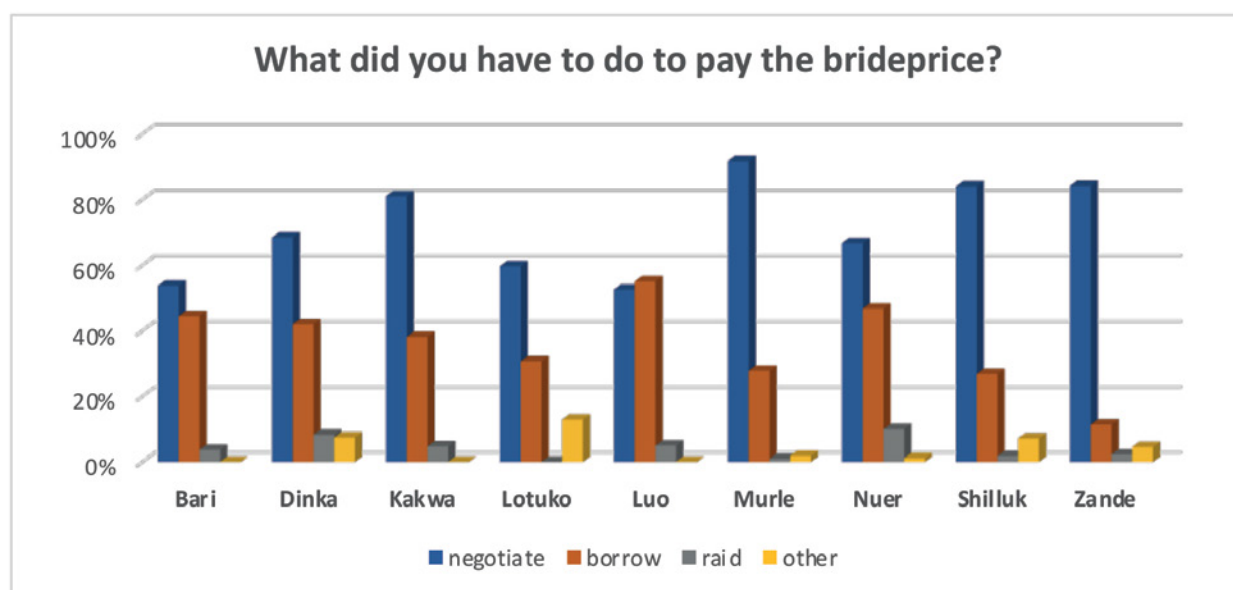


Graph 19: What did you have to do to pay the brideprice (by phone access, n=1,055)



Interesting – as well as concerning – is the relatively high number of interviewees who confessed to have to resort to raiding for paying the brideprice. The amount reached almost 20% of respondents in Malakal and was still at almost 10% in the otherwise rather peaceful county of Aweil. Compared among ethno-linguistic groups, there is the clear – and unsurprising – trend that raiding is predominantly a phenomenon among pastoralist communities. The only unexpected outlier is the Murle, where almost none of the respondents indicated raiding, whereas even recent literature confirms a direct link. This unlikely result suggests that raiding as a strategy is severely underreported in the survey and the already high numbers shown in the graphs are not even close to the real importance raiding has for brideprice payments.

Graph 20: What did you have to do to pay the brideprice (by ethno-linguistic group, n=1,055)



In any case, the network-building effect of brideprice payments is clearly confirmed. However, although the reciprocal exchange relations created between groups via brideprice could create networks and identity, they could also lead to debts with a substantial impact. A bride and her family from Nuer background said, that in some instances, "families cannot pay back the debt some of them already might have used the brideprice to complete another marriage or to compensate for a revenge killing case".³⁴

Not just families, but couples too could face hardship because of high brideprices:

*"Some couples even find it hard to get back on their feet after the wedding considering how expensive the whole process is, the man may end up spending all his money on the dowry and wedding ceremony leading them into debts for the first few years of their lives."*³⁵

While some of the modalities of brideprice negotiation and payments are designed to alleviate the related challenges, most of the time, the problems are just postponed and return with a vengeance at later stages.

Benefits of Brideprice

Despite the circular nature of the brideprice economy and reciprocity, participants confirmed that brideprices fulfil an economic function in terms of income generation. In general, there was a “expectation and reliance on them”,³⁶ according to a Paramount Chief from Rumbek Centre, with the cattle vendors suggesting brideprices are a source of wealth for families which can improve the household economy.³⁷ The major part of this benefit tends to flow towards male family members, as they were part of the negotiations and were entitled to shares: “relatives [uncles; grandparents] come and demand their own share of the cows [...] especially those relatives that do the negotiations so it provides benefits because everybody gets their share”.³⁸

Moreover, several of the research participants asserted “some families use it for a source of income”,³⁹ or that the brideprices are used for “business, wealth”, “assets and investments” or “capital to start a business”.⁴⁰ Cattle vendors are also deriving benefit from the brideprice economy. The money derived from brideprices may confer substantial benefits. One male participant, who had formerly held high-level positions in politics and the armed forces, said that the brideprices are high in Lakes, and as a result, he could live on the proceeds:

*“I don't earn anything right now, since I am waiting for [a forthcoming military appointment], so I am living from the brideprices both of my sisters got. Both were close to 200 cows. I basically live off these cows at the moment since I have no other income. Brideprices in general have an important economic function.”*⁴¹

Other participants elaborated that the benefits were unevenly distributed, with wealthy families benefiting more, while poorer families and family members, in turn, are more dependent on brideprice. One participant said that “yes, it benefits rich families [... a way to] acquire more assets or more wealth, so it's just an addition to what you already have”.⁴²

Some participants said that brideprice aids social status and political influence: “people build relationships and get access to higher office because of marriage. In some elite marriages, for example, you find the son of the Minister of Finance getting married to the daughter of the Chief of Staff to keep the politics within these elite circles”.⁴³ Other participants asserted that it was poor families that benefited poor fathers and households, as rich fathers were less reliant on brideprice payments and instead would just consider whether their child has made a good choice in partner or whether they will be happy.⁴⁴

Brideprice Processes: Negotiations, Enforcement, Divorce

Brideprice features several processes: brideprice negotiations, the schedule of payments and their enforcement, as well as processes in the case of divorce. Our data reveals the importance of the form and function of these processes. If difficulties arise in negotiations and enforcement, these can often result in a customary court case, and these traditional legal processes have a significant impact should a couple decide that they want to divorce.

Negotiations

Negotiations over brideprices follow long-standing traditions that usually do not involve the parents of the bride directly, but rather are presided over by other family members. A Nuer family in the Juba IDP camp describes that “in my community there are always the uncles from both sides who negotiate and who can put on a good negotiation for a good brideprice”.⁴⁵ Still, interviewees confirmed that the father of the bride plays a pivotal role in determining the amount of the brideprice. Historically, several ethno-linguistic groups held bidding processes that involved several competitors for a potential bride. This was particularly common among Dinka communities (Beswick, 2001: 37; Deng, 2021: 5-6).

Most commonly, negotiations are a male affair: “The amount depends on the negotiation between the groom's family and the bride's family, both sides comprising men because women are not allowed to attend such negotiations”.⁴⁶ Our research participants described the negotiation process as important, lengthy, and all participants agreed that the process is undertaken by men, as the Chiefs in Juba described:

“In my community, men are the ones who normally sit and negotiate brideprice and marriages; there are only few women – elderly women – they sit with the group during the negotiation but just as listeners. They cannot suggest anything, and they cannot talk. Men lead the process because this is how culture is. The negotiation normally takes between seven to ten hours”.⁴⁷

When the negotiations are settled and a deal on the brideprice has been reached, a complicated process is initiated that ends in a series of, usually very expensive, wedding celebrations. The costs of these wedding celebrations are not included in the brideprice and, thus, also not in the comparisons presented in this report. Since these wedding receptions usually gather several hundred guests who often travel from afar and need to be fully accommodated, the costs of the wedding ceremony itself can sometimes even double the already significant brideprice. A man in his early thirties described the process:

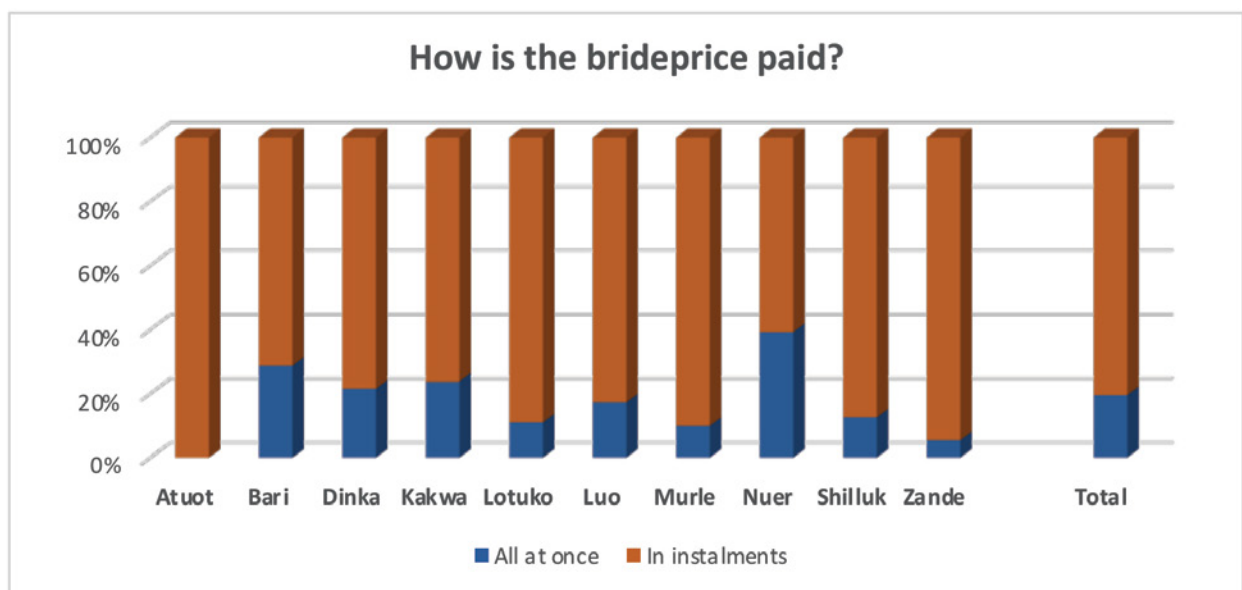
"When I am ready to marry you as the girl, you go and inform your dad, normally they check three things before accepting: blood line relations, if there is any revenge killing and family history, and the traditional beliefs. After that it is accepted the family background is clean, then a call is given out and a date is set for brideprice negotiation. After negotiating brideprice and agreed, the traditional wedding day with traditional outfits apply, people eat food and drink alcohol in the ceremony. In the modern day, the traditional marriage is followed by a church wedding and white wedding reception".⁴⁸

Paying in Instalments

Because the brideprice is often far more than a groom and his family can afford to pay at any given time, the usual practice in South Sudan is to pay in instalments. These instalments, paid over a long time and involving lots of extended family and friends, are a part of "everyday" brideprice debts. As one chief in Juba IDP said, "there is no marriage with a brideprice all at once; yes, there is debt".⁴⁹ Technically, among most pastoralist communities, a marriage only counts as completed when the brideprice has been paid in full.

Paying brideprices in instalments is historically normal (Beswick, 2004: 137) and, indeed, very common, as Graph 21 confirms. Only among the Nuer, there is a slightly higher proportion of respondents (above 30%) who report paying the brideprice all at once. Instalments are agreed upon in more than 80% of cases. As will be discussed later, paying these instalments presents severe problems for the family of the groom at later stages and often results in court cases.

Graph 21: How is the brideprice paid (by ethno-linguistic group, n=1,973)



A particular form of instalment payments is known as a “booking system”, still regularly practiced among the Murle. These “bookings” – or a man reserving a future bride while she is still too young to be married – involve paying up to half of the brideprice before the marriage. Such systems were previously practiced in other communities (Gatimu, 2018: 6) but have become rather rare outside of Murle communities. In Greater Pibor, they are still regularly applied. Up to half the brideprice can be fully paid by the time the girl is six years old (Toma, 2019: 12) and payments can start even before a girl is born (Felix da Costa, 2019: 31). Often, such arrangements also include financial support to the family of the future bride.

Issues often arise when the girl reaches the age where she can marry but prefers another man or refuses to marry the man who “booked” her. If the marriage does not take place, the arrangement needs to be undone in full, which means that all the cattle need to be paid back to the groom’s family by the bride’s family, which is often difficult if not impossible. The disputes that arise in such situations frequently result in generational conflicts, since the adult man who “booked” the underage girl is usually much older than the other interested men. Such conflicts revolving around arranged and intergenerational marriage may trigger violent incidents.

Enforcement

The data shows how this complex system of exchange, reciprocity, instalments, and debt can manifest in power exerted by one family over another. Our interviewees mentioned pressure from the bride's family to continue the brideprice payments as having some negative effects. Children can be used to exert pressure to pay the brideprice, especially when the groom's family runs into trouble in making repayments. According to a groom in the Juba IDP camp, "your kids in the future can be taken by the women family to demand brideprice and give pressure".⁵⁰ The cattle vendors in Bor Town agreed with this assessment, stating:

"Even if the groom cannot afford to pay dowry, the two families can agree that he pays later. However, in most cases if the groom does not pay said dowry price [brideprice] in time, the father of the bride can take back his daughter and her children until said dowry [brideprice] is paid".⁵¹

Intra-family dynamics could lead to pressure on the brideprice payment process as well. The bride's uncles, for instance, could pressure a father into asking for a higher brideprice, or unmarried women could be pressured by their brothers to get married so that their brideprice could be used in turn to pay for their brother's brideprice.⁵²

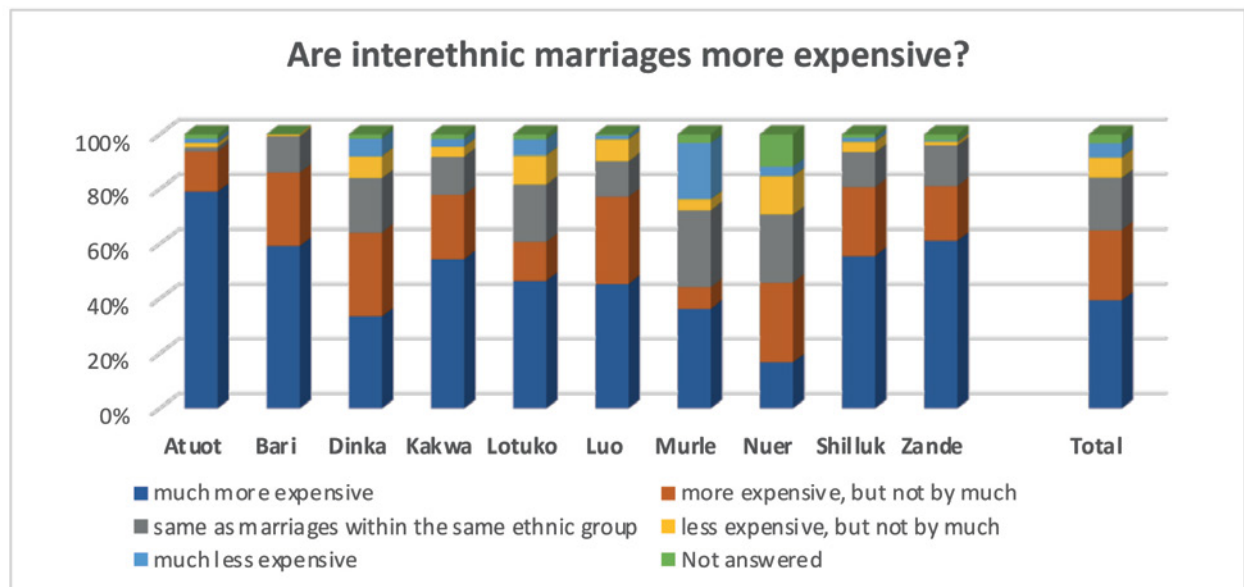
Another point of potential pressure is whether high brideprices prevent men from getting married. The cattle vendors from Bor Town did report that some people would not get married because of the brideprice, but that in most cases, the instalment system did allow men to go ahead and get married. Interviewees asserted that although prices might be high, negotiation and instalment agreements usually provided a way around these problems. More crucially, a woman's family may oppose the marriage for kinship, history, family status reasons, or because of past revenge killings between the two families. The usual way for preventing an unwanted marriage is setting an unreasonable brideprice – "they might request a lot of brideprice just to make it difficult".⁵³

Interethnic Marriages

Marriages across ethno-linguistic groups are sometimes seen with suspicion, especially among pastoralist communities when the relationship between the communities is bad. While marriage within ethnic groups is valued for strengthening lineages and kin relations, interethnic marriage is not seen to confer the same benefits, with language barriers an additional complicating factor. While marriages within groups can indeed happen across regional lines and great distances, bridging ethno-linguistic divides is more difficult. In pre-colonial times, for some of the pastoralist groups, interethnic marriages were common in relation to polygamy – Dinka and Nuer men often took secondary wives from agriculturalist communities to be able to have more children and thus strengthen their lineage. In the present-day period, however, such practices are not common anymore.

Graph 22 confirms that, consequently, interethnic marriages attract higher brideprices in practically all communities. Surprisingly, it is Nuer, Dinka and Murle who have the lowest proportion of respondents pointing towards “much more expensive” and “more expensive” brideprices, which is unexpected given the often-increased difficulties of interethnic couples from these communities. The anomaly might be explained by the fact that, given the high brideprices within these communities, men marrying women from other communities often meet much lower brideprice expectations. Equally interesting is the high level of respondents answering with “much more expensive” among the Zande and the Kakwa, which could refer to the higher brideprices they need to pay when men aim to marry women from pastoralist communities.

Graph 22: Are interethnic marriages more expensive (by ethno-linguistic group, n=4,482)

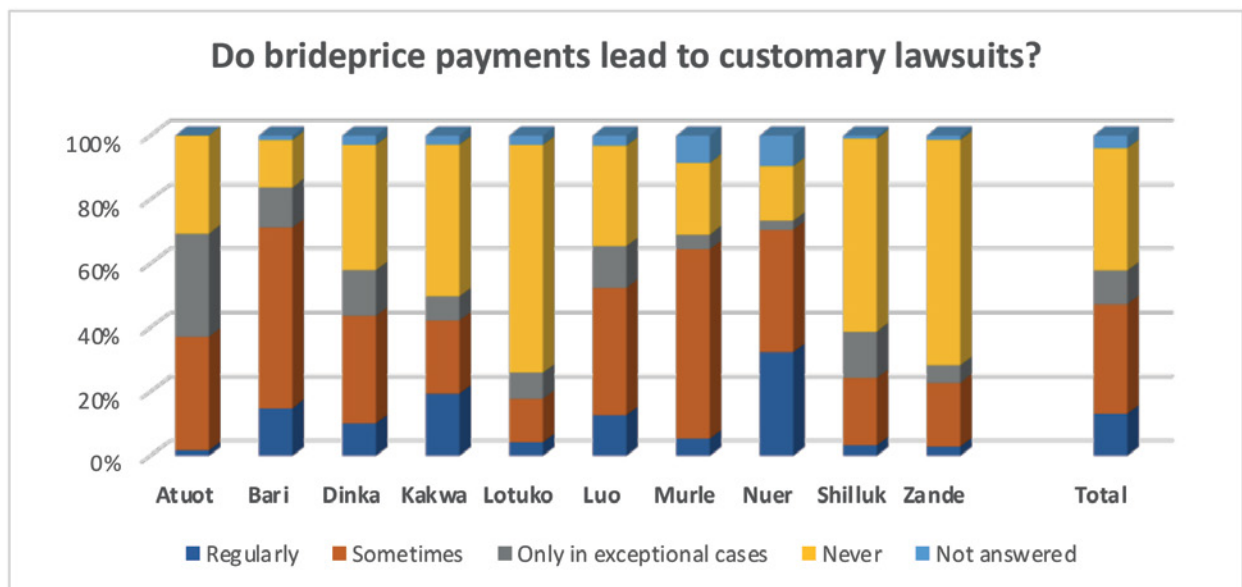


Customary Court Cases

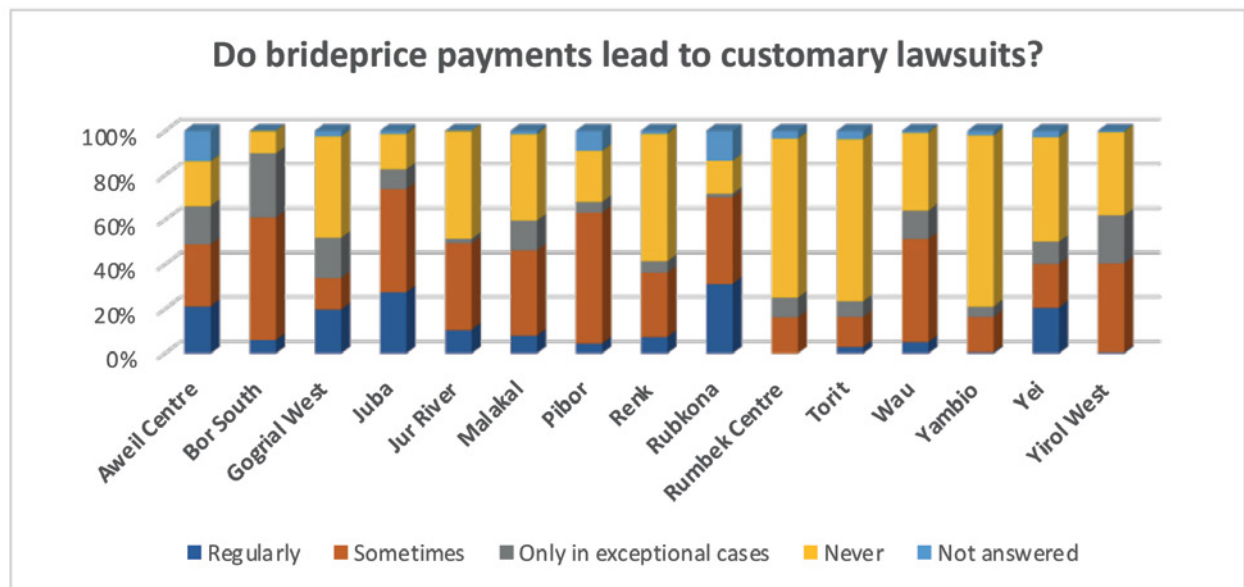
Disputes around the brideprices and their payment are a regular occurrence. Historically, reporting shows cases were regularly presented to chiefs or customary courts (Evans-Pritchard, 1940: 168). In the absence of a national family law, all matters related to marriage and brideprice are dealt with by customary courts (Deng, 2010). The customary courts, in turn, tend to see such issues not as individual ones, but as community problems and treat them as such (Stern, 2011: 3). This results in the reproduction of established and unequal gender norms, commonly leading to a substantial disadvantage to women. As Ibreck relates, “in large part, the inequalities and injustices arising in courts relate to the wider social and economic significance of bridewealth, which has increasingly been commercialised and binds women into subordinate relationships to spouses and parents” (Ibreck et al. 2017: 11).

When looking at the regional distribution in Graph 24, some of these numbers can be explained. Respondents in Rubkona, where the largest, predominantly Nuer-inhabited IDP camp in the country is located, report a high likelihood of court cases, as do respondents in Juba, which reflects a population comprised of both resident Bari respondents and predominantly Nuer inhabitants of the Juba IDP sites. Unsurprisingly, respondents in Pibor and Bor South in Greater Jonglei also see court cases as likely, while people in Lakes State (Rumbek Centre and Yirol West) and Warrap (Gogrial West) do not expect brideprice to lead to a lot of customary lawsuits. The comparatively low number of respondents expecting customary lawsuits in Equatorial counties outside Juba confirm the assumption whereby significantly lower volumes of brideprice may trigger less dispute.

Graph 23: Do brideprice payments lead to customary lawsuits? (by ethno-linguistic group, n=4,482)



Graph 24: Do brideprice payments lead to customary lawsuits (by county, n=4,482)



In contrast to the perceptions reported in the survey, a paramount chief in Rumbek Centre stated in the interview that cases related to “dowry” [brideprice] are the most common cases he has to deal with in customary court sittings. Most often, the case comes about in relation to the payment of instalments, which is a major problem for many that can easily transition to violent encounters (see below). The Paramount Chief said that because the prices in his area can be 200 or 250 head of cattle, “a lot of families have issues with payment”.⁵⁴ The legal introduction of caps in the head of cattle, which had been attempted in Lakes State before, failed due to massive resistance from communities and traditional leaders.⁵⁵

Divorce

Divorce was one area where brideprice played a role in diminishing women's rights and wellbeing. Most of the research participants were clear that brideprice meant women had fewer rights to custody of their children. The cattle vendors in Bor Town stated that if the woman is considered at fault for the divorce, "the consequences are that her children are taken away from her. This is based on the premise that she can make more children in subsequent marriages".⁵⁶ Naturally, for a woman, the threat of having her children taken away from her was terrifying, as women from Juba told us, "the worst fear for women would be to have their kids taken away from them, being raised by another woman and all in all being restricted from ever seeing them again".⁵⁷

The challenges of a divorce are threefold, and all of them structurally work against women. First, a divorce needs to be brought before a customary court, otherwise there cannot be any dissolution of a marriage (for Dinka, see Deng, 2010: 80), which results in a considerable number of court cases. In a context where polygyny is possible for men, this becomes a major issue for women: While men are not dependent on a divorce, since they can simply marry again, any further family options for women depend on getting a divorce approved by courts that tend to be sceptical of taking on additional divorce cases.

Secondly, as already elaborated, courts tend to treat cases where women file for divorce as family and community issues and, thus, favour the perspectives of the families and relatives (Ibreck et al. 2017: 11). Since the permanent threat for the family, therefore, is a loss of wealth through the loss of the already received brideprice, there is considerable social pressure on the woman to accept the failure of the marriage as her failure, due to her lack of effort in making a marriage work. Based on traditional patriarchal norms and material family interests (Gatimu, 2018: 7), customary courts often reproach women in this manner and suggest that they simply put more effort into the marriage.

Thirdly, for a divorce to become legal, a certain amount of the brideprice must be paid back to the family of the bride. There are established rules for deductions based on the length of the marriage and the number of children. In Jonglei, there is a cap of thirty cows as the maximum number of heads of cattle accepted in divorce rulings. As thirty cows only covers a small amount of the total brideprice paid, the cap results in a significant material loss for the family of the man, which makes it even more difficult to get a divorce ruling settled. Courts often contextualise these rulings in a broader community context, since cattle may have already been passed on to settle brideprice payments for other marriages, for instance, to pay for the marriages of the brothers of the divorcing woman. This creates the risk of cascading effects: "If the first woman's marriage breaks up, then others will break up as well" (Duany and Duany, 2001: 66).

Hence, in concrete terms, having to repay or return parts of the brideprice often prevents women from being able to leave their husbands, even if they are mistreated or face violence. Nuer interviewees described two kinds of divorce: one where the man was at fault, and one where the woman was.⁵⁸ In both cases, brideprice needed to be repaid but in the former, it was the man's responsibility to get the brideprice back, in the latter, the woman must convince her family (within a specific period specified by the traditional court and the groom's family) to pay back the brideprice to her husband.⁵⁹ One interviewee stated:

*"In the case it's the woman who wants a divorce, she has to look for all the brideprice. And if she managed to get all the dowry [brideprice], the man will pay her family back three cows for her virginity payment. If she didn't manage to get all the cows back, she can never be granted a divorce."*⁶⁰

According to these Nuer participants, if there is some understanding between the couple's extended family, a woman who initiates a divorce may only be liable to pay a portion of the brideprice, "something like twenty cows" instead of the whole amount.⁶¹ Brides from the Dinka community did not mention these two forms of divorce, rather "the woman pays it all back" and she could be liable to pay compensation or *awach* if she has been deemed to have "misbehaved".⁶²

Regardless of the amount to be paid or the community the woman comes from, for a woman seeking a divorce, convincing her family to repay the brideprice is a fraught and sometimes impossible task. As one female interviewee noted:

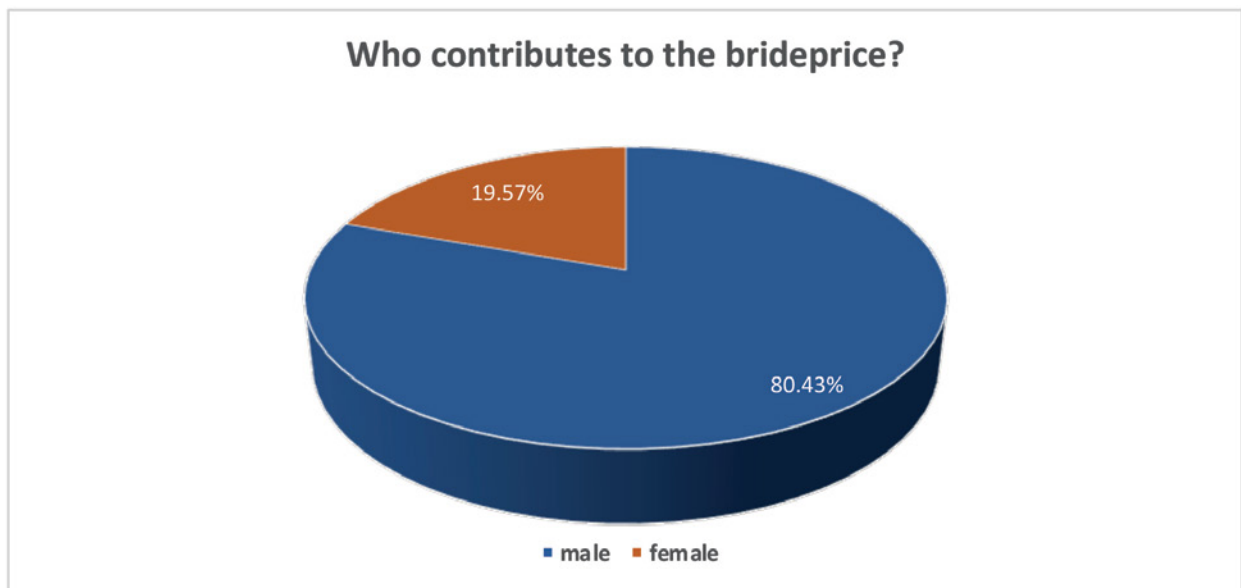
*"Sometimes, because the brideprice is divided among the family, some family members might not be willing to bring back these cows in case of divorce. If our daughter is going through a difficult time, she wouldn't be given that option or filing for a divorce because people are afraid to find the money to repay the brideprice that they might have used already."*⁶³

Because of the difficulties in finding cash and cows to repay the brideprice, "families will do their level best to convince their daughters not to leave these marriages and stay because they know they can't afford to pay back their dowry".⁶⁴ Practically, too, the woman seeking a divorce may have to travel long distances, sometimes on foot, from village to village to secure the brideprice repayment. Travel is often not safe, and as one participant told us, "there is no man who is going to accompany you to give you protection because they think a woman who is filing for a divorce is a woman who does not deserve to live with dignity among her people".⁶⁵

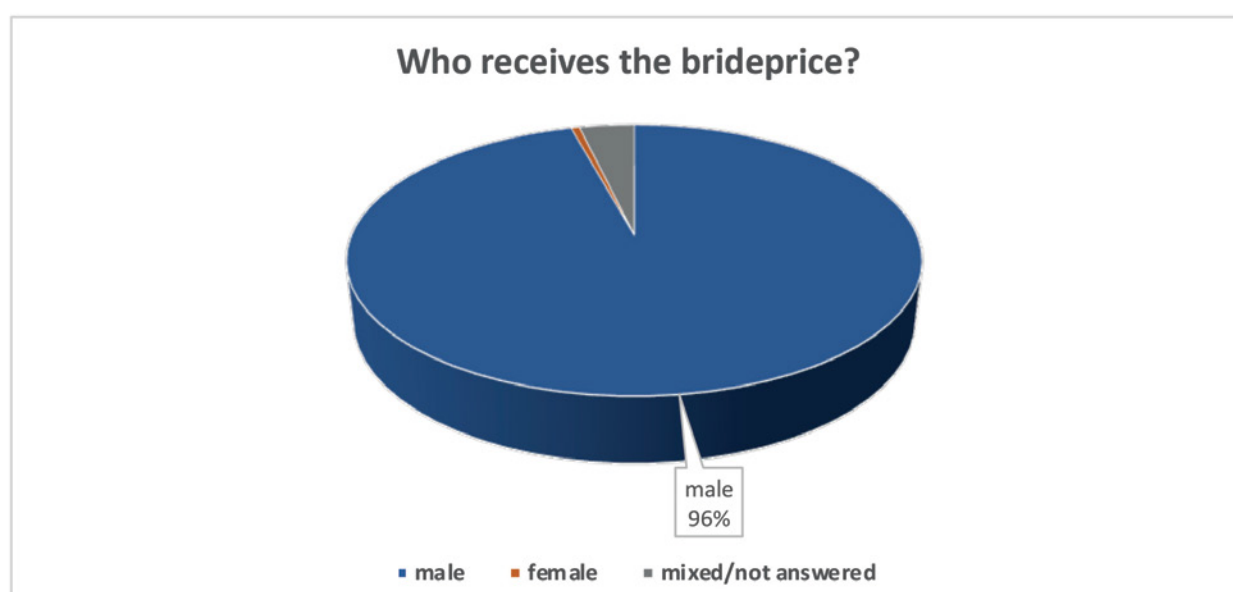
Effects of Brideprice on Gender Relations

Brideprices, in essence, are paid by men to men for rights over women, or, as Hudson and Matfess (2017: 14) put it, “[i]n patrilineal systems, brideprice is essentially an obligatory tax on young men, payable to older men.” Graphs 25 and 26 reveal a further imbalance against women in brideprice payments. While, in overall terms, about 20% of the contributors to brideprice payments are women, only an abysmal 1% of recipients are, according to the overall results of the perception survey.

Graph 25: Who contributes to the brideprice (by gender, n=1,699)



Graph 26: Who receives the brideprice (by gender, n=4,482)



These payment flows support a sense of entitlement over women. Even though the character of brideprices is, without doubt, more complex and has an important social function within families and communities, it is hard to dispute that one inscribed character is that a woman is “bought”, and that there is a clear expectation that a woman must comply with her husband's demands based on the reasoning that he had paid a brideprice for her.

As it is the tradition among virtually all ethno-linguistic communities in South Sudan, brideprice involves the transfer of rights and obligations of women and men between families. As it has been described above, brideprice is also deeply imbricated in the economic life of South Sudan. As it is intimately concerned with marriage and women, it comes as no surprise that brideprice payments imply a transfer of rights and access to a woman's person, labour, sexuality, and her reproductive capacities: “The payment of the bride price accords a male complete authority over every aspect of the female” (Hove and Ndawana, 2017: 5).

Several of our female participants viewed brideprice as a transfer of rights and control over women to husbands. For instance, in one focus group discussion in Juba, married women said that:

*"Dowry is paid, and they are plucked from their home and into the home of sometimes a man they don't know, if this man she is married to sees her as property because of this price he has paid then, this can lead him to strip her of her humanity and treat her whichever way he pleases."*⁶⁶

Similarly, a female MP in Yirol stated that women are "basically sold; they are seen as an asset that brings money".⁶⁷ There were, however, divergent views among women about marriage and women's rights. When asked about what she likes most about marriage, one woman said she "enjoy[s] this culture. I was born as women and prepared from childhood for this and it's a duty to fulfil", whereas another woman in the same focus group discussion said that marriage is "a system designed to please men".⁶⁸

Women's Unpaid Labour

A key functional reason for brideprice payments is to transfer the rights to women's domestic labour to her husband and his family. Interviewees, while at times disagreeing with the reasoning behind it, mentioned that many people see the payment of brideprice as a guarantee of women's – unpaid and tolerated without complaint – labour in the family home. Grooms, thus, would think of brideprice as essentially buying the bride as "property". They would "take advantage" and "try to get as much value as possible out of the lady".⁶⁹ One groom confirmed that "some families subject women to a lot of labour work, raise high expectations, and feel entitled to be served by the women because of brideprice".⁷⁰

One Nuer woman described how, in some cases, the woman moves to the groom's family, and one would find the bride:

*"... taking care of over 30 people, getting exhausted physically and mentally, cooking for everybody and ending up being the last to go to bed and the first person to wake up. And all these people who come and live in her home, they take pride in the brideprice that they paid and the contribution that they made, because they think that it is her time to pay back."*⁷¹

Some participants were even more critical of such views and said that they are “scared” of being viewed as property because of the brideprice paid for them, and that “most men have certain expectations that their wife is not their partner but their slave, someone to answer to all their needs and not love, cherish, and make decisions with”.⁷²

Children and their Legitimacy

Brideprice also confers rights over and responsibility for children. In the first place, children are seen as belonging to their father's family. Divorce cases make the relationship of brideprice to rights over children transparent, as one participant stated about divorce cases, “the father takes the custody of children because of brideprice”.⁷³ It is in fact the brideprice that establishes the legitimacy of the children and makes them part of the relationship (Olando, 2019: 3, Onyango and Mott, 2011: 377, Duany and Duany, 2001: 66). This is an important aspect when it comes to widow inheritance and “ghost marriages” (see below), as the established legitimacy over offspring is a key ingredient for sustaining a lineage, and it does not necessarily end with death, and is also not necessarily related to biological fatherhood.

This legitimacy also remains valid in case of divorce. A female interviewee confirmed that, in case of divorce, the children “are expected to still carry their father's names with no name changes allowed or else this could lead to communal conflicts”.⁷⁴ It was also confirmed that “because of brideprice, men have access to custody, full custody”.⁷⁵ Rights over children via brideprice also functioned as a proscription, that is, “you can't give your daughter without brideprice. Even if [as a man] you get her pregnant, the children are not yours because you didn't pay anything”.⁷⁶

Brideprices and Polygyny

Polygyny has a long tradition dating back to the initial migrations of pastoralist communities into what is now South Sudan: “For as long as the Dinka can remember they have believed that the acquisition of many extra wives strengthens the clan and section” (Beswick, 2004: 137). Initially, polygyny was linked to a strict hierarchy of wives, with a (main) wife coming from their own community and more (minor) “less expensive” wives from non-Nilotic origin married as secondary wives to bolster the number of children and strengthen the community in terms of concrete power projection.

As Beswick relates, “thus, the age-old Dinka polygynous marriage customs were always critical to the community’s later political, military, and economic power in the region” (Beswick, 2001: 38). More broadly, in patrilineal systems, brideprice and polygyny are intrinsically linked, as only men have the chance to marry more wives and, by doing so, establish informal hierarchies among themselves (Hudson and Matfess, 2017: 17).

During the Sudanese civil war, despite the SPLM/A’s own family laws being rather strict, advocating in theory against polygyny, polygyny has still been a regular occurrence and an accepted practice within the armed group (Pinaud, 2014: 203). The death of many men in the civil war supported this tradition. Men desired a return to polygyny as they wanted to have as many children as possible in a short timeframe (Beswick, 2001: 50).

In more recent years, the character of polygyny has changed. From a community projection of power, it has turned into showcasing individual wealth and capability. This is sometimes linked to questions of household and care work. As men and their primary wives become older, younger wives may be brought into family homes to take care of daily household and care needs. Most interviewees made the link between polygyny and brideprice by saying that it was wealthy men, or men who charged high brideprices, who were able to use that money to gain a second or a third wife. For instance, one interviewee said: “rich fathers benefit from these cows and the brideprice. Some of them use it for polygamist purposes – to go and marry a third or fourth or even a fifth wife”.⁷⁷ The vendors put it more obliquely, “as long as one is rich enough, they can marry as much as they please because they have the means to do so.”⁷⁸

Early and Child Marriage

Early marriage is a common practice in South Sudan, and likely motivated by families’ ambitions to gain brideprices for their daughters as soon as possible. In general, there is no legal minimum age for marriage among pastoralist communities. However, marriage is commonly not accepted before a girl is able to give birth (for the case of Dinka communities, see Deng, 2010: 60). Customary courts often accept menstruation as the criteria for eligibility to marry (Scott et al., 2014: 3). While this might prevent the marriage of very young girl children, it still enables pubescent early marriage such that it is an everyday occurrence, mainly driven by the family’s motivation to acquire the brideprice early (Lokot et al., 2022: 26). In rural communities, Jok reports, the expectation is still that girls should marry around the age of fifteen, shortly after menarche (1999: 200).

Further quantitative research confirms these qualitative findings. In Nyal, for instance, seven out of ten girls were married before the age of eighteen, according to research undertaken in 2019 (Buchanan, 2019: 14). The "booking system" of engagement to girl children via paying brideprice mentioned above is still regularly practiced among the Murle, and substantially contributes to early marriage, since often half of the brideprice is paid before the girl has reached the age of ten (Toma, 2019: 23).

Predictably, this practice has a devastating impact on the education of girls (Toma 2019: 18, Scott et al., 2014: 3). Since the main emphasis for families is to marry daughters early, education is seen as an unnecessary economic burden. Education would potentially delay the marriage and, thus, the male family member's receipt of the brideprice while, at the same time, education also prevents a girl from undertaking unpaid labour in the family household. Moreover, even senior female members of a household may consider early marriage in the best interest of both the girl and the family, since it would prevent premarital sex and pregnancies. Premarital sex and pregnancies reduce the likelihood of the girl attracting a high brideprice (Ensor, 2014: 20).

Views on early marriage among the participants of this study were mixed. Many of the female interviewees asserted that brideprice was the key factor in early marriage, "yes, they are linked. Naturally the high rate of early marriages in South Sudan is because of brideprice. There is no any other reason, it encourages people to use their daughters as commodities".⁷⁹ Others said it was "very common" in villages, "where the only source of wealth is cattle and most of life revolves around this as the primary source of wealth".⁸⁰ For some participants, a lack of awareness of women's human rights in rural areas meant "families would marry off their underage daughter to get cattle; most of these girls have no other options such as education or entrepreneurship and so this is seen as their only value".⁸¹

Early and forced marriage were also linked to poverty and war, which impacts the practice and its character. Nuer grooms in Juba stated that "it's common in southern Unity State. Hardship leads to desperation, and families give young girls out just get brideprice".⁸² In dire circumstances of conflict and economic crises, marriage of a daughter was seen to provide both income for a family and protection for a daughter. One interviewee described it as follows:

*"Girls and women get forced to marry just because of brideprice [...] also because of poverty and war, they give away their daughters so they can be protected; and since they are poor, they cannot transport them to a safer place. It happens in Unity State, in Lahren. There are so many cases whereby young girls are being given to rich men businessmen because their fathers or their families are too poor to provide protection for them or to provide transportation to take them to safety."*⁸³

Widow Inheritance and "Ghost Marriage"

A marriage, especially when underpinned by a fully paid brideprice, does not only constitute a bond between the couple, but also between families and their kin. This bond does not end with death, especially not with the death of the husband. This has cultural and spiritual, but also practical reasons. Wife inheritance and levirate marriage implement a conceptual and spiritual dualism between the dead and the living, and their interconnectedness in "what the Dinka call *koc e nhom*, 'standing the head (of the dead man) upright'" (Deng, 2010: 15).

A common practice is "wife inheritance" (Ellsberg et al., 2021: 3042), which is, de facto, a levirate marriage. "Under the system of levirate marriage, if a man dies before having paid all the bridewealth, one of his brothers acquires the widow and continues making payments to the woman's family." (Beswick, 2001: 37). Should there be no brothers, sons of uncles are also considered as suitable candidates for taking the widow as a legal wife.

This system is also meant to guarantee that the children of the marriage are taken care of. New children coming out of the relationship with the dead husband's brother or cousin are still legally considered the children of the dead husband, thus guaranteeing his family lineage. This is also the background of so-called "ghost marriages", in which heirs, commonly brothers, but in some cases also cousins of the deceased, are required to marry on behalf of a dead man to keep the lineage alive, which mainly applies to women whose prospective husband died too early to produce offspring (Deng, 2010: 60).

The practices of levirate and ghost marriage partly broke down during the civil war as there were simply not enough men available because of the large numbers of casualties. The substantial refugee movements that often geographically separated lineages also impacted these practices (Beswick, 2001: 47-49). However, the economic consequences were often disastrous for women, as nobody would continue to take care of them and their children as the family of the dead husband would neglect them, while they were considered mainly a burden in their own families. On the other hand, widow inheritance is regularly linked to gender-based violence, in particular sexual violence, and rape (ibid: 53), especially since women are not in a position to decide on moving into the household of their in-laws and on engaging in an intimate relationship with them.

Violence Against Women

Across all the interviews for this study, participants noted a link between brideprice and violence against women, with most saying brideprice was a cause of violence, and others saying it merely justified or excused it. The empirical link is also confirmed by earlier research, along the lines of the more the groom pays, the more he – and his family – may feel entitled to mistreat the bride (Sommers and Schwartz, 2011: 5). Violence against women related to brideprice regularly starts even before the marriage, using controlling and coercive means to “protect” young women and girls from engaging in behaviour considered to potentially lower the possible revenue generated from their brideprice. Violence is a socially accepted means to achieve this aim (Ellsberg et al., 2021: 3038).

One participant agreed vociferously that brideprice caused violence against women and linked it to the repayment in divorce cases described in the previous section: “Women today who are living in abusive marriages is because of brideprice that they can't pay back”.⁸⁴ For others, brideprice made women vulnerable to be subjected to abuse.⁸⁵ One participant clearly linked brideprice to various forms of violence against women when she said, “the relationship between [brideprice and violence against women] is that sometimes in marriages, in-laws and husbands justify abuse and refer to brideprice as the reason that gives them the right to abuse women – physically, sexually, sometimes sex without consent, mentally as well as financially”.⁸⁶ For another participant, brideprice in itself was not the cause of the abuse, but rather a trigger and an excuse, because brideprice was culturally supposed to be about celebration, respect, and history.⁸⁷

As described above, it was regularly noted that paying brideprice gave husbands a sense of entitlement over women, akin to “buying property” and trying to extract value in the form of labour from the women, or entitlement to use violence to punish or discipline – “chastise” – their wives.⁸⁸ Interviewees linked this sense of entitlement to the fact that some men use brideprice to justify their violence, saying that “some may also treat the woman like their property even becoming violent and abusive”.⁸⁹ The cattle vendors, when asked about the links between brideprice and violence against women, put it in these terms, that a “man has the right to discipline his wife if they feel she has misbehaved”.⁹⁰

Beyond entitlement, a sense of injustice for having to pay a high brideprice, or diminishment and financial stress because of debt, could also lead to gender-based violence. One of the grooms in Juba described these feelings: “Some of us – after paying a lot of doweries [brideprice] – feel entitled so we expect women to behave in some type of way. I have seen friends physically and financially abusing their wives as a payback strategy for too much brideprice”.⁹¹

Brideprice was linked not just to violence against women in married couples, but also to broader patterns of violence in birth families as well as by in-laws. For instance, “sometimes relatives of the man can beat the women physically and feel intitled to abuse her because they contributed to her dowry [brideprice]”.⁹² Disturbingly, one woman saw violence at the hand of a husband as a reduction of the violence that she faced in her birth family.

*“When a woman is married, she faces less abuse from the male brothers, only her husband can, at last, I enjoy that even if I have to go through abuse there are boundaries to it and only my husband can beat me, because if my brothers decide to beat me while am married culturally, they are obliged to compensate my husband with cows.”*⁹³

Brideprice and Violent Conflict

The link between brideprice and violence and violent conflict has already been touched upon in previous chapters, especially when it comes difficulties making brideprice payments and cattle raiding. In previous research, the correlation has already been established by comparative work on conflict, violence against women and brideprice (Johnston 2023) as well as the role of marriage markets in conflict: "Brideprice and its trajectory are an important cause of marriage market obstruction, producing grievances among young males that have been linked to violence and political instability" (Hudson and Matfess, 2017: 10).

In the following section, two modes of correlation are discussed: first, the more indirect element of masculinity that, often connected with gender-based violence, results in further violent encounters. And second, the more direct factor of often armed violence that is triggered by cattle raiding campaigns caused by the need to have cows for brideprice payments.

Masculinity

Masculinity and what it means to be a man is part of the deeper meaning of the brideprice. Not the least, it is the payment of brideprice that enables a man to count as an adult, married man; if there is "no brideprice, you are not counted as a married man",⁹⁴ which means, in essence, you are not a "real" man at all. The social requirement to marry for male respectability in times of more available financial means for some has increased competition and, thus, has been considered as one of the main reasons behind the recent inflation of brideprices (Price and Orner, 2017: 24).

Paying brideprice gives men a feeling of pride in their masculinity: for one participant brideprice "means masculinity and pride and being in a position to accept challenges".⁹⁵ One participant described his feelings: "for me it means I am man enough to be able to marry with brideprice in front of the world and I can walk among my agemates with my chest up". Brideprice was key to "the respect I get as a married man" for one of the male interviewees.⁹⁶ This confirms findings from Wright who says that "[m]asculinity, weapons, cattle and marriage are therefore closely linked, combining to create powerful incentives for young men to participate in violence" (Wright, 2014: 7).

One female participant pointed out that brideprice impacted men from lower socio-economic groups to a greater degree than rich men. She said, "poor sons and fathers are even worse because they're hungry for money, for status; they're hungry for making a living and for also paying some dowry [brideprice] to their in-laws".⁹⁷ In this line of thinking, brideprice was also linked to the idea of male protection and breadwinning; for one participant, brideprice "means responsibly, a sign of a man being able to provide and protect".⁹⁸

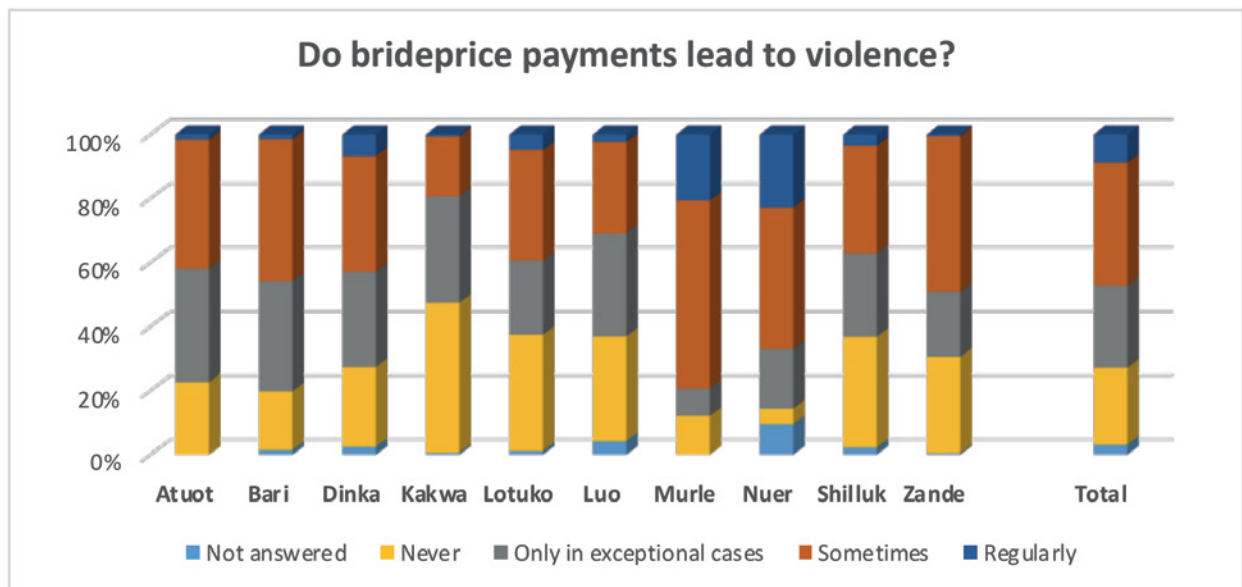
Further, married men's honour was linked to women's behaviour – women's bearing affected men's dignity, as one groom put it, when the "women is good enough to keep your dignity as a man within the community then brideprice can support your ego".⁹⁹ Brideprice also enables men to claim custody of their children – "without brideprice you are not counted as a married man, your kids can be taken by the bride's family to exert pressure on you to pay".¹⁰⁰ As shown above, the legitimacy of children born out of a relationship is intrinsically linked to brideprice payments, which of course impacts ideas of fatherhood and the role of a man in creating and sustaining a lineage.

Direct Links to Armed Conflict

There are, however, also direct links between brideprice payments and violent conflict in South Sudan. Previous research has confirmed these links empirically, for instance through interviews in Jonglei (Mayik, 2020: 11). Rolandsen and Breidlid (2012: 54) assert that, among the Murle, the death of a significant number of male family members has reduced the capacity of families to make brideprice payments, which in turn incentivised additional cattle raiding. At the same time, the total volume of brideprices was inflated due to the sudden influx of oil money, raising the pressure on young unmarried men.

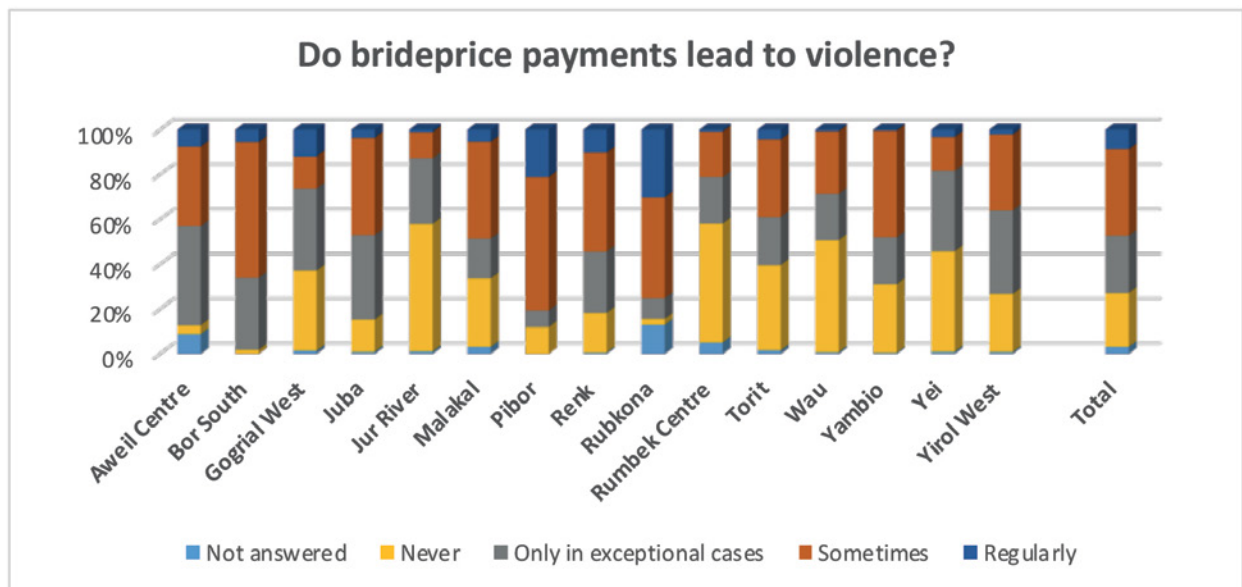
Another potential trigger for brideprice-related violence is elopement, often after a woman has become pregnant, which means a marriage needs to be enforced.¹⁰¹ In this situation, men avoiding the payment of brideprice instalments as well as couples who want to escape the process completely are socially not tolerated (Hudson and Matfess, 2017: 33-34). Young men attempting to avoid payment are putting themselves at severe risk of being killed (Sommers and Schwartz, 2011: 5). Broader intra-communal (between families) and inter-communal conflict can be triggered by elopements.

Graph 27: Do brideprice payments lead to violence (by ethno-linguistic group, n=4,482)



Graphs 27 and 28 confirm these findings with perception data from the survey. Of specific interest is the result among the Murle in Pibor. Both in terms of ethno-linguistic group and county, more than 80% of these respondents confirmed that brideprices would at least “sometimes” result in armed violence. This is a remarkable difference to the individual data presented above, whereby almost no Murle would confess that raiding would be a practice to support brideprice payments. The depersonalised survey data presented here confirms that there must have been significant underreporting in qualitative interviews. In fact, raiding appears to be a common strategy among Murle to make brideprice payments, and it seems to be a regular occurrence that these raids trigger broader violence.

Graph 28: Do brideprice payments lead to violence (by county, n=4,482)



Another interesting finding is the considerable difference between Dinka and Nuer, with brideprice-related violence perceived to be much higher among Nuer. One possible explanation is in the county results and tied to the chosen convenience sample of selected counties: while brideprice-related violence seems to be quite common in mainly Nuer-inhabited Rubkona County, it appears to be rare in both counties surveyed in Lakes State: Rumbek Centre and Yirol West, both predominantly Dinka-inhabited and, in previous times, shattered by rampant cattle-related violence. These results might be mainly linked to the tough “security-first” approach of the current governor of Lakes State, Rin Tueny Mabior, which has curbed cattle-related violence in many parts of Lakes State (Pospisil, 2023).

Interestingly, the perceptions of brideprice-related violence are quite low in both Wau and Gogrial West, which is surprising in an area known for widespread inter-communal violence, often linked to cattle raiding. In turn, the perceptions of violence are quite high in Yambio – also among the Zande predominantly living in this county – which was unexpected considering the comparatively very low brideprices in the area.

The direct relationship between needing to pay (high) brideprices and violent conflicts in the form of cattle raiding was pointed out by several interviewees for this study. It is also confirmed by anthropological accounts (Beswick, 2004: 137), and confirmed by more recent empirical research (Lacey, 2013: 94; Willems and Rouw, 2011: 17; Wild et al., 2018: 3; Huser, 2018: 26). One of the grooms from Juba described the potential escalation of such brideprice-related raids referring to the situation in Unity State:

*"Youth gather and go with friends to support the friend who is about to get married. During the cattle raid process, sometimes, youth get shot in the process as they are counted to be groups or members of gangs, then the same group will seek revenge as well as the family of deceased, which leads to an unending cycle of violence and revenge killing."*¹⁰²

Raiding might be also linked to the opportunity of better reproductive success (Glowacki and Wrangham, 2014, based on findings among the Nyangatom), and is sometimes seen as means of individual and collective capability: "it is a matter of prestige, as when you get married with a lot of cattle your husband is a hero because he was able to raid so many cows" (focus group discussion, cited in Willems and Rouw, 2011: 18). A female participant described a similar pattern:

*"Yes, many cattle-raiding revenge killing cases are related to young men joining militia and armed groups because of brideprice and because they cannot afford it. Some young men who are in the cattle camp can't afford to marry and see their girlfriends being married off to generals and high government officials because these government officials and politicians can afford the brideprice. This leads the young men to join militia groups, to join in cattle raiding groups and go on cattle raids so they can bring enough cows to be able to marry."*¹⁰³

One interviewee laid out three ways in which brideprice was directly related to conflict: cattle raiding, the presence of small arms in the general community, and ethnopolitical group conflicts over access to land and resources. First, she claimed that the historical roots of conflict in communities could be traced to brideprice: "it creates conflict because for decades in South Sudan most of the intercommunal fights and conflict are initiated by someone raiding your cattle".¹⁰⁴ Second, she noted that the prevalence of the use of small arms to both steal and protect cattle – the major source of wealth as well as brideprice – made killings endemic:

*"Currently, cattle keepers move around with guns to protect their cows so imagine someone who is a cattle keeper who has a loaded gun and groups of criminals come to take his dowry [brideprice] or his cattle: what will he do? Will he try to protect his cattle and his property? He will shoot back at them – do his level best. In the process he might end up hurting and killing people."*¹⁰⁵

Third, in her analysis, major movements of people in times of conflict and crises create pressure on access to land and resources for cattle rearing. Because cattle are brideprice (hok means both cow and brideprice in Nuer), this links the two phenomena of livelihoods and brideprice together:

*"Most of the intercommunal conflict that is happening in South Sudan is related to brideprice. One example is the conflict between southern Unity State and Lakes between the Nuer and the Dinka. Brideprice or cattle in general have taken a major part of it owing to displacement, as well cattle keepers from Bor coming and their cattle eating the harvest of these farmers which creates another threat. So, conflict in South Sudan is based on ethnic groups differences, politics and cattle that are directly linked to brideprice."*¹⁰⁶

These accounts confirm the direct link between brideprices and violent conflict in South Sudan. While these links always existed, it appears to have become worse in recent years, compounded by the effects of the war and the consequent rise of the overall level of violence in society and the widespread availability of automatic firearms.

Conclusion and Recommendations

Brideprice is ambiguous. It has discriminatory effects, but also fulfils important social functions. Any measures taken for enhanced regulation or mitigating the negative effects of brideprice need to consider that brideprice regulation may be followed or ignored. Doubtless, brideprice, in line with South Sudanese family law in general, discriminates against women (Deng, 2010: 42). At the same time, a legal abolishment of brideprices, as some scholars demand (Deng, 2021: 16), appears unlikely.

Given the data presented from the mixed method research above, one recommendation is that a national family law is developed and passed by parliament. A national family law would be able to reposition some of the issues related to marriage and brideprice as part of civil and legal spheres rather than customary ones. The risk of violent encounters because of brideprice-related disputes could be reduced as well.

Family law reform needs to follow a holistic approach. Drawing on lessons learned from women's struggles in other contexts, it would be important that any national family law including regulation or reform of brideprice would be undertaken in close cooperation with women's civil and legal organisations. Because of brideprice's flow-on effects in several areas outlined in this report, any reform needs to address the related social and legal issues of gender-based violence, early marriage, and child protection. Good regulation would be part of broader reforms that safeguard and promote the rights of women and children. However, legal remedies are rarely a panacea, as traditions vary and the receptiveness of communities towards to stern regulations is likely to be limited. The most likely societal reaction to strong regulation or outright bans would be widespread ignorance and a continuation of established customary practices, as with other laws in South Sudan that fail to garner wider social acceptance. For that reason, socialisation and awareness raising among all levels of society would be a key part of any attempted reforms.

There is still the pressing need for regulations, as a married Nuer woman confirmed in the interviews for this study:

*"I have one request: I want to reach very powerful people to let them know that there are some women in South Sudan who have suffered because of brideprice. Some are stuck in marriages they can't live with, some of these women have died because of abuse and because they thought they didn't have options. Let it end with our generation. Use this research to raise awareness to very powerful people so they can support these women from this upcoming generation, for them to be able to stand up for themselves and make decisions that are not affected by how many cows were paid."*¹⁰⁷

A possible instrument to regulate brideprices is the introduction of caps. It is, however, by no means straightforward and likely to be contested. As discussed, attempts to establish caps of 30 head of cattle as a maximum for brideprice payments in Lakes State failed due to widespread resistance. Another example, at another societal level, was the refusal of First Vice President Riek Machar in August 2022 to accept the offer of 500 cows for his daughter.¹⁰⁸ Trying to serve as a national example, Machar first wanted to only accept ten cows, but finally had to settle for 45 cows in order to not embarrass his daughter's future husband. The concern for family pride and masculinity, again, did trump the First Vice President's attempts at brideprice moderation.

Still, introducing national caps might be a reasonable way forward, in particular to prevent competition among individuals, families, and clans. Caps would also ease divorce procedures and prosecuting cases of gender-based violence within marriages. A possible method of enforcement could be indirect, via controlling customary courts, where a national cap could be strictly observed. Ending bragging contests over brideprice payments would, in any case, offer an important and impactful contribution to peacebuilding in South Sudan.

What is needed in the long run is a gradual, generational shift towards viewing marriage primarily as a union between individuals with equal rights, rather than an arrangement between families or clans. These shifts are, of course, deeply embedded in wider social change and related to forms of socio-economic development, changes of family networks and the decreasing importance of kinship.

Such a cultural shift, while respecting lived traditions, could mitigate the most oppressive patriarchal aspects of brideprice. Ultimately, any reforms undertaken must be contextually sensitive, balancing respect for cultural traditions with the imperative to protect human rights, especially those of women. This delicate balance calls for a thoughtful, inclusive dialogue involving all stakeholders, with a focus on education and gradual social transformation. By doing so, future generations in South Sudan may witness changes in the practice of brideprice, aligning it more closely with principles of gender equality and individual freedom.

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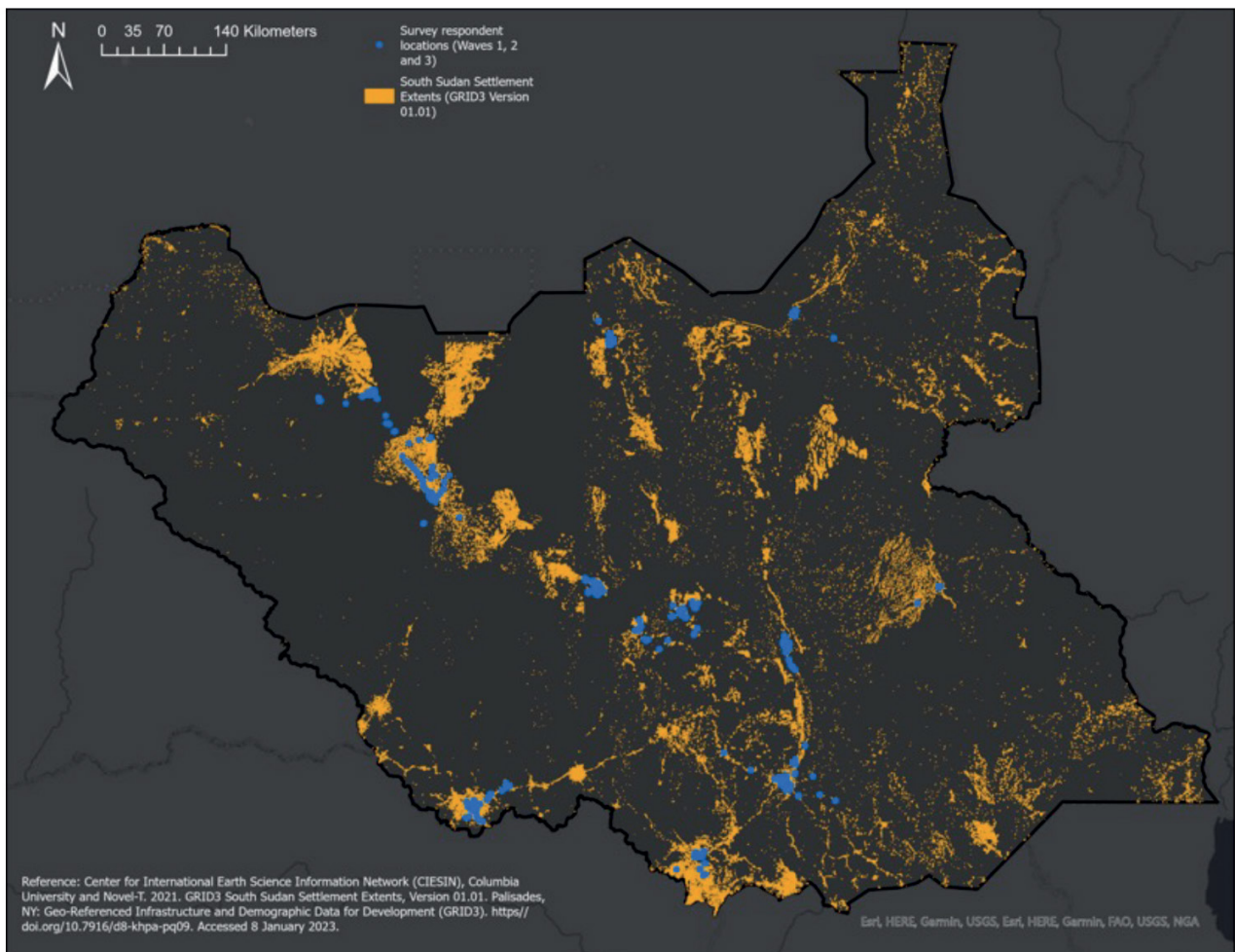
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Annex

Table 1: Characteristics of survey participants (by county)

Location	F	F	M	M	Urban	Urban	Rural	Rural	IDP	IDP	Total	Sample
			%		%		%		%	Camp	Camp %	%
Aweil Centre	121	0.51	116	0.49	95	0.40	142	0.60	0	0.00	237	0.05
Bor South	118	0.50	118	0.50	63	0.27	144	0.61	29	0.12	236	0.05
Gogrial West	182	0.62	112	0.38	155	0.53	139	0.47	0	0.00	294	0.07
Juba	276	0.49	282	0.51	304	0.54	130	0.23	124	0.22	558	0.12
Jur River	48	0.51	47	0.49	9	0.09	86	0.91	0	0.00	95	0.02
Malakal	300	0.52	278	0.48	243	0.42	56	0.10	279	0.48	578	0.13
Pibor	106	0.38	172	0.62	161	0.58	99	0.36	18	0.06	278	0.06
Renk	104	0.31	236	0.69	142	0.42	198	0.58	0	0.00	340	0.08
Rubkona	211	0.43	285	0.57	127	0.26	90	0.18	279	0.56	496	0.11
Rumbek Centre	116	0.49	120	0.51	40	0.17	196	0.83	0	0.00	236	0.05
Torit	189	0.58	137	0.42	135	0.41	191	0.59	0	0.00	326	0.07
Wau	73	0.52	67	0.48	89	0.64	0	0.00	51	0.36	140	0.03
Yambio	71	0.34	138	0.66	68	0.33	141	0.67	0	0.00	209	0.05
Yei	109	0.50	110	0.50	85	0.39	134	0.61	0	0.00	219	0.05
Yirol West	119	0.50	121	0.50	48	0.20	192	0.80	0	0.00	240	0.05
Total	2143	0.48	2339	0.52	1764	0.39	1938	0.43	780	0.17	4482	1.00

Graph 29: Survey locations (orange: existing settlement areas in South Sudan, blue: locations of survey respondents)



Graph 30: Characteristics of survey respondents (environment, gender, occupation, n=4,482)

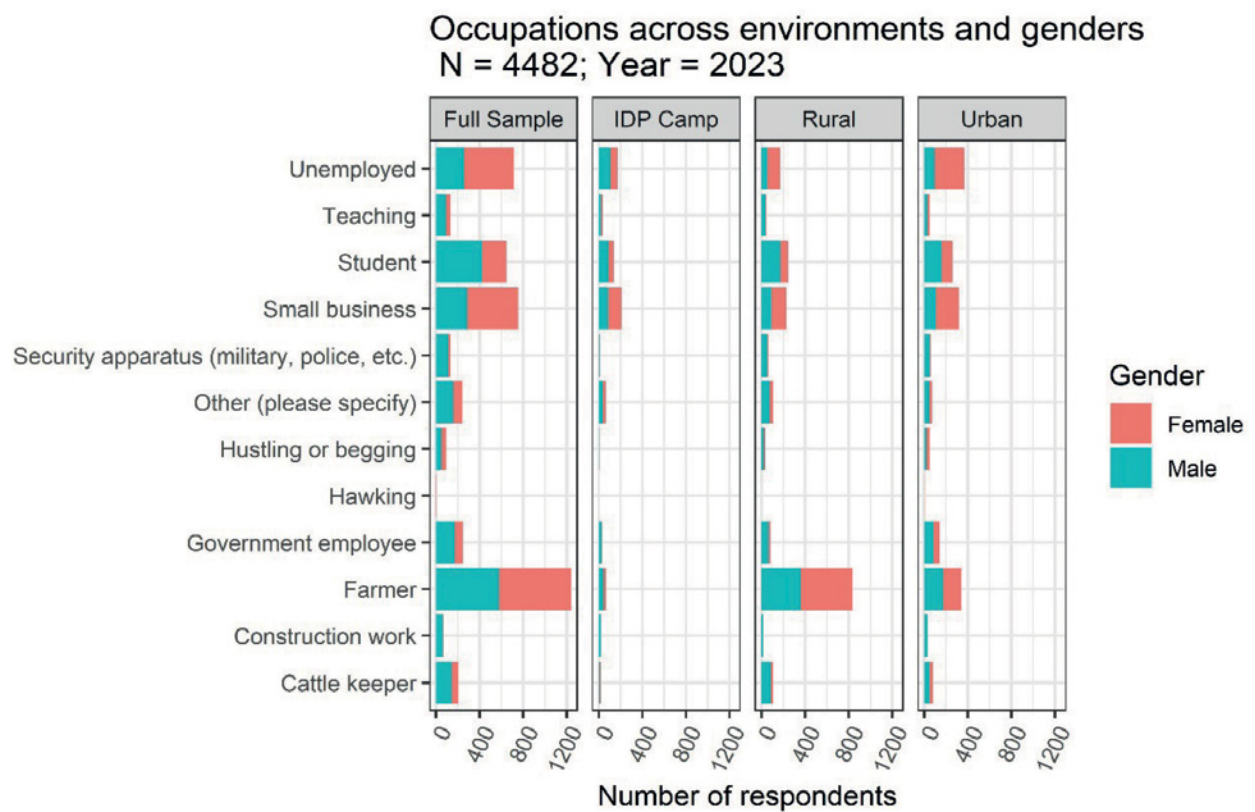


Table 2: Participants in the qualitative interviews

Code	Interviewee	Date	District	No	Gender	Age Range
FGD01	Groom + Friend + Brother	23/03/2023	Juba IDP	3	Male	30-35
FGD02	Bride + Female Family	28/03/2023	Nuer	3	Female	Bride 18; Family 38-45
FGD03	Chiefs	28/03/2023	Juba IDP	6	Male	40-55
FGD04	Vendors	27/03/2023	Bor Town	8	Male	40-55
FGD05	Family	28/03/2023	Bor Town	6	Mixed	35-45
FGD06	Brides	3/04/2023	Juba	2	Female	30 + 33
INT07	Former County Commissioner from Lakes State	21/04/2023	Rumbek Centre	1	Male	40-55
FGD08	Groom + Brother	22/04/2023	Rumbek Centre	2	Male	35-50
INT09	Female MP for Lakes State	24/04/2023	Rumbek Centre	1	Female	30-40
INT10	Paramount Chief	21/04/2023	Rumbek Centre	1	Male	40-50
Total				33		

Endnotes

¹ For an interactive dashboard showing the data from all iterations of the survey see <https://peacerep.org/perceptions-peace-south-sudan/>.

² Since there is no recent reliable population data on South Sudan, the survey operated with informed estimates that used recent assessments by UN agencies (in particular, WFP), the South Sudanese National Bureau of Statistics (NBS), and the Relief and Rehabilitation Commission (RRC), especially through the RRC representatives in the surveyed counties. Since the population data is still not fully reliable, we refrain from giving confidence intervals for the data presented, and only refer to the methods with which the survey aimed to assure representation.

³ In this report, we use the term “brideprice” and not the term preferred by some anthropologists, “bridewealth”, for two reasons. First, both money and cattle are now widely used in contemporary marriage payments. Money and cattle have exchange value and are fungible, as we discuss in the section on monetisation. The use of money in particular differentiates contemporary marriage payments from earlier restricted forms of exchange in non-market economies that anthropologists argued were non-commercial (cf. Dalton, 1966: 737; Meillassoux, 1975: 74; Jolly, 2015). Second, brideprice, not bridewealth, is the term used by feminist activists in several countries in the region (Hague et al., 2011).

⁴ INT09 – Female Member of Parliament, Yirol, 24 April 2023.

⁵ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁶ FGD06 – Brides, Juba IDP, 3 April 2023.

⁷ FGD03 – Chiefs, Juba IDP, 28 March 2023.

⁸ FGD04 – Cattle Vendors, Bor Town, 27 March 2023.

⁹ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

¹⁰ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

¹¹ INT07 – Former County Commissioner from Lakes State, Rumbek Centre, 21 April 2023.

¹² FGD02 – Bride and her female family members, Nuer, 28 March 2023; Cattle Vendors, Bor Town, 27 March 2023; Groom, his brother and his male friend, Juba IDP, 23 March 2023.

¹³ FGD05 – Family, Bor Town, 28 March 2023.

¹⁴ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

¹⁵ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

¹⁶ FGD06 – Brides, Juba IDP, 3 April 2023.

¹⁷ This data only refers to lowland Murle predominantly residing in Pibor county. The homeland of the highland Murle in Eastern Equatoria has not been surveyed.

¹⁸ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

¹⁹ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

²⁰ This calculation is only an approximation based on prices at Sherikat cattle markets near Juba from October 2023: bulls and young cows could attract prices of more than 1,000 USD, cows considered as “capable” to produce and lactating cows about 500 USD, and regular cattle 200-300 USD. Since the cattle component of brideprices is usually mixed between regular, fertile, and young animals an average value of 400 USD seemed the best possible approximation to calculate with. This method has of course weaknesses, as cattle price levels are known to be significantly lower in Warrap, even compared to Lakes, and are more expensive in more remote parts of Jonglei.

²¹ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

²² FGD02 – Bride and her female family members, Nuer, 28 March 2023.

²³ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

²⁴ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

²⁵ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

²⁶ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

²⁷ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

²⁸ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

²⁹ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

³⁰ Ibid.

³¹ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

³² FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

³³ FGD08 – Groom and his brother, Rumbek Centre, 22 April 2023

³⁴ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

³⁵ FGD06 – Brides, Juba IDP, 3 April 2023.

³⁶ INT10 – Paramount Chief, Rumbek Centre, 21 April 2023.

³⁷ FGD04 – Vendors, Bor Town, 27 March 2023.

³⁸ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

³⁹ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

⁴⁰ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁴¹ INT07 – Former County Commissioner, Lakes, 21 April 2023.

⁴² FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁴³ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁴⁴ FGD06 – Brides, Juba IDP, 3 April 2023.

⁴⁵ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

⁴⁶ FGD05 – Family, Bor Town, 28 March 2023.

⁴⁷ FGD03 – Chiefs, Juba IDP, 28 March 2023.

⁴⁸ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

⁴⁹ FGD03 – Chiefs, Juba IDP, 28 April 2023.

⁵⁰ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

⁵¹ FGD04 – Vendors, Bor Town, 27 March 2023.

⁵² FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023; INT09 – Female Member of Parliament, Yirol, 24 April 2023.

⁵³ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

⁵⁴ INT10 – Paramount Chief, Rumbek Centre, 21 April 2023.

⁵⁵ INT07 – Former County Commissioner, Lakes, 21 April 2023.

⁵⁶ FGD04 – Vendors, Bor Town, 27 March 2023.

⁵⁷ FGD06 – Brides, Juba IDP, 3 April 2023.

⁵⁸ FGD06 – Brides, Juba IDP, 3 April 2023.

⁵⁹ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁶⁰ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁶¹ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁶² FGD06 – Brides, Juba IDP, 3 April 2023.

⁶³ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁶⁴ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁶⁵ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁶⁶ FGD06 – Brides, Juba IDP, 3 April 2023.

⁶⁷ INT09 – Female Member of Parliament, Yirol, 24 April 2023.

⁶⁸ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁶⁹ FGD05 – Family, Bor Town, 28 March 2023.

⁷⁰ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

⁷¹ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁷² FGD06 – Brides, Juba IDP, 3 April 2023.

⁷³ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁷⁴ FGD05 – Family, Bor Town, 28 March 2023.

⁷⁵ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁷⁶ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁷⁷ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁷⁸ FGD04 – Vendors, Bor Town, 27 March 2023.

⁷⁹ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁸⁰ FGD05 – Family, Bor Town, 28 March 2023.

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⁸³ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁸⁴ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁸⁵ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁸⁶ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁸⁷ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁸⁸ FGD05 – Family, Bor Town, 28 March 2023.

⁸⁹ FGD05 – Family, Bor Town, 28 March 2023.

⁹⁰ FGD04 – Vendors, Bor Town, 27 March 2023.

⁹¹ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

⁹² FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

⁹³ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁹⁴ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

⁹⁵ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

⁹⁶ FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

⁹⁷ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁹⁸ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

⁹⁹ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

¹⁰⁰ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

¹⁰¹ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

¹⁰² FGD01 – Groom, his brother and his male friend, Juba IDP, 23 March 2023.

¹⁰³ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

¹⁰⁴ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

¹⁰⁵ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

¹⁰⁶ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

¹⁰⁷ FGD02 – Bride and her female family members, Nuer, 28 March 2023.

¹⁰⁸ <https://www.eyeradio.org/some-youths-welcome-machars-rejection-of-hefty-dowry/>, accessed 10 December 2023.

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PeaceRep is a research consortium based at Edinburgh Law School. Our research is rethinking peace and transition processes in the light of changing conflict dynamics, changing demands of inclusion, and changes in patterns of global intervention in conflict and peace/mediation/transition management processes.

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