



Are you married traditionally? Court spells doom for you if you have no valid marriage certificate.

By CH Reporter

Millions of couples who were married traditionally but have not registered their marriages have been dealt a blow as court rules those marriages are invalid. In Kenya 70% of marriages are traditional because they are cemented by dowry payment.



Wedding rings

In a titanic battle of millionaires Anne Ngururi and husband John Ikuno, the court declined to grant divorce ruling their traditional marriage was not recognised in law. Trial Magistrate G. M. Gitonga observed that since the marriage was not registered means there was no valid marriage capable of dissolution.

In the case, Anne Ngururi had filed for divorce from her husband John Ikuno who also filed a cross petition seeking for the dissolution of their 23 year marriage.

However, Gitonga dismissed both their applications for divorce because they did not register the marriage.

Section 55 of the marriage Act 2014 states that where parties to a traditional marriage have completed the necessary rituals for their unions to be recognised as a marriage under customary law both parties shall apply to the registrar within six months of their marriage for certification.

It further states that both parties shall appear in person before the Registrar to be issued with the certificate of marriage.

According to the law, the registrar has to be satisfied that the parties to the customary marriage have complied with the provisions of law then he shall register the marriage and issue them with a certificate of marriage.