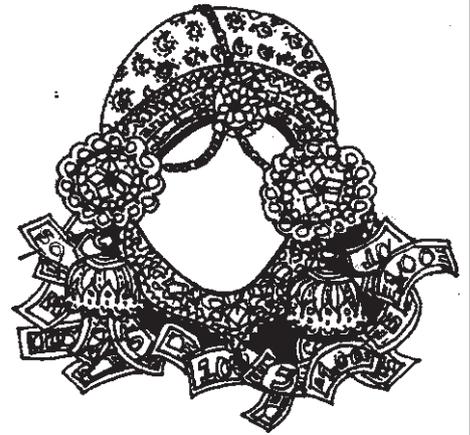


## Dowry—To Ensure Her Happiness Or To Disinherit Her ?



*The observations made in this exploratory article on dowry are based on dowry practices among the urban, educated middle and upper middle class families in India. The article does not take into account all the diversity that exists in the practices of different communities, nor the differences between urban and rural groups. The reason for taking a closer look at this particular group is that the diverse cultural practices throughout India are increasingly giving way to dowry practices similar to those discussed in this article, among those who can in any way find the money. Therefore, the descriptions given below are important for almost all other groups as well.*

**FOR** over a century, eradication of dowry has been a major item on the agenda of social reformers of all hues. In the last decade, it has perhaps received more attention than almost any other social issue. Yet, dowry is nowhere near being eradicated. In fact, the dowry system has flourished and spread through all levels of our society all over the country, simultaneously with the campaign against it.

The reasons commonly adduced for the increase in dowry are not reflective of much serious thinking about the reasons why people give and take dowry. Until we understand how dowry actually works, we will not be able to do anything meaningful about it.

### Due To Growing Greed ?

One argument repeated *ad nauseam* is that people in today's world have become very greedy hence the increasing demands for dowry. Often, this "greed" is seen as linked to the influence of western consumerist culture which leads people to want more and more gadgets and other consumer goods.

This tendency to view the present age as *kalyug* and the past as a golden era may be consoling, but is not grounded in fact. Nineteenth century literature, both

fiction and reformist propaganda, is full of laments over the increase in dowry and the growing materialism of people. This was much before refrigerators and videos appeared on the scene.

A common theme of many social protest movements is a harking back to an earlier golden age and a criticism of the current materialist culture in comparison to the good old days. The literature of the Bhakti movement (the writings of Kabir, Nanak and others) or even of such an early movement as Buddhism bears testimony to this. Gautam Buddha is supposed to have left his princely home in revulsion against the materialist culture it represented. There is nothing new in people's desire for more and more wealth. Nor is this trait specific to any particular culture. Dowry, however, is specific to certain cultures.

If increasing dowry demands were, in fact, merely related to the aping of the materialist culture and lifestyle of the west, we might expect to find even higher dowry demands manifested in many western countries. This is quite clearly not the case. People in the west have created a thousand other terrible problems for themselves but they do not show any inclination, at present, to foster the giving

and taking of dowry. This is not because people in one country are more or less greedy than people in other countries. However badly a man may currently maltreat his wife in a western country, he dare not demand a video and car from her parents as dowry, not because he is more enlightened than a husband in India, but because wife's parents will not normally entertain such demands. They do not feel that they must get their daughters married and see that they stay married at any cost. They would not consider it an unbearable social disgrace for themselves if their daughter stayed unmarried or left her husband, although they would prefer her to get married and to remain married.

The "greed" theory would make sense only if the world was divided into two sets of families—one set which produced only boys and another which produced only girls. In such a situation, the boy producing families would be at a permanent advantage. Despite the prevalence of various forms of female infanticide in India, our society is not yet divided into these two mutually exclusive camps. Thus, there are no permanent gainers or losers. In most families, dowries are both given and taken. Quite frequently, the same families whose daughters are harassed for more dowry

themselves harass daughters-in-law in similar ways.

One of the most notable features that emerges during antidowry campaigns is the small number of people who are consistently either genuinely for or against it. There is hardly anybody in the country, who, at one time or another, will not decry and lament its pernicious effects. Vast numbers of people are as unanimous in condemning it as they are persistent in practising it. It is common for a person to deplore dowry in one breath and justify it in the next. Some are content merely to express helplessness in breaking away from it.

The arguments generally put forward for and against dowry are in the nature of moralistic cliches rather than the results of careful analysis of our society. Why is it that even those who consider dowry transactions morally wrong and socially harmful insist that they must continue to practise it? The vast majority of parents, at the time of a daughter's marriage, appear as eager to give dowry as they are to receive it at the time of a son's marriage.

If dowry was basically the product of greed, the groom's family would not encourage extravagant expenditure on the wedding feast and entertainment of guests. In fact, the groom's family too spends substantial amounts on nonrecoverable expenses connected with the wedding such as extravagant receptions, music bands and gifts to various relatives.

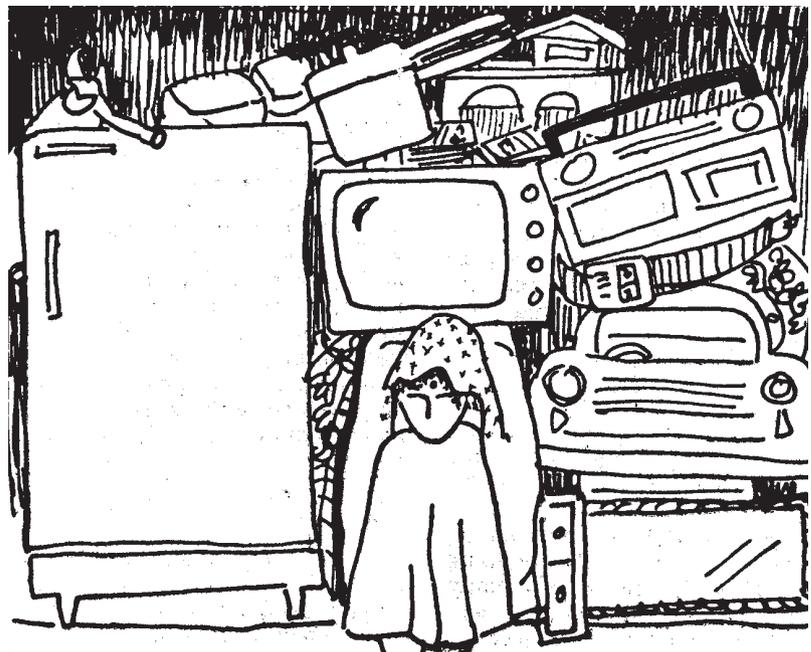
At a recent marriage in my neighbourhood, I observed that what the groom's family actually received in cash and kind did not exceed what they had themselves spent on the wedding of their son. The bride brought with her furniture, jewellery and other goods not worth more than Rs 60,000. This is about the amount that the groom's family had spent on their part of the wedding celebrations. A portion of the money they spent was borrowed on interest. Even though the bride's family spent twice as much as the groom's family, only a part of this money reached the groom's family in the form of durable

goods, much of it being spent on celebrations. In this instance, which I believe is fairly typical, the ultimate economic gain for the groom's family does not seem commensurate with the amount they spend on the marriage.

Even a cursory study of wife harassment cases shows that taunts flung at a daughter-in-law do not relate to major demands for cash or items like videos and scooters. Much more common are taunts regarding the number and quality of saris given to her, the quality of the wedding

daughter-in-law having some basis to exercise her rights over what are supposed, in some traditions, to be her personal dowry items.

When writing on dowry related harassment and murder, the media tends to mention failure to meet major demands such as that for a scooter or a colour TV, as the direct precursor of maltreatment. However, I believe that an indepth study of most cases would reveal that the harassment seldom ceases as and when these demands are met. The daily torture



—Pumima, PUCL bulletin

**The deadweight of dowry**

feast and the presents given to her by her natal family at various festivals. If the main motive was avarice, it would be wiser for the in-laws to demand cash for themselves rather than grumble about the number of saris given to the bride. Instead of saying "Why only 21 saris and not 31?" or "Why cotton saris and not silk?" or "Why Indian gadgets and not imported ones?" they would say: "Why even 21 saris? Let her manage with her old saris and give us the rest of the money in cash. No need for an expensive mixer. She can use a grinding stone. We need the money." This would also eliminate the possibility of the

and harassment which breaks a woman down is more often related to constant taunts designed to humiliate her, make her feel a contemptible burden on the family, and put her on the defensive over every conceivable matter. For instance, recently, a young woman from a fairly wealthy business family came to us in connection with her divorce case. She had been married to a well off businessman who earns about Rs 30,000 a month. She complained that he would give her no money at all. Even if she needed to buy herself a pair of slippers, she would be told to get the money from her "wealthy father."

In another case, the woman complained that she did not even have money enough to visit her parents' house about 10 kilometres away. Each time she went there, she was expected to take a scooter and get her parents to pay the fare so that each visit became a humiliating affair for her. In addition, the gifts she brought back from her natal family were thoroughly screened and denigrated in a way that made her feel inadequate and ashamed.

The whole process of constant humiliation is intended to demoralise a woman so that her feeling of vulnerability makes her desperately desire somehow to carve a place for herself in her in-laws' house, however degrading the terms she must accept. She is compelled to grovel before her husband and his family in order to seek a precarious foothold. The never ending demands and taunts make her feel perpetually insecure as she never knows which occasion may be used to demean and threaten her further.

This psychological warfare is part of a strategy to make women accept a subordinate position within the family and feel grateful for being allowed to survive at all in the marital home. The retraining of the daughter-in-law into total subordination is an essential part of her transition from the natal to the marital home.

Thus, dowry demands are as little or as much related to greed as rape is to sexual satisfaction. Both are essentially forms of violence whose primary purpose is to degrade and victimise a woman so that she retains a desperate fear of disobeying the powerful. Just as rapists frequently beat, maim or kill their victim as a further expression of their power over her, so also, the taunts and abuses of a daughter-in-law may escalate into beatings, torture and even murder.

### **“Voluntarily” Given Gifts— Not Dowry?**

One reason for the utter ineffectiveness of the campaign against dowry is the dishonesty with which even the reformers define dowry. The dominant opinion even



**The flow of gifts begins with the engagement ceremony**

among opponents of dowry is that anything that is given by the bride's family of their own free will, without any demands being made by the groom's family is not to be considered dowry. Therefore, there is no need for these gifts to be considered wrong. Demands made by the groom's family are alone reprehensible.

This view is based on the idea that the dowry evil arises only when the groom's family is unnaturally greedy. When their demands meet resistance this is seen as proof of their greed, while the bride's family is supposed to be by definition genuinely concerned about her welfare and security, their “voluntary” giving being a sign of their concern. This argument is a highly dubious one. In the social atmosphere of India today it is ridiculous to talk of completely voluntary giving of dowry. If dowry is indeed an essential expression of voluntary concern for daughters, it should be a universal phenomenon—which it is not, even in India, let alone in the world. Dowry of the kind that exists among some communities in India has been prevalent in certain cultures. There is no evidence that these cultures have shown any special fondness for daughters. It frequently coexists with severe forms of discrimination and oppression of women.

### **Can Dowry Giving Be Voluntary?**

Even when demands are not made, any marriage is contracted in a highly competitive marriage market, wherein it is assumed that boys are precious commodities and daughters a burden whom parents must get rid of, at as early an age as is feasible. It is important to remember that these are the assumptions not only of the man's family but equally of the woman's family.

One key pressure that compels the “voluntary” giving of dowry is that among most communities, especially among the dowry giving communities in India, marriage is just about universal, and is considered so essential that without it a woman's life is considered blighted. Parents feel duty-bound to plan and perform their daughters' marriages. It is considered a great dereliction of social duty if parents fail to perform this all important ritual. A daughter is never considered settled if she is not married, not even if she has a well paid, high status job.

The pressure is not only to “settle” her but to do so at the right age. The concept of the right age has varied from time to time and community to community. For the urban educated middle class today,

the “fight age” begins soon after the daughter graduates, when she is about 19 years old. By the time she crosses 26, she is on the verge of losing out in the marriage market. Hence, the desperation grows and the groom may have to be compensated with a higher dowry.

Even if she has acquired more education or a better paid job, these are not always considered sufficient compensation for the age handicap. The dowry for a highly educated daughter is likely to be larger rather than smaller because the amount of dowry is calculated according to the market value of the prospective son-in-law. Since, under no circumstances can a woman be married to a man younger than she is, a man in his late 20s or early 30s is likely to be better settled in his career and hence have a higher market value.

In such a situation, it is meaningless to talk of free will or voluntary giving. This is the equivalent of saying that a steep price rise of essential commodities is fine as long as the customers continue to go to the shops of their own free will and pay the high prices.

Dowry does not always have to be demanded because it is assured through other mechanisms. When marriage alliances are made, both sides take pains to display their status by describing at length their family connections and the amount of property owned. The socioeconomic status and power of brothers, uncles, grandparents, cousins, all play an important role in determining the outcome of marriage negotiations.

When the groom’s family insists that the girl have a “decent” family background, only the very naive would understand “decency” to mean moral virtue. It is an unmistakable hint at the status of the family. This enhances the likelihood of getting dowry of a certain quantity and quality. Likewise, the groom’s family displays its own connections and relatives and economic worth to hint that whatever is given should be commensurate with their status as they define it.

These status descriptions affect the calculation of a particular dowry although dowry is also to a large extent determined by the customs in a particular kinship group. A family’s “voluntary” giving can express itself only in enhancing the dowry amount. They can certainly, if they choose, give more than what is expected. But they rarely can give less because their own *izzat* or honour is at stake. Thus, a bride from a “decent” family is the best guarantee of a “decent” dowry, even if the groom’s family does not make explicit demands.

### **Is It Dowry That Causes Maltreatment ?**

In itself, giving of money and gifts should not become a cause of oppression for anyone. It should make the couple’s life together easier. Why is it then that giving gifts and money to daughters becomes a virtual death trap for so many women ? Let us take an analogy. If a family were to offer another family Rs 100,000 for the care of a dog, horse or cow for a period of time, is it likely that the animal would be maltreated or burnt to death as are many wives ?

The form in which dowry is practised in India seems to defy all rules of rational

economic behaviour, and laws of supply and demand. Logic would suggest that a woman who brought wealth with her should be highly valued. And indeed we would have fewer reasons to object to the giving of dowry to daughters if it led to their being treated with respect.

For a long time, reformers have perceived and projected dowry as a moral issue, as if giving of dowry itself is inherently morally flawed. This has only helped obscure the real issue which is that women get maltreated despite carrying such enormous amounts of wealth with them to their in-laws’ homes. Our form of dowry does not seem sufficiently to mitigate the woman’s powerlessness although it remains an indicator of the prestige and status of her natal family and of the family of the man who marries her. In economic terms, a woman who carries a dowry of Rs 100,000 has an exchange value of minus Rs 100,000 because her family must give this amount unconditionally to have the groom’s family take this burden from them and the man who marries her is valued at plus Rs 100,000.

To return to the analogy of an animal handed over to caretakers, the reason an



**Like a king, he goes in the wedding procession to the bride’s house, to fetch the bride and the booty**

animal is likely to be well looked after is that the original owners of the animal, if paying for its future care, would object to maltreatment and say : “If you cannot take proper care of the animal, please return it and the money.” However, most parents would rather see their daughters dead than have them get a divorce and return permanently to the parental home. Dowry is supposed to act as a bribe to the son-in-law to keep the daughter who, after she reaches a certain age, is totally unwanted in her parental home. That is why a woman’s parents are ever ready to meet with continuing demands made by the husband’s family, provided he keeps her in his house. In hardly any of the cases that have come to Manushi in the last few years, has the woman’s family decisively and rapidly refused to meet with escalating demands and assured their daughter she was welcome back to her natal home. It is usually only when the woman is thrown out of her marital home after all attempts to placate her in-laws fail that her family will, in desperation, finally think of taking some action.

### Is Dowry Really Meant For the Woman ?

Despite all the fancy talk about *stridhan*, dowry has very little to do with the *stri* concerned. It is essentially a transfer of wealth from men of one family to those of another, with women acting either as vehicles of transfer (as brides) or as watch-dogs (as mother-in-law and sister-in-law). This is the most important reason for the wealth incorporated in the dowry not empowering women.

A frequently advanced argument for the necessity of dowry is that it is a way of giving a daughter her share in parental property : “How can a daughter be sent emptyhanded from her parents’ house ?” The implicit assumption of this rhetorical question is that, unlike a son who is expected to outlive his parents and inherit from them, a daughter’s marriage is the end of her membership in her natal family and is therefore the appropriate occasion for her to get whatever she can. But dowry is

not in fact a daughter’s fair share nor is it a way of compensating her for lack of inheritance rights.

A woman has little say in deciding how much money is to be spent on her dowry and the wedding celebration. Nor does she have any real control over how that money is to be allocated. A large part of the expenditure is on the feasts, gifts, decorations and other wedding expenses. Though none of this benefits the woman in any way, she is made to feel grateful for all that is being spent—whether or not she wants that kind of wedding. For instance, a girl can rarely tell her parents that instead of spending Rs 50,000, on a five star hotel wedding reception, they would do better to put the money in the bank as a fixed deposit in trust in her name.

When large amounts of cash are given as part of the dowry, they are almost always given to the son-in-law, his father or other senior male members of his family. Very rarely is the cash given to the daughter, in her own name.



Recently, a friend of mine was married. She was not keen on a dowry but she had no real say in the matter. To give a certain kind of dowry is a requisite for the maintenance of a woman’s family’s honour. They insist on giving it in that form

irrespective of the woman’s needs and desires. This woman felt she might have to leave her job after marriage because to commute by bus would take two hours each way every day. She could not manage this if she had to run a household. I suggested that since the family was in any case spending so much on the marriage, she could ask them to buy her a two wheeler scooter so that she could retain her job. She replied that she did not want to impose an added burden on them by making such a demand. Could she not get them to buy a scooter in lieu of some expensive item of jewellery ? To this she replied that jewellery was bought according to norms that prevailed in the community. The family purchased the dowry according to the traditions of their kinship group and her demands did not figure anywhere in the calculations except in such nonessentials as choice of colour or design of clothes and jewellery. Further, if a scooter was bought, her husband would automatically assume that it was for his use. Her trying to assert a separate right over it might create serious problems at the outset of their married life.

Thus, the daughter’s convenience is not the primary, and seldom even a major, consideration. The transfer of goods is essentially from one family to another. This is obvious from the way money is allocated. If a middle class family in Delhi spends a total of one and a half lakhs on the wedding, this is a rough estimate of how they might spend the money :

	Rs
Expenditure on engagement ceremony	15,000
(This would contain nothing for the woman. It consists only of gifts for the groom and his family)	
Wedding feast	20,000
Furniture, crockery, utensils	25,000
Refrigerator, television and other gadgets	20,000
Jewellery	30,000
Clothes for the bride	15,000

Clothes for groom and his family	10,008
Cash and other gifts to groom's family	10,000
Miscellaneous (including gifts to bride's relatives)	10,000

Thus, out of Rs 150,000 spent, not more than Rs 45,000 are spent on goods for her direct use, that is, clothes and jewellery, to which she may have some claim. Although the rest is spent on her behalf, she has not even a nominal say in its allocation.

In actuality, a woman is seldom allowed to have control even over things that are supposedly for her personal use. Gold and other jewellery are traditionally supposed to be a woman's personal security but, in practise, the gold usually stays in the custody of her mother-in-law or husband. It is up to them to give her what they wish for her personal use and daily wear.

Even if a woman is allowed to keep some of her jewels in her cupboard or in a joint locker in the bank, she is more like a guardian of her husband's family wealth than an individual in possession of her own property. It would be taken extremely ill if she sold, gifted or otherwise disposed of it without their permission. And it is expected that if her husband or his family requires money, she will put her jewels at their disposal. This role played by a woman's gold is much glorified in literature and in films as a noble sacrifice on her part for her marital—never her natal—family. A woman who refused to make such a sacrifice for her husband and in-laws would be seen as selfish and heartless, but one who dared make it for any member of her parental family would be considered a traitor to her marriage.

Usually, a woman does not even exercise symbolic control over her jewels. As soon as she reaches her in-laws house, it is taken charge of by her husband or members of his family. It is fairly common for certain items of her jewellery to be incorporated into her husband's sister's dowry.

So also with clothes. It is customary in



Man and wife

many families for a new daughter-in-law's clothes to be displayed and for her mother-in-law and sisters-in-law to take their pick. The point of this is not so much greed to grab clothes as it is to humiliate and remind her that she can consider nothing her own, not even clothing. Many women report that in the early years of marriage, they

those goods do not provide any kind of base for her to run a life that extends beyond that household.

In many cases that have come to **Manushi**, a woman is thrown out of the marital home and virtually rendered destitute, despite the thousands and sometimes lakhs of rupees her parents

---

*Parents frequently discourage daughters from leaving tyrannical husbands because this will mean a loss of what they consider their investment*

---

were not allowed free access to their clothes but were given a set of clothing each morning which they had to wear. The element of choice and control is systematically taken out of the woman's life so as to disable her and train her to have very low self esteem.

Even more important, "filling a daughter's hands" with household goods is a way of telling her that her life must be confined to running a household. Should she be maltreated, abandoned or widowed,

spent on her wedding. Rarely is she allowed even to take her personal belongings, let alone the entire dowry. Even if she manages to bring away the furniture and utensils, she has usually no place to keep them and rarely gets much for them if forced to sell them.

Her parents may reluctantly take her back but her foothold in their house remains precarious. She is there on sufferance, not by right as are sons. Part of the justification used by many families

---

## The Story Of A Much Loved Daughter

The price that women have to pay for the severe compulsion to stay married at all costs is poignantly demonstrated by the story of Suman\* only daughter of Mr Malik, a prosperous businessman in Delhi. He has one son aged 28. Both Mr Malik and his wife are extremely fond of Suman who has been a much loved child. In 1974, she was married at the age of 21 into a well-to-do business family. The Maliks spent a total of more than Rs 1,00,000 on the wedding which in current terms would be equivalent to about Rs 400,000.

Soon after the marriage, the Maliks discovered that their son-in-law had no source of income and was dependent on his brother and sisters for his upkeep. After marriage, he began to use Suman as a hostage to extract more and more money from her father. He is an alcoholic and routinely beat up Suman, even during her pregnancy. For a long time, Suman and her family tried to keep this a secret in order to protect the family honour but every now and then, she would be severely beaten and thrown out of her husband's house, this was a method of extracting money from her father.

For eight years, the Maliks did all they could to preserve Suman's marriage. Mr. Malik says he gave about R's 100,000 to his son-in-law during these years, to help him set up his own business. But the son-in-law blew up all the money on liquor. He never gave Suman any money to run the house. The Maliks had to pay most of Suman's household expenditure from rations to clothing for her, her husband and children, to furnishings and linen. They also bore all the expenses for the deliveries of her two children. They spent about Rs 100,000 on all this over these years.

When her first child, a girl, was born everyone in her husbands family was very offended because they thought they already had too many daughters in the family. Seeing how unwelcome the child was in that house, Mr Malik brought her to his house when she was only two months old. He and his wife brought up the baby who is now a beautiful, bright little girl. Suman's in-laws seemed glad to be rid of her. Suman's mother-in-law was anxious to have a son so she pushed Suman to have another child even though she knew her son could not afford to maintain his wife. Suman succumbed to the pressure, hoping that if she had a son, her mother-in-law would become favourably inclined towards her. When her husband discovered the pregnancy, he was furious. He came to the Maliks' house and asked them to get the child aborted, saying it was not his.

His maltreatment of Suman continued to escalate. He pawned all her jewellery (worth Rs 200,000) for Rs 70,000. Even the birth of her son did not improve the situation. When the son was a year old, Suman was once more beaten and thrown out of the house in the hope of pressuring her parents to give more money. However, at this point the Maliks decided to keep Suman with them since all their bribes had not succeeded in helping her get even a minimal foothold in her marital home. It is noteworthy that Suman did not walk out of her own choice, but was thrown out.

When I asked Mr Malik why he had succumbed to blackmail for so long he said "*Maine socha kaise bhi iska ghar bas jaye*" (I hoped that somehow or other, her home would be preserved). By this, he obviously meant that he had hoped her marital status would be preserved because he could easily provide her a far happier home than she had with her husband. He recalls with pain that the day he went to fetch his daughter after she had been brutally beaten, an old man of the neighbourhood asked him : "Baba, can't you afford to provide two extra *rotis* in your house for your daughter? Why do you leave her to suffer such torture which makes her weep in anguish every night ?"

Quite clearly, the Maliks' attempts to patch up the marriage by sending Suman back to her husband time and again, did not arise from any lack of love or concern for her. Mr Malik sees all his efforts and the money he spent as manifestations of his great attachment to and love for his daughter. It is sad that love for daughters assumes such fatal forms while love for sons usually plays a more constructive role in their lives.

Today, Suman and her children are living with her parents. Both she and the children are now far happier and healthier. She is trying hard to build a new life for herself. Mr Malik says he had put such effort into maintaining Suman's marriage because "In our culture divorce or widowhood for a woman is worse than death" yet he admits that most of their relatives and friends are happy to see Suman back home and living peacefully. Her husband continues to make attempts to harass her, such as making obscene phone calls accusing her of being a prostitute. He has also several times rung up to apologise and ask her to return to him.

Meanwhile, Suman's younger brother has settled firmly into his father's business and was married only after he had built up an allied and flourishing business of his own.

Suman's case is unusual insofar as most fathers would not give shelter on a permanent basis to a daughter, however much the maltreatment meted out to her and her children by her husband. The parting advice to a daughter at the time of her *vidai* is meant to be literally followed : "We are sending your *doli* (bridal palanquin) today. Let only your *arathi* (corpse) come out of that house."

---

\*Names have been changed to preserve anonymity.

for their refusing to provide support to their daughter is that they have already done all they could for her by giving her a dowry. The fact that this dowry was of little or no benefit to her seems to be no one's concern.

We have also found that parents frequently discourage daughters from leaving tyrannical husbands because this will mean a loss of what they consider their investment.

Hence their constant advice to her to "adjust" to maltreatment. In most cases of wife murder and maltreatment, the woman feels so weighed down by the expenditure undertaken by her parents, that she feels dutybound to present a brave, smiling face to them and never let them know that their "investment" has proved a dismal failure.

She is led to believe that to bear maltreatment from her husband without letting her parents know of it, is not only a duty she owes to him but also a duty she owes her parents who have spent so much on her wedding. The in-laws take advantage of a girl's parents' unwillingness to take her back into their home, in order to blackmail them into giving more and more money.

Most parents justify their succumbing to these demands, saying it was done for the daughter's well being. However, the deadly quality of this peculiar brand of parental concern is obvious when we find that a girl's parents are far more willing to put even lakhs of rupees in the hands of a man or a family who torture her than to spend even ten percent of that money on enabling her to survive independently.

Often, it seems as if parents offer incentives to a son-in-law to keep the daughter subjugated. As he begins to maltreat his wife, her parents, instead of removing her from that situation, begin to struggle, often desperately, to find ways and means of raising money for him in order to please him. But it is almost unheard of for parents to try to solve the problem by giving the daughter a shop or a house or capital to set herself up separately so that she does not have to put up with

maltreatment. Thus, the woman's parents, by putting additional resources in the hands of the groom's family, in effect enhance his power over her life, incite him to make additional demands and tilt the power scales even further in his favour.

Dowry is given, not for the daughter's happiness, as is often claimed, but to increase her dependency. That is why very

---

*A girl's parents are more willing to put lakhs of rupees in the hands of a man who tortures her than to spend ten percent of the money on enabling her to survive independently*

---

few parents will spend the same amount of money to help a daughter live independently as they will to get her married and keep her married.

Nor is the dowry necessarily equal to the share of a son. Much is made of the "huge" sums spent on dowry but rarely is the sum comparable to the sum that the son inherits from his parents. The sum spent on dowry appears "huge" to the parents because they value their daughter at less than that sum, but the sum willed to the son, however undeserving he may be, seldom appears too much. Rarely do parents bemoan the fact that they have to leave their lifetime's earnings to sons.

In many of the cases that come to us for help, when a woman is thrown out of the house by her husband, her natal family becomes obsessed by the desire to get back the dowry. They may even fight long drawn out court battles to this end. But in those rare cases when they do get back most of the dowry goods, this in no way helps the woman start her life anew.

The goods given in dowry are not income generating forms of property unlike the property normally given to sons. Items such as furniture, clothes, utensils, depreciate in value very quickly and in any case are not at all comparable to the value of land, a house, a shop, a factory, farm animals, agricultural equipment or other income generating assets that parents may have at the time of their death. It is sons who inherit the income generating forms of property, if any. And they inherit everything in their own right. Their wives have no say in the matter.

The argument that dowry is a girl's share, is her security, and is given to



**Vidai—We are sending your doli today...**



**Ritual offerings—from the woman's father to his son-in-law**

ensure her future happiness, is, therefore, a hollow argument. Dowry giving is an investment not in the girl's future but in her family's honour or *izzat*. The size of the dowry is talked about in the community and enhances the status not only of the groom's parents but also of the bride's parents.

### **Social Role Of Dowry**

What a man receives or does not receive in dowry usually does not make or break his own or his family's financial status. It is not as if dowry makes a poor man into a rich one. In fact, the richer a man already is, the larger the dowry he expects. Thus, a man who gets a cycle in dowry usually is able to afford to buy a cycle on his own, one who gets a scooter is normally in a position to buy one himself, and one who gets a car probably already has a car in the family. The dowry is an acknowledgment of his status, not a determinant of it.

The purpose of dowry giving rituals is comparable to that of traditional offerings to feudal overlords. Those lower down in the feudal hierarchy were expected to acknowledge the lord's suzerainty by giving him gifts on every festive occasion and celebration in either his or their own family. Whether or not these offerings made any substantial difference to the lord's actual wealth, they had to be offered as tokens of respect, in public

acknowledgment of his status. Noncompliance with the ritual would be perceived as a deliberate and unforgivable insult.

So also, any omission, real or imagined, on the part of the girl's family to give gifts at appropriate times is perceived by the boy's family as an insult to their status, and to the man, who must be treated with great deference by his in-laws. The emphasis is not on financial loss but on what they see as disrespect. Thus, it is common for a major complaint of the husband and his family to be that they were not entertained with sufficient respect by the bride's family at the wedding feast or on other occasions.

What social purpose is served by this institution of regular offerings to a man on behalf of his wife? One major purpose seems to be a constant public reaffirmation of her inferior status and his superior status.

It is important to remember that her family members bow before her husband and are humiliated on her behalf. It is repeatedly dinned into her ears that her father bows before her husband only because he is her father, a girl's father. She is made to feel guilty and accused for her existence as a woman, an existence which puts her parents in such a humiliating position. *Beti paida ki hai to jhukna hi padta hai* - there are such proverbial

sayings in many regional languages which convey the message that a girl's parents are destined to humiliation by virtue of having given birth to an inferior creature.

However, a girl's father, if he also has a son, plays the other role of pride and superiority vis-a-vis his daughter-in-law's father. He is not socially defined as inferior in himself. He bows only as a girl's father. But the girl is always in one role—of deference. She bows as herself. She in and of herself is defined as inferior.

Every marriage and dowry ritual publicly places a stamp of unequal value on the bride and groom. In other transactions, such as charity, one who gives is defined as superior and one who takes as inferior. But dowry giving, like giving to a *brahman* or an overlord, or offerings to a god in the course of worship, is a ritual giving from or on behalf of an inferior to a superior.

Its significance is not primarily economic but political, in the sense that it defines a power relation between the man and the woman.

### **Are Women More To Blame?**

We are often told that it is women who keep the dowry system going. Daughters are said to take pride in lavish dowries and mothers-in-law are accused of being behind many dowry demands. People often say: "It is girls who are to blame. Despite their education, they want dowry. Otherwise, why don't they refuse?"

As already pointed out, very few women in our country have the right to decide whether or not they want to marry. There is thus no question of their deciding the terms and conditions of marriage. These are usually predetermined by the family and kinship group.

Further, daughters are well aware that they can hardly ever hope to get a fair share in the parental property, as do sons. Since they are disinherited by virtue of being female, what is the advantage to them of forgoing whatever they are offered at marriage, which is much less than what sons will inherit?

I am certain that if a woman were offered a choice between a dowry of some cash,

gold, 31 saris, furniture and utensils, and 10 acres of land or a real partnership in a family business, very few would opt for the former. If today they show an inclination for a dowry containing clothes and jewellery, it is because the other option is not really available to them.

---

*Blaming the women as the major perpetrators of dowry is like blaming the soldiers on the battlefield for fighting. They may be the ones seen killing and dying, but only the generals and politicians have the power to declare war though they use the bodies of others as proxies and seldom are in danger of serious hurt*

---

As for the role of the mother-in-law or sisters-in-law, a closer look at dowry transactions reveals that women may be more visible as actors but they are not the directors of the drama. For instance, the amount of dowry to be given is primarily decided by how much money the male head and other important male members of the family are willing to allocate for it. After that primary budgetary decision is made, women may perhaps be allowed to choose colours, designs and numbers of things to be bought. Even in this, the choice of major items is more often than not left to men.

As a rule, if the groom and his father were determined not to accept dowry or determined that the bride not be harassed for dowry, even the most tyrannical mother-in-law would not dare go against their wishes. She can make demands only when she knows she has the explicit or tacit approval of powerful male members of the family.

In most families, men play a crucial role in deciding marriage alliances. The great emphasis that comes to be laid on the economic and social status of the family chosen already sets the parameters of dowry expectations. After this, women are left to sort out some of the details and to implement many of the arrangements.

The role of the mother and sisters of the man tends to get over-stressed in most descriptions because, in a segregated society, women are allowed more direct and constant contact with other women. A mother-in-law and sister-in-law can be the

most consistent torturers since the bride has to spend most of her time in their company. There are strict codes governing interaction between male and female members even of the same family. Thus, much of the harassment of the daughter-in-law has of necessity to be implemented

by the women of the family who are set up as her jailors.

Blaming the women as the major perpetrators of dowry is like blaming the soldiers on the battle-field for fighting. They may be the ones seen killing and dying, but only the generals and politicians have the power to declare war, although they use the bodies of others as proxies and seldom are in danger of serious hurt. Dowry, as practised in India, is a war declared by men against women, using women as pawns. It is unfortunate, but not surprising, that women themselves act as soldiers and shed their own blood in a battle from which they can never emerge

as self sustaining victors, no matter how resourceful or well placed they are on the battlefield.

### **Fatal Combination**

The institution of dowry acquires fatal power when combined with the institution of the patrilocal family. A daughter has to shift to her husband's home after marriage. No matter how convenient it may otherwise be, a man is not expected to shift to his wife's parents' house and is despised if he does so.

It is customary in many parts of the country to marry a daughter far away so that she does not maintain active links with her natal family. She is discouraged by both families from too frequently visiting her parents and is expected to pay the customary visits as a guest, usually chaperoned.

In her husband's house, she is surrounded by his family, his relatives, his neighbours and friends. Thus her isolation from her earlier natural sources of expected support is complete. Should she be maltreated, it is unlikely that anyone would come to her help. Even if she is murdered, the evidence can easily be destroyed because no one is likely to testify on her behalf against their own people.



**Doli—she leaves home, not knowing when she will meet her family again.**

The institution of the patrilocal family also helps provide a convenient justification for the parents of a woman to disinherit her. They argue that she cannot be given a share in the property because she will go away to her husband's house. This "going away" is spoken of as if it is a divinely ordained arrangement that cannot be altered. In fact, many communities even in India do not send away daughters after marriage.

Daughters are not today given the choice to stay or to leave, as sons are. If they were, not many women would prefer to live in a strange family and in a strange city or village, surrounded by strangers. The ability to stay on their own turf, amongst their own people, is any important component of the power of men in our society.

### Is "Education" The Answer ?

An important aspect of working out strategies for change is to know what is not likely to work, or why efforts to make things better have failed so far.

Hitherto all attempts at reform, whether by social organisations or by government have been in the direction of "educating" people. There has been no comparable effort towards thinking out the structural changes required to change the unjust power balance between men and women in our society.

It is assumed that if people can be made aware that dowry is a "social evil", the practice will disappear. This ignores the fact that even the worst of social practices have a social rationale and can be sustained only if the interests of some powerful group in society are served by these practices. That is why mere awareness campaigns without structural changes cannot accomplish long term changes in society.

The awareness campaigns on this issue have at least a century long history. The only visible result is that today almost everyone nominally condemns dowry and calls it a "social evil" even while ferociously clinging to it. Understandably, this has bred a certain cynicism.

Since the reformers failed to convince people to stop practising dowry, they had to demand that government make more and



Purnima

more stringent laws against dowry. This is the other side of the same coin. The assumption is that if people refuse to be educated into "enlightenment", government should force them into it and should punish the "unenlightened."

A disease like smallpox can indeed be "eradicated." Its potential victims would like whatever help is available to prevent them from getting it. Unlike a disease, a social practice cannot be eradicated if people continue to consider its

*We should demand a law which makes it impossible to exclude daughters from an equal share in inheritance. A will which excludes daughters should not be considered a valid legal document.*

observance vital to their interests and status in their community. Stringent laws penalising it will only remain ineffective or, at best, make the practice assume disguised forms.

Law makers and law enforcers are not a special breed of humanity. They are as much a part of the social ethos as are those upon whom they are to enforce laws. Thus, if the parliamentarians who make laws and the police and judiciary who enforce it are all avidly clinging to the dowry institution, how can they implement the laws against it? The law is bound to remain a dead letter until there is a social base for a confrontation with dowry.

### What Should Daughters Be Given?

Instead of merely urging daughters to refuse dowry and to go "emptyhanded", what is needed is an emphasis on giving a daughter her due. A woman's due is whatever she requires to construct an independent secure life of her own.

If parents invested not in a daughter's marriage but in her future as they do in a

son's, if they took her education, job, business or other form of preparation for her future security equally seriously, women would not be forced to put up with the degree of marital maltreatment, that they endure today.

It is important to understand that the problem lies not in giving to girls but in the form and shape in which this giving manifests itself in India. The solution is not to stop giving but to change the form of giving.

The issue of dowry is inextricably linked to the issue of the woman's share in the family's resources, inheritance rights and the extent of her participation in the family's decisions.

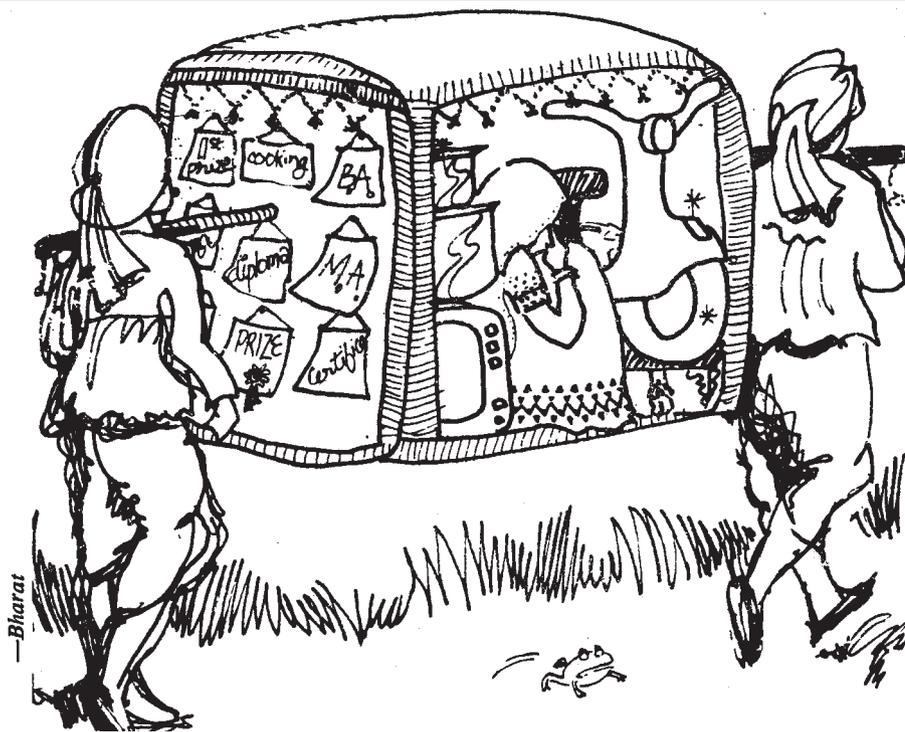
Some meaningful strategies which could be adopted are outlined below:

1. Instead of fooling ourselves into believing that stringent laws which punish dowry givers and takers will save women's lives, we would do better to demand a law that will prevent fathers from excluding

daughters from inheritance. For instance, under Muslim law, a man cannot, by making a will, disinherit either his daughters or his sons or other family heirs. Certain fixed proportions go to them and only a certain proportion can be willed as one pleases. However, a daughter gets a smaller share than does a son. We should demand a law which makes it impossible to exclude daughters from an equal share in inheritance. A will which excludes daughters should not be considered a valid legal document.

Similarly, a daughter should not be allowed to sign away her property rights in favour of her brothers, husband or other relatives. No such transaction should be considered valid. These measures can do much to combat the problem of dowry in a more effective manner than antidowry legislation. If parents cannot disinherit daughters they will have no incentive to give them dowries.

2. Giving to daughters should not be linked with their marriage.; To give a daughter something at the time of her



Give your daughter gifts that strengthen, not those that burden her

marriage, when she is most vulnerable to its being taken from her, is just a way of giving to others in her name. Daughters, on reaching adulthood, should be given a share in income generating property as sons are, for instance, in land, house, factory, shop, machines, implements, vehicles, and should be encouraged to use them to generate an income, either individually or in partnership with others who contribute equally in resources or labour. These assets should be registered in her name. In the event of her death, the property should not be heritable by her husband or his family or her minor children in the husband's custody. It should be inherited either by her adult children or kept in trust for her minor children.

If she has no children, her assets should revert to her natal family. This ensures that her husband's family is not provided an additional incentive to do away with her.

3. If an adult daughter is given cash in dowry, it should be in the form of a fixed deposit in her name. Her husband and his family should be legally disallowed from meddling with this money. She should not be allowed to sign it away to them for at

least 10 years from the date of her marriage. She should be allowed to make use of it only in emergencies such as her own or her children's illness.

4. Unless her own family puts as much energy, thought, planning, money and emotional investment into her job, profession or career as they do into a son's, she cannot hope to build an independent base which will survive marriage. If her parents impose crippling restrictions on her social and educational advancement and prevent her becoming independent, it is unlikely that in-laws will behave differently.

5. If daughters acquire the right to inherit and to continue living in or near their parents' house after marriage, they are not likely to be seen as so much of a burden. Once a family stops seeing a daughter as *paraya dhan* or "another's wealth", once they start perceiving a daughter as their own, as they do a son, they will not allow her to be maltreated.

Just as a family would not, if they could help it, allow a son to continue in a job where he was tortured, and would not advise him to "adjust" to the torture, but would seek another job for him or even let

him stay unemployed, so also if a marriage was not seen as the be all and end all of a woman's life, her family would be more likely to resist a man's maltreatment of her.

An important part of putting an end to humiliating and oppressive marriages is the acceptance of an individual's right to refuse to marry. Unless we get over our obsession with marriage as the most necessary and inevitable defining event in a woman's life and as the only desirable living arrangement for her, we cannot conceive of free and independent women.

If women do not feel compelled to get married and stay married at all costs, they are more likely to be able to resist maltreatment. Our society has so far had very little space for self sufficient women whether unmarried, divorced or widowed. We need to create an atmosphere wherein such women can live with dignity and freedom.

### Poem By An Indo-Canadian

*We are all coconuts,  
Brown from the outside, white from  
inside  
Will you help us?  
We grow on an uprooted tree,  
The tree is from the East,  
But the soil is not;  
When a storm arises in the East,  
Our branches get tanged in the West  
Some coconuts get separated/  
some fall  
some don't  
Some just hang in there (womdereing  
what happened!)  
We are all coconuts,  
brown on the outside,  
Trying desperately to be brown inside,  
Will you help us?  
Some crack open and ask, "Who  
am I?"  
Others may take a few more blows, How  
many blows can we take ? How hard is  
our shell I We are all fallen coconuts, Do  
not collect us,,don't blame the  
victims,  
Just accept us, and, Plant us in our  
adopted soil, We will start a new tree from  
the  
East.*

—Natasha Sodhi