

THE ORIGINS OF THE HINDU DOWRY TRADITION

Although the tradition of a bride/groom price is not common in the Western world, many different religious groups still continue to practice it. Currently, the dowry refers to the wealth that the bride brings with her into her marriage. This wealth can vary from gifts to material goods, in addition to anything the groom and his family may ask for. It usually occurs within patriarchal societies. Despite the establishment of laws prohibiting such practices, the dowry tradition still occurs in the Hindu religion. It is quite surprising that it is prevalent (in South Asia), since the sex ratio is skewed towards males. In turn, it can also result in abortions (of female fetuses), infanticide, and parents holding the belief that females seem to be a burden (Arunachalam and Logan 1). If families are not able to live up to the expectations of the groom and his family, weddings can be broken off and cause humiliation for the bride and her family (Sharma 137). This makes it hard for the bride to remarry in the future.

Not only has the practice of dowry been incorporated within the ancient Indian traditions of marriage, but scholars also believe that its practice is constantly legitimized by references made to ancient texts of the Hindu religion. It is also believed that the misinterpretations of some of these historical texts lead to the continued practice of such a tradition (Sheel 33). The first occurrence of the dowry practice (in South Asia) dates back approximately 2,000 years to Manu asserting *stridhan* (Arunachalam and Logan 2006:10), which is distinguished from the modern dowry. Kishwar explains that the *stridhan* consists of gifts that are voluntarily and exclusively given to the bride from her household. Therefore, it is seen as the bride's parents signing off part of their will to her.

Although the dowry is prohibited in India, the notion of *stridhan* is not what makes it difficult for people to distinguish the two (121). Historians trace back the tradition of dowry to the *kanyadana* concept along with the moral basis of *stridhana*. The *kanyadana* practice arose from the *dana* tradition which held the belief that gift giving was one of the ways to achieve high cultural and spiritual recognition. Initially, marriage incorporated *kanyadana* in the sense that the father presented his daughter as a gift to the groom at the time of their marriage. In addition to the bride, the accompanying of gifts enhanced the social status of the bride's family; however, it was not necessary (Sheel 19).

The early origins of the dowry practice suggest it was used as a form of inheritance from the father to the bride for security purposes (Arunachalam and Logan 2). As with most patriarchal societies, Hindu society practiced the tradition of transferring property (movable or non-movable) to the bride at the time of marriage. The *Codes of Manu* incorporated the earliest account of property rights. "It subscribed to the view that the unmarried daughters were to be given a quarter of their brothers' share of patrimony for the purposes of their marriage," according to Sheel (46). The Patrimony consisted of the property that the father granted his sons. Each brother was to give one-fourth of his share to his maiden sister, as described by Manu. In Hindu law, sons are granted a share of ancestral property, independent of their family. Alternatively, daughters can only be given the right to property from their fathers. Therefore it makes it possible for a father to deny access of his property to his daughter but not his son (Sharma 47). The form in which a bride is wed is reflected by her caste and class status, which in turn determines the value of the dowry. Marriage validation required gift giving even though a woman's

right to property was dependent on marital status. The patriarchal system continued to be strengthened in the various *varnas* of Hinduism, while marriage was not given a simple structure. Eventually, it became the norm to forbid the passing down of non movable property due to the exploiting motives of the groom and his family. Instead, brides were given movable property as a form of dowry. As the act of inheriting property began to decline, other attempts were made to instill the dowry (Sheel 37).

Along with the notions such as *stridhan*, the development of the dowry system is thought to be linked to the societal structure. Scholars believe that during the Rgvedic period societies were grouped in tribal constituents, rather than on a caste system. Not only did women have reproductive roles, but they were also able to perform many other duties while the men were active in tribal battle. Although some historians suggest that the Rgvedic period did not contribute to sexual discrimination, others feel that it was crucial in establishing a hierarchy based on gender. For instance, Uma Chakravarty argues that class and gender order were established during this significant period and marked the beginning of the male dominated Hindu culture. However, rituals and practices had not yet lowered the status of women (Sheel 35). As the Vedic period passed, there was a decline in women working in the field of production. As they moved into the private sector, the family structure and patrilineal progression resulted in further caste and gender segregation. As argued by R.S. Sharma, the establishment of *varna* occurred during the end of the Vedic period, at the time of the Buddha. Many rituals such as *rajasuya* were established as a result of these rigid changes in the social structure (Sheel 36). In turn, these rituals served to authorize “the existing and emerging hierarchies based on *varna*,

gender, and patrilineal kinship structure” (Roy 136). Prescriptive and normative literature (from that time) gave rise to notions such as caste purity via marriage, rules prohibiting adultery, and patrilineal succession. The caste system was an attempt to validate the newly emerged socio-political structure of the society. In this sense, it seems appropriate to associate marriage with property. As stated by Sheel (36), a huge quantity of Brahmin literature holds laws and customs that attempt to keep women within a patriarchal system. It was clear who the victims of such a movement were—the women. Brahmins adapted the principle of *stri-dharma* and not only did the women accept it, but they honored it.

Not only did the dowry originally represent affection but it also meant superior morality within the higher Hindu classes (Sheel 41). Simply put, “a better status fetches larger amount of dowry” (Sheel 18). As Nath observes, “making gifts was a visible sign of prosperity...either for distributing tribal wealth or for gaining prestige and dominant status” (85-86). One of the oldest examples of this occurs in the *Ramayana* (one of the most influential texts of Hinduism), where a dowry follows the marriage of Rama and Sita (Sheel 41). The Smritis validate the dowry practice by arguing that a girl “was honoured by the giving of gifts” (Sheel 44).

The most ancient record of marriage dates back to the tenth book of *Rg Veda*. In this ancient record, marriage was described as a ceremony of the groom holding the bride’s hand followed by prayers aimed at offspring, well being, and long life while praising Gods. The bride and groom both seemed to have freedom in picking their partners, who had to be outside of the family. Thus, this literature reflects a society where rigid social

structure had not yet been established (Sheel 38). But such an egalitarian society surrendered to a government system aimed to address social issues, halfway into the first millennium. For example, the purity-pollution dichotomy became established which was unheard of. The *varna* system became more complex and led to the creation of the Dharma sutras (Sheel 39).

Furthermore, the complexities resulted in diversification of marriage forms and practices (Sheel 39). The *Mahabharata* is a text that displays the transition of marriage. Talbot points out that the “epic progresses from extolling purely *ksatriya* forms to recommending *kanyadana* for Brahmins and *kanyadana* or warrior like marriages to *ksatriyas* and in the final phase advocates *kanyadana* for everyone” (Talbot 61). However, discrete forms of marriage were described following the Smṛti period, with a large influence from the Brahmin class. The various wedding forms were prescribed in the *Manusmṛiti* into two typical categories; either they were *dharmya* (socially acceptable) or *adharmya* (not socially acceptable). The *dharmya* types emphasized on the father whose duty was to arrange the marriage and present his daughter as a gift, in the way that was specified according to the type of marriage it was. By following the *dharmya* tradition, the father and his daughter both gained respect. This represented the *kanyadana* ideal which says the virgin bride is the gift. On the other hand, the socially unacceptable *adharmya* types of marriages were identified as not following a patriarchal system. Their marriages did not necessarily require the participation of the bride’s father. These forms of marriage were nonexistent in the upper classes and only permitted for the lower classes. However, historians noticed that the majority of these *adharmya* types of weddings were

approved for *ksatriyas*. In the *Mahabharata*, Krishna permits and encourages Arjuna to abduct his sister, Subhadra. Yet, in the latter part of the epic, these types of weddings are inappropriate for all Hindu castes. One of these *adharmya* marriages includes the Asura rite which consists of the groom choosing to acquire the bride by passing on as much wealth possible to the bride and her family. It was disapproved because it was believed that a “purchased wife” was unable to perform sacrificial rites and would destroy the groom’s family (Sheel 43).

As the Dharma shastras illustrated the importance in the idea of *kanyadana*, they varied on the legitimacy of providing wealth after marriage. For example, the Asura marriage has been approved and/or disapproved in many different parts of Hindu history. The *adharmya* marriages were criticized, perhaps to help spread the Brahminical *dharmya* which considered daughters as being gifts. The influence that the Brahmin class had on the Hindu culture was enormous, as gift giving gained importance in the marriage tradition. However, both the *dharmya* and *adharmya* forms of marriage co-existed as they applied to different castes (Sheel 44).

Thus it is possible to understand how the *kanyadana* and Asura notions lead to the modern practice of dowry. The *kanyadana* form dominated the Hindu culture in ancient times. It involved the father gifting his daughter at the time of her marriage. With time, the transferring of property, hypergamy, and caste rules lead to the dowry representing currency transfer. Hypergamy is the practice of Hindu women marrying males whose caste is at least as high as theirs. Das (1975) explains that “stratification in status, wealth

and power determines the rank and lineage within a caste group and gave impetus to hypergamous marriage to gain social prestige”. However, it is surprising that the dowry system was not heavily incorporated into Hinduism during the pre-modern times. A major factor that delayed such a movement included the fact that the *kanyadana* ideal did not deny other forms of marriage. It allowed for the existence of various forms of marriage, although the upper classes took it to an extreme. Secondly, although the *kanyadana* was particularly directed to the upper castes, the dowry custom was restricted to a small group of the society. This group was of elite status because it consisted of wealthy individuals that were able to afford gift giving. As the *kanyadana* ideal began to spread to other castes, the dowry came to represent a burden (Sheel 45-46).

Presently, the dowry is known to serve as a way of acquiring a fine husband and represents good social status. Rather than being voluntary as it was in its ancient context, it became mandatory. The gifts that are now presented for marriage are assessed in terms of how much cash they represent. Usually, a mediator is required to make a compromise and set a price for the dowry that the two families agree on. It is hard to determine the extent to which the dowry tradition still occurs because “those giving as well as those accepting dowry are punishable under the existing law” (Sharma 46). In fact, the only way to catch the public’s attention is through the controversy caused by “dowry deaths.” Therefore, scholars make use of indirect methods in order to evaluate trends and determine why it is still occurring (Arunachalam and Logan 3). Although a dowry system is followed by the various Hindu classes, it is important to realize that there are some

exceptions. There are established societies based on matrilineal structures which helps explain the variations in the regional trends of the dowry tradition.

Ultimately, the inheritance practice changed to the price of maintaining high quality husbands during the later part of the nineteenth century. Although it is difficult to determine who benefits most from the dowry, current data reveals that a practice arose in the 1950's where bachelors began to prescribe a list of objects for exchange in marriage (Arunachalam and Logan 12). According to the Institute of Development and Communication, although the dowry system originates with the brahmin class, eight percent of dowry deaths and abuse cases occur in the middle and lower classes of the Hindu society (Sharma 46). When the daughter agrees to marriage, she is still assured that she will be offered security and an improved quality of life. The relocation of wealth from the brides' to the grooms' families still takes place today and is often thought to ensure a good match. Furthermore, marriage became mandatory in the Hindu tradition even if it meant spending vast amounts of money (Sheel 47). The bride's family eventually agrees to the amount that the groom and his family ask for mainly due to the dishonor that can arise from having an unmarried girl living in her parents' household while her age is appropriate for marriage. If the bride's family cannot fully pay the dowry price within a single payment, installments can be made to reach the price. Therefore, there have been two major changes from the traditional practice of dowry to the one of today. The first has been a shift from the dowry tradition being optional to it becoming mandatory; and the second has been the new role of negotiation in determining the amount of the dowry (Sheel 18).

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<http://mynation.net/dowry.htm>

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Article written by: Amarpal Dhillon (March 2008) who is solely responsible for its content.