**DOWRY AND DOWRY DEATH**

Intro---

Image of Dowry in today’s India is considered to be of that social evil that gives rise to Social crimes such as Dowry Deaths, Female Infanticides, Domestic Violence and Subjugation of Women at large. NCRB data corroborates these crimes with their data, but certainly does not provide the reason (especially in the cases of Domestic violence). Indeed, the crime is of very grave nature, if a women/wife is being harassed or killed just because, an incompetent husband is unable to fulfill his materialistic ambition out of his own efforts and resorting to an easy option of begging from his wife and In-Laws, although the nature of begging is different.

India reports 1 Crore/10 Million wedding per annum. More than 80% weddings occurred with all lavishness that Indian weddings are famous for round the globe. And there is an exchange of dowry, gifts and other valuables in these weddings despite the ban enforced by “The Dowry (Prevention) Act 1961”. If we borrow data of NCRB, it only shows 0.07% of these 1 Crore wedding reports Dowry Deaths. If Dowry would’ve been the real culprit, then the percentage of Dowry Deaths would have been enormous.

Let’s dive deep into the topic by starting with a definition itself. Is it different or same for everyone? What is the meaning of dowry to the people of today’s India and how is it different from those of earlier times? Is there any linkage between Dowry expenses and Female infanticides, both in modern and medieval India? What was the role of Britishers in evolution of a system which was designed to provide a safety net, but transformed into a noose? What was the role of our late 80s and 90s T.V dramas and Bollywood movies in perception building around Dowry and Dowry Deaths, Domestic Violence and Building a Male centric image of Social Structure?

**Dowry Definition**

In the eyes of today’s so-called Intellectuals, definition of dowry is the exchange of gifts, valuables, money and any other items of materialistic value, either small or large. Accepting and Giving both comes under the purview of Dowry. This is the typical mistake done by subscriber of this definition. Then how does exchange of gifts during anniversaries, birthday parties, celebrations, etc are different from dowry, by using this same logic?

The real definition should be, that if a father or daughter/wife is being forced either directly or indirectly to give any of the above-mentioned things during any wedding, it will be called dowry. But this thing should apply in reverse as well. If you are preventing a father from giving anything to his daughter, then it comes under the category of reverse Dowry. Similarly, like other occasions when you don’t force anybody to either give or not give anything as present, gift etc. Imagine if you have refused accepting or demanded specific gifts during these occasions, wouldn’t it be counted as a practice of dishonor?

It is well established in our society, that if you are from grooms’ side, and asking for even the needle from brides’ house, it is the most despicable thing considered socially. It is honorable for every Father to provide his daughter everything he can because it is the biggest day of his daughter’s life and a new phase of her life is awaiting her. But if he senses even remotely, that grooms’ side has asked for anything that he is not willing to give. Then the entire programme of wedding with that family got cancelled and huge disrespect is earned by grooms’ side. Grooms’ side can lower the list of things provided to the newly bride based on their presence in her new home (ससुराल), but certainly cannot force to increase the same list.

So, if you again try to define dowry in future or someone else is trying to define it for you. You need to ask the difference between exchanges occurred during other celebrations and Wedding (if it is not forced in both directions)

**Dowry origin, Link with Caste and Female Infanticide relation**

To investigate the origin of Dowry, it is as difficult as finding the origin of practice of exchanges while greeting someone after a long time with presents as a gesture of etiquette, in India and the other parts of the world. We can presume that it has evolved from that very same etiquettes around the globe. Because, dowry have been given in many parts of the world from time immemorial i.e., Babylon, Greece, Roman Empire and Indian subcontinent. If it was exclusive to India and especially to Hindu religion, which Britishers tried to associate at one point of time, then it would be sanctioned in Vedas and other religious texts. Vedas and other texts do not mention how you should greet someone and what present you should offer; same thing applies to Dowry. It is the human system; we have evolved over a period of time to support our kith and kin’s, without the influence of external factors.

Another despicable crime called female infanticide, is generally linked with the Dowry system. It has been in the popular belief that, since a daughter need to be married and it would cost a lot of money for a father, which might deteriorate his financial condition. Therefore, the easy way to reduce the financial burden is, to kill her at the first place and save yourselves from financial vagaries of future. Where as we know that, even when you are getting your son married. You have to spend nearly the same amount, for the feast of Sagai, Shagun and other wedding compulsions (gold for bride). Then where does this belief originated, that females are killed even today to secure your finances?

All started with the British conquest of Punjab in 1849 against the tiger of Punjab “Ranjeet Singh”. Britishers needed a very logical reason to explain, that they are not fighting for selfish expansion and fulfilling their promise of civilizing missions in the “Barbaric” country of India, under the **India Act 1813 (to admit missionaries).** *James Peggs*, a Missionary designed a lurid text called *Suttees Cry to Britain* in 1826 followed by Female infanticides and Finally a 518 pages literature called *Cries of Agony- A historical accounts of Suttee, Infanticide and Slavery.* These statutes reinforced India’s image as cruel, barbaric and act as lifeline for Evangelicals in England to expand their Missions and gave a reason for British Army of conquest Punjab, that they are here to correct barbarians and want to liberate Women especially upper caste Hindoo. ***Jonathan Duncan***, a British resident at Banaras, reported in 1789 about Female Infanticide, 1808 report by ***Alexander Walker*** in Baroda. If they really wanted to end this “Barbaric Crime” and Civilize Indians, then why these “barbaric” Indians had to wait for 60 years for ***Female Infanticide Prevention Act 1870*** and the very same Law was pulled back in 1906, while the British Census of 1901 declared that this crime is still being practiced and sex ratio is skewed in many parts of British Empire and Princely states.

Judicial Commissioner of Punjab in 1853 (R. Montgomery), Dy. Commissioner of Gurdaspur in 1851 (Major Lake) and Major Edward Reports concluded out of a fictious story of Dharam chand Bedi (Grandson of Gurunanak dev ji) told by locals, which they used as an official historical record, to establish that the practice of Female Infanticide was started by Bedis because he and his family was denigrated by inferior caste “Khatris”.

**Story**

*Dharam chand Bedi (1469-1538) had two sons and a daughter. When daughter was betrothed to a khatri boy and when “Barat” arrived at the gates the Groom’s side insisted to pass the Litter (Palki) through the doorway, which was not wide enough to let it pass. The Groom’s side destroyed the door by force and passed. Secondly, when Bride’s brother accompanied their sister at “Vidayi”, the Groom’s side took young Bedi boys farther than required in the Scorching heat and when the boys returned with footsore and weary. These two incidents enraged “****Dharam Singh Bedi”****, then he laid the inhuman injunction of killing daughters, since it would prevent any such insults in future on his descendants.*

Britishers tried their best to link the crime with the prominent Castes and Religion in Punjab, because these people were at high ranks in Ranjeet Singh’s court, and they might prove to be dangerous in future, had any revelation comes to them to snatch back their reign. So easy way, is to make these people suffer in Self Guilt, and they won’t be able to stand morally first, lest fighting Britishers. Major Edward was the main person who tried to emphasized too much on this theory to prove his point by manufacturing new facts, stories and other materials in his reports i.e., Bedi Sikhs and Khatri are exclusive offenders and this crime is sanctioned to all Hindus of respectable classes. He concluded, “It seems clear that religious pride, and horror of giving a daughter to an inferior caste first let the Bedis to adopt the custom of Female Infanticide. It is laughable that same Edward never mention the Dowry an Issue in his reports of Dharam Chand story but very surreptitiously claim Caste pride, Extravagant weddings and dowries emerged as a driving force behind the crime. He distinguishes between Female Infant killing in other parts of Globe with that of Indian, is the Marriage Expenses were so high that either the father of fortune would live or his daughter. So, these people choose daughter killing instead of beggary. But he never able to explain, why the Muslims and Jats of Punjab had a skewed sex ratio (far worse than khatris) despite the reason, that they practice **“Bride Price”** where the Bride’s side is given with Dowry by Groom’s side. He simply said that there is some mistake in census of Jats and Muslim Sex ratio. The Ravindram report pointed the extensive mortality of female in England between mid and late nineteenth century. This crime has been very evenly spread over cultures and countries and not certainly to one region, religion or caste.So, these reports of Britishers were circulated all over India and general belief was already established that Female Infanticide is directly linked with Dowry. This perception was carried forward after the Independence, emboldened by incidents of Bride Burning, Domestic Violence due to dowry demands and furthered by our Bollywood movies and drama which fantasize these things to a new level, which culminated in the form of “Dowry (Prevention) Act 1961.

Recently NFHS-5 (national family health survey) showed that sex ratio improved significantly with girls exceeding boys (1022:1000). But the practice of Dowry is ever more prevailing in our Indian weddings. Although it may differ regionally, but pan India the sex ratio is very much appreciable. So, to say, due to fears of Dowry in future for daughter, a father/mother kill their own daughter is clearly absurd and out of logic thing based on the above-mentioned data and accounts of history.

**How British Land reforms turned dowry into male centric Social Evil**

1. **Dowry arrangements under Pre-Colonial era.**

Dowry is not the only expenditure that is bourn by the family members but the expenditure around wedding feast, clothes, Jewellery and much more. Which share most of the part of the wedding expenditure. Dowry has been given since ages but how was this arrangement benefitting or daughters and sisters in earlier times in their new homes?

Before Land reforms (Permanent Settlements 1793, Ryotwari Settlements 1820 and Mahalwari Settlement 1822) of Britishers, terms like “individual rights”, “property”, “purchasing power of money”, “credit”, “attachment and sale” of Land were completely alien and meaningless to local population and peasants. Because in pre-colonial period, peasants had the assurance that land was unalienable, they could migrate away from it but they could not be forcibly evicted even by high official authority. Timely remissions, grain reserves and **village malba** were instrumental elements of this insurance policy and prevented migration from the land in times of poor cultivation due to meteorological conditions. And if there was any borrowing done by family, it was done only on the surplus of a good crop. Local Bania was merely his humble servant and accountant. Because, if he lapses his payment, he could not evict or confiscate his land to compensate losses. Land was seldom sold or bought. The shares of family grew or diminished according to political or economic opportunities; new lands were acquired or lost by the village through politics, war or clearing forest. Men tilled the soil but more importantly, they defended the rights of their families that they were entitled to cultivate against local and external enemies, and they, their wives, widows and unmarried daughters **shared** in the grain and other produce it yielded.

The rights and entitlements of men and women were not qualitatively different. It was more of the share in the produce, rather than the right to own the land because the Land was completely owned by the state, from the times of Chandragupta Maurya to the times of Ranjeet Singh. When a person migrated permanently to another area, he/she stood to lose their right to share in the produce of land of the village of his birth, but the rights of his/her siblings, wife and family did not lapse if they remained in the village. It clearly shows that, it was evident that the daughters will be moved permanently away from their place of birth after their marriage. In that case, she should have proper resources at her disposal to manage a financial independent life to instill self confidence in her. This independence is translated in the forms of Livestock, Jewellery, Furniture and other materialistic resources called Dowry. Because, anyone who is moving away will loose the share of produce in the land.

If this intent and practice of Dowry was not empowering women of that time, then there cannot be any other institution that we can design to help women to become financially independent. Since it was the arrangements of Land and Resource distribution. This system proved to be emancipating women, because the moment she loses the share of yield in her natal home, the very next moment she becomes the share holder in her new home (ससुराल). Her riches get more richer and there is no exploitation in the name of Dowry.

1. **When did things gone wrong?**

It started with the **Ryotwari revenue system** and the codification of “**customary laws**”. The desire to eliminate the bewildering operations of middlemen between the administration and the peasant and to streamline the state’s essential business of collecting revenue, land was declared a marketable commodity to be privately owned by an individual and the title registered by the state, along with the fixed amount of revenue owed on it. Most importantly the revenue demand was in cash vs cash and kinds earlier. This established a typical budget-oriented government with seasonal assessment of harvest to adjust revenue demands.

Now the Land a peasant owns through proprietary title could be alienated if there is a hail storm, draught, pests, flood or disease in family, etc. Now he does not have the support of state like of earlier times, where as the new rulers have fixed terms and conditions to be followed in paying revenues (time, date and cash). Any dues would amount to eviction of peasants out of their lands. Earlier system protected individuals from forfeiting their rights in the land even in bad times. Now they would borrow more cash from money-lenders to save their lands and in order to do that, they even have to sell their livestock. This system was making them bankrupt bit by bit.

Everywhere the ownership was recorded in individual titles, and the owner or owners were invariably male and the implicit rights of women to the produce of land became vanished. It was because of the inherent belief of the new political masters, that women do not hold titles in their own country, therefore we would also not register them as proprietor to Land titles in our new colonial state. Positions of women in Britain at that time was not equal to men, they were considered to be inferior to men and no equal rights were given to them. Even in the 20th Century Women had to do a lot of struggle to secure the political rights, social rights and working rights equal to men in Europe and America.

This new arrangement gave the Men unnecessary influence over Land and its produce and the say of family women kept on diminishing over the course of period of time. Laws we can change with the blink of eye, but cultures are followed over centuries. The pre-colonial arrangements of Dowry was still there, daughters were still going away from their homeland with dowry, but this time land and its produce was in the control of a single man (Father, Brother, Husband and Sons) instead of Family holding and control. This practice gave rise to the common notion of heritance of land only to Male child and not female, because daughters would be sent to their ससुराल like earlier times and Males would be staying home but with new Laws in place, that were anti-women and will make the entire agrarian society anti-women in the times to come. More loans could now be accessed via same Bania and to prevent natural vagaries and increase yield at fields to pay debts, want of more sons tend to risen instead of daughters. It was actually the British revenue system that were making farmers indebted and agriculture sector to be more Men dominating. Husbands and in-laws now started asking more dowry implicitly (harassing and killing bride) to save themselves from their own Banias and Moneylenders. And since culture tend to percolate longer than Laws, it perhaps transcended to the India after Independence, because 70% population was living in villages before independence. So those same people migrated to cities but practiced same old habitual practices instilled at one particular point of time in history. But over the 70 years things are improving fast.

**Current scenario of Dowry and related crimes.**

Today India sees 7000 odd Incidents of Bride Burning deaths according to NCRB-2019 data, which is very bad, why does any of the Bride has to go through that pain. To prevent that government brought Dowry Death Act 1986. Majority of the society is reverting back to their roots of empowering their women and daughters. Now a father invests more in education rather than Dowry and Wedding expenses. Grooms these days demand an employed wife more than any amount of dowry at all. Today Dowry is being given and will be given with the will of father without any external force to prevent or augment him. And there has been no empirical evidence that suggest that due to dowry, families face financial hardship, nor today neither at the times of Colonial era which they tried their level best to establish to hide their own failed policies.

No Law can ensure 100% results because the crimes that are committed by people, comes from the same society we built Laws for. Only social Circles and institutions can prevent, for example people who demand dowry are denigrated in all walks of life in India as beggars, Groom’s chance of getting engaged reduced because this news spread like wild fire in all direction. This colonial hangover of Legislating Laws for everything is yet to over. Society has a much bigger role to play than the governments think. Peer pressure works best in these cases. Every father looks around his circle that, such and such things are given to daughters of his friends and relatives. He tries to match those very same things to make him and his daughter equal to their social circle. A father who refuses to give anything to his daughter despite his capabilities just because he wants to look good in the eyes of those who believe that dowry is bad, he earns the title of “**Tightwad”** and termed as anti-women and anti-daughter. You can choose either of the side. But you cannot walk both roads at the same time.

**Major takeaways**

1. **Dowry is not bad and certainly not anti-women. Although it was designed to further emancipate our women. It was the time of Revenue reforms by Britishers that changed the equation.**
2. **Dowry is not responsible for the female infanticides and certainly not the reason for causing financial beggary to families.**
3. **Dowry not only constitute gifts and presents to grooms/daughters but wedding feast, Jewellery, Clothes and Miscellaneous. Which in the case of Grooms side, they also have to spend it at the time of Brides (मुह दिखाई), Sagai (सगाई), Clothes, Jewellery (especially for bride as stree dhan) and other Miscellaneous.**
4. **Dowry definition has been misappropriated over 100s of years and it has been established that it is bad and Indian innovation especially Hindus. Same is reflected in the Dowry Act. We just got freedom in 1947 and in 1960s we designed this law based on all the biased and misoriented reports of Britishers. Like we are still carrying the burden of Aryan Invasion theory, proposed by Max Muller by misappropriating a single word called “Arya”. No indigenous research was conducted at that time to investigate the said crime but we relied completely on British reports and definitions, which were all flawed.**
5. **We should also be sympathetic towards those families as well, who are at the receiving end of the misuse of Dowry act by some of the very vicious women. They use it as a weapon to extort money, harass Men and settle scores with their perceived opponents. There is no extreme side we need to be with, always speak you mind no matter how unpopular it is. If you find dowry based on these findings. Speak it and stand by it.**
6. **Never criticize you social Institutions unless you have a better alternative to it, which is self-sustaining, because these institutions have evolved organically and promote long term benefit for society to function efficiently. Marriage, Dowry, Child Marriage (lost its relevance and usefulness in today’s time), etc.**

Resources:

1. Dowry (Prevention) Act 1961
2. Dowry Death Act
3. Dowry Murder—Veena Talwar