

Charu's Note, February 2013:

Like many others in my generation, I had been deeply influenced by the anti-dowry movement of the early-to-mid 1980s when I was in college at Delhi University, and saw myself as an Indian feminist who opposed dowry. I arrived in graduate school fresh from my BA in 1985, and wrote this paper as a third year graduate student just exposed to AESA, with no scholarly training in South Asian studies, feminist thought or postcolonial studies.

At the time of writing, *Knowledge and Class* had not yet been published, and we used to discuss the concepts that went into that text in our graduate seminars. Fraad, Resnick and Wolff had been working on their class analysis of households, and I was deeply influenced by the idea of thinking about dowry as not merely a cultural practice but in terms of a household class politics. I presented this work as my very first conference paper in 1989 – where I met Gayatri Spivak, whose incisive critique of the paper's modernist framework transformed my thinking – not about the class politics, which I remain indebted to Harriet, Rick and Steve for, but in terms of the historical teleology and modernist historical narrative behind my discussion.

I never went back to the paper as I began working more in exploring postcolonial thought in relation to Marxism, and in refining my understanding of gender analysis both generally and in relation to South Asia in particular. Were I to return to this, I would write a very different paper now. But many of the concerns, if not necessarily the frameworks, that animated it remain alive in my scholarship to this day. I present it here for its historical interest, as part of the re-constitution of the AESA Working Paper archive, exactly as I wrote it in 1987-88. Everything, including the 'word of warning' is as it was presented originally, typos and all.

DOWRY, EXPLOITATION, AND MODERN INDIAN HOUSEHOLDS

S. Charusheela

UMASS--Amherst

I would like to thank Alan MacNeil, and George DeMartino, for the discussions on household politics which eventually led me to this project.

A Word of Warning to the Reader

The reader who is unfamiliar with India, her people, and her ways, may, on reading this paper, run away with the idea that family life in India is degrading, deplorable, and almost uncivilized in its treatment of women.

In writing this paper, I have intentionally focused on those aspects of family life in India that I find repugnant. The main purpose of this paper is not simply to paint a theoretical picture of family life in India, but to arouse social consciousness, and indicate directions along which we can work for change.

But, while making this focus, I have not talked of the numerous positive aspects of Indian family life--the respect for women, economic security within the family, the love, protection, and support system that the Indian family can provide. The reader should be careful, and realize that every culture has its own peculiar problems. India too, has her own. If, by looking mainly at these problems, and not at the numerous positive attributes, I unwillingly propagate a false image of Indian households, the fault is mine--and not the Indian family's.

INTRODUCTION

The evidence has been mounting. There is a frightening increase in dowry-related problems in India. Day after day, reports are seen in the press of women being killed for dowry--story upon story of torture and harassment of young brides, tales of women committing suicide, disquieting incidents of the murder of pregnant women.¹ Female infanticide is also increasing in the wake of rising dowry demands.²

So widespread is dowry--a payment to the groom and his family to induce them to accept the bride--that there are very few families in India that have not encountered it. Women's movements in India have rallied to make anti-dowry activism the focus of what could be the beginnings of a wider gender struggle.³ Given the magnitude and intensity of dowry in the daily life of Indians, much would be gained in our attempt to fight it if we analyzed dowry not as an isolated event, but as part of the social process of exploitation in India today. This paper is one contribution to that analysis.

I start by presenting a historical account of how and why the tensions between an older economic/religious inheritance practice, and a new wave of materialism, have created the conditions for a terrible tragedy in India. I then discuss how looking at households as sites of tensions and struggles allows us to examine some of the complex intersections of class, culture,

1. Just a brief list of some reports:

(i) pages 14 and 15, Manushi, #5, 1980 there is a report of 2 dowry deaths; (ii) page 24, Manushi, #11, 1982, there is a report of a dowry death; (iii) pages 36-37 of Manushi, Vol.3, #6, 1983, there are reports on 2 dowry deaths; (iv) pages 28-29, Manushi, #23, 1984, reports 6 dowry deaths in one state (Bihar) in the month of April; (v) Pages 30-31, Manushi, #28, 1985, reports on a dowry death; (vi) The Times of India, July 23, 1986 carries a report on questions relating to dowry deaths in the Lok Sabha.

2. In India Today, June 15, 1986, S. H. Venkataramani covers the consequences of the adoption of dowry by the Kallars, a community in Tamil Nadu, in the article "Female Infanticide: Born to Die."

3. For examples of women mobilizing to combat dowry, see (i) pages 23-24, Manushi, #11, 1982, (ii) page 3, Manushi, #5, 1986, (iii) page 11, Manushi, #7, 1981, (iv) page 42, Manushi, #23, 1984, (v) page 13, Manushi, #27, 1985.

and politics, to present an analysis of the Indian Household. Finally, I spend some time exploring the history of legislative reform on the issue of dowry, and discuss why the current political strategy of pressing for more legislative reforms, though important, is inadequate if undertaken in isolation from a larger movement for widespread economic justice for all women.

THE HISTORICAL ROOTS OF DOWRY IN INDIA

In this section, I look at how dowry evolved as a practice in India from the early Vedic period to about 1900 A.D., to provide a historical sense of the nature and origin of the practice. Given the vast historical period covered, and the complexity of change in this time, my exposition will be extremely sweeping--almost cavalierly simplistic. My main purpose in this section, however, is simply to "set the stage," and give a sense of the context and origins of the problem.

Vedic India⁴

Dowry in Ancient (and Modern) India is inextricably linked to women's positions in society, marriage practices, and property rights (among other things). In early Vedic times (prior to the 6th century B.C.) women enjoyed a relatively equal position in society (compared to later times).⁵ They were less unpopular, initiated in Vedic studies and could offer sacrifices to the Gods. Remarriage of widows was fairly common, the age of women at the time of marriage was about 16 years, and marriage was not obligatory. In this period, women could also inherit

4. For most of the historical analysis of dowry, I draw on The Position of Women in Hindu Civilization by A. S. Altekar.

5. For a dissenting view, see article by Uma Chakravarty, "The Myth of the Golden Age of Equality" in Manushi, Vol. 3., #6, 1983.

property. This inheritance was generally called "Stridhan," (literally, "woman's wealth"), and was her *right*. She could demand it of her family.

Over time, (from about 6th century B.C. to 5th century A.D.) the position of women in society began to deteriorate. Ancestor worship became more and more common, and only sons were eligible to participate in these Vedic rites and pass on the family name. Intercaste marriages were disapproved of. It became "respectable" for higher caste women to be excluded from life outside the household. The age of women at the time of marriage kept falling, till it became obligatory for fathers to marry off their daughters while they (the daughters) were still children (i.e., before they reached puberty). Women no longer had a say in the major decisions affecting their lives such as when to marry and whom to marry. Nor could they inherit property except in the absence of a male heir. Widow remarriage became illegal by the beginning of the 1st century A.D., and "sati"--the practice of burning a widow on her husband's funeral pyre--started becoming prevalent around the 5th century A.D. Female infanticide was not common, though it became a bit more prevalent in later ages.

The increasing deterioration of the status of women coincided to a large degree with the increasing codification of inheritance laws. As the inheritance of land became an issue of legal codes in an agrarian setting, it became important to say who had access to the land, and who did not. The basic unit of agriculture, the joint family, came up with ways to secure its perpetuation and prevent land from getting subdivided and fragmented. The caste system set out the legal codes through which this was to be done.

Of the religious works which codified the caste system, with its accompanying strictures on property rights and marriage practices, the most important was the "Manusmriti." In the "Manusmritis"--the laws of Manu ("Manu" is a Sanskrit word that means "Man")--women were

placed in the caste hierarchy with the lowest caste (the "sudras" and "untouchables"). They could not carry on the family name, and left home at the time of marriage. They were perceived as "sinful", and a father had a religious duty to marry off his daughter (or pay a price through rebirth in a lower social order in the Hindu karmic tradition of rebirth). *Since they left home at the time of marriage, they could not inherit property.* (This was especially important in a patrilocal agrarian economy. If the daughter inherited land, the land would leave the household and go to her new household). The owners of the property of a Hindu joint family were the male members. In lieu of land inheritance, provision was made for a woman to receive a payment at the time of her marriage--the Stridhan (now defined to exclude land). This was to be a payment made to her by her father at the time of her marriage, and was hers to dispose of as she pleased (so inheritance for women was explicitly linked to the time of marriage). This provision was made so that she was not left destitute--"abhala"--in the event of her husband's death.

Simultaneous to codifying the Stridhan aspect of wealth leaving the woman's household at the time of marriage, marriage customs were codified in a hierarchy of approved and disapproved forms of marriage. In the "Manusmritis", Manu (the real/legendary writer of the "Manusmritis") recognized eight forms of marriage in Hindu Society. These are, in descending order of approval:

- 1) **Brahma** - This was the gift of a virgin daughter clad in costly garments and jewelry to an eligible and learned man. At the time of marriage, the groom received in addition, a "varadakshina" - a payment by the bride's father to the groom, as a mark of respect, and to thank him for accepting the bride. This was a voluntary amount.

2) **Daiva** - This is similar to the Brahma form, but with different specifications about the particular types and amounts of the gift to the groom.

It must be noted that both these forms marriage were considered "good" and "pure"--so good that they were reserved exclusively for Brahmans. Also, in neither of these forms did the bride have any say in the matter--she was explicitly a "gift".

3) **Arsha** - This was marriage accompanied by the transfer of cattle from the groom to the bride. This was explicitly not the same as marriage with a "brideprice", since the amount of cattle was strictly limited to 2 or 4.

4) **Pragapatya** - This was when there was no transfer of value from either side at the time of marriage.

Both these forms of marriage were also considered "acceptable", though they were not as respected as the "Brahma" and "Daiva" forms.

5) **Asura** - This involved the payment of a brideprice by the groom at the time of marriage. This was looked down on as expressly "bad", since it was seen as the equivalent of prostitution.

6) **Gandharva** - This was a "love marriage," marriage by mutual consent of the bride and the groom. Though it is not clear if Manu said they were "bad", they were definitely suspect.⁶ The bride had to do her "duty" and marry according to her father's wishes, and

6. In Hindu mythology and tradition, Gandharva weddings were usually described as taking place between a warrior or king and an otherwise very sweet and respectable damsel, in a situation where due to travel or

simultaneously the groom had to do his "duty" to his parents. A bride of his choice might not fit in with the needs of his family or wishes of his parents.

7) **Rakshasa** - Marriage by "abduction," as in the case where women were part of the spoils of war. This was given limited acceptance and was restricted to the Kshatriyas (warrior castes).

8) **Paisaca** - This was frowned on, since it was marriage by seduction or trickery.

Though all eight forms of marriage were recognized as existing in India, only the first two forms (marriage with a gift to the groom and by the wishes of the parents of the bride and groom) were given a social "status" of some sort. Other marriage forms, were assigned to the excluded and lower castes.

What is critical in understanding how dowry was constituted as a custom, is that in the Hindu system it was a woman's inheritance right, a portion of wealth that was her's to dispose of, her security against economic disaster. At the same time, social stature and respect were accorded to customs that involved gifts to the groom, in situations where the bride had no say in the choice of groom or decision to marry. Thus the lines between property for the woman, and gifts for the groom as a mark of respect and inducement to marry started blurring. This meant that the actual negotiation of the stridhan/dowry, and of the marriage, were taken outside of a woman's control. This also laid the foundation for a social hierarchy in marriage forms, with the explicitly parent controlled, gift giving forms sanctioned. This custom was absorbed into the

war the permission of the parents was not available. Among women, the participants in this wedding were usually Apsaras (celestial women) who were free from the strictures of society due to their semi-godly status. Gandharva weddings were not, however, described for ordinary men and women bound by social laws.

marriage practices in many communities in India, so that in time, castes which used to practice bride-price customs were suspect, and slowly started switching to dowry as Brahmanical power solidified. Further, the dowry/varadakshina aspect, which was initially an explicitly stated sum, changed, giving way to the type of negotiation one finds in today's practice.

Islamic Influences

After this codification, over the years, the agrarian property inheritance systems were maintained, with the women's (non-land) share being her stridhan/her husband's dowry. The subsequent influence of Islam on India, did nothing to lessen the peculiar position that Indian women held, as subjugated, yet revered in the stronger Mother-Goddess images. Rather, the threat of women becoming the "spoils of war" increased the practice of sati (self-immolation by widows), especially in the areas of Punjab, Rajasthan, and then through most of India. Purdah, or the veil, while a Muslim custom, was adopted as the "ghunghat" of the married Indian woman. Through this all, dowry continued to play its dual role of stridhan/gift to the groom.

British India

Under the British, after an initial policy of "no interference in religious practices," largely due to the activism of Indian reformers like Raja Ram Mohun Roy and Iswar Chandra Vidyasagar, and the continued lobbying by missionaries and Britishers in India who viewed local customs and practices through the colonial lens as "barbaric," Sati was abolished, widow remarriage became legal, women's universities were started, and the age of marriage was raised in a variety of Hindu reform bills which were ruthlessly enforced by the British. Legally, women gained many important rights.

But at the same time, the British practice of setting up land tenure systems to facilitate tax collection set the stage for the simultaneous creation of a new landlord class, and the strengthening of the male ownership of landed property in the Hindu Joint Family. Further, the British policy of divide and conquer not only intensified Hindu-Muslim conflict, it led to the creation within the rising bourgeoisie (which formed the basis for the national liberation movements that came to power after independence) of a romanticized and glorified past, glorious till its destruction by colonialism. These classes were liberal in promoting a limited increase in the access for women of their class in social and economic life outside the home. But this vision was carefully contained, and the nurturing role of the woman as wife and mother was idealized as part of a tradition not to be lost to colonial influence. Finally, the creation of an ex-colony, with strong influences from the West, created a new Westernized middle class, which started absorbing the influences of colonization, and capitalism, in different ways. This was not simply in the sense of an obvious change in income, status, job, but in the much deeper sense of a change in consciousness, in the perception of roles. It is within this peculiar combination of earlier patriarchal practices with the legacy of colonialism that we need to situate dowry.

The Practice of Dowry in Modern India

This complex web of inheritance customs, where the dual concepts of Stridhan/dowry (woman's right to wealth/payment to show the respect for the groom), were inextricably tangled up, was now to be strained by a new materialism. Women's position in urban India had changed dramatically. The upper- to middle-income groups in urban centers came from the old upper-caste elites who had thrived under the British. The women of lower castes had always enjoyed a larger degree of freedom, since the strictures of caste practices were much less for

them, and through sheer economic necessity, they had always had to work outside the home for a living. It was the more-restricted upper-caste women in urban centers who were now going to universities, getting jobs, and so on. They were part of India's success story in modernizing herself. Further, as part of the post-independence modernization strategy, the government promoted radio (and now television), which constantly broadcast programs that reinforced gender stereotypes, but also provided information in rural areas about changing lifestyles, even to those women in rural areas who did not have the opportunity to leave home.

Indian cities--not just the "big four" of Bombay, Delhi, Madras and Calcutta, but urban centers all across India, were creating situations for tremendous change in India's urban middle-income households. Urban production was high due to the government focus on import substitution industrialization, there were new jobs, new products. As the countryside saw the increasing impoverishment of peasants due to the focus on industrial production and technically efficient large landlords, many fled in desperation to the cities, swelling the ranks of cheap urban labor. Cities in India grew very rapidly in the post-independence boom.

In this period, a large number of changes have made their way to the households. The traditional joint family is breaking up, both women and men are getting exposed to a new "Western" way of life, but at the same time, traditional roles are maintained. Marriage and household relations come in this strange intersection of modernization/westernization, capitalism and traditional household role perceptions.

One result of the fast paced modernization strategy in India is a widespread consumerism, where fridges, T.V.s, cars at one income level, or scooters, bicycles, transistor radios, and watches at another income level, become goods that are part of daily life.⁷ But even in the period

7. Report and Recommendations of the workshop on Dowry, March 21st to 23rd, 1985.

of industrialization there was widespread unemployment, high levels of inflation and deteriorating income levels. It takes a life-time of savings to acquire these new products. In such a situation, dowry is also a very fast mode of capital accumulation in uncertain times--the fastest way to pay for an expensive education needed to ensure job security, come up with collateral for a young man looking to start a business, buy property (especially land), or pay off debts.

At the same time, other aspects of the traditional networks that provided mechanisms of support for women and the aged. The breakdown of the network of relationships and reciprocal obligations (however patriarchal) leaves people nervous and unsure about their future security. The struggle over distribution within the family, along with struggles over distribution of household work among the women, now takes place in an environment of insecurity--wages are not enough to maintain households at the levels of comfort that its members associate with their traditional status.

In this situation of breaking households, rampant consumerism, fixed incomes, and power and distribution struggles across classes and inside the household, dowry now changes drastically. It becomes a weapon--a way to extract fast wealth, to cope with the rising consumerism, and to subjugate incoming brides within the household lest the changes outside and within the household should lead them to question the traditional division of rights and duties.

And this trend can be seen not only in the upper-caste Hindu households, but everywhere. Dowry has been adopted increasingly by the newly affluent lower castes among Hindus, by Christians, Muslims across the board.⁸ And for the first time, the urban and rural elite are having

8. See "Dowry spreading among more communities--Extracts from a survey by N. S. Krishnakumari and A. S. Geetha of the Joint Women's Programme, Bangalore"--in Manushi, Vol 3., #4, 1983.

to grapple with a serious problem, where the new, super-exploitative form of the practice is resulting in mass deaths, suicides, female feticide and infanticide. They are confronted with the intensification in violence due to the eruption of contradictions between older forms of gender oppression, and the new oppression of spreading capitalism, not just for some distantly perceived poor masses, but for their own wives, daughters, and sisters.

CLASS POLITICS AND MODERN INDIAN HOUSEHOLDS

As the preceding introduction pointed out, dowry has changed in its coverage, form, role, over the course of time, and now appears before us in a "newly" frightening garb. In this section of the paper, I look at some of the complexities and contradictions arising out of the many roles dowry can play, with a particular focus on class politics in households.

The Mode of Analysis

Before proceeding with a discussion of class and Indian Households, I will spend some time discussing my framework/world-view/epistemological and ontological position. Briefly, the story I tell will use a particular type of Marxian framework--that developed by S. Resnick and R. Wolff, with the notions of overdetermination and class used as my entry-points.⁹

"Overdetermination," as used here, refers to an anti-essentialist stance as regards both the understanding of the relation between theory and "object of theory," and the understanding of social causality within the story/theory of society being told. The term is drawn by Resnick and Wolff from the Althusserian tradition.

9. Resnick and Wolff, "Power, Property, and Class." AESA Discussion Paper.

Class as used here, refers to a particular understanding of the process of work/labor. It refers to the production of surplus labor (the fundamental class process), and its subsequent distribution (the subsumed class process)--again, these terms and ideas are used in the sense developed by S. Resnick and R. Wolff. (I am aware that using this particular notion of struggles over work/labor as an important element shaping thoughts and relationships can have give rise to some problems when discussing the intersection between Hindu ideology and women's work life. However, in the interest of highlighting the contradictory roles both dowry and class play, I think it is important to pursue this avenue of analysis.)

I have stated as succinctly as possible what my frame of analysis will be. I would like now to turn to two important and related questions that I am frequently haunted by in my moments of introspection: why this method for this project? i.e.

(i) Why an overdetermined conceptualization?

(ii) Why link dowry to "class"?

In answer to the first question, I think that the decision, or rather, desire to use overdetermination stems from a deep personal belief that theory is not an act of "truth," but an act of faith--not an innocent, apolitical act of faith, but one with political consequences. In particular, as regards dowry, this use of overdetermination stems from a sense of anger and frustration at the stories told--either with simple villains and victims, or with some safely intangible and remote system which exists independently of the thought of the perpetrators. The subtleties, self-deception, and tensions in role-playing of the situation are a domain that is recognized, but not articulated in their complexity.

I am convinced that the mode of telling a story is not independent of what gets told, and I hope that by using "Overdetermination," I can break with the attempts at capturing what it is that

creates dowry.¹⁰ I do not think that by telling this story I will capture all the "true" determinants or relations that shape dowry in India. Rather, I hope to tell a story of a people caught in a tragic dilemma, and in telling such a story open new contradictions, understandings, avenues for change.

In answer to the second question, dowry has been linked to many aspects of society, but not to class in the sense used here. The linkage of dowry to class gives many interesting insights into the struggles over dowry and class positions, insights into the household. These are particularly important for understanding the reasons behind some of the major sources of frustration the anti-dowry movement faces: why a large number of dowry deaths involve mother-in-law/daughter-in-law feuds, why the primary instigator in a large number of these cases is the mother-in-law, why mass movement among women seems to splinter around this issue along generational lines within the same general social background, why parents with daughters who face oppression still balk at taking a stance on dowry, and why among richer families it is often women who push for dowry.

An Overdetermined Class Analysis of Dowry

A social totality is made up of many processes, all of these processes "overdetermining" each and every other process in the economy, and in turn being "overdetermined" by all other processes in the economy. Contradiction is always present in any site or process. Theory tries to look at the various ways in which a process is overdetermined (theory itself being a process that

10. In Report and Recommendations of the workshop on Dowry, March 21st to 23rd, 1985, the report concluded that the reason for the failure of two decades of anti-dowry legislation was a failure to solve associated problems of sexism, property rights, women's household position, and so on. At the end of this discussion, the report then ended by simply recommending still more anti-dowry legislation, with perhaps more stringent punishments and a publicity campaign against mistreatment of women. It seems that complexity was acknowledged when looking for the reasons for failure, but did not get carried through when looking for possible solutions.

overdetermines and is overdetermined by all other processes), how that process in turn helps to overdetermine other processes, and various contradictions present in these processes.

"Class" is one type of economic process. The fundamental class process is the appropriation of surplus labor. The subsumed class process is the first distribution of this appropriated labor. All other kinds of payments are non-class payments.

In the story I am telling, I will restrict my attention to urban families of middle-level caste and income groups--it will be a complex and difficult one even with so limited a "sample." This story is drawn from narratives reported in the press, in government reports, in feminist magazines, and from my own sense of what is happening.

For the purposes of this paper, I will:

- (i) Analyze only dowry payments though both dowry and brideprice are found in India.
- (ii) Define dowry as any payment made by the bride's family to the groom and his family before, at, or after the marriage ceremony.

I will assume that the feudal fundamental class process takes place in Indian households. The careful, and detailed exploration of the various conditions of existence of feudal appropriation found in Indian households (as opposed to some other form of exploitation, or even the absence of exploitation) is beyond the scope of this paper.

Babul (In the Bride's Home)

Let us say that the bride's family consists of father, mother and daughter. The father is the male head of the feudal household, and is feudal lord. Mother and daughter are feudal serfs.¹¹ Though I will not give a detailed analysis of the changes that arise if we add more members to

11. See "Family Life: The Unequal Deal" by Madhu Kishwar and Berny Horowitz in In Search of Answers: Indian Women's Voices from Manushi, Madhu Kishwar and Ruth Vanita (editors).

the family, I will indicate some general arguments of what we can expect to find at some points in the paper.

The father earns a salary (a capitalist wage). He also receives feudal surplus from his wife and daughter. Payments made to the wife and daughter by the father out of his salary are non-class payments while payments made out of the appropriated surplus are subsumed class payments. They are made to ensure that the wife and daughter continue to deliver surplus labor to the lord--to ensure the conditions of existence of the fundamental class process. These relations, and implicit household roles are, of course part of a whole host of other emotions and motivations--love, tradition, society, the male as provider.

The father values his daughter as a source of surplus, and at the same time "devalues" her because she is a woman. She is a source of worry because she has to be married off by a certain age. If he does not fulfill this duty towards his serf (of finding her a husband) his stature is diminished not only in society, but also in his own family. He cannot continue to function effectively as a lord unless he arranges to get rid of the serf--a contradiction he has to resolve by finding a groom for her. Also, as a father, he loves his daughter, and desires to see her happy and settled in life. The stigma attached to an unmarried woman in Indian society further increases the urgency of his search for a groom, especially as the serf grows older. Dowry is a payment made to the groom in return for his acceptance of the serf, that is, a payment made to secure the conditions of existence of feudal appropriation (i.e. The father has to pay dowry to maintain his social position as lord of his house, at the time that he loses the serf!) If it is paid out of accumulated feudal surplus (such as embroidery and sewing by the bride and her mother, or the inherited jewelry, pots and pans, etc. in the household), it is a feudal subsumed class payment made by the father of the bride to the groom (and his family).

In modern day India, dowry is increasingly taking the form of cash, or goods bought in markets (e.g. fridge, TV, car, etc.).¹² This dowry is paid out of the father's savings (accumulated capitalist wages). The payment made to maintain the feudal class position could be at the expense of use values needed to reproduce the father's position as a capitalist worker. Then dowry would be a non-class payment made to secure the conditions of existence of feudal appropriation--which jeopardizes capitalist relations at work.

Dowry is not a payment made only at the time of marriage. The groom and his family could extract payments over a long period by threatening the bride, torturing her, returning her to her parents' home, etc. The father would have to make a continuous flow of payments--in effect replacing one 'burden' (his daughter) by another (dowry).¹³

The possibility of jeopardizing the use-values got from the wage, the need for making dowry payments over extended periods of time, and the loss of a serf (and thus of some surplus) could cause the feudal lord to do many things. He could look for new sources of revenues. One source of revenue would be increasing the feudal exploitation of his wife. The desire to help provide for their daughter's dowry, or to support her husband through this crisis may make the wife (serf) more ready to do extra surplus-labor.

Or else, he could decide to settle for a smaller amount of use-values and surplus, and leave the exploitation of his wife at the same level. In either case, the changes undertaken would impact on (and could dramatically change) the relations between husband and wife established over the years.

12. See footnote six.

13. See Report and Recommendations of the workshop on Dowry, March 21st to 23rd, 1985.

Dowry could thus change the processes in the lord's household in such a way as to undermine those very positions for whose maintenance it is a payment.

Dowry Size

The Father has an interest in the future well-being of his feudal serf. The better the "catch" he makes, the higher his esteem rises. Further, he is interested in finding as good a new house as possible for his daughter (and thus ensuring her happiness). His choice of a groom is limited by considerations of caste, and by the practice of hypergamy. In this already limited set of grooms, he attempts to secure for his daughter the groom with the best possible education, career prospects, family background. The dowry paid to such grooms is bid up due to competition among the fathers of the prospective brides, that is, though the sex-ratio may not be unfavorable to women, the choice of "eligible" grooms is limited. The premium paid to such highly prized grooms gives a "supply and demand" of grooms aspect to the size of the dowry.

The father might also find that educating the bride, and improving her ability to earn an income is a disadvantage.¹⁴ A woman who is more educated may be considered too "independent". Economic independence would further imply that she has the option of leaving her husband's house in case of a struggle--she has other means of support. Education and economic independence for the bride threaten feudal exploitation in the new home. Given the ideology of male superiority, it would be necessary to find a groom more educated and with a better job than the bride. Because of a possible threat to feudalism in the new house, and the need to find even more "eligible" grooms, the dowry paid for an educated bride may be more than for one who may not be as educated and as able to contribute a sizeable money income to her new household.

14. See Report and Recommendations of the workshop on Dowry, March 21st to 23rd, 1985.

Further, the older a woman gets, the greater the pressure on her father to marry her off as quickly as possible, and the stronger the ability of a groom and his family to demand a high dowry. Like an educated woman, an older woman may be less amenable to feudal subjugation in her new household--she may be "difficult." The older the bride, the larger the dowry payment.

In both these situations--education of brides, or greater age of brides, (or both)--the brides could conceivably be in a position to contribute more to their husbands either by earning income outside the home, or by delivering surplus more efficiently to the husbands. But the grooms may still prefer not to marry such brides since they are a threat to feudal appropriation by the groom. There is no logic here of "surplus maximization"--the groom could reject a higher surplus since it is a threat to his class position.

Another aspect of dowry size is the "beauty" of the bride. The feudal serf will be cohabiting with her new lord. The prestige of the entire family of the groom would increase in society if the groom could get a "beauty". The more beautiful the bride, the less difficult it is for her parents to find a groom, and the smaller the size of the dowry. In India, "beauty" is a concept highly colored by overtones of racism. The fairer the complexion of a woman, the more beautiful she is thought to be. Women who do not fit this mould of "fairness" undergo great difficulty in finding grooms and face much social ridicule.

Social prestige also affects the size of dowry. Dowry is put on "display" at many weddings. An inadequate showing may be read as an insult to the groom, or may lower the bride's father's prestige (since he, presumably, was unable to afford a better dowry). This lowering of social prestige might decrease his ability to maintain his feudal class position in his home. Thus the bride's father may wish to give a large dowry (compared to others in his community).

Let us examine (very briefly) the ways in which contradictions in the feudal household of the bride might increase if there were siblings.

Suppose there was a brother (of the bride) in the household we have been looking at so far. The daughter brings pressure on her parents--to get her married, to pay a dowry. Her contributions to the family are devalued since she is a woman. She cannot carry on the family name. The son, on the other hand, will bring in a dowry. He will carry on the family name. All his contributions to the family carry value. His mother can now breathe a sigh of relief--she has borne a son, fulfilled her "obligation" to her husband. This leads to differential treatments of sons and daughters.

While still infants/children, both son and daughter can be thought of as receiving subsumed class cuts of the surplus appropriated from their mother. But the son receives a larger cut of the surplus (in terms of attention, care, food, etc.) than the daughter.

When they grow older, the son could be seen as joining the ranks of the lords, the daughter, the ranks of the serfs. She, and her mother, could have a very small amount of necessary labor time to look after their own needs, and the surplus labor they perform is much more than their necessary labor. As women, they are in some sense "low", and their needs are not given consideration.

If more daughters are born, the father has to pay more than one dowry. The mother may have to face abandonment for being "ill-starred". Or else, the parents might decide to rid themselves of these burdens before they grow old enough to have claims on their parents, i.e. dowry provides a condition of existence for female infanticide, or for "foetal sex-determination and pre-selection" (scientifically determining the sex of a foetus, and aborting it if it is female).¹⁵

15. Both foetal sex determination (among richer families), and female infanticide are on the rise in India. See India Today, June 15, 1985.

If the parents do not get rid of their daughters, they might try to economize on marriage expenses by performing joint weddings. Their ability to do so depends on whether or not the family of the groom see this as a slight, or a reduction in their prestige. Or they may try to marry their daughter to a groom, and simultaneously bring in the groom's sister as their son's wife. This way both parties just "exchange daughters", and both avoid the burden of a heavy dowry.

If they decide to hold joint marriages for their daughters, and the age difference between the daughters is large, the younger daughter would be married off at an extremely young age.¹⁶

In rural areas, where surveillance by the law is not as careful, and where corruption among law enforcement officers is not as easy to control, fathers (and mothers) might decide to indulge in "child marriages" (which are illegal). If they get their daughter married to a boy while both bride and groom are still infants, their daughter will be "acceptable", since she can then be brought up into the ways of her husband's household. Further, the dowry is not as high, since the grooms are not yet educated, and earning. They can also then provide for the education of the groom, thus ensuring that their son-in-law is of acceptable "eligibility". But the problem confronting the parents is this--though they may not have to spend a lot on dowry, once they have a stake in the success of the groom, they may end up spending a lot to ensure his success. Further, once the marriage is performed, they may have to pay a lot of dowry to avoid "rejection" of their daughter in later periods. Sasural (In the New House)

Returning to our analysis of an urban household with one daughter, let us examine the possible contradictions dowry might bring in the new household the bride enters. I will analyze a situation where the new household consists of the groom's parents, the groom and the entering

16. Joint weddings (or "reciprocal weddings") and child marriage never completely died out, and are on the rise in the state of Rajasthan. India Today, June 15, 1985.

bride. The male heads of household--the groom and his father--are feudal lords, while the groom's mother, and the bride, are feudal serfs. I will not examine the increased contradictions that may arise if there are more members in this household.

The groom and his family are accepting a serf--a woman. They are accepting "socially devalued labor." They have to ensure that the relations set up with the bride allow them to exploit her. Dowry is a way of expressing their superiority over the bride. Constant references to the inadequacy of the dowry allows the grooms' family to cow and subjugate the bride. A large dowry also raises the esteem of the groom both outside and inside the family (i.e., dowry can provide a condition of existence for the feudal exploitation of the bride in her new house.)

Apart from helping feudal exploitation, dowry is a source of income/wealth for the groom and his family. Threats, humiliation, violence against the bride can become means of forcing her family to increase this income--and simultaneously intensify her feudal exploitation. If pressure to increase dowry (a subsumed class or non-class payment) is very strong, the serf could lose her health, commit suicide, or get murdered. The lords would have lost a serf--but if society does not stigmatize, or punish lords who have lost a serf in this way, it may not be difficult to replace the lost serf by marrying again. In fact, since the new marriage means a new dowry, it may be to the advantage of the lords to emphasize dowry as a source of income, and get rid of old serfs as they become unable to provide more dowry.

The most pathetically situated in this struggle for dowry is the young bride. There is no social stigma (or public intervention) attached to her husband for torturing her. The social ostracization of women who leave their husbands (no matter how strong the provocation to do so), combined with the emphasis on husband idolation ("pati-vrata") as the ideal for women, makes it very difficult for a bride to bring herself to leave her husband even in the face of extreme torture.

Rebellion against exploitation, or dowry demands are often severely punished in the home. In the event that she does decide to rebel against her lot and leave her husband, she cannot do so unless she is economically independent. If she decides to go back to her parents, she finds (very often) that they do not want her back. They have just spent a lot of money on her marriage and dowry, and do not wish to encourage her to come home, since that may mean that they have to bear these expenses again. Further, the honor of the entire family would be at stake if the daughter was unable to "adjust", and get "accepted" on her new home. Not having anywhere to go, she is often trapped--having to expect feudal exploitation, and face torture, and maybe death if she cannot convince her parents to increase her dowry.

There is often a large amount of amazement (and shock) expressed that it is often women themselves (mothers-in-law) who perpetrate some of the most heinous crimes against young brides, for dowry. In feminist terms, why do the women not unite? In terms of class, why don't the serfs unite? Why does one serf actively to destroy another?

In the feudal hierarchy of Indian households, ideological and cultural conditions are such that there is no questioning of male domination. Instead of questioning whether there should be exploitation, the question becomes, "How much of the surplus labor should each serf do?" The coming of the new serf is an opportunity for the old serf (the mother-in-law) to move from serf to a managerial position (i.e. from exploited worker to a subsumed class position as manager of household labor). When the old serf was a young bride she had provided an opportunity for her mother-in-law to leave the serf position. The new bride is now her release, her long awaited replacement.

But the bride may resist this move to a managerial position by her mother-in-law. She would much rather have to divide the feudal labor with the old serf, than to single-handedly

perform surplus labor for the two lords, and also enough for a subsumed class cut of the surplus to the manager.

As far as the mother-in-law is concerned, the new serf is not only her replacement, but also a threat. The mother-in-law has fulfilled her "duty" to her husband by bearing him a son. She does not inherit any property from her father (though legally she may be entitled to a share of his inheritance). She was given a dowry--her so-called Stridhan--but that was disposed of by her husband. She is economically dependent on her husband. On her husband's death, the bulk of the property will pass on to her son (if there is property to pass on). If the family is primarily dependent on wages, on her husband's retirement, both she and her husband are dependent on their son (since India has no system of social security, few jobs have a large enough income to afford reasonable savings, and in those jobs that have a pension, the amount is barely enough to keep up one's standard of living). So, if the older feudal lord dies, her passport to a secure future is the younger feudal lord. It becomes necessary for the old serf to ensure that the young feudal lord (her son) will not abandon her, that she is indispensable to him. She has to make sure that the new serf (the young bride) does not displace any power she has over her son. One way of doing so may be to move herself to a managerial position, constantly belittle the bride in various ways (one being the reference to the inadequate amount of dowry, how insulting that was to her son, etc.), and herself playing an active role in the subjugation of the bride.

The change to a managerial position by the mother-in-law need not necessarily enhance her power over her son. The bride shares conjugal rights with him, and may begin to exert influence over him. This influence may be strong enough for him to resent his mother's treatment of his wife, and object to it. He may even be influenced by his wife enough to refuse to provide shelter to his mother in the event of his father's death, or to insist that she too do

feudal labor alongside his wife. If wife can exert a very strong influence in her husband, it may be she who moves to a managerial position, forcing the mother-in-law to do feudal labor for her upkeep.

But the ability of a bride to either reduce her share of feudal exploitation, or avoid it altogether is strongly linked to the support she gets from the feudal lord. The mother-in-law should thus fight any sign of such control by the new bride. If the marriage is an "arranged" marriage rather than a "love" marriage the better her chances of ensuring continued control over her son.

The need for control over her son, and the chance to move to a managerial position provide reasons for the resistance mothers-in-law have to their sons choosing their own brides, for the constant interference of a mother-in-law in a young couple's married life, for the mother-in-law/daughter-in-law battles fought out so bitterly in almost every single Indian home--intra-class rather than inter-class conflict is seen.

The bride occupies the position of a feudal serf in her new home. If she brings in a large dowry, or accedes to the dowry demands of her husband's family, she may make it easier for herself in terms of being accepted in the new home. She may then have to do less surplus labor. The dowry may consist of some kinds of consumer goods (washing machines, cooking range etc.) that make her efficient. This may mean that she can accomplish more in less time, and have to do less surplus labor. But since dowry is also a way of subjugating the bride she may find that however large the dowry, it is not enough to satisfy the groom's family, there are still complaints, she still has to do surplus labor, etc.

The problem with the inflammatory situation in Indian Households right now is this--dowry as a custom is part and parcel of a way of life. Ideologically, it symbolizes a new

beginning for young couples, a tie with their parents. It is seen as one element in a whole host of reciprocal rights and obligations undertaken in entering a marriage relationship. In many families, especially those which are rich enough, it works just fine! It is a form of inheritance, a way of cementing new relationships, and both the groom's and bride's families participate in the ritual with pleasure. But for an increasing number of families, as family structures, workplace conditions, self-perception, all change, the response is extremely contradictory, volatile, and painful. The changes can be "emancipatory," and lead women and men to break old molds of thought, forge newer, more idealistic relationships, OR, they could be inflammatory, violent, repressive, and terrible. And they can very well be both frightening and emancipatory at one and the same moment. Through this analysis I hope to push the direction of this change toward a more radical vision of economic justice.

The key to a truly successful anti-dowry movement, and the possibility of turning it

- a) from a struggle framed in purely cultural terms (where dowry is seen only as the historical product of sexism in Hindu ideology, and much of the focus is on legislation and analysis of women's work life purely in the context of an unchanging vision of Indian household relationships in Hinduism) to a struggle around larger economic and political issues surrounding women's work; and
- b) from a predominantly urban middle income women's struggle to a cross-class movement with a strong focus on all women's rights including peasants, agricultural workers, domestic servants, and laborers,

is to analyze dowry as part of the larger oppression of women, and the identification of household struggles with labor struggles. This could at least raise the possibility that as urban middle class women start viewing themselves in the household as workers, they can identify with

other women who are workers, and with social movements at large that fight for a just economic system, instead of with the privilege of their income group.

A BRIEF HISTORY OF DOWRY'S LEGISLATIVE EXPERIENCE IN INDIA

Much of the focus of the anti-dowry movement has been to increase awareness round issues of gender oppression in society at large, and through such public awareness and grassroots lobbying, push for stronger laws with more teeth, and lobby for setting up of specially trained police personnel to handle dowry/violence against women complaints. None of these efforts should be neglected, and these are definitely important avenues to pursue. But the problem with reliance on legislative reforms is without attention to the system within which such legal codes operate, is that unless these efforts are part of a larger effort, and unless dowry is understood not as an "event" to be legislated out of existence but a social process in a web of social relationships, no amount of legislation will eradicate the problem. To see why, one just has to look at the twenty-five years of experience with anti-dowry legislation.

Dowry was made illegal in 1961, but it continues to be openly practiced till today. In more recent years, other legislative reforms which had been carried through due to the forceful implementation by British law enforcement in a colonial state, (for e.g., the abolition of "sati" and child marriage) have also started reappearing in various forms. These reappearances could very well be the beginnings of a resurgence in practice similar to dowry's intensification, as a sort of backlash against the pressures that fast changing practices have put on traditional modes of exploitation.

Since dowry is illegal, and since many of the mechanisms of increasing dowry like torture, and murder, are illegal, why has state intervention not succeeded in eradicating dowry, pushing dowry practices underground, or at the very least prevented dowry from spreading?

The dowry prohibition act has been in effect since 1961. (The law was modified to make punishment more stringent and take up the definition of dowry in the 1970s, and to make dowry a cognizable offense in the recent past.) But it is of practically no use when it comes to actually dealing with dowry. Not many people know that the act exists. Even in cases where people know of the act, dowry is not clearly defined in it, and since voluntary gift giving and Stridhan are still legal, it is often impossible to prove that a particular transfer was "dowry" and not a "voluntary gift." Further, the law does not recognize the helplessness of most women and their families in the face of dowry demand. Both the giver and the taker of dowry are guilty under the law, so if a woman or her family reports the incident, family members from both sides would go to jail. The chances of a woman reporting dowry and alienating all her family members is very slim. Until very recently, dowry was not a cognizable offence. Thus, it became very difficult to prosecute men who were demanding dowry.¹⁷

Inheritance laws for women recognize Stridhan as a legitimate inheritance of the woman. This means that apart from the question of separating a voluntary gift from a coerced dowry payments, the payment has also to be distinguished from Stridhan. The anti-dowry movement is split on whether to accept this or not--on the one hand, women do not want to cede their Stridhan rights, but on the other, where does Stridhan stop and dowry start? Would it be possible to prosecute dowry cases since it is not possible to have clear distinction between the two? But

17. See Achar and Venkanna The Dowry Prohibition act of 1961, and Manushi no. 24 for a description of recent changes in the act.

given the current unequal laws of inheritance, women are afraid that giving up Stridhan will worsen their position on property rights.

Even after the Dowry Prohibition acts were passed, there was still the question of adequate enforcement. To expect dowry to disappear simply because it is illegal is like expecting to eradicate racism or casteism simply by legislation. In cases of civil/criminal offenses against brides in order to extract more dowry, law enforcement has been lax and unhelpful to an extreme. The police forces are rife with corruption, and have no particular sympathy for women's issues and concerns. They often actively destroy evidence and refuse to register cases. In the rare instances when a case is registered against the groom and his family (for murder of the bride), the cases have been repeatedly thrown out of the courts by the judges using norms of acceptable social and cultural behavior, and the culprits escape scott free.¹⁸

Thus though technically the state supports women's rights, and opposes women's exploitation, the legal-juridical mechanisms of the state more often than not work to maintain the dowry practices. This does not come as a total surprise, since there is no reason to assume that the police force and juridical system will operate using a different understanding of marriage, women's position in society, and women's roles as producers of household surplus labor, than the rest of society when deciding what constitutes an "aberration" that needs to be punished.

18. In a recent case in the Delhi high court, the judge threw out a woman's dying affidavit that her husband had set fire to her, and her mothers' evidence that she (the victim) had been subject to constant threats and demands for increased dowry, on the grounds that a) he could see from her photograph that she was very fair, and hence by customary standards beautiful, and the chances of a man attempting to kill a beautiful bride were slim, b) women tend to be more sensitive take small incidents and tiffs more seriously, and hence tend to be more susceptible to suicide, c) the dying declaration of the woman could not be admitted as evidence since as she was near death there was a good chance she was not in a mentally fit state to give reliable evidence, and d) if she really was the victim of harassment due to dowry (there was no way of proving that the gifts were not "voluntary"), then there was a good chance that she had a motive for revenge, and good have plotted her own suicide in order to implicate her husband, and her mother was a prejudiced witness. Thus, the charge of murder could not be proved beyond reasonable doubt. See Manushi, Vol. 27, page 13.

CONCLUSION

In the story presented above, a large number of processes--from ideological perceptions of women, feudal class struggles, power struggles, property rights, caste, increased consumerism, to legal and juridical positions provide conditions of existence for dowry in modern India. Dowry in turn provides conditions of existence for power struggles, class positions, ideological perceptions.

In this paper, I documented the history of dowry, and some current changes in the practice. I hope that the reader gets a feel for the pain, and anguish felt by the victims, and that the analysis presented above can make a contribution to widening the anti-dowry movement by linking women's class positions within households and women's positions across income and caste hierarchies to a common process of exploitation.

BIBLIOGRAPHY

Achar, M. R. and Venkanna, T. 1962. The Dowry Prohibition Act: Statement of the Act of 1961, with an Interpretation for Legal Use. Allahabad: Law Book Company.

Altekar, A. S. 1962. Position of Women in Hindu Civilization. Delhi: Sundar Lal Jain, Motilal Banarsidass.

Goody, J. and Tambiah, S. J. "Bridewealth and Dowry." Cambridge Papers on Social Anthropology, #7.

India Today. June 15, 1986.

Kishwar, M. and Vanita, R., eds. 1984. In search of Answers: Indian Women's Voices from Manushi. London: Zed Books.

Liddle, J. and Joshi, R. 1986. Daughters of Independence: Gender, Caste and Class in India"

London: Zed Publications.

Manushi #5, 1980

_____ #7, 1981

_____ #11, 1982

_____ Vol 3. #4, 1983

_____ Vol 3. #6, 1983

_____ #23, 1984

_____ #24, 1984

_____ #27, 1985

_____ #28, 1985

_____ #34, 1986

Ministry of Social and Women's Welfare, Government of India. 1985. All India Women's

Conference: Workshop on Dowry, New Delhi, March 21st to 23rd, 1985--Reports and

Recommendations.

Omvedt, O. 1980. We will smash this prison. London: Zed Publishers.

Verghese, J. 1986. Her Gold and Her Body. Bombay: Vikas Publishing House.

Wolff, R. and Resnick, S. 1985. "Power, Property and Class." AESA Discussion Series.