“SOCIAL STRUCTURE AND MARRIAGE PAYMENTS AMONG SHIA MUSLIMS OF SRINAGAR (JAMMU & KASHMIR)”

ABSTRACT
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ABSTRACT

Studies on various social issues affecting the status of women are growing greater. In fact, literature on women related issues has rapidly increased in the last three decades. Sociologists as well as social anthropologists have attempted to explore the social causes underlying the practice of marriage payments in Indian society. There is an abundance of research based issues like child marriage, dowry practice, status of women etc. in the Indian context but most of this sociological literature is related to issues concerning the majority community of India i.e. Hindus.

The present study focuses on the practice of marriage payments prevalent among Shia Muslims of Srinagar as well as the relationship it holds with the social structure of the community. The work primarily is based on fieldwork conducted during March 2006-March 2007 in Srinagar. The area under study is located in the state of Jammu & Kashmir State. The main aim of a researcher to study the Shia community is that there is no meaningful work on Shias. Muslims have virtually been ignored by both sociologists and social anthropologists and therefore we do not have any
meaningful work on the practice of marriage payments. This is truer in case of Shias. No work of any kind on the issue of marriage ceremonies and marriage payments among Shia Muslims is available.

Sociologists have differently defined marriage payments. Broadly speaking marriage payments may be defined as payments which are given in consideration of marriage either by bride’s kin and / or groom’s kin to the groom’s kin and / or bride’s kin respectively. The exchange of such payments may be seen in almost all known societies of the world. Sociologists have classified these payments broadly into two categories called "Dowry" and "Bride price" or "Bride wealth". Dower or mehr is also a type of marriage payment practices among Muslims.

Marriage payments among Shia Muslims may provide some insights towards the variation between the Islamic principles and practices among them. Marriage among Shias, as also among Sunnis, involves exchange of payments without which marriages cannot be solemnized. Among the Shia’s, there are two types of marriage payments i.e. dowry and mehr.
OBJECTIVES OF THE STUDY

To explore causes and consequences of dowry among Shias of Srinagar.

To explore those factors which contribute towards powerlessness of women or lowering their social status.

To investigate and identify perceptions, attitudes, practices in connection with dowry i.e. why people expect dowry.

To establish a relation between various independent variables like income, education, marital status, caste, age, residence and the dowry practice prevalent among the Shias of Srinagar.

To search for various functions and dysfunctions pertaining to dowry (among Shias of Srinagar).

To explore the difference between theory and practice (religious context) in relation to marriage payments among Shias.

To fill a gap in sociological literature.
RESEARCH DESIGN

Research design is the most essential part of any research. The process of designing a plan which helps to get social reality in a logical and systematic way is called research design. The main aim of research design is how to collect data and then how to organize it to get the meaningful conclusion.

The Universe

Srinagar city of Jammu & Kashmir state has been selected as the universe of the study. The present study is conducted in the four localities of Srinagar i.e. Baghwanpora, Zadibal, Hasanabad and Mirbehri. The city of Srinagar has been selected as the universe for two important reasons. First, the researcher being a resident of Srinagar has been observing, interacting, the phenomena of social problem, social change, social customs and practices, social structure etc. in the city since long. Secondly, the city itself provides a fascinating field for research because of its heterogeneous population which enabled the researcher to see the difference in the attitude towards the practice of marriage payments.

Sampling method was used to select respondents from the four Shia areas of Srinagar. A sample of 200
respondents was drawn, 50 from each area. Shia population of Srinagar is characterized by heterogeneity and thus the number of respondents taken was not equal. Non-probability judgment and quota sampling technique have been used for this purpose. These respondents were split in terms of socio-demographic variables like income, education, gender, age, area, marital status and caste. The principle method of data collection was schedule, supplemented with case studies and genealogies. Schedule comprised of thirty five questions each having five responses numbered as 5, 4, 3, 2, and 1. It may be noted here that 5 is represented as SA (strongly agree), 4 as A (agree), 3 as U (undecided), 2 as D (disagree) and 1 as SD (strongly disagree). Questions were based on marriage and marriage payments and problems linked with the both.

Case study method has been used to analyze the data qualitatively. The method of exploring and analyzing the life of a social unit: be it a person, a family, an institution or a community is known as case study method. There are fifteen case studies taken from four Shia populated area of Srinagar. For preparing case studies and genealogies, data have been supplemented with detailed discussion with the respondents. The discussions were recorded electronically by
Findings

Dowry is an accepted and expected practice. Though there are various factors for the perpetuation of this practice but the major factors that promote dowry payments are as follows.

1. Maintenance of social status and social prestige. Whether rich or poor, high caste or low caste, people give dowry in order to maintain their social standing in the society. Although direct demand is not seen, but parents of bride are supposed to pay gifts to groom’s family which has become a norm or social obligation.

2. Inferior status of women among Shias as also in other parts of India. In the marriage market, females are given less importance than their male counterparts. No matter whether the girl is beautiful or educated, she has to pay dowry, which signifies her lower status in the society.
Marriage payments and more particularly dowry have been the intrinsic part of marriage among the Shias of Srinagar. Traditionally, marriage payments had been restricted to gifts and in particular mehr owing to the religious permission for the same. But with the passing time and through cultural influences from outside world, through media and social contacts and also through local influences from various communities, the domain of marriage payments has been extended to dowry. The practice of dowry was not so prominent some 40-50 years back owing to abject economic condition of the native population under the rule of Dogra maharajas. Presently the practice of dowry is quite prominent among various communities of Kashmir, so is among the Shias of Srinagar.

The mehr which is the payment to be made by the groom towards bride at the time of marriage is one of the essential parts of solemnization of Muslim marriage. It is fixed at the time of nikah by a mutual consent of two contracting parties. From the findings of the study, it becomes clear that in most of the cases, it was never paid at the time of marriage. If ever it was paid, it was at the time of divorce. It can be explained owing to the patriarchal setup of the society where women are
having an inferior status and least exercising rights.

In examining the practice of dowry among Shias, six variables have been used. These are income, education, caste, marital status, residence and age. All these variables influence each other in some way but they have their independent influence on the dowry practice also. Findings show that the higher the income, higher is the acceptance of dowry as a prevalent practice. For the rich people it is obligatory to pay huge dowries because by doing so they are able to stabilize their high position in society. Societal expectation to spend lavishly on marriages also adds to their acceptance rate. The empirical data reveals that all people whether rich or poor accept the dowry as the prevalent practice in the society but the difference lies in the extent of acceptance of dowry payments.

Among the various forces of development and modernization, education is an important one. Education can help in abolishing the traditional practices, detrimental to individual and society. It generates awareness about long established beliefs and practices. Keeping these points in mind, I tried to see how education affects the age old practice
of dowry system. In my research findings, education, instead of solving or minimizing the problem, it has aggravated. It has been observed that more the educated people, more is the favorable attitude towards the dowry. For the educated female, appropriate match is relatively less because they prefer to marry with either equally qualified person or more than their own. So, the educated qualified male are prized more because of their less number. Similarly the educated male also bargains for his qualification. Parents of such grooms, demand dowry because they think that it is a compensation for the investment they have already made on the upbringing of their son. The darker side of the reality is that even qualified girls pay dowry on their marriages. This reflects the inferior status of women in the Indian society.

Among the Shias of Srinagar, there is a well developed division along the caste and class lines. The notion of caste is more ingrained than that of class. In everyday life, caste distinctions may appear blurred but at the time of marriage the division becomes sharp. Findings clearly show that in terms of acceptance of dowry practice, all the three caste groups show almost similar acceptance rate. However, the notion about the dowry practice varies among the three. For
the high caste people, it is obligatory on their part to provide girls with expensive gifts and to make splendid arrangements for the guests at marriages. By doing so, they are able to justify their high caste position in society. On the other hand, dowry is a practice considered to be associated with higher status achievement. Among the middle and low caste people also the acceptance of dowry practice matches with that of the high caste people but their justification is different. Among them it is more a process of status achievement rather than status consolidation. The low and middle caste people are denied the social status occupied by the high caste people because of the caste itself. In order to achieve the status enjoined by the high caste people, they must adopt their practices. Payment of huge dowry and marriage expenses is one of those practices. Aspiring Muslims emulate their local elites as Hindus emulate theirs. This process of emulating the customs and manners of high status Muslims has been described as _ashrafization_.

The important finding of the study is the practice of dowry with respect to four localities (area of residence). The three localities Baghwanpora, Zadibal, Hasanabad are showing similar attitudes towards the practice of dowry. However, the
fourth locality; Mirbehri shows some different attitude towards the practice. The reason is that the former localities are having similar characteristics with heterogeneous population. Whereas, Mirbehri is a unit of homogenous population where there are no forces of competition. The dowry practice is prevalent also in this area but the pressures are least. It is because the locality has evolved its own subculture as they cannot compete with the dominant culture of other localities owing to their inferior socio-economic position. But, lately it has been found that they are trying to catch up with the dominant culture prevalent in other three localities.

The criterion of age was chosen to find the generational differences among people about dowry practice. The data reveal that higher the age greater is the acceptance of dowry. This is mainly due to the fact that they are more experienced and compare the present phenomena of dowry with the past. They believe that dowry has taken a new shape i.e. extravagancy and complex in the present era as it was simple and cheap in the past. Owing to these differences between the past and the present societies, they consider dowry as an important part of marriage in the contemporary society, without which marriages cannot be solemnized.
The criterion of marital status has also been focused in order to know the differential attitude of married and unmarried towards the dowry. The perception of dowry seems to be different among the two groups in the present studies. The acceptance rate of married is more than unmarried towards dowry payments. This is due to the fact that married respondents are quite aware about the problems faced after marriage, if inadequate payment took place in comparison to unmarried respondents.

The findings counter some of the explanations attributed to the practice of dowry. Dowry is explained in terms of compensation for the lack of inheritance rights of women in parental property. Since women are denied property rights, so they are given dowry as compensation on marriage. But the practice of dowry among the Muslims is difficult to explain in terms of absence of female inheritance rights in parental property. In Muslim law a women is granted rights in parental property. Among the Shias, dowry is given along with the inheritance rights of women as enshrined in Islamic laws. Shias believe that women property rights and dowry are two different modalities i.e. dowry is not the compensation because women receive their property rights in their lifetime.
Among the 200 respondents, 80% agree that both dowry and parental property is given to girls.

The study has explored causes and consequences of the prevailing practice of dowry among Shias with the help of case studies too. There are fifteen cases taken from four Shia areas. The findings reveal as follows.

1. Status is the most important factor for the perpetuation of dowry practice.
2. Wealth is another important aspect which is also linked with status.
3. Education serves as an important tool for upgradation of the level of dowry.

Cases also reveal the major consequences of dowry as follows. Dowry leads to late marriages, family disintegration, family disharmony, divorce, indebtedness and even death. Among the Shia Muslims of Srinagar, both dowry and mehr are practiced. But the actual payment of mehr does not take place. No marriage is complete without fixing mehr. It is interesting to note here that there is not a single marriage without some marriage payments or exchange of gifts. The findings show that not only dowry demands have increased but “dowry is
inevitable”. Parents of would be bride felt that their daughters could not get married without dowry. Islam forbids the practice of dowry and prefers marriages to be simple. On the contrary, in practice, Shias of Srinagar, have a pride in favoring dowry and a grand celebration with conspicuous consumption in marriage ceremonies. A common perception among the respondents was that the family izzat (honor) is linked with a lavish expenditure in weddings. The more lavish the wedding feasts and decorations, the more izzat and status. Dowry is not only just a transfer of wealth in the form of cash and kind from the bride’s family to groom’s family. It is also a way to enhance the social status of the family in the community at large.

The Islamic system, mehr means at least theoretically, to enhance the status of women in the society. But un-Islamic practice of dowry reflects the inferior status of women. The study reveals that even those girls with educational qualifications and salary more than their husband’s pay dowry on their marriages. It shows their lower status. The status elevation gained from the mehr payment is nullified by the status degradation by dowry payment as the amount of mehr is comparatively less than that of the dowry. Even if the
amount is equal: woman rarely receives her mehr after nikah. She gets it only after dissolution of marriage. By simply paying mehr, the status of women is not going to improve. If we really want to improve the status of women, the only solution lies in the eradication of the oppressive system of the dowry practice.
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Dedicated to

My

Parents

Who always showed trust and faith in my every endeavour
15 May 2008

C E R T I F I C A T E

This is to certify that Ms. Hmaira Showkat has worked under my supervision for her Ph. D. thesis entitled 'Social Structure and Marriage Payments Among Shia Muslims of Srinagar (Jammu & Kashmir)'.

Ms. Showkat has incorporated original data in her Ph.D. thesis. I have guided her by regular checks of data and other necessary materials at every step. I consider it suitable for submission for the award of the degree of Doctor of Philosophy.

(Dr. Abdul Matin)
Reader in Sociology
Supervisor
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CHAPTER 1

INTRODUCTION
CHAPTER 1

1.1 INTRODUCTION

Marriage is a legitimate union between a man and a woman who decide to live together in an intimate relationship for the major portion of their lives. It is the most personal and close form of human relationship. Marriage is defined as a relatively permanent sexual union employing a number of interrelating roles and statuses. Heyn describes marriage as a social institution, which serves many functions for the society, such as providing the approved mechanism for procreation and rearing of children, economic stability and security, etc. Marriage is associated with marriage payments, which is the most essential part of it. Payments which are given in consideration of marriage either by bride’s kin and/or groom’s kin to the groom’s kin and/or bride’s kin respectively are called marriage payments. The exchange of such payments may be seen in almost all known societies of the world. The present study focuses on the practice of marriage payments prevalent among Shia Muslims of Srinagar as well as the relationship it holds with the social structure of the community. The work primarily is based on fieldwork conducted during March 2006-March 2007 in Srinagar. The area under study is located in Srinagar city (J&K) as shown in Map 1.1.
Map 1.1: Map of Jammu & Kashmir
Sociologists as well as social anthropologists have attempted to explore the social causes underlying the practice of marriage payments in Indian society. There is an abundance of research-based issues like child marriage, dowry practice, status of women etc in the Indian context. However, most of the sociological literature is related to issues concerning the majority community of India i.e. Hindus.

Transaction of marriage payments is found among all the groups of people irrespective of caste, religion or region. Every society consists of various parts and the relationship of these parts form the social structure of that society. The different institutions like family, marriage, religion, economy, polity etc., of the society may be said to comprise its social structure, as might such components as its norms, values and social roles. Norms provide the specific guidelines to action in a society. They are acceptable and appropriate behavior in particular situations. Norms vary from society to society and so the structure of society (Haralombous, 1980: 5). In the present study, an important aspect of social structure called marriage payments has been focused. Social structure is a wide concept. So, it was not possible for a researcher to focus all its aspects. The detailed social structure of Shias with reference to marriage payments in Srinagar will be discussed in the second chapter.

Marriage is one of the universal social institutions. It is peremptory for different reasons that have many biological, psychological, and social bases. Among the various reasons of its importance; one of the factors stabilizing the significance of marriage in society is marriage payment. Marriage does not merely
allocate rights and duties but it also involves exchange of gifts between parties. Different sociologists have differently defined marriage payments. The concept of marriage payment is like other social concepts, the meaning of which changes according to the changes in socio-cultural context. Tambiah defines marriage payments as "comprising an elaborate series of payments back and forth between the marrying families. The series of gifts extends over a long period of time and persists after marriage" (Tambiah, 1973: 92).

Indian society is a mosaic of many cultures. Different cultures show different ways of social practices, so is the case with marriage payments. Marriage payments have been defined by Comaroff as "Payments which cannot be understood by the cross-cultural comparison of their surface manifestations and their general social correlates, but by first establishing their relations to other organizational elements within encompassing systems" (Comaroff, 1980: 33). Thus marriage payments are interlinked with other elements of the society and, without the involvement of these elements e.g. affinity, descent, sex, age, devolution and rank, ceremonial exchange etc., it is hard to understand the meaning of marriage payments. These elements of society together constitute social structure.

Sociologists have classified marriage payments broadly into two categories called "Dowry" and "Bride price" or "Bride wealth". M.N. Srinivas has defined dowry as those gifts (cash and kind) given by the bride’s kin to the groom’s kin including food and travel expenses of baraties (Srinivas, 1983: 11). Contrary to dowry, bride price is paid by the groom and his parents to the parents of bride at
the time of marriage. The people in Indian society till 19th century practiced both of these payments. Dowry was practiced mainly in north India and bride price was the defining feature of south India (Srinivas, 1983: 8). Under the colonial impact various factors promoted the shift from bride price to dowry viz. increased wealth due to monetization of economy, decrease in female work participation, growing education among male and emulation of higher caste practices by lower caste. With the result that now a days it is dowry, which is practiced all over India.

Dowry and bride price are not the only form of marriage payments, which are practiced in Indian society. There are other payments practiced in consideration of marriage. Dower or mehr is one form of marriage payment, which is practiced among Muslims. Mehr is an amount of money or some other useful commodity paid or given by a husband to his wife at the time of marriage. It is agreed between bride and bridegroom or between their families with mutual consultations. According to Henry Korson, the amount of mehr can be paid in various ways. These are as follows.

1. Prompt mehr means the sum of money, which is to be paid on spot on marriage ceremony when the contract is made.
2. Deferred mehr is the sum of money, which is to be paid in case of separation or divorce.
3. One-half prompt. One-half deferred is the case in which part of mehr is paid at the time of marriage, and part of it is deferred.
4. On demand mehr in which the wife can impose a demand for the total sum at any time (Korson, 1967: 529).
Marriage payments among Shia Muslims may provide some insights towards the variation between the Islamic principles and practices among them. Marriage among Shias, as also among Sunnis, involves exchange of payments without which marriages cannot be solemnized. Among the Shias, there are two types of marriage payments i.e. dowry and mehr. But in some pockets, bride price is also practiced. Islam does not sanctify the practice of dowry. But it is preferred practice among the Shias. This point will be elaborated in chapter 4.

The roots of the dowry practice in Kashmir could be explained in the light of its past. In past, Kashmir was under the control of Hindus, which came to an end in the beginning of the 14th century. Islam spread in Kashmir not as a result of persecution but due to peaceful methods of preaching and persuasion carried out by missionaries. Islam made its way into Kashmir, not by forcible conquest but by gradual conversion, for which the influx of foreign adventurers both from the south and from central Asia had prepared the ground. Thus Islam replaced Hinduism as the mass religion of the valley. But it was not possible for converts to completely part ways with the age-old traditions and the customs people of Kashmir had been following before their conversion. According to Kalhana, “Habits fixed by long practice are not likely to cease, even when their reason is gone”. Formal conversion to Islam and practical inheritance of old culture thus went hand in hand. Detailed description of which will be provided in chapter 2.

In Islam, most essential aspect of marriage contract is the commitment and acceptance. One party, normally the guardian of the bride, makes the commitment of giving his daughter to the prospective groom who needs to pay a specific
amount of mehr. This constitutes the marriage contract in Islam. Islam prescribes paying mehr. But Islam at the same time emphasizes the necessity of the mehr without stipulating its material value. There is no maximum limit of mehr. The Prophet Muhammad (S.A.W) however has recommended not demanding excessive dowers. He says, “The best of women ever are those with pretty faces and cheap dowers” (Madinah, 1998). In the present study, I have intended to find out the prevalent practices related to marriage payments among Shia Muslims, its causes and consequences, which is discussed in detail in chapter 4.

Marriage payments form an important part of every society. They do not exist in vacuum. They are related to other institutions. According to the functionalist perspective, no practice can survive in society if it does not fulfill the needs of the society. Therefore, it is important to know about the institutional linkages or social anatomy of marriage payments and the kind of functions and dysfunctions they perform. In this light, I have made an attempt to correlate R.K.Merton’s structural functional approach with the present study.

Merton defines “social function as observable objective consequences, and not as subjective dispositions (aims, motives, purposes)” (Merton, 1957:24). Thus, he regards function as those observed consequences, which make for the adaptation or adjustment of a given system. However, there is a clear ideological bias when one only thinks of adaptation or adjustment, for they are always positive consequences. Merton had cleared this point by giving another concept called “dysfunction” (Ritzer, 2003:244). Dysfunctions, according to Merton, are those observed consequences, which lessen the adaptation or adjustment of the system.
Just as structures or institutions could contribute to the maintenance of other parts of the social system, they also could have negative consequences for them. He thinks that some things may have consequences that are generally dysfunctional or which are dysfunctional for some and functional for others. Merton also introduced the concept of manifest and latent functions. Manifest functions are those that are intended and latent functions are unintended. Manifest functions are the consequences that people observe or expect. It is explicitly stated and understood by the participants in the relevant action. On the other hand, latent functions are neither recognized nor intended. A latent function is not explicitly stated, recognized by the people involved. Dysfunctions can also be manifest and latent. While functions are manifest/latent and have positive effect on society, dysfunctions are manifest/latent and have a negative effect on society. In the context of marriage payments among Shias of Srinagar, two types of marriage payments are prevalent: dowry and mehr. It has already been discussed that anything that persists in society may have its functions in one way and dysfunctions on the other way. Dowry among Shias shows its functions as well as dysfunctions. Detailed description of which will be provided in chapter 4.

Kashmiri society was mainly a Hindu society till 13th century. Musiim missionaries belonging to different sects and orders began coming to the region and started preaching the faith of Islam to the indigenous population. It is due to their concerted efforts and the state support to their mission that Islam became the dominant religion of the state in the beginning of the 16th Century. Despite the conversion, old cultural traits are still retained by them, which are reflected in the
form of un-Islamic practice of the dowry. So, the social structure of Shias in Kashmir cannot be explained without an examination of the old social structure. The detailed description of which is given in chapter 2.

The present study not only focuses on the types of marriage payments i.e. dowry and mehr but also on the inheritance rights of women. So far as the inheritance or property rights of women is concerned, it will be fruitful to discuss whether there is any connection between marriage payments and daughter’s right of inheritance or not. According to William J. Goody, dowry is a sort of pre-mortem inheritance i.e. the female rights in parental property, which is given in the form of dowry on marriages. The case of Shias in Srinagar is different. Females are given rights to the property as per the Islamic rule. It shows no connection with the dowry payments as both dowry and parental property is given to girls. The detailed discussion about the inheritance rights is given in chapter 4.

Demographically, Shias form a minority community in Jammu & Kashmir. They constitute about 13% of the total Muslim population of the state. Although they are scattered all over the state but their major concentration is in the districts of Kargil, Budgam, and Srinagar. The present study focuses on the four Shia populated areas of Srinagar i.e. Baghwanpora, Hasanabad, Zadibal, and Mirbehri.

Phenomenon of dowry is so complex that it cannot be monocausal instead various factors play their role in the institutionalization of dowry practice. Different sociologists and social anthropologists have attempted to explain the
causes and consequences of dowry in different societies in their own terms. The detailed description of which is given in chapter 3.

In Kashmir, among the Shias, dowry is an accepted and expected practice. There are various factors for the perpetuation of this practice. However, the major factors that promote dowry payments are as follows.

1. Maintenance of social status and social prestige. Whether rich or poor, high caste or low caste, people give dowry in order to maintain their social standing in the society. Although, there may not be a direct demand, but parents of bride are supposed to pay gifts to groom’s family. It has become a norm or social obligation.

2. Inferior status of women among Shias in J&K and other parts of India. In the marriage market, female has a lower status than their male counterparts. No matter whether the girl is beautiful or educated, she has to pay dowry, which signifies her lower status in the society. These two factors, which promote dowry practice and other factors will be discussed in detail in chapter 4.

1.2 RESEARCH DESIGN

Research design is the most essential part of any research. The process of designing a plan, which helps to get social reality in a logical and systematic way is called research design. Research design is a systematic outline of the way in which a particular research will be carried out (Srivastava, 2004: 5). The main aim
of research design is how to collect a data and then how to organize it to get the meaningful conclusion.

I have conducted my fieldwork during March 2006 to March 2007 (13 months). The main aim to study the Shia community is as follows. Firstly, there is a very little work available on Shia Muslims especially in the field of marriage and payments associated with it. Secondly, being an insider an interest in studying my own community. Before the field study, a detailed literature review on marriage payments helped me to formulate the research problem. Various methods have been used for data collection. Field study has been divided into three parts


In the first visit, I tried to locate the colonies under study and the potential respondents residing in these colonies. I tried to build a rapport with respondents in the first visit. Fortunately, being an insider, I did not face any problem in communicating with them in their language. Few key informants were helpful to locate respondents for case study. My main visit started on 21st May 2006. The methods of data collection were interview, schedule, and observation. Schedule comprised of thirty-five questions each having five responses numbered as 5, 4, 3, 2, and 1. It may be noted here that 5 is represented as SA (strongly agree), 4 as A (agree), 3 as U (undecided), 2 as D (disagree) and 1 as SD (strongly disagree).
Questions are related to marriage and marriage payments and associated problems. Non-participant observation technique was used because being a Shia and resident of the same colony, people might have become conscious giving right information and also it might have raised many queries while staying with them.

Sampling method was used to select respondents from the four Shia areas of Srinagar. A sample of 200 respondents was drawn, 50 from each area. Shia population of Srinagar is characterized by heterogeneity and thus the number of respondents taken was not equal. Non-probability judgment and quota sampling technique have been used for this purpose. These respondents were split in terms of socio-demographic variables like income, education, gender, age, area, marital status and caste. The distribution of sample is as follows.
Total Respondent
N=200

Income
- High Income
  - Male: 23, Female: 7
  - Middle Income
    - Male: 55, Female: 49
    - Low Income
      - Male: 30, Female: 36

Education
- Highly educated
  - Male: 12, Female: 5
- Educated
  - Male: 57, Female: 32
- Literate
  - Male: 12, Female: 15
- Illiterate
  - Male: 27, Female: 40

Caste
- High Caste
  - Male: 22, Female: 20
- Middle Caste
  - Male: 48, Female: 36
- Low Caste
  - Male: 38, Female: 36
Area

Hasanabad
- Male: n=29
- Female: n=21

Baghwanpora
- Male: n=27
- Female: n=23

Zadibal
- Male: n=30
- Female: n=20

Mirbehri
- Male: n=22
- Female: n=28

Age

Group-I
20-35 Yrs
- Male: n=38
- Female: n=45

Group-II
36-50 yrs
- Male: n=35
- Female: n=31

Group-III
51-65 yrs
- Male: n=25
- Female: n=14

Group-IV
above 65
- Male: n=10
- Female: n=2

Marital status

Married
- Male: n=28
- Female: n=25

Unmarried
- Male: n=80
- Female: n=67

For quantification and analysis of the collected data, the procedure of percentage analysis has been used. Both qualitative and quantitative methods have been used in this study to analyze the data: sometimes, statistical analysis fails to reveal the social reality. The investigator was conscious about the shortcomings of
quantitative method, so few case studies were prepared to verify the genuineness of the findings. Many sociologists although are of the opinion that research should integrate quantitative and qualitative methods for getting better results. For this, Myrdal points out “The ideal community should start out from a careful statistical analysis of vital, social, and economic data concerning the individuals and families making up the community being studied. The less measurable data on attitudes, cultural traits, behavior patterns in which social stratification is expressed, and the feeling of social status or toward social status on the part of members of various groups, should then be observed and the results integrated into the framework of statistical knowledge (quoted in Srivastava, 2004: 8).

Case study method has been used to analyze the data qualitatively. The method of exploring and analyzing the life of a social unit: be it a person, a family, an institution or a community is known as case study method (Young, 2004: 247). There are fifteen case studies taken from four Shia populated area of Srinagar. For preparing case studies and genealogies, data have been supplemented with interview (structured and unstructured) and non-participant observation. In present study, schedule is the main method of data collection and case studies and genealogies have been supplemented. After completing the investigation and recording the interviews, the processing of the data was initiated. For the quantitative analysis of 200 respondents, the data was codified. A separate code was assigned to each question and each of the responses and then feeded to the computer. Percentages of the responses were calculated. From tabulated data inferences have been drawn.
1.3 OBJECTIVES OF THE STUDY

- To explore causes and consequences of dowry among Shias of Srinagar.
- To explore those factors which contribute towards powerlessness of women or lowering their status.
- To investigate and identify perceptions, attitudes, practices in connection with dowry i.e. why people expect dowry.
- To establish a relation between various independent variables like income, education, marital status, caste, age, residence and the dowry practice prevalent among the Shias of Srinagar.
- To search for various functions and dysfunctions pertaining to dowry (in Shias of Srinagar).
- To explore the difference between theory and practice (religious context) in relation to marriage payments among Shias.
- To fill a gap in sociological literature.
CHAPTER 2

SOCIAL STRUCTURE OF SHIAS IN KASHMIR
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2.1 GENERAL BACKGROUND OF SHIA MUSLIMS

The Shias comprises one of the two major sects of Islam, the other being that of Sunnites. Shia is an Arabic word, which literally means “friend or follower”. Shias are those Muslims who are the devotees of Hazrat Ali (A.S) and his direct descendants called Imams. They are also called partisans of Ali. Shias believe that Hazrat Ali (A.S) is the first rightful successor to Prophet and thus the first caliph. The whole ethos of Shiism is based on Imamate. According to the Shiite views, the successor of the Prophet of Islam must be one who not only rules over the community with justice but is able to interpret the divine law in its esoteric meaning. Hence Imam must be free from error and sin (masumi) and he must be chosen from by divine decree (nass) through the Prophet. The whole ethos of Shia’s revolves around the basic notion of walayat, which is intimately connected with the notion of Sanctity (wilayah) in Sufism (Nasr, 1971: 10).

Imam is an Arabic word meaning “leader” or exemplar. Imam is the central figure in the Shia religious system. Imam is a person who takes the lead in a community in a particular social movement or political ideology or scientific or religious thought. Thus Shias in a nutshell believe that Allah and His Prophet Muhammad (S.A.W) has designated Ali (A.S) as the only legitimate successor who has continued the religious teachings of Prophet Muhammad (S.A.W) through His descendents called Imams. The Shia believes in the five pillars of
Islam, as do Sunnis. But categorizes them differently. Shia beliefs include the following:

(I) Theology (Usūl al-Dīn)

1. Tawhid: The oneness of God.
4. Imamah: Leadership.
5. Qayamah: The day of judgment

Thus usūl al-Dīn conveys that God is one and all powerful who is sinless and based on true justice. God has sent His messenger to guide mankind to the true path and whose teachings are continued by his descendents called Imams. God will raise mankind for judgment after the annihilation of this world.

(II) Aspects of the Religion (Furūū al-Dīn)

- Salat — called "Namaaz" in Persian — (prayer) — performing of the five daily prayers.
- Sawm — called "Roozeh" in Persian — (fasting) — fasting during the month of Ramadhan of Islamic calender.
- Hajj (pilgrimage) — performing the pilgrimage to Mecca (at least once in a lifetime).
- Zakat (poor-tax) — paying of the poor-tax (2.5% of wealth every year should go to the poor).
- **Khums** (one-fifth of savings) – paying tax to the *Imam*.

- **Jihad** (struggle) – struggling to please the almighty. Internal *jihad* is the struggle against the evil within one's soul. External *jihad* is the struggle against the evil in the society.

- **Amr-Bil-Ma'ruf** – commanding what is good.

- **Nahi-Anil-Munkar** – forbidding what is evil.

- **Tawalla** – loving the *Ahl- Bayt* and their followers.

- **Tabarra** – dissociating oneself from the enemies of the *Ahl-Bayt* (Anonymous, n.d._a).

Shiism has three major branches – Isna Ashariya, Ismailis and Zaydites. The majorities of Shiites recognize twelve *Imams* and are therefore called Twelvers. Beginning with Ali (A.S); the 12th disappeared in 873 AD but will be reincarnated as the Mehdi (A.S) (*messiah*). The Twelvers, or Isna Ashraiya, is the largest of the three Shia sects. The twelve *Imams* recognized by this sect are given below in the chronological order.

1. Ali ibn Abu Talib (600–661 A.D), also known as *Ali, Amir al-Mo'mineen* (commander of the faithful), also know as *Shah-e Mardan Ali* (King of men).


3. Husayn ibn Ali (626–680 A.D), also known as *Husayn al Shaheed*, also known as *Shah Huseyn*.


5. Muhammad ibn Ali (676–743 A.D), also known as *Muhammad al Baqir*. 
6. Jafar ibn Muhammad (703–765 A.D), also known as Jafar Sadiq.
7. Musa ibn Jafar (745–799 A.D), also known as Musa al Kazim.
9. Muhammad ibn Ali (810–835 A.D), also known as Muhammad al Jawad (Muhammad at Taqi), also known as Taqi.
10. Ali ibn Muhammad (827–868 A.D), also known as Ali al-Hadi, also known as Naqi.
12. Muhammad ibn Hasan (868 A.D–?), also known as Hojjat ibn al Hasan, also known as Mehdi.

The Ismailis differ from the Twelvers. They accept Ismail bin Jafar, elder brother of Musa al-Kazim, as the rightful Imam after his father Jafar-al-Sadiq. He died, however, before his father. They therefore accept Muhammad bin Ismail bin Jafar as their 7th Imam. Thus their line of Imams is as follows.

Ali ibn Abi Talib

Hasan ibn Ali who is a trustee (mustawda)

Husayn ibn Ali

Ali ibn Husayn (Zayn al-Abidin)

Muhammad al-Baqir

Jafar al-Sadiq
Ismail bin Jafar

Muhammad ibn Ismail

The Zaidi sect is named after the Imam Zayd ibn ʾAlī. Followers of the Zaidi fiqh are called Zaidis (or are occasionally called Fivers in the west). However, there is also a group called the Zaidi Wasīṭīs who are Twelvers. Followers of the Zaidi fiqh recognise the first four Isnaṣṣārī Imams but they accept Zayd ibn Ali as their "fifth Imam" instead of Muhammad- al-Baqir.

Ali ibn Abu Talib 1st Imam

Hasan ibn Ali 2nd Imam

Husayn ibn Ali 3rd Imam

Ali ibn Husayn Zayn al Abidin 4th Imam

Zayd ibn Ali ash-Shahid 5th Imam

(Source: Anonymous. n.d_b)
2.2 ORIGIN AND GROWTH OF SHIISM

The term Shia was employed by Prophet Muhammad (S.A.W) to designate some of his close companions. These include Salman, Miqdad, Abuzar, and Ammar. These were the fellows of Prophet who remained faithful to Ali and to his family. It is for this reason that those who remained devoted to Ali after the death of Prophet Muhammad (S.A.W) were called as Shias in general (Hasnain, 1988: 25). The Shiism has its origin in a series of disputes within the early Muslim community. There are two different views regarding the emergence of Shias. One appeared to be a political tendency that who should have power over caliphate and the other one emphasizes on the different interpretation of Islam, which led to different understanding about caliphs. To quote Hussein Nasr, “Shiism was not brought into existence only by the question of political succession to Muhammad (S.A.W) as so many western works claim (although that question was of course of great importance). The problem of political succession may be said to be an element that crystallized the Shiites into a distinct group, and political suppression in later periods, especially the martyrdom of Imam Hussein (A.S) develops the tendency among Shias to see themselves as a separate community” (Anonymous, n.d._c). This means that there were exoteric (zaheri) and esoteric (bateni) interpretations about Islam from very beginning, which led to the division of sects among Muslims. Shias believe that shortly before his death Prophet Muhammad (S.A.W) publicly nominated his cousin and son in law Ali (A.S), as his successor at a place known as Ghadir-e-Khum (Gadir is pond of Khum and Khum is the name of place). On this day Prophet Muhammad (S.A.W) recited more than hundred verses of Quran and raised the hand of Ali and said, “Whomsoever I am
master, Ali is his master too”. The word master by Holy Prophet was *mawla* in Arabic (Najafi. n.d.). However, contrary happened to the expressed wishes of Prophet Muhammad (S.A.W). Abu Bakr (R.A) was elected as the first caliph who died in 592 A.D. He was followed by Umar (R.A) as the second caliph. After the death of Umar (R.A), the caliphate was offered to Ali but he refused because of certain conditions laid down by the preceding caliphs and thus caliphate was given to Usman (R.A). After his death Ali (A.S) became the caliph in 656 A.D. This period helped Shias to propagate their faith in three ways:

1. The first was that more and more people adhered to the preaching’s of the early advocates of this sect.
2. The second was the erudition, deliberation and exchange of views among the devout Shias.
3. The third factor was the maladministration and abuse of power by the rulers.

During the caliphate of Hazrat Ali (A.S) many people came under the fold of Shiism due to his character, teaching, nobility and lifestyle. After the death of Ali (A.S), his son Hasan (A.S) became the caliph but he was poisoned by Muwaiyah (a Syrian monarch) who proclaimed himself as the caliph. The period of Muwaiyah was most difficult for Shias and lasted for long time. Muwaiyah wanted his son Yazid to become the next caliph. For this reason *Imam* Hussein (A.S), the third *Imam* of Shias rebelled during the caliphate of Yazid and was massacred along with his seventy two companions. The tragic death of *Imam* Hussein (A.S) played a major role in the spread of Shiism especially in the regions
of Iraq, Yemen, and Persia. After the long persecution of Shias, the period of fifth Imam and sixth Imam (Imam Muhammad Baqir and Imam Jafar Sadiq (A.S)) was called golden period of Shiism as they got opportunities for collecting Shia religious literature. A chronological list of the Holy Prophet (S.A.W), his daughter and the Twelve Holy Imams are given below which gives the complete picture of Ahl-Bayt in table 2.1.

During the 10th and 11th centuries Shia’s acquired a substantial measure of self determination as a result of the establishment of various independent Shia dynasties which came to control much of the Muslim world. Syria was controlled by the Shia-Hamdanid dynasty. Egypt and much of the North Africa was under the control of Isma'ili Fatimid dynasty.
TABLE 2.1: A Chronological List of the Holy Prophet (S.A.W.), his Daughter (A.S.) and the Twelve Holy Imams (A.S.)

<table>
<thead>
<tr>
<th>Designation</th>
<th>Kunyah</th>
<th>Name</th>
<th>Father Name</th>
<th>Title</th>
<th>Date of Birth</th>
<th>Date of Death</th>
<th>Martyred by means of</th>
<th>Place of burial</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Umm Abiha</td>
<td>Fatimah</td>
<td>Muhammad</td>
<td>az-Zahra', as-Siddiqah, al-Batul. Sayyidatu'n-Nisa</td>
<td>20th Jumada II, in the 5th Year after the declaration of Prophethood. 1/2/615.</td>
<td>3rd Jumada II, 11 AH. 8/26/632.</td>
<td>Injured.</td>
<td></td>
</tr>
<tr>
<td>1st Imam</td>
<td>Abü'l-Hasan, Abü'l-Hasanayn</td>
<td>'Ali</td>
<td>Abü Talib</td>
<td>Amir al-nu'minin, al-Wasi, al-Murtada. (Haydar)</td>
<td>13th Rajab, 10 yrs. before the declaration of the Prophethood. 5/25/600.</td>
<td>21st Ramadhan, 40 AH. 1/28/661.</td>
<td>Sword -- while he was engaged in prayers.</td>
<td>Holy an-Najaf, al-Ashraf, Iraq.</td>
</tr>
<tr>
<td>3rd Imam</td>
<td>Abü 'Abdillah</td>
<td>Al-Husayn</td>
<td>'Ali</td>
<td>Sayyidu'sh-Shuhada', as-Sibt (al-)</td>
<td>3rd Sha'ban, 4 AH. 1/8/626.</td>
<td>10th Muharram, 61 AH.</td>
<td>Sword -- in the Battle of</td>
<td>Holy Karbala' (at-Taff), Iraq.</td>
</tr>
<tr>
<td>Imam</td>
<td>Father</td>
<td>Son</td>
<td>Husband</td>
<td>10/10/680</td>
<td>'Ashura</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>4th</td>
<td>Abu Muhammad</td>
<td>'Ali</td>
<td>al-Husayn</td>
<td>5th Sha'ban, 38 AH. 1/6/659.</td>
<td>25th Muharram, 94/95 AH. 10/31/712. 10/20/713.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5th</td>
<td>Abu Ja'far</td>
<td>Muhammad</td>
<td>'Ali</td>
<td>3rd Safar, 57 AH. 12/16/676.</td>
<td>7th Dhii-hijjah, 114 AH. 1/28/733.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6th</td>
<td>Abu 'Abdillah, Abu Musa</td>
<td>Ja'far</td>
<td>Muhammad</td>
<td>as-Sadiq</td>
<td>17th Rabi' I, 83 AH. 4/20/702.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7th</td>
<td>Abu'l Hasan (al-Awwal = the First), Abu Ibrahim</td>
<td>Musa</td>
<td>Ja'far</td>
<td>al-Kadhim. al-'Abd as-Saleh, al-'Alim</td>
<td>25th Rajab, 183 AH. 9/1/799.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10th</td>
<td>Abu'l Hasan</td>
<td>'Ali</td>
<td>Muhammad</td>
<td>an-Naqi. al-Hadi</td>
<td>2nd Rajab, 212 AH.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Poison Holy Medina, Saudi Arabia.

Holy al-Kazimiyah, Iraq.

Holy Mash'had (Tus-Khurasan). Iran.

Holy al-Kazimiyah, Iraq.

Holy Samarra' (Surra-man-ra'a).
<table>
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<tr>
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</thead>
<tbody>
<tr>
<td><strong>11th Imam</strong></td>
<td>Abu Muhammad</td>
<td>Al-Hasan</td>
<td>'Ali</td>
<td>al-Askari</td>
<td>8th Rabi' II, 232 AH. 12/3/846.</td>
<td>8th Rabi' I, 260 AH. 1/1/874.</td>
</tr>
<tr>
<td><strong>12th Imam</strong></td>
<td>Abu'l-Qasim</td>
<td>Muhammad</td>
<td>al-Hasan</td>
<td>Al-Mahdi, al-Qa'im, al-Hujjah, al-Gha'ib, Sahibu'z-Zaman, Sahibu'l Amr.</td>
<td>15th Sha'ban, 255 AH. 7/29/869.</td>
<td>Still alive but in occultation</td>
</tr>
</tbody>
</table>

(Source: Anonymous, n.d.)
In the beginning of the 16th century, the emergence of Safavid dynasty in Iran also paved the way for the growth of Shiism. The establishment of the Safavid exacerbated tensions between Sunni and Shia areas of the Islamic world. The rise of the Ottoman empire towards the west led to a series of struggles between two empires for the control of Iraq. It was however, internal weakness followed by the invasion of Iran by the Safavid Afghani subjects that led to the fall of Safavid dynasty in 1722.

During 18-20th centuries, Shiism had followed its natural rate of growth as before. At the present moment, Shiism is recognized as the official religion of Iran, Yemen and Iraq, where the majority of the population is Shiite. It has been estimated that at present there are about 80 to 90 million Shia population in world (Anonymous. 1997_e).

2.3 ORIGIN OF SHIA MUSLIMS IN INDIA

Islam is essentially a missionary religion like Buddhism and Christianity from its very inception. It was first proclaimed by the people of Arabia in the seventh century under the influence of Prophet Muhammad (S.A.W). But the message of Islam was not for Arabia only. The whole world was to share it (Arnold. 1913: 28). From its centre at Arabia the faith of Islam spread all over the world and presently it is the second largest religion of the world as far as its followers are concerned. Various social, political and religious causes have played their role in the spread of this faith over the entire globe; but “One of the most
powerful factors at work in the production of this stupendous result has been the unremitted labors of Muslim missionaries" (Arnold, 1913: 3).

Islam came to India through traders, warriors and missionaries. The coastal areas of southern India received the first Muslim immigrants in the late seventh century. They mainly came as traders. The case in north India was different. Here, it was primarily the missionaries who introduced the new faith of Islam. Besides, the cause of Islam in north India was helped by several conquests by Muslim invaders starting with Muhammad bin Qasim who annexed Sind in 711. In the twelfth century, Kashmir was predominantly a Hindu society. However, at the turn of sixteenth century Islam had replaced Hinduism as the mass religion of the valley. Islam became the religion of the majority not by displacing the indigenous people but by converting them.

Muslims in India, as elsewhere in the world have two major divisions: Sunnis and Shias, the former being the principal group (Anonymous, 1991). It is difficult to say that when exactly Shias entered India. Different Scholars have provided different evidences from time to time regarding the origin of Shias. The coming of Shias in India was by steady infiltration. They had different motives. Among them, many came as soldiers, some of them came as missionaries, traders, and few were fortune seekers. Early history records reveal that the seeds of Shiism were sown in India during the caliphate of Hazrat Ali (A.S). In 8th century A.D, a renowned Shia Syed, named Jafar-ul-Mulk came to India and settled in Multan. In 10th century A.D another Shia preacher called Mulla Muhammad Ali also known as Pir Parwaz converted many non-Muslim businessmen into the folds of Shiism.
Subsequently, the community came to be known as the *bohra* community of western India (Hasnain, 1988, 38). Whatever is the exact date of origin of Shias in India but by the end of 14\textsuperscript{th} century, Shias gained strength and developed their kingdoms, which could be explained under four different following headings.

1. The Behmani kingdom
2. The Mughal period
3. Kashmir
4. Oudh

2.3.1 The Behmani kingdom

Founder of this kingdom is Hasan Gangu also known as Allaudin Hasan Behman. The early rulers of Behmani dynasty were Sunnis. The first Shia king in India from this dynasty is Ahmad Shah I who embraced Shiism after 1429 A.D. History reveals that Ahmad Shah had soft corner for Shias from very beginning and his conversion could be explained with his affection for a Shia saint Shah Nimatullah of Mahan, near Karman in south Persia. The King wanted saint’s son to come to India but instead saint sent his grandson Mir Nurullah who settled in Deccan. After the death of saint in 1930 A.D. his sons also came to India and settled like their father in south India. This led to the entrance of many Shias to settle in Deccan. After Ahmad Shah I, chain of Shia rulers ruled in India, prominent among them are Allauddin II and Nizam Shah (Muhammad III). These Shia rulers of Behmani dynasty took great pains for the spread of Shiism in south
India (Titus, 2005: 90). After the break up of Behmani kingdom, different dynasties arose in Deccan. A brief account of these dynasties is given below.

(a) Adil Shahi dynasty: In 1489 Yousuf Adil Shah setup an independent kingdom with its capital at Bijapur Known as Adil Shahi dynasty (Hollister, 1988: 111). He had lived in Persia and became a Shia. On his accession to throne in 1940 A.D, he declared the Shia faith to be the religion of the state. There were many Shia scholars. leaders, poets in his court. In this way Adil Shah took an active interest in laying foundation for the establishment of the Shiism.

(b) Nizam Shahi dynasty: Founder of this dynasty is Malik Ahmad who was a Sunni. His son, Burhan Nizam openly professed the Shia faith and ascended throne in 1509 A.D in Ahmednagar. He was among the powerful rulers of the dynasty and ruled for 45 years.

(c) Qutub Shahi dynasty: Turk Quli was the founder of this dynasty at Golkonda in 1512 A.D. He did his best for the propagation of Shiism, which is presently seen in the form of Shias in Hyderabad state.

These three kingdoms i.e. Adil Shahi, Nizam Shahi and Qutub Shahi continued their independent existences until Mughals established themselves in north India. These kingdoms have played a great role in the creation of the Indian history of Shias. It is important to focus that the establishment of the Safavid dynasty in Persia whose founder was Shah Ismail and the Shia kingdom in Deccan were all founded within a comparatively short time towards the close of 15\textsuperscript{th} and
the beginning of the 16th centuries. Shah Ismail took great interest for spreading Shiism in India. Thus the support of Persia was a backbone for the Shia rulers in India to propagate Shiism.

2.3.2: The Mughal period

The founder of Mughal dynasty was Babur in 1526 A.D. Though most of the rulers of this dynasty were Sunnis by faith but we could see soft corner for Shias at different phases by different rulers. Bairam khan was a guardian of Akbar and an ardent Shia. Due to the guidance of Bairam khan, Akbar gave complete religious freedom to his subjects, which paved the way for the rise of growth of Shiism in India (Hasnain, 1988: 43).

The moment we are talking about the Shias in Mughal period, a Shia preacher Qazi Nurullah Shustari popularly known as “Shahid al Thalith” needs to be discussed. He was a Shia and came to Agra in the reign of Akbar and was appointed as chief justice. He was author of many works among them famous is “Majalis-al-Mominin”. His writings had proved a lot for the spread of Shiism in India (Hollister, 1988: 140). The influence of Shiism continued until 1853 A.D. when Bhadur Shah II secretly declared his allegiance to Persia and became a Shia (Hollister, 1988: 140).

2.3.3: The Kashmir

The entry of Shiism in Kashmir may be attributed to the concerted efforts of various missionaries who waked relentlessly for its growth and development.
One of the prominent among the missionaries is Mir Shamsudin Iraqi who was a great Shia leader and had made many conversions by his teachings and showing love for Ahl-Bayt. He visited Kashmir twice first in 1472 A.D and then after twelve years. He was accompanied by large number of disciples on his second visit. Although he made lots of conversions most notable are Malik Musa Raina and Kaji Chak. These distinguished conversions were helpful for the spread of Shiite faith because of their political power. Chaks later on achieved strong hold as a result first Shia dynasty was founded i.e. Chak dynasty. Many other missionaries like Syed Ali Hamadani and his disciples had also been pillars for the propagation of love and devotion to Ahl-Bayt. After the downfall of Chak dynasty, Mirza Haider Dauglat attacked Kashmir and this period was very difficult for Shias. Shias again regained their power when Chaks were back. Presently Shias are scattered throughout Kashmir. But majority is concentrated in Kargil, Budgam and Srinagar.

2.3.4 Oudh

Mir Muhammad Amin Musavi, the founder of the kingdom of Oudh, was from a noble Shia family that traced its ancestry through Imam Musa (A.S), and had attained a position of respect by long residence at Nishapur in Khorasan (Hollister, 1988: 151). Mir Mohammad Amin Musavi was popularly known as Sadaat khan Burhanul Mulk. After his settlement in Faizabad, he captured Lucknow. He was followed by his son-in-law Safdarjung in 1739 A. D. He was a pious Shia. His liberal character was seen with his soft corner for Hindus as well. He was the first nawab wazir of this kingdom.
The second nawab wazir, son of Safdarjung, Shuja-al-Daula took his charge in 1756 A.D. Sir Henry Lawrence said that Shuja-al-Daula was “an able, energetic and intelligent prince, and he possessed at least the ordinary virtues of eastern rulers” (quoted in Hollister, 1988: 155). His wife Bahu Begum built a mosque and Imambara near the Moti Bagh. She had invested huge money for the maintenance of mosque and Imambara. Shuja-al-Daula was succeeded by his son Asif-al Daula in 1798 A.D and has built famous Imambara Asafuddaulah at Lucknow. Nawab Saadat Ali khan in 1798 A.D. succeeded him. He was half brother of Asaf-al-daula. Ghaziuddin Haider built another imambara at Lucknow known as Shah Najaf. Saadat Ali khan succeeded him in 1814 A.D. One of the remarkable contributions for the growth of Shiism is seen by Muhammad Ali who was the ninth nawab to rule this dynasty and built an ‘Imambara Husainabad’ popularly known as Chotta Imambara (Hasnain, 1988: 45). Amjad Ali khan followed Muhammad Ali. Amjad Ali khan was the first who appointed Shiite mufii and made the law of Shiism the law of province of Oudh in 1842 (Hollister, 1988: 161). On his death, succession passed on to his younger son Wajid Ali Shah. He is considered to be the last of the kings of Oudh who ruled till 1887 A.D. In this way nawabs had played a vital role in the development of Shiite faith. Coming of Shias and their growth and development in different epochs shows the determination of missionaries, religious preachers in spreading the Shiism in almost all parts of India especially Deccan Kashmir and Lucknow.
2.4 Islam in Kashmir

Islam spread in Kashmir not as a result of persecution but due to peaceful methods of preaching and persuasion carried out by missionaries. Islam made its way into Kashmir, says Stein, not by forcible conquest but by gradual conversion, for which the influx of foreign adventurers both from the south and from central Asia had prepared the ground (Wani, 2004: 30).

During the reign of Raja Sahadev in the beginning of 14\textsuperscript{th} century, three adventurers, Shah Mir from Afghanistan, Rinchan Shah from Ladakh and Lankar Chak from Gilgit came to Kashmir.

Kashmir was ruled by Hindu rajas up to 1339 with a brief intermittent of three years rule (1320-1323) of Buddhist turned Muslim ruler, Rinchan. However the history of the spread of Islam in Kashmir does not originate with the establishment of the Muslim Sultanate in A.D. 1339. Muslims entered the valley long before 1339. They started entering Kashmir from the eighth century. The Sanskrit chronicler, Kalhana, supports this fact. These were mainly Muslim adventurers, fortune seekers and traders (Wani, 2004: 47).

The Arab Muslims reached close to the border of Kashmir in the eighth century. With the establishment of the Muslim rule in the surrounding areas, many Muslims entered Kashmir valley mainly as traders. However, there was a constant threat of Arab invasion. In order to strengthen their position, the rulers of Kashmir extended patronage to Turuska (Muslim) warriors to settle in the valley. The result was that a large number of Muslims and others immigrated to Kashmir and were
appointed to high positions in the army (Wani, 2004: 172). By the beginning of the thirteenth century, Muslims formed an important section of the Kashmiri population.

The first known convert to Islam was the ruler of the time, Rinchan Shah (1320-1323), who embraced Islam at the hands of a missionary named Bulbul Shah and assumed the name of Sultan Sadr-ud-Din. Rinchan Shah’s conversion to Islam marks a turning point in the history of Kashmir as it was followed by the conversion of a large number of people. After the death of Rinchan in 1323 A.D., the Hindus regained the throne and ruled for the next sixteen years. It continued till the Muslim Sultanate, which was established by Shah Mir in 1339 A.D. with the help of local nobility.

Before a discussion on how Islam spread in the Kashmir, it is important to examine briefly the society of Kashmir, which Islam encountered. When Islam came to Kashmir, the society was characterized by structured social relationships where the systems, institutions and ideologies did not function uniformly. The two major religions, which Islam encountered in Kashmir, were the dominant Hinduism and the enfeebled Buddhism. Both the religions had got corrupted and were not in their pristine form. A number of the cults had emerged both within Buddhism and Hinduism. Many non-conformist movements had arisen which weakened the position of Brahmanism. At times, such revolts found open expression in the ruthless defilement of idols (Wani, 2004: 151).
Buddhism, the second largest religion of Kashmir, was reduced to a religion of idolatry and sorcery. At that time, Kashmir was ruled by wicked rajas and there was lack of character and morals among officials. The dominant minority wanted to maintain status quo whereas the masses were trying to get freedom from their cruel masters. This state of affair provided a fertile ground for the mass conversion to Islam in Kashmir. Islam offered an escape to Hindus from the oppression of higher castes. “Islam is a force of volcanic sort, a burning and integrating force, which under favorable conditions may even make a nation” (Risley, 1915: 217).

Conversion to Islam was mainly carried out by the Persian and central Asian missionaries. Kashmir figures among those cases of Islamization, which does not fall within the category of what is called: “the militant expansion of Islam” or “Conversion under Muslim political rules established by conquest” (Wani, 2003: VI). It was essentially a peaceful conversion carried out by Muslim missionaries.

During the reign of Sultan Shihab-u-din (1354-73), the process of Islamization got activated primarily because of the arrival of four Kubravi Sufis: Sayyid Hasan Bahadur, Sayyid Haider, Sayyid Taj-ud-Din and Sayyid Hussain Simnani. Under the influence of these Sufis, the Sultan opened many maktabs and Khanaqahs in Srinagar. These Sufis won many large scale conversions. The landmark event in the history of the spread of Islam in Kashmir is the arrival of Sayyid Ali Hamadani with his 700 disciples in 1384. They adopted a policy of
Islamization of the royal family and the court as a prerequisite for Islamizing the people.

Syed Ali along with his disciples established hospices all over the Kashmir, which served as Centers for the propagation of their religion, and definitely furthered the acceptance of the faith of the Prophet of Arabia. They mainly preached ethical values and social justice as provided in Islam, which must have made a magnetic appeal to the oppressed and downtrodden masses of Kashmir. Due to his extraordinary efforts in the propagation of Islam in Kashmir, Sayyid Ali is popularly known as *Bani-e-Mussalmani* (founder of the Muslim creed) in Kashmir.

Sayyid Ali Hamadani’s mission was carried on by his son Mir Muhammad Hamadani, who came to Kashmir in 1393 A.D. Due to Mir Muhammad’s persuasive teachings, the reigning Sultan Sikandar (1389-1413) Islamised the administration. However, the most important development of the reign of the Sultan was the conversion of a large number of people to Islam, including many upper caste people including the Prime Minister of the Sultan named Suhabhatta. The foundation of Islam was made stronger by the creation of many Islamic institutions all over Kashmir. Not withstanding Mir Muhammad Hamadani’s fervid proselytizing zeal shared by Sultan Sikandar too, Islam would not have made such a progress without the whole hearted support of neo-converts who turned out to be phenomenal zealots, who pulled down many temples and imposed ban on many un-Islamic practices (Wani, 2004: 64). This new situation accounted for some forced migrations from Kashmir. However, this condition changed with
Muslims were in the majority. Islam had replaced Hinduism as the mass religion of Kashmir.

2.5 SHIISM IN JAMMU & KASHMIR

Jammu & Kashmir is a multi-ethnic and multi-religious state with 64% of Muslims, 33% of Hindus and 3% of Buddhists, Sikhs, Christians and others. There are three geographical regions. These are

(1) Ladakh with 58% of the total area of the state and 3% of the total population.

(2) Jammu with 26% of the total area and 45% of the total population.

(3) Kashmir with 16% of the total area and 52% of the total population.

Of the state’s 64% of Muslims who reside in Kashmir region about 13% are Shia Muslims. It is difficult to say when exactly Shias came to Kashmir but it is quite clear that towards the beginning of 16th century, there were large numbers of Shias in the valley. The two major important factors for the spread of Shiism in Kashmir is the inflow of various missionaries who made large number of conversions. Famous among them are as follows.

Mir Syed Ali Hamadani

Mir Syed Mohammad Hamadani

Syed Sultan Hyder ul Kibravi

Syed Sail-ud-din ur dabili
Syed Tajuddin Hamadani

Mir Shamsuddin Iraqi

Mir Mohammad Madni

Syed Hussain Kibravi

Kamal-u-din Madni

Syed Mohammad Jiblul Aamili

Syed Mohammad Hasari.

And few other Syeds like Syed Hasan Kummi and Syed Hussein Kummi (Taing, 1998: 164-165). Another important factor is the state support given by different rulers to their preaching. Important among these rulers were those belonging to the Chak dynasty who provided support to Mir Shamsudin Iraqi.

By the end of 14th century, when Qutubuddin from Shah Mir dynasty was in power. Syed Ali Hamadani commonly known as Shah-e-Hamdan arrived in Kashmir along with 700 disciples. Syed Ali Hamadani is said to have been a Shi'ite and his religious preaching reflect love and devotion for Ahl-Bayt. Nurrullah Shushtari in his work “Majalisul-Muminin” has included him in the list of Shiiite Saints (Hasan, 1974: 57). Mir Syed Ali Hamadani by his learning and devotion along with his disciples in different parts of Kashmir made 37,000 converts to Islam (Hasan, 1974: 235). His mission was later on taken by his son Mir
Mohammad Hamadani who arrived in Kashmir in 1393 and stayed for twelve years leaving behind large number of disciples.

Among the disciples of Mir Syed Ali Hamadani, one prominent figure is Mir Mohammad Nurbakshiya. He was given the title “Nur Bakshiya”, which means bestower of light by his guide Khuttalani: a prominent Sufi. Nurbakshiya’s work is remarkable and is remembered for the spread of Shiite faith in the valley. The Nurbakshiya sect was introduced by Shamsuddin Iraqi in Kashmir (Hasan, 1974: 285).

In 1389, there was entry of Sabzwar Sayyids who were Shias and were welcomed by Sultan Sikandar from Shah Mir dynasty. Sultan was impressed with one of the Sabzwar Sayyids called Sayyid Mohammad Bayhaqi, which resulted in Sultan’s younger brother’s marriage (Zain-ul-Abidin) with the niece of Sayyid Mahmud Bayhaqi. This way Bayhaqi Sayyids got administrative power from Shah Mir dynasty who ruled Kashmir for about 200 years and it continued even after the death of Sultan Zain-ul-Abidin. This way Bayhaqi Sayyids spread religious preachings.

Shah Mir dynasty began to decline after the death of Sultan Zainul Abidin and it was replaced by the rise of Chaks to power who had immigrated from Gilgit, a Shia region. Chaks became Shias with the influence of Mir Shamsuddin Iraqi who made them Shias openly (Rizvi, 1986: 167).

Mir Shamsuddin Iraqi is the most important missionary in the history of Kashmir. He came twice to Kashmir in 1496 A.D and 1501-1502 A.D. His visit
was fruitful in preparing ground for the propagation of Nurbakshiya Sufism. He made a large number of converts the distinguished, among these are Kaji Chak and Musa Raina and it is the support of Kaji Chak and Musa Raina that Shamsudin Iraqi gained a strong footing in the valley. The rule of Chaks lasted till 1587, when Mughal Emperor Akbar conquered Kashmir. The Mughals remained in power from 1587 to 1752 (Hasan, 1974: 287).

Shias have suffered a great loss after the decline of Chak dynasty. Mirza Hyder Doughlat attacked Kashmir in 1533 and his reign was very tough for Shias. As a result they were scattered in different parts of Kashmir (Hamdani, 1970: 43-44). Nurbakshiyas regained power after the death of Mirza Hyder Daughlat. Meanwhile, Shiism was declared as a state religion by Persia under the influence of Shah Ismail, the founder of Safavid dynasty (1502-1736). This development influenced Shias very much and proved to be a catalyzing force for the birth of Shiite movement in Kashmir.

2.6 Social Structure

Social structure is one of the central concepts of sociology but there is apparent lack of compatibility and uniformity in conceptualization and explanation. The concept of social structure has a relatively long history, although it became widespread after World War II. The development of the concept of social structure could be attributed to the works of Spencer and Durkheim who have used this concept broadly and were considered to be pioneers in setting the sociological and anthropological traditions in the study of social structure. Spencer
defines structure of the society with the help of organic structure and evolution. In
general, society has been considered by these organic analogists, as a kind of
living creature, the parts of which can be dissected and distinguished.

Different sociologists and social anthropologists have defined social
structure in their own way. British anthropologist Radcliffe-Brown (1962) has
defined social structure in 1937 as the inter-relationship or arrangement of parts in
some total entity as the whole. In 1950, he explained that the components of social
structure are human beings: the structure itself being an arrangement of persons in
relationship institutionally defined and regulated. In 1952, he redefined social
structure by stating that it consisted of human beings not as biological organisms,
but as occupying positions in social structure.

M.Ginsberg regards social structure as the complex of the principal groups
and institutions, which constitute societies (Bottomore. 1962:113). This apparently
seems to be a framework manifesting the integrative pattern of any society under
study.

Nadel has pointed out “we arrive at the structure of a society through
abstracting from the concrete population and its behaviour pattern or network of
relationships obtaining between actors in their interpersonal roles” (Bottomore,
1962:114). In every society the conduct of persons in their interaction with each
other is controlled by norms, rules or patterns, so that in any relationship within a
social structure, a person knows that he/she is expected to behave according to
these norms and is justified in expecting that other persons should do the same.
Raymond Firth has defined social structure as an analytical tool, designed to serve us in understanding how men behave in their social life. The essence of this concept is those social relations, which seem to be of critical importance for the behavior of the members of society, so that if such relations were not in operation, the society could not be said to exist in that form (Marshall, 1998: 648-649).

The terms ‘system’ and ‘structure’ are not always synonymous, but they are often indistinguishable. In Parson’s discussion social system is a wider concept than social structure. Parsons has defined social system as consisting in a plurality of individual actors interacting with each other in a situation which has at least a physical or environmental aspect, actors who are motivated in terms of a tendency to the “Optimization of gratification” and whose relations to their situations, including each other, is defined and mediated in terms of a system of culturally structured and shared symbols (Mitchell, 1969: 203). The social structure therefore is a mesh of mutual positions and interrelations in terms of which the interdependence of the component parts may be described; the function of any part is the way it operates so as to maintain the total system.

It is evident from the above definitions that the concept of social structure has undoubtedly undergone a series of refinements and specific well developed meaning has been attached to it by sociologists and social anthropologists. In order to study structure of any society, it is therefore important to know about the interrelations or arrangements of parts of the social system. These parts can be persons, social position, groups, ideas, roles etc. The very similarity in the explanation of social structure provided by different scholars is that structure is composed of
various parts and these parts are interlinked but the difference in the explanation lies in “what would count as a part”.

To sum up, a social structure may be defined as the totality of patterns of collective human phenomena that cannot be explained solely on the basis of human heredity and/or non-human environment. This definition includes five components, an individual component, a group component, a morphological component, a systemic component, and a cultural component. The interrelation of all these components gives rise to a social structure.

In the present study, an important aspect of social structure called marriage payments has been focused. It was not possible for a researcher to focus all the aspects of social structure as it is a wide concept. The study deals with the rituals associated with marriage payments among Shia Muslims of Srinagar.

2.7 SOCIAL STRUCTURE OF SHIAS WITH SPECIAL REFERENCE TO MARRIAGE PAYMENTS IN SRINAGAR

The state of Jammu & Kashmir represents almost all the major religious faiths, which include Hinduism, Buddhism, Jainism, Christianity, Islam and Sikhism. The Archaeological Survey of India (ASI) has carried out ethnographic survey of India under the name “people of India” (POI) project. In Jammu & Kashmir the project has identified one hundred eleven communities spread over three cultural zones, eleven districts, forty-nine cities and towns and thirty villages. Out of one hundred eleven communities studied, fifty-seven are Muslims, forty-three are Hindus, five Buddhists, two Christians, one Jain and three Sikh. The
The majority of the Muslim communities are found in the valley totaling 50 (Singh. 2003: 48-49).

The population of the valley is marked by homogeneity of religion and language. About 94% population of the inhabitants is Muslim by faith and 89% speak the Kashmiri language. The followers of Islam are divided into three sects of Shias, Sunnis, and Wahabis. Occupationally, Muslims are engaged in agriculture, animal husbandry, fishing, hunting and gathering. A significant proportion of population is engaged in organized as well as unorganized sectors.

2001 census of India shows, that the total population of Jammu & Kashmir is 10,069,917. 89% of the population lives in rural areas with agriculture as main occupation. The population in Srinagar is little over 1.2 million.

Describing pre-Islamic social structure of Jammu & Kashmir, Kalhana’s *Rajatarangini* provides the best available account. The following picture emerges from *Rajatarangini*.

Brahmins: Custodians of scriptures, priests, teachers, and warriors.

Rajputras: Tantrins, Ekangas, and Lavana.

Damara: Landed aristocracy.

Kayastha: Officials.

Shudra: Menials (Dombas), Chandal.
Nishad: Boatmen.

Miscellaneous tribal groups: Khasa (Khakha) Bomba, Dard, Bhatta, kirat.

The ethnic composition of J & K changed due to the advent of Islam after 13th century. It led to the emergence of an entirely new social structure. With the influx of Muslim saints and philosophers from Persia and central Asia, except Brahmins most of the people belonging to different castes embraced Islam. Some of the Brahmins were, in due course of time, converted to Islam. They were divided into Katkuns and Bhashya Bhattas. The new social structure comprised of Hindus and Muslims.

Hindu: Muslim

Brahmins: Saiyid

Kshatriyas: Sheikh

Vaishya: Mughal

Pathan

Shudra: Taifadaran

Miscellaneous nomadic tribal groups: Adha-Agwam/Nangar.

From the picture presented above, it is clear that Brahmins were partially replaced by Syeds. Kshatriyas formed the rank of Sheikhs, Vaisha formed rank of Mughal and Pathan, Shudras formed the rank of Taifadarans and nomadic tribals
formed the rank of Adha-Agwam. It is apparent from the above presentation that except Brahmins who were partially successful in retaining their Hindu identity, all other castes merged into the fold of Islam. The next phase of social metamorphosis may be depicted in the following presentation.

Brahmins : Saiyid

Sheikh

Mughal

Pathan

Taifadaran

Adna - Agwam.

Hasan (1896) is the first after Kalhan to present a post–Islamic ethnic profile of Kashmir, which has undergone a drastic change. The traditional varna order was replaced by an Islamic system. (Singh, 2003: 11-13).

After conversion to Islam the masses retained many Hindu practices related to caste, family, marriage customs, etc. Along with the practice of dower, they also adopted the un-Islamic practice of dowry payments.

In the present study, an important aspect of marriage called marriage payments is focused to explicate these marriage payments (practices) and the relationship it holds with the social structure. Various sociologists have studied the
practice of marriage payments with the aim of showing its linkage with the social structure of particular societies. M.N.Srinivas, while discussing the causes of dowry, one of the forms of marriage payments reports that dowry system cannot be understood without reference to the caste system (Srinivas, 1983: 8). The sociological study of Roulet reveals that the maintenance of social status is an important factor in the practice of dowry. From the above description, it is clear that practices are shaped by social structure and persist only if it fulfils the demand of society.

The cultural study of Jammu & Kashmir would reveal that Muslims (both Shia and Sunni) have retained the un-Islamic practice of dowry payments even after their conversion to Islam. Caste system is also a remnant of the Hindu culture seen in Jammu & Kashmir. So, marriage customs are directly or indirectly linked with traits of old culture, which has become a part of cultural heredity, an important dimension of social structure and an inseparable aspect of social life.

Kashmir’s composite culture is unique and ancient. It has ingredients of Hindu, Muslim, Jewish, Bhudists cultures and it may not sound reasonable if Kashmiri culture is termed essentially a Muslim culture (Qadri, 1997: 127). It was not possible for converts to completely part their ways with the age-old traditions and the customs they had been following before their conversion. According to Kalhana, “Habits fixed by long practice are not likely to cease, even when their reason is gone”. Formal conversion to Islam and practical inheritance of old culture thus went hand in hand (quoted in Qadri, 1997: 45).
2.7.1.1 RING CEREMONY OR NABAD NISHAIN

On this day groom’s close kins (whose number varies), visit bride’s home and present some gifts, which include gold rings, ear rings and other jewelleries to her. Nabad nishain is not a strong agreement and is associated with promise giving between the two parties which is called kasam driya. Nabad nishain is not authentic and legal. There is a possibility of breakup, although that happens rarely.

2.7.1.2 NIKAH NISHAIN OR BAED NISHAIN

It is also called baed nishain (a bigger nishain). On this day relatives and friends are invited from both sides. It is a strong agreement and is considered to be equivalent to marriage. On this auspicious day, guests of groom and a maulana (a priest: dignified religious man who recites Quranic verses at the time of nikah) complete the formalities relating to the waqalatnama (paper/deed of the nikah agreement on which signature of both bride and groom are taken). Maulvi gets waqalatnama signed by bride in presence of relatives of the bride’s family. Sometimes waqalatnama is being confirmed on spot by the maulvi in the gathering and sometimes it may be taken by him and is confirmed at his residence after getting signature from groom. Mehr is also fixed for the bride and usually the bride’s family fixes the amount of mehr. In earlier days mehr was fixed in hundreds and now the trend has changed, it is in thousands and lakhs. The bride’s family arrange a big copper pot called maazdikcha, full of mutton or chicken (cooked), and is sent to groom’s house before the party starts. A gold chain for the groom is placed at the top of maazdikcha. It is also customary for a man who
accompanies this pot, to carry with him a gold ring (vaij) or a gold coin (pound) for offering the same to the prospective groom. With the copper pot, a basket full of different varieties of sweets (mithaye) is also sent. On the same day, groom’s guests are supposed to visit bride’s house and are served with wazwan (exclusive meal prepared by special Kashmir cook, consisting of 15-20 dishes made by “wazas”-cook).

Groom’s side brings gold, clothes and other gift items for the bride. It is obligatory among Shias to wear the same dress presented by groom’s side at the time of nikah. It costs not less than one lakh for the bride’s family to arrange the party for groom’s side on nikah ceremony. After the nikah ceremony, the bride’s family sends gifts to the groom’s house, which is called “haziri”. Haziri consist mainly gifts for groom and his family.

1. Gold for groom.
2. Clothes for groom.
3. Shaving kit.
4. Karakuli topi (cap made from the lamb’s hide).
5. Gold for groom’s mother or clothes.
6. Clothes for groom’s father.
7. Gold for sisters of groom if any.
8. Clothes for brothers if any.

Also both the parties are supposed to exchange gifts in the form of gold, clothes, cash etc on auspicious days like Eid. Gift exchange also takes place at the
onset of winter season called *wandi bogh* which includes *kangri*, woolen clothes etc and at the onset of summer season again clothes etc are sent known as *ratikail bogh*. All these gifts are exchanged till marriage to strengthen the relation between two affinal groups.

Thereafter, the formal date for marriage is fixed which is called as *sathnama* (*a paper showing date of marriage*). The *sathnama* is sent through a respectable member of groom’s side, who is accompanied by *mazimyaur* to the bride’s home. Again with *sathnama*, jewellery is sent for a bride. The bride’s side is supposed to arrange a special feast to celebrate the occasion of *sathnama*.

Finally, marriage is arranged in an orderly manner i.e. the entire process of marriage is held at groom’s as well as bride’s house for which elaborate arrangements are made. As far as the invitation of the guests by the bride’s side is concerned, the number of invitees is fixed on the occasion of *sathnama*. Usually the number of guest varies between 80-100 or sometimes more than that. They are served with delicious *wazwan* at the bride’s place. The first day of marriage is called *mehndi raat* or *manzirath* in local terms. *Manz* is applied on the hands and the feet of bride. All the relatives or friends are invited by both the parties and are served with *wazwan* i.e. groom’s side arrange party at their residence and bride’s at their residence.

The second ritual is called *masnand nishain* or *khandar* or marriage, is a celebration of great pomp and show. At bride’s place the guests are served the food, in spacious *shamiyans* (water proof tents) with all the necessary
illuminations to make the occasion look charming and fascinating for the groom and his guests. Here again the bride’s parents have to spend lots of money. The groom’s side has to arrange transport for carrying baratis (guests accompanying the groom) to bride’s home, which is also very expensive. This occasion is called yanevol. The baraat is welcomed, with traditional Kashmiri songs called Vanvun. The groom accompanied by his guests is served with wazwan and afterwards groom is presented lots of gifts especially gold by the relatives (close kith and kins of bride) and cash, which is called vartau in local terms. Meanwhile the bride finishes her packing and couple gets ready to leave. Again gifts like household items, electronic goods, gadgetry, etc. are sent along with the baraat to groom’s house or the gifts are sent before two or three days of marriage. It may be noted here that the gifts given by the groom’s party to the bride before the marriage or on the marriage are sent back with the baraat. Overall arrangements at the bride’s house are of very extraordinary nature and involve huge expenditure. After the masnand nishain, the groom’s side celebrate third day of marriage known as wathal or walima to celebrate the occasion, in which the most prominent friends, relatives etc. are invited. The marriage comes to an end on this day. After the third or fourth day of marriage, relatives and friends of bride are supposed to visit bride at her in laws home, accompanied with gifts of different types. These gifts are called khabar. The system of functions from bride’s side comes to an end after phir saal, the day when the couple is invited by the bride’s parents three or seven days after marriage.
2.8 TYPES OF GIFT GIVING AMONG SHIAS:

The mode of gift exchange is a two way process among Shia’s of Srinagar like most of the communities world wide.

(a) Gifts from bride’s side

(b) Gifts from groom’s side

2.8.1 GIFTS GIVEN FROM BRIDE’S SIDE

1. Gold for bride
2. Clothes including shawls, woolens for bride
3. Household items, electronic goods, gadgetry furniture etc
4. Copper utensils called *tram*
5. Sometimes cash for couple
6. Gifts for groom (gold, clothes, cash etc.)
7. Gifts for the mother of groom (gold) called *hashi kanth*
8. Gifts for the sister of groom (gold or clothes) called *zaemdaįj* in local language
9. Gifts (clothes) for groom’s father
10. Gifts (clothes) for groom’s brother
11. Gifts for other members of the groom’s household if any
12. Gifts (gold or clothes) for those who had visited bride house on *nikah* ceremony.
2.8.2 GIFTS GIVEN FROM GROOM'S SIDE

1. Gold for bride
2. Clothes for bride
3. Makeup items for bride
4. Gifts presented to her on different occasions like Eid etc. before marriage.

The marriage payments among Shias in Srinagar can also be shown in the form of the following table.
### Table 2.2: Marriage Payments

<table>
<thead>
<tr>
<th>Gifts by bride’s family</th>
<th>Gifts by groom’s family</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Nishain:</strong> (engagement party held in both houses). Bride’s parents give gold chain or coins to groom along with maazdikha. Also gift is sent for groom’s mother mainly gold items.</td>
<td>Gold and clothes and cash are given to bride from groom’s side. The amount of cash given depends on the economic condition of groom’s family but it usually doesn’t exceed Rs 10000. Gifts which are presented by the groom’s side ultimately go back to them and form part of conjugal fund. However, the cash is sent back by bride’s family on the same day; either returning the same amount or doubling the amount.</td>
</tr>
<tr>
<td><strong>Hazirkhana:</strong> (gifts given to groom and his family before marriage). It mainly includes clothes, shaving kit, gold and things of personal use to groom and gold or clothes for his family.</td>
<td>No reciprocal gift giving</td>
</tr>
<tr>
<td><strong>Khandar:</strong> (marriage day). Bride’s parents give gifts to their daughter like gold, clothes, gadgets, furniture, etc. and gifts for groom like watch, gold chain and costly suits. Further, an extravagant feast called wazwan is served by brides side to groom’s party.</td>
<td>Gold and clothes for bride which ultimately go back to groom’s house.</td>
</tr>
<tr>
<td><strong>Others:</strong> Gifts are given by relatives and friends of bride to the couple on the occasion of khandar which is called vartau.</td>
<td>Gifts are given by relatives and friends of groom to the couple on the occasion of khandar which is also called vartau.</td>
</tr>
<tr>
<td><strong>Khabar:</strong> Gifts given by the relatives and friends of the bride to bride after few days of marriage at her in-laws place. These gifts include traditional utensils called tram, household items etc. These gifts also form a part of conjugal fund.</td>
<td>No reciprocal gift giving</td>
</tr>
<tr>
<td>No reciprocal gift giving</td>
<td><strong>Mehr:</strong> A fixed amount given by groom to bride.</td>
</tr>
</tbody>
</table>
2.9 Wazwan: Part of Dowry

The history of Kashmir's traditional cuisine, *wazwan*, dates back to the last decades of the 14th century. The Muslim missionaries of central Asian cities and towns who started immigrating to the valley were notably religious preachers. But most of them were trained weavers, woodcarvers, architects, calligraphers and cooks. The descendants of these cooks came to be known as "*wazas*", who are the master chefs of Kashmir. Throughout the history, Kashmiri cuisine has stood high and unrivaled.

Kashmir is famous for its hospitality. A gourmet's delight, *wazwan* is the ultimate name in Kashmir banquet. This royal cuisine of Kashmir has been influenced by Iranian, Afghan and Central Asian styles of cooking. However, it has been able to maintain an identity of its own. *Wazwan* is a special feast based on seven to some thirty dishes. *Wazwan* is prepared by a group of cook called *wazas*. It is highly expensive but without it hardly any marriage is complete. To prepare *wazwan*, for 5-6 hundred people it costs between Rs. three and four lakhs. It goes without saying that most families spend an entire life's saving on it while there are many more who find themselves forced into borrowing money for this purpose. Somehow, a linkage has been established particularly between marriage and *wazwan* in as much as it is unthinkable in absence of the other. Even as many a protagonist would insist on the inseparability of the *wazwan* on marriages, not so much as a mandatory requirement but as a cultural necessity. There can be no denying that it gives rise to numerous other problems, particularly for the families which cannot afford it but go for it as a social compulsion.
Wazwan is a social obligation and a part of culture, which needs to be followed by everyone irrespective of the economic status. Parents of the bride not only invest on gifts given to the bride and groom but wazwan as well i.e. feast for baratis and guests that too very extravagant. Thus anything, which involves a bargain or force in consideration of marriage according to Srinivas, is considered to be a dowry. Although Shias do not consider wazwan as a part of dowry but parents seem to be worried about the expenditure required in wazwan more than the expenditure on the gift giving. Social practices and customs related to marriage are almost common among Sunnis and Shias in Srinagar. This is owing to the fact that all are sharing the common culture, practices and are parts of the same social structure.
CHAPTER 3

LITERATURE REVIEW
CHAPTER 3

Literature Review

Review of literature is a very important part of research exercise. Literature review provides a solid background for a researcher’s investigation. Comprehensive knowledge of the literature of the field is essential as it helps a researcher to explore ideas related to the topic under study.

A literature review is an account of what has been published on a topic by concerned scholars and researchers. The purpose of writing the literature review is to convey to readers what knowledge and ideas have been established on a topic as well as its strengths and weaknesses. It helps a researcher to think broadly and to relate the information gathered from field with that of existing body of knowledge for further theorization.

As the present topic is related to the practice of marriage payments among the Shia community of Srinagar, it is imperative to review the materials available related to it. By doing so I will try to define, as well as clarify, the terms and processes already being explored by different scholars. The materials reviewed here include papers published in journals and books as well as some unpublished papers. Most of the reviewed literature is qualitative in nature.

3.1 MEANING OF MARRIAGE PAYMENTS

Marriage is traditionally conceived to be a legally recognized relationship between an adult male and female that carries certain rights and obligations
Marriage involves exchange of gifts between bride’s kin and groom’s kin and these gifts are called marriage payments. These payments form an important part of marriage, without which, hardly any marriage is solemnized particularly in Indian context. Sociologists and social anthropologists have studied marriage payments in different regions and cultures and have defined the mode of payments differently.

Indian society is a mosaic of many cultures. Infact there are cultures within a culture. Cultural regions can be identified by some cultural traits and by the people themselves. Different cultures show different ways of social practices, so is the case with marriage payments.

Comaroff is of the view that “Marriage payment is not to be understood by the cross cultural comparison of their surface manifestations and their general social correlates, but by first establishing their relations to other organizational elements within encompassing systems” (Comaroff. 1980: 33).

Thus marriage payments are interlinked with other elements of the society and, without the involvement of these elements e.g. affinity, descent, sex, age, devolution and rank, ceremonial exchange etc., it is hard to understand the meaning of marriage payments. These elements of society together constitute social structure.

Tambiah defines marriage payments as “comprising an elaborate series of payments back and forth between the marrying families. The series of gifts
extends over a long period of time and persists after marriage”, e.g. in the form of mother’s brother’s obligation to his sister’s children (Tambiah, 1973: 92).

Thus marriage payments in a nutshell may be defined as gifts associated with marriage. The mode of giving and receiving of the gifts depends on the type of payment.

3.2 TYPES OF MARRIAGE PAYMENTS

Spiro distinguishes four types of payments. These are dowry, dower, bride wealth and groom wealth. Generally these four payments have been conflated in two broad types; dowry and bride wealth or bride price. He has defined dowry as those gifts which are given to bride or groom by the family of bride on marriage. Gifts given, therefore, become a sort of conjugal fund. Dower is the payment given by the groom to her bride. Bride wealth is the amount or some other things, which are paid by the family of groom to the family of bride. The main difference between bride wealth and dower is that former means gift from groom to bride’s parents and latter means gift to bride only. Groom wealth is just opposite of bride wealth in which gifts are given by the family of bride to the family of groom (Comaroff, 1980: 4).

William J Goody opines that both dowry and bride wealth have their economic functions and they should be viewed in that light. “Dowry can be seen as a type of pre-mortem inheritance to the bride, bride wealth as a transaction between the kin of groom and the kin of bride.” Goody has shown the marriage
transactions diagrammatically in the following manner.

**Figure 3.1: Marriage transactions**

<table>
<thead>
<tr>
<th></th>
<th>Groom ( \Delta )</th>
<th>Bride ( O )</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Goods ( \rightarrow )</td>
<td>Bride wealth</td>
</tr>
<tr>
<td>2.</td>
<td>Services ( \rightarrow )</td>
<td>Bride Service</td>
</tr>
<tr>
<td>3.</td>
<td>Goods ( \leftarrow )</td>
<td>Dowry</td>
</tr>
<tr>
<td>4.</td>
<td>Services/Gifts ( \leftrightarrow )</td>
<td>Gift exchange/ Sister exchange</td>
</tr>
<tr>
<td>5.</td>
<td>( x \rightarrow x )</td>
<td>Absence/token</td>
</tr>
</tbody>
</table>

Source: (Goody, 1973: 1).

The above diagram shows that there is transaction of goods or services or both depending upon the type of payment in consideration of marriage. In case of bride wealth, goods *viz.* cattle, cash are transferred from groom’s side to bride’s side. Bride service refers to the services which are rendered from groom’s side to bride’s side. In case of dowry, goods are transferred from bride’s side to groom’s side, and the case of sister exchange involves both transaction of goods and services from both side.

So far as the prevalence of dowry and bride wealth is concerned, dowry is characteristic of Euro-Asian societies and bride wealth is a feature of African
societies (Goody, 1973: 23). African societies are egalitarian in nature i.e. less stratified while as Eurasian societies are complex and stratified. This is the main reason why the nature of payment differs in these two societies. The mode of payment in consideration of marriage is directly linked with the type of society i.e egalitarian or stratified. The type of payment prevailing in a particular society has its own function. The function of bridewealth in African societies could be explained by comparing bridewealth marriage (kukwa) with marriage, which took place without bridewealth (kubula). In kukwa, children have right to inherit from their father and also husband has absolute control over his wife. Thus husband has both uxorial and genetrical rights. He is entitled to compensation in case of adultery and has complete right to recive or pay bridewealth of his sons and daughters. In case of kubula, husband has no genetrical rights and only limited uxorial ones. Children of such marriage have no rights to inherit from father and only take a major share of their mother’s brother’s property if he has no bridewealth children of his own. Thus non-payment of bridewealth means less conjugal bond and more consaguinal control over the bride. Weak conjugal bond often leads to adultery and husband in such a case is not entitled to compensation. Also it is the maternal kin who have rights and obligations regarding the bridewealth of such children (Goody, 1973: 16). In Eurasian societies, the presence of dowry is sustained by the essential social function it serves. Girls are generally denied of inheritance rights in parental property according to the traditional laws. So dowry functions as a sort of compensation to them. On the other hand, in African societies, one of the explanations for the non payment of
dowry could be linked with the homoparental inheritance system which means female inherit females and male from males.

Apart from these two distinctions, another form of marriage transaction, which is characteristic of a Muslim society, is *mehr* or dower. Dower refers to those gifts which are given by groom to bride.

In India, both dowry and bride wealth payments existed till 19th century. But now it is dowry, which is practiced by large number of Indians, even by those who earlier practiced bride wealth. So far dower is concerned, it is practiced by the Muslim community.

### 3.3 Dowry, Bride Wealth and Dower

#### (a) Bride Wealth:

The transmission of goods and services in consideration of marriage is an important feature of marriage practices of all known societies of the world. These marriage payments have received substantial attention in the sociological and anthropological literature. Of the two major types of marriage payments - dowry and bride price, latter involves transaction of gifts from groom to bride’s kin at the time of marriage. Bride price technically goes to the bride’s kin and not to the bride exclusively. It is a sort of compensation to the bride’s family (Klaas, 1972: 46).

As already stated bride wealth is the feature of less stratified African societies. In these societies, girls are economic assets for their families and bride
wealth payments are given for the compensation of that loss. At the same time, bride wealth received by parents of the bride is used to obtain a wife for a brother or even for father. Thus, this means that the fund does not remain confined to one place. It circulates at different times and hence also called as circulating fund. This means that in African societies bride price has an economic value (Goody, 1973: 7).

Tambiah defines bride wealth as the goods, which the bride groom’s family and kin transfer to the bride’s family and kin in return for which certain rights in the bride are transferred to the bride (Tambiah, 1973: 61). However, Goody has defined bride wealth in most of the Eurasian societies as those gifts, which are received by bride’s parents and are ultimately given back to bride and becomes a sort of indirect dowry (Goody, 1973: 1-2). But at the same time he has emphasized that the size of bride price payments depend on the quantum of rights transferred to bride (Goody, 1973: 3).

Gaulin & Boster (1990) reports that in two-thirds of the total 1267 societies listed in Murdock’s ethnographic atlas, bride price was normative while as dowry was dominant form of exchange in only six percent of the cases (Bhat, 1999: 129).

Absence or presence of bride wealth also depends on the matrilineality and patrilineality. Within the African societies, most of the matrilineal and bilateral societies show little or no payment of bride price. However, the payment of bride
price is high in patrilineal societies where children belong to the father’s side and are counted as his family members and inherit from him.

Williamson has differentiated bride wealth into big dowry and small dowry. The word dowry here doesn’t mean dowry but obviously bride price, and instead it should have been big bride price and small bride price. The former is related to patrilinial societies and latter to matrilineal societies, where the control over children lies in mother’s natal home and inherits within it (Goody, 1973: 16).

Coming to the Indian context, the bride wealth was prevalent in south India. All caste groups practice it (Srinivas, 1983: 10). But at the onset of the British rule, this practice of brideprice was replaced by dowry payment, to which the upper castes responded first, because brideprice payments were equated with the “sale of girl” which means inferior form of marriage so far as the religious text is concerned. So Britishers legitimized “brahma” form of marriage (dowry marriage) for upper castes and “asura” form of marriage (brideprice marriage) for lower castes (Srinivasan, Padma and Gary. n.d). Thus the custom of bride price, which was universal among south Indian castes, took a new shape i.e. bridewealth was replaced by dowry which became the prevalent practice thereafter. This switch of entire endogamous groups from the bride price to the dowry system in India could be attributed to many factors which will be discussed latter in this chapter.
(b) Dowry

The term dowry has been defined differently by different social scientists. It may be defined as those payments which are being given or promised to be given by the kin of bride to the bride, bride groom and his kin in consideration of marriage.

The dowry system dates back to at least the ancient Greco-Roman world. It was particularly prevalent in medieval and early Europe and is presently widespread in south Asia. In India, dowry first developed in the Vedic and post-Vedic period in different forms. It was a payment for a hypergamous marriage or a gift to the new couple to get started (Chetty, 2006).

The development of the institution of dowry in the Indian sub-continent is not uniform. Dowry developed in different castes and regions of India in several ways. Commenting on the growth of the institution of dowry in India, Srinivas observes that it is the product of various socio-economic factors like the monetization of economy, growth of education, hypergamy, lesser female work participation, emulation of higher caste practices by lower caste, etc. He has constructed two well accepted modes of dowry: (i) Traditional Dowry and (ii) Modern Dowry.

TRADITIONAL DOWRY

In Ancient times, marriage was considered to be a ritual sacrifice in which a bride was given to groom along with some gifts called *dakshina*. This practice
was seen mostly among Brahmins and other high castes. Dowry was a natural gift given out of affection to the girl who was parting with her parents and the basic intention of the gifts so given was to help the young couple in running a household. These natural gifts were intended as a small sum of capital and goods (kitchen vessels, basic furniture, household items etc.) that would enable the couple to start their new household (Chetty, 2006).

While discussing traditional dowry, two important rites, *stridhan* and *vardakshina*, needs to be discussed. *Stridhan* usually refers to the gifts given to a woman by her natal kin or by her husband at or after the wedding and *dakshina* is a subsidiary gift given to the groom by the parents of bride at marriage. The women’s property complex i.e. *stridhan* can be defined in terms of technical *stridhan* and non-technical *stridhan*. Technical *stridhan* includes gifts, which a woman receives from her natal family, husband, relatives, friends etc. It is this *stridhan* that a women exercise dominion independently of her husband. While as non-technical *stridhan* is the property acquired by a woman through the exercise of her labour. Woman has no authority to donate, sell or enjoy independently this part of *stridhan*.

According to a Hindu belief, the marriage associated with the ritual of *stridhanam* is considered to be superior because it involves gifting to a virgin. But *dakshina* and *stridhan*, according to Srinivas, cannot be mixed up with the dowry practice because the latter is integrated with bargain or force, which is not the case with the religious rites (Srinivas, 1983: 12).
Traditional dowry also throws light on the concept of hypergamy. Hypergamy means marriage between a man from the higher social status and a girl from lower status but from same caste or jati resulting in asymmetrical flow of gifts from wife givers to wife takers (Klaas. 1972: 98). Kokali Banarjee while defining the features of traditional dowry links it with the event of a marriage between women of inferior rank to a man of superior social rank (Banarjee. 1999: 650). Thus, status is achieved by wife-givers by paying dowry to wife receivers. It is therefore the ethical social and economic reasons, which serve as major instruments in making the custom of dowry rigid in pre-colonial India.

MODERN DOWRY

Modern dowry is the product of forces let loose by the British rule e.g. education, monetization and introduction to organized sector (Srinivas. 1983: 13). The transition from traditional dowry to modern dowry involves two basic elements.

1. The diminishing use of bride price due to emulation of higher caste practices by lower.

2. Shift from a true dowry to the much more costly groom price.

The traditional dowry varies from modern dowry. The later is characterized by large sums of cash frequently amounting to a few lakhs of rupees, which is transferred along with furniture, gadgetry, costly clothing and jewellery from the bride’s kin to the groom’s kin (Srinivas, 1983: 11). Modern dowry plays a role of
money with which one purchases a groom. The groom’s parents instead of demanding jewellery, clothes, domestic utensils, demand for electronic goods, car or cash. In post-colonial India, dowry has become a mechanism for parents to make money by selling their sons at fairly high price. Srinivas notes.

“Young men, who had salaried jobs and careers in the profession, were sought after as bridegrooms. They were scarce commodities. The parents of the lucky youth demanded cash and such goods as cycles, woolen suits etc. as part of the wedding agreement” (Srinivas, 1983: 11).

Marguerite Roulet while studying Brahman, Gosain, and Chamar families in semi-rural eastern Uttar Pradesh tried to explore the current practice and representation of dowry marriage by its members. He describes the occurrence of dowry in terms of three factors:

a. *Maang versus Khushi se.*

b. Modernity versus Tradition.

c. Trust and Distrust.

These three oppositions represented important frameworks through which people reflected upon the institution of dowry. Dowry has always been considered as a problem, as it is coterminous with demand (*maang*) from groom’s side on bride’s family. But at the same time marriage gifts are given to bride out of love and affection and are considered to be voluntary gifts or gifts given to bride (*khushi se*). Thus people represent dowry in both ways i.e. *maang* and *khushi se.*
This representation gives a discursive construction of dowry, the meaning of which is ambiguous.

Tradition and modernity are aspects for representing dowry as an institution according to Roulet. Dowry besides being a social institution is deeply rooted in Hindu religious philosophy like kanyadhan marriage and the link of dowry with modernity could be explained in terms of dowry being the symbol of prestige (Roulet, 1996: 97-99).

Dowry plays a central role in establishing the affinal relationship. Gift exchange between two parties became not only symbolic markers of, but actual instruments in the creation of the ties and obligations. Dowry exchanges thus played a central role in the transformation of a marriage negotiation between families marked by distrust into the creation of a relationship between affines based on trust and mutual obligation (Roulet, 1996: 100). It is again explained by Tambiah that the principal underlying the institution of dowry is the establishment of affinal relationship. The relationship of affinity is established by gift exchange, which persists long after the marriage (Tambiah, 1973: 64).

A number of sociologists and social anthropologists have put forward several theories of dowry. One of these is an influential theory presented by Goody and Tambiah. Goody has developed a model, which shows a contrast between African egalitarian societies and Eurasian stratified societies. Goody notes that dowry is part of a familial or conjugal fund, which passes down from holder to heir and usually from parents to the daughter. It is thus part and parcel of
the transfer of familial property, but a process of transfer that include women as well as men. Goody calls this transmission of property as diverging devolution (or the women’s property complex) (Goody, 1973: 17). Tambiah also favours Goody’s views and connects the pattern of devolution with patrilineality which excludes females from ownership of major fixed property. To him, dowry is a sort of pre-mortem inheritance given to the bride at marriage to compensate her share in major fixed property (Upadhya, 1990: 30). However, Madan (1975) in his work on Kashmiri pandits suggests that dowry can be seen as a substitute for women’s lack of rights of inheritance rather than as a compensation for inheritance rights of women. Thus the transmission of property through dowry should not be confused with inheritance (Upadhya, 1990: 30).

The theory of “Marriage Squeeze” introduced by Caldwell, Reddy, and Caldwell (1983) provides the explanation for the inflation of dowry payments. The marriage squeeze is a demographic phenomenon that relates population growth to the reduction in the age difference between brides and grooms. Various societies are characterized by differences in the age of spouses in which male being too older and women too younger. Thus females attain the marriageable age earlier than males, which results in the surplus of potential brides in the marriage market. There are two possibilities in order to overcome the problem especially in monogamous marriages viz either potential bride marry latter or reducing the marriage age of potential groom. This reduction in age difference between bride and groom is called marriage squeeze. This squeeze of age between the spouses causes inflation in dowry payments. Since supply of grooms to brides is less.
therefore increase in the price of husbands serve to equilibrate the marriage market i.e. dowry payments rise. Thus the theory of marriage squeeze implies that the spread of dowry is directly related to the higher ratio of females to males in which the groom become scarce commodity in the marriage market (Anderson, 2003).

Various ethnographic surveys show that dowry is the dominant form of marriage payment in the north while bride wealth is more commonly found in south India except in some Brahmin castes. In north India asymmetrical gift giving is a characteristic feature and in the south, symmetry of gifts is important.

Miller argues that “dowry in the north is more a means of cementing a good alliance within a hypergamous marriage system, while in the south: dowry is more a gift to the bride for her own welfare and protection” (Miller, 1981: 147-48). However the switch from bride price to dowry is increasing at a faster rate and its effects are now being reported in south as well (Srinivas, 1983: 10). There are various reasons why dowry is making its deep roots in the Indian society and why the custom of bride price payments is taking a shape of dowry. One of the explanations for the switch from bride price to the dowry is reflected in Manu’s dictum, that “no father who knows the law [should] receive gratuity, however small, for giving his daughter in marriage, since that man is a seller of his offspring” (Sheel, 1997: 1709). Thus sometimes religion-based argument may become the cause of dowry system prevailing in India. Thus any practice could not survive in the society, unless it is not functional.
According to Madan, dowry marriages are publicly and ideologically and morally validated, and bride price is considered the degraded and immoral form, and is therefore always under pressure to get converted into dowry (Tambiah, 1973:74).

Since every practice could persist if it fulfils the demands of the society. Dowry plays its function in many ways like it acts as a substitute for daughter’s right of inheritance, helps in getting a desirable match, elevates of status etc. Junsen Zhang and William Chan on their work on Taiwan give two important functions of dowry as follows.

1. It increases the resources of bride’s new family.
2. The threat of insecurity of bride increases her bargaining position in her family (Junsen Zhang, 1999: 786).

(C)Dower

Dower is practiced in almost all the Muslim societies of the world as an economic security available to the bride. People sometimes confuse the word dower with bride price. This confusion arises due to the fact that in both the cases the payment giver is the same i.e. groom’s side. Dower should not be confused with bride price. Dower is the amount of money or other things, which a bridegroom or his family agrees to pay to the bride under specific conditions. The payment of bride price goes to bride’s parents and not to the bride. This distinction between dower and bride price is well defined by Korson. According to him, bride
price is considered to be a payment of purchase price for a bride and its payment goes to father of the bride for the expenses he had taken for her upbringing. This is normally found in those societies where girls are economic asset for their families and their loss is compensated by bride price. Dower, on the other hand, is a sum of money the bride groom and /or his family agrees to pay the bride either at the time of marriage or at a later date, depending on the conditions of the contract (Korson. 1967: 527-528).

The Arabic word for dower is mehr or sadaq. It is mandatory for every Muslim to pay the amount and/or other things of mehr to their wives in their lifetime. Allah commands: in the Holy Quran: “And give them (the women that you marry) their compensation as an obligation” (Pirzada, 1996: 256 [Verse 24]).

As already mentioned, mehr is not bride price as it is usually mistaken. It is based upon mutual agreement between a groom and his bride. The Quran stipulates that mehr should be offered as a gift that is out of good will and with the intention that it is her right. Allah commands: “And give the women (upon marriage) their dower as a free gift and if they of their own sweet will, remit any portion of it to you, you may enjoy it with pleasure and satisfaction” (Pirzada, 1996: 236 [Verse 4]).

There was no concept of mehr at the time of jahiliyah period (the period before the time of Prophet Muhammad (S.A.W). Wives were obtained either by capture or by paying bride price. Women had no security and were relegated to a lower status. Prophet (S.A.W) gave new light to these distressed women by
making the system of marriage a contract in which a specified amount of *mehr* was made due on bridegroom. This system of *mehr* payment elevated the status of women (Levy, 1962: 95).

According to Henry Korson, the amount of *mehr* can be paid in various ways. These are as follows:

1. **Prompt mehr** means the sum of money, which is to be paid right at the time of marriage ceremony when the contract is made.
2. **Deferred mehr** is the sum of money, which is to be paid in case of separation or divorce.
3. **One-half prompt. One-half deferred** is the case in which part of *mehr* is paid at the time of marriage, and part of it is deferred.
4. **On demand mehr** in which the wife can impose a demand for the total sum at any time (Korson, 1967: 529).

The amount of *mehr* is not fixed. It may vary from few rupees to even lakhs. According to Fyzee, the social position of the bride’s family as well as her own personal qualifications is important guide in determining the amount of *mehr* that her family will expect (quoted in Korson, 1968: 696). The sum of money fixed by prophet Muhammad (S.A.W), which is also called *Rasooli mehr*, is approximately 32 rupees and it is of great significance in Muslim societies. This form of *mehr* is based on a religious tradition which holds that when the Prophet’s daughter Fatima (A.S) married, Ali (A.S), the bridegroom, pledged the equivalent of Rs 32/ (Korson, 1968: 698).
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Although *mehr* is of great importance in Muslim marriages without which no marriage can be finalized, but many studies reveal that people are ignorant about this necessary institution. In a survey conducted by Khurshid-ul-Islam on the study of urban Muslim marriage in Kashmir, the statistical results show the ignorance among Muslims about *mehr*. The results of the respondents are given below.

Should be paid before marriage: 50%

Not necessary to be paid: 27%

Can be exempted: 20%

Do not know: 3% (Qadri, 1997: 131-132).

3.4 EXPLANATIONS OF DOWRY

Dowry is so complex phenomenon that it is very difficult to assign its perseverance in the society to a single factor. Its explanations vary from certain religious injunctions in support of the practice to the socio-economic changes generated in the society. Some of the causes, which have rendered the menace of dowry to exist even today are described below.

3.4.1 SOCIAL STATUS AND DOWRY

Dowry is a status symbol. Men who do not practice dowry are sometimes devalued in the society (Majumdar, 2001: 399). The very fact that dowry has become a status symbol indicates that it no longer has any productive use. Instead,
it is a peculiar manner of conspicuous consumption (Chetty, 2006). Dowry, as we know, is a social evil and should be eradicated from its roots. But it persists in society and is practiced by majority of the people. Even poor of the poorest are in the grip of dowry system. Among the various reasons of its existence, one of the reasons is social status. The practice of dowry has become quite entrenched in the Indian marriage system. It appears that primarily dowry sustains because of the competition among potential brides and their families for gaining scarce eligible grooms. The mate selection system in most parts of India has long been characterized by hypergamy, with women from lower status families marrying higher status men within the same caste (Klaas, 1972: 96). Since marriages are traditionally hypergamous in nature, dowry becomes a vehicle by means of which bride’s families make status claims. The size of the dowry provides the bride giver an opportunity for social advancement by attracting a groom from a higher position in the status hierarchy. In turn, the groom’s family may select the economically desirable bride from among a pool of eligible brides. Trautmann notes that dowry is intricately connected with hypergamy, non-reciprocity between wife givers and wife takers, and the unidirectional flow of gifts (Sheel, 1997: 1711).

According to Roulet, “Dowry is not merely an institution confined to valorization of marriage, but serves more importantly as a central institution to define social prestige and status and thus becomes an important dimension of people’s representation of themselves and others” (Roulet, 1996: 91).
Rajaraman agrees with the view that dowry and social prestige are closely associated. According to him it is this status and prestige, which encourages people to participate in its practice (Rajaraman. 1983: 277). The transition of dowry involves a series of negotiations between families over their relative status and wealth that is given public acknowledgement, most notably during marriage ceremonies (Caplan, 1984: 220-21). In addition, bride’s parents are likely to believe that a generous dowry is essential to ensure that their daughter is treated well in her new home.

Again Srinivas notes “the change over to the system of dowry will be attributed to the increased wealth which enables people to spend more lavishly on weddings in their struggle for social recognition” (Srinivas, 1983: 21). Madan observes that in India, dowry is publicly and ideologically and morally validated, and bride price is considered to be degraded and immoral form as the former is measured in terms of social status and it is for this reason that the latter is always under pressure to be converted into dowry (Miller, 1980: 95). Thus when lower caste begin to sanskritize their rituals and practices, they began to shift from bride price to dowry marriage to demonstrate their upgradation in the social ladder.

3.4.2 FEMALE PROPERTY RIGHTS AND DOWRY

Many theories have been put forward to explain the occurrence of dowry. One of the hypothesis links dowry to the rights held by women and explains it as a premortem bequest made to daughters. Before discussing the bequest theory, it is
imperative to know the schools of law among Hindus explaining the inheritance rights of sons and daughters in parental property. There are two laws

1. Mitakshara law

2. Dayabhaga law

The majority of the Hindus, all over India, follow the Mitakshara School whereas Dayabhaga School of law is followed by the Hindus of Bengal. In Mitakshara law, property is distributed in a group of coparceners which can minimally include two persons and maximally some four generations of male who have joint rights to corporate property but need not to be co-resident, while female members are entitled to maintenance which includes residence, food, clothing, medical attention, education etc. (Caroll, 1991: 793). These rights, however, cannot be denied on the grounds that a woman may possess her separate stridhan property. Women are not members of the coparacenary under Hindu Mitakshara law and, therefore, they are not entitled to claim rights in coparacenary property (Caroll, 1991: 806). It is this Mitakshara law, which is followed by majority of Indians. However, in Dayabhaga law, interests in and rights over joint property differ radically from Mitakshara law. In Dayabhaga law, no coparcenary exists between a man and his son: the son acquires no interest at birth in the ancestral property held by his father. He acquires an interest in this property only on the death of his father. The rule of survivorship has no application in Dayabhaga law. The absence of a rule of survivorship in Dayabhaga law meant that a daughter
might well figure as an heir to her father’s joint family property (Caroll. 1991: 804).

The relation between absence / lack of inheritance rights in parental property and dowry has been examined by various anthropologists. While comparing the African and Eurasian societies, William J. Goody and Tambiah attribute the existence of dowry system to the absence of female rights in immovable parental property in traditional laws in Eurasian societies. Parents therefore think to compensate their daughter in the form of dowry. Thus dowry is seen as payments in lieu of women’s rights on parental property (Tambiah, 1973: 17). Modern dowry has its roots in traditional system of inheritance laws. In Mitakshara law, which is followed by the majority population of India, women are not the members of coparcenary property. Lucy Caroll explains such exclusion of rights as the main precursor that led to the creation of socially pernicious dowry system with its diverse social evils (Caroll, 1991: 806). Despite the Hindu Succession Act, 1956, which gave equal rights of inheritance to the daughter along with the son, daughters are denied of this right.

Modern Indian dowry system has its roots in traditional system of gift giving like kanyadhan (gift of the virgin), vardakshina (voluntary gifts given by the bride’s father to the groom) and stridhan (voluntary gifts given by relatives and friends to the bride) (Klaas. 1972: 37). While relating property rights of female with dowry, the concept of stridhan should be focused. Some of the important Hindu sources, which, besides other things, throw light on the women’s right to property or stridhan which literally means property of wife. The oldest
extant statement on *stridhanam* in dharmashastric works is that of Manu. According to Manu, the Hindu law-giver, *stridhan* has been presented as “what was given before nuptial fire (*adhyagni*), what was given on the bridal procession, what was given in token of love and what was received from a brother, a mother or a father, are considered as the six fold (separate) property of a (married) woman (Tambiah, 1973: 85). According to the sources, *stridhan* is of two types: one is maintenance (in money or land given by the husband), and the other anything else like ornaments given to her by her family, husband, in-laws and the friends of her husband (Anonymous, n.d_g).

Tambiah has linked daughter’s rights of inheritance or pre mortem inheritance with *stridhan*.

“The *stridhan* is a woman’s exclusive property and may be regarded as a substitute for the right of inheritance. Her, husband and relative-in-law acquire no interest therein” (Tambiah, 1973: 71).

Thus from the above explanations, it is clear that dowry has its link with the traditional system of inheritance laws. Despite the Hindu succession Act of 1956 in which both sons and daughters are equal share-holders in parental property, daughters are denied of their rights.

**3.4.3 COLONIALISM AND DOWRY**

Ranjana Sheel points out that the roots of the present phenomenon of dowry can be traced to Hinduism and the colonial state’s restructuring of socio-economic order (Sheel, 1997: 709). Colonialism has direct impact on the dowry...
system in India. Traditional way of gift giving was legitimized in such a way that it lost its identity and came out as modern dowry. Despite many positive contributions for the development of nation, like education, introduction of organized sector etc., colonialism disturbed the indigenous process (culture and tradition) of nation making and created many imbalances. Of the eight forms of marriages enumerated in the laws of Manu, four were assigned to upper castes altogether called brahma form of marriage and four to lower castes called asura form of marriage. The dowry payment is linked with the brahma form and the bride price to asura form. At the onset of British rule, the most significant change, which occurred in the realm of marriage transactions was the legality of the brahma form of marriage. This led to the move from the asura form of marriage to brahma marriage. The moving up in the social hierarchy led to the shift from bride price to dowry (Tambiah, 1973: 69).

Among the important features of colonial period was the diminishing role of women in the production activities. The decrease in the percentage of women workers is linked with the replacement of household industry by the factory industry, which made the women economically non-productive. So, they no more remained an economic asset for their families, which resulted in the switch from bride price to the dowry system (Rajaraman, 1983: 276).

Another important impact of colonial system on the practice of dowry is attributed to growing number of educated males. The system of administration introduced by the Britishers required large educated workforce. The modern educational system was introduced in India to meet the demands. Educated youth were recruited in the government jobs which raised their market value. Parents of
such youth started demanding huge dowries on their son's marriage so as to compensate whatever resources they had incurred on their upbringing and education. At the same time, parents of the bride are always desirous of marrying their daughter with a settled and employed groom. Consequently, two are linked with each other. Nishimura has also advocated this argument. According to him, the custom of dowry became common under the British regime as men who were in white collar jobs were rare, therefore such grooms become a scarce commodity. As a result, they were paid dowry by bride’s family. It is the British colonial government responsible for the creation of such jobs and the resultant practice of dowry (Nishumura, 1994: 246).

The social rules of marriage in traditional Indian society were based on unity and dependence on family. Every member of the family was dependent on the other, especially economic dependence. Family in traditional society was more than simply a social unit in which the group was placed above the individual i.e. the family as a group was more important than the individual members who constitute the group. But in modern society this holism has declined to a certain degree. This change of traditional family system to modern system is the direct reflection of commercialization, monetization and urbanization of the Indian economy and society. Commercialization is an economic process that includes the development of markets in land, labor, capital and commodities. Increased technological inputs in production and monetization in commodity and labor markets accelerated social change (Banarjee, 1999: 667). Thus commercialization
and education put little emphasis on the traditional values and importance was
given to consumption level as markers of social status.

Thus, we may conclude that colonialism has changed traditional marriage pattern in following ways:

1. Introduction of organized sector, modern education and monetization resulted in shift from traditional dowry to modern dowry.

2. Shift from bride price payments to dowry payments for the sake of gaining status.

3. With the introduction of industries, female work participation decreased which lowered their value in the marriage market.

**3.4.4 FEMALE WORK PARTICIPATION AND DOWRY**

Sociologists, who are attempting to explore causes of dowry, find a connection between female work participation and dowry. The 1971 census defines a worker as “a person whose main activity is participation in any economically productive work by his physical and mental activity” (Gulati, 1975: 35).

According to 2001 census, female work participation in India is low as compared to male. The following figure 3.2 reflects this low female work participation.
Despite the fact that a woman is indulged in household activities from dawn to dusk, her work is not considered to be productive in census data. In this way, male is considered to be bread earner of the family and women being dependent on him. This lowers her status in the society and is a burden on her parents before marriage and on her husband after marriage.

The National Committee on the Status of Women in India observes that the reasons for the increase in the withdrawal of women from labor force as well as the declining role of women in production activities is the replacement of household industry by the factory industry in the colonial period (Sheel, 1997: 1714). Srinivas also considers decline in female work participation responsible for the switch from bride price to dowry (Srinivas, 1983: 20).
Banarjee explains the connection between the two; by mentioning that the function of dowry is the compensation paid by the bride’s family to the groom’s family for their economically dependent daughter (Banerjee, 1999: 662). Thus, the dependence of women on men is compensated by paying dowry on the eve of marriage.

Boserup defines women’s agricultural role as the determinant of the mode of payment. She defines two types of societies: Bride price paying societies and dowry paying societies. In the former, the rate of women’s agricultural labor is high and in latter, the rate is low. Thus high level of dependence of women on male is seen in dowry paying societies (Gaulin. 1990: 995).

Economic dependence of female could be explained by a number of factors. In Indian society parents show preferential treatment in providing education to sons. It results into low literacy rate of girls. It is this disparity, which enable male to attain high social position and female lag behind them, which is reflected later on in the marriage market where women generally marry up and men marry down (hypergamy) resulting in women’s inferior position in the society. In order to attain status, women need to pay high groom price on marriage and the quantity of groom price depends on the status of groom (Banarjee. 1999: 670).

According to the Census 2001, the work participation rate of women, which was 19.7% in 1981 has increased to 25.7% in 2001. It is still low as compared to the male work participation rate, which is 52.6% in 1981 and 51.9%
in 2001 (NIPCCD, 2005: 135). It shows that despite an increase in the percentage of female work participation, they are still lagging behind the male. There are various reasons for the spread of dowry in the society. The declining rate of women’s participation is one of the major factors.

3.4.5 HYPERGAMY AND DOWRY

The term hypergamy was introduced by Ibbetson in the 1881 Census report of Punjab. Ibbetson defines hypergamy as the rule, which compels a man to wed his daughter with a member of tribe (a group), which shall be actually superior in rank to his own. Hypergamous marriage is characterized by asymmetrical flow of gifts from bride to groom’s side. This asymmetry is supported by further evidence, which shows that the relations between affines are restricted after marriage and could be described as avoidance (Klaas, 1973: 98). According to Blunt, as per the rule of hypergamy, no man may take a bride from any family to which his own family has given a bride within the memory of man (quoted in Tambiah, 1973: 94).

There is a well defined relationship between hypergamy and dowry as is explained by various sociologists and social anthropologists. Srinivas expresses his views in terms of status asymmetry as the important feature of hypergamy, in which bride being inferior to groom. This is balanced by gift giving from bride’s side on marriage (Srinivas, 1983: 9).

In pre-colonial period, hypergamy was confined to higher castes and north India, and isogamous marriage was confined to south India even among Brahmins.
Former is associated with dowry and latter with bride price. Due to the impact of colonialism as discussed already, shift from bride price to dowry payments resulted in overall shift from isogamous marriages to hypergamous marriages. The main reason behind this change is status achievement, which is directly or indirectly linked with the dowry practice in the society.

T.N. Madan points out that the difference in the economic status and social standing is an important feature of two affinal groups in which bride’s parents are always in fond of marrying their daughter to a person who is status wise superior to them (Madan. 1975: 232).

The relationship between hypergamy and dowry has also been discussed by Louis Dumont. In hypergamous marriages, a lower status girl marries a high status boy. These marriages are accompanied by high dowry payment because lower status families always try to elevate their status through such marriages. The result is that there is always a low number of high status boys and a greater number of lower status boys. Since higher status boys want to marry hypergamosously so that they can demand more dowries, this makes difficult for high status families to find a suitable match for their girls. The result is that there is an accumulation of high status girls in the marriage market and their marriage becomes a financial burden for their families (Klaas. 1972: 102).

3.5 CONSEQUENCES OF DOWRY

Indian society is patriarchal in which the position of women is inferior to men. The status of women in India has shown many ups and downs in different
periods. In the Vedic age 1500-1000 BC, they were worshipped as Goddesses. In the Muslim age 1026-1756 AD, their status suffered a sharp decline and in the British regime, they were looked down upon as ‘slaves of slaves’ (Sachadeva, 1998: 285). There are many causes which has lowered the status of women in the society. One of the major causes is the prevalent practice of dowry.

Dowry exists in both fact and design. By fact, it means dowry exists empirically; whereas by design, it exists in our mind values. The modern phenomenon of dowry has become a crude institution resulting in female foeticide, infanticide and bride burning. It has become a monstrous problem to which M.N. Srinivas has referred as “The sati of twentieth century” (Srinivas, 1983: 29).

According to Basu the word dowry is almost synonymous with Indian women’s oppression under patriarchal systems (Goel, 2004: 273). Dowry is multifaceted, deep rooted gender issue with social, economic and health consequences. Dowry is considered to be a Hindu custom. Dowry has become a tradition and norm even for those whose religion does not allow them to practice it.

The implications of dowry start from the womb of mother. Various techniques of sex determination and pre-selection have been developed during the last fifteen years. These techniques are fonography, fetoscopy the popular amniocentesis. These techniques are used to detect sex of the foetus. Prenatal sex determination and the abortion of female foetuses create an imbalance in the sex ratio with unprecedented consequences.
Census data shows that in India, the sex ratio for the total population has increased from 927 females per 1000 males in 1991 to 933 in 2001. However the sex ratio for the population of female children up to 6 years has declined from 945 in 1991 to 927 in 2001. This decline shows the abuse of sex determination techniques to get rid of the unwanted female child.

In Indian society, sons are prized while daughters are devalued. A baby girl born in first issue is considered to be a bad luck, second issue as disaster and in third as a catastrophe. This social preference of son leads therefore to abortion of girl child. Daughters are considered to be burden in every respect. The problem of dowry is the major factor which makes a daughter a burden on her parents. Thus infanticide and foeticide is directly linked with the dowry practice in Indian society. People in order to get rid of future extravagant expenditure prefer to abort the female child.

Dowry has many ill effects in the society. It lowers the status of women. It gives rise to many socio-economic problem, which results in bride burning, harassment and physical torture of the young brides and various kinds of pressure tactics being adopted by the husband and/or in-laws for an inadequate supply of dowry. Despite the Dowry Prohibition Act enacted in 1961, and the Dowry Prohibition (Amendment) Act 1984, dowry is practiced in the society in all its manifestations. The issues of dowry have become complex that it is difficult to eradicate and infact it keeps reinventing itself. The more people are becoming aware of the evils of dowry, the more the payments took place (Anonymous. n.d_h).
Veena Oldenburg opines that dowry existed in India before the colonial period. But the exorbitant dowries were not practiced in pre British period. However, in the post-colonial period, we are at the juncture where women are being burnt alive and are forced to commit suicide because of this custom of dowry. In India, an average of five women a day is burned in dowry related disputes and many cases are never reported. Oldenburg says, “Dowry has become a convenient peg on which to hang all the explanations about discrimination against women. But, in its origins, dowry was one of the few indigenous, women centered institution in an overwhelmingly patriarchal and agrarian society.” (Anonymous, n.d_h).

Historically, it was an index of the appreciation bestowed upon a daughter in her natal village and not a groom’s prerogative to make demands on the girl’s family. The dowry infanticide plight was used to justify the annexation of India (Anonymous, n.d_h).

Sociologists and social anthropologists have attempted to explain functions and dysfunctions of dowry in the society.

**Dysfunctions of Dowry**

(a) Dowry is an immoral and illegal activity
(b) It causes friction in family.
(c) It may separate newly married couple.
(d) It causes mental torture.
(e) Suicide.
(f) Isolation.

(g) Physical violence.

(h) Miserable life.

There are some factors that contribute to the continuity of the practice of dowry and are therefore functional.

**Functions of Dowry**

1. It is considered an incentive to get a suitable match.

2. It is used as an excuse for lack of inheritance rights of women among Hindus. So, dowry is given to compensate women’s parents’ property.

3. Dowry helps the new couple to have a convenient start in practical life.

Dowry is a serious problem which needs not to be looked down by the people rather it should be eradicated from its roots. It is necessary to change the social and economic roots of son preference. The major change in this regard lies in improving the status of women. By improving the status of women, she no longer would be considered as a burden on her family. The only way to improve the status of women is to educate them.

We have seen from the above mentioned works that many hypotheses have been put forward to explain the occurrence of brideprice and dowry. One theory links marriage payments to the inheritance rights of women and explains the dowry as as the premortem bequest made to daughters. Another analogy links dowry with the female participation towards economy. Various works relates
dowry with the price of groom and bride in the marriage market. Therefore, when grooms are relatively scarce brides pay dowries, and when brides are scarce grooms pay a brideprice.

Many thinkers show the linkage of dowry with hypergamy: whereby brides are expected to marry into a higher caste or social group and hypogamy: whereby brides are expected to marry into a lower caste or social group.

These and other explanations of marriage payments proposed by social scientists are not mutually exclusive: there are many factors which contribute to the determination of marriage payments in any society.
CHAPTER 4

FIELD STUDY
CHAPTER 4

FIELD STUDY

4.1 LOCATION AND AREA UNDER STUDY

Srinagar is the summer capital of the state of Jammu & Kashmir of India and is situated in the valley of Kashmir.

Map 4.1: Field study area, Srinagar.

(Source: Srinagar Municipality, 2007)
The city lies on both the banks of Jhelum river, a tributary of Indus river, which is called vyath in Kashmir.

Etymologically Srinagar is composed of two Sanskrit words, namely, Sri (meaning abundance and wealth) and Nagar, which means a city. Thus the word Srinagar signifies a place of wealth and abundance. Srinagar is 876 km north of Delhi. The localities in Srinagar, where the majority of Shias are found are Baghwanpora, Hasanabad, Zadibal and Mirbehri. These four Shia localities of Srinagar have been selected for the field study. It has been shown in map 4.1 and map 4.2. A detailed description of the four localities with Shia Muslim concentration has been discussed latter.
Map 4.2: Map of district Srinagar showing Shia Muslim areas under study

(Note: Areas encircled depicts my field study.

Source: Tehsil Magistrate, Bhagwanpora, Srinagar, 20\textsuperscript{th} September 2007).
4.1.1 HISTORY

Srinagar was founded by king Pravarsena-II over 2000 Years ago. The city of Srinagar has a long history dating back at least to the 3rd century B.C. The city was then a part of the Maurya Empire, one of the largest empires of the Indian subcontinent. Ashoka introduced Buddhism to the Kashmir valley and its adjoining regions. In the first century A.D., the region was under the control of Kushans. And several rulers of this dynasty strengthened the Buddhist tradition. Vikramaditya (of Ujjain) and his successors probably ruled the region just before the city fell to the control of the Huns in the 6th century A.D.

The Hindu and Buddhist rule of Srinagar lasted till middle of the 14th century, when the Kashmir valley, including Srinagar city, came under the control of several Muslim rulers, which emigrated from south and central Asian countries. During the second half of the 16th century, Akbar established the Mughal rule in Kashmir valley.

The disintegration of the Mughal Empire set forth after the death of Aurangzeb in 18th century, when there was infiltration of Pathans who thereafter ruled the valley for several decades. Raja Ranjit Singh established Sikh rule in Kashmir in the valley in the beginning of the 19th century. After India’s independence, Pathans supported by the Pakistani forces invaded the valley. The Maharaja Hari Singh sought help from Government of India. The invasion was repulsed and the valley came under the control of Indian union after the signing of Instrument of Accession by Raja Hari Singh.
4.1.2 POPULATION

According to the census report of 2001, Srinagar city has a population of 1,202,447. The population density in the city is 540 per km² while the over all population density of J & K is 99 per km².

4.1.3 LANGUAGE AND RELIGION

The state of Jammu & Kashmir is multi-ethnic and multi-religious. Almost all the religious groups like Hindus, Muslims, Sikhs, Buddhists, are found in Jammu & Kashmir. The languages spoken in Srinagar are mainly Kashmiri, Urdu and English.

4.1.4 GEOGRAPHY AND PHYSICAL FEATURES

Srinagar lies between 34°5’23”N. 74°47’24”E. The weather of Srinagar may be generally described as alpine. The city has mild summers during the months of June-August during which the temperature may rise to 35°C and during winters (the months of November-February) the temperature may dip upto -10°C.

Kashmir is famous for its lakes, which make it one among the most beautiful and scenic places of Indian sub continent. Srinagar is known for its gardens known as Mughal gardens like Chasma Shahi-Bagh (the royal fountain), Pari Mahal (the place of fairies), Nishat Bagh (the garden of spring), Shalimar Bagh and Naseem Bagh. These lakes and gardens make Srinagar a centre of attraction for the tourists who come from different parts of India and abroad.
4.2 SHIAS OF SRINAGAR

Shias form a minority community of Muslims in the state of Jammu & Kashmir. They constitute about 13% of the total Muslim population of the state. Locally they are called Ali tesha or Rafiz by rest of the population. Most of the Shias of Srinagar are educated and belong to the middle class. Shias are scattered in almost every belt of Srinagar but the majority of them are concentrated in mainly four areas i.e. Baghwanpora, Zadibal, Hasanabad and Mirbehri. Baghwanpora, Hasanabad and Zadibal Shia areas of Srinagar are characterized by heterogeneous population. Shias in these areas belong to different socio-economic strata. Most of the people are educated and involved in government jobs and business in these areas. People from all caste groups are found in these areas. These castes can be differentiated as high caste, middle caste and low caste. The family structure is patriarchal and patrilocal and mostly preference is given to nuclear type of families. Marriages are endogamous. On the other hand, Mirbehri is characterized by homogenous population on the basis of income, caste, occupation, education etc. The main occupation of the people in Mirbehri is agriculture and carpet weaving. Men work outside in the field and women usually prefer to stay at home. The life style of Shias of Mirbehri is different from the Shias of other localities. Shias of Mirbehri reside on the banks of Dal Lake. They are named as hanjis. They live either on the banks of the lake or in houseboats. Their main occupation is agriculture. They also work as vegetable vendors in the city and carpet weaving and once in a while fishing, etc. They travel by shikaras (boat) called nauv. In heavy rainfall or snowfall they suffer great economic losses
as they are not able to transport vegetables from one place to another. Due to the heavy rainfall their poorly constructed houses are inundated which adversely affect their lives.

Shias of Mirbehri are educationally backward. The reason for this backwardness could be attributed to various causes. The low economic status of Shias of Mirbehri is one of the important factors. Because of low income, they could hardly meet the educational expenses. Parents usually prefer their children to work in fields rather than attend schools. The state’s negligence in providing basic facilities like transport, schools, etc perpetuates their economic, social and educational backwardness.

Shias in Mirbehri are economically, socially and educationally same in status. There are different *muhallas* (colonies) in Mirbehri. Each colony has a particular name which designates their caste e.g *Rooni muhalla, Tinda muhalla, Ashraf muhalla* etc. The name of these *muhallas* is derived from the surnames of the people who inhabit it. Family structure is patriarchal and patrilocal. They prefer to live in joint families because of common occupation i.e. agriculture. Marriages are endogamous and preference is given to marriages among close relatives within the boundary of Mirbehri.

Srinagar represents heterogeneous Shias belonging to different socio-economic strata. The population has been categorized on the basis of income, caste and education. This heterogeneity of Shias in Srinagar enables the researcher to trace out the differences in attitude towards the social practice of marriage
payments. Among the Shias, although a close-knit community, one of the important social problems is the difficulty in marriage of girls. These difficulties are the product of certain social practices and the impact of contemporary changes.

Marriage payments take place from both sides of the affinal groups but the gifts received by the bride from groom’s side are returned back to them ultimately on the eve of marriage. Thus among Shias, asymmetrical gift giving takes place from bride’s side to groom’s side which is quite in tune with the opinion of Srinivas who defines dowry as unidirectional flow of gifts from bride’s side. This will be elaborated latter.

The marriage associated with marriage payments forms a very important part of social structure. The social structure in itself is a wide concept but in the present study the emphasis is given to marriage and the gift giving associated with it which includes dowry and mehr. The focus of the present study is social structure of Shias in relation to marriage payments.

Every society has its own structure and this structure consists of various parts e.g. family, marriage, kinship, polity, religion, etc. These parts are cordially linked and perform their role as per the norms and guidelines of the structure. These norms and guidelines direct the individual behavior and the group as a whole. The acceptance of norms by an individual gives rise to a balanced and healthy structure. These practices are associated with structure of a particular society and one could not escape from these practices while being a part of social structure. In order to examine dowry as a prevalent practice and its causes among
Shias of Srinagar, various variables have been taken into consideration which have been discussed latter. The data gathered during fieldwork have been analyzed both quantitatively and qualitatively.

4.2.1 Quantitative Analysis of Data:

Quantitative analysis of data collected during the field work explains the attitude of respondents towards marriage payments. The percentage of scores obtained from schedule highlight the extent for accepting the dowry as the prevalent practice. The higher the score, the greater is the acceptance of dowry as the prevalent practice and lesser the score, the lower is the acceptance of dowry as the prevalent practice. This is shown in the following tables. Field study as mentioned earlier was carried out during March 2006 - March 2007. Schedule was used for data collection from 200 respondents. 50 respondents have been selected from each colony. The break up of respondents’ colony wise is as follows.

Hasanabad
- Male: n=29
- Female: n=21

Baghwanpora
- Male: n=27
- Female: n=23

Zadibal
- Male: n=30
- Female: n=20

Mirbehri
- Male: n=22
- Female: n=28

4.2.1.1 INCOME AS CRITERION OF DOWRY

Among the various criteria for the classification of respondents, income of the respondent’s family is one of them. To determine the differences in the attitude of
different income groups towards dowry, classification has been made in which the groups are categorized in high, middle and low income groups. Each income group is further categorized on the basis of gender, i.e. male high, middle and low income groups and female high, middle and low income groups. Their sub-classification was inevitable as there are noticeable differences in attitude towards dowry between males and females.
### TABLE 4.1: Income and Dowry

<table>
<thead>
<tr>
<th></th>
<th>High income group</th>
<th>Middle income group</th>
<th>Low income group</th>
<th>Total N=200</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>n=23</td>
<td>n=7</td>
<td></td>
<td>n=55</td>
<td></td>
</tr>
<tr>
<td>21.29%</td>
<td>7.6%</td>
<td></td>
<td>50.92%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PERCENTAGE ON THE BASIS OF RESPONSES OF RESPONDENTS**

<table>
<thead>
<tr>
<th>S=3434</th>
<th>S=1109</th>
<th>S=7172</th>
<th>S=6140</th>
<th>S=2841</th>
<th>S=3433</th>
<th>S=13447</th>
<th>S=10682</th>
</tr>
</thead>
<tbody>
<tr>
<td>25.53%</td>
<td>10.38%</td>
<td>53.33%</td>
<td>57.47%</td>
<td>21.12%</td>
<td>32.13%</td>
<td>55.72%</td>
<td>44.27%</td>
</tr>
</tbody>
</table>

**RATIO OF PERCENTAGE BETWEEN SCORE AND NUMBER OF RESPONDENTS**

| r=1.19 | r=1.36 | r=1.04 | r=1.07 | r=0.76 | r=0.82 | r=1.03 | r=0.96 |

Note: 'n' = number of respondents  
N = total number of respondents  
S = score of responses of respondents  
r = ratio of percentage between 'S' and 'n'.

Source: Field Study: March 2006- March 2007
Table 4.1 shows that 25.53% and 10.38% of score was obtained from high income male and female group respectively which is also shown in the form of ratio as 1.19 in case of high income male and 1.36 in case of high income female. Among the middle income group 53.33% and 57.47% of score was drawn with a ratio of 1.04 and 1.07 in case of middle income male and middle income female. Low income group shows 21.12% and 32.13% of score among male and female with the ratio as 0.76 and 0.82. It is obvious from the table that high income group with r = 1.19 and 1.36 shows greater acceptance of dowry being the prevalent practice followed by middle income group with r = 1.04 and 1.07 and then low income group with r = 0.76 and 0.82. The analysis was drawn by taking ratio of the percentage of score of respondents to the number of respondents as the value of ‘n’ varies from group to group due to heterogeneity of the population. It is evident that 55.72% and 44.27% of the total male and female with r = 1.03 and 0.96 was drawn. The difference of attitude towards dowry does not show any significant difference between male and female among middle income group and low income group. But the difference of r = 1.19 in male and r = 1.36 in females of high income group means that attitude of females towards dowry being the prevalent practice among high income group is more than male.

**DISCUSSION**

From the evidence presented above, it appears that high income group male or female Shias of Srinagar show greater acceptance of dowry being a prevalent practice. It is also apparent that dowry payments forms a significant role in the marriages among them because in order to display their economic status, they
spend lavishly on wedding arrangements and pay huge gifts to the groom, not only for the welfare of their daughter or her secured future. It is also to maintain their dignity and prestige in the society. Marriage ceremony is an occasion where they can show off their wealth and fulfill the demands of society which expects the same from them. A similar view was given by Marguerite Roulet that dowry is the central institution to define social prestige and status. Income plays a determining role in both quality and quantity of gifts given to daughters and the extravagant expenditure on marriages. Middle income male and female show lesser acceptance of dowry payments as the extent of gift giving is seen less among them as compared to high income group. The quantity and quality of gift given is directly proportional to the person’s income or which he could afford at maximum. The case of low income group could be explained in the similar terms.

Thus, income factor as an indicator of dowry shows that all the income groups whether high, middle and low accept that dowry is prevalent practice. But the differences lie in the amount of expenditure which is more in high income group followed by middle and then low income group.

The findings seem to be in consonance with those of M.N.Srinivas as he mentions that dowry payments are directly related to wealth i.e. there is increased payment of dowry where there is increased wealth. Certain case studies also support the above evidence which will be discussed later in detail. The case of Ghulam Hasan corroborates the above phenomenon. The person could not spend much on the marriages of first three daughters because of the low income. But when his income improved he spent lavishly on the marriages of his remaining
daughters and gave huge dowries too. He links this phenomenon to social pressures and obligations i.e. the pressure for the maintenance of social prestige and status. This also explains differential payment of dowry among different income groups.

The case of Naseema provides another analogy to support the findings. Naseema although belonging to low income group, had to take loan to arrange the dowry for her daughter only for the reason that brother-in-law of her daughter was going to marry a girl from high income group and anticipating to get a huge dowry. To maintain the prestige of her daughter as well as her family she was forced to pay dowry.

Thus, higher the wealth higher dowry takes place and lower the wealth, lower dowry takes place. But dowry is a prevalent practice in all cases. The difference lies in the amount of expenditure. This means that Shias from all income groups pay and receive dowry. But rich people spend more on marriages. Middle income group and low income group follow them accordingly as their financial condition allow them. This means that dowry is not typical among rich; it is also prevalent in middle and low income groups. Again we find from table 4.1 that the attitude of females towards dowry is more than males. The reason may be that females face lots of problems after marriage if inadequate payments are made. A sense of insecurity has been witnessed among females, which is not seen in case of males. The graphical representation of the scores obtained from different income groups also proves the evidence presented above.
Graph 4.1: Ratio of Percentage of Scores of High, Middle and Low Income Groups

Graph 4.1 shows increasing trend towards payment of dowry from low to high income group. In every group males score less than females on account of dowry payments.

4.2.1.2 EDUCATION AS CRITERION OF DOWRY

In order to find out the impact of education on the attitude of dowry payments among Shias of Srinagar, four categories were taken i.e. highly educated, educated, literate, and illiterate: into consideration. Further, division is made on the basis of gender to find out difference in the attitude towards dowry payments, which is shown in table 4.2.
TABLE 4.2: Education and Dowry

<table>
<thead>
<tr>
<th>Highly educated</th>
<th>Educated</th>
<th>Literate</th>
<th>Illiterate</th>
<th>Total N=200</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>Female</td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>n=12</td>
<td>n=5</td>
<td>n=57</td>
<td>n=32</td>
<td>n=12</td>
</tr>
<tr>
<td>11.11%</td>
<td>5.43%</td>
<td>52.77%</td>
<td>34.78%</td>
<td>11.11%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

PERCENTAGE ON THE BASIS OF RESPONSES OF RESPONDENTS

<table>
<thead>
<tr>
<th></th>
<th>S=1839</th>
<th>S=792</th>
<th>S=7859</th>
<th>S=4598</th>
<th>S=1155</th>
<th>S=1440</th>
<th>S=2594</th>
<th>S=3852</th>
<th>S=13447</th>
<th>S=10682</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>13.67%</td>
<td>7.41%</td>
<td>58.44%</td>
<td>43.04%</td>
<td>8.58%</td>
<td>13.48%</td>
<td>19.29%</td>
<td>36.06%</td>
<td>55.72%</td>
<td>44.27%</td>
</tr>
</tbody>
</table>

RATIO OF THE PERCENTAGES OF THE SCORE OF RESPONDENTS TO THE NUMBER OF RESPONDENTS

|                | r=1.23 | r=1.36 | r=1.10 | r=1.23 | r=0.76 | r=0.82 | r=0.77 | r=0.82 | r=1.03   | r=0.96   |

(Source: Field study, March 2006- March 2007)
Table 4.2 shows that 13.67% and 7.41% of score among the highly educated male and female. The ratio of the percentage of the score to the number of respondents taken for highly educated male and female are \( r = 1.23 \) and 1.36 respectively. The percentiles of educated male and female are 58.44% and 43.04% and \( r = 1.10 \) and 1.23 respectively. The value of literate as shown in the table is 8.58% and 13.48% for male and female percentile. The value of \( r \) for literate male and female is 0.76 and 0.82 respectively. In case of illiterate, one can see 19.29% and 36.06% of score with \( r = 0.77 \) and 0.82 male and female respectively. Findings suggest that the value of \( r \) is more in highly educated and educated male and female. It means that there is greater acceptance of dowry as a prevalent practice in these two groups as compared to literate and illiterate groups. It is obvious from the value of \( r \).

**DISCUSSION**

Although the trend is disturbing, it should have been the other way round. The attitude of highly educated and educated respondents towards dowry being a prevalent practice can be explained in terms of their restricted marriage market. Because of the limited number of the compatible mates available, there is always a high demand and less supply of available potential grooms. The result is high dowry demands, offers and payments. Secondly for the well-settled and economically established groom, there is always a high demand and same is the case with well-settled and established girls. But, in spite of this, the status of women is inferior in marriage market. It is clearly matching with the findings of Kokali Banerjee who opines that, although modernization has increased, the status of women is inferior to
men in marriage market. It is because of this reason that we can find the attitude of women towards the acceptance of dowry as a prevalent practice, as they do not find any other avenue to consolidate their position in the new household and maintain their status and prestige through dowry only.

To support this finding, there are some interesting cases like the case of Nuzhat. She had done engineering and got married to an engineer. She couldn’t pay the dowry as expected by her in-laws, although it was never demanded. The result was divorce. It clearly shows the inferior position of female in marriage market. Inspite of highly educated, Nuzhat was divorced for the non-payment of expected dowry.

The dowry demand is also resulting in late marriages especially among educated class e.g. the case of Sabrina. She points out that before getting employed; no mazimyaur (middle man) ever visited her place. It was only after getting a job that she got married. But her age at the time of marriage was 34 years. She brought a handsome dowry along with her. Sabrina readily accepts that it was not demanded, but it was the fear of being maltreated at her in-laws house, that she brought dowry with her. This again points out the inferior status or position of women in the society.

The parents of highly educated and educated females are in fond of a groom who is in every respect superior or of equal status to their daughter. This asymmetry is also responsible for the dowry payments in the society. So, even if daughter is highly educated, she needs to pay dowry in order to get a good and suitable match.
Moreover, employed females do pay more gifts because expectation of gift giving is more from employed women.

In case of literate and illiterate groups, expectations of getting a highly educated and educated groom are low and thus the tendency of gift giving is less. Education is therefore a determining factor for the perpetuation of dowry. But this doesn’t mean that literate and illiterate does not practice dowry. The extent of gift giving is more among highly educated and educated. Dowry is practiced by everyone among Shia community. Eucation plays a great role in its perpetuation. The relationship of education with dowry is also shown in the form of graph by taking ratio of percentages of score of respondents to the number of respondents.
Graph 4.2 shows both literate and illiterate have almost equal tendencies towards dowry payments while as the graph soars up in case of highly educated and educated groups. Again males score less than females on account of dowry payments.

4.2.1.3 CASTE AS A CRITERION OF DOWRY

On the basis of caste, groups have been divided into high, middle and low. Again the division is on the basis of gender in order to see their differential attitude towards dowry payments, the results of which are shown in table 4.3.
Table 4.3: Caste and Dowry

<table>
<thead>
<tr>
<th></th>
<th>High caste</th>
<th>Middle caste</th>
<th>Low caste</th>
<th>Total N=200</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Male</td>
<td>n=22</td>
<td>n=20</td>
<td>n=48</td>
<td>n=36</td>
</tr>
<tr>
<td></td>
<td>20.37%</td>
<td>21.73%</td>
<td>44.44%</td>
<td>39.13%</td>
</tr>
<tr>
<td>PERCENTAGE ON THE BASIS OF RESPONSES OF RESPONDENTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>S=2800</td>
<td>S=2554</td>
<td>S=5802</td>
<td>S=4122</td>
<td>S=4845</td>
</tr>
<tr>
<td>20.82%</td>
<td>23.9%</td>
<td>43.14%</td>
<td>38.58%</td>
<td>36.03%</td>
</tr>
<tr>
<td>RATIO OF PERCENTAGE BETWEEN SCORE AND NUMBER OF RESPONDENTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>r=1.02</td>
<td>r=1.09</td>
<td>r=0.97</td>
<td>r=0.98</td>
<td>r=1.02</td>
</tr>
</tbody>
</table>

(Source: Field Study, March 2006-March 2007)
One can see from table 4.3 that high caste male and female show 20.82% and 23.9% score which is shown also in the form of ratio i.e. $r = 1.02$ and 1.09 respectively. The percentage value of middle caste male and female is 43.14% and 38.58%. The value of $r$ for the middle caste male and female are $r = 0.97$ and 0.98 respectively. The case of low caste as indicated in the table gives the percentage value of 36.03% and 37.50% which means $r = 1.02$ and 0.95 in case of male and female respectively. If we compare the values of ‘$r$’ of different caste groups, we find that there are not very marked differences among the three groups as the value of ‘$r$’ is near about equal. By looking at the value of $r$, one could deduce that caste is not an important factor in the acceptance of dowry. An approximately equal value of $r$ means that all the three caste groups i.e., high, middle, and low are almost similar in acceptance towards dowry practice. The difference lies only in their rationale for the acceptance. It is also obvious from table 4.3 that except low caste group, the attitude towards dowry is seen more among females of the group. In case of low caste group, males show greater tendency towards dowry being the prevalent practice.

**DISCUSSION**

Among the Shias of Srinagar, there is a well developed division along the caste and class lines. The notion of caste is more ingrained than that of class. In local terms people belonging to high caste are called *saie* and those who belong to lower caste are called *paich*. In day to day life, caste distinctions may appear blurred but at the time of marriage the division becomes sharp. The preferred marriage is between
the families of equal status and if not it must be hypergamous. But certainly it should not be hypogamous marriage.

Gifts are exchanged at the time of marriage between the parties involved. The amount of gifts exchanged reflects the person’s social standing in the society. High dowry and huge marriage expenses is more a feature of high caste people. By doing so, they strengthen their position in the society. In a traditional caste conscious society, status decays more slowly than wealth. Therefore, high caste families who have become poor, still enjoy their status. This forces them to conform to the practices performed by their ancestors. So to maintain their dignity they either take loan, or in some other way gather money for the lavish expenditure on marriages.

Among the middle and low caste people also the acceptance of dowry practice matches with that of the high caste people but their justification is different. Among them it is more a process of status achievement rather than status consolidation. The low and middle caste people are denied the social status occupied by the high caste people because of the caste itself. In order to achieve the status enjoyed by the high caste people, they must adopt their practices. Payment of huge dowry and marriage expenses is one of those practices. Aspiring Muslims emulate their local elites as Hindus emulate theirs. This process of emulating the customs and manners of high status Muslims has been described by Vreede de Stuers as Ashrafization. Although it will be difficult for low caste poor families to emulate their superiors, but even their attitude shows a high propensity to spend extravagantly if they get the money. In case of low caste males, score is higher than females towards payment of dowry. But if we
see the areawise tendency of respondents towards dowry. Mirbehri (low caste ghetto) males show less tendency than females (see table 4.5). The reason may be the concentration of low caste population in other heterogeneous populated areas too. These low caste families are comparatively better in terms of education, income etc. than low caste families of Mirbehri (homogenous population). So, rich and middle class from low caste families often try to display their wealth for achieving a new status. The socially active members of the family happen to be males, who happen to have contacts with high caste and middle caste families too (business and professional). Therefore, to consolidate their status they go for open display of lavishness and hence show an increasing tendency towards dowry than females of the caste group. The findings match with the case of Kausarjan. She belonged to a low caste family and got married within the same caste. In the beginning she was neither demanded dowry nor did she pay adequate gifts because of the poor financial condition of her parents. When the financial condition of her natal house started to improve, her brothers received huge dowries which resulted in demand of dowry and she was tortured by her husband and in-laws for the same inspite of her marriage several years ago. The refusal for the payment resulted in divorce. Thus, it indicates that low castes with good financial condition practice dowry in the same way as the other caste groups do.

The case of Ghulam Muhammad also buttresses the above point. He is of the opinion that the prevailing practice of dowry is not a major issue for the rich.
It gives them an opportunity to show off their wealth but poor people become the victims.

Thus, dowry is not only an accepted but even a celebrated phenomenon. Its acceptance or rejection does not depend on to which caste a person belongs. What varies is only the explanation for the practice among the different caste groups. The responses of different caste groups towards dowry can be also represented in the form of graph.

**Graph 4.3 Ratio of Percentage of Scores of High, Middle and Low Castes**

Graph 4.3 shows a variable trend among different caste groups with respect to dowry payments. It is proportionately low in middle caste than low and high caste groups. Curiously low caste males show an increasing tendency towards dowry than females of the group. In other two castes (high and middle) the females show a greater tendency towards dowry than males and it is highest in high caste group.
4.2.1.4 MARITAL STATUS AS CRITERION OF DOWRY

One of the criterions for the classification of respondents is marital status. A distinction is made on the basis of married and unmarried. The categorization is further made on the basis of gender, which is shown in table 4.4.
Table 4.4: Marital Status and Dowry

<table>
<thead>
<tr>
<th>Married</th>
<th>Unmarried</th>
<th>Total, N = 200</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>n = 28</td>
<td>n = 25</td>
<td>n = 80</td>
</tr>
<tr>
<td>25.92%</td>
<td>27.17%</td>
<td>74.04%</td>
</tr>
</tbody>
</table>

PERCENTAGE ON THE BASIS OF RESPONSES OF RESPONDENTS.

<table>
<thead>
<tr>
<th>S = 3935</th>
<th>S = 3320</th>
<th>S = 9512</th>
<th>S = 7362</th>
<th>S = 13447</th>
<th>S = 10682</th>
</tr>
</thead>
<tbody>
<tr>
<td>29.26%</td>
<td>31.08%</td>
<td>70.73%</td>
<td>68.91%</td>
<td>55.72%</td>
<td>44.27%</td>
</tr>
</tbody>
</table>

RATIO OF PERCENTAGE BETWEEN SCORE AND NUMBER RESPONDENTS:

| r = 1.12 | r = 1.14 | r = 0.95 | r = 0.94 | r = 1.03 | r = 0.96 |

(Source: Field Study, March 2006-March 2007)
From table 4.4 one can observe that 29.26% and 31.08% of score by married male and female which is also indicated in the form of ratio as $r = 1.12$ and 1.14 in case of males and females respectively. Compared to the above, the percentage of score by unmarried male and female is 70.73% and 68.91% with $r = 0.95$ and 0.94 respectively. However, the overall percentage of male and female is 55.72% and 44.27% with $r = 1.03$ and 0.96 respectively.

The results of table 4.4 shows that the value of $r = 0.95$ is same in case of unmarried male and female and is low as compared to the value of $r = 1.12$ and 1.14 in case of married male and female. Thus the married respondents show greater acceptance of dowry as the prevalent practice than unmarried respondents.

**DISCUSSION**

The high attitude of married respondents towards dowry could be attributed to modern materialistic culture and patriarchal attitude among males and the problems faced by the females if inadequate gifts are given. To support this conclusion, the case of Shafiq is the best example. She got married to a man who used to be her ardent lover. It was only after marriage that she came to know about the real motives of her in-laws and husband. Being the lone child of her parents, her in-laws began to harass her to get the land transferred in her husband’s name. Her father was reluctant, because he apprehended her husband might abandon her after the property transfer. Later, she died of a heart attack due to prevailing conditions. This clearly shows the materialistic attitude of her husband. Further, among married it is females who show a
greater tendency towards dowry. It may be attributed to the maintenance of status and prestige at their in-laws house. Since gifts and other household gadgets from bride or his parents are always expected by in-laws. If the expectations are not fulfilled, it becomes a problem for the new bride. Another important analogy is reflected in case of Sheeba which shows that her perception towards marriage and payments related to it seemed to be different before and after marriage. It was only after marriage that she came to know about the real motives of her in-laws as there was no demand as such from groom’s side before marriage. But after marriage dowry plays an important role for gaining status at in-laws place. In case of unmarried females also a kind of social pressure is found, as would be brides are always eager to take note of each and every item to be taken along with them as dowry. It is this dowry which is going to establish the status and prestige of this new member (bride) in the groom’s family. The case of Shabir, who is the sole bread earner of the family, is an example for this purpose. Shabir is of the opinion that girls force families for dowry. He had to manage each and everything on his sister’s marriage. He was forced to take loan to meet the dowry demands for his sister. Although he is against the dowry system yet had to manage the dowry for his sister. He considered it necessary to maintain her prestige and status at her in-laws house by providing dowry. Similar is the case of Zainab. Being from a bota community (people belonging to ladakh are locally called bota), she could have got a hefty sum as bride price and she was even offered the same. But for her own reasons, she wanted to marry a Kashmiri boy. She is waiting for a proposal from Kashmiri family and at the same time collecting money to pay for wazwan (costly marriage feast) and dowry which she thinks is necessary for the marriage that too with
a Kashmiri boy. She is ready to pay and at the same time denying the proposals from her own *hota* community where she could have got bride price as well. It reveals that acceptance rate of dowry is seen greater in married respondents than unmarried respondents because the former experience it and the later only opines on the same without any personal experience or an ideal type in the Weberian sense. The ratio of percentages of score of respondents to the number of respondents as presented in the table is also shown in the form of graph below.
Graph 4.4 shows an increasing trend from unmarried to married in case of dowry payments. In case of unmarried both males and females show almost equal tendency towards dowry and it is also in case of married males and females.

**4.2.1.5 RESIDENCE OR AREA AS THE CRITERION OF DOWRY**

In order to know about the difference of attitude of respondents towards the dowry payments, sample was drawn from four areas to see whether tendency towards dowry payments show any variation in terms of area. This is shown in the table 4.5.
Tabel 4.5: Residence and Dowry

<table>
<thead>
<tr>
<th>Area 1</th>
<th>Area 2</th>
<th>Area 3</th>
<th>Area 4</th>
<th>Total N=200</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hasanabad</td>
<td>Baghwanpora</td>
<td>Zadibal</td>
<td>Mirbehri</td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>Female</td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>n=29</td>
<td>n=21</td>
<td>n=27</td>
<td>n=23</td>
<td>n=30</td>
</tr>
<tr>
<td>26.85%</td>
<td>22.82%</td>
<td>25%</td>
<td>25%</td>
<td>27.77%</td>
</tr>
</tbody>
</table>

PERCENTAGE ON THE BASIS OF RESPONSES OF RESPONDENTS

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>S=3792</td>
<td>S=2693</td>
<td>S=3623</td>
<td>S=2804</td>
<td>S=3911</td>
</tr>
<tr>
<td>28.19%</td>
<td>25.21%</td>
<td>26.94%</td>
<td>26.24%</td>
<td>29.08%</td>
</tr>
</tbody>
</table>

RATIO OF THE PERCENTAGES OF THE SCORE OF RESPONDENTS TO THE NUMBER OF RESPONDENTS.

<p>| | | | | | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>r=1.04</td>
<td>r=1.10</td>
<td>r=1.07</td>
<td>r=1.04</td>
<td>r=1.04</td>
<td>r=1.11</td>
<td>r=0.77</td>
<td>r=0.79</td>
<td>r=1.03</td>
<td>r=0.96</td>
</tr>
</tbody>
</table>

(Source: Field Study, March 2006-March 2007)
One can see from the above table that 28.19% and 25.21% of score of male and female respondents of Hasanabad was drawn which is also presented in the form of ratio i.e. $r = 1.04$ and 1.10 respectively. The area 2 (Baghwanpora) shows 26.94% and 26.24% of scores in male and female with $r = 1.07$ and 1.04. Area 3 (Zadibal) shows 29.08% and 24.31% of scores and $r = 1.01$ and 1.06. Area 4 shows 15.77% and 24.22% and $r = 0.81$ and 0.82 for males and females respectively. However, the overall percentage of male and female respondents is 55.72% and 44.27% with $r = 1.03$ and 0.96. Hasanabad females ($r = 1.10$) show greater tendency towards dowry payments. Although a significant difference is not seen between area 1, area 2 and area 3, but difference of attitude towards dowry payments is seen in area 4 as compared to first three areas. Thus Mirbehri shows little tendency towards dowry payments as compared to other Shia areas of Srinagar.

**DISCUSSION**

Table 4.5 shows area wise distribution of attitude of respondents towards dowry. The low attitude towards dowry in Mirbehri may be attributed to the homogenous population of that area and high incidence in other three areas to the heterogeneity of the population. This is also a reason for almost uniform results for these three areas.

Therefore, Mirbehri, where status and prestige of whole population is uniform, there is not a marked hierarchy so the attitude of dowry payments is not so strong. Although the practice still exists for the reason to guarantee happiness of daughter
dependent on male. The findings match with that of Rajaraman’s study, where economic dependence of female on male is a determinant of dowry practice.

The low attitude of the residents of Mirbehri towards dowry payments could also be explained by the preference of marriage in the same area. Since all the people belong to the same socio-economic strata, pressure of gift giving and taking is comparatively low. Also the people of Mirbehri are not valued highly by the people of other three areas which also account for the limited option for the people of Mirbehri to marry outside their area.

The findings match with the study of Srinivas that there is least chance of dowry in isogamous groups. The people of Mirbehri have isogamous ideology and thus gift giving and taking on marriages is less. Although asymmetry of gift giving is still seen in this area in which bride’s side pay a bit more than groom’s side, but this can be linked with women’s inferior status like in other parts of India. The above findings can also be shown in the form of graph 4.5.
Graph 4.5: Colonywise Ratio of Percentage of Scores of Respondents

Graph 4.5 shows a low caste ghetto showing low tendency towards dowry than other areas, which happen to be heterogenous population, comprising all caste categories. Further females happen to show more tendency than males towards dowry almost in every variable.

4.2.1.6 AGE AS CRITERION OF DOWRY

Age was also taken as a factor to see whether different age groups show varied responses towards dowry payments. Groups were divided in four categories as follows: Group 1 (20-35 years), Group 2 (36-50 years), Group 3 (51-65 years) and Group 4 (above 65 years). The results are shown in the table 4.6.
Table 4.6: Age and Dowry

<table>
<thead>
<tr>
<th>Group 1 (20-35 yrs)</th>
<th>Group 2 (36-50 yrs)</th>
<th>Group 3 (51-65 yrs)</th>
<th>Group 4 (above 65 yrs)</th>
<th>Total N=200</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>Female</td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>n=38</td>
<td>45</td>
<td>n=35</td>
<td>31</td>
<td>n=25</td>
</tr>
<tr>
<td>35.18%</td>
<td>48.91%</td>
<td>32.40%</td>
<td>33.69%</td>
<td>23.14%</td>
</tr>
</tbody>
</table>

**PERCENTAGE ON THE BASIS OF RESPONSES OF RESPONDENTS**

<table>
<thead>
<tr>
<th>S=4538</th>
<th>S=5069</th>
<th>S=4232</th>
<th>S=3610</th>
<th>S=3262</th>
<th>S=1750</th>
<th>S=1425</th>
<th>S=253</th>
<th>S=13447</th>
<th>S=10682</th>
</tr>
</thead>
<tbody>
<tr>
<td>33.74%</td>
<td>47.45%</td>
<td>31.47%</td>
<td>33.79%</td>
<td>24.25%</td>
<td>16.38%</td>
<td>10.59%</td>
<td>2.36%</td>
<td>55.72%</td>
<td>44.27%</td>
</tr>
</tbody>
</table>

**RATIO OF THE PERCENTAGES OF THE SCORE OF RESPONDENTS TO THE NUMBER OF RESPONDENTS**

| r=0.95 | r=0.97 | r=1.00 | r=1.04 | r=1.07 | r=1.14 | r=1.08 | r=1.03 | r=0.96 |

(Source: Field Study, March 2006-March 2007)
Results indicate that 33.74% and 47.45% of score was drawn from group 1 male and female with $r = 0.95$ and 0.97 respectively. The value of percentage of Group 2 is 31.47% and 33.79% with $r = 0.97$ and 1.0 in case of male and females. The values of Group 3 are 24.25% and 16.38% with $r = 1.04$ and 1.07 among male and female. Group 4 gives the percentile values among male and female as 10.5% and 2.36% with $r = 1.13$ and 1.08. However, the overall percentage of male and female in all the age groups is 55.72% and 44.27% i.e. $r = 1.03$ and 0.96. The value shows that Group 4 i.e. age above 65 years show attitude towards dowry payments more than the rest of the age groups.

DISCUSSION

From the above statements, it appears that elderly people show greater tendency towards dowry. This could be explained by the fact that elderly people had experience of more than two generations i.e. they had passed through different phases of life and had experienced changes in the socio-economic condition of the society. Comparing two generations i.e. traditional and modern, we could say that the traditional type of gift giving in marriages was very simple and extraordinary expenditure was not seen. But the modern society encourages spending substantial amount even beyond their paying capacity in dowries and lavish expenditure in various ceremonies and rituals associated with marriage. Accordingly, the response of experienced people is that more complex society means greater importance given to materialistic ideology like dowry. Sakina has expressed her views about the three marriages: one of her own, other of her daughter and third of her grand daughter.
Comparing the three marriages, the most complex and expensive marriage was the last one i.e. of her grand daughter. Thus, the elderly people think that marriage payment especially dowry is the need of the contemporary society without which marriage cannot be solemnized.

The study of M.N. Srinivas could also be related here where he had distinguished between modern and traditional dowry. Former involves huge expenditure and latter simple and less expensive.

The case of Hasan Ali who belongs to the same age group believes that dowry is the need of present society i.e. social obligation, which needs to be followed by everyone. This was not the case in traditional society. He defines his own marriage as most simple one in which only household items and few gifts of very ordinary nature were given. The attitude of different age groups towards dowry can also be presented in the form of graph 4.6.

**Graph 4.6 Agewise Ratio of Percentage of Scores of Respondents**
There is an increasing trend towards dowry payments from lower to high age groups. The females score more in every category except the highest age group where males score more. This may be the case of traditional bondage towards values concerning dowry.

### 4.2.1.7 Significance of mehr on marriage

Islam does not approve of dowry payments. The only payment which is prescribed by Islam is dower or mehr. On the contrary in practice, dowry is being valued and at the same time is status determinant. Mehr is essential and shows great importance in nikah. But so far as its payment is concerned, majority of Shias does not pay it. Statistical observation of which is shown in tables.
Table 4.7: Mehr is of Tremendous Significance in Marriage

<table>
<thead>
<tr>
<th></th>
<th>Married Male n=28</th>
<th>Unmarried Male n=80</th>
<th>Married Female n=25</th>
<th>Unmarried Female n=67</th>
<th>Total N=200</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>14</td>
<td>22</td>
<td>13</td>
<td>29</td>
<td>78</td>
</tr>
<tr>
<td></td>
<td>50%</td>
<td>27.5%</td>
<td>52%</td>
<td>43.28%</td>
<td>39%</td>
</tr>
<tr>
<td>A</td>
<td>9</td>
<td>33</td>
<td>7</td>
<td>23</td>
<td>72</td>
</tr>
<tr>
<td></td>
<td>32.14%</td>
<td>41.25%</td>
<td>28%</td>
<td>34.33%</td>
<td>36%</td>
</tr>
<tr>
<td>U</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>0%</td>
<td>2.5%</td>
<td>0%</td>
<td>4.48%</td>
<td>2.5%</td>
</tr>
<tr>
<td>D</td>
<td>1</td>
<td>4</td>
<td>3</td>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>3.57%</td>
<td>5%</td>
<td>12%</td>
<td>5.97%</td>
<td>6%</td>
</tr>
<tr>
<td>SD</td>
<td>4</td>
<td>19</td>
<td>2</td>
<td>8</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>14.29%</td>
<td>23.75%</td>
<td>8%</td>
<td>11.94%</td>
<td>16.5%</td>
</tr>
</tbody>
</table>

(Source: Field Study, March 2006-March 2007)
In an effort to determine the significance of *mehr* among Shias of Srinagar as reflected from the attitude of respondents of four Shia colonies of Srinagar, questions were asked to the 50 respondents of each colony totaling 200. From Table 4.7 one could see that the respondent’s attitude towards significance of *mehr* among Shias is quite positive. Sample as shown in the table 4.7 has been divided on the basis of gender and marital status to see whether any difference is seen on the basis of these variables. It is quite evident from table 4.7 that the 23.75% of unmarried males strongly disagree that *mehr* has tremendous significance in marriage while 27.5% strongly agree. In case of unmarried males, 50% strongly agree on the issue of the importance of *mehr* in marriages and 14.29% strongly disagree. Among the unmarried males 41.25% agree and 5% disagree and 2.5% of unmarried males’ response was undecided. In case of unmarried males 32.14% agree and 3.57% disagree. Surprisingly the responses of males and females at each of the area were almost identical. In table 4.7, 43.28% of unmarried females strongly agree for the tremendous significance of *mehr* among Shias and 11.9% strongly disagree for it. 34.33% of unmarried female agree and 5.97% disagree and 4.48% of unmarried female’s response was undecided. In case of married females, 52% strongly agree and 8% strongly disagree. 28% agree and 12% disagree and in total out of 200 respondents 39% and 16.5% strongly agree and strongly disagree for the importance of *mehr* while 36% and 6% agree and disagree for the same. However 2.5% of the total respondents were undecided. Table 4.7 reflects that the responses of all the respondents whether differentiated on the basis of gender or marital status does not show any substantial difference. It is concluded that the majority of population among
Shias believe that *mehr* shows tremendous significance on marriage. The responses of respondents (male and female) in terms of SA, A, U, D, SD is presented in the form of graph 4.7.

Graph 4.7 depicts the respondents’ views with respect to significance of *mehr* in the marriage. The graph clearly points out that in the Strongly Agree (SA) and Agree (A) categories almost every group scores high. It is although highest in strongly agree category for most of the groups. It shows that respondents are strongly in favour of *mehr* being an important part of the marriage.

**Graph 4.7: Mehr is of Tremendous Significance in Marriage**

<table>
<thead>
<tr>
<th>SA</th>
<th>Strongly Agree</th>
<th>MM</th>
<th>Married Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Agree</td>
<td>UM</td>
<td>Unmarried Male</td>
</tr>
<tr>
<td>U</td>
<td>Undecided</td>
<td>MF</td>
<td>Married Female</td>
</tr>
<tr>
<td>D</td>
<td>Disagree</td>
<td>UF</td>
<td>Unmarried Female</td>
</tr>
<tr>
<td>SD</td>
<td>Strongly Decided</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table 4.8: *Mehr* is a Sole Property of Women, They Receive It

<table>
<thead>
<tr>
<th></th>
<th>Married Male</th>
<th>Unmarried Male</th>
<th>Married Female</th>
<th>Unmarried Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>n</td>
<td>n=28</td>
<td>n=80</td>
<td>n=25</td>
<td>n=67</td>
<td>N=200</td>
</tr>
<tr>
<td>SA</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>7.14%</td>
<td>1.25%</td>
<td>4%</td>
<td>2.98%</td>
<td>3%</td>
</tr>
<tr>
<td>A</td>
<td>3</td>
<td>9</td>
<td>4</td>
<td>3</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>10.71%</td>
<td>11.25%</td>
<td>16%</td>
<td>4.47%</td>
<td>9.5%</td>
</tr>
<tr>
<td>U</td>
<td>0</td>
<td>4</td>
<td>1</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>0%</td>
<td>5%</td>
<td>4%</td>
<td>2.98%</td>
<td>3.5%</td>
</tr>
<tr>
<td>D</td>
<td>10</td>
<td>38</td>
<td>13</td>
<td>33</td>
<td>94</td>
</tr>
<tr>
<td></td>
<td>35.71%</td>
<td>47.5%</td>
<td>52%</td>
<td>49.25%</td>
<td>47%</td>
</tr>
<tr>
<td>SD</td>
<td>13</td>
<td>28</td>
<td>6</td>
<td>27</td>
<td>74</td>
</tr>
<tr>
<td></td>
<td>46.42%</td>
<td>35%</td>
<td>24%</td>
<td>40.29%</td>
<td>37%</td>
</tr>
</tbody>
</table>

(Source: Field Study, March 2006-March 2007)
From table 4.8 one could see that 1.25% of unmarried male strongly agree that <em>mehr</em> is the sole property of women which they received and 35% unmarried male strongly disagrees for the same. Among the unmarried male, 11.25% agree that <em>mehr</em> is received by women while as 47.5% disagree for its payment. 5% unmarried respondents were unable to decide. The response of married male towards the same question was that 7.14% strongly agree, 46.42% strongly disagree, and 10.71% agree and 35.71% disagree. Here also the response doesn’t show any significant difference either on the basis of gender or marital status. Among the married and unmarried female 4% and 2.9% strongly agree for the payment of <em>mehr</em> to women and 52% and 49.25% disagree for the same and only 4% and 2.98% females could not decide and in total among 200 respondents 3% strongly agree for the payment of <em>mehr</em>, while 37% strongly disagree, 9.5% agree and 47% disagree and response and 3.5% is undecided. Results reflected in the table clearly show that the majority of Shia population in Srinagar shows negative attitude towards actual payment of <em>mehr</em>.
Graph 4.8: Mehr is a Sole Property of Women, They Receive It

The graph is a clear manifestation of non-payement of *mehr* towards the women by their husbands. Almost all groups score high in Disagree (D) and Strongly Disagree (SD) categories. And the cumulative addition of two categories even affirms this fact more. This is a clear juxtaposition to the Graph 4.7, where respondents regard *mehr* as integral part of marriage, but here the payments of the *mehr* have been denied by the most.
Table 4.9: Society Gives Bride the Right to Decide Amount of *Mehr*

<table>
<thead>
<tr>
<th></th>
<th>Married Male</th>
<th>Unmarried male</th>
<th>Married female</th>
<th>Unmarried Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n=28</td>
<td>n=80</td>
<td>n=25</td>
<td>n=67</td>
<td>N=200</td>
</tr>
<tr>
<td>SA</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>A</td>
<td>3</td>
<td>9</td>
<td>4</td>
<td>3</td>
<td>19</td>
</tr>
<tr>
<td>U</td>
<td>0</td>
<td>4</td>
<td>1</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>D</td>
<td>10</td>
<td>38</td>
<td>13</td>
<td>33</td>
<td>94</td>
</tr>
<tr>
<td>SD</td>
<td>13</td>
<td>28</td>
<td>6</td>
<td>27</td>
<td>74</td>
</tr>
</tbody>
</table>

(Source: Field Study, March 2006-March 2007)
Table 4.9 depicts the response of respondents regarding the right of women to decide her *mehr*. Result shows that only 1.25% and 35% unmarried male and 7.14% and 46.42% of married male strongly agree and strongly disagree respectively for women’s right to decide *mehr* and 5% unmarried male does not give any response as also 2.9% of unmarried female and 4% of married female. This table also shows 11.25% and 10.71% of married male and unmarried male agree that society gives bride the right to decide the amount of *mehr*. 47.5% and 35.71% of married and unmarried males disagree for the same. In case of married females and unmarried females 2.9% and 4% strongly agree while as 40.2% and 24% of married and unmarried females strongly disagree. 4.47% and 16% of married females and unmarried females agree whereas 49.25% and 52% of married and unmarried females disagree that women are given the right to decide her *mehr*. In total i.e. out of 200 respondents only 6% strongly agree for the actual right of women to decide *mehr* in the society and 74% strongly agree. Likewise, 19% of the population agrees and 94% disagree and response of 7% was undecided. It clearly shows that the majority of Shia population believes that women are not given right in their community to decide her amount of *mehr*. The table has been given graphical representation below.
Graph 4.9: Society Gives Bride the Right to Decide Amount of *Mehr*

The Graph shows that most of the respondents among all the groups score high in Disagree (D) and Strongly Disagree (SD) categories. This is a clear manifestation of the patriarchal setup of the society and the shadowing of *mehr* by the dowry. The bride has no rights to fix the amount of *mehr* to be paid by the groom. The graph further supports the findings of graph 4.8.
4.2.1.8 Female Property Rights and Dowry

Many theories have been put forward to explain the occurrence of dowry. One of the hypothesis links dowry to the rights held by women and explains it as a pre-mortem bequest made to daughter. In the present study, an attempt has been made to see whether Shia Muslims of Srinagar show the same reason for the prevalent practice of dowry. Table 4.10 depicts whether Shias of Srinagar give dowry to their daughters to compensate their share in parental property or not and table 4.11 shows whether girls get both parental property and dowry.
Table 4.10: People give gifts to their daughters to compensate their share in parental property

<table>
<thead>
<tr>
<th></th>
<th>Married Male</th>
<th>Unmarried male</th>
<th>Married female</th>
<th>Unmarried Female</th>
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<td>7.14%</td>
<td>5%</td>
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<td></td>
<td>17.85%</td>
<td>12.5%</td>
<td>4%</td>
<td>4.47%</td>
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<tr>
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<td>2.5%</td>
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<td>43.75%</td>
<td>52%</td>
<td>47.76%</td>
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<tr>
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<td>28.57%</td>
<td>36.25%</td>
<td>44%</td>
<td>41.79%</td>
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(Source: Field study, 2006-2007)
The attitude of people towards the dowry given to daughter as a compensation for their share in parental property is shown in table 4.10. One can see in the table that 5% of unmarried males strongly agree that people give gifts to daughters to compensate their share in parental property and 36.25% of unmarried males disagree for the same. Responses of 7.14% of married males strongly agree and that of 28.57% of married males strongly disagree. However 2.5% of unmarried males and 0% of married males did not respond. In case of unmarried females 0% strongly agrees and 41.79% strongly disagree for the above statement while as married females response was 0% and 44% i.e. 0% strongly agree and 44% strongly disagree. However 5.9% of unmarried females and 0% married females response was undecided. In total out of 200 respondents only 3% strongly agree for the above statement and 38% strongly disagree. In the same way 9.5% agree and 46.5% disagree and 3% people responses were undecided. From the above table, it is clear that a daughter is given dowry but not as a compensation of their share in parental property.
Graph 4.10: People give gifts to their daughter to compensate their share in parental property

The graph shows that most of the respondents in all the groups score highest in Disagree (D) and Strongly Disagree (SD) categories. Most of the respondents believe that the gifts given to the daughters are not given as compensation to their share in parental property. The gifts are just paid as dowry to secure her comfortable stay at the new home, where the bride is initiated as a new member of the house and she is going to have relations with the new people (her in-laws).
4.11: Girls get both parental property and dowry

<table>
<thead>
<tr>
<th></th>
<th>Married Male</th>
<th>Unmarried male</th>
<th>Married female</th>
<th>Unmarried Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
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<td>n=80</td>
<td>n=25</td>
<td>n=67</td>
<td>N=200</td>
</tr>
<tr>
<td>SA</td>
<td>10 35.71%</td>
<td>20 25%</td>
<td>8 32%</td>
<td>22 32.83%</td>
<td>60 30%</td>
</tr>
<tr>
<td>A</td>
<td>13 46.42%</td>
<td>40 50%</td>
<td>14 56%</td>
<td>34 50.7%</td>
<td>101 50.5%</td>
</tr>
<tr>
<td>U</td>
<td>0 0%</td>
<td>5 6.25%</td>
<td>0 0%</td>
<td>4 5.9%</td>
<td>9 4.5%</td>
</tr>
<tr>
<td>D</td>
<td>4 14.28%</td>
<td>7 8.75%</td>
<td>3 12%</td>
<td>2 2.98%</td>
<td>16 8%</td>
</tr>
<tr>
<td>SD</td>
<td>1 3.57%</td>
<td>8 10%</td>
<td>0 0%</td>
<td>5 7.46%</td>
<td>14 7%</td>
</tr>
</tbody>
</table>

(Source: Field Study, March 2006-March 2007)
One can see on table 4.11 that 25% of unmarried males strongly agree and 10% strongly disagree that girls are given both dowry and parental property, and 35.71% of married males strongly agree and 3.57% strongly disagree with the above statement. In the same way 50% of unmarried males and 46.42% of married males agree and 8.75% of unmarried males and 14.28% of married males disagree. Likewise among females 32.8% of unmarried and 32% of married strongly agree and 7.46% of unmarried females and 0% of married females strongly disagree and 5.9% of unmarried females and 0% of married females could not decide. Out of total 200 respondents, 30% of the population strongly believes that daughters get both parental property and dowry from their natal home while as 7% strongly disagree, 50.5% agree and 8% disagree while 4.5% respondents were undecided. Results clearly show that daughters are not only given dowry but parental property is also given to them in their lifetime. The things further get clear from the graphical representation of the table below.
Graph 4.11: Girls get both parental property and dowry

The graph shows that most of the respondents among all the groups score high in Strongly Agree (SA) and Agree (A) categories, affirming the fact that most of them are of the opinion that girls get both dowry and parental property. This is just a representation of no possible linkage between inheritance and dowry in case of Shia’s of Srinagar.
Discussion of Tables 4.10 and 4.11

Results show that majority of the females receive both dowry and parental property among Shias of Srinagar. The study of Goody and Tambiah is important to mention here which upholds that dowry is a sort of pre-mortem inheritance i.e. girls are given dowry as a compensation for the parental property. The case of Shia Muslims in Srinagar is different. Here, in addition to parental property, an adequate quantity of dowry is given to daughters on marriage. This means that inheritance as such has nothing to do with dowry. The study of Lucy Carroll also focuses on the daughter’s right of inheritance and states that the emergence of dowry is directly linked with the absence of female rights to property.

Among the Shias of Srinagar, the inheritance right is given to girls and they have right to receive it as per the Islamic rule. But then what makes dowry practice precarious among Shias? There are other factors responsible for its growth, other than inheritance rights. The case of Gulam Hasan who has given both parental property as well as dowry to his daughters supports the above evidence. The case of Hasan Ali also mentions equality of sons and daughters in relation to the parental property and so far as dowry is concerned, it is a social obligation. Thus, dowry and inheritance rights of females among Shias are two different modalities and there is no connection between the two.
CASE STUDIES
Case - 1

Respondent → Shabir

Age → 30 Years

Genealogical chart showing marriage age

Father
24 Yrs

Mother
20 Yrs

6 Children

Δ

Δ

O

O

Δ

O

M

UM

M

UM

UM

UM

Δ

O

Δ

O

24 Yrs

22 Yrs

20 Yrs

18 Yrs

16 Yrs

Shabir
(25 Yrs)

Wife

Saima
(22 Yrs)

Husband

Qayoom
(28 Yrs)

Note: Δ = male

O = female

M = married

UM = unmarried
Shabir (30 years), resident of Bottaraja, Hasanabad belongs to a middle class family with a monthly income of Rs.5000. Shabir’s ancestors has emigrated from Pakistan (Gilgit) more than a century ago. They share the same culture and customs as that of Kashmir’s especially when it comes to marriage rituals. Shabir is the sole bread earner of the family. He has burden of two sisters and three brothers and his own family i.e. wife and children. His father is a retired sub-inspector and does not support Shabir financially. While discussing the marriage of his sister, he bursted out in anger saying that girls compel their parents / brothers to pay dowry on marriages. He believes that girls are the main culprit for the dowry practice in any society. Since he had to manage everything on his own, the demands of his sister (Sumaiya) were unaffordable and in order to meet the demands, he was forced to take loan. Shabir is totally against dowry practice but favours the daughter’s right of inheritance in parental property. His sister in addition to gifts given on marriage will also be share holder in the property as per the Islamic rules. Shabir on his own marriage sent back the gifts and other thing, which were sent by his in-laws. He follows Islamic rules and had paid mehr of Rs.30000 in cash to his wife immediately after nikah.

He strictly believes in the caste system. According to him, “better to marry a poor girl than a low caste girl”. Shabir belongs to a high caste family and he is proud to be a high caste. Although Shabir is against the dowry practice and considers its practice against the Islamic rules. But at the same time he believes in the caste system, which according to him is permissible in Islam.
CASE 2: 

Respondent → Rafiqa

Age → 65 Years

Genealogical chart showing marriage age

Father 15 Yrs

O

Rafiqa 24 Yrs

Husband Mohd. Sadiq 20 Yrs

O

Shafiqa 22 Yrs

Husband Dilawar 26 Yrs
CASE 3:

Respondent → Kausarjan
Age → 43 Years

Genealogical chart showing marriage age
Kaunsarjan (43 years), resident of Zadibal got married at the age of 24 years when her father’s financial condition was not sound. She got married to a govt. employee with a monthly income of Rs. 8000. A mehr of Rs. 20,000 was fixed on her marriage. According to her, mehr is a religious sanction which is necessary to fix at the time of nikah. But its actual payment is made after divorce otherwise it usually remains unpaid.

Kaunsarjan believes that dowry demand could take place any time even after marriage especially in patriarchal setup. She justifies this by sharing her own experience. At the time of Kaunsarjan’s marriage, her family could not afford even to provide basic items to her i.e. clothes, utensils etc. Even she was not demanded anything from her in-laws at the time of her marriage. After a lapse of time, her father and brother worked hard and their financial condition started to improve. Simultaneously two of her brothers got married to rich family, which enhanced their financial position. The two brides brought with them enormous gifts and each brought cash certificate of Rs. 50,000. This was noticed by Kaunsarjan’s in-laws. They began to think that they were not provided gifts the same way. Her mother in-law followed by her husband started to torture her for dowry. Kaunsarjan was not ready to take any help from her father and brothers. She became the victim of many diseases like migraine and hypertension and her health worsened.

The constant torture for dowry and the constant refusal of the Kaunsarjan for the same resulted in the failure of the marriage and ultimately they got divorce and a mehr of Rs. 20,000 which was not paid at the time of nikah was paid to her at the time
of divorce. Kaunsarjan has received her parental property in the form of the house
where she is residing with one of her son.

The above evidence suggests that the in-laws of the bride were tempted by the
payment, when the bride’s brothers received huge amount of wealth from their in-
laws. Also it is apparent that dowry is demanded even after ten years of marriage.
which again indicates inferior position of women in patriarchal setting.
CASE 4:

Genealogical chart showing marriage age

Respondent → Sabrina
Age → 35 Years
Sabrina (35 years), resident of Baghwanpora, belongs to a middle class family. She is a government employee with the monthly income of Rs 14000. She got married to Yaqoob (34 years) who is a businessman. She attributes the reason for her late marriage to her poor family background. She justifies herself by stating that before her employment, the mazimyaur were not visiting her house as they were thinking that the parents of would be bride would not be able to withstand the demands of marriage. But the moment she got a job, the mazimyaur started paying visits to the family and ultimately a match was fixed. The late marriage of Sabrina was a result of dowry expectations in the society. She took the following items to her in-laws home at the time of marriage.

1. A Gold set (worth 50,000 for mother in law).
2. Gold earrings for seventeen ladies who paid visit to her home during engagement period.
3. All electronic goods.
4. Copper utensils (full set).
5. Other items.

She also expressed that her father could not have afforded the above mentioned items as he had other children to look after. Sabrina managed everything on her own i.e. money required for dowry.

Although she herself confesses that she was not demanded anything from her in-laws but the payment was made due to anticipation of
maltreatment in an absence of above mentioned gifts. Besides, status and prestige of her parents were also taken into consideration for the dowry.

Sabrina strictly favours caste system. Being a high caste, she opines that high caste should always marry in their caste because low castes show behavioural changes very often, which is not found in high castes. This was one of the reasons for her late marriage as she was fond of high caste groom.

Her mehr is Rs. 50,000, which has not been paid till date. She seems to be uninterested in demanding the same as it has been advised by her parents not to demand mehr. She believes that although there is importance of mehr in Islam but it is not practiced by Shias so demanding mehr means ruining one’s own life and going against the norms of society. While discussing this, Sabrina narrates story of her friend Seema belonging to the same community. At the time of Seema’s nikah, Seema openly demanded her mehr before signing nikahnama and expressed her desire for the payment of mehr in the form of continuation of her studies. It was shocking for all the relatives and guests including groom as nobody expected such a demanding behavior of a bride. Although her demand was accepted by the groom but it created her negative image. She was severely criticized later. The fact that it was her right to demand was grossly undermined. It is therefore for this reason that Sabrina is not in favour of demanding mehr.
The above case indicates the inherent patriarchal attitude of Shia community, which always expects a girl to be submissive at every stage of her life. This case therefore reflects that dowry results in late marriage and women are not given full rights even to demand their *mehr*.
CASE: 5

Respondent → Ghulam Hasan
Age → 75 Years

Genealogical chart showing marriage age

Father
12 Yrs

Mother
10 Yrs

2 Children

Δ

G. Hasan
16 Yrs

Δ

Mohd. Hussain
22 Yrs

Wife
Shahida
13 Yrs

Halima
Fozia
Batula
Zamruda
Riffat
Shaheen
Ifkat
Ali
Nusrat

Husband
Husband
Husband
Husband
Husband
Husband
Husband
Wife
Husband

Shafqat
Imran
Afzal
Imtiyaz
Inayat
Tasleem
Raihana
Raees
Manzoor

27 Yrs
29 Yrs
32 Yrs
26 Yrs
25 Yrs
26 Yrs
30 Yrs
28 Yrs
35 Yrs

Δ

31 Yrs
UM

28 Yrs
UM

Yunus
33 Yrs
Ghulam Hasan (75 years) resident of Baghwanpora belongs to a high income group. He is a retired government officer. His family income is more than 60,000 per month as his son and daughter-in-law are doctors by profession. Ghulam Hasan had started his career with monthly income of Rs. 200. His first three daughters were not given many gifts on marriage as compared to the last five daughters. At the time of the marriage of first three daughters, he did not spend much because of his low financial status but after achieving a high post, his economic condition improved and he was considered as one of the richest among Shias, then he spent lavishly on the marriage of the remaining children.

Ghulam Hassan is of the opinion that quantity of gift giving is asymmetrical i.e. bride's side spend much more than groom's side on marriages and explains the reason for the asymmetrical flow as social obligation and inferior status of women. He said “dowry does not only include gifts given to groom and bride but also involves feast arranged for baratis as well”. Further, he explains that wazwan (feast) is the most important and expensive item on marriages and also a social obligation to serve baratis with wazwan, the cost of which varies from 50,000 to several lakhs depending upon the financial condition of a person.
Ghulam Hasan believes that there are no payments required in case of marriages made by choice (i.e., love marriages). The best example he cited were his own daughter and son. There was no exchange of gifts in both the cases.

Ghulam Hasan opines that the highly qualified and employed brides pay more than illiterate and unemployed firstly because of their ability to pay and secondly they always prefer to marry professional and well settled boys. He had faced lots of problems for getting a suitable match for his educated and employed daughters and even had spent much more on their marriages as compared to the marriages of other daughters who were illiterate and unemployed.

He doesn’t believe in caste system as is revealed by the fact that his only daughter-in-law is from a low caste family and two of his daughters are married in low caste families. He believes that from Islamic point of view all are equal and there should be no differentiation on the basis of caste.

He had distributed his property as per the Islamic rules and has given share to daughters in the form of land. He believes that both sons and daughters have right in parental property and girls should not be denied of their property rights.

Ghulam Hasan has not paid mehr to his wife. When I asked his wife about the payment of mehr by her husband, she replied that mehr of Rs 20000
was fixed at the time of marriage which was not paid. Non-payment of *mehr* does not affect her much because all her needs were fulfilled by her husband. Ghulam Hasan opines that *mehr* is just a security to avoid divorce and it is mostly paid at that time. There is no need to pay when a good understanding is maintained between husband and wife.

Above case reveals that dowry payments are directly proportional to the social status of a person and it is a social obligation to pay. On the other hand payment of *mehr* seems to be unimportant.
CASE 6:

Respondent → Bashir Ahmad
Age → 45 Years

Genealogical chart showing marriage age

- Father: 14 Yrs
- Mother: 12 Yrs
- 3 Children
- Bashir Ahmad: 18 Yrs
- Ruqaiya: 15 Yrs
- Anisa: 17 Yrs

- Wife: Fatima: 15 Yrs
- Husband: Haider: 18 Yrs
- Husband: Yaqoob: 19 Yrs

- Owa:
- Zainab: 28 Yrs
- Husband: Abdul: 30 Yrs

- Fatima: 26 Yrs
- Ruqaiya: 24 Yrs
- K Nisa: 22 Yrs (UM)
- Jamila: 20 Yrs (UM)
- Asif: 18 Yrs (UM)

- Ali Mohd: 27 Yrs
- Abbas: 28 Yrs
Bashir Ahmad (45 years) is a resident of Baghwanpora. His ancestors have migrated from Kargil 50 years ago. He still follows the culture and custom of Kargil district of Jammu & Kashmir state.

He is the only earning person in his family and is a businessman. He used to visit Kargil in summer for the period of six months for the purpose of pearl business and due to bad climatic conditions in Kargil he stays in Srinagar during winters for carpet weaving. He has five daughters and one son. His wife has expired five years back.

His elder daughter is married to a Kashmiri boy and younger daughters married to boys from Kargil region. Bashir Ahmad is of the opinion that marriages should be made within boundaries of one's own culture because cultural variations even within the same state could create problems in many ways. The other reason for giving preference to endogamy is that people in Kargil pay bride price at the time of marriages. He emphasized that on the marriage of his first daughter, he had spent beyond his financial condition, not because it was demanded but due to some cultural norms like paying gifts at different occasions and *wazwan* – an expensive meal which is served to Kashmiri invitees. On the other hand, he did not spend anything on his other two daughters’ marriage. On the contrary, bride price was demanded by him.

He is totally against extravagant expenditure on marriages. He is of the opinion that marriages in Kargil are the simplest one. Food of the invitees is
prepared at home. The total amount of which is given by the groom himself. Jewellery, clothes and other things for bride are given by the groom. In addition to bride price, amount which is decided at the time of fixation of marriage is paid by groom to father-in-law before marriage. So comparing the marriage of Kargil and Srinagar. Bashir Ahmad suggests that girls are burden in the Valley society. Whereas, they are asset in Ladakhi society.

Bashir Ahmad opines that Shias in Kashmir usually not pay *mehr* but paying *mehr* in Kargil at marriage is obligatory. His elder daughter’s *mehr* was fixed at Rs.30000 at the time of *nikah*. But it was not paid immediately. However, his other daughters were paid the amount of *mehr* at the time of *nikah*. He also believes that girls in Kargil have high status in marriage market than Kashmiri girls.

When asked about the inheritance of property, he replied that he owns only one house which, according to him will be given to sons and the share of daughters will be given either in the form of cash or some other valuables.

Bashir Ahmad does not believe in caste system. He is from a high caste family but had his daughters married in low caste families. Because he considers that caste is not a crucial criterion. The above case reveals that girls are economic burden for families in Kashmiri Shias unlike the Shias of Kargil.
CASE 7:

Respondent ⇒ Naseema

Age ⇒ 48 Years

Genealogical chart showing marriage age

Father
17 Yrs

Mother
15 Yrs

4 Children

Δ Δ O O

Yunus Ubaid Naseema Zahida
28 Yrs 27 Yrs 23 yrs 24 Yrs

Husband

Sher Mohd.
27 Yrs

Δ

O O Δ

Rifat Rozy Zahoor
28 Yrs 25 Yrs 30 Yrs

UM UM UM
Naseema (48 years), resident of Mirbehri belongs to a poor family. She is a housewife and her husband is a government employee with a monthly income of Rs 3000. Her elder daughter Asifa is engaged to her maternal cousin. Naseema believes that marriage among close relatives could prevent the extra ordinary expenditure. But Naseema had to arrange gifts and other things for her daughter just because of the reason that Asifa’s elder brother in law got engaged to a girl who belongs to a rich family and anticipates to bring dowry with her. Naseema is afraid that her daughter may suffer from the sense of inferiority complex. In order to avoid such a situation, she is trying to arrange some gifts for the groom by taking loan. Besides, another social obligation which added Naseema’s tension is the arrangement of money for the feast. She opines that wazwan is a cultural obligation, which is followed even by the poor of poorest. She is strictly against the prevailing practice of wazwan and believes that giving dowry is at least a financial assistance to her daughter for starting her new life but wazwan is a complete wastage of money. But she is constrained to follow despite the fact that she cannot afford.

Naseema is of the opinion that the main reason behind the extravagant expenditure is rich people who create problems for poor people. They either take loan from financial institutions to meet the practices created and perpetuated by rich or sale their property.
When Naseema was asked about the property rights of daughters she replied that being a poor she would not be able to give her daughters share in property in cash or land but her only son would keep his sisters’ share intact and in future they will be given as per the religious norms.

Naseema believes that mehr is only given to divorce. Women should not demand it. It is just fixed as a sort of security, which is paid if some misunderstanding occurs between husband and wife and may lead to divorce.

The above case highlights that even marriage among close relatives could not prevent Naseema to spend according to her economic condition. She ended up in indebtedness. Firstly, for maintaining prestige of her daughter and secondly to fulfil societal obligations, she had to pay dowry.
CASE 8:

Respondent → Ali Muhammad.

Age → 65 Years

Genealogical chart showing marriage age

- Father: 25 Yrs
- Mother: 22 Yrs
- 2 Children
- Sarwar: 35 Yrs (Wife: Asmat, 27 Yrs)
- Musaddiq: 30 Yrs (Wife: Ruksana, 24 Yrs)
Ali Muhammad, (65 years), a resident of Zadibal belongs to a middle class family having retail trade business. He has two sons. He is living with his wife.

Ali Muhammad’s family, very famous for the unity and the mutual understanding became the victim of the practice of dowry. He was living a very happy life with his two sons. His elder son (Sarwar) was married to Asmat who belongs to a poor family and was illiterate too. She was very kind and used to take care of everyone but the arrival of Ali Mohammad’s younger son’s wife created family discord. Ruksana (wife of Musadiq) was highly educated and from a rich family. Ruksana got all kind of material things and gifts, which can be labeled as dowry with her and this created misunderstanding and ultimately the disintegration of the family.

Ruksana, very possessive of her things, used to react furiously, whenever, any of her things were used by Asmat. This point is reflected by the fact that on one instance when Asmat was using Washing Machine (one of the gift item of Ruksana) not for the personal use but for the family. Ruksana was watching all this from a distance and she got very much angry and broke her frustration by beating Asmat’s elder son for no reason. This event forced the family to think about the issue. Eventually, Musadiq and Ruksana got separated from the family and started living as a nuclear family. Asmat and
her husband demanded the same. The ultimate result was that they too started their nuclear family leaving alone their parents.

Ali Muhammad is of the opinion that educated and modernized people prefer to live in nuclear families. He did not blame Asmat because she had been a very faithful daughter in law. He blames himself for selecting an educated and rich girl for his younger son. He believes that his family would have remained united if he would have opted for a poor and illiterate girl for his son. This case study suggests that a united and a well-integrated joint-family has broken due to dowry.
Case 9:

Respondent → Nuzhat
Age → 35 Years

Genealogical chart showing marriage age

- Father: 19 Yrs, 6 Children
  - Afaq: 29 Yrs, Wife: Iffat, 29 Yrs
  - Mumin: 28 Yrs, Wife: Aziza, 25 Yrs
  - Nuzhat: 28 Yrs, Husband: Murtaza, 30 Yrs
  - Taha: 26 Yrs, Wife: Amina, 24 Yrs
  - Zehra: UM, Wife: O Nuzhat, 28 Yrs
  - Zahoor: UM, Wife: O O Taha Zehra, 30 Yrs

- Mother: 17 Yrs
  - Wife: O Mumin, 28 Yrs
  - O Nuzhat, 28 Yrs
  - O O Taha Zehra, 30 Yrs

Δ Δ O O O Δ
Nuzhat (35 years) resident of Zadibal belongs to well off family. She is an engineer by profession. She got married at the age of 28 years with Murtaza who was also an engineer and the only son of his rich parents. Nuzhat received huge gifts from her in-laws at the time of nikah and a mehr of Rs 40000 was fixed which was not paid on spot. There was no demand from groom or his parents before marriage but difficulties cropped up after marriage, when Nuzhat did not in reality fulfil their promises related to marriage related gifts. Her in-laws actually were waiting for the gifts but could not demand it because of social status. Nuzhat encountered various difficulties which came in forefront after one week of her marriage.

Nuzhat opines that expectation of in-laws for dowry from a rich family is much more than from a poor family. She was tortured and had to tolerate bad words for her parents. She was even banned to visit her natal house. In the meantime she was pregnant and gave birth to a girl child. Again after her delivery she was constantly warned to leave job for the sake of her baby.

Nuzhat believed that the reason behind her being mentally harassed was inadequate supply of gifts on marriage and ultimate result of not fulfilling their demands led to divorce. Mehr of 40000 was paid to Nuzhat at that time.
This case signifies that even if the groom or his parents did not demand dowry verbally, the feeling of accepting dowry is nurtured deep down. It is in their sub-conscious mind to take gifts and things in cash at the time of marriage.
CASE 10:

Respondent → Zainab

Age → 28 Years

Genealogical chart showing marriage age

Father
25 Yrs

Mother
30 Yrs

3 Children

O
Δ
O

Zainab
UM
25 Yrs

Abbas
UM
25 Yrs

Rukaiya
UM
23 Yrs
Zainab (28 years) is a resident of Baghwanpora. Her parents have migrated from Kargil 28 years ago. She belongs to a poor family. She is the eldest in her family as both her parents have expired. She works in a boutique and gets Rs. 1500 wages per month. She has a burden of one sister and one brother.

She does not want to marry in her own community because she has observed that Kashmiri people, mostly men, are more faithful towards their wives as compared to botas (local term used by Kashmiris for people from Kargil). Also she believes that unlike Kashmiri boys, boys from Kargil are selfish and womanizer, who marry just by giving bride price and can break the marriage anytime. Thus rate of divorce is more among botas than Kashmiris. She compares dowry with bride price thereby defines significance of dowry as a security to avoid divorce. The feeling not to marry among botas is due to various reasons. Zainab narrates story of her three friends who have been victims of bride price marriage. Her friends got married and received huge bride price. But after the marriage they came to know that their husband have two more wives. They could not seek divorce because their parents had taken bride price from their husbands. Thus Zainab is not psychologically ready to marry a bota boy although she is forced by her maternal uncle not to violate the rules of their community. She believes that bride price is directly linked with polygamy and dowry with monogamy.
She said that she has to arrange large sum of money for *wazwan* and other things needed at the time of marriage. She will get married only after getting a good match among Kashmiri even if her age at the time of marriage exceeds 30. Zainab is ready to face burden of *wazwan* and other things just to make her life happier in future. Although she has got lots of proposal from *bota* community and huge amount of bride price was offered but she personally thinks that it is a purchase price of a girl. This case signifies that a girl waiting for a groom only adds to her age and simultaneously she is saving money to make her marriage worth celebration.
Case-11

Respondent \( \rightarrow \) Ghulam Mohammad

Age \( \rightarrow \) 70 years

Genealogical chart showing marriage age

Father (16 yrs) \hspace{1cm} Mother (14 yrs)

4 Childrens

- Rukaiya (25 yrs)
  - Husband: Gh. Rasool (39 yrs)
    - Aamina (16 yrs)

- Hussain (26 yrs)

- Dilwar (28 yrs)

- Barkat (30 yrs)

- Jabeen (28 yrs)
  - Husband: Asif (32 yrs)
  - Wife: Shazia (29 yrs)

- Mehraz (34 yrs)
  - Husband: Abid (38 yrs)
  - Wife: Shazia (29 yrs)

- Shuza (30 yrs)
  - Husband: Yawar (31 yrs)
  - Wife: Sanober (26 yrs)

- Kaneez (27 yrs)
  - Husband: Irfan (29 yrs)
  - Wife: Idrrees (27 yrs)

- Fatima (25 yrs)
  - Wife: Rafiqui (27 yrs)
Ghulam Muhammad (70 years), a resident of Baghwanpora belongs to a high income group. He is a retired government officer. He has three daughters and three sons, all of them are on high posts. His monthly family income is Rs. 65000.

He believes that both sons and daughters are equal and equality should be maintained at every level. He has spent lavishly on the marriage of his daughters and expensive gifts were given. He believes that gifts given to daughters on marriage is an investment and assistance to the new couple to make use of them at the time of need and also becomes a source of converting it into liquid assets to make up the deficiency of cash requirement when needed.

He believes that educational qualification is a hurdle for getting a perfect match and the result is late marriage. He had faced many problems for getting match for her highly qualified daughter and got married at the age of 34. He is of the opinion that girls should not study after graduation because of difficulty in getting suitable match for them. As highly qualified girls expect suitable groom for them who are less in number as a result late marriage or else high payment of dowry takes place.

He firmly believes in caste system. He used the concept of kaffo (status symmetry) to explain this. He believes that low castes differ in many ways from upper castes like way of eating, thinking, interacting etc. Thus he gives
preference to equal status (isogamy) or girls should marry up (hypergamy) so far as the marriages are concerned. He relates the status with caste.

He favours the practice of giving gifts to daughters out of love (trousseau) on marriage but is strictly against the prevailing practice of dowry. He blames the poor people for imitating the life style of rich and spending on marriages beyond their financial position. He is of the opinion that prevailing practice of dowry is not a big issue for rich rather it gives them an opportunity to show off their wealth. But poor people become the victims.

Ghulam Muhammad divides a society into various classes or strata in which each stratum plays its role. Every stratum should follow the roles assigned to it. Thus rich can afford to pay dowry unlike poor. The imitation of middle class in pursuit of gaining status creates the problem in the society.

He had paid mehr of Rs 500 to his wife. But his daughters and daughter-in-laws did not get their mehr. He is of the opinion that mehr should be paid at the time of nikah. If it is not paid by the groom, it should not be demanded as demand is not permissible in Islam.

This case signifies that rich people give dowry because of their ability to pay and as a status symbol. Poor people imitate rich for the sake of status attainment.
CASE 12:

Respondent → Mymona

Age → 25 Yrs

Genealogical chart showing marriage age

Father

18 Yrs

Mother

17 Yrs

Mymona Bhat

21 Yrs

Husband

Yaseen Ahmad

(Died after one year of marriage)

25 Yrs

(Remarriage of Mymona)

24 Yrs

With

Mukhtar

24 Yrs
Mymona (32 years) is a resident of Hasanabad. She belongs to a middle class family. She is educated and has done Masters in Philosophy and is a housewife. Mymona’s father narrated the story in her presence. She got married to yaseen Ahmad at the age of 25 who was a government employee. But he died soon after his marriage and had his child in her womb. Yaseen’s younger brother Mukhttar decided to marry his brother’s widow on certain conditions. He wanted 20 kanals of land and cash of Rupees three lakh to open a shop in a market. Mymona’s parents accepted that he would be an ideal match for her. But he was not as educated as her and secondly he was demanding which was not affordable by old parents of Mymoona. But Mymoona was finally forced to marry to him and his demand was also fulfilled. Even after his demand is fulfilled he makes excuses to dissolve his marriage. He blames his wife on account of being bad character or accuses her for no fault of hers. Finally he divorces her and remarries his girl friend. Mymoona then started living with his parents and daughter and opines that it is better to live alone rather than with cruel husband. This case signifies that even dowry does not guarantee a happy married life.
CASE: 13: Respondent → Safiya

Age → 67 yrs

Genealogical chart showing marriage age

Father 16 yrs

Mother 13 yrs

4 Children

Δ Farooq 18 yrs

O Khaira 15 yrs

Δ Abdullah 17 yrs

O Safiya 19 yrs

Husband

Mohd Altaf (20 yrs)

O Khailda 25 yrs

Δ Feroz 28 yrs

Δ Inayat 27 yrs

Husband

Akhtar (30 yrs)

Ruby (20 yrs)

dolly (25 yrs)

UM
Safiya (67 years), a resident of Hasanabad, belongs to a middle class family. She has one daughter and two sons. She believes that the present system of dowry is totally different from the traditional way of gift giving. She narrated the story of the marriages of three generations to differentiate one generation from the other. Safiya has an experience of three marriages i.e. her own, her daughters and grand daughter. Comparing the three marriages; Safiya comments on the complexity in the later marriage. She recalls her marriage, which, was the simplest one. The only gifts, which she received from her parents were few clothes, some copper utensils and two gold bangles.

On the marriage of her daughter, she along with her husband had to arrange money required for the gifts like jewellery, clothes, television, cassette player, bicycle, etc.

The recent marriage of her grand daughter was a complex affair as far as the arrangement of dowry is concerned. The family had to arrange all the modern equipments like microwave oven, washing machine, refrigerator, vaccum cleaner, CD player, etc.

After comparing the three marriages, Safiya blames the technological advancement and the availability of these technology based gadgets. The role of television, Safiya narrates, is dominant in this regard. She is of the opinion that television is playing an important role in guiding the lifestyle of the
people and they are highly influenced by it, which is also reflected on marriages.

She also commented on the difference in the marriageable age of the girls during her time and in the present period, which, according to her was late teen to early 20s in former case and late 20s and early 30s in the latter case. She relates the professionalism and career orientation of girls to late marriages.

Going through the case of Safiya, it is clear that modernization has direct impact on the incidence of dowry in the society.
CASE: 14

Respondent → Sheeba
Age → 28 yrs

Father
26 Yrs

Mother
16 Yrs

Δ

Sheeba
26 yrs

Husband
Jameel
33 yrs
Sheeba (28 years), resident of Baghwanpora, is educated and belongs to a middle class family. She is a housewife bearing one child. Her husband is a government employee with monthly income of Rs 20000. Discussion with Sheeba on marriage and dowry reflects her changing attitude about in-laws before and after marriage. Before marriage, Sheeba considered herself the happiest as her in-laws seemed to be caring and loving. Her mother-in-law publicly refused for dowry on the engagement ceremony at Sheeba’s natal home, giving the reason that Almighty has bestowed everything to them. Both husband and in-laws had a good compatibility till marriage.

Sheeba believes that everybody expects dowry on marriages and apparent refusal does mean anything. As her mother-in-law, who seemed to be against dowry and had refused it in front of a large gathering was expecting dowry from Sheeba which was realized after marriage when she began to live with them.

She experienced lots of changes within a short period of time. Although her father had spent huge amount on wedding feast and all kinds of arrangement but there was no gift giving. Her in-laws seemed to be unhappy with her and the reason behind this was nothing but inadequate dowry given on marriage. She was tolerating and was not expressing her problems to anyone just to maintain her dignity and status. But condition worsened and one day she expressed her problem with her parents. Her father presented a cheque of Rs. 2 lakhs to her husband which was accepted happily.
Sheeba is of the opinion that *mehr* only remains confined to papers. Her *mehr* was Rs 150000 which is not paid yet. She believes that *mehr* is only paid at divorce as it is security money which also is a sort of device to stop divorce. She does not believe in caste system. Before marriage, her ideology was different. She had a concept that high caste people are wise, honest, keen, sincere and polite and she considered low caste other way round. But after experiencing and living with high caste and reputed family, she has come to the conclusion that individuals cannot be judged on the basis of caste but character.

After a gap of one year, when Sheeba delivered her first child, her brother-in-law got betrothed to a doctor from rich family. Truck-loaded gifts were sent but not publicly. Also costly gifts were sent to Sheeba and her husband too (laptop and diamond set). The arrival of gifts in Sheeba’s in-laws home degraded her status, as her father could not afford the same.

Slowly and gradually she was banned to visit her natal home for which her parents support her to obey the command of in laws. She was tolerating all this just for the sake of old parents. At times, her mother-in-law used to beat her reducing her status as a servant. Repeated torture made her to leave her in-law’s place along with her child. But they did not allow her to take the child. She loved her child so it was the other reason for tolerating them.

The acrimony of Sheeba with her mother in law on baseless stories resulted Sheeba to leave her in-laws home. After a period of one month, her husband forced
her to come back but Sheeba wanted to live in a happy and peaceful life, so she was reluctant to go back. She decided to live either separately with her husband or to take divorce. The problem of Sheeba is unresolved till date.
CASE- 15:  

Respondent → Altaf Hussain  
Age → 57 yrs

Genealogical graph → Marriage age

Father  
18 yrs  

Mother  
16 yrs

6 Children

△ Altaf Hussain  
(27 yrs)  

O sadiqa  
16 yrs

△ Bashir  
28 yrs

△ Ahmad  
26 yrs

△ Raja  
27 yrs

O Sara  
19 yrs

Wife  

Husband  

Wife  

Wife  

Husband

Hameeda  
19 yrs

Asgar  
30 yrs

Shafiqa  
21 yrs

Saira  
18 yrs

Anjum  
22 yrs

Mohammad  
33 yrs

O  
25 yrs

△  
28 yrs

△  
27 yrs

△  
26 yrs

UM  
UM  
UM

Husband  

Ali  
31 yrs

Yaqoob  
31 yrs

28 yrs  
25 yrs  
17 yrs  

UM  
UM  
UM
Altai Hussain (55 years), resident of Zadibal belongs to a middle class family. His monthly income is Rs.20000. He has got married his three daughters. While interviewing his old mother she told that dowry had taken away his son from her. She narrated that her husband died at the age of 35 leaving behind six children. Altaf, being her eldest son, got married to a rich girl and got huge gifts. After a few weeks of marriage, his wife felt that the village is not suitable for her. So, she forced her husband to shift from the village to Srinagar where her father would help them financially to settle. Altaf had responsibilities towards his brothers, sisters and his widow mother. But for his bright and secure future, he did not bother and left village and settled his nuclear family in Srinagar. He was supported financially by his in-laws.

His wife is of the opinion that her husband migrated to her native land not for her sake but was lured by the property, which was given to them by her father. After several years of marriage, her husband started making excuses that he had realized he could not adjust in Srinagar and wanted to return back. Altaf’s wife opines that the basic intention of making excuses was the land and property, which was not legally in his name which her father presented to his daughter i.e. Altaf’s wife. This created lot of problems in the family and ultimately Altaf’s wife decided to transfer her property to her husband as she considers family values more than anything in the world. She transferred the whole property to her husband which resulted in resolving their dispute and her husband stopped making excuses of going back to village.
Altaf’s wife believes that women are inferior to men in every sense. She justifies that although belonging to a rich family and being highly educated and earning more than her husband. He dominates her. She considers that the problem of dowry is generally seen in all communities mainly due to the inferior status of women in the society. She also opines that women are not considered productive although they work from dawn to dusk. She believes that the prevailing practice of dowry among Shias is not easy to eradicate because most educated persons who are aware of the rights given to them both legally and from the religious point of view are still practicing dowry. The above case reveals that dowry is the social evil, which is not easy to eradicate from the society.

The case studies discussed above also give information about the age at the time of marriage in different generation male and female. There are many consequences of dowry, which is the prevalent practice in Srinagar. One of them is late marriage. Tables 4.12 and 4.13 show the age at the time of male and female in G1 (generation one), G2 (generation two) and G3 (generation three).
Table 4.12

<table>
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<th>S.No</th>
<th>Male (yrs)</th>
<th>Female (yrs)</th>
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<td>15</td>
<td>18</td>
<td>16</td>
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<tr>
<td>Total</td>
<td>283</td>
<td>249</td>
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</table>

Mean age of male = 18.867

Mean age of female = 16.600

Standard deviation of male age = 4.3238

Standard deviation of female age = 4.8077

The table 4.12 shows that mean age of marriage of males in the first generation (G1) is almost the same in both males and females, which is approximately 19 years in males and 17 years in the females. It is clear that marriage has been performed at the threshold of adolescent age just because it was considered to be the right age for betrothal owing to social norms of the time. The practice of dowry and
its pressures if any would have been at minimum. This might have been the reason for early marriage in the first generation. Another reason may be the dominance of tradition and absence of modernization and competition. The economy was more or less agriculture oriented and market forces were absent.

Table 4.13

<table>
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<tr>
<th>S.No</th>
<th>Male (yrs)</th>
<th>Female (yrs)</th>
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</thead>
<tbody>
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<td>1</td>
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<td>28</td>
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<tr>
<td>Total</td>
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<td>640</td>
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Table 4.13 shows mean age of males and females in the second generation (G2), which has quite considerably increased from the mean age in generation G1. It is approximately 27 years in males and 22 years in females. The main reason for increased marriage age in the second generation is the impact of modernization. Demands of a better future, better education, an ideal partner search in terms of profession and status, demand for a secured life in terms of financial security. The market forces are quite at large in this generation prompting the members to look for the ideal time and ideal match. Sometimes wait is so long that individuals are forced to remain unmarried. The demands of dowry are high in this generation as the value of material resources is crucial: perhaps more than the value put on morals. The consequences are late marriage.
Table 4.14
Marriage age of G3 generation

<table>
<thead>
<tr>
<th>S.No</th>
<th>Male (yrs)</th>
<th>Female (yrs)</th>
</tr>
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<tbody>
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<td>13</td>
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<td>25</td>
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<tr>
<td>Total</td>
<td>395</td>
<td>351</td>
</tr>
</tbody>
</table>

Mean age of male = 30.385

Mean age of female = 27.000

Standard deviation of male age = 3.0149

Standard deviation of female age = 2.9721
Table 4.14 shows the marriage age of males and females in the third generation (G3). The mean age of males and females in the third generation is approximately 30 years in males and 27 years in females. It is clear that forces, which have been operational in G2 have become more prominent, further increasing the mean marriage age. There is a shortage of ideal matches in terms of status, profession, caste. The wait period for ideal match becomes longer in this generation than generation G2. The demand for dowry is also substantially increasing which makes the timely marriage a distant dream. We can see the gap between males and females in G3 is narrowing down. It is because the women have also to be good on professional front and have to be same on the dowry front. The employed women are in demand and sometimes unemployment means a long wait for marriage to be solemnised. The demands for better living and high aspirations also results into its wait on men who have to be earning for getting a suitable match. Consequently, the phenomenon of late marriage has become conspicuous.

The graphical representation of age of males and females in three generations G1, G2 and G3 shows clearly the evidence presented above in table 4.12, 4.13 and 4.13.
Graph 4.12: Graph showing age at the time of marriage in G1, G2 and G3.

Graph shows an increasing trend from generation 1 to generation 3 in terms of marriagible age. Age of females at the time of marriage in all the three generations is less than marriage age of males.

**DISCUSSION:**

The different case studies reveal a great deal of information about the revalent dowry practices and marriage payments among Shias of Srinagar. The reasons for the practice of dowry are varied and are obvious from the case studies.

It is the fear of maltreatment and social prestige maintenance which forces brides to opt for dowry. Brides being victimized for dowry are the next reason which forces family to make dowry payments towards groom’s side as is evident from case study no.2.

Case 3 suggests that greed for dowry leads to family disorganization and even to divorce same as that of rest of the Indian society. Case 4 is a peculiar case related
to Kashmiri society where eligible brides could not get married due to weak financial position or unemployment of a prospective bride and hence a practice of late marriages. Case 5 is an example of social status and dowry closely associated with each other. To maintain status and prestige in society, bride’s family spends lavishly on feasting and dowry. It further shows that societal pressures force individuals or family to accept the social evil of dowry.

This case matches with the first case, the practice is followed to maintain to social status and prestige of a family or a bride at her in laws house. Case 8 shows how dowry can lead to discord in the joint family and result in the formation of individual, self-centered nuclear families.

An analogy of how dowry and divorce are closely associated has been highlighted in case 10 and case 4. It shows that how it is long wait for girls to get married because of heavy financial burdens associated with feasting and dowry especially for poor girls.

Case 11 shows how even among educated and well qualified responsible citizens dowry is seen as necessity rather than a curse because of the societal pressures operative in the Kashmiri society.

Case 12 shows the patriarchal setup is operative in society where there is no guarantee of happiness for a woman even after payment of huge amount.

Case 13 shows that modernization has direct impact on the incidence of dowry in the society.

There have been cases where owing to certain social obligations and pressures the groom’s sides have been reticent to voice their demands
pertaining to the payment of dowry. The Case 14 is just an instance to highlight the aspect of bride’s suffering where earlier in-laws were very decent and caring towards the bride but later when no dowry was paid on marriage they turned hostile. It also reveals that the practice of dowry secures a future of bride, her prestige and happy married life and story of Sheeba is witness to this case.

Case 15 shows that dowry causes strained in relations especially in materialistic society.

After going through the case studies, we may analyze that the main factor responsible for the practice of dowry is for the maintenance of social status and social prestige.

To maintain dignity and to secure the identity and place of their daughter at her in-laws home, the bride’s family gets involved in paying large sums of dowry. Some of it may be trousseau but most of it is dowry. This way the status of family is maintained and smooth life of bride after marriage is expected. The observation clearly matches with the one made by Roulet, “Dowry is not merely an institution confined to valorization of marriage, but serves more importantly as a central institution to define social prestige and social status and thus becomes an important dimension of peoples representation of themselves and others”.

Another thing, which becomes evident from case studies is that there is a direct relation between income or wealth and dowry. Higher the income or wealth, higher the payment of dowry, lesser the income or wealth, lesser the payment of
dowry. The wealth may be generated either through prosperity in business or through profession after attaining higher education. So, high income and educated groups pay more dowries. Wealth is directly proportional to dowry payment. M. N. Srinivas (1983) makes similar observation, which directly supports my findings. “The system of dowry will be attributed to the increased wealth which enables people to spend more lavishly on weddings in their struggle for social recognition” (Srinivas, 1983).

There are some peculiar cases no doubt where we come to know about the ill effects of dowry like family disintegration, family disorganizations, divorce and dowry related death. But these cases are prevalent among groups who are either low income groups or among high income groups who are nouveaux rich. In the later case, demands are made even after several years of marriage of a girl by her in-laws after seeing the prosperity at her family of orientation. So, dowry has penetrated deep inside Kashmiri marriage market. It is expected that the dowry has to be paid either to maintain social status or to maintain social prestige.

From the case studies and tables presented above, it appears that a major segment of the Shias in Srinagar practice dowry. Very few pay the amount of mehr. Findings reveal that (a) dowry is directly proportional to the social status. Thus, investing more in marriage enhances status in the society. (b) Dowry is directly proportional to wealth. More the wealth more is show off which again is linked with status and prestige. (c) The adequate supply of gifts from bride’s side assures parents of bride that their daughter would lead a happy life. (d) Girls compel their parents for dowry for their better life and for the maintenance of status at in-laws’ place. (e)
Educated and employed women pay more dowries as they are fond of settled and a highly qualified boy whose demand is high in the marriage market. (f) Inferior status of women which is directly reflected by assymetrical flow of gifts even if bride is educationally, socially superior to men.

It is apparent from the cases that absence of dowry on marriages resulted in so many consequences like family disharmony, death, divorce, etc. Women is not only mentally harrased but physically tortured. Dowry shows its ill effects even after the ten years of marriage e.g. case of Kaunsarjan. Dowry results in late marriage especially among poor girls e.g. the case of Sabrina and Zainab. It results in indebtedness by borrowing money from financial institutions e.g. the case of Shabir, Mymona and Naseema. The prevailing practice of dowry among Shias has lowered the status of women especially in marriage market.

R.K.Merton’s account of structural functional approach seems to fit with the prevalent and preferred practice of dowry in Shia community. Dowry shows its functions as well as dysfunctions. Functions and dysfunctions of dowry among Shias of Srinagar could be obtained from both qualitative and quantitative data of the present study. Functions may be manifest or latent.

**Manifest functions of dowry**

(a) Maintenance of social status.

(b) Getting eligible groom.

(c) Economic stability.
Latent functions of dowry

(a) Secure married life.

(b) Cordial familial relations.

Dysfunctions of dowry may also be manifest and latent.

Manifest dysfunctions of dowry

(a) Indebtedness.

(b) Late marriage.

Latent dysfunctions of dowry

(a) Family disharmony.

(b) Family disintegration.

(c) Divorce.

(d) Suicide.

(e) Death.

An illustration of functions and dysfunctions (manifest and latent) is also shown in figure 4.16.
Fig. 4.16: Function and Dysfunctions of dowry among Shias of Srinagar.
CHAPTER 5

CONCLUSION
CHAPTER 5

CONCLUSION

The present research has been undertaken to analyze the relationship between social structure and marriage payments among the Shia Muslims of Srinagar, of the Jammu & Kashmir state. Social structure, as has been discussed at the outset, is a wide concept that deals with the relationship of constellation of human social interaction in various social institutions and social organizations. Different sociologists and social anthropologists have defined social structure in their own way by emphasizing a certain aspect of society like political structure, kinship structure, etc. The aim of the present work is to study an important aspect of social structure called marriage payments.

The state of Jammu & Kashmir is multi-ethnic and multi-religious. The advent of Islam after 13th century led to the emergence of new social structure in comparison to the earlier Hindu social structure. The new social structure comprised of norms and values stemming from Hindus and Muslims. Hindus after conversion to Islam retained many of the old practices related to caste, family, marriage customs, etc. Along with the practice of dower, they also adopted the un-Islamic practice of dowry payments. Muslims in Jammu & Kashmir are divided in various sects. Shias and Sunnis are the two major divisions. The Shia community is the focus of the present study. The study is exploratory in nature. I have tried to explore various parameters related to marriage payments and its causes and consequences.
A vast literature is available on the issues of marriage payments. But, it is mainly concerned with the communities of Africa and in India with Hindus. The literature is relatively lacking in the case of Muslims. So, the present study may add to the literature on sociology of Muslims and may also act as a tool for cross cultural comparison with regard to marriage transaction.

As we know marriage payments has been defined differently by different sociologists and social anthropologists. Marriage payments are those payments (either cash or kind), which are given in consideration of marriage either by bride’s side or groom’s side at the time of marriage and may extend even after the marriage. Dowry and bride price are two types of marriage payments identified by sociologists prevalent among the non-Muslim communities of India. Dowry generally refers to the gifts and valuable assets paid by the bride’s kin. In north India, this is known as dahej. Dahej includes the series of gifts presented by household or agnetic extended family of bride to her and her prospective groom and his kins in consideration of marriage. Contrary to dowry, bride price is paid by husband and his parents to the parents of bride. Among the Muslims, in addition to these two types, the institution of mehr is also practiced. In case of present research, the focus is only on dowry and mehr as bride price is rarely practiced among the Shias of Srinagar. Even among the two, an undue emphasis has been given to the practice of dowry because of the following reasons.

1. Emphasis on dowry is given more by people which is un-Islamic than the Islamic practice of mehr.
2. Dowry has far-reaching consequences on individuals and society than *mehr*.

The findings counter some of the explanations attributed to the practice of dowry. Dowry is explained in terms of compensation for the lack of inheritance rights of women in parental property among Hindus. Since women are denied property rights in traditional laws, so they are given dowry as compensation on marriage but the practice of dowry among the Muslims is difficult to explain in terms of absence of female inheritance rights in parental property. In Muslim law, a woman is granted rights in parental property. Among the Shias, dowry is given along with the inheritance rights of women as enshrined in Islamic laws. Shias believe that women property rights and dowry are two different modalities i.e. dowry is not the compensation because women receive their property rights in their lifetime. Among the 200 respondents, 80% agree that both dowry and parental property is given to girls.

In examining the practice of dowry among Shias, six variables have been used. These are income, education, caste, marital status, residence and age. All these variables influence each other in some way but they have their independent influence on the dowry practice also.

Higher the income, higher the acceptance of dowry is a prevalent practice. For the rich people it is obligatory to pay huge dowries because by doing so they are able to stabilize their high position in society. Societal expectation to spend
lavishly on marriages also adds to their acceptance rate. The empirical data as given in table 4.1 (Chapter 4) highlights that all people whether rich or poor accept the dowry as the prevalent practice in the society but the difference lies in the extent of acceptance of dowry payments.

Among the various forces of development and modernization, education is an important one. Education can help in abolishing the traditional practices, detrimental to individual and society. It generates awareness about long established beliefs and practices. In this background, how education affects the age old practice of dowry system has been examined. Research findings suggest that education, instead of solving or minimizing the dowry practice, has aggravated the situation. It was found that more educated the people more the favorable is the attitude towards the dowry. For the educated female appropriate match is more difficult because they prefer to marry either equally qualified person or more than their own. So, the educated qualified male are prized more because of their less number. Similarly the educated male also bargains for his qualification. Parents of such grooms, demand dowry because they think that it is a compensation for the investment they have already made in education. The darker side of the reality is that even qualified girls pay dowry on their marriages. This reflects the inferior status of women in society.

Caste is an important feature of the Indian society. It is an ascribed status i.e. people belong to particular caste group because of their birth in it. Every caste has its own rights and duties. Islam does not approve the caste system among its adherents.
But it is an established fact that caste divisions are found among the Muslims in India. In a different context, Matin (1996) has also come to similar conclusion. In the sample, three caste categories have been differentiated. They are high, middle, and low caste. In terms of acceptance of dowry practice, all the three caste groups show almost similar acceptance rate. However, the notion about the dowry practice varies among the three. For the high caste people, it is obligatory on their part to provide girls with expensive gifts and to make splendid arrangements for the guests at marriages. By doing so, they are able to justify their high caste position in society. On the other hand, dowry is a practice considered to be associated with status achievement. So, the socially mobile people among the middle and low caste categories also practice dowry in the same way as their high caste counterparts. So, in a nutshell one cannot say that dowry is exclusively a high caste practice rather it is a feature common to all caste categories.

The present study has been confined to four areas of Srinagar. These are Baghwanpora, Hasanabad, Zadibal and Mirbehri. What distinguishes Mirbehri from the other three areas is the relatively homogeneity of population in terms of caste, income and education. People of Mirbehri are poor, illiterate and of low caste origin. Agriculture is their main occupation. The area is relatively egalitarian as hierarchies on the basis of caste and income is not found. The area is relatively isolated from other areas due to poor facility of roads and transport. Government does not pay any attention in providing facilities like schools, hospitals etc. Inadequacy of all these facilities makes Mirbehri a backward region of Srinagar. Sense of backwardness
exists among the people of Mirbehri. The area works like a close knit community. Most of the relatives and friends reside in the same area. Most of their daily affairs are confined to Mirbehri because of their identical background. They prefer marriages within the area with whom they are familiar. They think it is unwise and immoral to ask for dowries from close fellows. So, the idea of cultural imitation does not work among them. This does not mean that people of Mirbehri do not exchange gifts on marriages. But dowry as an institution does not exist among them.

The sample has been classified into four age groups, 20-35 years, 36-50 years, 51-60 years and 65 years and above. The criterion of age was chosen to find the generational differences among people about dowry practice. The data reveal that higher the age greater is the acceptance of dowry. This is mainly due to the fact that they are more experienced and compare the present phenomena of dowry with the past. They believe that dowry has taken a new shape i.e. extravagancy and complex in the present era as it was simple and inexpensive in past. Owing to these differences between past and present societies, they consider dowry an important part of marriage without which marriages cannot be solemnized.

The criterion of marital status has also been focused in order to know the differential attitude of married and unmarried towards the dowry. The perception of dowry seems to be different among the two groups. The acceptance rate of married is more than unmarried towards dowry payments. This is due to the fact that married respondents are more aware and experienced about the problems faced after marriage if inadequate payment took place in comparison to unmarried respondents.
An important aspect of marriage among Muslims is *mehr* which is the only payment prescribed by Islam. An attempt has been made to explore the significance of *mehr* on marriage and to see whether women actually receive the amount of *mehr* fixed at marriage. The study has enabled to understand the rights of Shia women for fixing the amount of *mehr*. The results reveal that *mehr* shows tremendous importance on marriage but the amount fixed also remains unpaid or is paid at the time of divorce. This could be explained as people are either ignorant about the actual importance of *mehr* or have wrong perception that *mehr* is paid only at the time of divorce. Findings further indicate that women are not given the rights to decide her *mehr* inspite of Islam providing this right to her. Thus, it shows that *mehr* is of prime importance in Islam in principle. But it is given least importance in practice.

The study has explored causes and consequences of the prevailing practice of dowry among Shias with the help of case studies. There are fifteen cases taken from four Shia areas. The findings reveal that

1. Status is the most important factor for the perpetuation of dowry practice.
2. Wealth is another important aspect which is also linked with status.
3. Education serves as an important tool for upgradation of the level of dowry.

Cases also reveal the major consequences of dowry as follows.

1. Dowry leads to late marriages.
2. Dowry leads to family disintegration.
3. Dowry leads to family disharmony.
4. Dowry leads to indebtedness
5. Dowry leads to divorce.
6. Dowry leads to death.

Among the Shia Muslims of Srinagar, both dowry and mehr is practiced. But the actual payment of mehr doesnot takes place. Although no marriage is complete without fixing mehr, what is equally noticeable is that there is not a single marriage without some marriage payments or exchange of gifts. The findings show that not only dowry demands have increased, but “dowry is inevitable”. Parents of would be bride felt that their daughters could not get married without dowry. Islam forbids the practice of dowry and prefers marriages to be simple. Instead of opposition to the practice of dowry and pride in simple marriage celebration, the Shia Muslims are involved in favoring dowry with grand marriage celebration. A common perception among the respondents was that the family izzat (honour) is linked with a proper wedding: the more lavish the wedding feasts and decorations, the more honour and status. Dowry is not only just a transfer of wealth in the form of cash and kind from the bride’s family to groom’s family, but seen also as way to increase the social status of family in the community at large.

The Islamic system mehr is meant, at least theoretically, to enhance the status of women in society. But un-Islamic practice of dowry reflects the inferior status of women. The study reveals that even those girls with qualification more than their husbands, pay dowry on their marriages. It shows their lower status. The status
elevation gained from the *mehr* payment is nullified by the status degradation from dowry payment as the amount of *mehr* is comparatively less than that of dowry. Even if the amount is equal, women hardly receive her *mehr* after marriage. She gets it only on the dissolution of marriage. By simply paying *mehr*, the status of women is not going to improve. If we really want to improve the status of women, the only solution lies in the eradication of the oppressive system of the dowry practice.

(1) The present study has investigated marriage payments among Shias of Srinagar from sociological perspective. The idea was to explore the extent and amount of marriage payments being made by different sections of the heterogeneous community.

(2) The present study has widely examined prevalence of dowry system among the Shia community. An elaborate study can be undertaken with regard to the consequences of dowry system among Shia community.

(4) As for as this study is concerned it has been restricted to Shias of Srinagar. A comparative study of Shias and Sunnis in the whole region may be carried out.

(5) Payment of dowry and expenditure on *wazwan* of different income households may be carried out.

(6) Goel has pointed out that there are several consequences of dowry at various levels. She has explained it through a diagram which may be modified and adapted for the present study as follows in order to explain the dysfunctions of dowry in particular as well as various measures to be undertaken for resolving the dowry conflicts.
Fig 5.1: Consequences of dowry and remedial measures to be undertaken for resolving the dowry conflicts.

(Source: Adapted from Goel, 2004: 274).
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## GLOSSARY

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td><em>Baed Nishain:</em></td>
<td><em>Nikah</em> ceremony.</td>
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<tr>
<td><em>Banas thrawun:</em></td>
<td>It is a cultural practice in which some currency by the representative from groom’s side is put in an empty cup or pot after the agreement of marriage is formalized.</td>
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<tr>
<td><em>Dicha:</em></td>
<td>Big copper pot.</td>
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<tr>
<td><em>Durgahs:</em></td>
<td>Pilgrimage places.</td>
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<td><em>Dussi:</em></td>
<td>A special kind of <em>shawl</em> for men.</td>
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<tr>
<td><em>Haziri:</em></td>
<td>Gifts sent to groom after engagement.</td>
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<tr>
<td><em>Izzat:</em></td>
<td>Prestige/honour.</td>
</tr>
<tr>
<td><em>Karkuli topi:</em></td>
<td>A high cap made from the lamb’s hide.</td>
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<tr>
<td><em>Khabar:</em></td>
<td>Gifts sent to bride from her parents, relatives and friends after marriage to her in laws house.</td>
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<tr>
<td><em>Maharazi:</em></td>
<td>Groom.</td>
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<tr>
<td><em>Mahrin:</em></td>
<td>Bride.</td>
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</table>
Mazimyaur: Middle man (the person whose work is to arrange marriages).

Maulavi: A priest.

Maazdikcha: A cauldron full of cooked mutton or chicken sent to groom’s house before marriage.

Manzirath: Mehndiraat (the night on which mehndi is decorated on the hands and feet of the bride and finger of groom).

Masnand Nishain The actual day of marriage when the groom along with other guests visits the bride’s place.

Methaye: Sweets.

Nabad Nishain: Ring ceremony.

Nishain: Engagement.

Paich: People of low caste.

Pound: Gold coin.

Rati kail bogh: Gifts sent to groom or bride at the approach of summer season.

Saie: People of high caste.
**Sathnami:** A formal paper on which the date of marriage is proposed and finalized.

**Shamiyana/ Saiban:** Spacious tents in which guests are served food.

**Sarposh:** Cover of *treim*.

**Tram:** Copper utensils etc. given as gifts to bride on marriage.

**Treim:** Big copper plate.

**Thap thrawin:** Literally it means to catch hold of somebody. This term is employed especially for the agreement of proposals.

**Vaiz:** Ring.

**Vanvun:** Traditional Kashmiri songs sung by group of ladies.

**Vyath:** River.

**Waqatatnama:** A paper or deed or contract on which the formal agreement between bride and groom is made. consists of 7-20 dishes.
<table>
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<tr>
<th>Term</th>
<th>Description</th>
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<tr>
<td>Wandi bogh</td>
<td>Gifts sent to groom or bride at the approach of winter season.</td>
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<tr>
<td>Wathal</td>
<td>Groom’s side celebrates the day after the marriage which is also called walima.</td>
</tr>
<tr>
<td>Wazwan</td>
<td>Exclusive meal prepared by special Kashmiri cook, called waza.</td>
</tr>
<tr>
<td>Waza</td>
<td>Cook.</td>
</tr>
<tr>
<td>Yanevol</td>
<td>Arrival of barat</td>
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</tbody>
</table>
Appendix-I: Visualisation of Dowry Practice

*Dicha’s for wazwan*

The pottery used in the preparation of *wazwan* being collected at bride’s place. In the background there are the men along with traditional chef (*waza*) getting ready for the occasion to start preparing grand feast (*wazwan*).
The chef and his assistants in closer sneering the meet with wodden hammers to prepare one of the delicacies among the 35 dishes of the wazwan, the big affair rather burden of a Kashmiri marriage.

The wazwan going to be served in the traditional style well garnished, served on a big copper plate (treim) and covered with a copper dome shaped pot (sarposh), it only adds to the grandeur and excellence of the grand feast (wazwan).
Guest being seated in the traditional style on the well furnished floor inside the shamiyana (tent). We can witness the decoration and niceties being looked into while erecting this tent, the traditional expensive carpets, lighting system, fans etc. which is showing a marked shift from earlier days when these shamiyanas used to be simple and modest. This has added to extra expenditure which costs anything between 30000 to 50000 for bride’s household.

Triem and wazwan

Guests enjoying themselves with the delicious wazwan feast. We can witness for people sharing single plate (treim), marks the traditional as well as social aspects of wazwan.
Maharaz with Qazi

A Kashmiri groom along with qazi on left at the nikah ceremony.
Appendix-II: Castes among Shias in Srinagar

During my field-work, I have identified the following castes among Shias in Srinagar.

1. Aanchar
2. Aarm
3. Aga
4. Akhoon
5. Ansari
6. Ashraf
7. Atti
8. Allai
9. Baba
10. Bakoo
11. Balla
12. Banka
13. Beig
14. Bhat
15. Bitch
16. Chalak
17. Chinga
18. Dangroo
19. Dar
20. Dingal
21. Dogruu
22. Doun
23. Dung
24. Gadi
25. Ganai
26. Ghazi
27. Goggall
28. Gokalla
29. Gossain
30. Gucc
31. Haji
32. Hakim
33. Hamdani
34. Jalali
35. Jan
36. Joo
37. Kachru
38. Kaimi
39. Kand
40. Kandroo
41. Kath
42. Khan
43. Khar
44. Kotar
45. Kwaja
46. Lottu
47. Malla
48. Matoo
49. Mir
50. Mirza
51. Monger
52. Moosavi
53. Motti
54. Mughal
55. Munshi
56. Naqvi
57. Nekru
58. Panjoo
59. Pankachwari
60. Paray
61. Peer
62. Qazmi
63. Raja
64. Rather
65. Rizvi
66. Rooni
67. Shah
68. Sofi
69. Sote(satoo)
70. Sujah
71. Sultan
72. Syed
73. Tabu
74. Tamul
75. Tang
76. Teli
77. Tinda
78. Wani
79. Want
80. Wanth
81. Watlu

(Source: Field Study, 2006-2007)
Appendix-III: Occupation among Shias of Srinagar

I have identified following occupations among Shias of Srinagar.

1. Doctors
2. Drivers/auto rikshaw drivers
3. Engineers
4. Teachers/lectures/professors
5. Gazetted officers in various governmental organizations.
6. Clerks.
7. Businessmen (carpet/wood carving)
8. Carpet weavers
9. Paper machie workers
10. Salesmen
11. Customer care executives (telecommunications)
12. Gardeners
13. Blacksmith
14. Carpenters
15. Tailors
16. Mason
17. Labourers
18. Pashmina business
19. Bank employees
20. Mudsmith (potters, locally called Kral)

(Source: Field study, 2006-2007).
Appendix IV: Problems Faced During Research

- Being an insider, it was quite difficult for the investigator to get information from respondents.
  - Few respondents tried to avoid giving real information, as they felt as if it would be highlighted.
  - Researcher was discouraged by her relatives regarding the work on her own community. Sometimes they ridiculed and criticized for the topic under study.
  - Few respondents felt like if some information is given by them, they will be paid or given some government or private jobs in return. It was extremely difficult to handle.
  - Shias are in minority, so people belonging to this community know each other. The main problem for researcher was that before she started interviewing respondents, she was also asked about marriage proposals and other personal issues.
  - Respondents were mainly either in job or doing some work. Time to catch them and get them into confidence was a problematic. Sometimes it took more than two days to fix time for an interview.
  - It was more difficult in those areas which were remote like Mirbehri. It took about three months to interview 50 respondents. Transport was not available and researcher used to walk 6 kms everyday to reach them. They had built some paths to walk. Whole area is surrounded by Dal Lake and shikaras are available only for the residents.
  - Due to ongoing militancy it was often quite risky to move from one place to another.
Appendix V: Interview Schedule

Interview schedule used as a tool for data collection in the present study.

Name →
Age →
Sex →
Educational Qualification →
Occupation →
Residence →
Caste →
Economic Status →
Family Income →
Total Number of Family Member →
Number of Earning Members →

Instructions: I am collecting data for my Ph.D. thesis. I am enrolled for Ph.D. in the department of Sociology & Social Work A.M.U., Aligarh. May I request you to provide your answer in terms of SA, A, U, D, SD which ever is applicable. I would like to assure you that your information will be kept secret and anonymity will be maintained at all the levels.

Strongly Agree (SA), Agree (A)
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<tbody>
<tr>
<td>1.</td>
<td>People exchange gifts on marriage.</td>
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<td>2.</td>
<td>Paying gifts at marriage is important.</td>
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<td>3.</td>
<td>Marriage will be incomplete if people will not give and receive gifts.</td>
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<td>4.</td>
<td>Gift giving more desirable from bride’s side than groom’s side.</td>
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<td>5.</td>
<td>Social status is the main reason for gift giving at marriage.</td>
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<td>6.</td>
<td>Parents of the bride are under pressure for providing gifts at marriage.</td>
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<td>7.</td>
<td>Gifts provided by the bride’s parents are the sole property of the bride.</td>
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<td>8.</td>
<td>Educational qualification of girls reduces gift giving at marriage.</td>
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<td>9.</td>
<td>Employment of girls reduces the magnitude of gifts.</td>
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<td>10.</td>
<td>People give gifts to their daughters to compensate their share in parental property.</td>
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<td>11.</td>
<td>Girls get both parental property and gifts on marriage.</td>
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<td>12.</td>
<td>Dowry is responsible for late marriage.</td>
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<td>13.</td>
<td>Dowry is a creation of elite.</td>
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<td>14.</td>
<td>Excessive gift giving is not approved by Islam; this</td>
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<td><strong>practice is because of the influence of Hindu culture.</strong></td>
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<td><strong>15. Mehr is very important part of Muslim marriage and Muslims practice it.</strong></td>
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<tr>
<td><strong>16. Mehr is sole property of women and they receive it fully.</strong></td>
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<td><strong>17. Bride is unwelcomed in groom’s home, without gifts.</strong></td>
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<td><strong>18. Excessive gifts by bride’s parents make bride and her inlaws happy living.</strong></td>
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<td><strong>19. Paying valuable items like car, electronic devices or cash to daughters is an exhibition of wealth.</strong></td>
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<td><strong>20. A marriage payment by the poor of the poorest is an imitation of the rich.</strong></td>
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<td><strong>21. Gifts of traditional items (e.g copper pots) given inspite of very little or no utility.</strong></td>
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<td><strong>22. Parents give gifts like (utensils, elec.goods, furniture, and other daily use items) to their daughters to start a separate household after marriage.</strong></td>
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<td><strong>23. Gifts received by groom’s parents are to compensate their investment on his upbringing.</strong></td>
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<td><strong>24. Less appealing bride requires more gifts to compensate her look.</strong></td>
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<td><strong>25. Quantity of gift giving is more in arranged marriage than love marriage.</strong></td>
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<td><strong>26. Gifts in marriage lead towards the disintegration of joint family.</strong></td>
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<td><strong>27.</strong></td>
<td>Bride has right to decide the amount of her <em>mehr</em>.</td>
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<td><strong>28.</strong></td>
<td>Gifts given to groom are not according to bride’s choice but grooms demand.</td>
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<td><strong>29.</strong></td>
<td>Poor girls unable to pay gifts donot receive proposal from rich families.</td>
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<td><strong>30.</strong></td>
<td>Marriage payments lead towards indebtedness by borrowing money from financial institution.</td>
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<td><strong>31.</strong></td>
<td>Beautiful and good looing girls require fewer gifts.</td>
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<td><strong>32.</strong></td>
<td>Highly educated girls require fewer gifts.</td>
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<td><strong>33.</strong></td>
<td>Girls in high professions require fewer gifts.</td>
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<tr>
<td><strong>34.</strong></td>
<td>Girls from high social background require fewer gifts.</td>
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<tr>
<td><strong>35.</strong></td>
<td>Gifts on marriage lead to female foeticide.</td>
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</table>
Appendix VI: Model Nikahnama of Kashmiri Shias

اعتراف نامه دی توقیف متناکان

الحمد لله رب العالمين والصلاة والسلام علي خير خلقه و خاتم انبياً نه محمد و آله الطيبين الطاهرين

الائمة الهاديين المهدين بين، سيما علي قائمه و خاتمه حجة بن الحسن صاحب العصر والزمان

امام بعد فقد قال الله سبحانه و عصمه في محكم كتابه و انكم والائامي منكم و الصالحين من عبادكم إن

يكونون في قرآء يغفهم الله من فضل الله و لله واسع علم و قال رسول الله صلى الله عليه وآله وسلم انكاخ

عذر يمن رغب عن ستئتي فليس مني!
طبقہ ائتم مخصوص ایک بہتر و مکمل کارکردگی پر مفتی حضرت شیخ صاحب مرتضیٰ

اعتراف موسولی کے ذریعہ پایا گیا ہے۔

با فتح و اصلاح کے ذریعہ بارہویں جناح کے ساتھ تحقیق شروع کردہ ہے۔ کہ اورکلا کے ذریعہ

مستثنیات اور یہ کہ پر مفتی حضرت اورکلا کے ذریعہ پر مفتی حضرت شیخ صاحب مرتضیٰ

حاکم میں کے ذریعہ اورکلا کے ذریعہ پر مفتی حضرت شیخ صاحب مرتضیٰ

با فتح و اصلاح کے ذریعہ بارہویں جناح کے ساتھ تحقیق شروع کردہ ہے۔ کہ اورکلا کے ذریعہ

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امضا اور ملک کے ذریعہ پر مفتی حضرت شیخ صمحا