

# **DOWRY SYSTEM AND ITS PRACTICE AMONG THE SRI LANKAN MUSLIM COMMUNITY: *With Special Reference to the Ampara District***

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## **Abstract**

Dowry is considered as a wedding gift (cash or valuables) from the bride's family to the groom's family. In Islam, it is the man who pays Mahr (dower) to the woman. The following verses in the Qur'an prove that it is the man who is compelled to pay the Mahr (dower) to the woman; the woman may choose not to take it. "And give women (on marriage) their dower (Mahr) as a free gift; but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it with right good cheer" (Al-Qur'an: Al-Nisa': 4) A woman holds a very high status in the Islamic faith. She is honored and respected at all times, but many startling transgressions have crept into Islamic practice. These transgressions have been caused by cultural influence and have no basis in Islamic scripture.

However, a case study conducted in the, Ampara District confirms that if the bride's family refused to give this "gift", the marriage would not take place. In general, the amount of the dowry is set higher than the bride's family can afford to give and sadly, this results in the bride becoming a burden on her family. The bride's family then has to struggle to pay the "gift". Thus, dowry has become an unpleasant custom in the Sri Lankan Muslim community, particularly in the in Ampara district.

The objectives of the research were to: Identify how the dowry system impacts on the Muslim community in the eastern province, particularly on the women and their families; examine the causes for this social problem; and offer recommendations for solving this problem

This research adopted a descriptive, comparative approach to examine the socio-cultural roots of this phenomenon. Data was collected using a questionnaire. Interviews were conducted with married and unmarried women and Muslim parents. Participatory observation was also used.

Among the study area Muslim society, the dowry system had become a burning issue. Their main reasons for this problem were poverty, custom, social status, negative attitudes towards women, sole dependence on husband's income, and deterioration of religious and social values. It was found that in most cases, the bridegroom's party seeks money in order to begin a business or to use the money for his own advancement. In certain cases, where the bride is over-aged or not very attractive, there is a tendency to ask for more money. Some girls are compelled to remain as spinsters forever.

**Keywords:** Dowry System, Muslim Community, Eastern Province

## **Introduction**

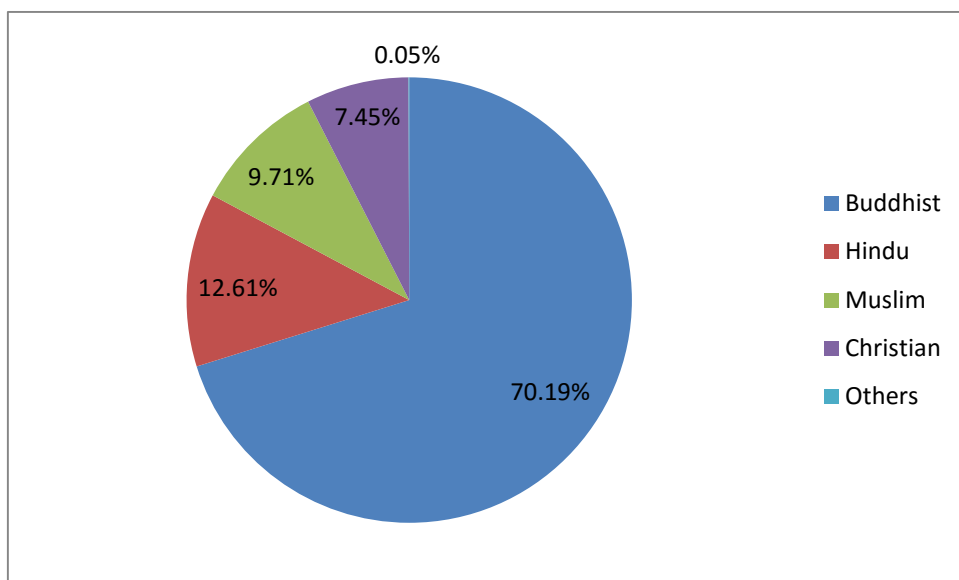
The Muslims of Sri Lanka form the second largest minority community in the island next to the Tamils and constitute 9.71% (1,967,227) of the Sri Lankan population (Total Population 20,263,723) (Census report-2012). Sri Lanka is a plural society, which consists of different religions, language and ethnic groups. The Muslims are spread out in

all the twenty five districts of the island but in none of them do they constitute a majority. Of the total Muslim population 282,746 people (43.6%) are living in Ampara district. (2012 Census Report)

### Population of Sri Lanka by religion 2012

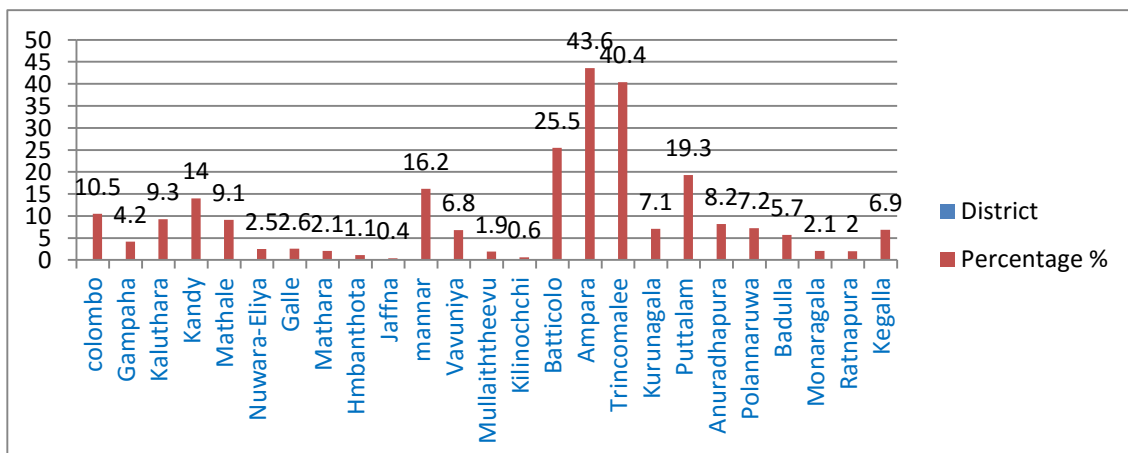
<u>Buddhist</u>	<u>Hindu</u>	<u>Muslim</u>	<u>Christian</u>	<u>Others</u>	<u>Total No</u>
14,222,844	2,554,606	1,967,227	1,509,606	9,440	<b>20,263,723</b>
70.19%	12.61%	9.71%	7.45%	0.05%	

(2012 Census Report)



Population by religion 2012 censuses

### Muslim Population according to districts in Sri Lanka– 2012 censuses



Marriage is considered an important event in the life of a Muslim. Although Islam does not approve the giving of a dowry it has become a practice in Muslim society. This has created various problems among the Muslim society.

### **What Are the Concept of Dowry and Mahr:**

**Dowry** is considered as a wedding gift (cash or valuables) from the bride's family to the groom's family. In Islam it is the man who pays *Mahr* (dower) to the woman. **Mahr** is considered as a wedding gift which must be given to the bride by the bride groom. A marriage Without Mahr is considered as an unlawful connection (equal to "Zina" – Prostitute) in Islam. Islamic Law has allowed absolute freedom to women in the matter of Mahr which means that the bride's party can bargain depending on their capability

The following verses in the Qur'an prove that it is the man who is compelled to pay the *Mahar* (dower) to the woman if not the woman chooses not to take it. Although the Practice in Sri Lanka the bride is forced to pay a negotiated amount to the groom unless the man chooses not to take it.

*"And give women (on marriage) their dower (Mahar) as a free gift; but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it with right good cheer."*

*(Al-Qur'an: Al-Nisa' :4)*

*All the authentic works is described as the compensation to the wife against the husband's right on her. Prophet Muhammad said:*

*"Most important among the conditions and covenants, which one must observe in respect to his wife is that of payment of Mahr by which the women become legitimate for you." (Bukhary)*

*As a Muslim must live with the religious laws and principals and they should follow the Qur'an and Hadthees. According to them 'Mahr' is quite free in case of Mahr, The Sariat (Islamic Law) has allowed absolute freedom to women in matters of 'Mahr', but the practice of dowry exists in two common forms in the Muslim society, "voluntary" and "on demand". However it has no roots in Muslim history, nor could it be traced to Prophet Muhammad and the marriages he conducted. Ayesha's (Prophet's wife) father did not offer any dowry while marrying Ayesha with the Prophet. Prophet Muhammad married his four daughters, but none among them carried anything with her to her new home as dowry.*

### **Why Does this Dowry Practice Exist in the Muslim Community?**

*Though Islam prohibited dowry system, Most of the educated people, community leaders and religious leaders maintain silence in dowry matters because they have also benefitted from the practice of dowry and they keep their side safe from the community. Therefore this tradition continues to be practiced. Religious leaders do not request dowry directly but they get married in rich families or a single girl in a family because they will receive dowry automatically.*

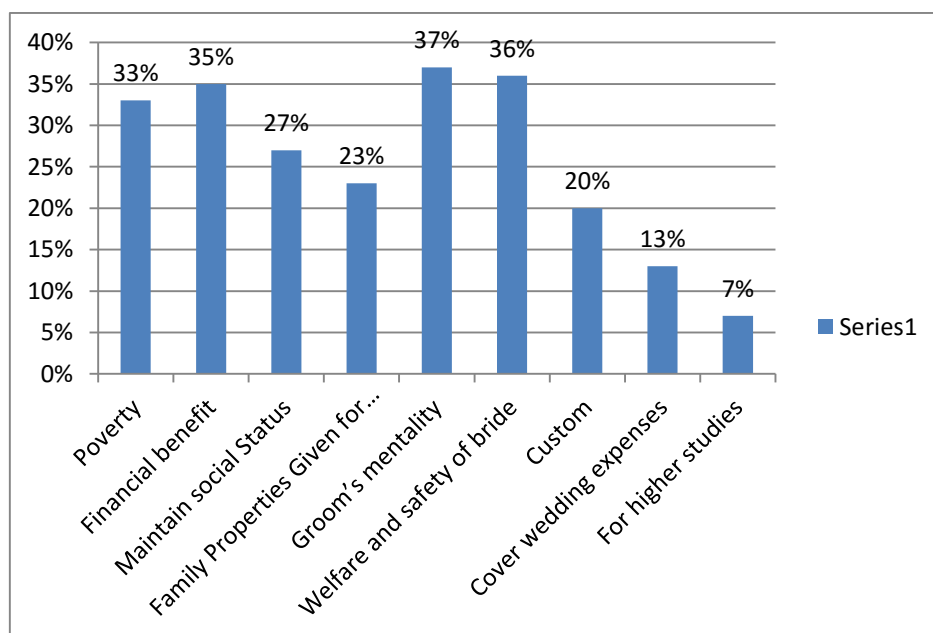
*In this research the bride groom takes dowry from the bride's family and the following reasons are identified.*

1. *Some people take dowry because of necessity (poverty)*
2. The bride groom's parents compel him to accept dowry because of the financial benefits
3. They think that depending on the amount of the dowry, they can maintain a particular status in the society.
4. Most of the Ampara district parents don't give properties for their sons. They offer it only for daughters as dowry
5. *Most of the young men are in a mental condition under which they feel that they will be unable to lead a stable life in future that they do not get a dowry.*
6. To the welfare and safety of bride
7. For area Customs
8. To cover the wedding expenses
9. Some of the grooms get dowry before or after marriage to continue their higher studies such as engineering and medical field.

*Through issued 150 questionnaires among various categories of jobs of bridegrooms in the study area and finalized the reason as follows.*

<b>No</b>	<b>Reason</b>	<b>Percentage %</b>
01	<i>Poverty</i>	33%
02	<i>Financial benefit</i>	35%
03	<i>Maintain social Status</i>	27%
04	<i>Family Properties Given for Daughters</i>	23%
05	<i>Groom's mentality</i>	37%
06	<i>Welfare and safety of bride</i>	36%
07	<i>Custom</i>	20%
08	<i>Cover wedding expenses</i>	13%
09	<i>For higher studies</i>	7%

*Reasons for Getting Dowry*



### **How did the Dowry System Crept in to the Muslim Community?**

The Muslims are scattered in all parts of the island. Some of them are living among the Sinhala community and some of them are living among the Tamil community. Especially in the Northern and Eastern provinces Muslims live among the Tamil community. It is suggested that the influence of other communities may have been the cause of this new development.

*Muslims know that Islam do not allow taking dowry from the bride .When we compare the amount of dowry which is taken by Eastern province people with the other areas people of the Eastern province people get a higher amount of dowry than the people in other areas. Therefore we can propose that among the people who are living with the Tamil community the practice dowry is very high because this culture has been influenced by the practice of the Tamil community.*

In this dowry system, the following things are given by the bride's parent to the groom; cash, new vehicle, a new house with furniture and other items, paddy fields, land example; coconut land and gold jewelry. In the past, animals were also given as dowry.

Through this research we found that 98% of marriages take place with dowry especially in Ampara district. Normally without a house a marriage proposal will not be forwarded. House is almost compulsory. Specially Saainthamaruthu, Kalmunai, Maruthamuna, Sammanthurai, Akkaripattu and Nintavur most of the professionals ask a house in their own home town and another house in Colombo as well. That is a new tradition. Normally the grooms who are professionals like Doctors, Engineers, and Lecturers get dowry like this. Same time it's expected that most of the wedding day expenses of the bride groom's family also to be under taken by the bride's family. This tradition is compulsory. At the same time this tradition will not come under the dowry. Some of the grooms who work in Saudi do not get dowry due to the intention of following religion.

In general the amount of the dowry is set higher than the bride's family can afford to give and sadly, this results in the bride becoming a burden on her family. The bride's family then had to struggle to pay the "gift".

The value of the dowry will be decided according to the bride groom's job. For an Example: if the bride groom is a doctor or an engineer they will ask 35 – 50 hundred thousand of money, jewelries, two houses, lands, car and etc.

A woman holds a very high status in the Islamic faith. She is honored and respected at all times, but many startling transgressions have crept into Islamic practice. These transgressions have been caused by cultural influence yet. It has no basis in Islamic scripture. Dowry is the one of the most common yet unpleasant custom prevailing in the Sri Lankan Muslim community, particularly in the Ampara district.

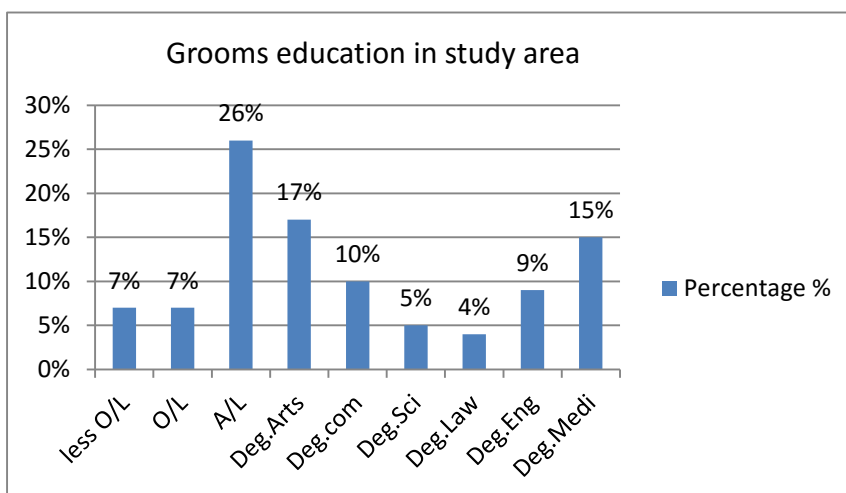
**Case:** She is a well-educated, independent, smart and confident person and possessing all other qualities of a modern girl. Unlike most of her contemporaries she is also religious minded and manages the household chores with equal ease. In spite of all these qualities, her parents are finding it really difficult to find a suitable match for her. Often several candidates drop in to check out whether she actually meets their expectations. But even though she satisfies some of their major parameters, the inability of her family to give a

handsome dowry dampens the spirits of the suitors who have no other ground to reject the proposal. Every time she is rejected, her frustration level rises filling her heart with bitterness against this entire social set up where a girl is subjected to such humiliation.

**Case – 2** - The worst part is that this disease plagues not only in the backward society where people are uneducated and narrow minded but also among the educated and the so called 'modern' class. A friend of mine was involved with a boy for the past five years. They seemed very serious about it and were committed to spend their life together. Just few days back I came to know the boy got married to some other girl. Reason, being the girl's parents belonged to very modest background and could not meet the boy's family's expectations who wanted a big dowry. The boy could not convince his parents and hence finally preferred to end the whole affair by marrying the girl whose parents could pay him his right price. It's really sad to see how educated and well-to-do families give in to such evil practices.

Especially in the Ampara district, even for an uneducated or less qualified bride who has wealth, she can find a well-educated professional groom. Therefore, after the marriage lot of problems arise in the family. For example: some educated people marry not so educated brides they are unable to appreciate the husband's education and profession. Same time, their expectation in family life is entire deferent from their husband's expectation. So husband like or not, he should go under her expectations. It is not applicable to everyday. So automatically problems crop up in family. When she creates some problems with the groom, he frustrated in life or finds an illegal partner to share his sorrows in his work place. When the wife gets to know about this relationship, it creates new problems. Same time due to his family problems, he is unable to concentrate his works properly.

At the same time in this area, the grooms obtain a basic degree in various fields to take dowry. Their ambitions are to marry a girl with a big dowry, after the marriage some of the husbands are not properly treated by the family and the wife and her family. Therefore, though they have a lot of money, most of the husbands are not interested in their higher education. For example in Saainthamaruthu, Kalmunai, Maruthamuna, Akkaripattu and Nintavur lot of doctors are available but specialist doctors are very rare because the family support is not a healthy one and they try to earn money for their next generation for giving more dowry. Same time some professionals try their best to uplift their educational qualification to earn much money due to collect dowry to their daughter's. But when we compare Muslims education level of Ampara district, it is higher than other areas of the country. Same time men's education level is higher than women's education in this area. The following graph indicates the education level of the grooms in this study area.



### Effects of Demanding Dowry:

1. Most of the girls continue to remain as spinsters forever.
2. Some migrate to the Middle-East for work as housemaids to earn money.
3. Parents who have daughters will become poor and they suffer for stress throughout life and scarify their whole life for earning though they become very old.

**Case:** A parent from Ampara district has nine daughters. Father is a teacher. Mother is a house wife. None of the daughters is doing a job. They had only land for five houses. Though they tried hard and had built nine houses for dowry purpose for each and every one before getting them married.

4. Internal relationship in the family is affected because of hard work of parents.
5. Most of the people think of their own life after marriage because of this dowry. So they fail to look after the parent after marriage.
6. The people who are rich are not interested in educating daughters much. Especially parents give up educate daughters and get them married. It is a loss to society and to the individual concerned.
7. Most of the love affairs do not end up in marriage.
8. Most of the marriages are proposed marriages.
9. Selfish mentality developing in society. In giving the dowry, parents give the dowry according to the demand of the groom, in one instance of a daughter got a big dowry, a second daughter is given little less than the other person, the daughters compare the dowry leading to fights with parents without understanding the parent's difficulties.
10. After the marriage also some husband request properties to be given ones the daughter gives birth too girl.

**Case:** A parent from Ampara district gave dowry to her daughter. Her daughter got babies as twins. Both are girls. Then husband forced the wife to give a child to another person or to ask her parent to give more properties. Then they gave another big land to satisfy the daughter.

11. Patriarchal dominance increases among the Muslim community in the study area because the females are supported and therefore a controlling mentality results in their subordination before marriage
12. If some men get better professional jobs after the marriage they demand dowry again.

**Case:** A professional from Ampara district got permanency in his post after his marriage, the demanded dowry again from the wife's family. Then the wife's parents gave in to demand to save their daughter's life.

13. Crimes are increasing in the Muslim society because their marriages based on dowry and financial gain (dowry) not out of pure love. So they may have illegal relationships and causing serious problems in the family.
14. The bride's parents suffer so much that it has become a traumatic experience for many parents because of this practice families get involved in borrowing money unnecessarily (bank loan, etc) & mostly with high interest rates because of dowry
15. Most of the people are trying their best to earn money by doing several businesses simultaneously. Example a teacher doing teaching, conducting tuition classes look after paddy field and doing other, similar things. So they are under stress all the time. They are not enjoying the life such as going trips with the family, etc
16. The bride's parents are suffering mentally due to this practice.
17. Most of the educated girls become radical feminist without any knowledge of feminist thinking.
18. Most of the educated girls do not wish to marry and settle in the study area. But in this area system, they are compelled to get married in their own home town.
19. Most of the parents are discouraged to provide opportunities for higher education to daughters because if they are more educated they find it more difficult to get a suitable life partner without a substantial dowry. For example: the groom is a Doctor he has the advantage of getting a big dowry, But for a women becoming a doctor makes it more difficult when it comes to her marriage

According to our questionnaire we are able to categorize according to different levels:

- Doctor, Engineer- Rs.40lakh and new house in their home town and Colombo,10- 15 archers land ,paddy fields vehicle, gold Jewelries
  - Teacher- 5-7 lakh, house, gold Jewelries and etc..
  - Other government officers-20lakh, house, gold Jewelries and etc..
  - Private Officers, groom who are come from Middle East -4lakh, from European country- compulsory for house with upstairs
20. After the marriage also problems are faced by both parties, if any small problem wives try to argue about dowry.
  21. Most of the families in the study area, the tendency is for males to be controlled by the female (wife) after the marriage, a small problem also may create a big crisis. Even after the marriage problems are faced by both parties. When a small disagreement the wife tends to claim that she came with a dowry and argues. But such a relationship is not a healthy feature in a family situation.
  22. In the study area, some marriages after being fixed the decision is changed, because of a dowry problem, after deciding the date for marriage another party which is ready to give a higher dowry, the groom rejected the first proposal. Hence the dowry itself can decide marriages

**Case-** A well-educated girl from Ampara district, proposed to an Engineer for five million money, house, jewelries, luxury car, and land as dowry. One week before their marriage, another party bought this bride groom to seven millions of money and other things as dowry.



**Case** – well qualified professional girl from Ampara district got married to a boy without any job because of no dowry.

23. Due to dowry practice some women develop suicide tendencies
24. Due to getting baby girls, some of the divorces occur because most of the people do not wish to bread girl babies because of dowry.

Although dowry is a burning problem in the Muslim community, Mother in law – daughter in law problems are less than in the other area because daughter in law will settle in her own home from the beginning of marriage life. At the same time most of the people in other areas consider beauty and young age when they look for a bride so other area brides facing problems through this also. Most of the men in other area are not interested in education. They are interested in business, so educated girls are facing various difficulties to get a suitable partner in life. Due to this dowry system Men's education level is higher in the study area than women's education.

### **Solutions to the Existing Problem:**

In this research we were able to find some following solutions:

1. If the Islamic law is followed among the Muslim community in Sri Lanka and compelled to give *Mahr* instead of the dowry, *Ulamas* knowledgeable people can mobilize public opinion against the dowry-linked marriages. They should create awareness against the sinister religious implications of dowry and work for its total eradication
2. The parents should share out their property according to the Islamic law to the male and the female
3. Muslim people's mentality should be changed according to religious principals.
4. Religious and reform organizations need to pay careful attention to this problem and do their best to save the Muslim community from this harmful evil
5. Muslim community leaders and knowledgeable people should give serious attention to this evil custom. There is a tendency of this practice to spread its wings in other areas at present. If ignored this evil practice may pervade the whole Muslim community in a destructive manner.

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