

Mapping Dowry Exchanges: Snapshots of Nineteenth Century Palm Leaves

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Abstract

The Palm leave records of the Syrian Christian communities in Kerala, belonging to eighteenth and nineteenth century, remain as evidences of the practice of dowry (Stridhanam) among the Syrian Christians and donations such as passaram, nadavazhakkam, kurippanam, kudappanam etc made to the churches and priests in relation to the marriage. Records say that this social custom, also known as Stridhanam was a crucial point of marriage and it was very often a matter of dispute and family problems. In spite of all disputes and difficulties existed in the Syrian Christian families and in the society at large because of this custom, no church record could be traced against this system. This paper is an attempt to explore and analyse the nature and practice of this social custom among Syrian Christians in the nineteenth century, who are Christian in faith and religion but are not different from the Hindus in their social customs and practices. Likewise, this paper is an attempt to analyse the social and cultural impacts of dowry (stridhanam) and the attitude of the society as well as that of Church authorities towards this custom and how did they tax the people in connection with the marriage.

Keywords: Dowry; stridhanam; syrian christians; passaram; nadavazhakkam; palm leave records; christian marriage

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Introduction

Dowry, one of the many social customs of India, existed in Kerala society too, but not deeply rooted as in case of North India until the eighteenth century. However, by the nineteenth century dowry became a crucial issue of marriage irrespective of caste and creed both in North and South. Syrian Christians were not an exception who followed the same customs and manners of the Kerala society in many respects. Even the seventeenth century Portuguese documents of Synod of Diamper speak about practice of dowry among Syrian Christians. Church records, especially palm leaf records of eighteenth and nineteenth centuries provide evidence of practices of dowry and donations such as *passaram*, *nadavazhakkam*, *kurippanam*, *kudappanam* etc made to the churches and priests in relation to the marriage. These kinds of donations were obligatory until the second half of the twentieth century. Records say that the social custom of dowry, also known as *Stridhanam* was a crucial point of marriage and it was very often a matter of dispute and family problems. So also, these church records reveal the social and cultural impacts of *stridhanam* and the attitude of the society as well as the church authorities towards this custom and how did they tax the people in connection with the marriage. This article is an attempt to analyze the custom and practice of dowry in the background of marriage as a social and religious institution, especially in the context of Syrian Christian communities. This is also an attempt to analyse the attitude of church towards dowry and practice of taxing people in different ways in relation to marriage based on the nineteenth century church records of St. Mary's Church, Muttam and St Mary's Church, Kudavechoor and the changes that happened in the nature of donations made to the churches from the second half of twentieth century.

Historical Background and Meaning of Dowry

The dowry system dates back to the ancient Greco-Roman world which was turned to Germanic observance of bride-price throughout much of Europe with the invasions of the nomadic tribes. But dowry was widely reinstated in the late middle ages and was common practice among most social and economic groups

(Anderson, 2003). In India by the middle ages, dowry was paid widely among the high caste Hindus of Northern states while in the Southern region there was the custom of paying bride-price to bride's family. Therefore, when the concept of dowry is analyzed in the Indian context, one has to bear in mind three terms "dowry", "Stridhan" and "bride-price". Dowry is derived from the ancient Hindu customs of "kanyadan". According to Srinivas, a prominent Indian sociologist, dowry was traditionally part of the *kanyadan* system of marriage practiced by high caste land-owners, and more commonly in the north of India. It involved the "gift of a virgin" where the bride was accompanied by a dowry composed of clothing, jewellery, and household goods. Though conventional, it was voluntary. But, the modern dowry system is different from the traditional one and involves larger amounts of money and often the payment is "demanded" by the groom's family as a pre-condition to the marriage (Srinivas,1984; Shenk, 2005; Chowdhury, 2008). Traditionally, dowry is called as "stridhan", a concept of Hindu law, and has arisen from the Vedic concept of "Varadakshina" which is associated with an approved Hindu marriage practice of "Kanyadan". "Kanyadan" [*Kanya* means virgin daughter, and *Dana* means gift] means the gifts which bride's father gives to the groom's father. "Varadakshina" was the presents in cash or kind given to the bridegroom. Presents, given to the daughter on the occasion of the marriage constituted her "Stridhan" i.e. her separate property. Therefore, the term "Stridhan" literally means the "woman's property" (Dowry Prohibition Act, 1961). These payments are voluntary in nature and often viewed as pre-mortem inheritance and the bride enjoyed the ownership right over these payments (Chowdhury, 2008).

As opposed to the Northern region, there was the custom of bride-price in most South Indian societies for centuries. Bride-price means the goods, livestock or money paid by the groom or his family to the bride's family. In the Southern region, the custom of paying bride-price was widely practiced even among high caste Brahmins (Srinivas, 1989; Chowdhury, 2008). The concept of bride-price is based on the assumption that it was bride's and not bridegroom's father who was regarded as justified in demanding a payment since the bride deprived her family of her services (Altekar, 1987). But in the late colonial period dowry was widely

accepted and bride-price was abandoned and the “researchers have documented a substantial reduction in the gap with respect to marriage transaction between the South and the North in recent decades as the practice of dowry replaces the practice of bride-price in Southern states” (Chowdhury, 2008, p. 17). Moreover, the change from bride-price to dowry in South indicates the intensity of the influence of dowry and its capacity to overturn the centuries old traditions (Anderson, 1998).

A.S. Altekar appreciated the Hindu culture's treatment of women and glorified the ancient and medieval past of India (Forbes, 2003). According to Altekar, the dowry system was connected with the conception of marriage as a *dana* or gift and dowry was not a serious issue of marriage in ancient India. Dowry system, therefore, was generally unknown in early societies. But in rich and royal families some gifts were given to son-in-law at the time of marriage and the gifts accompanied the bride was a small and formal gift either in cash or ornaments or both. The amount of the gift was nominal one and was not an impediment in the settlement of marriage. These gifts however, can hardly be called dowries for they were voluntarily given out of pure affection. There are no references in *Smritis* to the dowry, that is, to a pre-nuptial contract of payment made by the bride's father either with the groom or his guardian (Altekar, 1987). But at the same time, “*Smritis* recommended that the bride should be given in marriage along with suitable ornaments but their number and price is entirely left to the discretion and ability of the bride's father” (Altekar, 1987, p. 71). These gifts given to bride at the time of marriage later came to be known as dowry. Altekar says that it was in the medieval times that the dowry system assumed alarming proportions in case of royal and aristocratic families especially among Rajaputs and it became a positive evil of great magnitude by the thirteenth or fourteenth century. This practice slowly spread to ordinary families though the amount of dowry was nominal and voluntary gift. Therefore, it was neither a pre-nuptial contract of payment nor an impediment of marriage till the middle of nineteenth century (Altekar, 1987).

After centuries, when wealth became a means of social and economic status, importance was given to wealth and money and

marriage has been fixed and arranged on the basis of the wealth offered and given by the bride's parents. The concepts "kanyadan", "stridhan" and "varadakshina" have been translated to dowry and it became part of bridegroom's family more than bride. By the nineteenth century both dowry and *stridhanam* were used interchangeably in the society (*Stridhanam*=Dowry) and was the only wealth a woman could acquire from her parental home. It became one of the easiest methods of acquiring money and led to unhealthy bargaining. Dowry was received as a symbol of bridegroom's family status, rather than the share of parental property entitled to girls (Jacob, 2005).¹ Thus dowry, which was a divine part of marriage ritual, became a serious social problem when grooms' families started to demand dowry and making dowry somewhat mandatory for the families of the bride (Chowdhury, 2008).

According to Oxford dictionary, dowry is 'an amount of property or money brought by a bride to her husband on their marriage'. Dowry includes money, goods, or estate that a woman brings to her husband or his family in connection with the marriage. Moreover, in most cultures, that are strongly patrilineal, women are expected to reside with their husband's family. Therefore, "one of the basic functions of dowry has been to serve as a form of protection for the wife against the very real possibility of ill treatment by her husband and his family. Hence, dowry used in this way is actually a conditional gift that is supposed to be restored to the wife or her family if the husband divorces, abuses, or commits other grave offenses against her" (dowry, 2012). Since the dowry is the "woman's property", the husband had limited power to use or alienate it and was obliged to return if he takes it from her to meet his emergencies.² It was seen as "the peculiar

¹ At present people like to call dowry by the name "share" of bride's father's wealth and avoid the term dowry to save themselves from the legal issues.

² "The husband of the woman had the limited power to use or alienate the "Stridhan" and that too only in cases of distress or emergency and even in such cases he was obliged to return the same once the emergency period was tided over. Thus the conclusion is that all types of Stridhan are properties given to her by way of gifts and without any "demand,

property of a woman or wife, over which she has independent control, and which descends to her daughter or next kin" (Mateer, 2006, p. 433). Dowry, thus originated as the wedding gift to the bride from her family, slowly became a means to get the girls their due in the parental property. But the irony is that the bride (woman) never had control over the dowry and is handled by groom and his family and this situation still continues. However, the main motive behind the practice of dowry was to transfer the property, especially landed property to male heirs (patriliny) and this practice is shaped by patriarchal norms. But, the matrilineal communities such as Nayar women inherited property and all women had equal right to property though in reality, in majority of cases, property is managed and handled by the *karanavan* (male head) of the family.

Though the custom of dowry was begun by the upper classes, the slow incorporation of India into a wage-labour economy under the British in the early 1800's together with education and market - related wealth into the land-owning and the peasant castes favoured the spread of dowry-giving in the society as a whole (Shenk, 2005). Under colonial administration, their land settlement policies caused new equations in the individual ownership of land and market relations affected both the individual and social life of women. Moreover, individual property rights were vested in the hands of men and women generally had ancillary rights accruing from their subordination to men. This situation deprived them of their ownership of property and control of the means of production enjoyed in the pre-colonial agrarian structure. So also, the matrilineal systems slowly transferred to patrilineal patterns of succession. The workings of the impersonal bureaucratic 'rule of law' administration in the Colonial period marginalized the women which intensified their dependence on men and gave juridical sanction to patriarchal practices regarding marriage, succession and adoption (Sangari & Vaid, 1999).

coercion, undue influence or even pressure" (The National Commission for Women Recommendations and suggestions on Amendments to the DOWRY PROHIBITION ACT, 1961).

Once it spread among the Hindu families, it slowly spread to other communities too where there was no dowry system, curtailing the economic independence of women as a whole. It has spread geographically throughout the country and permeated the social hierarchy. At the same time, sociologists argue that the wide spread of this custom into lower castes in India was due to the process of Sanskritization, or the tendency of the lower castes to associate themselves with higher castes might have tempted them to adopt the practice of dowry in order to acquire status. Moreover, lower castes have been facilitated by increased wealth (Epstein, 1989; Anderson, 1998; Chowdhury, 2008). These political, social and economic changes seriously affected the concept of dowry and what began as gifts of land to a woman as her inheritance in an essentially agricultural economy has degenerated into gifts of gold, clothes, cash etc and is called dowry. The transaction of dowry often does not end with the actual wedding ceremony but continued in the form of gifts to the bride and bridegroom.

Women had no right to inherit the share of her ancestral property if she had brothers, because inheritance was considered to be the right of sons alone. Therefore, dowry was seen as a way by which her family ensured that she had access to some of its wealth. Thus dowry became a decisive factor of marriage and it created a situation that to get the daughters married, parents had to be rich. And therefore many families have been drained in this way (Logan, 2010).³ Once dowry is settled, formal sanction to marry the girl is asked by the bridegroom from the bride's father, and further proceedings begin.

Syrian Christians and Dowry

Though not easier to trace when dowry became an essential part of the institution of marriage among Syrian Christians available documents show that the custom of dowry existed even in the early sixteenth century. "Penteado, a Portuguese, when he visited the

³ "According to the laws of the Malayalam Brahmins, relating to marriage and inheritance, described by G. Kerala Varmman Tirumulpad, marriage of a female after puberty involves the payment of a considerable dowry to the husband" (Logan, 2010, p. 171).

Christians for the first time learned that generally the parents of both bride and bridegroom contented themselves by giving their children in marriage together with dowries and by each giving a feast for one day".⁴ Likewise, one of the Decrees of the Synod of Diamper, conveyed in 1599, speaks about the custom of *stridhanam* and practice of giving a portion of *stridhanam* to church (*Udayamperoor Synod Canons*, 1768).⁵

The Palm leave records of the Syrian churches remain as evidences of the practice of dowry among the Syrian Christians and priests and churches receiving a share of it in the modern era. In spite of all disputes and difficulties existing in the Syrian families and in the society at large because of this custom, no church record could be traced against this system. Therefore, it is very important to analyze the reason for the same and the nature of the practice of this social custom among Syrian Christians. Though the Syrian Christians were Christian in faith and religion, they were not different from the Hindus in their social customs and practices. Hence, they were following many Hindu customs and practices including in the marriage such as dowry (as described above), *thalikettu*, *mantrakody* etc⁶ and it is continued even in the twenty-first century.

Following the social custom, Syrian Christians too gave importance to dowry and it became an essential aspect of marriage by the nineteenth century. While narrating the Syrian Christian marriage, Samuel Mateer observes: "much useless expenditure is incurred on weddings for the hire of conveyances, jewels, umbrellas and musicians and feasting for days. The marriage expenses are

⁴ Penteado A, "Letter c. 1518" in Silva Rego Antonio da, *Documentacao Para a Historia das Missoes do Padroado Portugues do Oriente*, India, 12 Vols., Lisbon, 1947-1958, p.545, quoted by Mundadan, 1970, p.175.

⁵ *Udayamperoor Synod [1599] Canons*, Malayalam Paper Manuscript of 1768, St Joseph's Monastery, Mannanam, Serial No 1299, Book No 9, 5th *Yogavicharam* (*Mouthwa* =Decree) 16th Canon, p. 82.

⁶ Faria Y Souza. (1698). *Oriente Conquistado*, Vol. II, PP 116-17 quoted by Kalathil, 1973, pp.1066-1067. There exists a practice of *Pudavakodukkal* among the Hindus as part of customs related to marriage and *mantrakody* is also another form of marriage custom.

roughly estimated at half the dowry. Both parties meet in the bride's house to arrange the dowry and date of marriage. The dowry may consist of ornaments, lands, or money. Eight days before the wedding the parents of the girl send a deputation to the house of the boy's father with the money for the dowry; it is contained in a purse carefully tied and received without counting, but should the contents prove, in the meantime, to be less than the sum agreed on, they do not come to the church" (Mateer, 2006, p. 162). Palm leaves show that the church used to rent bridal dress, umbrella, utensils etc for the marriage celebrations and it was a source of income too. For example, "ME 1026 (AD 1851) *Makaram* [month] 24th- rent for the bridal dress from Puthethathu Mathunny, *Chakram*=28 ½" (St Mary's Church, Kudavechoor, Palm leave bundle 6/ Ola 14); "ME 1026 (AD 1851) *Makram* [month] 3rd- rent from Panezhatu Ouseph for bridal umbrella-*Chakram*=28½, bridal dress-*Chakram*=28½, silk dress one-*Chakram*=8" (Kudavechoor, Palm leave, 6/ Ola 13).

Until the first half of twentieth century, marriage took place at an early age and the bride received only her dowry, which she took to her husband and subsequently she obtained nothing else from her parents. Dowry included mainly money, gold ornaments, land properties etc and sometimes slaves too. The following letter of a certain father-in-law is a good example for the same. "Father's letter: To let my son-in-law know: Kurumba, a *Pulaya* woman and Kunjan, a *Pulayan* whom I bought '*theeru*' (written deed) from Vellattummel Chinmar by paying the price . . . I give Kunjan, a *Pulayan* to you as part of dowry (*stridhanam*) together with 300 *Puthan* and I give *theeru* (written deed) and agree that hereafter myself or my descendants will not have any right over him (Kunjan) . . . + signature" (Parur, Palm Leave, 26/ leaf 24).

By nineteenth century, dowry became an important matter of discussion and contract and was considered as a pre-condition for the marriage among the Syrian Christians. It is evident from the wording done on the palm leave documents where it is written "dowry to marry" ("*kettikkunnathinu stridhanam*"). For example, "ME 1060 (1885 AD) *Thulam* (month) 22nd, dowry *Chakram* 2000 to marry Kaippakachery Yohannan's daughter, donation to church (*passaram*) *Chakram* 151; 22nd dowry *Chakram* 1500 to marry

Perumpilly Itty Avira's daughter Eeli, *passaram Chakram* 113; Dhanu (month) 7th-Malieckal Varghese's daughter Anna's *stridhanam Chakram* 2000: *passaram Chakram* 151; Do Muppacheril Ouseph's daughter Eeli's *stridhanam Chakram* 500: *passaram Chakram* 38½” (Kudavechoor, Palm Leave 17/ leaf 1). It is to be noted that no attempt was successful to change these customs because the “Syrians refused to agree to, as they said it had been established, in order to obviate the sub-division of estates into small portions”, observes Francis Day, a civil surgeon of British Cochin (Day, 1863, p. 261).

Christians also gave importance to dowry since it was considered only share of daughters in case bride had brothers. Because, sons were the legitimate heirs of the ancestral property and it was divided among them and the sons inherited the bulk of the property in equal shares and were responsible for the debts on the estate if any. Therefore, the daughters could claim or receive only the dowry and were not responsible for the debts on the property. If there are no sons, all goes to the daughters (Mateer, 2006). According to this system of marriage and *stridhanam* “the daughter is ‘disinherited’- she has no further share in her father’s wealth....and it clearly expresses the nature of ‘buying’ one’s way into a household. The moral code underlying these transactions is based on contract and not on gift-giving” (Viswanathan, 1995, p. 113; Mathew, 2010).

So also, “when a Christian died without proper will (testament) the assembly (relatives and friends who come to the house of the dead) arranged for the proper inheritance of the property which is given to the immediate relatives. The wife got back her dowry and was free to go home and could marry again after one year. If she married before, by law and custom she would lose the dowry” (Mundadan, 1970, p. 174) Usually in the Syrian families girls never left unmarried because “girls receive no share of their parent’s property, only marriage dowries” and when the husband dies “the dowry is returned to the widow; in case of her early death, it goes to her relatives” says Samuel Mateer (Mateer, 2006, pp. 160-161). This is because Christians in Kerala by and large followed the patrilineal mode of inheritance which deprived women from inheritance and *stridhanam* was their only share. Following the

patrilineal system, Syrian Christians too curtailed women's right to inheritance (Mathew, 2010).

Likewise, the marriage customs and manners of Syrian Christians can be understood as a mixture of local social customs and religious ceremonies. Marriages in India have traditionally been endogamous in terms of caste, sub-caste, and religion and are arranged primarily by the parents or close relatives of the bride and groom who conducted the negotiations. Moreover, parental approval is necessary for a marriage to be socially accepted in the community (Shenk, 2005). According to the local custom, the initiatives for finding a partner are taken by both boy's or girl's part (parents) and most probably it is taken by the parents of the girl. Once the preliminary enquiries and visits are over, next main attention is turned to the dowry which is called *stridhanam*. It was a matter of negotiation and bargaining and very often the boy's party withdrew their steps if they were not satisfied with the amount offered by the girl's parents. Once both parties come to an agreement regarding the dowry, they complete their official visits and date of the marriage is fixed and announced (Viswanathan, 1995). It was parents and the elders who played the key role regarding the dowry and neither the girl nor boy had serious participation in this regard. This was the practice even until the late half of twentieth century. *Stridhanam* was handed over to the bridegroom's party together with a formal feasting conducted in the house of the bride and it was very important ritual because "it expresses the entry of two families into an affinal relation with each other and the *Stridhanam* changing hands becomes the symbol of the prospective incorporation into the family of the daughter-in-law through marriage" (Viswanathan, 1995, p. 103).

Syrian Christians, in general, were against radical changes in the customary laws and argued that the daughter should not have any share of property of father once she has given dowry. Therefore, there were no changes in the customs and no legislation was made in this regard until the twentieth century. The Christian Succession Act 1916 provided a common law for all sections of Christians in Travancore and allowed inter-sectional marriages. The emergence of English education, cash economy, socio-economic changes in the colonial society and critic mind to oppose the existing value system

etc prepared a background for the new legislation which enabled all classes of Christians to write their wills to regulate the succession and widows to receive a definite share of husband's property. However, by the Travancore Christian Succession Act 1916, women were eligible to receive one fourth the son's share or five thousand rupees which ever was less as *stridhanam* (dowry) and did not inherit parental property (Mohan, 1999). In spite of all the laws, the concept of equal share was not common and property was divided in different ways among the Christians. Women did not have any role in property settlements of inheritance and were entitled only to *stridhanam*. As there was no definite law regarding the inheritance rights of native Christians, there was considerable uncertainty regarding inheritance that prevailed in Travancore, Cochin and Malabar (Mathew, 2010). Thus Travancore Succession 1916 was merely a codification of existing customs and as far as the paternal elders and even the women were concerned, there was nothing unjust about the practical exclusion of daughters from succession (Vellappally, 1995). But, the irony is that dowry was not an isolated phenomenon existed in India alone and it existed in the West too. In the Western world, dowry system existed in different forms, direct or indirect, closely associated with the inheritance of parental property. By the nineteenth century, dowry began to disappear in the industrial societies. The working urban class married without dowry while upper and middle classes abandoned the dowry by the end of the nineteenth century (Goody, 1983). DD Hughes in her article "From Bride price to Dowry in Mediterranean Europe" analyses the changes took place in the Southern Europe from the early to the late middle ages and says: "dowry form a part of a status rather than an inheritance system and engaged as a mode of disinheritance, consolation for an exclusion from succession that was increasingly secured in Mediterranean Europe by entail fortified by female renunciations. In this way dowry flourished to dive out other material assigns where men used their rights over the women of their lineage particularly their daughters as a way of asserting status or competing for it" (Hughes, 1978; Goody, 1983, p. 255).⁷ The daughters may be excluded altogether

⁷ "The Mediterranean dowry rose to prominence as a form of disinheritance within the social group whose organization had become

from taking any land either as dowry or as an inheritance especially if they are married out (Goody, 1983; Botticini and Siow, 2003). Moreover, even if a woman receives her portion as dowry, there is no entitlement to inherit it at later stage.⁸ In the post modern society, dowry is not an important aspect of marriage and each one works for his/her livelihood as well as for the family. Wherever social security is assured by the government policy, people are not worried of their parental property. Moreover, in the western society, where the number of legal marriages is drastically coming down, dowry is not a serious issue of discussion.

Dowry and Passaram

Though it was Christianity which gave leadership to the pioneer activities in the field of social reforms in Kerala, especially with the Synod of Diamper, they too retained some of the social customs existing among the non-Christians. *Stridhanam* which is derived from the ancient Hindu customs and slowly became a common practice among all communities in Kerala was voluntary in nature. Syrian Christians, who accepted and followed this Hindu social custom, began to give a portion of *stridhanam* as gift or donation to the churches. Though there is no written record of the beginning of the custom of *stridhanam* and practice of giving a portion of *stridhanam* to church, the earliest reference is found in the Canons of the Synod of Diamper. While appreciating this custom the Synod says: "The Synod does approve of the laudable custom of this

significantly less bilateral; it was perhaps these heightened dowries that may have won for women more extensive inheritance rights in their patrilineage" (Goody, 1983, p. 255).

⁸ "It was woman receives her portion as a dowry at marriage with no entitlement to inherit at a later stage, even if she initial assign did not represent an equal share, then she has been set up once and for all, and the support she can expect from her kin is in protecting what she has already received. But the dowry may also take the form of instalment payments or promissory note in which case the marriage transaction will merge with inheritance, the wife indeed the conjugal pair as a whole, will have less freedom becoming more dependent upon continued goodwill of the parents" (Goody, 1983, p. 259).

dioceses of Men giving the tenth part of their wives portion(*stridhanam*) when they are married, to the church; as also of that of making a repartition of the said alms betwixt the fabric of the church and the priests there of. And whereas this custom does not obtain all over the dioceses and especially in the southern parts, the synod does entreat and command all people to conform themselves to the same and willet that the people among whom this custom is not as yet introduced, may be obliged to it by their Procurators, there being no reason, since it is observed in the greater part of this dioceses, why it should not be established all over it" (*Udayamperoor Synod Canons*, 16th Canon, p. 82; Geddes, 1694, p. 402). Thus the Synod asks the entire Community to follow this practice which was not a practice in the entire church.

Church as an institution always encouraged the faithful to donate to the church. Therefore, *passaram* was seen as one of avenues of income generation by the church authorities. Moreover, Portuguese missionaries who convoked the Diamper Synod, following the Western tradition of donating to support church and priest, encouraged *passaram* (donation). These kinds of donations that were voluntary in the beginning, made obligatory in the modern age until the second half of the twentieth century while by the second half of the century the nature of such contributions have been changed. There are hundreds of church palm leaves (day books) which depict dowry, *passaram* and *nadavazhakkam*. However, these kinds of contributions to the churches are not derived from the temple practices because there was no such system of donating to the temples in connection with dowry or marriage. Now, in some of the Syrian communities *passaram* and *nadavazhakkam* exist by the name *vivahakkazhcha* or simple donation according to the discretion and ability of bride's or bridegroom's family.

Stridhanam, Passaram and Nadavazhakkam

It was customary to donate a portion (usually one-tenth) of *stridhanam* to the church as *passaram*, which was recorded in the church and remained as an evidence of the transaction of *stridhanam* in connection with marriages. Palm leave records speak of three terms in relation to dowry: *stridhanam*, *passaram* and *nadavazhakkam*. The term *stridhanam* means the portion of wealth

given to a woman (in practice to bridegroom) at the time of marriage by her parents. *Passaram* comes from the Malayalam word *pathavaram* which means 'tithe' in English. *Pathavaram* means the tax or particular portion of production given to a higher authority or owner by the tenant. When it is given to a ruler or king, it is called *rajabhogam* (Kurukkoor, 2002). Syrian Christians used to give a small percentage of the dowry to the church, priest and even to sexton. *Passaram* is the donation given by the bride (or bride's father) to the church. Usually people gave fifth to tenth percent of the dowry to the church at marriages but it is not from the dowry (Mundadan, 1970).⁹ Marriage is solemnized in the church only after donating the *passaram* of *stridhanam* to the church and the departure of the girl from original parish and entry or affiliation to the bridegroom's (husband's) parish is symbolized through an official letter of the parish priest which is called *desakuri* (church certificate) and official blessing (religious ceremony) by the priest in the church (Viswanathan, 1995). It is a custom which existed in the Syrian Church and still continued in all the denominations of Syrian Christians though there are regional differences in its practice. People used to give a special donation to the parish priest at the time of giving the official certificate to the bride or bridegroom and it is called *kurippanam* (Kurukkoor, 2002).

Bridegroom is also entitled to pay a particular percent of *stridhanam* to the parish to fulfill all the requirements (formalities) of marriage. The donation given by the bridegroom to his own parish and priests is called *nadavzhakkam*. In other words, *nadavzhakkam* is the amount given by both bride and bridegroom as a gift to the church after marriage and when they venerate the cross in the church (Viswanathan, 1995; Kurukkoor, 2002). Until the latter half of the twentieth century *passaram* and *nadavzhakkam* have been divided among church and parish priest and other priests belonging to that parish, that is, fifty percent was for the priests and fifty was for the church and sometimes a small portion to the sexton too. Therefore, in the church account, income to the church from the *stridhanam*

⁹ Though it is called *passaram* (10%) of the *stridhanam*, people gave a percentage in between 4 to 10 according to their financial position. But in all cases this donation is called *passaram*.

was written after deducting the portion (which is called *upakari*) to the priest. For example: “1002 ME (1827 AD) *Vrichikam* (month) 3rd - income to church as *passaram Chakram* 76 after deducting *upakari* for *Stridhanam* (dowry) *Chakram* 2000 given to get married the daughter of *Pulickal Oudha*”(*Muttam, Palm leave, 1A/leaf 49*). According to another Church document of 1879, once the marriage was fixed, the parents of both bride and bridegroom should approach and inform their respective parish priests (vicar) and should get the *desakuri* (official letter) from them after giving the *passaram* (customary part of the dowry) to the church and priests (*Leonardo, 1879*).¹⁰ Besides, *passaram* and *nadavazhakkam* (which is also called *vechukumpideelppanam*), there were some other forms of donations given to the church and priest, such as *kettupanam* (donation given to priests, sexton and church for the blessing ceremony in the church), and *kudappanam* (rent given to the church for using the decorated umbrella of the church by the bride and bridegroom) etc. Gift given at the time of betrothal is called *bhandarappanam* (*Kurukkoor, 2002*).

In the beginning of twentieth century, ten *Chakram* or five *Ana* and eight *Paisa* was given as *passaram* if dowry was 1000 *Chakram* or less, and for each additional thousand eight *Chakram* or 4 *Ana* 6 *Paisa* must be added to the *passaram* and this amount is divided equally between priest and church. And, if the dowry is given as gold, for 100 *panamida* (pavan) 75 *Chakram* was given as *passaram* and if the dowry was less than 100 *Chakram*, *passaram* was given accordingly. *Nadavazhakkam* was paid as follows: 4 *Chakram* (or 2*Ana* 3 *Paisa*) for dowry up to 1000 *Chakram* by bridegroom and 3 *Chakram* (or 1*Ana* 8 *Paisa*) by bride; and if the dowry is above 1000 *Chakram*, 8 *Chakram* (or 4 *Ana* 6 *Paisa*) by bridegroom and 6 *Chakram* (or 3 *Ana* 5 *Paisa*) by bride (*Pazheparambil, 1908*). Donation (*passaram* or *nadavazhakkam*) was not always 10% of the dowry and it varied. This is an indication to the nonexistence of strict rule regarding the percentage of the donation to the church at least in the nineteenth century.

¹⁰ This may be the first printed order by a higher authority of the Church in Kerala regarding the donation (*passaram*) to church in connection with marriage.

Church palm leave records state the amount of dowry together with the donation to the church. Though the church account is expected to include only the income to the church, it specifies the amount of the dowry too. It was written accordingly not to know the percentage of the *passaram* of the dowry but as an evidence of the dowry offered or given to the bridegroom. From the church records it is clear that dowry was a matter of dispute and often broke the family relations in the Syrian Christian Communities. Whenever the bride's family delayed or failed to fulfill all the terms and conditions of the dowry, that is, the payment of promised and agreed amount of the dowry, there arose disputes. In such cases, the church records could be presented as evidence, that is, evidence for the dowry given or offered by bride's family which would help to avoid future disputes on dowry. In 1879, because of many complaints and disputes regarding the *stridhanam* dues, Church authorities ordered the Laity that once the marriage is fixed and amount of the dowry is agreed upon, bride's parents should write a *kacheetu* (agreement document) of the details of the dowry, date of the transfer of the same etc signed by the father together with two witnesses and give to the parents of the bridegroom. So also, the parish priest was deputed to ensure that the *stridhanam kacheetu* is properly written and handed over before announcing the banns (Leonardo, 1879). Same kind of order was given in 1908 too by the Church authorities¹¹ The *passaram* paid to the church had a significant function as a record of the dowry given or received. But if the parties are not faithful, the church record can never be an evidence to prove the amount given or received as *stridhanam* in case of dispute (Viswanathan, 1995). As dowry was a social custom, disputes and family problems related to dowry was quiet common in the society as a whole where Syrian Christians were not an exception.

¹¹ The bishop ordered the parish priests to keep an additional account book to write the amount of dowry and must be signed by both parties which will help to avoid the future misunderstandings and disputes(Pazheparambil, 1908).

Can Passaram be Tithe?

Since the word *passaram* comes from the Malayalam word *pathavaram* (which means tithe in English) there shall be a situation of equating *passaram* with tithe. To evaluate the relation between *passaram* and *tithe*, it is necessary to know the meaning and practice of *tithe* that existed in the Western World. In English *tithe* means tenth which has in course of time received a specialized meaning "a tenth part paid as a tax".¹² Generally it is defined as "the tenth part of the increase arising from the profits of land and stock, allotted to the clergy for their support or devoted to religious or charitable uses". Though the origin of the practice of *tithe* is unknown, there are references in the Bible, both in the Old Testament and New Testament. In the Old Testament *tithe* was obligatory while in the New Testament it is presented as a voluntary action out of love. In the Christian Churches, people supported the church and ministers. In the beginning it was spontaneous and voluntary offerings of the faithful. In the course of time as the Church grew, it became necessary to make laws which would insure the proper and permanent support of the church and the clergy. The payment of *tithes* was adopted from the Old Law, and presented it as a divine ordinance and an obligation.¹³ But by the twentieth century there

¹² A tithe is a tenth, etymologically speaking; in fact, *tithe* is the old ordinal numeral in English. *Tithe* goes back to a prehistoric West Germanic form **tehuntha-*, formed from the cardinal numeral **tehun*, "ten," and the same ordinal suffix that survives in Modern English as *-th*. The *n* disappeared before the *th* in the West Germanic dialect area that gave rise to English, and eventually yielded the Old English form *tothe*, "tenth," still not too different from the cardinal numeral *t̄en*. But over time, as the former became *tithe* and the latter *ten*, and as *tithe* developed the specialized meaning "a tenth part paid as a tax" (Tithe: Word History, 2009)

¹³ "Generally it is defined as 'the tenth part of the increase arising from the profits of land and stock, allotted to the clergy for their support or devoted to religious or charitable uses'. "The custom of giving tithes reaches back into unknown antiquity. It is mentioned in Genesis 14, without anything to indicate that it was something newly instituted. Under the Mosaic Law the payment of tithes was made obligatory (Leviticus 27:30; Deuteronomy 14:22). "In the Christian Church, as those who serve the altar should live by the altar (1 Corinthians 9:13), provision

happened much more changes in the practice of giving *tithe* and now it is considered more as a voluntary action than a legal practice. As in the case of *tithe*, *passaram* was also a voluntary action and gift by the people which is clear from the Canon of Synod of Diamper. In course of time, as *tithe* was made obligatory, *passaram* and *nadavazhakkam* were also made obligatory and percent was decided by the church authorities and it became one of the income sources to both church and clergy.

It is true that there are many similarities between *tithe* and *passaram* and *nadavazhakkam*. As in the case of *tithe*, *passaram* and *nadavazhakkam* had their origin as a voluntary action and is given to support the church as well as the clergy, but were one time contribution. Moreover, *passaram* was not common practice in the entire Syrian Community in Kerala till the end of sixteenth century according to the Canons of the Synod of Diamper. Only after the Synod, that is, by the seventeenth century, it has slowly turned to a compulsory contribution but not as *tithe* of their whole income given periodically. By nineteenth century laws were made concerning the *passaram* and *nadavazhakkam* and marriage was blessed only after the donating the *passaram*. Nevertheless, both in theory and practice, *tithe* and *passaram* are not the same. In short, dowry and *passaram* & *nadavazhakkam* are two sides of one and same coin. While dowry is a social custom, *passaram* and *nadavazhakkam* are the religious practices.

of some kind had necessarily to be made for the sacred ministers. In the beginning this was supplied by the spontaneous offerings of the faithful. In the course of time, however, as the Church expanded and various institutions arose, it became necessary to make laws which would insure the proper and permanent support of the clergy. The payment of tithes was adopted from the Old Law, and early writers speak of it as a divine ordinance and an obligation of conscience". (*Tithe. Catholic Encyclopaedia*, 2009). New Testament teaches to give voluntarily, and it should be spontaneous and free action and not from a sense neither of obligation nor to merit blessings but as a privilege. (1Cor 16:1-2; 2Cor 8:1-15; 9:1-15; Jas 2:13-17; 1Jn 3:16-19)

Conclusion

As described above, dowry attached with marriage is closely related to the property rights of women. The laws of inheritance that prevailed among the Christians had no uniformity and there was not much demand for a new law of succession for majority of Christians followed the provisions of existing laws. "By 1925 the Indian Succession Act 1925 had been enacted and it governed intestate succession among Christians. It provided for each daughter of an intestate father being entitled to a share of her father's property equal to the share of each son, and for absolute inheritance by his widow of as much as one-third of the property. However, since Travancore continued to be a princely state, this eminently equitable enactment did not apply to the Christians of that area"(Vellapally, 1995, p.183). As there was no definite law regarding the inheritance rights of native Christians, there was considerable uncertainty regarding inheritance even in the beginning of the second half of twentieth century. But, the judgment in the case of *Mary Roy versus the State of Kerala* was a turning point in the inheritance rights of the Christian women of Kerala and the decision of the Supreme Court was undoubtedly a milestone in the matter of succession as far as the Christian women are concerned. The Church, the government and the judiciary were silent in this matter until Mary Roy challenged the patriarchal system to ensure women's inheritance right (property rights of women) in 1986 (Mathew, 2010). Thus in 1986, the Supreme Court of India held that the Christians of Travancore and Cochin were to be governed by the provisions of the Indian Succession Act 1925 stating that Indian Succession Act is applicable to all Kerala Christians bestowing on them equal inheritance rights (Kodoth, 2002).

The obligation to provide *stridhanam* to a daughter at marriage is frequently a financial strain on her parents. The burden continued even after the marriage in the form of shelf, delivery expenses, gold to child, etc. In case of failure of giving the agreed amount or ornaments or land as part of the dowry, the girls had to suffer harassments, physical torture etc. Because of the tremendous increase in the number of "dowry related crimes" the Central Government was forced to enact law against the practice of dowry.

The Dowry Prohibition Act 1961 was passed with the purpose of prohibiting the demanding, giving and taking of dowry. In 1980 the Government set up a committee to recommend amendments in the Dowry Prohibition Act and the term dowry and later constituted family courts and National Commission for women. Accordingly there were some amendments in 1983, 1984 and 1986. Different court verdicts clarified the terms and definitions in the Act.¹⁴

Dowry or *stridhanam*, begun as a meritorious social custom or practice, slowly became an essential part of social life (marriage). But, having lost its voluntary character it became a “necessary evil” and choked the life of ordinary people. Dowry became an easiest source of income and became an essential element of marriage contract since it was the only means of acquiring the share of parental property of the bride. Besides this, the tendency of giving religious colouring to every social custom in India, *stridhanam* also got the *Vedic* backing and spiritual meaning. To a great extent religious colouring is one of best methods of justifying social customs and practices because everything that is religiously linked is taken for granted by the people. Moreover, they are afraid of

¹⁴ In 1989 Allahabad high Court gave the following definition to dowry: “Dowry means any property given or agreed to be given by the parents (or any others) of a party to the marriage or before marriage or at any time after the marriage in connection with marriage”. Allahabad High Court, *Yogendra Kumar Bansal v. Smt Anju* (1989 Allahabad Law Journal 914) quoted in “The National Commission for Women Recommendations and suggestions on Amendments to the DOWRY PROHIBITION ACT, 1961”, p.14. Recently Supreme Court made it clear that “demand for money on account of some financial stringency or for meeting some urgent domestic expenses cannot be termed as a demand for dowry as the said word is normally understood. Dowry means any property or valuable security to be given or agreed to be given either directly or indirectly at or before or any time after the marriage and in connection with the marriage of the said parties hence a correlation between the giving or taking of property or valuable security with the marriage of the parties is essential”(Supreme Court of India, Criminal Appeal No. 1613 of 2005, decided on: 05.01.2007, in the matter of Appasaheb and anr. Vs. state of Maharashtra quoted in “The National Commission for Women Recommendations and suggestions on Amendments to the DOWRY PROHIBITION ACT, 1961”, p.16).

questioning the traditional customs and practises which may cause isolation from the community and anger of the deity. Syrian Christians following the local social customs and practices protected themselves by caste laws and social customs and could not easily accept changes in the social and religious life even in the modern age. Church documents also provide a picture of supporting social customs and tendency to justify the practice of dowry. Moreover, churches ensured this opportunity to tax the people to increase the income of the churches as well as of the priests in relation to marriage and dowry. Therefore, the original spirit of voluntary action (donation) turned to an obligation and compulsory contribution which became a burden.

References

- Altekar, A. S. (1987). *The position of women in Hindu civilization* (2nd ed.). Delhi, Motilal Banarsidass.
- Anderson, S. (2003). Why dowry payments declined with modernization in Europe but are rising in India. *The Journal of Political Economy*, 111 (2), 269- 310. Retrieved from [http:// www.jstor.org/stable/3555204](http://www.jstor.org/stable/3555204)
- Anderson, K. S. (1998). *Dowry payments in South Asia* (PhD Thesis). The University of British Columbia.
- Antonio da Silva Rego. (1947-1958). *Documentacao para a historia das missoes do Padroado Portugues do Oriente, India, 12 Vols.* Lisbon.
- Azad India Foundation, An Organization Committed to the Overall Development of Rural India, <http://www.azadindia.org/social-issues/dowry-system-in-india.html>
- Botticini, M. & Siow, A. (2003). Why dowries? *The American Economic Review*, 93 (4) 1385-1398.
- Chowdhury, A. R. (2008). *Money and marriage: A fresh look at marriage transactions in rural India* (PhD Thesis). Brown University.
- Day, F. (1863). *The land of Perumals or Cochin, its past and its present.* Madras: Adelphi Press.
- Dowry. (2012). In *Encyclopædia Britannica*. Retrieved from <http://www.britannica.com/EBchecked/topic/170540/dowry>
- Epstein S. (1989). *South India: Yesterday, today and tomorrow.* New York: Holmes and Meier.

- Forbes, G. (2003). Reading and writing Indian women: The 50 years since independence, 1947-97. *Teaching South Asia*, 2 (1), 64-77. Retrieved from <http://www.sdstate.edu/projectsouthasia/Resources/upload/Reading-and-Writing-Indian-Women-Forbes.pdf>
- Geddes, M. (1694). *The history of the church of Malabar*. London: Sam Smith and Benj. Walford at the Prince's Arms.
- Goody, J. (1983). *The development of the family and marriage in Europe*. New York: Cambridge University Press.
- Hughes, D. O. (1978). From bride price to dowry in Mediterranean Europe. *Journal of Family History*, 3(3) 263-296
- Jacob, L. (2005). *Changing Social Space of Women: Special Reference to Women in Syrian Christian Community of Central Travancore* (PhD Thesis). Kottayam, Mahatma Gandhi University.
- Kalathil, V. (1973). Kristyanikal. In Velayudhan P. S. (Eds.). *Kerala Charithram (Vol. 1, pp. 1066-)*. Ernakulam, Kerala History Association.
- Kodoth, P. (2002). Gender community and identity in Christian property law reform: The case of early twentieth century Thiruvithamcoor. *Inter-Asia Cultural Studies*, 3 (3), pp.383 - 393.
- Leonardo, (of San Louis). (1879). *Kalpanakalum Niyamangalum (Commandments and Laws)*, Koonammavu, Immaculate Heart of Mary Press.
- Logan, W. (2010, Fifth AES Reprint). *Malabar Manual, Vol. I*. New Delhi: Asian Educational Services.
- Mathew, S. (2010). *Inheritance rights of Syrian Christian women: A study in Kerala* (PhD Thesis). Mumbai, Tata Institute of Social Sciences.
- Mateer, S. (2006). *Native life in Travancore* (2nd reprint). New Delhi: Asian Educational Services.
- Mohan, P. C. (1999). Growth of Social Reform Movements in Kerala. In P. J. Cherian (Ed.), *Perspectives on Kerala history: The second millennium* (pp. 456 – 485). Thiruvananthapuram, Kerala Gazetteers Department.
- Mundadan, A. M. (1970). *Traditions of St Thomas Christians*. Bangalore, Dharmaram College.
- Palm leave manuscript*. St Thomas's Jacobite Church, Parur. Palm Leave Bundle 26/ leaf 24.
- Palm leave manuscript*. St Mary's Church, Kudavechoor. Palm Leave Bundle 17/ leaf 1.

- Palm leave manuscript*. St Mary's Forane Church, Muttam. Palm leave Bundle 1A/leaf 11, 49, 69.
- Pazheparambil, L. (1908). *Niyamasamgraham*. Mannanam, St Joseph's Press.
- Sangari, K. & Vaid, S. (Eds.). (1999). *Recasting women*. New Delhi: Zubaan.
- Shenk, Mary K. (2005). How much gold will you put on your daughter? A Behavioural ecology perspective on dowry marriage. Washington, Centre for Studies in Demography and Ecology, University of Washington. *CSDE Working Paper No. 05-07*.
- Srinivas, M. N. (1984). Some reflections on dowry. Pp. 32. Delhi, Centre for Women's Development Studies. Retrieved from http://www.womenstudies.in/elib/dowry/dw_some_reflections.pdf
- Srinivas, M. N. (1989). *The cohesive role of Sanskritization and other essays*. New Delhi: Oxford University Press.
- Tithe. (2009). *Catholic Encyclopaedia*, Retrieved from <http://www.newadvent.org/cathen/14741b.htm>
- The National Commission for Women, Recommendations and suggestions on Amendments to the Dowry Prohibition Act, 1961", p.10, <http://ncw.nic.in/PDFFiles/Dowryactamendment.pdf> ;
- Udayamperoor Synod Canons*. (Manuscript of 1768, Serial No 1299). Mannanam, St Joseph's Monastery
- Vellapally, S & Vellapally, M. (1995). Repeal of the Travancore Christian Succession Act, 1916 and its Aftermath. *India International Centre Quarterly*, 22 (2/3), 181-190.
- Viswanathan, S. (1995). *The Christianity of Kerala, history, belief, and rituals among the Yakoba*. Madras: Oxford University Press.