

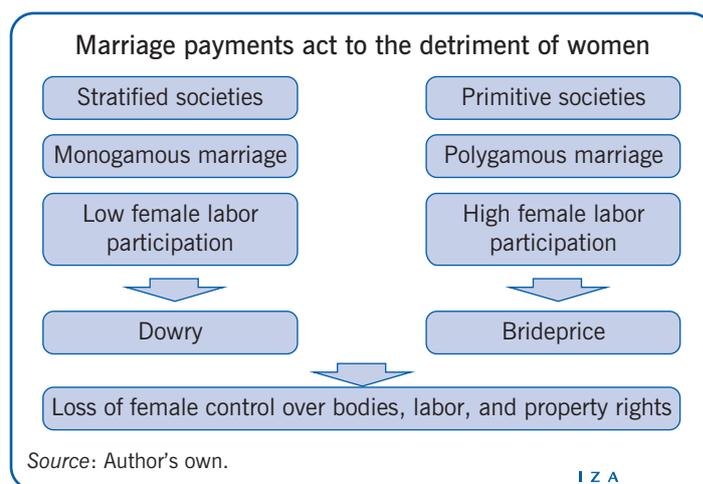
## Human capital effects of marriage payments

Investing in female human capital can reduce brideprice and dowry practices and increase welfare

Keywords: marriage, brideprice, dowry

### ELEVATOR PITCH

Payments at the time of marriage, which are ubiquitous in developing countries, can be substantial enough to impoverish parents. Brideprice and dowry have both been linked to domestic violence against women, and inflation in these payments has prompted legislation against them in several jurisdictions. Marriage payments are often a substitute for investment in female human capital, so from a welfare and policy perspective, they should be prohibited. This highlights the importance of promoting direct economic returns over legal and customary rights.



### KEY FINDINGS

#### Pros

- + Dowry can lead to higher bargaining power for women.
- + Dowry can lead to higher male human capital investment.
- + Brideprices value the productivity of females.
- + Dowry can increase female rights to inheritance.
- + Marriage payments transfer wealth to the next generation.

#### Cons

- Dowry and brideprice are associated with domestic violence against women.
- Dowry payments force parents to disinvest in female human capital.
- Brideprices hinder the bargaining power of women.
- Marriage payments are large enough to impoverish parents.
- Initial processes of development inevitably cause marriage payments to evolve to the detriment of women.

### AUTHOR'S MAIN MESSAGE

Marriage payments evolve in response to economic forces, and the initial processes of development inevitably cause marriage payments to act to the detriment of women. Such payments should be prohibited, and parents should be encouraged to invest instead in their daughters' human capital. Governments should promote programs to empower women through female education subsidies and targeted employment and micro-credit schemes. Indeed, marriage payments will disappear once women reap more equal economic opportunities relative to men.

## MOTIVATION

Payments between families at the time of marriage, prevalent during the history of most developed countries, are still pervasive in many areas of the developing world. The payments can be substantial enough to affect the welfare of women and a society's distribution of wealth. Escalations in marriage payments have prompted legislation to curb their spread, though typically to little avail. The initial processes of development, which primarily increase economic opportunities for men, cause marriage payments to act to the detriment of women. Only after women gain equal returns to investments in their human capital can marriage payments be expected to disappear.

## DISCUSSION OF PROS AND CONS

Most societies, at some point in their history, have been characterized by payments at the time of marriage. Such payments typically go hand-in-hand with marriages arranged by the parents of the respective spouses.

Marital transfers come in various forms and sizes but can be classified in two broad categories:

- Transfers from the family of the bride to that of the groom, broadly termed as “dowry.”
- Transfers from the groom's side to the bride's, broadly termed as “brideprice.”

The custom of brideprice dates back to the ancient civilizations of the Egyptians, Mesopotamians, Hebrews, Aztecs, and Incas. A valid marriage contract in Islamic law required a form of brideprice. Classical China required the negotiation of a brideprice for the validity of marriage and these transfers continue to be the norm in many rural areas today. Brideprices are currently most prevalent in Africa; more than 90% of sub-Saharan societies typically make such marriage payments [1].

### Brideprice

The “brideprice,” also known as bride wealth or price token, simply put, is property or money brought from the groom's side to the bride's. The custom of brideprice dates back as far as 300 BCE and continues today in places such as Thailand, Indonesia, Burma, China, and Taiwan, although it is most prevalent in Africa, with more than 90% of sub-Saharan societies making these marriage payments.

Payments from the groom's side are either passed straight to the bride's parents (called “bride price”) or to the bride (called “dower”). Brideprice—passed to the parents—is standard in sub-Saharan Africa, whereas dower—remaining the bride's property throughout marriage—is more common in traditional Islamic marriages.

*Source:* Anderson, S. “The economics of dowry and brideprice.” *Journal of Economic Perspectives* 21:4 (2007): 151–174.

The dowry system dates back to at least the Greeks and Romans. In medieval western Europe and later, dowries were a common practice among most social and economic groups. Dowry payments were prevalent in Latin America until countries gained their independence. In contemporary times, dowry is almost universal in India. In other parts of South Asia, such as Bangladesh, Pakistan, and Sri Lanka, paying a dowry at the time of marriage is increasingly common.

### Dowry

A dowry, simply put, is the property or money that is brought from a bride's side to the groom's side, on their marriage. The dowry system dates back to at least 200 BCE and has occurred largely in Europe and Asia. The "dowry" is a payment from the bride's parents to the bride herself and it remains the formal property of the wife throughout the marriage. However, the money from her parents can be directly transferred to the groom (called "groom price") to the exclusion of the bride.

Although dowries were common practice in western Europe during medieval times and were widespread in Mexico and Brazil during the seventeenth and eighteenth centuries, in modern times dowries are mostly to be found in south Asia—in particular India, where dowries have long been a custom and are currently virtually universal, although also increasingly in Bangladesh, Pakistan, and Sri Lanka.

Source: Anderson, S. "The economics of dowry and brideprice." *Journal of Economic Perspectives* 21:4 (2007): 151–174.

### Characteristics of marriage payments

Certain characteristics distinguish between societies where the burden of marriage payments falls primarily on the groom's family and brideprices are paid—and those where the bulk of the transfer comes from the bride's family and dowries are paid. The general pattern is that brideprice exists more frequently in tribal societies. By contrast, dowry is typically associated with societies exhibiting substantial socio-economic differentiation and class stratification. This pattern is reflected in a comparison between dowry-paying India, where the caste system presents perhaps an extreme example of social stratification, and the more homogeneous tribal societies of sub-Saharan Africa that practice brideprice.

Brideprice-paying societies are also associated with a strong female role in agriculture. In particular, brideprice is found in societies in which agriculture relies on light tools (such as the hoe) and thus actively engages women. In contrast, dowry is more common in heavy plough agriculture, where the role for women is limited [2]. Because women generally join the household of their groom at the time of marriage, brideprice is typically considered to be the payment a husband owes to a bride's parents for the right to her labor and reproductive capabilities. The amount of brideprice required has usually been rather uniform throughout society, where the size is linked directly to the number of rights transferred, and not to the wealth of the families [1].

Relative to brideprices, the amount of a dowry varies substantially and tends to be negotiated on an individual basis. Dowry typically arises in complex non-kinship-based societies, with endogamous marriage practices: that is, where men and women from families of equal social status marry. Dowry then becomes a means to maintain social status by attracting a husband of at least equal standing for one's daughter. It correlates with strongly class-based social systems where higher-level individuals—by virtue of wealth, power, and possibly a claim to a superior hereditary status—do not willingly intermarry with the lower levels. As a result, the amount of dowry generally increases not only with the wealth of the bride's father but also with the groom's future prospects.

There is typically a positive relationship between the amount of dowry transferred and both sides' household wealth. In India, dowries are largest among the highest ranking castes and wealthiest families [3]. Also in India, the most important quality of a bride is usually a

good appearance, whereas for a groom it is the ability to earn a living, often reflected in his educational level [4].

The use of brideprice has tended to correlate with polygyny (men have more than one wife) and also with the possibility of divorce. In contrast, in dowry-paying societies, monogamy is the norm and divorce is rare.

In sub-Saharan Africa, a central purpose of the brideprice is to create an alliance between kinship groups. As a result, raising the brideprice is often the responsibility of the groom's extended lineage group, with the principal contributions coming from his father, grandfather, and father's brothers, and with the mother's brothers making small contributions. Likewise, since in this setting the entire lineage group has rights to a woman, the brideprice is distributed among many members of the bride's extended family. In this case, larger brideprices can arise with larger lineage groups. Evidence from Kenya and Zimbabwe suggests that the amount of brideprice can also depend on the expected number of children a woman will bear. For example, a divorced woman who already has children will receive a lower brideprice, whereas women who reach puberty earlier receive a higher price.

Marriage payments differ not only by the bearer of the financial burdens (either the grooms' brideprice or the brides' dowry) but also by the ownership rights to these transfers, which can vary and evolve through time. Payments from the groom's side are either transferred directly to the bride's parents, formally termed "brideprice," or to the bride directly, commonly known as "dower." Similarly, payments from the bride's parents can either go to the bride herself, referred to as "dowry," or be directly transferred to the groom and his family, termed "groomprice," to the exclusion of the bride. Both dowry (as a pre-mortem inheritance) and dower are transfers that remain with the conjugal couple but are the formal property of the wife throughout the marriage.

Dower, which remains the property of the bride, is most typical of traditional Islamic marriages and is often associated with close-kin matching across cousins. A Muslim marriage contract stipulates a sum of money (or any other valuables) that the husband promises to give to the bride upon marriage. Customarily, the dower is divided into a prompt proportion, which is payable immediately at the marriage, and a deferred proportion, which is payable on the termination of the marriage by death or by divorce initiated by the husband. Under Islamic family law, only men have unilateral and unconditional divorce rights. In many traditional settings, husbands can divorce their wives without cause, attempt at mediation, judicial oversight, or even informing their wives.

The institution of dower is most prevalent in the Islamic countries of the Middle East and North Africa but also co-exists with dowries in Bangladesh. All of the dower in Bangladesh is automatically specified to be paid only in the case of a husband-initiated divorce. There is some evidence that an important price component of dowry in Bangladesh is compensation from brides to grooms in exchange for the amount of dower specified in the marriage contract.

That dowry is widespread in both Bangladesh and Pakistan since partition from India is somewhat puzzling. There is no consensus as to why dowry emerged in these two countries when the system is non-existent and even shunned by religious leaders in the rest of the Muslim world.

China is one of the few examples where brideprice and dowry co-exist, with the brideprice being compulsory and the dowry, which is more voluntary, typically financed with a return portion of the brideprice. Taiwan also seems to follow this traditional Chinese practice of exchanging marriage payments in both directions. Other countries in Southeast Asia, such as Thailand, Indonesia, and Burma, seem to transfer only brideprices.

## Transformations in marriage payments

Aside from societal characteristics determining marriage payments, there are many instances when the payments have changed within societies. The most dramatic changes have been when payments have risen substantially. Such rises, particularly for dowries, have often precipitated legislative and regulatory initiatives to reduce their effect. Real dowries have been rising in India for the last 70 years [5]. This increase occurs while holding constant grooms' and brides' characteristics, controlling for the wealth of both families, and imposing a real price index. Estimates suggest that dowries have increased annually by 15% and that families pay amounts equal to more than six times their annual wealth. High-quality grooms can command well over US\$100,000.

In comparison to dowry transfers, little evidence exists of brideprice escalation in either the historical record or contemporary sources. At times, colonial administrations in Africa aimed to intervene, and missionaries typically discouraged the practice. But these reactions seem to have been motivated by moral opposition to the tradition rather than by financial pressures. The 1950 Chinese Marriage Law prohibited the transfer of money or gifts in connection with marriage and was aimed at limiting brideprice. Again, this law seemed like an ideological attempt by communist revolutionaries aiming to abolish the feudal marriage system, not a reaction to inflationary pressures.

Ownership rights over marriage payments from the brides' side have undergone a transformation. Most commonly, the traditional dowry transfer is considered to be the daughter's pre-mortem inheritance, which formally remains her property throughout marriage.

In numerous instances, dowries as bequests have given way to groomprices—that is, a direct transfer to grooms. This transformation has been most dramatic in present-day India over the last few decades. The traditional custom of *stridhan*, a parental gift to the bride, has changed into modern-day groomprices that are highly contractual and obligatory [5]. Generally a bride is unable to marry without providing such a payment. This transition in marriage payments happened in a time of unprecedented opportunities for economic mobility. Several studies connect the emergence of groomprice to competition among brides for more desirable grooms. This transformation into groomprice is also occurring in Pakistan and Bangladesh.

## Economics of marriage payments

The determinants of marriage payments are consistent with economic models of the marriage market. These models are useful in predicting the human capital effects of marriage payments. In such models, men and women both possess varying qualities (or potential incomes). Marriage is viewed as a joint venture that offers greater efficiency in production (household, market, or both). Each person chooses the mate who maximizes their utility. The marriage market assigns mates and the distribution of returns among them. Optimal sorting requires that no bride and groom can be made better off by matching with someone else or by not marrying at all.

Usually an efficient marriage market exhibits positive assortative mating, where high-quality men are matched with high-quality women, and low-quality men are matched with low-quality women [6]. This follows when husbands and wives are complementary inputs into production and an efficient market maximizes aggregate output, so that no person can improve their marriage without making others worse off. The equilibrium division of the marriage surplus between spouses is determined by these conditions.

If the rule of division of output within the marriage is inflexible, so that the share of income of each spouse is not the same as under the market solution, then an up-front compensatory transfer will be made between the spouses (or their kin) and efficiency will be restored. Thus, if the wife's share of family income is below her shadow price in the marriage market, a brideprice will be paid by the groom's family to the bride or her family, and this transfer in reverse is a dowry. The division of marital surplus is likely to be inflexible given that household commodities like housing and children, which are jointly consumed, are difficult to divide. Also legal restrictions, social norms, or an implicit imbalance of power within the household could restrict the efficient division of surplus. Therefore this model predicts that marriage payments should be common.

This theoretical framework is consistent with several of the facts presented here. The frequency and magnitude of brideprices should be greater when wives' input into production (like agriculture) is relatively high and in societies with a high incidence of polygyny, where there is greater competition by men for wives. Alternatively, dowries will be observed when men's contribution to household income is relatively high and there is greater competition for high-quality grooms from brides.

### **Economic forces and marriage payments**

Competition in the marriage market implies that not only does the relative importance of male and female human capital determine the direction and magnitude of marriage payments, but so does the relative distribution of male and female human capital. That is, because women are competing to attract a desirable groom in the marriage market, her quality, relative to other potential brides, as well as his quality, relative to other potential grooms, also matters. In this sense processes of development alter the economic opportunities of men and women and change the direction and magnitude of marriage payments.

One can understand how brideprices are more prominent in primitive tribal societies and dowries in more complex socially stratified societies. In primitive tribal societies, men are typically a homogenous group in their earning opportunities, as are women. But where women have economic value of their own, through their input into agricultural production, they receive a brideprice in equilibrium.

Consider a development process where new wage-earning opportunities open up for men, while drawing women into the home. Women remain a homogenous group with less economic value while men become a heterogeneous group differentiated by their wage-earning capabilities. As a result, brides compete among themselves for the more desirable grooms. Brides with wealthier fathers outbid poorer ones in the marriage market and award dowries to the grooms with the higher earning power. Thus dowry payments emerge due to quality differentiation among grooms, as is found in socially stratified societies. This is consistent with a development process where women do not directly reap the benefits of modernization and men are the primary recipients of the new economic opportunities.

### **Female human capital and marriage payments**

In dowry-paying societies, household budget constraints imply that bridal families face a trade-off between investing directly in their daughters' human capital or saving for a dowry to attract a desirable son-in-law. Parents are mindful of the fact that investing directly in their daughters improves not only their potential labor market outcomes but also their relative

bargaining power within their marital household. A lot of evidence shows that women's relative decisionmaking power within the household is higher the greater her economic and employment opportunities are. At the same time, if economic opportunities are relatively restricted for women, paying a high dowry for a groom with high economic prospects could be more worthwhile.

It is in this sense that one should expect to see the dowry payments decline as the return to female human capital increases. When female economic opportunities are sufficiently abundant, dowries become an inferior way of providing brides with future wealth relative to investing directly in their human capital. There is evidence to suggest that this was a key reason for the eventual disappearance of dowries in Europe [1]. But there is no evidence to suggest that South Asia has reached this juncture, where dowries continue to increase. Moreover, it has been demonstrated that, holding groom quality constant, increasing the quality of brides (in education and productivity) has had only a meager effect in reducing dowry payments [7].

### Legislation against marriage payments

Marriage payments can take many different forms, but no consensus exists on which of these forms, if any, are welfare enhancing. In theory, brideprice could be interpreted as explicit recognition and valuing of women's productivity and contribution to marriage. In practice, it often limits women's control over their bodies. Both sexually and in their labor, brideprice has long been linked to domestic violence, owing to women's fear of returning to their natal home without being able to repay the brideprice. African women's rights campaigners advocate abolishing the practice—and have linked it to the spread of HIV/AIDS, since brideprice as payment for sexual rights leads to women's loss of say in sexual protection and frequency [8].

In theory, dowry, as a pre-mortem inheritance, is set up to protect property given to women. But it often seems to have been transformed into giving these property rights to men. An even more significant factor is the magnitude of these payments. In current-day South Asia, dowry payments can impoverish the bridal family and dramatically affect the lives of unmarried women, who are increasingly considered burdensome economic liabilities. The custom of dowry in India has been linked to female infanticide and, among married women, to “bride-burning” and “dowry-death”—that is, physical harm visited on the wife (sometimes leading to death) to extract promised dowry payments [9]. The National Crime Bureau of the government of India reports approximately 10,000 dowry deaths every year. Numerous incidents of dowry-related violence are never reported and other estimates point to as many as 100,000 a year [10].

The Indian Dowry Prohibition Act of 1961 attempted to distinguish and discriminate between the two components of the payment: the gift to the bride, and the transfer to the groom and his parents. The aim was to abolish the groomprice but allow bridal transfers to remain intact. The original law of 1961 continues to be amended to address these issues, but the practice of dowry in India has essentially continued unabated despite its illegal standing. The Pakistani parliament first made efforts to reduce excessive expenditures at marriage by an act in 1976. Following numerous complaints, the Pakistan Law Commission reviewed dowry legislation and suggested an amendment in 1993, updating the limits on dowries and adding a sub-clause stating that grooms should be prohibited from demanding one. Likewise, the escalation of the groomprice payments in Bangladesh led to their being made a punishable offense by the Dowry Prohibition Act of 1980. (See **Current marriage payment legislations from around the world** for a brief overview of laws enacted around the globe.)

### Current marriage payment legislations from around the world

*Islamic law:* In Islamic law, a groom must give the bride a mahr (dower) on the occasion of their marriage.

*Afghanistan:* Article 14 of Afghanistan's 1971 Law on Marriage introduces mahr (dower) as a requirement for a valid Muslim marriage.

*Bangladesh:* Laws prohibiting dowry include: Dowry Prohibition Act, 1980; Dowry Prohibition (Amendment) Ordinance, 1982; and Dowry Prohibition (Amendment) Ordinance, 1986.

*India:* The Dowry Prohibition Act 1961—valid throughout India except in Jammu and Kashmir—prohibits the payment of a dowry under Indian civil law. This has since been added to by Sections 304b and 498a of the Indian Penal Code.

*Kenya:* The Marriage Act 2014 dropped plans to ban the payment of bride prices, although it does limit dowry payments: “where dowry required, payment of a token amount's sufficient to prove marriage.”

*Morocco:* In Moroccan law, it is expressly forbidden for the bride's guardian to receive any payment from the prospective groom in consideration of marriage.

*Nepal:* In Nepal, as in many parts of Southeast Asia, the tradition of requiring a bride's family to provide a dowry is illegal but its practice is common. The dowry system was banned completely by the Social Customs and Practices Act 2009.

*Pakistan:* Several laws in Pakistan prohibit dowries, including: West Pakistan Dowry (Prohibition of Display) Act, 1967; Dowry and Bridal Gifts (Restriction) Act, 1976.

*Tanzania:* Tanzania's Marriage Act of 1971 does not mention bride price as a prerequisite for marriage, although the practice is widely accepted among the country's numerous ethnic communities.

*Uganda:* The Ugandan Supreme Court has ruled that bride price should stay, despite recent haggling over the Marriage and Divorce Bill; their ruling said that bride price must stay because it is in line with African norms, virtues, and traditions.

### LIMITATIONS AND GAPS

Solid data on marriage payments are fairly rare. Because of the legal considerations, individuals are at times hesitant to talk freely on the topic. The descriptions of marriage payments provided here are synthesized from a patchwork of studies across periods, places, and even epochs, and there are doubtless numerous cases that remain undocumented. More systematic data collection is needed for the magnitude of these payments, their direction, their prevalence, and the property rights over them.

Data on brideprices, relative to dowries, are rarer still. The aspects of modernization that contribute to brideprice's decline are not well understood. Does economic development render women less productive and reduce the demand for wives? The apparent reemergence of brideprice in China is even less well understood. Might the biased sex ratios in favor of males in China be affecting the marriage market and creating brideprice pressures? This possibility could be formally investigated with the collection of regional data on marriage payments to compare with population rates and measures of female productivity.

## SUMMARY AND POLICY ADVICE

Payments at the time of marriage are ubiquitous in developing countries. They can be substantial enough to impoverish families and affect a society's distribution of wealth. There is strong evidence to suggest that marriage market payments are endogenously determined by economic forces and environments. There is very little empirical evidence to suggest that marriage payments enhance welfare, particularly for women. This highlights the importance of promoting the direct economic returns for women over legal or customary rights in determining welfare. One reason is the weak reach of the legal system and the state in many developing countries. A second is that marriage payments will disappear once women reap more equal economic opportunities relative to men.

To this end, governments should promote programs to empower women, such as targeted micro-credit and employment schemes and female educational subsidies. Non-governmental organization (NGO) initiatives opposed to marriage payments and violence against women play an important role.

BRAC, one of the world's largest NGOs, has successfully targeted millions of women throughout Asia and Africa, largely through access to micro-credit. More recently, it has initiated projects aimed at improving female empowerment at a young age. Its programs simultaneously provide vocational training and information to adolescent girls on sex, reproduction, and marriage. Evidence suggests that after just two years of implementation the BRAC programs raised the likelihood that girls engage in income-generating activities by 72%, and early entry into marriage fell by 58%. Findings like these indicate that women's economic and social empowerment can be jump-started through the combined provision of vocational and life skills, and is not necessarily held back by insurmountable constraints arising from binding social norms.

Women's political reservations raise awareness of gender discrimination and improve female access to justice through the legal system. Legislative quotas for women in elective office at the national and/or subnational level are in force in 40 African countries and 19 Asian countries. On the basis of evidence accumulated about the Indian experience, exposure to a female leader weakens stereotypes about gender roles in the public and domestic spheres and eliminates the negative perception bias in the effectiveness of female leadership. After ten years of the quota policy, women were more likely to stand for and win free seats in village elections.

Female presence in national legislatures remains very low worldwide. Placing more women in these positions of power should have a significant impact on reforming and enforcing laws that protect the rights of women.

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### Competing interests

The IZA World of Labor project is committed to the *IZA Guiding Principles of Research Integrity*. The author declares to have observed these principles.

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