

Gender Roles and Evolving Marriage Practices among Dalit Communities in Nepal

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Abstract

This paper explores the interaction of socio-cultural environment and caste system's impact on marginalized gender groups, with a specific focus on Dalit women. Dalits in Nepal have endured marginalization along three dimensions of caste, class and gender. They have developed coping strategies to adapt to more or less rigid social systems concerning clan and marriage. Merging qualitative analysis with quantitative, this paper outlines Dalit marriage practices as active sites of socio-political engagement. Macro socio-political processes, including state initiated legal reforms, increasing access to education, urbanization, and rising Dalit activism resisting the caste-based and patriarchal violence, intersect with the enduring influence of culturally embedded practices. These practices include arranged marriages, prescribed endogamy, and patriarchal predominance. Marriage in Nepal provides an innovative framework to explore the persistence of socio-political hierarchies and prospects for gender and social justice.

Keywords: Gender Roles, Marriage Practices, Gender Equality, Intersectionality.

Introduction

Marriage in Nepal serves both social and personal needs. It is also used to strengthen social hierarchies and perpetuate cultural values through generations. For Dalit communities, considered as “untouchable” in the Hindu caste system and located at the bottom of the hierarchy, marriage has been influenced by exclusion due to caste, poverty, and gender oppression. The practices of marriage in these communities have prioritized endogamy. As a patriarchal practice as well, senior males dominate all the decisions relating to marriage. Women are viewed as honor of a caste and transaction tools through which a bride-price, called Daijo, is practiced. All of these practices and elements reflect the societal structures and systems of power in Nepal.

However, the last thirty years have transformed Nepali society and the state. It has experienced a series of massive legal and political shifts with the 2008 transition away from a Hindu monarchy, the promulgation of a progressive Constitution in 2015, and the new Civil Code of 2017. During the same period, feminisms and Dalit movements, along with the outmigration of men for labor and an expanding education system (especially for girls), have all been at work, to varying degrees, to shift and disrupt the old social order. These shifts are manifestations of a social reorganization that is occurring at the family unit and the individual. They are gradually changing

interpersonal relations and structures, and are more inclined to provide autonomy and the ability for women to influence the terms of decisions regarding marriage.

This research intends to explore the spatial and contextual specifics where the previously noted large-scale societal transformations intersect with the lived realities of the Dalit population of Nepal. In particular, the work intends to examine the multiplicity of change and the resistance to change by analyzing the degradation and reaffirmation of the social structures of authority. This study contends that Nepal's marriage system is an arena of intense conflict that holds immense potential for caste dignity, gender justice, and self-determination. It is an area of significant and vital societal transformation in Nepal.

Statement of the Problem

Although there have been many legal reforms aimed at eliminating caste-based discrimination and achieving gender equality, there are still many forms of marginalization experienced by Dalits in Nepal. There is a widening gap between legal provisions and the actual situation. In this context, marriage remains one of the crucial and most under-researched areas where people can express their struggle in relation to identity and social power. There is some evidence from media articles and other sources suggesting that a small number of people are beginning to accept romantic marriages and inter-caste marriages in cities; however, there is a strong social backlash against both marriages and complete alienation in the family. Parentally arranged marriages, bride price marriages, and marriages where the father has the resources to marry off his daughter continue to exist of a significant level. The traditional marriage customs exist because of a lack of alternatives that are caused by enduring poverty and patriarchal systems in which the father is the head of the household and family affairs where regulations are maintained through the obedience of female members.

Studies on how legal, educational, and economic changes affect marital practices in Dalit households are sparse. Even less is understood on how these changes affect women's agency and the ability to make their own choices in marriage. This study aims to fill this void by examining the intersection of tradition, modernity, and gendered power relations in marriage in Dalit communities in Nepal.

Research Questions

- i. What specific traditional gender roles and marriage practices prevail in Dalit communities?
- ii. In what concrete ways have legal reforms, educational expansion, and urbanization influenced the perception and practice of these traditional marital norms?
- iii. What specific changes are evident in the processes of partner selection, negotiation, and post-marital life, particularly regarding the expression and limits of Dalit women's agency?

Research Objectives

- i. To systematically document and contextualize traditional gender roles and marital norms among diverse Dalit subgroups, acknowledging regional and cultural variations.

- ii. To critically analyze the differential impact of legal, educational, and socio-economic changes on marital practices, distinguishing between rhetorical change and substantive behavioral shifts.
- iii. To examine the emerging patterns of negotiated and love marriages, analyzing them as indicators of social change and sites of contradictions and barriers.

Research Methodology

Qualitative design was the chosen approach, the primary method being a systematic literature review. This method was most appropriate for cohesive research and knowledge synthesis, and for identifying conceptual and analytical frameworks for the socio-cultural phenomenon being studied.

In a systematic way, the relevant concepts and ideas were collected from the most pertinent secondary sources. These secondary sources included, but were not limited to, South Asian, sociology and gender studies journals, credible reports and surveys conducted by reputable national and international NGOs (e.g., DANAR, INSEC), and important legal and policy frameworks in Nepal, particularly the Constitution of Nepal (2015) and the Muluki Criminal Code (2017). The selection criteria aimed for contemporary sources but also seminal key texts, in order to retain depth.

All ideas collected were thoroughly analyzed thematically. Ideas were organized by reading and assigning codes repeatedly. Some contradictions, ideas, and organized patterns were taken into account. Some of the themes included: patriarchal systems, inter-caste marriages, and caste endogamy, inter-caste marriage, legal empowerment, education, women's agency, inter-caste conflict, demography, and reconciliation, along with the implementation gaps that legal empowerment offers, and education as a catalyst of change.

Literature Review

Review of published literature pertaining to this study investigates three interrelated areas: caste studies, gender & intersectionality studies, and marriage studies dealing with the South Asian context.

Caste and Social Hierarchies

The earliest contributions of researchers like Dor Bahadur Bishwakarma and Mary M. Cameron have shown that the caste system organizes most aspects of life in Nepal. Cameron's early work, *On the Edge of the Auspicious* (1998), is especially helpful. Cameron focuses on marriage, but also on social and ritual practices. She shows that the caste and gender systems form a hierarchically organized system. She highlights the marriage norm of caste endogamy, which ensures the social and structural status of a caste is maintained within the caste group. This system is maintained through a patriarchal system that monopolizes and controls women's sexuality and marital decisions. This system becomes increasingly unbending for Dalits, who are viewed as 'polluting'. This is largely due to the violent enforcement of inter-caste endogamy to protect upper caste entitlements.

Gender and Intersectionality

Bishwakarma (2019) and Tamang (2009) have described the special case of Dalit women. Tamang (2009) notes how mainstream feminism is obsessed with the concerns of upper-caste women and ignores the multi-layered oppressions faced by Dalit women. At the same time, caste-based movements have neglected the concern of patriarchy. This perspective is essential for analyzing marriage. A Dalit woman experiences marriage as a cross-section of caste, class, and gender. A good example is the bride-price system. While this custom may show that the daughter has economic value, it reinforces the subordination of the daughter and the bride in the marital home.

Social Change and Modernity

There is new research that attempts to quantify the socio-legal changes that have recently occurred in Nepal. For instance, there are reports from organizations such as DANAR (2021) and scholars such as Nepali (2020). The reports discuss the 2015 Constitution, which outlaws caste discrimination and promotes the right to equality, and the 2017 Civil Code, which offers the legal basis for inter-caste unions and legal rights to women's property. Rapid urbanization and increased literacy have impacted the dominance of traditional hierarchies. The changes have offered new ideological and physical spaces where caste systems may be flexible, allowing women access to knowledge and resources. This helps create the environment where women have the right to make their own decisions regarding marriage. There are still gaps in the literature. For example, there are few studies which integrate both macroscopic changes and the small, detailed changes in gender relations and family structure that occur as a result of these changes in Nepal.

Limitations of the Study

This research comprises solely a systematic review of existing literature. Systematic reviews capture useful information of trends over time; however, they lack the richness of data on lived experience, including one's motivations or the nuances of one's emotional experience. The term "Dalit" brings together several subgroups (e.g., Kami, Sarki, Damai, Badi), and subgroups may be culturally distinct with antithetical gradations to marginalization. There may be subtle barriers in the way this research addresses the gradations that are regional, and culturally and economically specific to each of the myriad of subgroup communities within the boundaries of Nepal. Also, reliance on published studies and reports bears the prejudice of being concerned primarily with the phenomena that are most visible and documented to the neglect of the nuanced, subtle, quotidian acts of resistance and negotiation. Thus, the interpretations of the research should be seen as acknowledging broader trends, with the understanding that the research is a stepping stone towards more grounded, localized primary research.

Gender Roles and Evolving Marriage Practices among Dalit Communities in Nepal

In the analysis of gender roles and practices of marriage in Nepal's Dalit communities, the study examines contradictions and barriers to practices of marriage in the context of social, legal and educational change and changes in the economy.

Research of gender roles among Dalit populations in Nepal examines the layers of patriarchy that have historically dominated the Dalit people and the agency of Dalit women that is developing within the frame of socio-economic changes. Dalit women have traditionally held very low status within society. This has been influenced by their social caste, economic class, and gender and has resulted in what has been called “triple discrimination.” Traditionally, women in Dalit society have been confined to their roles as housewives or have had to rely on precarious employment to sustain their livelihood. They have had little to no authority to make decisions either in their household or in their community (Gurung, 2018). There have been gradual changes whereby Dalit women, through access to education, mobility, and involvement in local governance, have challenged traditional social order and begun to exercise autonomy. Scholars have noted the possibility of active agency of Dalit women to challenge social inequalities with the aim of amending gender inequities in their communities, although active agency of Dalit women may be constricted by the social context and the order.

Also, there have been changes in marriage customs and practices of Nepali Dalit communities that have challenged caste social order and are indicative of social changes, yet are also limited by the social order. Traditionally, arranged endogamy has served the dual purpose of maintaining caste and social order, yet has restricted women’s choices. Recently, there has been a rapid increase in love marriages and inter-caste marriages in urban settings, although these are still challenged by violence and social ostracism, which are indicative of the dominance of caste order. There is a greater acceptance of women’s choices in marriage due to positive legislative changes and the decline of child marriage in Nepal, yet there continue to be patriarchal norms that define new social order and expectations of marriage.

Thus, changing marriage practices among Dalits show a combination of tradition and modernity. Change is visible; however, it is not completely positive.

The Persistence of Tradition: Structural and Ideological

Within many communities of Dalit, a traditional form of patriarchy is still highly prevalent and is firmly imbedded within the community. Men are ideologically considered to be the main breadwinners and heads of the household, and women are the honor of the family and are considered to be family care-givers. This maintained division of roles and ranks among the sexes, directly determines the practices of marriage. In rural communities of Dalit that are less educated, marriage practices are less flexible and are normative. In these communities, marriage continues to be arranged within the specific sub-castes of Dalit (for example, a Kami is expected to marry a Kami). The bride-price (daijo), although limited, continues to be practiced. The daijo can be thought of as compensation of the loss of the labor of the bride (and thus her value) by objectifying the bride within the patriarchal marriage economy, and thus the bride is presented as a transaction. Community ostracism and the resultant loss of social capital serve as strong reasons to avoid violating the marriage customs of the community.

Drivers of Change: Describing What Causes Changes

Change drives many different things:

Legal Developments: The 2015 Constitution and 2017 Civil Code introduced a new legal framework. India's Constitution criminalizes caste discrimination (untouchability) and provides protections for people to choose their spouse, including inter-caste. Despite the poor implementation of such laws, they encourage individuals and activists to challenge the imposition of caste norms, and they provide new contested spaces for the legal contestation of customs.

Education: The increased formal education of Dalit girls, in particular, is one of the most important, if not the most important, changes impacting society. Education delays the age of marriage, broadens social networks, and gives young women the ideas of rights and equality. Education provides the beginnings of the possibility of economic independence. Poor economic opportunities have the potential to provide women with the strength to change the caste norms of marriage and to leave abusive marriages.

Caste and Class Migration: The intense out-migration of men for work in Asian and Gulf countries has begun to change the structure of Indian households. With men away for many years, women have become household heads, managing households and finances. This inevitably increases their household decision-making power, which can provide the strength Women need to negotiate marriage for themselves and their children.

Dalit Activism and Political Mobilization: India engages in concentrated Dalit activism that creates a robust demand for rights-based dignified politics. Activists of this movement proactively addressed the need for internal cultural reforms. It has significantly disrupted the caste hierarchy and provided young people the strength to oppose the uncontrolled authority of senior people to arrange marriages. Now, young people can marry based on love, and personal preference as opposed to caste-approved marriages.

Contradictions and Barriers: The Uneven Terrain of Change

Contradictions and barriers characterize the changing patterns of marriage practices, and the change is not liberating for all. Social Boycotts and Violent Punishments: Choosing to marry for love, and even more so marrying across caste lines, invites severe social punishments that can range from socially boycotting families who cut off community support to extreme violence, such as murder, disguised as an "honor killing". The absence of state protection to these threats is the biggest barrier.

The Divide between Law and Social Counseling: Despite the progressive nature of the laws, their implementation is extremely poor, and this becomes more pronounced in remote areas, where formally established courts have little authority over traditional caste Panchayats (councils). "Social matters" are of no concern to the police. Furthermore, the privilege to attain justice is afforded to people, while resource rich legal counsel remains outside the reach of marginalized Dalits.

New Challenges in 'Modern' Marriages: While love marriages can be viewed as a symbol of women's agency, these marriages can be even more dangerous. In a love marriage, a woman lacks the support of an extended family network. As such, she may be left isolated, vulnerable, and potentially the victim of domestic violence. The agency

that encourages women to arrange their own marriages can become a form of danger and instability if women are unable to access social and economic safety nets.

Employment as a Predominant Limiting Factor: The deprivation of economic resources has a bearing on the other constraints. The lack of economic security can result in families marrying their daughters at an early age, accepting a bride-price, and in many cases, a complete denial of the educational and occupational opportunities necessary for the exercise of any form of agency. The changing nature of marriage is, therefore, inextricably linked to the caste and class political economy.

Conclusion

The current practice of marriage among the Dalit community of Nepal is vibrant and undergoing significant, if, at times, uneven, transformation. While the resilience of patriarchal, caste-centered marriage remains, the confluence of macro-political structures and progressive law, education and a shift in the economy, combined with the politics of Dalit Rights and Feminism, are transforming marriage. The gradual move away from fully arranged marriages to defined, self-initiated and negotiated marriages is empowering women and re-ordering relations of marriage.

This analysis shows that a linear progression of liberal advancement is not applicable to this journey. Instead, it reveals contradictions along this path, in which renewed liberties are met with stubborn, persistent, and structural forms of oppression. For future progress to be made, the law must be enforced beyond the books to offer real protection. Likewise, poverty-alleviating programs must be coupled with community education programs that undermine the discriminatory attitudes of caste and gender. The changing marital practices of Dalits reflect the struggles of Nepal for social justice and gender equality, as well as the project of inclusive citizenship. Finally, the future of Dalit marital practices will be a measure of the success of the nation in balancing its developmental aspirations with its deeply rooted social inequalities.

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