



a study on
dowry in kerala

A Project undertaken in the State of Kerala by Jananeethi
with The Federal Grant of American Centre, New Delhi



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Foreword

Among the thousands of women who have approached Jananeethi over the past one decade of its existence, a brutal majority of them were victims of dowry related domestic violence and sexual atrocities. In the case of dowry, the victims are not only the women who are objects of cruelty and torture. Children, family members of the bride and other relatives are badly affected as well. Several families for some reason or other, become parties to the dispute. Hence the problem of dowry and its ramifications become a major social and moral turbulence the remedy of which should emanate from a total economic, ethical, religious, sociological and cultural re-structuring of the families.

Jananeethi, in this context, decided to initiate a random survey among the various sections of society with respect to the impacts, the system of dowry, as it exists in Kerala has generated and its extent at different realms of society. It has to be noted that focus of the study has not been given to individual experiences, but rather, to the situations that exist in the Kerala Society in general. Attention was given to the opinions of people of different sections classified on the basis of age, sex, occupation, education, religion and economic status.

The study was carried out in three stages – (1) data collection through a detailed questionnaire filled by people as explained above; (2) Focus Group Discussion – inviting an open debate among those who are briefly introduced the multitude and magnitude of the problem; (3) Regional Workshops for field experts, social action groups, academics, social workers, women's groups, human rights defenders, government servants and media personnel.

Survey, as part of the study, was conducted in all the fourteen districts of Kerala. Jananeethi team visited all these districts, met eminent personalities, social scientists and took up the subject for further elaboration.

A few recommendations have been proposed to the active consideration of the State Government and registered NGOs who are concerned of the welfare of the society. It is hoped, a further study will be taken up by Jananeethi to reach out to the direct victims of the vicious system and to come out with concrete proposals for specific action for tangible relief to the victims and for permanent solution to the problem of dowry.

George Pulikuthiyil

Project Director

January 10, 2004.



Acknowledgement

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The Members of the Board of Jananeethi with special mention to Dr. Francis Xavier and Dr. George Mathen and the devoted staff members of Jananeethi with special mention to Advocate Jasmine Joseph, M.N. Suresh Babu, Faritha Ansari, K.K. Radhamani, E.V. Joshy, P.P. Vineeth, A.B. Prasad, E. Jayasree, K.K. Sudevan and T.K. Naveenachandran for their relentless and hard works and personal sacrifices; and lastly

Our friends, the staff of St. Mary's Orphanage press, who did well the page making, printing and binding.

To all and each one of them Jananeethi owes very much.

Jananeethi



Executive Summary

Background & objectives:

Kerala has always been considered one of the most advanced States in India with respect to development indexes. 'Kerala Model' development was much talked about in India and outside more importantly from its political angle. 'Family' was viewed as the most flamboyant 'blessing' of Kerala society. Every Keralite takes pride and becomes exuberantly vocal in discourses on 'family' as a value. Factually and frankly this was contradicted in Jananeethi as there were thousands of Jananeethi interventions in last one decade where Jananeethi staff had to rush to the rescue of women who had been brutally and cruelly beaten up, physically tortured, sexually abused and morally annihilated by their husbands and husbands' families. The evil practice of dowry and dowry related disputes and dissensions have taken lives of thousands of women, and millions are doomed to live in utter agony and indignation for the sake of 'family'. It was in this context Jananeethi undertook this study on dowry in Kerala.

The study was conceived and designed to document the practice of dowry and its repercussions in society and families in particular in the State of Kerala. The extent of its prevalence among different populations and religious denominations; the historical, socio-cultural and ethnic factors that accentuated, promoted and perpetuated the practice of dowry; the colossal failure of the Dowry Prevention Act 1961 in curbing the evil practice of dowry; the inherent male domination and gender discrimination in Kerala society that have been nurtured by religions indoctrinations and ritualistic practices; prospects of developing alternatives to counter the problem of dowry were also among the objectives of the study.

Methodology:

A random survey among 3930 people in 14 districts of Kerala was conducted. A printed questionnaire was used to collect and codify the responses of the people. The questionnaire was prepared with an assumption that dowry is widely been practiced. Hence each question was further sub-divided into several questions to elicit answers on the diverse dimensions of dowry. The respondents were belonging to three segments, namely (i) young women of 17-35 years; (ii) Young men of 20-40 years and (iii) parents of 45 years and above. They were broadly classified as Christians, Hindus and Muslims, having educational status as to that of primary, secondary, university and professional levels, having placed themselves at low, average and high financial positions, and identifying themselves as labourers, self-employed and government servants.

The study was complete with three stages, namely an opinion survey by filling the questionnaire preceded by a short discourse on the legal rights and wrongs in the case of dowry; conducting Focus Group Discussions (FGD) based on the stamped impressions and vexed ideas of women and men on dowry, and finally organizing Regional Workshops at three major regional centres intended for vibrant groups such as activists, social

workers, feminists, academics, journalists, NGO representatives, institutional heads and human rights defenders.



Results / Findings:

The findings from the study may be summed up as follows: (i) Dowry is widely been practiced in Kerala society, (ii) the people of Kerala, irrespective of their religious, educational, financial and occupational status or affiliation condone, if not openly promote, dowry though all of them are quite aware of its disastrous repercussions; (iii) the higher is the educational status, the greater is the expectancy / demand of dowry, (iv) many affluent societies / families justify dowry for not giving equal share of the ancestral property to female members of the family, (v) very few women only believe that dowry should remain as their asset and that it should not be claimed by husband / husbands' family; (vi) religions, political organizations, people's movements and voluntary agencies have not been able to bring control / restraint on dowry, rather they directly or indirectly facilitated for its continuance, and (vii) the evil consequences of dowry ruin several families, it causes stumbling blocks for the future of the younger one's at home, it cuts the bride's relationship with her own family and that it often ends up in suicide or homicide of the bride.

Conclusion:

Dowry has been approved as integral component of marriage as an institution. However its modes of expressions vary from people to people, depending their educational, occupational, cultural, regional and ethnic backgrounds. Dowry in cash and gold (ornaments) occupy either first or second priority for all sections of society – young and old, women and men, rural and urban, higher and lower education groups as well. However, young men and young women preferred vehicles as a third priority while the parents would go for landed property or a residential house, instead.

The greed and avarice of people and demand for dowry are very much related. Higher education and occupation of higher positions in society have not been able to bring change in the attitude towards dowry. Marriage is viewed at as an opportunity to enhance the material wealth of the husband's family. This has an adverse effect on the education of female children. Because if they are educated, naturally they should look for an equally educated or better educated male partner who will surely expect a higher amount as dowry. Hence parents of low income groups refuse to give better education to their daughters while they are ready to sacrifice to any extent for their son's best education.

Apparent difference was noticed in the case of different income groups. It was so found that young men and young women of low income groups were much concerned of dowry, where as it was not that strong in the case of their counter parts in the middle income and higher income groups. But in the case of parents, the situation was quite different. Parents of lower income and higher income groups were more insistent on dowry while it was not the case with middle income group.

Further, demand of dowry was much stronger among business men and professionals while other groups like farmers and working class showed more tolerance and human consideration.

It was strange and astonishing to note that religions never helped to correct the system maligned by the evil practice of dowry. One of the major reasons for this sad and sickening situation was the gender discrimination that exists in all spheres of religion. It was noticed with pain that even relatively better educated women who have been

associating with decision making bodies of religious groups were in conformity with male chauvinism and said that husband had full authority over the soul and body of his wife.



Suggested Policy Measures:

In the light of the study on dowry in Kerala, the following suggestions have been made as Policy Measures. State government, local bodies, religious hierarchies, non-governmental organisations and law implementing agencies are earnestly requested to consider implementation of the recommended action strategies as given below.

1. A national campaign to abolish dowry and caste system is mandatory, because together they tended to reinforce the system of caste endogamy.
2. Fervent appeal is made to religious leaders and institutions to denounce publicly all practices and dogmatic admonitions that strengthened son preferences and masculinity of God.
3. Public protests should be organized against ostentatious displays at weddings. Steps should be taken to encourage and promote inter-caste, own-choice and non-dowry marriages, to close down institutions and clinics where sex-determination tests are performed and to stop advertisements and media related programmes that encourage dowry system in all its myriad forms.
4. Anti-dowry struggles should be made part of the mainstream political struggle. All political parties should be appealed to incorporate total eradication of the dowry system from the society into their election manifesto of the forthcoming parliament elections.
5. Girl's right to equal share in her ancestral property should not be meddled with her marriage. She and every body else should have a clear idea of how much she would be entitled to receive. It could be given to her only after 5 years of her marriage. During this period, from the date of her marriage to the date of the devolution of the property in her name, she should be entitled to the income from the property, if so applicable.
6. Every girl should have a regular source of income to qualify herself fit for marriage and that she should not be required of to give up her employment for the take of her marriage. Men should be advised or counselled to share the family chores and to alleviate the hardships, their female counterparts undergo at home.
7. Government should be urged to enforce the Dowry Prohibition Act effectively and efficiently. The government should also be motivated to activate its concerned departments to ensure those who spend excessively on marriage celebrations file statements before concerned departments regarding the cost involved and its source.
8. If a Government servant is found to have violated the law and has demanded or caused to demand dowry should be disentitled to all benefits and privileges including further promotion in service.
9. Every marriage has to be recorded at local bodies and mention on the amount of dowry should specifically be made. It should be ascertained that whatever is given as dowry remains in the name of the bride alone.
10. Anti-dowry campaign should be made part of school curriculum.



Strength & Weakness of the Study

The study on the Dowry System in Kerala as it has been reported herein was initiated by human rights defenders who are activists, not technicians. Hence the focus was given to the community and to the disturbing trends that have crept in the society. The questionnaire used for the study, for collecting responses of the public was designed and was articulated in view of the evil effects of dowry in Kerala society. Hence the result of the study could be taken as statement of the status quo of the Kerala society. As there are no personal injuries or ill feelings involved in the process, the report could be taken as ‘unbiased’, presenting dispassionate views of the respondents.

All the same, the report may be criticised as not having precision, as there are no direct answers of the victims. The study started with a presumption that dowry was widely practised in the Kerala Society. It also presumed that all marriages involved dowry in some way. The respondents were not answering based on their own experience, but were expressing their opinions on what’s been happening in the society. Opinions may go wrong, but individual experiences will not. Individual experience will involve emotions and will tend to be exaggerative at the cost of its objectivity.

A sequel of this study, exclusively on victims of the dowry practises in Kerala, would be advisable in the context of the above mentioned facts.



I INTRODUCTION:

The empowerment of women and equality between women and men were always been a priority global issue. Wall Whitman has described it in the following words:

“Where women walk in public processions in the streets
the same as the men,
Where they enter the public assembly and take places
the same as the men,
Where the city of the faith fullest friends stands,
Where the city of the cleanliness of the sexes stands,
There the great city stands “

The best way to understand a civilization is to get to know the status and position of its women in society. “ India of today is guilty of outrages from foeticide and infanticide to saticide and dowrycide ” says Justice V.R. Krishna Iyer. Because in India, “the mother is more than a parent and a girl more than a child “with an unwanted sex. The over emphasis of family as an unbreakable unit with religious re-enforcement has sometimes been a guise to warp the assertive equality of womanhood. Power, every where, is in the hands of man as a species and never does power part with its privilege and pleasure.

It is important to note that principle 4 of the Cairo Manifesto 1994 states, “ the advancement of gender equality and equity, the empowerment of women, the elimination of all kinds of violence against women and the promotion of women’s control over their own fertility are the corner stones of human development. The human rights of women and girl child are inalienable, integral and indivisible part of universal human rights. The full and equal partnership of women in civil, cultural, economic, political and social life at the national, regional and international levels and the irradiation of all forms of discrimination on grounds of sex are priority objectives of the international community “.

From womb to tomb women are made to pay heavily for their womanhood, though protection of womanhood is a condition precedent for a just world order.

1.1. Vedic Concept:

The Vedas prescribe that dowry be given by the bride’s family to the groom. Kakshivat in Rig Veda, for instance, says he became rich by his father in law giving him 10 Chariots and maids and 1060 cows during his marriage ceremony (Rig Veda I. 126). Dowry is referred to as ‘Streedhana’ and is an ancient practice. This custom implied that women, in addition to being viewed as mere sex objects, were severe economic liabilities for the parents.

The ancient Vedic custom of “Kannyadan” where the father presented his daughter with jewelry and clothes at the time of her marriage, the ‘Vardakshina’ where the father presented the groom with cash and kind, are in essence the dowry system. We should bear in mind that wealth in Vedic times remained in the name of women lest that it could be misappropriated. The enormity of wealth bestowed to a daughter at the time of her marriage was a clear indication of the concern of her family in her and her children’s

future welfare. When Sita was married to Rama, her father gave her 100 crores of gold mohurs, 10000 carriages, 10 lakh horses, 60000 elephants, 100000 male slaves, 50000 female slaves, 2 crores of cows, 100000 pearls, and many other household items. (Ram. Ch. 61)

The terms like 'avarodhika', 'avarodhavadh', which are frequently applied to women in Indo-Aryan literature show that women were not given any social freedom at all. Vachaspati speaks of a 'kulavadhu', another synonym for 'woman' as meaning 'invisible' to the sun. these metaphors indicate that Hindu women were essentially prisoners permanently locked up at home. Also Madhava Acharya stated that "they (woman and sudras) are barred from being competent students of the Veda" the Nambudiri Brahmin women are a good example of the inhuman restrictions placed on Aryan women regarding going out and leaving the house. The Smarta Shankaracharya laid down that:

- Brahmin women must not look at any person other than husbands
- Brahmin women must not go out, unless accompanied by women servants
- Brahmin women must wear only white clothing"

(Thurs 5.189)

1.2. Severe restrictions enforced upon women:

As 'value' was reduced to 'price', woman was looked up only as an object of sexual satisfaction. The feudal patriarchal society used several cruel methods that crushed the status of women to that of animals - by

- (1) Forcefully confiscating any property women could have
- (2) Enforcing debauched dowry system that forced women to part with huge sums of money upon marriage.
- (3) Locking women at home and imposing on them strict dress and veiling codes.
- (4) Denying women the basic right to education and maintaining them at a state of enforced illiteracy.

For example, as per the Book of Manu, woman was never to be left alone; she was declared to be unfit for independence. "In childhood a female must be subject to her father, in youth to her husband, when her lord is dead to her sons; a woman must never be independent" (Manu V 148). " A wife, a daughter and a slave, these three are declared to have no property, the wealth which they earn is for him to whom they belong" (Manu VIII. 416). " By violating her duty towards her husband, a wife is disgraced in this world, after death she enters the womb of a jackal and is tormented by diseases as the punishment of her sins" (Manu Smriti V 64).

The concept of property in women, sons and slaves, deep rooted in ancient practices, was no peculiar feature of the Hindu systems, for it was equally shared by the ancient Greeks and Romans who sold or lent their wives to their friends either for pleasure or procreation.

1.3. Women: Victims of Violence

Women, victims of violence and exploitation by patriarchal forms of religious, social, political, economic and cultural devolutions, today are being organized by themselves to protect their rights and preserve their survival and sustenance. They face specific forms of violence – rape and other forms of sexual abuse, female foeticides, dowry deaths, wife - beating, wife burning and so on. Such violence and the continued sense of insecurity keep

them bound to their home, economically exploited and socially suppressed. In the ongoing struggles against violence on women in family, society and State, we recognize that State is one of the main sources of violence and stands behind the violence committed by men against women in family, the workplace and the neighbourhood.

Upper caste, upper middle class women tend to be subjected to violence in the family rather than to external “social violence”. For these women, the very family that protects them is also the source of greatest violence against them. It is in these sections that dowry deaths are the most rampant, the female foeticide is most practiced and the forms of suppression such as wife beating also occur, but are more often masked from social visibility than among lower class and rural women.

The issue of violence against women has been the most pervasive theme of all feminist, democratic and rights based movements in India. In the 1970s it was the horrifying and escalating numbers of dowry deaths. In the 1980s the problem of rape and sexual assault burst out of the shadows to stand as the symbol of women as a broken idol. In recent years it is the female infanticide and the violence against females through bio-medical practice such as amniocentesis have emerged as the new threat to gender justice .

1.4. Jananeethi: A decade of liberative struggles



Photo-1: Jananeethi Office

Started in 1992 as a registered and charitable voluntary organization for the protection and promotion of the constitutional rights and civil liberties of the marginalized sections of society, Jananeethi soon realized, women – more importantly the rural women – should be given top priority among all other sections of its beneficiaries. Hence, it set up a team of committed activists including lawyers, theatre artists – social activists, clinical psychologists, professionals, and students to reach out to the remote villages and country – side addressing small groups of women, also making use of the ICDS¹ network where ever it was operative. Thus, Jananeethi has increasingly been able to interact with 5000 to 30000 women every year on an average on specific issues concerning women – ie., reproductive rights, sexual freedom, dowry related violence, women & law, gender rights,

¹ ICDS: Integrated Child Development Services Scheme

MTP² & PNDT³ Acts, women in development, women in civil administration, sexual minorities, victims of HIV & AIDS, Women and War, Ecology Environment and Women etc.



In the last 10 years, the dowry system has permeated every section of Kerala's society, irrespective of class, caste and religion. Religions, leftist ideologies, legislative measures and civil and judicial administrations proved a colossal failure in eradicating evils of dowry and dowry related social oppressions and physical torture even to the extent of murder and homicides. Marriages are seen as opportunities to enhance the family's financial and social standing. Families are increasingly seeking the help of professional marriage consultancy bureaus to negotiate and settle the dowry.

A specimen data – sheet (Figure 1) of a candidate taken from a leading marriage bureau in Central Kerala is produced herewith for verification. The consultancy establishment is only happy to initiate negotiation with parties regarding dowry if other factors are accepted.

VENUS FAMILY WELFARE CENTRE		Colour Photo																														
Candidate's Details - 1 <i>(The identity of the person & institution, not real)</i>																																
Regn. No.	: 9999																															
Sex	: Female																															
Name	: Ann Mary																															
Age	: 24, date of birth 17, September 1979																															
Height	: 5'7" (170 Cms.)																															
Complexion	: Fair																															
Religion / Caste	: Syrian Catholic																															
Diocese	: Thrissur																															
Education	: MBA (final year student)																															
Occupation	:																															
Workplace	:																															
Monthly income	:																															
Salary	:																															
Present location	: Kochi																															
<table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"></td> <td style="text-align: center;"><u>Father</u></td> <td style="text-align: center;"><u>Mother</u></td> </tr> <tr> <td>Name</td> <td>: Thomas Mathew</td> <td>: Mary Thomas</td> </tr> <tr> <td>House name</td> <td>: Kandathil</td> <td>: Thundathil</td> </tr> <tr> <td>Native place</td> <td>: Kottayam</td> <td>: Kozhikkode</td> </tr> <tr> <td>Occupation</td> <td>: Govt. Servant</td> <td></td> </tr> <tr> <td>Address</td> <td colspan="2">: Kandathil, Kottayam – 55</td> </tr> <tr> <td>Phone</td> <td>Off:</td> <td>Res: Mobile Email</td> </tr> <tr> <td>Share details</td> <td colspan="2">: 85 lakhs (cash / gold) and partnership in family business.</td> </tr> <tr> <td>Brothers</td> <td>0- Married</td> <td>0 – Unmarried</td> </tr> <tr> <td>Sisters</td> <td>0- Married</td> <td>1- Unmarried</td> </tr> </table>				<u>Father</u>	<u>Mother</u>	Name	: Thomas Mathew	: Mary Thomas	House name	: Kandathil	: Thundathil	Native place	: Kottayam	: Kozhikkode	Occupation	: Govt. Servant		Address	: Kandathil, Kottayam – 55		Phone	Off:	Res: Mobile Email	Share details	: 85 lakhs (cash / gold) and partnership in family business.		Brothers	0- Married	0 – Unmarried	Sisters	0- Married	1- Unmarried
	<u>Father</u>		<u>Mother</u>																													
Name	: Thomas Mathew	: Mary Thomas																														
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Share details	: 85 lakhs (cash / gold) and partnership in family business.																															
Brothers	0- Married	0 – Unmarried																														
Sisters	0- Married	1- Unmarried																														
Remarks	: Born & brought up in Kenya. After 'O' level (London GCE), she did her pre – university – (2 nd group in St. Joseph's Calicut, did BSc (Zoology) in Stella Maris, Madras, Currently doing MBA (Marketing) at Kozhikkode.																															
<i>Expectation:</i>																																
Qualification	: Equal or Above																															
Employment	: Preferable overseas, but good jobs in India will also be considered.																															
If other caste ?	: No																															
Preferences	: Good religious family, Tall and good looking boy.																															

Figure-1: Data-sheet of Female candidate

² MTP : Medical Termination of Pregnancy

³ PNDT : Pre-Natal Diagnostic Techniques



VENUS FAMILY WELFARE CENTRE		Colour Photo
Candidate's Details <i>(The identity of the person & institution, not real)</i>		
Regn. No.	: 5555	
Sex	: Male	
Name	: George Mathew	
Age	: 29, Date of birth: 14, October 1974	
Height	: 5'10" (177 Cms.)	
Complexion	: Medium	
Religion / Caste	: Syrian Catholic	
Diocese	: Palakkad	
Education	: BE (Civil)	
Occupation	: Engineer	
Workplace	: Coimbatore	
Monthly income	: 12,000.00	
Salary	:	
Present location	: Palakkad	
<u>Father</u>		<u>Mother</u>
Name	: Mathew John	Mary Mathew
House name	: Mattathil	Thottathil
Native place	: Ernakulam	Thrissur
Occupation	: Business	
Address	: Mattathil, Ernakulam-25	
Phone	Off: Res: Mobile	Email
Share details	: 1 crore	
Brothers	0- Married	1 – Unmarried
Sisters	0- Married	1- Unmarried
Remarks	:	
<i>Expectation:</i>		
Qualification	: B.Tech, MCA	
Employment	: Preferably employed.	
If other caste ?	: RCSC only	
Preferences	: Religious, fair, good looking, height 5'4" and above.	

Figure-2: Data-sheet of Male candidate

The groom has declared that he has an asset of Rs. 1 crore – which speaks for itself.

Even rural areas in Kerala boast of air – conditioned marriage halls and 5-Star facilities. Jewellery and silk saree shops specializing in expensive wedding wear have mushroomed across Kerala as never before. In recent years, such business, which thrive on the dowry-based institution of marriage, have become the biggest advertisers in the print and electronic media in the State.

Brand new cars, expensive electronic consumer durables and pocket money for the honey – moon have become an integral part of wedding arrangements. Even the Malayalam movie industry indirectly glorifies the dowry system. The dark side of the dowry business is subtly ignored for the pomp and splendour of make-believe marriages.

Heightened consumerism and the gulf boom are among the reasons being cited for the spread and growth of the practice. The high levels of literacy and social awareness have not led to any control over the demand for dowry. Though an offence under Indian law, the dowry system enjoys wide social sanction in the State. Apparently there is absence of theoretical understanding of the social structuring that has perpetuated the dowry system.

We have only those inherited theories of traditional Marxism which have seen domestic violence as a derivative of economic exploitation and property ownership, or they have repeated the tendencies of western radical feminism which sees domestic violence as an inherent feature of the “dialectics of sex”, as Gail Omvedt puts it, posing women against men.

Jananeethi undertook a study on the Dowry System in Kerala in this context. According to Dowry (Prohibition) Act 1961, payment of dowry in any form is illegal. The Act clearly states “if any person after the commencement of this Act, gives or takes or abets the giving or taking of dowry is punishable with imprisonment of not less than 5 years and with fine not less than Rs.15000/-”. The Act defines dowry as “any property or valuable security given or agreed to be given either directly or indirectly, (a) by one party to marriage to the other party to the marriage, (b) by the parents of either party to a marriage or by other person, to either party to marriage or to any other person, at or before or any time after the marriage, in connection with the marriage of the said parties”

The study was intended to document the practices related to the payment of dowry in the fourteen districts of Kerala State and among all classes and communities of the Kerala population.

1.5. Major objectives of the study:

1. Document the nature and extent of payment of dowry among different populations in the State of Kerala.
2. Understand the social, cultural, historical background which nurtured the system of payment of dowry in the State.
3. Learn about the sanctions and punishment systems against non-compliance of dowry.
4. Understand the extent of emotional and social pressure experienced by the girl and her family in such circumstances.
5. Know about the mechanisms by which the provision of the Dowry Prohibition Act, 1961 are bypassed.
6. Understand the pattern of spending the money received as dowry, and
7. Elicit people’s views on measures to prevent payment of dowry.



II DESIGN OF SURVEY AND STATISTICAL ANALYSIS:

Random samples were collected from all the fourteen districts of the State.



Figure-3: Kerala State with 14 districts

The respondents were chosen purely on random basis. Structured questionnaire was administered and focus group discussions were conducted to elicit the opinions, conventional beliefs and individual experiences of the respondents. However, the project staff had taken care to ensure that all sections of the civic society and all geographical areas of the respective districts were adequately represented during the process. For

example in the district of Thiruvananthapuram Focus Group Discussions⁴ (FGD) were arranged at four centres i.e. *city, city suburb, rural and coastal zones*. A grand total of 3930 people were approached and their responses were recorded. Among them, 529 were young men, 1972 were young women and 1429 were parents who have sons/daughters of marriageable age.



Table-1: District wise distribution of respondents

District	Young Men	Young Women	Parent	Grand Total
Thiruvananthapuram	51	213	145	409
Kollam	4	190	46	240
Pathanamthitta	20	22	19	61
Alappuzha	92	165	131	388
Kottayam	2	182	71	255
Idukki	18	77	98	193
Ernakulam	2	235	100	337
Thrissur	78	299	119	496
Palakkad	25	145	146	316
Malappuram	57	82	97	236
Kozhikkode	97	155	125	377
Kannur	35	129	182	346
Wayanad	29	54	144	227
Kasaragode	19	24	6	49
Grand Total	529	1972	1429	3930

The respondents included all the three major religions – Hindus, Muslims and Christians – and others who do not profess any particular religion at all.

Table-2 Caste wise distribution of respondents

Religion	Young Men		Young Women		Parents		Grand Total	
	No.	%	No.	%	No.	%	No.	%
No response	6	1.13	12	0.61	12	0.84	30	0.76
Hindu	208	39.32	761	38.59	488	34.15	1457	37.07
Christian	246	46.50	1074	54.46	853	59.69	2173	55.29
Muslim	68	12.85	123	6.24	71	4.97	262	6.67
Others	1	0.19	2	0.10	5	0.35	8	0.20
Grand Total	529	100	1972	100	1429	100	3930	100

The people surveyed were categorized based on educational status, occupational status and income status. (Table 3, 4 & 5 respectively). The graphical representation of the data from three categories are presented in Figures 4, 5, 6,7 & 8

⁴ Focus Group Discussion (FGD): Discussion were focused on age – groups namely – Young women (17 – 35 yrs) Young men (20 – 39 yrs) Parents (40 yrs and above). It was based on the general assumption that dowry is practiced by all people.



Table-3: Educational status among different groups

Education	Young Men		Young Women		Parents		Grand Total	
	No.	%	No.	%	No.	%	No.	%
No response	9	1.70	35	1.77	22	1.54	66	1.68
No Schooling	3	0.57	19	0.96	75	5.25	97	2.47
Primary	20	3.78	100	5.07	418	29.25	538	13.69
High school	160	30.25	602	30.54	655	45.83	1417	36.06
Pre Degree	115	21.74	493	25.00	133	9.31	741	18.85
Degree	172	32.51	469	23.78	60	4.20	701	17.84
Post Graduation	29	5.48	39	1.98	41	2.87	109	2.77
Professional	21	3.97	215	10.90	25	1.75	261	6.64
Grand Total	529	100	1972	100	1429	100	3930	100

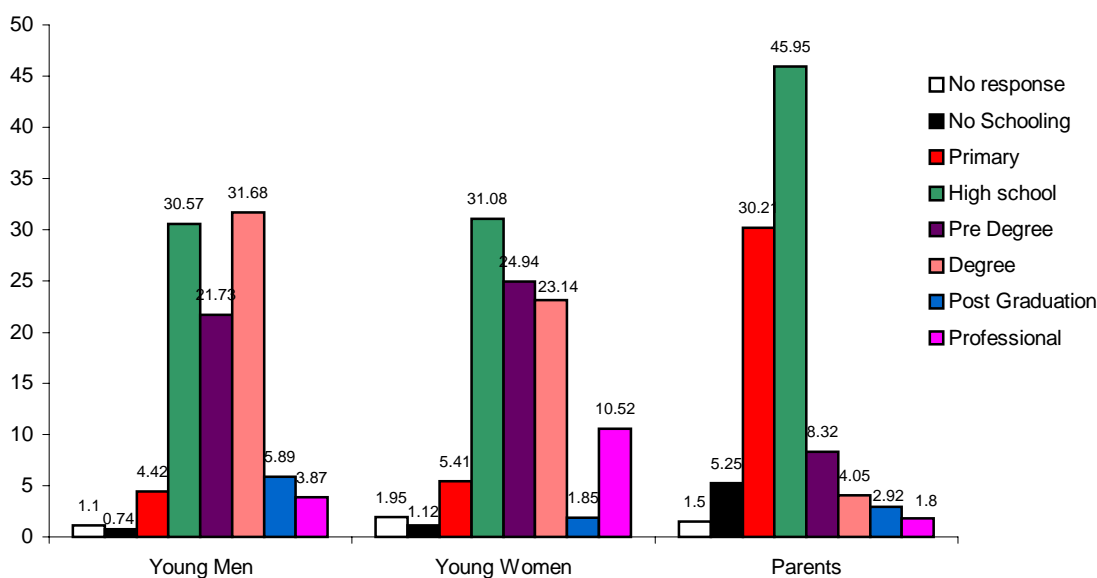


Figure-4 Educational status of respondents

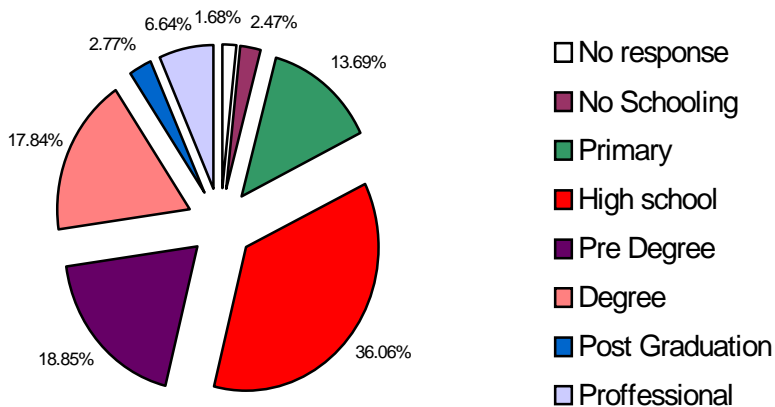


Figure-5 Category of total respondents (%) – based on education



Table-4: Occupational status of the respondents

Occupation	Young Men		Young Women		Parents		Grand Total	
	No.	%	No.	%	No.	%	No.	%
No response	17	3.22	76	3.85	25	1.75	118	3.00
Agriculture	38	7.18	33	1.67	187	13.07	258	6.56
Private/Govt.	49	9.26	142	7.20	108	7.56	299	7.62
Business	29	5.48	3	0.16	16	1.12	48	1.22
Cooli	95	17.96	91	4.61	205	14.35	391	9.95
Self employment	48	9.07	157	7.96	119	8.33	324	8.24
House wife	7	1.32	488	24.75	652	45.63	1147	29.19
Students	211	39.89	732	37.12	3	0.21	946	24.07
Hand work	14	2.65	115	5.83	40	2.80	169	4.30
Professional	17	3.21	121	6.14	42	2.94	180	4.58
Other	4	0.76	14	0.71	32	2.24	50	1.27
Grand Total	529	100	1972	100	1429	100	3930	100

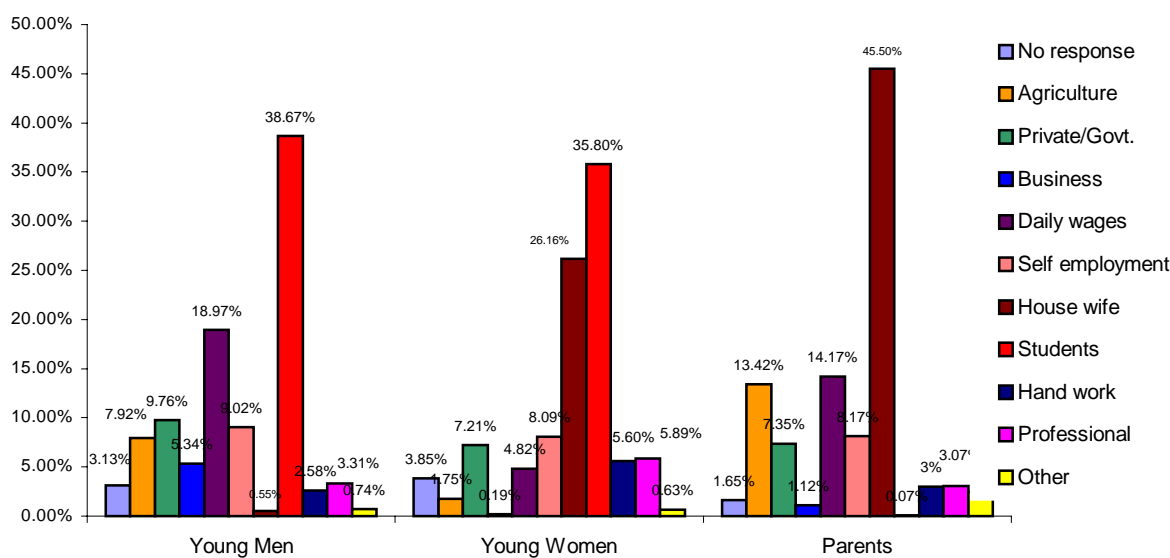


Figure-6 Respondents categorised based on occupation

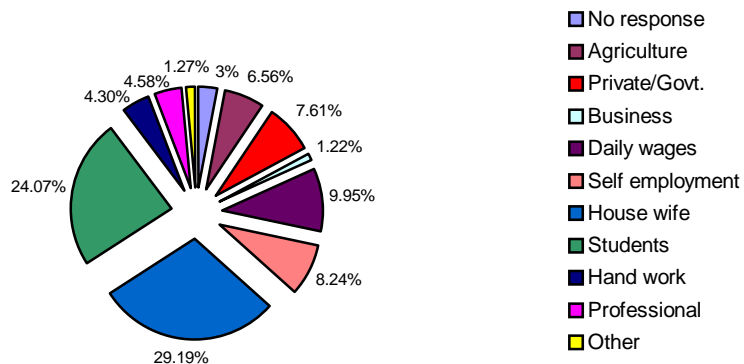


Figure-7 Category of total respondents (%) - based on occupation



Table-5: Income status of respondents and its percentage in different groups

Income Group	Young Men		Young Women		Parents		Grand Total	
	No.	%	No.	%	No.	%	No.	%
No response	68	12.85	199	10.09	50	3.50	317	8.07
<4000	370	69.95	1398	70.89	1171	81.94	2939	74.78
4000 - 7000	56	10.59	272	13.79	140	9.80	468	11.91
7000 - 20000	27	5.10	77	3.90	51	3.57	155	3.94
>20000	8	1.51	26	1.33	17	1.19	51	1.30
Grand Total	529	100	1972	100	1429	100	3930	100

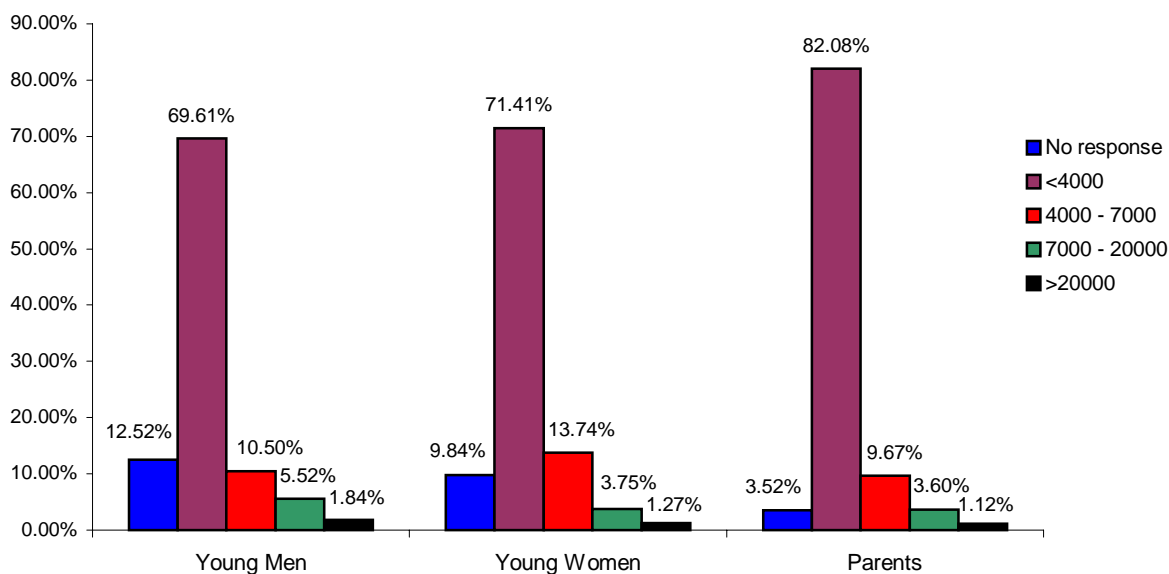


Figure-8 Respondents categorised based on Income



III. GENERAL ASSESSMENT OF DATA AND ANALYSIS:

3.1 Document the nature and extent of payment of dowry among different population in the State of Kerala.

Dowry has been approved as of an integral component of marriage as an institution. However, different people have different approaches towards dowry. Some may demand in cash, while others in gold. Percentage distribution of responses to all sub-questions were calculated for each group.

Table-6: Perceptions about ingredients of dowry

Sub questions of Q. No.2	Young Men			Young Women			Parents		
	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know
Liquid Cash	94.48	4.42	1.10	91.82	5.70	2.48	86.88	7.65	5.47
Fixed Deposits	51.57	27.26	21.18	49.63	25.04	25.33	43.18	28.86	27.96
Mutual Funds	30.02	31.31	38.67	27.81	26.74	45.45	26.16	30.13	43.70
Share and Stocks	42.91	29.28	27.81	41.45	26.64	31.90	35.98	28.64	35.38
Marriage Expenses	64.83	23.57	11.60	66.73	20.56	12.71	71.29	13.12	15.59
Property – House, Land etc.	84.16	9.58	6.26	83.00	9.16	7.84	76.24	10.04	13.72
Ornaments	88.95	8.10	2.95	90.26	5.26	4.48	87.18	5.25	7.57
House-hold Articles	67.03	22.10	10.87	72.77	15.98	11.25	72.04	13.19	14.77
Sweetmeats	37.57	43.65	18.78	47.78	32.29	19.92	49.40	26.16	24.44
Clothes for relatives and bride	48.62	35.54	15.84	52.65	29.62	17.73	54.87	23.54	21.59
Job/Offer of Job	56.91	25.41	17.68	50.51	25.43	24.06	46.18	26.61	27.21
Arrangements for higher studies	41.07	34.81	24.13	40.28	31.17	28.54	38.68	30.06	31.26
Accommodation and meeting needs for a fixed period	40.70	26.52	32.78	28.84	29.52	41.65	30.88	30.73	38.38
Business partnership	56.91	21.92	21.18	46.42	24.99	28.59	41.75	28.49	29.76
Vehicle	79.93	11.05	9.02	75.60	13.83	10.57	59.97	19.79	20.24


1  2  3  4 

Table-7: Index calculated for finding the preferences of educational level groups to ingredients of dowry.

Sub questions	Upto Primary	High school + Plus II	Degree	PG & Professional
Liquid Cash	72.60	78.64	83.17	89.73
Fixed Deposits	2.20	3.06	3.28	2.97
Mutual Funds	0.79	0.74	0.57	0.54
Share and Stocks	1.42	1.39	1.57	1.35
Marriage Expenses	27.24	24.88	10.98	17.03
Property – House, Land etc.	37.48	39.62	34.09	36.22
Ornaments	69.61	72.75	76.60	85.41
House-hold Articles	20.94	12.19	8.99	8.11
Sweetmeats	3.31	2.41	1.14	1.08
Clothes for relatives and bride	2.83	3.06	1.85	1.08
Job/Offer of Job	1.10	4.54	4.14	4.32
Arrangements for higher studies	0.94	1.02	0.71	0.54
Accommodation and meeting needs for a fixed period	0.63	1.25	1.28	0.81
Business partnership	1.57	1.53	1.57	0.81
Vehicle	7.72	13.02	30.10	33.24



94.48% of young men, 91.82% of young women and 86.88% of parents held the view that cash should be treated as good dowry, while 88.95% of young men, 90.26% young women and 87.18% parents considered ornaments as equally good. They prefer to give their girls ornaments than cash in hand that is more likely to be expended on unnecessary items.

Further, 84.16% of young men, 83% of young women and 76.24% of parents suggested that landed properties, residential buildings and flats could be considered as – components of dowry. Where as 79.93% of young men and 75.60% young women and 59.97% parents support vehicles as another form of dowry.

House hold articles and equipments were also considered as dowry by these groups. An index was calculated for each item to find out the preference for the items to be taken as dowry.

Table-8: Index calculated for selecting the ingredients of dowry by respondents

Sub questions	Young Men	Young Women	Parent	Grand Total
Liquid Cash	77.72	82.32	74.89	79.16
Fixed Deposits	1.66	3.26	2.92	2.93
Mutual Funds	0.92	0.58	0.75	0.69
Share and Stocks	1.47	1.41	1.35	1.40
Marriage Expenses	16.39	20.46	26.39	21.91
Property – House, Land etc.	38.49	36.00	40.25	37.79
Ornaments	64.64	77.74	71.81	73.92
House-hold Articles	7.92	11.54	16.27	12.65
Sweetmeats	0.92	2.68	2.02	2.21
Clothes for relatives and bride	2.95	2.19	3.07	2.60
Job/Offer of Job	5.89	3.80	3.37	3.94
Arrangements for higher studies	1.84	0.73	1.05	0.99
Accommodation and meeting needs for a fixed period	3.68	0.83	0.52	1.12
Business partnership	3.13	1.07	1.35	1.45
Vehicle	26.34	20.65	7.95	17.12

It is a ratio of individuals responded to that item to total number of individuals expressed as percentages. As many as 77.72%, of the total young men interviewed, attach priority to dowry in cash, followed by dowry in ornaments (64.64%) and thirdly as house hold items (38.49%). The other two sections – young women and aged parents – also expressed the same opinion.



Table-9: Justification for demanding dowry

Sub questions	Young Men			Young Women			Parents		
	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know
It is bride's share in parental property	72.19	17.50	10.31	76.38	12.66	10.96	78.49	10.94	10.57
To maintain wife for future life	61.88	26.15	11.97	71.12	17.63	11.25	71.59	14.69	13.72
Because groom's sister was paid dowry.	62.98	23.76	13.26	66.68	18.12	15.20	68.22	15.29	16.49
For equality in status and manifestation of status	46.04	33.33	20.63	59.13	18.85	22.02	59.45	18.29	22.26
To follow tradition	67.40	20.81	11.79	73.02	14.52	12.47	70.69	13.19	16.12
To compensate expense incurred for educating/job of the groom.	39.23	40.15	20.63	49.20	25.96	24.84	52.62	21.89	25.49
To get back what was lost due to marrying off daughter/groom's sister.	54.51	26.89	18.60	58.74	20.70	20.56	60.19	19.72	20.09
To set up a life of their own.	71.82	15.65	12.52	75.74	11.69	12.57	76.54	9.52	13.94
As rightful expenditure for getting such a good alliance.	67.77	19.89	12.34	80.08	10.38	9.55	80.21	7.95	11.84

1  2  3  4 

Table-10: Index calculated for justification of demanding dowry based on educational status

Sub questions	Upto Primary	High school + Plus II	Degree	PG & Professional
It is bride's share in parental property	39.21	44.53	43.37	59.46
To maintain wife for future life	38.11	38.14	27.39	34.59
Because groom's sister was paid dowry.	25.20	23.40	24.25	20.54
For equality in status and manifestation of status	7.40	7.92	9.27	12.97
To follow tradition	39.53	36.28	37.66	40.27
To compensate expense incurred for educating/job of the groom.	6.61	6.77	6.42	9.73
To get back what was lost due to marrying off daughter/groom's sister.	11.97	10.98	10.41	7.84
To set up a life of their own.	32.44	35.36	28.82	36.76
As rightful expenditure for getting such a good alliance.	34.96	38.28	33.81	39.19



Table-11: Index calculated for justification of demanding dowry based on income

Sub questions	< 4000	4000 - 7000	7000 - 20000	>20000
It is bride's share in parental property	43.59	50.43	49.03	41.18
To maintain wife for future life	37.22	34.40	22.58	35.29
Because groom's sister was paid dowry.	25.01	18.80	18.06	19.61
For equality in status and manifestation of status	7.86	11.54	5.81	11.76
To follow tradition	36.95	36.32	41.29	31.37
To compensate expense incurred for educating/job of the groom.	7.08	6.62	5.16	15.69
To get back what was lost due to marrying off daughter/groom's sister.	11.33	10.04	10.97	3.92
To set up a life of their own.	34.13	33.55	30.97	35.29
As rightful expenditure for getting such a good alliance.	37.97	36.11	34.84	23.53

Nine justification points were enumerated by respondents for demanding dowry. In all the groups top ranks for justification for demanding dowry were “bride’s share in parental property”, “to set up a life of their own” and “rightful expenditure for getting good alliance”.

Table-12: Methods of raising money

Sub questions	Young Men			Young Women			Parents		
	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know
From GPF/Institutions	62.43	18.23	19.34	63.71	12.66	23.62	58.85	17.62	23.54
Loan raised on land	80.29	10.50	9.21	88.16	6.82	5.02	89.06	4.42	6.52
Savings as deposit/land/mutual funds	76.98	9.76	13.26	80.95	8.67	10.38	75.41	11.02	13.57
Aid from friends/relatives/others	76.61	11.23	12.15	84.56	7.94	7.50	81.11	6.82	12.07
Sale of assets/gold	77.72	10.87	11.42	82.51	8.43	9.06	79.31	7.57	13.12
Dowry received for brothers/mother	52.30	25.78	21.92	56.16	22.70	21.14	57.80	21.36	20.84
Sell off job/badge	35.91	36.10	27.99	39.36	28.54	32.10	40.93	25.56	33.51
Corruption/theft and other unlawful means	29.47	40.52	30.02	26.50	41.84	31.66	32.01	34.03	33.96
Chit funds	76.98	10.13	12.89	85.78	5.60	8.62	82.31	5.92	11.77
Panapayatt (Social measures)	53.04	18.05	28.91	52.85	16.03	31.13	53.07	16.12	30.81

1 2 3 4



Table-13: Index calculated for methods of raising money based on educational status

Sub questions	Upto Primary	High school + Plus II	Degree	PG & Professional
From GPF/Institutions	11.81	16.31	22.40	32.70
Loan raised on land	71.81	73.45	66.05	69.73
Savings as deposit/land/mutual funds	26.77	29.52	33.24	38.38
Aid from friends/relatives/others	28.35	31.97	20.68	28.92
Sale of assets/gold	34.96	36.98	32.10	40.81
Dowry received for brothers/mother	7.87	7.74	6.85	8.38
Sell off job/badge	1.89	2.41	2.28	0.81
Corruption/theft and other unlawful means	2.83	2.87	2.14	3.78
Chit funds	46.77	41.61	36.95	38.92
<i>Panapayatt</i> (Social measures)	11.65	11.49	14.84	7.30

Table-14: Index calculated for methods of raising money based on income

Sub questions	< 4000	4000 - 7000	7000 - 20000	>20000
From GPF/Institutions	16.03	26.92	23.87	25.49
Loan raised on land	73.63	67.95	56.13	47.06
Savings as deposit/land/mutual funds	28.79	35.47	34.19	35.29
Aid from friends/relatives/others	30.18	26.28	18.71	17.65
Sale of assets/gold	37.02	32.69	34.19	27.45
Dowry received for brothers/mother	7.79	8.55	3.23	9.80
Sell off job/badge	2.08	2.56	3.87	5.88
Corruption/theft and other unlawful means	2.86	2.99	3.87	3.92
Chit funds	42.29	39.74	40.65	39.22
<i>Panapayatt</i> (Social measures)	11.53	11.75	15.48	5.88

There were ten methods opinioned by respondents for raising money for dowry. All groups preferred to “loan raised on land” as the first method for raising money. The other top ranked methods were “by way of chit funds” and “from friends/relatives” for raising money.

The extent of prevalence of dowry was analysed using Yule’s Coefficient and in the case of religion, Hindu respondents showed a negative association (non significant) while

Christian respondents and Muslim respondents showed a positive association (non significant).



In all the groups, higher education and preference for dowry was found positively related. The possible reason could be attitude towards the dowry preference in the case of young men and young women would be representing a wed based demand to maintain the higher living standard at par with the higher educational level. The same was found true in the attitude of the educated parents also. (here the Yule's Coefficient is 0.36 for educated). As obvious from the table (the data provided by the marriage bureau), the highly educated candidates and their parents do look forward to alliances of the same standard, in education, in financial security and in social status. If a young man and a young woman happened to be in love affair and got in the wed look by marriage without any demand of dowry, there is every likelihood of a calamity and catastrophic end in their married life.

Yule's Coefficient of association was worked out separately for young men, young women and parents in different income groups.

Young men & women:

In the case of lower income groups, a positive association (0.33) was found between the low-income group and preference of dowry where as a negative association was found in the case of middle and higher income groups of young men. This clearly indicates that lower income group has got a tendency for the preference of dowry whereas it was not existing in the case of middle and high income groups.

Parents:

The coefficient of association worked out for parent's attitude towards dowry on the basis of income showed that a positive association was found for low income and high income groups. But in the case of middle income parents, the coefficient was negative which shows that the preference for dowry in this groups was different.

Positive association was found in the groups of business men and professionals while other groups showed no significant association which indicates that the business men and professionals do differ in their views.

3.2. Understand the social, cultural and historical backgrounds which nurtured the system of payment of dowry in Kerala

During this project period, Jananeethi had visited all the 14 districts of Kerala State, and conducted Focus Group Discussion at various centres in each district. The discussions were held based on questions answers of which will reflect the social, cultural and historical reasons and dimensions of the existing dowry system. The questions were formulated with an assumptions that dowry was being practiced. The following were the questions.

what happened to the dowry (including cash, cheque, property, buildings, furniture, vehicles and other goods) and how was it used / appropriated? Were you consulted with respect to its appropriation?

The purpose of the question was to ascertain whether the consent of the woman was obtained before appropriating her dowry amount. This is very important because in

majority cases, the woman does not have any stake on her dowry. And she has no 'say' with respect to the appropriation of the dowry. Here, women belong to four groups –



- (1) No awareness and no consent;
- (2) Is aware of, but does not give consent;
- (3) Is aware of, but consent was obtained by coercive methods;
- (4) Very well aware of and free consent was given by concerned woman in full agreement of the reasons leading to appropriation of dowry.

The training, the family values imparted to young generation by the older ones, the religious admonitions, the traditional practices and the consequent mind – set of women in Kerala were exposed during this survey. Almost all – more than 90% - women do believe that the husband or his family has absolute right over their dowry and that they could appropriate it, then why they want to do away with it. Therefore women, apparently, have no complaints, what so ever. It appears that they have approved the absolute authority of their men counterpart over their dowry.

Naturally, this aspect was again debated in the FGDs where the respondents were asked their questions:

- (i) To whom does the dowry (cash / cheque / landed property / company share etc) belong?
- (ii) To whom does the body of the woman in marriage belong? Herself, her husband...any other? (This also contains the question whether a woman has the right / freedom to say 'NO' to her husband who makes a sexual demand to her.
- (iii) Does the husband have the authority to reprimand / punish / penalize his wife with or without reason?

The social responses towards marriages, where dowry is not paid are tabulated in Table 29.

Table-15: Social responses towards marriages, where dowry is not paid

Sub questions	Young Men			Young Women			Parents		
	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know
Society will appreciate	80.85	12.15	7.00	71.07	19.48	9.45	69.42	20.09	10.49
Society will not appreciate	27.44	57.27	15.29	31.27	46.03	22.70	38.46	39.28	22.26
If not dowry, there will be a alternate arrangement.	64.46	20.44	15.10	66.05	16.61	17.34	70.76	12.14	17.09
Groom has ill fame.	55.62	32.23	12.15	64.69	22.26	13.05	65.14	17.99	16.87
Diminishing social status	27.26	57.64	15.10	36.92	40.62	22.45	45.43	33.81	20.76
Society will remind about the lost opportunity.	51.57	32.60	15.84	54.65	23.09	22.26	56.97	18.82	24.21
Groom/family have some defect	42.54	41.62	15.84	54.85	27.76	17.39	57.05	21.81	21.14

1 2 3 4



Table-16: Index calculated for social responses towards marriages, where dowry is not paid based on educational status

Sub questions	Upto Primary	High school + Plus II	Degree	PG & Professional
Society will appreciate	42.68	50.09	48.64	44.32
Society will not appreciate	24.72	22.47	19.97	20.00
If not dowry, there will be a alternate arrangement.	32.28	38.00	32.95	35.14
Groom has ill fame.	48.82	48.01	39.51	58.65
Diminishing social status	12.91	12.97	12.98	15.68
Society will remind about the lost opportunity.	24.88	24.88	21.97	24.05
Groom/family have some defect	36.69	34.48	26.11	42.70

Table-17: Index calculated for social responses towards marriages, where dowry is not paid based on income

Sub questions	< 4000	4000 - 7000	7000 - 20000	>20000
Society will appreciate	47.84	48.93	48.39	45.10
Society will not appreciate	22.83	21.15	16.77	13.73
If not dowry, there will be a alternate arrangement.	36.85	34.62	32.26	37.25
Groom has ill fame.	49.03	47.86	39.35	33.33
Diminishing social status	12.66	16.45	17.42	13.73
Society will remind about the lost opportunity.	25.31	22.86	18.06	9.80
Groom/family have some defect	35.25	32.48	24.52	23.53

Surprisingly a brutal majority of women opined that the dowry went to the groom’s family and that they have no complaints about it . a rather their minority suggested that the ‘dowry’ given by their parents belonged to both the bride and bridegroom. Further, it was revealed that almost the entire women folk honestly believe that their male partners enjoyed the right to penalize them even to the extent of physical torture the may lead to homicide.

Astonishingly, majority of the women hold the view that the male partners have full sexual monopoly over their sexual life. They also believed their body was the property of their husbands and that they (husbands) can do whatever they wish to do with their (wives) body.

This intellectual emotional and social servitude of the women should be viewed as the so called “family values” asserted by the moral and ethical codes endorsed by religious hierarchies that are often dominated by men only. In one of the sessions, a group of women who are active members of a developmental organization sponsored by a religious group said that it was good if a woman die by the hands of her husband. The parents, teachers, and senior members of the family always advise young women and girl children that women should always be loyal to their men. They should not question the authority of men and should never oppose their actions. They are impressed to believe that the men are the lords of the household and women are totally dependant on men. The consequences a bride may face in case of non-payment of dowry are assessed and presented in Table 30.



Table-18: Consequences a bride may face in case of non-payment of dowry

Sub questions	Young Men			Young Women			Parents		
	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know
Divorce	61.51	24.31	14.18	78.96	11.25	9.79	74.36	13.12	12.52
Desertion till demands are met.	66.85	21.73	11.42	84.07	8.67	7.26	79.24	10.42	10.34
Physical torture	71.45	20.44	8.10	87.09	6.48	6.43	83.36	8.55	8.10
Murder	55.06	29.83	15.10	75.94	10.38	13.69	71.44	12.74	15.82
Overloading of house-hold work.	64.64	22.84	12.52	82.85	7.31	9.84	79.99	8.92	11.09
Ill treatment in private & public.	67.22	22.28	10.50	83.34	7.60	9.06	80.88	8.47	10.64
Threat of desertion and divorce.	71.09	19.15	9.76	84.85	6.87	8.28	79.69	8.47	11.84
Looses groom's love and affection; of the grooms family.	69.61	19.71	10.68	82.22	6.82	10.96	79.91	7.95	12.14
Intentional neglect	74.40	18.05	7.55	87.92	5.70	6.38	83.96	6.82	9.22
No right to express opinions.	69.24	20.07	10.68	83.54	6.97	9.50	81.03	7.42	11.54
Loosing of status among contemporaries in the family.	71.64	17.68	10.68	87.87	4.82	7.31	83.66	6.75	9.60
Desertion	60.04	24.86	15.10	76.86	9.35	13.78	72.71	11.17	16.12

1  2  3  4 

Table-19: Index calculated for consequences a bride may face in case of non-payment of dowry based on educational status

Sub questions	Upto Primary	High school + Plus II	Degree	PG & Professional
Divorce	23.62	29.94	30.24	28.92
Desertion till demands are met.	18.43	19.88	18.26	21.89
Physical torture	43.31	47.22	47.93	51.62
Murder	12.44	17.93	16.55	16.76
Overloading of house-hold work.	24.57	20.06	16.26	16.49
Ill treatment in private & public.	19.06	19.56	21.11	24.86
Threat of desertion and divorce.	10.39	12.60	10.98	11.62
Looses groom's love and affection; of the grooms family.	8.98	8.94	6.85	9.19
Intentional neglect	35.43	36.14	36.95	39.73
No right to express opinions.	12.44	13.58	12.84	13.51
Loosing of status among contemporaries in the family.	17.01	18.16	15.98	20.54
Desertion	18.43	13.30	9.42	8.92



Table-20: Index calculated for consequences a bride may face in case of non-payment of dowry based on income

Sub questions	< 4000	4000 - 7000	7000 - 20000	>20000
Divorce	29.06	29.91	26.45	15.69
Desertion till demands are met.	20.28	18.16	18.06	7.84
Physical torture	47.09	49.15	46.45	45.10
Murder	16.43	16.45	16.77	13.73
Overloading of house-hold work.	20.11	17.52	16.77	9.80
Ill treatment in private & public.	20.07	22.44	24.52	11.76
Threat of desertion and divorce.	11.98	11.11	10.97	19.61
Looses groom's love and affection; of the grooms family.	9.25	6.20	5.16	7.84
Intentional neglect	35.42	42.31	37.42	43.14
No right to express opinions.	13.03	13.89	9.03	17.65
Loosing of status among contemporaries in the family.	17.97	17.52	18.71	15.69
Desertion	13.54	12.61	8.39	15.69

3.3 The sanctions and punishment systems against non-compliance of dowry

This objective was originally intended to expose the enormity of atrocities and cruel deeds of men counterparts over women over the issue of dowry. It is often possible, that women / their parents / guardian were not able to cope with the amount promised / agreed upon to pay as dowry. If the promised amount was not given in full, or the money was delayed or differed, due to same reasons beyond their control, in such cases. Hence questions was asked both in the survey form as well as in the group discussions 'what would happen to the bride if the full amount of dowry was not realized in a given time. The mostly and widely practiced pressure tactics are divorce, physical separation till full dowry was realized, physical torture, physical assault, mental torture, threats, homicides, suicides, humiliation, neglect in the family, public scolding, hard work, starvation, abusive language etc.

(ii) Divorce:

The analysis was done to understand the possibility of divorce as a consequence a failure by the bride's family in realizing the dowry in given times. Most of the young women were of the opinion that divorce could be one of the resulting factors in this situation. To

understand the intensity of this cause a χ^2 test was applied and found that there was applied and found that there was significant relation between the dowry acceptance and occurrence of divorce ($\chi^2=37.8$).

The focused group discussions further revealed that are of the major factors for the escalating divorce cases was non compliance of dowry.

(iii) Separation till dowry is settled:

Physically separation, desertion, willful neglect etc are most painful experiences, a women in forcefully undergoing in the context of non-compliance of dowry. This happens even when the woman / her parents are unable to comply with fresh demands for more wealth than what was agreed upon dowry. It was found that there was no significant relation between the marriage and full settlement of dowry ($\chi^2=2.36$).

(iv) Physical assault:

Torture – physical and mental – that will include forceful deprivation of food, beating, burning, sexual assaults, public humiliation etc is a common feature of families where dowry dispute exist. An analysis was carried out to understand the occurrence of physical assault as a consequence of non – payment of dowry. This reveals significant relationship between these two situations as expressed by young women ($\chi^2=46.25$).

(v) Homicides:

Homicides includes deaths caused by physical injuries / assaults on account of dowry disputes and instances of suicides abetted by circumstances connected with payment of dowry. The relationship between homicides and non – payment of dowry was worked out and was found the two intrinsically related. ($\chi^2=28.41$).

But, unfortunately many of such cases are been reported as mere accidents. Information collected from highly reliable sources reveals that around 90% of burns cases (reported as casual accidents) are either homicide or suicide – both being activable in law. However, they go unattended since such cases are recorded in the hospitals under the category of accidental cases and so do with the police stations.

(vi) Compelling women do menial jobs and hazardous works.

Highly significant relationship was observed in the case of non – payment of dowry and hazardous, harmful hard works against the will and wish of women. This will also accompany with harsh humiliation in private and public, abusive language, threats, forced starvation, unnatural sex, human trafficking etc.

3.4 Emotional and social pressure experienced by the girl and her family.

Through out the process of this study on the Dowry System in Kerala, both parents and girls were speaking same thing with same intensity of concern. After giving dowry the family faces lots of hardships and are presented in Table 21.



Table-21: Consequences faced by family giving dowry

Sub questions	Young Men			Young Women			Parents		
	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know
Financial Bankruptcy & its consequences	88.58	5.52	5.89	90.94	3.51	5.55	90.63	2.55	6.82
Emotional stress and its consequences	82.32	6.45	11.23	86.75	5.26	7.99	84.56	4.20	11.24
Adverse effect on future of younger siblings	75.69	10.31	14.00	81.10	9.11	9.79	82.31	7.65	10.04
Disharmony in the brides family	58.20	21.92	19.89	68.05	15.25	16.71	74.89	10.57	14.54
Alteration in social status	45.12	33.52	21.36	51.49	26.30	22.21	61.09	20.61	18.29
Loss of living place	80.66	8.29	11.05	87.87	5.80	6.33	85.76	5.17	9.07
Bride losses claim in her family property	53.22	27.44	19.34	59.81	20.51	19.68	66.87	17.02	16.12



Table-22: Index calculated for consequences faced by family giving dowry based on educational status

Sub questions	Upto Primary	High school + Plus II	Degree	PG & Professional
Financial Bankruptcy & its consequences	72.76	75.21	70.76	83.24
Emotional stress and its consequences	35.43	41.94	47.36	47.30
Adverse effect on future of younger siblings	28.82	34.20	31.10	38.11
Disharmony in the brides family	21.26	18.91	10.84	18.38
Alteration in social status	5.67	5.70	5.42	5.14
Loss of living place	58.27	59.08	52.21	59.19
Bride losses claim in her family property	13.70	15.48	10.27	15.68

Table-23: Index calculated for consequences faced by family giving dowry based on income

Sub questions	< 4000	4000 - 7000	7000 - 20000	>20000
Financial Bankruptcy & its consequences	75.43	75.64	73.55	64.71
Emotional stress and its consequences	40.76	47.86	45.16	56.86
Adverse effect on future of younger siblings	33.51	34.19	27.74	27.45
Disharmony in the brides family	18.88	14.53	12.26	9.80
Alteration in social status	5.31	6.62	5.81	1.96
Loss of living place	59.27	52.99	50.97	41.18
Bride losses claim in her family property	14.46	13.89	14.19	11.76



They said that dowry is deeply rooted in the society and has become in bedded in the social and cultural ethos of Kerala population. The first apprehension and the strangest argument in favour of dowry is that their daughter will remain at home for ever and that no man will come forward to marry their daughter without dowry. Therefore, in normal circumstances, a responsible parent, not with standing their views on dowry, will be compelled to pay dowry in order to fulfill their responsibility towards their daughter. The daughter herself will blame her parents for not paying dowry for her marriage. Hence dowry has become a symbol of parent's concern and affection towards their daughter.

At the same time, the same parents who are compelled to pay off dowry for reasons stated above, also demand dowry when their son marries a girl. They do not use their moral influence in their son to do away with dowry. The justification they pose forward is that dowry gives financial security to their son's life. It means in other words, "the more wealth you have, the more enjoyment of life you expect". Enjoyment of life is always linked with material affluence. Values have been replaced by prices. Women became objects of enjoyment. Kerala, being a highly consumerist society, interpersonal relationship became redundant and consequently dowry system became legitimized among all sections of society.

There are several reasons for the prevalence of dowry system, but the main one is that it is a necessary pre-condition for marriage. "No dowry, no marriage", is a fear that is widespread. Some respondents said that a dowry brought higher status for a woman in her husband's home, some others said that it meant security and good treatment for a woman, and some others said that it was just an insurance against violence. Notably several respondents, especially young women belonging to the lower income groups, said that the love and blessings of their parents were enough for them, however very few of them thought that they could be married without a dowry.

3.5 The law against dowry and its flaws

The importance attached to dowry and the in-action by the concerned authorities in checking the evil system and further, the practice of dowry by public men like ministers, film actors, business stalwarts, media persons and again the silent approval of the evil system by religious together make legal system very weak and inadequate, if not self defeating. The Act says that payment of dowry is an offence in law. All the same, gift is allowed. Further, share from the parental property is also approved and held a legal right of the female member. These two provisions in law are misused to defeat the spirit of the Act. Hence, Dowry Prohibition Act 1961 has proved itself an utter failure. Well, the Act is a tool to prosecute violators as in the case of two recent incidents (Delhi and Chennai) where all factors should be present. Often, both parties the giver and the recipient, will not make it a complaint for the fear of the consequential impact on the girl.

In the context, the only viable method appears to be mass education and awareness generation among young women and men.



3.6 The pattern of spending the money received as dowry.

Table 24 provides a detailed account of the patterns of spending the dowry amount. 81.03% of the young men said that money received as dowry was used for purchasing house, land etc. 84.34% of the young women and 80.43% of the parents also do hold similar views.

Table-24: Spending pattern of value of dowry

Sub questions	Young Men			Young Women			Parents		
	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know
Deposit for future	61.88	25.23	12.89	61.23	24.31	14.47	51.35	29.39	19.27
Invest in business	64.83	18.23	16.94	64.88	15.68	19.43	56.15	20.39	23.46
Invest in land, house or other properties.	81.03	11.97	7.00	84.36	7.16	8.48	80.43	7.65	11.92
Pay-back loans	73.85	16.02	10.13	76.42	10.57	13.01	71.21	11.32	17.47
Marry of other siblings in groom's family.	63.90	20.99	15.10	70.97	15.25	13.78	68.22	14.77	17.02
Security for job	48.62	27.44	23.94	45.15	24.06	30.78	51.95	21.14	26.91
Buy vehicle	65.38	20.81	13.81	62.69	19.73	17.58	56.67	18.59	24.74
Buy ornaments for bride	47.88	34.62	17.50	51.92	30.20	17.88	61.54	19.49	18.97
Buy house hold articles	53.41	28.36	18.23	54.12	25.38	20.51	55.70	19.79	24.51
Facilitate future study of groom	33.15	41.62	25.23	38.33	30.98	30.69	39.66	26.84	33.51
Unnecessary expenditure (drugs/liquor/gambling)	34.07	44.57	21.36	41.35	34.34	24.31	40.25	31.03	28.71
Buy customary gift for relatives	30.39	44.75	24.86	37.36	34.44	28.20	35.31	32.61	32.08
Deposited and interest utilized to meet daily expenditure.	43.46	34.44	22.10	45.59	29.13	25.28	41.23	30.73	28.04
Higher studies of younger siblings	28.18	47.51	24.31	34.63	36.87	28.49	35.31	33.43	31.26
Marriage expenditure	69.98	19.34	10.68	75.79	12.86	11.35	77.36	8.92	13.72
Obtaining VISA	65.01	19.15	15.84	69.90	12.96	17.15	62.37	15.14	22.49





Table-25: Index calculated for spending pattern of value of dowry based on educational status

Sub questions	Upto Primary	High school + Plus II	Degree	PG & Professional
Deposit for future	13.23	21.46	26.53	28.38
Invest in business	8.03	9.50	20.40	19.73
Invest in land, house or other properties.	49.29	53.34	43.94	50.54
Pay-back loans	36.54	36.89	40.37	36.49
Marriage of other siblings in groom's family.	23.46	31.33	28.96	32.43
Security for job	3.78	5.19	7.70	5.68
Buy vehicle	6.77	9.08	15.55	14.59
Buy ornaments for bride	24.41	17.89	6.99	15.14
Buy house hold articles	7.72	5.70	2.71	5.14
Facilitate future study of groom	2.20	1.99	2.14	2.16
Unnecessary expenditure (drugs/liquor/gambling)	8.82	7.74	8.99	10.81
Buy customary gift for relatives	4.72	1.99	1.00	1.08
Deposited and interest utilized to meet daily expenditure.	2.99	3.52	3.57	3.78
Higher studies of younger siblings	0.63	1.20	2.00	1.62
Marriage expenditure	41.10	38.55	28.96	37.57
Obtaining VISA	10.39	12.23	13.98	12.70

Table-26: Index calculated for spending pattern of value of dowry based on income

Sub questions	< 4000	4000 - 7000	7000 - 20000	>20000
Deposit for future	19.84	25.21	25.16	27.45
Invest in business	10.21	18.80	17.42	15.69
Invest in land, house or other properties.	51.68	49.36	43.23	52.94
Pay-back loans	37.84	39.32	38.06	37.25
Marriage of other siblings in groom's family.	29.50	31.84	29.68	33.33
Security for job	4.76	6.20	8.39	9.80
Buy vehicle	8.61	14.74	16.13	13.73
Buy ornaments for bride	18.75	11.11	11.61	3.92
Buy house hold articles	5.61	5.13	2.58	3.92
Facilitate future study of groom	1.80	2.56	3.23	7.84
Unnecessary expenditure (drugs/liquor/gambling)	8.81	5.98	9.03	5.88
Buy customary gift for relatives	2.48	1.07	1.94	1.96
Deposited and interest utilized to meet daily expenditure.	3.27	3.63	3.87	0.00
Higher studies of younger siblings	1.33	1.50	1.29	0.00
Marriage expenditure	39.61	31.41	28.39	15.69
Obtaining VISA	11.77	14.10	11.61	15.69

73.85% of the young men responded that dowry money was expended for repayment of loans. The same was held by the other two groups. They also suggested the following as the other relevant areas of expenditure. They are fixed deposits in banks, deposit in private finance, investment in business, payment of capitation fees for the younger ones in the groom's family, payment of dowry and marriage expenses to the groom's sister's marriage, payment of loans by the groom or his family, payment for arranging visa for the

groom or his family members, improvements in the residential house of the groom, medical treatment for the members of the family of the groom etc.



According to young men, the dowry amount is generally used to purchase land / house for the use of the couple. Another major factor involving the dowry amount is the wedding of the groom's sister(s). It means, the family considers the dowry not as the personal asset / wealth of the bride, but as the family property / income of the groom's family.

A close observation of the responses given by the rural women will reveal that in majority cases, the money given as dowry was squandered / misappropriated by husbands on alcohol, excessive and lavish celebrations, wasteful shopping, extramarital affairs, arranging pleasure trips to expensive locations.

3.7 Measures to prevent payment of dowry.

Jananeethi stated the study with a presumption, (1) dowry system is widely been practiced in Kerala and it has grown as a cancer in the society; (2) it is an evil to be eradicated, particularly because it has reduced the worth of womanhood to a commodity that has been 'priced'; (3) effective alternatives are to be visualized and verbalized to replace the present day fiasco. The respondents, by and large, have responded to the question X of the questionnaire. (Table 33)

Table-27: Respondent's suggestion to prevent dowry system

Sub questions	Young Men			Young Women			Parents		
	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know
Stop saving for future generation	24.31	58.38	17.31	26.98	51.39	21.63	24.59	50.30	25.11
Promote a culture in young person dowry is not relevant.	86.92	5.16	7.92	88.36	4.09	7.55	85.68	4.72	9.60
Promote the existing legislation of equality in succession.	68.14	13.26	18.60	66.68	8.48	24.84	73.31	7.05	19.64
Women empowerment	73.48	10.87	15.65	83.15	4.87	11.98	80.43	5.70	13.87
Modify existing culture – gold – educational among parents or couples.	76.98	11.79	11.23	82.51	7.84	9.64	82.83	5.10	12.07
Educate public on dowry laws	82.87	7.55	9.58	88.36	3.21	8.43	83.36	4.95	11.69
Strict implementation existing laws	83.79	6.81	9.39	87.19	3.31	9.50	82.91	5.32	11.77
Brings social isolation of the family giving/accepting dowry	61.51	23.39	15.10	66.83	16.42	16.76	69.12	14.39	16.49
Decrease wedding expense	79.93	10.13	9.94	85.14	6.04	8.82	84.93	4.80	10.27





Table-28: Index calculated for respondent's suggestion to prevent dowry system based on educational status

Sub questions	Upto Primary	High school + Plus II	Degree	PG & Professional
Stop saving for future generation	10.71	10.80	5.71	7.57
Promote a culture in young person dowry is not relevant.	42.20	47.22	41.94	48.92
Promote the existing legislation of equality in succession.	12.28	7.28	6.13	13.78
Women empowerment	32.28	28.45	21.40	24.86
Modify existing culture – gold – educational among parents or couples.	30.71	28.45	22.25	24.59
Educate public on dowry laws	22.68	27.29	27.67	31.62
Strict implementation existing laws	19.53	28.04	26.96	32.70
Brings social isolation of the family giving/accepting dowry	10.39	15.80	14.98	9.46
Decrease wedding expense	42.68	39.99	34.95	39.19

Table-29: Index calculated for respondent's suggestion to prevent dowry system based income

Sub questions	< 4000	4000 - 7000	7000 - 20000	>20000
Stop saving for future generation	10.04	6.84	4.52	3.92
Promote a culture in young person dowry is not relevant.	46.65	44.23	36.13	45.10
Promote the existing legislation of equality in succession.	8.47	8.12	9.03	13.73
Women empowerment	29.33	24.36	22.58	21.57
Modify existing culture – gold – educational among parents or couples.	28.04	28.21	25.16	27.45
Educate public on dowry laws	27.49	26.92	21.94	23.53
Strict implementation existing laws	26.27	32.48	25.16	19.61
Brings social isolation of the family giving/accepting dowry	14.66	13.46	12.26	11.76
Decrease wedding expense	40.63	39.32	33.55	25.49

The responses received highlighted the following points:

- (i) Awareness creation and women empowerment. Women and men should be made aware of the worth of woman, and the distortion that has caused to the womanhood due to the evil practice of dowry system. Training, skill development and motivational programs should be organized on large scale for women to empower them so that they should assert themselves.
- (ii) Along with empowerment, financial independence should be viewed as a core issue in the case of women. Hence women should be employed and the income they earn and the money they receive from her parents or relatives as share in the family property should remaining her account and she alone should be the sole custodian of her savings.
- (iii) The third proposal for alternative was that the extra vagansa and ruthlessly expensive marriage celebrations should be banned / discouraged. Simplicity and austerity should be practiced as a matter of culture and practice.
- (iv) The fourth important suggestion by the respondents was that all concerned should know how much the girl is entitled to the family property. Boys and girls should be treated equally. Hence the groom and his people should know the extent of wealth the bride will be given. But all the same, they should know that whatever was given to her as parental property or dowry, it would be deposited in her name only. It would devolve in the name of her children after her death. Interestingly a small segment of the respondents suggested that the share of the bride is her parental property should be given only after few years of her marriage. By that time the nature and character of her husband will be studied in depth. Caution may be taken if he proves to be a squander of money.



IV. REPORT ON REGIONAL WORKSHOPS ORGANISED AT THRISSUR, THIRUVANANTHAPURAM AND KANNUR

4.1 Positioning the topic

Regional workshops were planned as part of the Study on Dowry System in Kerala. These workshops were deemed to be complementing the project report. Because the purpose of the workshops was to critically assess and evaluate the study report being prepared by Jananeethi project staff with the hard data made available during the course of study. Representing three regions of the State of Kerala – South, Central and Northern Zones – workshops were organised at Thiruvananthapuram (South), Thrissur (Central) and Kannur (North).

The same pattern was followed everywhere as the dynamics of the workshops. For example, the participants of the workshops, who were specially and individually invited to the respective workshops in consideration of their long association and involvement with NGOs and their commitment to the cause of women, were asked to introduce themselves with an accent to their history of involvement in similar fields. It was followed by a short description of Jananeethi and its rationality and justification of taking up a study on Dowry. This naturally would include the services of Jananeethi for the defence and emancipation of women folk at various realms. Further, it will also include the immediate causes of initiating this study in Kerala.

A brief overview of the existing legislative measures and legal protection against the dowry and the inadequate and insufficient legal mechanism were then presented for better understanding of the situation. This will also include the subsequent amendments to Dowry (Prevention & Prohibition) Act, 1961.

Thirdly, a brief account of our study on the dowry system in Kerala with facts and figures, its computer analysis, observations and expert opinions were presented with the help of Over Head Projector and other visual aids. Questions and clarifications were cleared off from time to time.

After lunch the entire floor was invited to join in an open-house debate on the various aspects of the matter in issue. The following questions were repeatedly referred during the course of discussion.

They were the following

- The need, necessity and possibility of developing an alternate perception in contrast with the proceeds of the study.
- The dichotomy between the share in ancestral property and the system of dowry.
- Attitude and approach of youngsters towards dowry.
- The effect and impact of dowry on women and their relationship with own family.
- The politics and economics of dowry.

The participants were invited to critically gauge and evaluate the procedure of the study, the tools used and the findings as well. Notes were taken on the views expressed and concerns shared.



4.2 Law against dowry and its flaws:

Not with standing the Dowry Prohibition Act 1961, the Government did not do any thing to implement the law or create among the people awareness of the law. One of the most important amendments to the IPC (S.498A) which deal with cruelty and harassment for dowry, made cruelty a culpable offence, but it has been left open to interpretation. Cruelty in this case is defined as harassment of a woman by her husband or his relative to coerce her or her relatives into giving a dowry. It is defined as willful conduct likely to drive a woman to suicide or to cause her grave physical or mental injury. Punishment for this extends to three years with a fine. The Indian Evidence Act, 1872, was also amended to provide that if a woman committed suicide within a period of seven years from the date of her marriage, and if it is shown that her husband or any relative of her husband subjected her to cruelty, the court can presume that such suicide was abetted by her husband or by the relative.

The Act was passed in 1961 but it was a total compromise between those who were concerned with the issue and those who felt there was nothing wrong with the giving or taking of dowry. The report of the historic Committee on the Status of Women in India (1975) held that there were hardly any complaints or convictions under the Act. In the early 1980s, the Joint Select Committee of the Parliament on Dowry noted that the practice had spread to all classes, communities and castes. The women's movement was witness to a rising number of dowry deaths during that period and subsequently launched a successful campaign in the early 1980s that resulted in some significant amendments being made to the Dowry Act, 1961. One such amendment broadened the definition of dowry to include that anything given in connection with a marriage and given either before, at the time of or after marriage would be deemed to be dowry. However, customary and traditional presents could be included in the definition of dowry only if their value was disproportionate to the financial means of the person who gave them.

Yet another amendment, Section 3(1) related to the penalty for giving and taking dowry. According to this, a person who gave, took or even abetted the taking or giving of dowry shall be punishable with imprisonment for not less than five years and a fine of not less than Rs.15,000 or the amount of the value of the dowry, whichever is more. The penalty for demanding dowry was made stringent; punishment for it extended from a period of not less than six months, extendable to two years with a fine. Giving or taking dowry was also made a cognisable and non-bailable offence, which meant that the police were bound to investigate all offences relating to dowry under the Act once they got to know about it. Another amendment, Section 8A of the Dowry Prohibition Act, held that where a person was prosecuted for taking or abetting the taking of a dowry or demanding a dowry, the burden of proving that he had not committed the offence under those sections was on him. Despite this, women's groups pointed out that unless the very act of taking/giving dowry was not proscribed and prevented from occurring (in majority of the cases, complaints were either made after the relationship had broken down or a murder had taken place), there would be little change.

After the initial amendments in 1983 and 1984 (mainly due to pressures from the women's movement), in 1986, the Act was amended again, empowering State governments to appoint Dowry Prohibition Officers, who not only had a preventive role but also had powers to collect evidence against people who took dowry. The efficacy of such officers is a different question.

However, the reality for the Indian unmarried woman, mainly from the middle- and lower-income groups, has remained unchanged despite legal and other interventions. The social mind-set has worsened, and the evidence for this can be seen even among the law-enforcing agencies. The tendency to demand more money comes from a perceived easy access to consumer goods. This phenomenon has been accentuated in the wake of the economic liberalization unleashed during the past one and a half decades. It seems that the wide choice in the consumer goods industry has opened up a wide range of dowry items.



4.3 Thiruvananthapuram (*Southern Region*)

The second in the series of the workshops was organized at Thiruvananthapuram on 26-11-2003 at Kesari Memorial Hall from 10.00 am to 4.00 pm. There were thirty four full time participants who were personally invited to the workshop in consideration of their commitment and involvement in the topic. They include:

PARTICIPANT	ORGANISATION / INSTITUTION
1. Ms. Mridul Eapen	: <i>Centre for Development Studies, Thiruvananthapuram.</i>
2. Ms. Monica Divakar	: <i>'PRANA', Thiruvananthapuram</i>
3. Ms. Mary Sebastian	: <i>'PRANA', Thiruvananthapuram.</i>
4. Ms. K. Saradamani	: <i>Kerala Sastra Sahitya Parishad, Thiruvananthapuram.</i>
5. Ms. Adv. Sadhya Sivakami	: <i>Human Rights Law Network. Thiruvananthapuram.</i>
6. Sister Regina	: <i>Medical Mission Sisters, Kottayam.</i>
7. Ms. Adv. T. Geena Kumari	: <i>Feminist and legal activist.</i>
8. Ms. G. Rajitha	: <i>SAKHI Women's Resource Centre, Thiruvananthapuram.</i>
9. Mr. Pradeesh Antoney	: <i>Teacher, St. Joseph's Higher Secondary School, Thiruvananthapuram.</i>
10. Mr. Deepal Anto A.J.	: <i>Teacher, St. Joseph's Higher Secondary School, Thiruvananthapuram.</i>
11. Ms. Sinu S.P. Kurup	: <i>Journalist, Deepika, Kottaam.</i>
12. Ms. Theramma Prayankulam	: <i>World Forum of Fish Workers, Kerala Region.</i>
13. Ms. Mini Mathew	: <i>Kerala Stree Vedi.</i>
14. Mr. Dr. Elizabeth Vadakekara	: <i>'THRANI', Thiruvananthapuram.</i>
15. Ms. Celine Paramundayil	: <i>'PRANA', Thiruvananthapuram.</i>
16. Ms. Thankam	: <i>'SEWA', Thiruvananthapuram.</i>
17. Ms. S. Padmini	: <i>'SEWA', Thiruvananthapuram.</i>
18. Ms. Aliyamma Vijayan	: <i>'SAKHI', Thiruvananthapuram.</i>
19. Ms. Mini Raj Kumar	: <i>'SAKHI', Thiruvananthapuram.</i>
20. Ms. Daya J.	: <i>'SAKHI', Thiruvananthapuram.</i>
21. Ms. Monikumari V.	: <i>'PRANA', Thiruvananthapuram.</i>
22. Mr. Sibi Joseph	: <i>Social Worker, Cheru Rasmi Centre.</i>
23. Ms. Patricia Kuruvinakunnel	: <i>FORUM – Kerala Region.</i>
24. Ms. Ramani Devi	: <i>Kerala Stree Vedi, Thiruvananthapuram.</i>
25. Ms. Fathima	: <i>Islamic Women's Organisation, Kerala Region.</i>
26. Ms. Seeta Dasan	: <i>Woman Activist, Thiruvananthapuram.</i>
27. Ms. Dr. Indu P.S.	: <i>Asst. Professor, Dept. of Community Medicine, Med. College, Thiruvananthapuram.</i>



28. Ms. Mercy Alexander : *Kerala Stree Vedi, Thiruvananthapuram.*
30. Ms. Sulmma Xavier. : *Kerala Stree Vedi, Alleppy.*
31. Ms. Alice Varghese. : *NAPM, Kerala Region.*
32. Ms. Mercy Mathew : *NAPM, Kerala Region.*
33. Ms. S. Jayasree : *'SAKHI', Thiruvananthapuram.*
34. Ms. Mini Sukumar. : *Social Worker, Soorykanti, Thiruvananthapuram - 13*

The workshop observed that gender discrimination and sexual violence are two paramount offences against women in India. Gender equality a right to life and personal liberty, though guaranteed by the constitution, are often subjected to vile attack by the male chaunistic society. The participants questioned the bonafide of the government that has not appointed the Dowry officer, a statutory officer for action against offences. It only indicates the lack of political Will by the government.

The participants also endorsed the recommendations of the Kerala State Women's Commission as to be incorporated into the Kerala Dowry Prohibition Rules. The State Women's Commission has recently come out with certain very strong proposals such as bringing ceiling on marriage expenses, fixing up of 15 sovereigns as the maximum measure of gold ornaments a girl can wear at the time of her marriage etc. It also suggested that the government should periodically review the functions of the Act and of the office of the Dowry Officer. The Commission has also suggested that a special investigation cell may be appointed to monitor and look into dowry harassment cases.

There was very strong opinion among the participants that an imposition of social ostracism on the man who kills / causes the death of his wife for dowry, was an imperative of the day. He shall not be permitted to remarry. In the case of bride-burning and subsequent death of the victim, there is often collusion between the offenders and the police. The police facilitates the evasion of legal action by dismissing chances of recording a dying declaration of the victim.

Some of the participants went on to the extent of advocating contract marriage than preferring "institution of marriage" that forms a family. Family has lost its sanctity and worth. It symbolizes torture, exploitation and flesh-trade. Let women be economically independent and self reliant. She can find a sexual partner for her, at her choice and as long as she enjoys his partnership. Single parenthood should be promoted, if her sense of dignity freedom and other human rights are not adequately honored by her spouse. The participants raised serious doubts about the irradiation and elimination of dowry system through proper legislative and democratic procedures, since every such step would be interfered with, by perpetrators of violence against women.

The workshop pointed out the major role that media can play in bringing out changes and improvements in society. Unfortunately no institution or agency has initiated or attempted for a change in the existing system. Considering the exorbitant influence by print, electronic media in the society, national campaigns against dowry, child marriage, expensive marriages, gold and jewelry, sexual violence, dowry deaths, domestic violence etc can easily be monitored and checked by proper and timely media interventions.

However, the media has always been encouraging dowry, pompous marriages in order to promote the interests of the jewelers.



As an effective solution to the predicament, many of the participants recommended economic empowerment of women and their financial autonomy that will help them self-reliant and self-supporting. All the same, there were criticisms against women earning livelihood, as they are afraid that their men would take it as an excuse for passing the duties and responsibilities to his wife.

The workshop also proposed gender education in schools so as to create progressively healthy perspectives among youngsters towards man-woman relationship. The participants aired their anxieties that dowry today is a phenomenon that went beyond the ritual of marriage. Pregnancy, childbirth and all sorts of religious and family functions are occasions when such demand are made.

The discussions revealed that the practice had crept into societies that had hitherto been unaffected by it and the accompanying heightened consumerism. In Kerala the expenditure on marriages has gone up and the liabilities in terms of debts ranged from Rs.50000 to several lakhs among urban parents. For rural families the quantum is different but equally provocative. The starting of a new business, a journey abroad, the construction of a new house or some celebrations in husband's family are all occasions to ask money from the bride's family. In several communities, especially among Dalits and tribal people, the system of bride price was gradually replaced by dowry. The withdrawal of women from the agricultural economy and the lower work participation rates of woman have resulted in a decline in the status of rural women.

Some of the participants were not happy with the system adopted by Jananeethi in the questionnaire. According to them, the questionnaire did not reflect the different lairs of prospective responses from the respondents. Jananeethi staff, predominantly being legal practitioners and field activists, lacked in academic precision and sharpness in the formulation of the survey format. Hence some of the minute details and standardization were not possible from the collected information.

Jananeethi reported that it was taking the best advices of experts in respective fields to compensate the lacuna and make the study report, an authentic one.



4.4 Thrissur (*Central Region*)

The first workshop was organised at Thrissur on 1st November 2003 at Jananeethi Conference hall. There were thirty participants who represented various institutions and NGOs.

PARTICIPANT	INSTITUTION / ORGANIZATION
1. Ms. Vinaya K.	: <i>Kerala Institute of Local Administration, Thrissur.</i>
2. Mr. Muhammad Refeeque	: <i>Social activist, Kunnankulam.</i>
3. Ms. Sayabana K.J.	: <i>Dept. of Social work, Vimala College, Thrissur.</i>
4. Ms. Rema C.K.	: <i>Chetana Women's Group, Thrissur.</i>
5. Ms. Adv. Sandhya Raju	: <i>Human Rights Law Network, Kochi.</i>
6. Ms. Adv. Julie Davis	: <i>Human Rights Law Network, Kochi.</i>
7. Ms. Adv. Sithara S.	: <i>Human Rights Law Network, Kochi.</i>
8. Ms. Adv. R.K. Asha	: <i>Human Rights Defender, Thrissur.</i>
9. Mr. Adv. P.P. Vineeth	: <i>Law officer, Jananeethi, Thrissur.</i>
10. Ms. Jayasree K.	: <i>Statistician, Jananeethi, Thrissur.</i>
11. Mr. A.B. Prasad	: <i>Computer engineer, Jananeethi, Thrissur.</i>
12. Mr. Rajan Nellai	: <i>Social worker, Nellai.</i>
13. Ms. Beena George	: <i>Clinical psychologist, ESAF, Mannuthy.</i>
14. Ms. Anu Jacob	: <i>Family counsellor, ESAF, Mannuthy.</i>
15. Ms. Adv. Preethi	: <i>Feminist, Thrissur.</i>
16. Ms. Adv. Rekha Davis	: <i>Legal activist, Thrissur.</i>
17. Ms. Adv. Lissy Chacko	: <i>Family therapist & Social worker, Peechi.</i>
18. Ms. Sheena Santhosh	: <i>School teacher, Campus circle, Thrissur.</i>
19. Ms. Jancy Jose	: <i>'Anweshi' Calicut</i>
20. Ms. Mini	: <i>Dept. of Social Work, Vimala College, Thrissur.</i>
21. Ms. Lucia	: <i>Dept. of Social Work, Rajagiri College, Kalamasserry.</i>
22. Ms. K.R. Indira	: <i>All India Radio, Thrissur.</i>
23. Ms. Deena	: <i>Women's Cell, St. Joseph's College, Irinjalakuda.</i>
24. Ms. Rose Sebastian	: <i>Researcher, St. Joseph's College, Irinjalakuda.</i>
25. Ms. Sini Vineeth	: <i>Women's Network, Mannuthy, Thrissur.</i>
26. Ms. Fousia Sulaiman	: <i>Islamic Women's Organisation, Thrissur.</i>
27. Ms. Ganga V.	: <i>Journalist, Green Villa, Palakkad.</i>
28. Ms. Sangeetha Jaison	: <i>Consumer's Forum, Palakkad.</i>
29. Ms. P.E. Usha	: <i>'AHADS', Palakkad.</i>
30. Ms. Hairunneesa Asif	: <i>Islamic Women's Organisation, Chavakkad, Guruvayoor.</i>

The Workshop noted that dowry system permeated every section, class, caste and religion and the more egalitarian tribal communities, particularly during the past one and half decades, coinciding with the progressive implementation of neo-liberal economic policies.

The participants in the workshop were mostly women, representing various organisations and institutions holding responsible offices and further, activists who with their grass-root experience had collated information about perceptions of dowry from the most affected sections of society. Their findings collectively reflected the nature of the stress and pressure that had accumulated among the lowest-income groups. The data collected and analysis made were harsh pointers to the greed of the system, the denial of equal property rights to women, the denial of matrimonial rights, and the links dowry has with land ownership and higher status in society.

The participants, further, pointed to the denial of the basic rights of women as they are given in marriage and are de-linked from her parental home. On account of the dowry given to her, she loses her relationship with her own family. Tracing the history of the practise of dowry, its links with successive degradation of the status of women becomes very obvious. Any attempt to curb the evil of dowry system, therefore, must start with raising the status and dignity of women. Women empowerment through awareness generation, skill development and legal literacy are sure approaches to achieve the goal. The participants of the workshop unanimously suggested that both young women and men should be motivated and organised to get involved in this process. The assembling also recommended that there should be strict ban against gold and jewellery so that the unbridled craze for gold ornaments should be brought to some financial and cultural auditing.

The 3930 people interviewed by Jananeethi belonged to all class, caste and categories of the general public. Majority of them had monthly income less than Rs. 4000/. It was said that the evil system had penetrated into every realms of society

It was pointed out that in lower income groups where there is no landed property, the parents give to their daughter as dowry much more than what she could have expected as a share in her ancestral property. The poor parents are likely to commit wrongs in their desperate pursuit to raise an enormous amount for their daughter's marriage. In the case of feudal families with large estates and farm houses and with industries and business houses, the general psyche of such families is that they try to get rid of the girl's claims for equal share in parental property by giving her proportionately much lesser amount and gold as dowry. For them dowry is a substitute for the legitimate rights of their daughter to her parental property.

Strict implementation of the Act 1961 was also advised by many participants. The workshop was concluded with a strong call to continue the campaign against dowry.




4.5 Kannur (*Northern Region*)

The third and the last in the series of the regional workshops was to be held on the 22nd December 2003, but had to be changed at the eleventh hour due to a political hartal that badly affected the movement of the people. Hence it was organized on the 2nd day of January of 2004 at North Malabar Chamber of Commerce Hall, Kannur from 10.00 a.m. to 4.30 p.m. The workshop was attended by twenty six people from four districts in North Kerala – Kasargode, Kannur, Kozhikkode and Wainad representing institutions, government department and voluntary agencies.

PARTICIPANT	ORGANISATION / AGENCIES
1. Ms. Elsy Lesly	: <i>KAIROS, Kannur.</i>
2. Dr. V.J. Mary	: <i>ANGELS, Pulpally, Wayanad.</i>
3. Ms. T. Mary	: <i>KAIROS, Kannur.</i>
4. Ms. Omana T.K.	: <i>RASTHA, Wayanad.</i>
5. Ms. V. Rajasree	: <i>ELEMENTS, Kozhikkade.</i>
6. Mr. Tomy Mathew	: <i>ELEMENTS, Kozhikkade.</i>
7. Adv. Stephan Mathew	: <i>NEETHIVEDI, Wayanad.</i>
8. Adv. Thomas Joseph	: <i>LEGAL AID CENTRE, Mananthavady, Wayanad.</i>
9. Ms. Bhagya Lakshmi	: <i>RASTHA, Wayanad.</i>
10. Ms. Saudamini T.K.	: <i>TSSS, Tellicherry,</i>
11. Mr. Santhosh Jose	: <i>RASTHA, Wayanad.</i>
12. Ms. Susitha P. Mallaya	: <i>Lecturer, School of Legal Thought, Kannur University.</i>
13. Ms. Soumini Joseph	: <i>Centre for Overall Development, Thamarassery.</i>
14. Mr. Sajeev Kumar.	: <i>Project Manager, MVV-PSH Project, Thalassery.</i>
15. Mr. K.F. Thomas	: <i>KCYM, Kannur.</i>
16. Dr. S. Gregory	: <i>Reader, Dept. of Anthropology, Kannur University.</i>
17. Ms. Jancy Francis	: <i>Research Scholar, Dept. of Anthropology, Kannur University.</i>
18. Mr. Sasi Kumar	: <i>Project Officer, KAIROS, Kannur.</i>
19. Ms. Molly	: <i>WSSS, Mananthavady, Wayanad.</i>
20. Ms. Sindhu Augustine	: <i>WSSS, Mananthavady, Wayanad.</i>
21. Mr. Santhosh Mathew	: <i>SHREYAS, Thaliparamba.</i>
22. Ms. Alice John	: <i>The Angels, Kasargod.</i>
23. Ms. Rekha Michael	: <i>Social worker, EDESA, Kannur.</i>
24. Mr. Clarence Paliath	: <i>Director, KAIROS, Kannur.</i>
25. Mr. Alen Edward	: <i>Project Officer, KAIROS, Kannur.</i>
26. Adv. Maria	: <i>Feminist & Human Rights Lawyer, Kalpatta, Wayanad.</i>

The participants of the workshop were very vocal and emphatically asserted that religious establishments and religious leadership play a major role in maintaining and perpetuating the dowry system in Kerala. Kerala, being the cradle of all the major religions in India, and the population of Kerala predominantly belongs to the main-stream religious communities, any change in the *status quo* should have the sanction of the religions.



Dowry is a practice that has several religious and cultural ramifications. Religions in general do not welcome change; hence change is often interpreted as anti-establishment and anti-God. Naturally establishments and concepts of God are identified and human rights defenders are consequently treated as out castes. In the context, the workshop proposed, religious groups and their leadership must be impressed and should be persuaded to take up the campaign against dowry. Religious platforms and opportunities must be devoted to and made use of for the awareness building and motivation against dowry. It should be linked with the religious instructions, as denial of the dignity of a woman is a crime against humanity, and hence a sin. The group opined that women should not only be independent, but also be helped and supported to live alone even without the company of a male counterpart.

The workshop called upon all citizens, cutting across caste, community, religion and political affiliations to act collectively for the abolition of dowry. Giving and taking dowry was perhaps the only crime that enjoyed wide social sanction among the victims as well as the perpetrators. The dowry system was related to structures and policies that subordinated and devalued women in the economy, in the family, in the social and cultural spheres and in public life. Such devolution entailed marriage being the only option for a woman, and as a consequence single women were reviled and humiliated. This, in effect, had increased the vulnerability of women to dowry. The participants rejected the justification that dowry was the daughter's share in the natal income or property. Dowry, they argued, could never be a substitute for equal rights in inheritance. Equal rights in natal and marital property and income emanated from the constitutional guarantee of equality and its denial was tantamount to violating the Constitution.

There was complete agreement among the participants on the proposal that every girl child should be given proper education, skill training to ensure a career and regular income. Her income should be deposited in her own accounts under her absolute control. She must be assisted by her parents and relatives to choose her partner of her choice. Even after marriage she will retain her freedom and right to operate her accounts independently. The society should distinguish that family value are different from utter servitude.

As human rights activists, the participants exhorted themselves to endeavor for gender equality. Micro organization and voluntary agencies that work at the grass-root level and among the rural populace can go along way in bringing changes in the mindset of the people and in their social fabric. Neighbourhood groups, women's cells, Self-Help Groups, Kudumbasree, Stree Sakti groups etc. are among such infrastructures that could be effectively used to build up awareness and ensure public participation.

Participants who are social activists aired their reservations that those who publicly oppose dowry were socially boycotted, singled out and harassed. They do not get support from any where. Such persons are isolated and stigmatised by the consumerist society. The most disastrous trend being emerged amongst the youngsters is what make them aggressively self-centred and money conscious. They are practical and pragmatic. Marriage is only a business deal for them where by they suddenly become custodians of large fortune.

Even employed women who does the entire gamut of family chores in addition to the heavy work load in the office are exploited and badly treated at home and in society.

A few of the participants suggested that the questionnaire used by Jananeethi in collecting data from the respondents was inadequate as it did not give space for individual views.



4.6 Recommendations emerged from the Regional workshops

1. A national campaign to abolish dowry and caste system is mandatory, because together they tended to reinforce the system of caste endogamy.
2. Fervent appeal is made to religious leaders and institutions to denounce publicly all practices and dogmatic admonitions that strengthened son preferences and masculinity of God.
3. Public protests should be organized against ostentatious displays at weddings. Steps should be taken to encourage and promote inter-caste, own-choice and non-dowry marriages, to close down institutions and clinics where sex-determination tests are performed and to stop advertisements and media related programmes that encourage dowry system in all its myriad forms.
4. Anti-dowry struggles should be made part of the mainstream political struggle. All political parties should be appealed to incorporate total eradication of the dowry system from the society into their election manifesto of the forthcoming parliament elections.
5. Girl's right to equal share in her ancestral property should not be meddled with her marriage. She and every body else should have a clear idea of how much she would be entitled to receive. It could be given to her only after 5 years of her marriage. During this period, from the date of her marriage to the date of the devolution of the property in her name, she should be entitled to the income from the property, if so applicable.
6. Every girl should have a regular source of income to qualify herself fit for marriage and that she should not be required of to give up her employment for the take of her marriage. Men should be advised or counselled to share the family chores and to alleviate the hardships, their female counterparts undergo at home.
7. Government should be urged to enforce the Dowry Prohibition Act effectively and efficiently. The government should also be motivated to activate its concerned departments to ensure those who spend excessively on marriage celebrations file statements before concerned departments regarding the cost involved and its source.
8. If a Government servant is found to have violated the law and has demanded or caused to demand dowry should be disentitled to all benefits and privileges including further promotion in service.
9. Every marriage has to be recorded at local bodies and mention on the amount of dowry should specifically be made. It should be ascertained that whatever is given as dowry remains in the name of the bride alone.
10. Anti-dowry campaign should be made part of school curriculum.



V. CASE STUDIES

Ten cases filed before the Family Court of Thrissur and Magistrate's Court are briefly explained in this chapter. Going through the facts of the case, it becomes clear that torture - physical and mental - is always linked with a dispute of dowry. It has to be noted that domestic violence starts with arguments on dowry and in many cases ends in murder, homicide or suicide. Invariably the relationship is estranged and divorce is deemed to be one of the relief, sought for, though it does not solve the problems of the victimized women. What has been found out by Jananeethi in the study has been confirmed and proved right in the ten instances of dowry related court cases taken from the court records.

1

<i>Reference Number of the case</i>	: OP 800/99, MC 250/2000, MP 310/2002
<i>Name of the Court</i>	: Family Court, Thrissur.
<i>Petitioner</i>	: Baby P.P. (Wife) D/o Pulikotil Pathros, Pazhuvil Desam Kurumbilavu Village, Thrissur.
<i>Respondent</i>	: Antony (Husband) S/o Parakkal Ouseph Near Chira, Chandrapuri Desam Edathiruthi Cillage.

Short description about the case:

13 sovereigns of gold and a cash of Rs.20000/- was given to the respondent at the time of marriage. The petitioner was inhumanly treated by the respondent and was subjected to physical and mental cruelty. She was even refused marital relations with her husband. Respondent extorted all her ornaments and cash given at the time of her marriage. He left for Madras where he was working and had no contact with the petitioner. Then the petitioner sent her brother to enquire about her husband. He found that the respondent was leading adulterous life with another lady and had a girl child. Hence the petitioner approached the court. Respondent stated that he was an embodiment of all virtues and he denied all allegation of the petitioner. The respondent further alleged that even after marriage the petitioner never showed love or affection to him.

Prayer of the petitioner:

1. Return of gold ornaments.
2. Divorce under Section 10 of Indian Divorce Act.
3. Maintenance.

Result :

1. Divorce granted.
2. Other two suits pending.



2

Reference Number of the case : O.P. 765/2003
Name of the Court : Family Court, Thrissur.
Petitioner : Vijayakumari (Wife)
Asst. Engineer
Flat No. 2, KCAET, Thavannur.
Respondent : Murali (Husband)
Contractor
S/o. Shamkumari
Thengamoochi, Vellanikkara.

Short description of the case:

The petitioner at the time of her marriage was working as Asst. Engineer in Agricultural University, Vellanikkara. The marriage between the petitioner and respondent was not an arranged one. The petitioner consented to a register marriage believing the false promises of Murali, the respondent. The Petitioner, using her salary, constructed a house at Mulamkunnathukave, though the landed property was purchased in the name of her husband. He sold the house and misappropriated the proceeds. Later, after a son was born, the petitioner came to know that the respondent had already married and had children in the first marriage . The Respondent was economically exploiting her, he extracted all her income. He even forged cheques and took cash from petitioner's account. She requested for a transfer to Thavannor in order to escape from his harassment. Presently she is living in office quarters with her son. But the respondent continued his harassment by threats and criminal trespass. She filed a criminal complaint before Mannuthy police station, which is registered as C.C. No. 99/2003.

Respondent denied all the allegations against him. He stressed that property was sold on request of his wife.

Prayer of the petitioner:

1. Punish him u/s 498A IPC
2. Return the gold ornaments and money used by him by selling the house worth Rs.4 lakhs.

Result :

Criminal Case:

- 1.Punished for one year rigorous imprisonment
2. Family court case Pending.



Reference Number of the case : O.P. 558/98, M.C. 348/99

Name of the Court : Family Court, Thrissur.

Petitioner : Sabira H (Wife)
D/o Hydrose
Rai Marakkar House
Kundaliyoor, Chavakkad.

Respondent : Noushad (Husband)
S/o Abdul Khadar Kuzhikkattumoola
Aathiparambil House
Thamanam, Thrikkakkara P.O.
Eranakulam.

Short description about the case:

After marriage the petitioner was living with the respondent in his uncle's house along with his mother. The husband had made many false promises at the time of their marriage. He made her believe that they would shift to their own house in short time. 25 gold sovereigns and 25,000 rupees were given as dowry at the time of marriage. Later 35,000 rupees more was demanded by respondent for arranging visa to go abroad.

In the mean time, the respondent demanded money from petitioner to modify the house. Where they lived. She refused to do so saying that the house belong to his uncle. She was physically and mentally tortured on demand of more money as dowry by the respondent and compelled to work like a housemaid. The respondent even had illegal relationship with one Resheeda, his relative.

The first respondent (husband), 2nd respondent (his mother) and 3rd respondent (his uncle) denied all allegations made against them. They denied that the petitioner was staying in respondent's uncle's house. They stated that they had not demanded gold or cash. Sabira had bought only 4 sovereigns of gold and Noushad could not get along with Sabira's character. Another allegation of the respondents was that petitioner's brother severely beaten the 1st respondent. After that incident the respondent had left the place and now his whereabouts were not known.

Prayer of the petitioner:

1. Return of gold ornaments and cash.
2. Maintenance of the petitioner and her child.

Result :

The case was settled by giving Rs.90000 to the petitioner



4

Reference Number of the case : O.P. 663/03, O.P. 176/98, C.C.858/98

Name of the Court : Family Court, Thrissur.
Judicial First Class Magistrate Court.

Petitioner : Shajitha (Wife)
D/o Kunjimu, Peradath house
Mukundapura taluk
Varantharapilly.

Respondent : Abdul Azeez. (Husband)
S/o Hassan
Kullangara vallapil
Thalappilly taluk, vadakkanchery.

Short description of the case:

Petitioner married the respondent in 1992. At the time of her marriage she was given gold ornaments of 30 sovereigns and cash of Rs.50000/- further house hold articles worth of Rs.50000/- was also given. The respondent was working in Gulf for two years. But after marriage he returned home and had no job thereafter. In order to meet his illegal demands the respondent subjected petitioner to mental and physical cruelty. It is also alleged that the respondent after obtaining ornaments and cash from the petitioner subjected her to physical and mental harassment. He failed to look after his wife and child. Subsequently the respondent married another woman, illegally. The petitioner has informed her mother about the cruel and inhuman treatment meted out in the house of the respondent. The petitioner filed petition for return of gold ornaments, before family court and filed a complaint before Wadakkanchery police station alleging offence punishable under section 498A IPC. The respondent pleaded not guilty to the charge and denied all allegations levelled against him.

Prayer of the petitioner:

1. Return of gold ornaments and cash
2. Punish him for treating the petitioner in an inhuman manner.

Result:

1. Suits before Family Court pending.
2. JFCM Wadakkanchery ordered the accused to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs.1000.



5

Reference Number of the case : HMOP 321/99

Name of the Court : Family Court, Thrissur.

Petitioner : Mini R.K. (Wife)
D/o Ramankutty.
Kizhpallikkara House
Thanniyam, Peringottukara.

Respondent : Sasi (Husband)
S/o Krishnan
Parlikkadu House
Vyasagiri P.O.
Wadakkanchery.

Short description of the case:

The Petitioner's father was a daily wages worker. At the time of marriage 5 sovereigns of gold and 10,000/-Rupees as cash was given to Sasi on demand by his family. After marriage petitioner realized that the respondent was a sadist who ill treated her demanding more money. She was subjected to physical torture when she refused to bring the gold promised at the time of marriage. Since petitioner's father was in financial difficulties, he could not give 10 sovereigns of gold as promised to the groom's family. When the petitioner refused to satisfy his demand, he made false allegations that she had relationship with another man; hence OP was filed for dissolution of marriage and return of gold ornaments.

Respondent denies the allegations charged against him. He looked up stories regarding his wife and refused paternity of his son.

Prayer of the petitioner:

Return of gold ornaments.

Result :

Suit pending.



6

Reference Number of the case OP 156/2002

Name of the Court : Family Court, Thrissur.

Petitioner : Bushara (Wife)
D/o Velayil Moideen
Chenthrippinni Village.
Chavakkand Taluk
Thrissur.

Respondent : Muhammad Rafi (Husband)
Mathilakath House
Kalathode
Ollukkara Village, Thrissur.

Short description of the case:

The marriage between the petitioner and the respondent was held on 24-10-1992. Two children were born to them from their lawful wedlock. At the time of marriage, the respondent was given 50 sovereigns of gold and cash worth Rs.50000. The respondent had gone abroad and was working there. At that time the family members of the respondent subjected the petitioner to mental and physical harassment and demanded more money. They wrote letters to the respondent stating false allegations about the character of the petitioner. Believing the false allegations raised against her, the respondent stopped communicating with his wife and was not heard of for years. Then she left her husband's home and lived with her father. Later the petitioner came to know that the respondent was going to marry another woman. Then the petitioner filed a petition before the family court, Thrissur for return of her gold ornaments and money.

Respondent denied the allegations levelled against him. He alleged that the petitioner was living with an auto driver as husband and wife.

Prayer of the petitioner:

Return of her 50 sovereigns of gold and Rs.50,000/-

Result :

Pending before Family Court, Thrissur.



7

Reference Number of the case : OP 1030 / 2003

Name of the Court : Family Court, Thrissur.

Petitioner : Sindhu (Wife)
D/o Elavumthadikkal Sasi
Panambilly Desom
Madakkathara Village, Thrissur.

Respondent : Prabhakaran (Husband)
S/o Neenduthalakkal Sankaran
Panambilly Desom
Madakkethara Village, Thrissur.

Short description of the case:

The marriage between the petitioner and the respondent took place on 13-11-1994. At the time of marriage, the respondent was given 15 sovereigns of gold and cash worth Rs.50000. Immediately after two weeks of marriage her husband and parents-in-law were making frequent demand for dowry and harassed her physically & mentally. He raised false allegations about her character and spread it among their friends and relatives. Two children were born to them. Due to the repeated demands for more money the petitioner's father gave Rs.45000/- also to him. But the respondent's cruelty towards his wife continued. Then she went to her parental home with her children. She filed this petition for return of her gold ornaments and money.

The respondent came for settlement.

Prayer of the petitioner:

Return of her 50 sovereigns of gold and Rs.50000

Result:

The respondent transferred 9 cents of landed property and a house situated therein in the name of the petitioner and two minor children.



Reference Number of the case : O.P. 179/99.
C.C. NO: 35/99

Name of the Court : Family Court
Judicial First Class Magistrate Court

Petitioner : Solly (Wife)
D/o Joseph
Kannothukuzhiyil House
Vindecherry, Peechi.

Respondent : Jojo (Husband)
S/o Kunju
Thanipathayil House
Kannara, Thrissur.

Short description of the case:

Petitioner attempted suicide and was hospitalized for a week. This was based on the reason that she had been subjected to cruel and inhuman treatment on account of dowry. Though petitioner's parents gave 15 sovereigns of gold and Rs.20,000 at the time of marriage, the respondent and his family blamed her for not bringing Rs.25000 as demanded by them for the construction of his house. They spread false allegations about her character and continuously tortured her. Charge framed against the respondent was u/498A I.P.C. Due to brutal assaults and physical persecution; the petitioner became physically and mentally exhausted. Respondent denied all allegations made against him. He submitted before court that her attempt to suicide was not because of demand of dowry but was due to her psychiatric problems for which she was under going treatment. She was worried as she had no issues even after 4 years of marriage, he said.

Prayer of the petitioner:

1. Punish him u/s 498 A of I.P.C
2. Return the ornament and cash.

Result:

1. Respondent was punished for 6 month's imprisonment.
2. Family Court case for maintenance pending.



9

Reference Number of the case : OP 129/89
Name of the Court : Family Court
Petitioner : Lilly (Wife)
D/o Kulathingal Paily
Vadakancherry Via
Pannamgathikara P.O.
Thaliamkundu.
Respondent : Wilson (Husband)
S/o Joseph
Mambra House, Chottupara
Mulamkunnathukavu P.O.

Short description of the case:

The petitioner and the respondent is wife and husband. They had one girl child. They were living separately from 18-12-1989 onwards. At the time of her marriage, the respondent was given 10 sovereigns of gold and 40 cents of land by her parents as dowry. The respondent sold the land to his own brother to start a new business. He also invested the dowry money for business purposes. The property was in the name of the petitioner but the respondent transferred it to his own name after one month of their marriage, which he admits. There was repeated demand of money but the petitioner did not agree as he already had started beating her and she was denied food and clothing. The cruel acts of the husband continued and she was hospitalized. She was almost sure that living with her husband would endanger her life and hence she left for her home. The Respondent denied the charges against him. He argued that he sold the property for constructing a house for his family and that too on repeated requests made by his wife.

Prayer of the petitioner:

1. Divorce.
2. Return of gold ornaments and property.

Result:

1. Divorce granted.
2. Value of gold and landed property returned.



10

<i>Reference Number of the case</i>	: OP 405/1988
<i>Name of the Court</i>	: High Court of Kerala
<i>Petitioner</i>	: Rani. (Wife)
<i>Respondent</i>	: Sasidharan. (Husband)

Short description of the case:

The petitioner married the respondent in the year 1981. About a month before marriage father of the petitioner executed a settlement deed in the name of the would be son-in-law and the petitioner. It was stated in the document that respondent had agreed to marry the petitioner and that the marriage between them would take place only after the document was executed in consideration of marriage. Harmony in the matrimonial home did not last long. Husband and wife fell apart and their conjugal life was shattered. The respondent demanded his share of property transferred before marriage. His contention was that he had legal rights on the property on the basis of the deed. He denied that dowry prohibition Act could not be imported to test the validity of the deed. The petitioner contented that respondent was included in the gift deed only as the trusty for the wife and children. Since the gift was in consideration of marriage it comes within the purview of dowry as defined in the Dowry Prohibition Act. So the transaction is illegal, opposed to public policy. The petitioner contented that the respondent name was forced upon the document deed by his persistence or he would not have consented for marriage.

Prayer of the petitioner:

1. Return of property.
2. Maintenance for wife and son.

Result:

1. Maintenance allowed.
2. Right over the property was established.

V. CONCLUSION:



Dowry has been approved as integral component of marriage as an institution. However its modes of expressions vary from people to people, depending their educational, occupational, cultural, regional and ethnic backgrounds. Dowry in cash and gold (ornaments) occupy either first or second priority for all sections of society – young and old, women and men, rural and urban, higher and lower education groups as well. However, young men and young women preferred vehicles as a third priority while the parents would go for landed property or a residential house, instead.

The greed and avarice of people and demand for dowry are very much related. Higher education and occupation of higher positions in society have not been able to bring change in the attitude towards dowry. Marriage is viewed at as an opportunity to enhance the material wealth of the husband's family. This has an adverse effect on the education of female children. Because if they are educated, naturally they should look for an equally educated or better educated male partner who will surely expect a higher amount as dowry. Hence parents of low income groups refuse to give better education to their daughters while they are ready to sacrifice to any extent for their son's best education.

Apparent difference was noticed in the case of different income groups. It was so found that young men and young women of low income groups were much concerned of dowry, where as it was not that strong in the case of their counter parts in the middle income and higher income groups. But in the case of parents, the situation was quite different. Parents of lower income and higher income groups were more insistent on dowry while it was not the case with middle income group. Further, demand of dowry was much stronger among business men and professionals while other groups like farmers and working class showed more tolerance and human consideration.

It was strange and astonishing to note that religions never helped to correct the system maligned by the evil practice of dowry. One of the major reasons for this sad and sickening situation was the gender discrimination that exists in all spheres of religion. It was noticed with pain that even relatively better educated women who have been associating with decision making bodies of religious groups were in conformity with male chauvinism and said that husband had full authority over the soul and body of his wife.

George Pulikuthiyil

Project Director

10-01-2004

This report was studied, evaluated, approved and recommended for presentation by the Project Committee of Jananeethi

Dr. George Mathen

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(Project Committee of Jananeethi)



INTERIM PERFORMANCE REPORT

STUDY ON DOWRY SYSTEM IN KERALA

(Project Ref. No. S-IN600-02-GR-014)

Woman in India belongs to a class of society, that is positioned disadvantageously on account of several social, cultural, historical and political reasons. In spite of several constitutional and legislative provisions for protection of and safeguarding the rights and interests of women, the Indian woman still remains discriminated. Woman in India is a symbol of contradictions. She, as image of feminine god adorns human family. However, she is everywhere treated as a slave of man-made and male dominated systems. She



Participants in an awareness building program

should dance to the tune of her male counterpart. She has not been given her due and legitimate place and status in society even after fifty six years of independence. No religion can claim about equal rights given to woman at par with man in all respects. Social evils like dowry, child marriage, sale of woman, female foeticide etc continue to be permeating into every realm of society even when there are laws prohibiting them. In the name of dowry, women are physically and mentally tortured, ill treated, put to starvation, and harassed while the rest of society remain silent spectators. Dowry-demand sometimes goes to the extent of suicide and death of bride and her family. In a recent judgment, the Supreme Court of India observed that this deep rooted social evil required to be controlled not only by effective implementation of the Dowry Prohibition Act, but also by the society. The society has to find out ways and means of controlling and combating this menace of dowry. Jananeethi from the very beginning of its existence, has been deeply concerned of the victims of dowry related violence and torture; and has ensured its unfettered social, psychological and legal support to them. In a period of 12 years, Jananeethi has attended not less than 20,000 petitions filed by hammered / assaulted women seeking legal intervention by Jananeethi.

JANANEETHI

Jananeethi is a registered non-governmental organization, committed to the cherished principles of human rights. It undertakes various intervention programmes for the benefit of the weaker sections of society. It offers help line services to those who are in crises or in distress, more specifically for women, children, the lonely & suicidal and the old & invalid. Women always enjoyed a privileged position among all other concerns of Jananeethi. Gender equality and women empowerment constitute the central theme of the many programmes undertaken by the department for women, at Jananeethi.

THE PROJECT FUND



On September 27 2002 the Embassy of the United States of America, Public Affairs Section in New Delhi and Jananeethi, signed a grant agreement for a study on the dowry system and dowry related violence against women in Kerala. The study has a period of 12 months and covers all the 14 districts of Kerala state. The first installment of the grant was received by Jananeethi in January 2003 only. Therefore, actual work of the project was commenced from January 2003. For an organizational appraisal and capacity assessment, a team from American Consulate consisting of Ms. Sheila Hoban, Mr. Sameer Verma and Ms. Jennifer Bout visited Jananeethi on 26 February 2003 and had discussion with the Board Members and the project staff.

THE STUDY – A PROFILE

The study in progress contains a strategy of scientific approach with a social content. This action-oriented study has a dual plan of gathering data from the public and to impart to them the existing laws and legal intricacies with respect to dowry related domestic violence and atrocities on women. The pre-set objectives of the study are met through social survey, statistical analysis, research, focused group discussions and workshops on regional basis. The study comprises the whole of Kerala. Investigators for 14 districts were appointed to facilitate data collection, focused group discussion and dissemination sessions. The works investigators were co-ordinated by Asst. Research officer. The Research officer was in charge of the execution of the project under the guidance of Project Director. An expert committee was constituted to help the project staff from time to time. Consultancy services of a statistician and lawyer were used for the purpose of the study.



Group Discussion

OBJECTIVES OF THE STUDY:

The following were classified as objectives of the study:

- To document the nature and extent of payment of dowry among different population of Kerala.
- To understand the social, cultural and historical background of the system of payment of Dowry.
- To learn about the sanctions and penal provisions against non-compliance of the law.
- To understand the extent of emotional and social pressure faced by the prospective bride and her family.
- To gather the views of people of different avocations and age groups with respect to their positive and negative attitudes towards dowry, and their proposals how to do away with it.
- To develop it as a state wide campaign against the odds of dowry and dowry related disputes and discords in the families and to build strong resentment of young men and women towards a wrong system of a wrong past.

PROGRESS OF THE STUDY



The study has been scheduled to be completed in three stages: (i) preparation, (ii) data collection & analysis and (iii) dissemination workshops & reporting. The preparation stage was successfully completed and data collections in 12 districts have been completed; work is in progress in the remaining two districts.

First phase:

The study design was formatted with the help of experts. Since the study contained personal interviews, group interactions and community participation in data collection, questionnaire was prepared with help of subject experts and was printed. The investigators were identified and were given in-house training before appointment for the purpose. The districts were divided into regions to facilitate even sampling and norms were set for selection of sample groups. Investigators were sent to three respective areas to facilitate data collection, focused group discussion and dissemination.

Second phase:

The process of collecting data from the target groups was a revealing and enriching experience. Jananeethi could meet a cross section of people across the State of Kerala. The probable respondents were identified before hand by the investigators and they were invited to a common place on a pre decided date. The data was collected during the sessions of the daylong programme. In the first session, the objectives of the study were explained and the questionnaire was introduced. This will naturally be clubbed with a discourse on dowry-related laws and subsequent legislations, amendments etc. It was followed by a second session of filling up the questionnaire. The respondents were then divided into smaller groups for focused group discussion. Discussion was based on pre-set points. The responses from such focused group discussions were documented and were reported to the research officer in a format.



Filling Survey Forms

The third and last session was an information dissemination session on the gender bias and gender discrimination prevailing in society that may be deemed as the root cause of all sexual and domestic atrocities on women, by and large.

Thus, the data collection process was a reciprocal action – Jananeethi provided information and awareness to the groups with respect to laws and legal implications of dowry and the groups in return provided required data in specific format. The experience proved that this method was much helpful to the public and they feel enriched after the programme. Lunch and refreshments were provided to the respondents who participated in such sessions. The data thus collected is being statistically analyzed and the same will form a crucial component of the forthcoming regional workshop.



Study and focused group discussion were carried out in the following districts so far and each district was represented by views and opinions gathered from women and men hailing from different regions of respective districts.

Name of District:	Regions Represented
1. Kasaragode	Chulikkara, Odayanchal, Vellachal, Thrikkarippur, Kanakappilly and Kunhippara.
2. Kannur	Mankara, Kurumathur, Chirakkal, Kannur Town, Pariyaram, Payyannur, Alakkode, Edoor, Burnasserry, Cherupuzha and Karuvanchal.
3. Wayanad	Mananthavady, Sultan Batherry, Pulpally, Meenangady, Panamaram, Ambalavayal, Vellamunda and Padinjarethara.
4. Kozhikkode	Engappuzha, Adivaram, Kannothe, Puduppady, Kodencherry, Thamarasserry, Perambra, Malapparamba and Kunnamangalam.
5. Malappuram	Nilambur, Chungathara, Manjeri, Perinthalmanna, Edakkara, Manakkadavu and Ponnani.
6. Palakkad	Shornur, Ottappalam, Alathur, Nenmara, Agaly and Vadakumcherry.
7. Thrissur	Valappad, Anthikkad, Chavakkad, Wadakancherry, Kunnankulam, Kodungallur, Chalakkudy, Irinjalakuda, Thiruvillamala, Mannuthy and Thalikkulam.
8. Ernakulam	Ernakulam Town, Fort Cochi, Thiruvankulam, Paraur, Kottappuram, Chennamangalam, Kalamasserry, Moovattupuzha and Perumbavoor.
9. Alleppey	Cherthala, Pallithode, Ambalappuzha, Kadappuram, Pattanakkad, Arthungal and Kainakari.
10. Idukki	Kanchiyar, Kumily, Mundakkayam, Vandipperiya, Nedumkandam, Mamala, Chenkara, Udumpanchola and Thodupuzha.
11. Kottayam	Palai, Erattupetta, Kaduthuruthy, Ettumanoor, Thellakam, Poonjar, Malayinchippara and Moolamattam.
12. Pathanamthitta	Thiruvalla, Koni, Ranni and Mallappilly.
13. Thiruvananthapuram	Tvm city, Pulluvila, Kallikkadu, Vanchiyoor, Kovalam, Punthura, Attingal and Vattiyoorkavu.

(The district of **Kollam** and few regions of **Pathanamthitta** district are yet to be covered in the study. It will be completed before end of September 2003).



CERTAIN OBSERVATIONS:

The focused group discussions were based on four broad areas of concerns. Firstly, question was asked to the group what would happen to the dowry given in gold, cash, landed property, residential houses, bank deposits, LIC policies, vehicles, shares in business etc etc?

They were also asked whether the bride had any decisive role in deciding what to do with the dowry. The response invariably was that except in certain cases, the cash that was given at the time of marriage was expended on marriage celebrations and its



paraphernalia. The bride apparently had no knowledge of, nor had she given any consent to, how the cash was exhausted. She was not expected to ask about it, and if she did ask, it would lead to speedy disaster of her marriage. In the case of gold, properties, houses, vehicles etc the bride would in normal parlance be informed of what would be done with them. Here again she was not expected to disapprove or dissent to what was suggested by the groom's side. Vast majority of women complained that their male counterparts on alcohol, gambling, womanizing etc ruined the whole lot of dowry, irrespective of cash or kind.

Secondly, they were asked to comment on the factors that perpetuated the system of dowry for generations together. Notwithstanding the many statutes and legislations introduced by the Union and State governments against the prevailing system of dowry, the fact remains without any improvement. They suggested the religious beliefs and practices, customs and traditions, wrong conceptions of

Refreshment

prestige and social status and further the ever growing greed of people as cardinal factors for the sustenance and prevalence of dowry system.

The third point for their reflection was concerning the possible consequences if dowry was not given. The unanimous opinion of all who participated in the discussions was that the marriage would end up in disaster. Constant and unceasing atrocities on women, suicide attempts, murder, torture, character assassination, cruel and uncharitable accusations, personal abuse, personal victimization, willful neglect of the person, and many other humiliating situations are the normal mishaps in similar circumstances.

The fourth and the last question was in the form of an invitation to propose practical suggestions for eradication and elimination of dowry and dowry related torture. Almost all those participants in the discussions opined that women should be properly be given skill training and career guidance so that they should have economic independence and sense of self-reliance before marriage. They should not be compelled to resign their job with marriage. Women and men should be given adequate motivation programmes to generate in them clear understanding of gender equality and gender justice. A deeper analysis of the problem will expose the world of injustice and male chauvinism that had engulfed our

society for many generations and had deprived women their fundamental and human rights



under the disguise of 'happy home'. Family as an institution had been built up on the 'grave yard' of human dignity and freedom of women .

A detailed study and analysis of the hard data being collected from the people of different places will be done later on completion of the study at all regions. We are glad to present this interim report of the study to the US Centre for verification and correction, if any.

