

THE SOCIAL EVIL OF DOWRY IN INDIA: MAHILA DAXATA SAMITI'S STRATEGIES FOR COLLECTIVE ACTION

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Bien que le paiement de la dot fut aboli par les provisions de l'Acte interdisant la dot en 1961, c'est encore une pratique courante en Inde. En fait, le rapport présenté en 1975 par la Commission d'enquête indienne du Statut de la

femme a identifié ce problème comme étant un des plus sérieux pour les femmes indiennes aujourd'hui. À Delhi, des centaines de mariées ont été brûlées vives pour l'insuffisance de leur dot; les meurtres rapportés ne représentent qu'une petite fraction des meurtres commis. Cependant, au cours des cinq

dernières années, seulement douze condamnations ont été obtenues pour ces meurtres.

Ranjana Kumari, membre active de l'organisation nationale des femmes Mahila Daxata Samiti, décrit les stratégies entreprises par ce groupe dans la lutte contre la dot.

Each morning we open our newspapers to find one or two women, "burnt while cooking food" or "heating milk". These incidents have been popularly referred to as "dowry deaths". These burnings are an extreme form of violence women are subjected to in our society. In no other country in the world have women been known to be burnt to death for having brought "insufficient dowry". In Delhi, such incidents have assumed alarming proportions. Are these accidents? Suicides? Or murders?

According to the Anti-dowry Cell set up by the Police Commissioner, Delhi; 690 women have died of burns in 1983 of whom, 270 were between 18-25 years of age, of which 23 were alleged "dowry burnings."

The tables given are revealing and demonstrate the total inadequacy of the investigative machinery. The figures are drawn from police records from 1979 to May 1983.

How is it, that the police fail to take note of their own records and blindly accept the accident phenomenon?

It is obvious that the highest number of cases were found to be "accidents" and no case was ever registered. Considering that a majority of victims were married women between 18-25 years of age, who died in their in-laws' house, should they not be scrutinised more intensively in the present context of mounting dowry demands and general rise in atrocities against women? Is it any wonder that so few of these cases have reached the courts and faced trial.

In Saheli, women daily recall the mental and physical torture they are being subjected to.

Total no. of women burnt	Married	Unmarried	18 to 25 years	Above 25 years
422	358	64	221	201
429	369	60	231	198
542	466	76	330	212
627	537	90	350	277
253	224	29	152	101

But we cannot generalise that such incidents happen within the first few years of marriage, nor are they all related to "dowry demands". An alcoholic husband will force his wife to part with household money to buy his drinks, or not give her enough. A working woman will hand over her entire pay packet to her husband or mother-in-law and will ask for travel and lunch allowance. A husband will sell his wife's jewellery for developing his business, depriving her of her savings and security.

The problem is not confined to dowry "given in consideration of marriage", within one, five or ten years of matrimony. Perhaps it is time to redefine the problem in the context of the all pervasive violence against women.

(excerpted from *Saheli: The First Four Years*, published by Saheli Women's Resource Centre, Defense Colony Fly Over Market, New Delhi-10024)

The 1975 Report from the Indian Commission on the Status of Women identified dowry as one of the greatest problems affecting women. In "Towards Equality: Report of the Committee on the Status of Women in India" (1973), the following statement was made:

From the point of view of women's status the custom of dowry has to be looked at as constituting: 1) what is given to the bride, and often settled beforehand and announced openly or discretely. The gift, though given to the bride, may not be regarded as exclusively her property; 2) what is given to the

bridegroom before and at marriage; 3) what is presented to the in-laws of the girl. The settlement often includes the enormous expenses incurred on travel and entertainment of the bridegroom's party."

Although the payment of dowry was banned under the provisions of the 1961 Dowry Prohibition Act, the practice remains widespread and the cost of a dowry has risen drastically (until recently, very few cases of violation of the Act were brought to court; as of 1981, only one conviction had been obtained). As the statistics printed in the above box from *Saheli*:

The First Four Years reveal, hundreds of cases of brides burned to death because of insufficient dowry – so their husbands can remarry and thus receive more dowry – were reported by the police in Delhi alone. Indian women's organisations claim that the police register only one out of one hundred cases of dowry murder and attempted dowry murder, and that for each of these cases that come to their attention, six are left unreported. In the past five years only twelve convictions for bride burning have been made – from a total of 2,273 deaths by burning.²

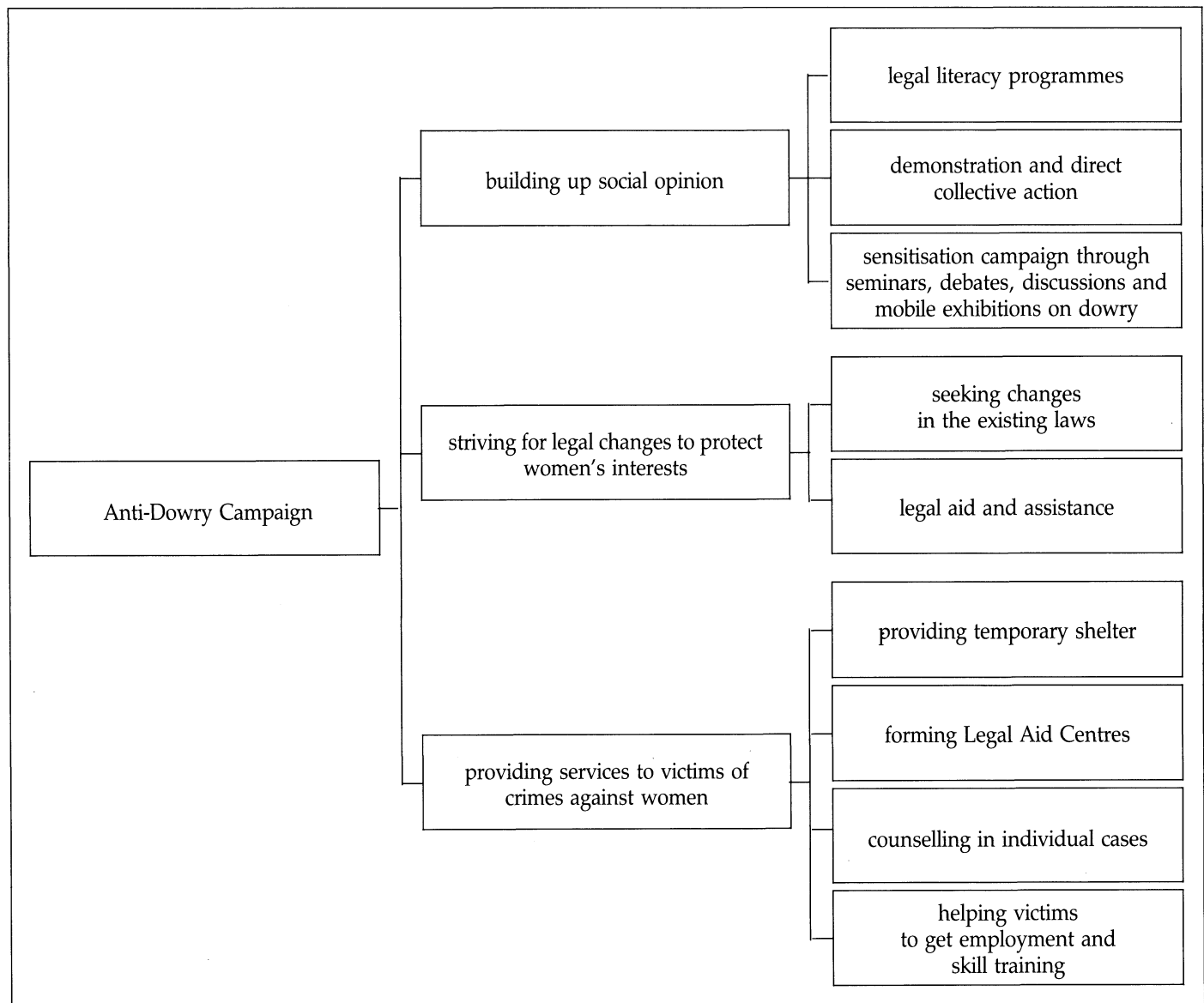
Realising the extent and gravity of the problem of dowry, women's organisations in India decided to launch a programme to mobilise public opinion and to direct national awareness towards the eradication of this practice. I would like to discuss here the role of one of these national women's organisations, Mahila Daxata Samiti, in the struggle against dowry. Mahila Daxata Samiti is a non-party, non-sectarian body of women from all sections of society which fights against the exploitation, injustices and social evils affecting women in Indian society. The entire range of disadvantages and discriminations which women suffer in our country is discussed at various forums of

the Samiti, and strategies to improve the status of women are taken up. The Anti-dowry Cell of the Samiti, a committed group of women with Ms. Suman Krishnakant as its Convenor, decided to intervene directly in the dowry death cases. During this intervention the Samiti realised that, as a women's organisation, it carried no other power than moral persuasion and that the existing laws were of little help in restoring human dignity to women. Priority therefore was given to adopting a multi-pronged strategy to deal with the issue of dowry and the ruthless harassment, torture and murder of women because of the inability of their parents to satisfy the growing greed for

money and other forms of gifts.

An organised campaign was mounted, with the help of other women's organisations, to change the existing Dowry Prohibition Act of 1961 which has been frequently violated. However, the Samiti was conscious that, even if the law is amended, it will remain a dead-word unless its spirit becomes a part of our social and individual behaviours. So long-term strategy against the evil of dowry was decided upon – an extensive educational effort.

The strategy combines both building up social opinion and demanding appropriate legal reforms to eradicate the practice:



As part of the sensitisation campaign, several seminars were conducted from 1978 onwards. In 1981 the Samiti held a National Seminar on Marriage and Divorce Laws; in 1982 a Seminar on Social

Legislation and Family Courts, and another on Police Crime and Responsibilities of Citizens; and in 1983 a Seminar on Criminal Law Amendment Bill. In June-July 1984 two seminars on Amendment to

Prohibition of Dowry Act were discussed as a follow-up to the campaign against dowry; in August 1984 a seminar on Section 498A of the Indian Penal Code was discussed. Every year the Samiti observes



Credit: Saheli Women's Resource Centre (New Delhi)

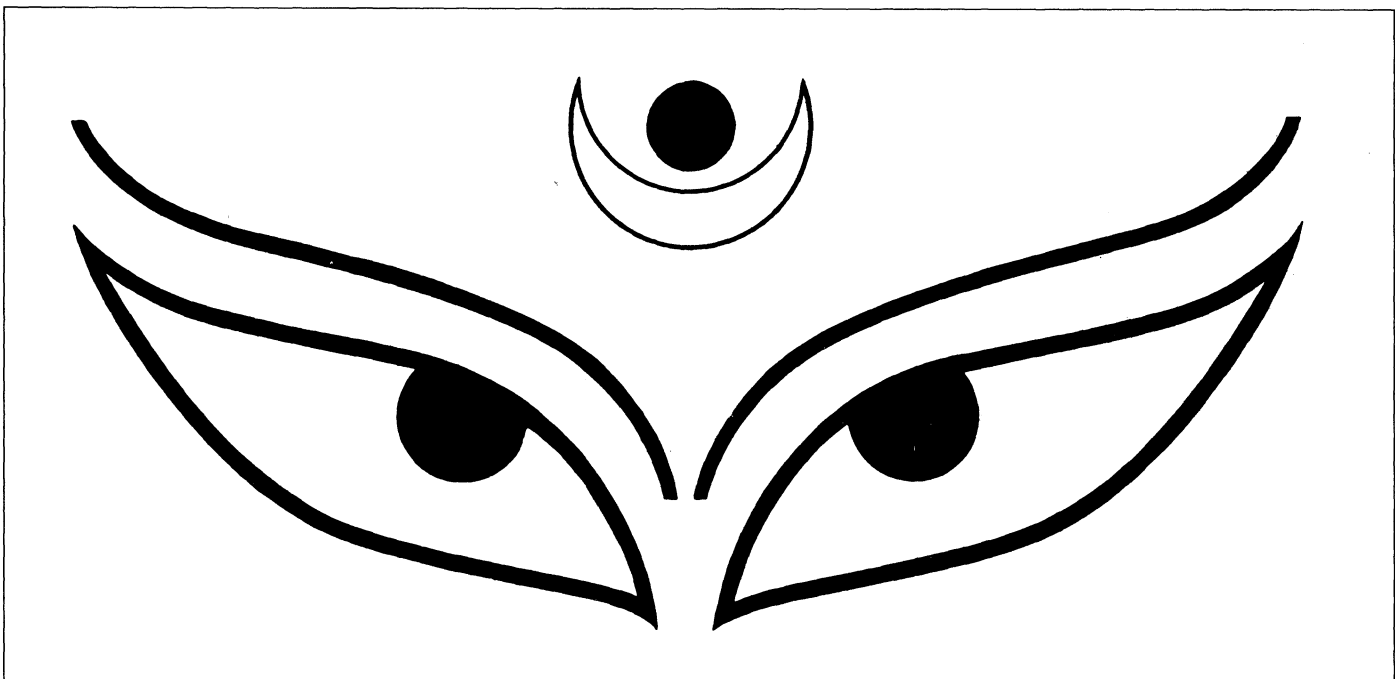
"an awareness week" from 2 to 11 October, commencing with the Gandhi Jayanti celebrations, on the University campus where debates, talks, discussions, and *Kavya Goshtis* are held. Young students are particularly encouraged to participate in this. A moving exhibition on dowry issues was implemented in 1982.

Through its legal programmes, the Samiti undertakes a para-legal training programme to bring the law closer to lay women (such a training course was held for social workers for eight weeks in 1984). Legal literacy programmes are undertaken to acquaint women with their legal rights and constraints in order to help them to launch action towards feasible solutions to existing problems and to create legal awareness in order to evoke appropriate public response towards legal reforms to meet the changed conditions in society. The Hindu Marriage Act, for example, does not have any clause that allows housewives to claim rights to property acquired by the earning husband after marriage; the Act attaches no monetary value to housework which has contributed to the family savings. Nor is the

Hindu wife protected from desertion by her husband; in fact, in most respects a woman married under the Hindu Marriage Act encounters handicaps which a man does not. The Samiti gave a call for changes in the Dowry Prohibition Act; the Criminal Law (Amendment) Bill regarding rape; and the Criminal Law, 498A cruelty to women, Bill for establishing Family Courts, which led to changes in these legislations. Under the legal aid and assistance programme the Samiti works as a liaison between the Legal Aid Cell of the Government of India and the victims. Samiti also has its own group of women lawyers who provide free legal aid services to dowry victims.

The Samiti took initiatives to develop a broad front with other women's organisations – the Dahed Virodhi Chetna Manch – for collective action. These organisations jointly organised demonstrations, public meetings and media campaigns to create awareness, as well as to lobby for change in the existing legislations relating to dowry. The achievements of the Samiti on the Anti-Dowry Campaign are several. Firstly, the counselling programme re-

ceives an average of 35 cases a month and has become very popular among the women who face such threats in Delhi. The types of cases received by the Samiti in 1984 include: dowry deaths (158); harrasment due to dowry (200); rape (15); maintenance and custody of children (38). In the first six months of 1985 the cases were: dowry deaths (63); harrasment due to dowry (158); rape (9); maintenance (89); custody of children (75); reconciliation (57); and divorce (2). Secondly, its initiative to bring together all the national and local women's organisations in the form of Dahed Virodhi Chetna Manch has resulted in organising the largest ever demonstration against dowry on 3rd August 1982 and exerting pressure on the Government to make amendments to the existing legislation on dowry. A Private Members Bill was moved by the president of the Mahila Daxata Samiti; the Government, acting up on this, appointed a Joint Committee to examine the Dowry Prohibition Act of 1961. Thirdly, the Samiti, along with other organisations, built up public pressure for the Joint Committee to go into the Criminal Law Amendment Bill regarding



Logo of Kali for Women (New Delhi)

rape. The Samiti's request to circulate the Hindu Marriage Amendment Bill was honoured by the Government. Fifthly, the Samiti's efforts on behalf of the setting up of family courts was well received by the then Law Minister; the Parliament later passed the legislation. Finally, Samiti's numerous direct actions in and around Delhi, have helped to create a positive atmosphere for the struggle against dowry. At the legal level, three important legislations (the Dowry Prohibition Amendment Bill of 1984; the Criminal Law Amendment Bill regarding Cruelty to Women 498A of Indian Penal Code; and the Criminal Law Amendment Bill regarding rape, 1983) were passed. The contribution of the Samiti was significant.

¹(New Delhi: Government of India, Ministry of Education and Social Welfare and Ministry of Social Welfare, 1973), p. 71.

²For obvious reasons, it is impossible to provide precise statistical data on bride burnings. The figures given in the above paragraph were compiled from *Saheli: The First Four Years* and from *Sisterhood is Global*, ed. Robin Morgan (Garden City, New York: Anchor Press/Doubleday, 1984), pp. 11 and 297.

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Graphic from *Saheli* (New Delhi)