

Indian Feminisms Concepts and Issues
Prof. Dr. Anandita Pan
Department of Humanities and Social Sciences
Indian Institute of Science Education and Research-Bhopal

Lecture-17
Theorising Violence Dowry

Hello everyone, in the previous lecture we talked about the concept of violence and its importance in feminist theory. We learned that violence and gender are impacted by the power structures prevalent in the society. These power structures not only govern the private and the public spheres they also dictate how men and women are supposed to play gender specified roles.

Both in the professional spheres they are meant to navigate these gender roles and also within the domestic sphere as well. One important thing that we learned is the issue of violence needs to be discussed not just in terms of physical and sexual violence. Violence in fact can be of many types. For example, the cyberspace has become a location where verbal forms of violence are practiced that have long lasting psychological impact.

Recently the question of violence vis-a-vis gender has been further conceptualized through the identities that do not follow the normative heteronorm sexual binaries. We also learned about the emergence of the issue of violence in Indian feminism in the post-independence period. If you have any questions about the earlier lecture, you can watch the video once again.

In today's lecture we are going to talk about the issues taken up by Indian feminists on violence. We will begin with the issue of dowry. Dowry also known popularly as bride price continues to be a widely practiced tradition in India. Dowry takes many forms in terms of money or means given by the bride's family to the grooms. Even though the dowry prohibition act enacted on May 1st 1961 clearly mentions giving or receiving of a dowry as a punishable offense such practices continue to persist in India.

Now under the dowry prohibition act dowry includes property, goods or money given by either party to the marriage by the parents of either party or by anyone else in connection with the marriage. So, we have a general tendency in society to call dowry a gift. People who give and

accept the dowry in society often say that it is not a dowry per se but it is something that parents are giving lovingly.

In today's class we are going to unravel the politics of dowry. Now let me give you an example of a story which is titled ancient promises by Jaishree Mishra. Now in ancient promises we see references to dowry. In this story dowry is generally presented as a gift given by the bride's parents to the bride. But is it a gift? If you do not think that it is not a gift, why do you think so?

First let us examine why dowry cannot be treated as a gift? The answer is very simple. When you receive a gift the person who receives it is the one who is going to exercise their control over it. In other words, the person who receives the gift owns it, but in the story ancient promises you will see that the character Janu who receives the dowry does not have any control over the gift that she receives from her parents.

Her mother-in-law is the one who decides when the jewelry has to be taken from the locker and it is Janu's in-laws who decide what she should wear for the upcoming occasion. It is very clear from this that although dowry is fondly called a gift for the bride, it is not in fact a gift, it is a gift or a means for the in-laws or the family. Now the next crucial question also arises. Why is the bridegroom given money?

In an ideal relationship both the man and the woman have equal roles to play or they should have equal roles to play. So, why is it that the bridegroom is generally given money in marriages? The answer to this is that in a patriarchal society an unmarried woman is always considered a threat to the honour of the family. The family is always threatened by an unmarried girl exercising her agency over her body and sexuality.

Such a woman is considered to be a potential threat to the class and caste equilibrium of the family and the society at large. Therefore, dowry is always considered as a money given as a form of gratitude to the bridegroom for having taken the potential threat of the family away from the family. This is a payment towards that surveillance. Now the character in the story Janu is also a threat to her family.

When Janu was 16 years old she met Arjun the local school cricketing hero and they became friends. But things take a nasty turn when Janu's parents get a wind of a romantic escapists, they whisked her away to the native place Kerala and arranged for her to marry a groom from the socially respected Mara family, it shows that Janu was a potential threat to the honour of the family since she decided to choose her partner on her own.

Here neither cast nor class is a concern for her and this is the reason why Janu's family decided to get her married at such a young age. Now there is one more reason why dowry is handed over to or kept under the safe custody of a man. This is because financial independence is often considered to be the beginning of freedom. A financially independent one can become or take a position to make decisions for oneself.

So, the money transfer is often patrilineal. A woman is just a medium through whom the money is transferred from one male member to another male member because financial Independence also indicates certain freedom for a woman and also defines to the patriarchal order. Now the issue of dowry becomes crucial in Indian feminism because of the private and the public binary.

Radha Kumar in her celebrated book *The History of Doing* provides a series of narratives regarding domestic violence and dowry deaths to show how neighbours and the police saw them as family matters and thereby considered them to be private issues. Such issues are rampant across classes, caste and religions including the social elites. The reason why such incidents are not often reported is because of the stigma of victimization attached to them.

According to Radha Kumar the stigma stems from the patriarchal perception that a woman's life is necessarily dependent on a man. Uma Chakravarti terms this as a woman's social identity. In her article *Gender, Caste and Labour: Ideological and Material Structure of Widowhood* she writes a woman is recognized as a person when she is incorporated into her husband. Only then does she become a social entity.

And in that state, she becomes a social entity and she is auspicious a *sumangali* or *saubhagyavati*. It is therefore not surprising that marriage is the only ritual prescribed for women. The first recorded protest against dowry in the contemporary Indian scenario was made in 1975 by the progressive organization of women also known as POW in Hyderabad. By 1977 movements were spreading across Delhi and Bombay.

Organizations in Delhi such as Stri Sangharsh, Mahila Dakshata Samiti, Saheli, Indraprastha College Women's Committee, Nari Raksha Samiti, Manushi and so on held many meetings and rallies protesting against dowry deaths. Their agitations brought forth two issues. Dowry murder and abutment to suicide. In a Marxist reading connecting dowry to women's propertylessness the Stri Sangharsh group wrote.

The example of dowry in India is a clear one of relationship with private property in which this becomes a bridegroom price and is added to the immediate consumable family capital which is used either to further business ventures or to educate younger sons or to buy a promotion or to furnish a daughter's dowry. So, in a patriarchal setting dowry is used as a cyclical source of payment which goes towards the material advancement of the husband or to the sister-in-law's dowry.

In this way the material basis of women's oppression is not limited only to inheritance but can also be connected to the transference of property in the form of dowry and as we have seen in the story ancient promises as well this is exactly what happens. Ownership and dowry create a very complex nexus between material relations vis-a-vis gender. Geetanjali Gangoli provides statistical data to show that despite Indian women's presence in job sectors in the Judiciary, education, politics, IT, medicine etcetera.

It has done little to erase dowry system. Dowry demands have led to son preference, female infanticide and sex pre-selection, abortion of female fetuses. This has resulted in disbalance in sex ratio. The 1980s and 90s saw the emergence of a number of groups in Bombay as well. The forum against rape established in 1980 provided a sexual class-based analysis of rape. They combined a radical feminist understanding of rape as male violence against women with a socialist conceptualization of such violence as a form against women that had impacts on caste and class relationships within the nation.

They renamed themselves as forum against oppression of women in 1982 also known as FAOW and broadened their scope of movements. Who is now included sexual harassment in the workplace and in public spaces dowry-related violence and murders, domestic violence, women's representation in the media, discrimination against women in civil and criminal law rights of working-class women and sex workers.

Women's health and reproductive rights, movement against poverty, class, caste and so on. Their campaigns on domestic violence focused on dowry related murders and the role of the mother-in-law as perpetrators of violence against women. The issue of dowry is further problematized by the caste, class linkage. Dowry can be seen as an aspirational move by the lower-class lower caste communities.

According to Gandhi and Shah who wrote in 1981 dowry was upper caste brahmin and Hindu custom, it then got nationally adopted among various castes and communities which usually had a very free condition for married women in the form of bride price. To feed into an aspirational motive they started following the dowry system. This led to further marginalization of the rights of women and also perpetual relegation of lower classes into poverty.

Now the questions come how did the women who faced violence due to dowry react, what happened at the aftermath of this agitation? During the 1970s and 80s when women's groups were struggling to work with the government and the police to bring a stop to dowry deaths, they faced a different kind of challenge with the battered women themselves. Given India's social and familial fabrics women were traditionally meant to live under the protection of men.

So, the women's organizations faced questions like if we encourage her to leave her family where will she live? For if she were to return to her parents' house she would endanger the chance of her younger sister's suitable marriage presumably because other eligible boy's parents would then fear that the girls would not fulfill their dowry demands and no landlord was willing to rent a room for single women.

For fear of her being a prostitute. The Mahila Dakshata Samiti observed that most of the dowry related violence occurred in joint families. So, they often advised the young couples to move out. It is interesting to see the linkage between traditional family settings with the perpetuation of patriarchal domination. It also seems that nuclear families provided women with greater freedom.

Radha Kumar mentions additional challenges in trying to prove dowry death. She dies that firstly such deaths are easy to be written off as accidents caused by stove etcetera and secondly the circumstantial evidences are either ignored or they make it difficult to prove such deaths as

murders. Now one interesting aspect of the anti-dowry agitation was the way in which feminists combined both social pressure and legal redressal.

Radha Kumar writes anti-dowry demonstrations have always been outside the homes or workplaces of dowry demanders or accused dowry murderers as well as at police stations. The names of both the victims and the accused have always appeared in slogans. Neighbourhood groups have been formed to boycott dowry harassers, accused husbands of dowry victims have had their faces blackened in some cases.

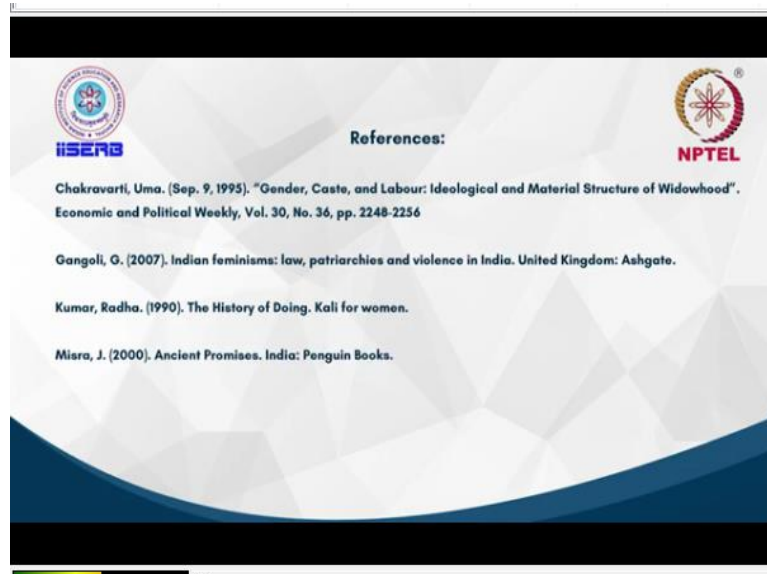
Public meetings have been arranged at which people have placed neither to give nor to take dowry and so on. The legal battle against dowry followed a long course. The 1983 Criminal Law act second amendment section 498 A; made cruelty to a wife a cognizable non-bailable offense punishable by up to 3 years of imprisonment and a fine. The law defined cruelty in both mental and physical terms.

Section 113-A of the evidence act was amended, so that the court could draw an inference of abutment to suicide. This is called shifting the burden of proof, so that the complainant has less burden to prove the crime. The Act also amended section 174 of the criminal procedure code and made a post-mortem examination compulsory on the body of a woman who died within 7 years of marriage.

In November 1980 the central government made investigation and postmortem mandatory in cases of married women dying under unnatural circumstances during the first 5 years of marriage. Now let us summarize the lecture. Today we talked about dowry related violence on women and how feminism challenged it. A major lesson we learned is the way in which dowry related violence was seen as a private matter because of the fact that it was about marriage and often took place within the domestic sphere.

Now feminist groups through their analysis of violence have shown that the so-called personal aspect is deeply mired in the power relations. Thus, we see how class, caste and ownership form central questions in the dowry deaths. This proves that personal is indeed political, we also saw that; women's organizations in India work towards bringing awareness about dowry deaths both at the social level and at the legal level. In the next lecture we will talk about other forms of violence vis-a-vis gender. Thank you.

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References:

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