DOWRY-MURDER, FEMALE-INFANTICIDE & SEX-SELECTIVE ABORTIONS IN NORTHERN INDIA

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DOWRY-MURDER, FEMALE-INFANTICIDE & SEX-SELECTIVE ABORTIONS IN NORTHERN INDIA

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ABSTRACT

In northern India the strict marital design has contributed diminishing status of women and in certain communities throughout the region and has led to the absolute requirement for women to marry. The requirement of marriage allows for families of husbands to demand outrageous dowries at the time of marriage arrangement and continue demanding money and valuable goods throughout in the course of the marriage. Brides within this population are abused, tortured and murdered as the result of unmet financial and material demands of the in-laws.

Faced with this conundrum, many families have resorted to female-infanticide and sex-selective abortions. The inability to afford the dowry demands has also led to the increased number of sex-selective abortions in northern India.

This study aims to draw a direct link between the marriage structure in the region and the practices of dowry-murder, female-infanticide and sex-selective abortion within an underrepresented demographic.
Dedicated to Chiara Marie
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INTRODUCTION
HISTORY, CASTE & MARRIAGE

India is an emerging economic power with modern institutions and legal systems combined with deeply rooted religious traditions that help perpetuate dowry murders and female infanticides. How can one reconcile India’s modernity with such pre-modern practices? The answer appears to lie in institution of arranged marriage and the marital status of high caste women particularly in Northern India. The thesis aims to demonstrate the relationship between the importance that certain Hindu traditions and cultural norms place on women’s marital status, in particular of high caste women in Northern India and the perpetuation of dowry-murders and female infanticide in modern India.

The Vedas and Manu

The story of the women of India has ancient origins. In order to have a proper perspective on the conditions of women in modern-day India with respect to marriage and dowry, it is essential to
broadly review the ancient Vedas and Manu. The historical relationship between the ancient Vedas, Manu and the women of India is vast and complex, but this relationship has shaped the religious traditions and cultural norms that greatly affect the state of women today.

Vedas\(^1\)

Vedas are the sacred books of ancient India and the fundamental scriptural texts of Hinduism. However, they are not only sacred texts, but also theological and philosophical literature.\(^2\) It has been argued that Vedas are the oldest surviving scriptures in the world. Hindu belief is that Vedas are *shruti*, or uncreated, eternal and being revealed to sages.\(^3\) The Vedas are part of an oral tradition

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\(^1\) See page 1 in P.R.P Sharma, *Encyclopedia of Vedas*, for the origin and definition of the word *Veda* where it is described as a Sanskirt word, meaning “knowledge” or “sacred book”.

that is known as Aaruti, or “that which is heard”. There are four Vedas: 1) Rigveda or “Veda of Verses”, 2) Samveda, or “Veda of Chants”, 3) Yajurveda or “Veda of Sacrificial Prayers”, and 4) Atharvana- Veda, or “Veda of the Atharvans or Fire Priests”. In the Vedas, Goddesses play an equally important role as the Gods. Many of the nouns, such as, prosperity, speech, memory, wisdom, courage and patience are feminine nouns and embodied by Goddesses.

During the Vedic Age, Goddesses were not only revered, but wives were placed in a high position.


4 See page 1 in P.R.P Sharma, Encyclopedia of Vedas, for where the Rigveda is referred to as the oldest and most important of the collections.


Evidenced in the *Taittriya Brahman*, a man could not perform sacrificial rights without his wife. The Vedic Age was a time when women enjoyed a position of respect and stature in ancient Vedic India. Women of this period were the epitome of intellectual and spiritual attainment, who both complemented and supplemented their male partners. The high position of a wife in the Vedic age is also evidenced further in Shakuntala Rao Shastri’s *Women in the Vedic Age*. In this work the description of a woman’s position in the house as being very high.

So, on marriage, a woman was not only given a very honorable position in the household, but could offer obligations to the fire in performing sacrifices. She was looked upon as a guardian of all the young and old, where the husband was the eldest son of his farther. The charge of the

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whole household was transferred to her hands, and she was charged to look not only to the physical needs of the members of the family but also to the happiness and wealth of the house.\(^9\)

**Manu**

It is critical to note that during the early period there was not a distinction between law, religion and morality. They were known collectively as dharma.\(^10\) There were three sources of dharma, which were shruti (divine revelations or utterances), sadachara (good custom) and smriti (memorized word). The codified laws that govern Hindu marriage derive their roots and power from smritis, which regarded marriage as mandatory and essential for paying one’s debt to ancestors.\(^11\) Manu is a smriti.

Hinduism is founded on Manu, which is post-

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Vedic sacred literature comprised of the Ramayana, Mahabharata and Puranas. A brief description of each is as follows: Ramayana, or March of Rama, was composed circa the 2nd century BCE, but likely drew on preexisting oral tradition. It tells the epic story of Rama, the 7th incarnation of the deity Vishnu; Mahabharata may be the longest epic poem in the world. Authorship is traditionally attributed to the sage Vyasa; modern scholarship has established its development over several centuries ending in the first century AD. The central theme of the Mahabharata ("Great Tale of the Bharatas") is dharma, especially the dharma of kingship. The Puranas are collections of mythology, hymns, ancient history, rules of life, rituals, instructions and knowledge, cosmology. Most attained their final written form around 500 AD. Today they are among the most commonly used scriptural texts. There are

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12 Shiva S. Dua, *Society and Culture in North India 1850-1900* (Delhi: Balaji Enterprises, 1985), 46.
eighteen Puranas, with six each dedicated to Brahma, Vishnu and Shiva.\textsuperscript{13}

The most prominent guidelines for virtuous female behavior were explicit in Manu, which was composed between 200 BCE and 300 E after the Vedic Scriptures. More ambiguous than Vedic, Manu had opposing views on the status and roles of women.\textsuperscript{14} This ambiguity inherent in Manu regarding the position and role of women may not have been deliberate, but some text left women vulnerable to a model that would require their subjugation.

Manu did not teach that such strictures made women inferior to men, but contended that the separation of women into the private sphere while men entered the public sphere was merely a matter of harmonious placement where each could flourish. Unfortunately, Manu’s assessment of women placed them in a position where they were easily compromised by patriarchal structure.\textsuperscript{15}


\textsuperscript{14} Wagner-Wright, \textit{Birth, Marriage, Honor & Poverty}, 2.
Manu states that neither a young girl nor a grown woman should do anything independently, even in her own home. This follows from the notion that a young girl is under the control of her father, a woman under the control of her husband and in the event of the death of a husband, a mother should be under the control of her son.16

There is the element of contradiction in the language, which could cause varying interpretations, and misappropriations of intentions. In one section Manu states that “Brahma separated his body into two parts; from half he created man and from the other part woman. She is, therefore, born equal.” In another section, Manu proclaims that “gods reside where women are respected and where they are insulted, all endeavor is useless.” Additionally,

15 Ibid., 2-3.

Manu perceived women to be seductresses of men, explaining:

... it is the nature of women to seduce men in this world; for that reason the wise are never unguarded in the company of females. Women lead astray in this world, not only a fool, but even a scholar, and make him a slave of desires and anger. One should not sit in a lonely place with one's mother, sister or daughter, for senses are powerful and master even a learned man.¹⁷

Essentially, the institution of caste, inferior position of women and the sanctity of family (based on a caste system the required strict marriage unions and practices) defined and formed the social framework and conditions among the Hindus.¹⁸

¹⁷ Wagner-Wright, Birth, Marriage, Honor & Poverty, 2-3.
¹⁸ Ibid., 5.
Caste and Marriage in Northern India

Caste

“To a Hindu, caste was as much a necessity as food to eat...”\textsuperscript{19} Caste is the core of the social structure for the people of Northern India.\textsuperscript{20} A simple description of a caste is a group of closely-knit membership that was involuntary and determined by birth.\textsuperscript{21} Caste is an institution that is inextricably related to the Hindu social structure. It is the denominational group into which the Hindu enters at birth.\textsuperscript{22} It is by the heavy restrictions and social taboos that allowed each caste to maintain its hold and survive through time.\textsuperscript{23} The caste system has an origin in the ancient notions of

\textsuperscript{19} Ibid., 65.

\textsuperscript{20} Ibid., 63.

\textsuperscript{21} Ibid., 67.


\textsuperscript{23} Dua, \textit{Society and Culture in North India}, 70.
proper social divisions. There were four varna, or castes.\textsuperscript{24}

These four large castes were 1) brahamanasi, or priestly and scholarly class, 2) ksatriyas, or government administrators and militia, 3) vaisyas, or mercantile and agricultural class and 4) sudras, or laborers.\textsuperscript{25}

The caste system practiced by Hindus in India is unlike any other social institution in the world. The most notable aspect is that instead of progressing with the ages and taking on a more simplified form, it has become more complex over time. Despite its complexity, the caste system penetrated northern India in the latter half of the nineteenth century and has dominated the social make-up of the region ever since. In fact, the

\textsuperscript{24} As noted in by B. Powell in \textit{Windows into the Infinite}, on page 290 there is a fifth group, the pariahs, or untouchables. They are not listed as a caste as they fall beneath even the lowest of the caste system.

\textsuperscript{25} Powell, \textit{Windows into the Infinite}, 290.
universality of caste and presence of pride in birth and lineage became predominant feature of Hindu society. An important aspect of caste to the marriage institution in this study is that the Neo-Hindus justify and find rational explanations for each Hindu custom. The Hindus, believing that society was divinely ordained, found that social stratification was an absolute necessity. Therefore the caste system (that has obvious implications on marriages and marriage practices) being regulated by religious injunctions, rituals or penalties were generally accepted.

Marriage

Marriage is not only an essential aspect in Hindu life, but also an absolute in the life of a Hindu woman. From the time of her birth a woman is looked upon as a liability to her family. Only through marriage could a family be freed from the

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26 Dua, *Society and Culture in North India*, 65.
27 Ibid., 66.
burden of caring for a woman. The importance of marriage in the social and religious customs in northern India has had direct effects on customs and laws regarding marriage. It was not until much later in modern history that laws were enacted that would afford any protection to a wife. The customs and laws ensured that a caste would remain pure and that laws of Manu were followed, but the implication on women was that she was the object to be bartered in the arranged marriage. Naturally both women and men had to be married. The Hindu laws and caste system that was justified by Manu, however, left women to be bartered and/or forced to feel more pressure to achieve marital status and need to supply higher gifts or offerings to be chosen by a groom. A woman does not have four asramas, or ideal stages that a

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28 Dua, *Society and Culture in North India*, 5.
man has in his life. A woman has only two: maidenhood and married state.\textsuperscript{29}

In northern India this has meant that she and her family were required to be the gift givers in the marriage arrangement. “Generalized exchange does not simply involve one lineage giving a woman to another lineage. The givers have a justified faith that they will eventually be compensated although northern Indian Hindus, bride-givers are inferior”.\textsuperscript{30}

**Conclusion**

The history of women’s role in religion is the foundation of where women are today in North Indian society. The Vedic age had been a time of female empowerment both in and out of the home. The emergence of the Laws of Manu changed that scenario.

\textsuperscript{29} Powell, *Windows into the Infinite*, 290.

\textsuperscript{30} Pauline Kolenda, *Caste, Marriage and Inequality: Studies from North and South India* (Jaipur: Rawat Publications, 2003), 311-312.
The Laws of Manu dictated a more submissive role of women and stated that the way for women to achieve religious righteousness was to be dominated by the husband, whom she is to worship and obey.

Laws of Manu also filtered into the way in which the caste system was managed which has a bearing on the marriage structure. Manu justified and encouraged the caste system providing relevance to the system that separated members of differing castes and socially criminalizing inter-caste marriages. From this foundation, women in the North Indian region have been entrenched in a low place in society which leaves marriage as their only means of economic survival, social acceptance and spiritual success.
CHAPTER 1
THE STATUS OF WOMEN & THE NEED TO MARRY

The expectation for a woman to marry in Northern India is more than a religious obligation or cultural ideal. It is an absolute necessity that provides her with a family to claim and security in her livelihood. One should not deny the pressure that men experience to mate, marry and honor their family. However, the ideology that is engrained into women in Northern India is one that is exceptionally powerful and tremendously potent in a unique manner. The potency of these beliefs keeps women at the lower end of the social structure. It is critical to understand the invisible forces that convince women that marriage is the only option and allow a continual threat of dowry related violence and murder along with the practice of female infanticide in Northern India.

Women and Social Status

One cannot look at the social structure of any regions in India without noting the public attempts that have been made to increase the rights of women
throughout that nation. The problem is that these efforts have met with little practical success. In spite of that fact that India has many programs, high power commissions and committees and is notably represented in international conventions to safeguard the rights of women, India remains a country that has yet to put these efforts into practical action.¹ Indian officials may have made great effort to change the policies and laws that work against the freedoms of women, but they cannot seem to get them disseminated throughout the rural areas. They also have had minimal success in changing the mind-set of people who hold their traditional values as sacred.

While women are guaranteed equality under the constitution, legal protection has little effect in the face of prevailing patriarchal traditions. Women lack power to decide who they will marry, and are often

married off as children. Legal loopholes are used to deny women inheritance rights.\textsuperscript{2}

The following represent the adverse features for women within the entire Indian system. Of course, in various communities and castes, each of these can be more prevalent or absent:\textsuperscript{3}

1) Women are social dependents.

2) The measurement of a woman’s worth in ability to produce male children.

3) Women do not have consistent rights to shares in property.

4) While not part of her father’s family, a woman’s membership into her husband’s family is based on her ‘proper behavior.’

5) Women have no direct participation in high religion. They are obligated to observe and continue local traditions and rites pertaining to the welfare of sons and husbands. In essence, they have responsibilities while males have power.


\textsuperscript{3} Neera Desai and Maithreyi Krishnaraj, \textit{Women and Society in India} (Dehli: Ajant Publications, 1990), 175.
6) Women are controlled by their family in every aspect of their life (to what degree is based on the individual family).

The conditions in the list shown above are detrimental to the larger development of women in India. However, what drives these conditions? In addition to ineffective policies and laws, there must be a more internal mechanism that allows for women and society as a whole to perpetuate this cycle. Naturally, religious beliefs play a role in shaping the mind-set of girls as they develop into women and as grown women mature into advanced age. Basic rules for the conduct of women were expressed in the Laws of Manu. These laws insist that women worship their husbands as gods and that women (who are “by nature passionate and disloyal”) be kept dependent on their husbands. The ideal woman does not attempt or hope to break these bonds of control and her salvation and happiness revolves around her chastity and virtue.⁴

⁴ Desai and Krishnaraj, Women and Society, 26-27.
In a culture that holds its religious beliefs as the standard of living, it is a natural occurrence that when religion dictates a submissive role of women to men, that role is not only assumed by women but is revered. It is a position that women strive to attain, even if it puts them in a vulnerable state. The status of women is in part a social norm that has influence over the way that decision makers construct policy, but it is also a religious ideal that women have an economic need and an emotional desire to maintain. The system itself is kept alive not only due to the fact that many legal or legislative measures fail to change it, but by the fact that the human beings involved have an incredibly strong attachment to the social order and the spiritual implications on their lives on earth and the hereafter.

The spiritual implications of Hinduism on social order are incredibly powerful. One portion of the social system, Purdha, dictates the manner in which women should preserve their modesty; modesty
being an absolute necessity for women. Purdha is the system of the feminine code of modesty which keeps women, even in high castes segregated from men.\(^5\) It is not only legal or religious codes, or even social norms, but the image of the ideal woman that is engrained in the minds of young girls and mature women. Purdha provides the justification for the notion that the lower status they find themselves in is not only best for them but is what makes them the very best women possible.

The female self-image is also maintained through another outlet. Women are more pivotal in the survival of many cultural and religious traditions. According to Margaret Cormack in *The Hindu Woman*, women, more than men, carry on the cultural traditions.

The family is everything, the individual is nothing. In being the ones that carry the torch of tradition and cultural propriety, women find the highest level of self-value. It is an honor and a blessing, but it can also assist in the loss of an individual’s self-awareness and self-worth. The status of women is an honor, but also requires that they become proactive members in society reinforcing and promoting their own suppression. This unique social standing results in a very difficult predicament; to relinquish one’s birth right to carry on traditions at the cost of losing human rights or break away from a tradition at the cost of losing sacred cultures.

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Implications of Social Status on the Need to Marry

While the position of women has varied throughout the history of India and currently there are laws in place to protect the human rights of women, greater evidence shows that for many centuries her position has continued to lack legal or social rights that could make her independent of the family into which she was born or married. The laws that are in place have no practical value. As in Northern India, the local practices and actions of the police do not reflect the legal doctrines. Women in both rural and urban areas, in the lowest and highest of castes, educated and uneducated are all placed at the bottom of the social structure from birth. They are only given value through marriage and all have a deep-rooted sense that unless they marry they will not be secure in this life or accepted in a higher place in the afterlife.

7 Mehta, The Western Educated Hindu Woman, 16.
This is evident in the documentary, *Pink Saris*. In each story told in the film the police and local law enforcement were involved in the dispute resolutions within families, but were ineffective at long-term abolition of domestic violence, rape and intra-family disputes.\(^8\) In this documentary, lower caste and untouchable girls were all subjected to brutal in-laws and unhappy marriages. While they all spoke up and bravely sought help from the Samat Pal and the Pink Gang,\(^9\) they all saw death as their only means of resolution when the legal system failed. In the first story of the documentary a pregnant girl, Rekha, was pondering her own suicide if she did not get married. Rekha faced being unmarriageable if she had a child out of wedlock. She also faced a mortal danger


\(9\) Pink Gang is led by Samat Pal, a local advocate and leader of the group in Northern India.
in that many girls are killed by their own families for committing such a ‘crime’.  

The second story was of a young girl who successfully sought a divorce in order to marry another man with whom she was deeply in love. This young girl, Renu, became suicidal after being deserted by her love who is from a higher caste that backed out of marrying her after his family objected. The consensus among these women (ages ranging from teen to quite mature) was that if they could not be married they had no value, nowhere to go and no family to claim. In the stories of a few women who were helped by the Samat Pal, it is clear that marriage is not an option but the means of her survival regardless of how brutal. In addition, each was married by her parents as part of their religious obligation and how the families are publicly and privately defined. 

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10 Longinotto, Pink Saris.

11 Ibid.
It has been stated that when a girl gets married the mother likes her better.\textsuperscript{13} Again, as seen in the Pink Saris documentary this mentality is a very real fact that women must acknowledge. Renu was rejected by her mother when she was abandoned by her suitor due to pressures and objections by his family.\textsuperscript{14} The girls’ mother did not wish to see her, nor did she care to visit her while she stayed in the care of Samat Pal. A girls’ survival as well as her family honor is at stake.

Another relationship that is of the deepest roots is at stake, the relationship of mother and daughter. The relationship between mothers and daughters is not one lacking in love or deep devotion. However, the piece that one must address in the understanding of how important marriage is to women and to their status is that the devotion to one’s

\begin{enumerate}
\item Mehta, \textit{The Western Educated Hindu Woman}, 17.
\item Cormack, \textit{The Hindu Woman}, 10.
\item Longinotto, \textit{Pink Saris}.
\end{enumerate}
husband is the highest form of religious righteousness. The mothers of daughters still must acknowledge her mortal soul and marital obligations. “Pativrata, the (concept of) complete devotion of the woman to her husband, alive or dead, seeing in him her god and her ultimate salvation, was the highest religious Dharma. Her reward came in inner satisfaction and in life hereafter. In spite of social changes, Pativrata continues to be the dominant attitude of women toward marriage in large segments of Hindu society.”¹⁵ In fact, the way in which a woman attains paradise is ‘not by virtue of any austere penance but as a result of her obedience and devotion to her husband’.¹⁶

Women in Northern India must marry in order to obtain spiritual success, a higher level of social status and a family to claim. The requirement and

¹⁵ Mehta, The Western Educated Hindu Woman, 19.

drive to marry is so inherent that girls would rather die than not be married. Once married, they still have family obligations that must be placed before their own safety, limited rights and a weak legal code to protect them from in-law abuse, rape and/or domestic violence.

The Highly Influential Area of Bengal

As a large and important region in Northern India, Bengal influences the rest of the region. This sub-section briefly notes the social status of women in Bengal. Almost all of Bengali society, particularly the western, is male dominated. The traditions and social norms bind women by depriving them of education, fair working conditions and lack or sexual or reproduction freedom. Women have minimal avenues for redress for abuse by in-laws or domestic violence. Divorces are granted, but the backlash and family rejection can be too high for many women to tolerate.

17 Tripath and Tiwari, Perspectives on Indian Women, 198.
In many cases, the rejection of their own family and the knowledge that they will be absolutely alone is far more frightening than continuing to live in an abusive situation.

In Bengal, and filtering to many other parts of the North Indian region, women in abusive situations also have incredibly high amounts of physical labor to do daily in the house of their in-laws. “Women are almost domestic slaves in household affairs even after fifty years of independence...women are oppressed both by parents and in-laws.”\textsuperscript{18} The oppression of women in the rural areas of Bengal is more common as women are less educated and far more prone to gender discrimination. However, in the urban areas they are more educated and are granted more freedom and involvement in family matters.\textsuperscript{19} The following sub-section looks at women with higher levels of education

\textsuperscript{18} Ibid.

\textsuperscript{19} Ibid.
are to help ascertain if education actually assists women in freeing themselves from the status chains they are born wearing.

**Educated Women and Marriage**

Women in the rural areas seem to be exposed to a great deal of vulnerability of entrapment by the social and marital structure. The lack of education clearly works against the ability of women to successfully move toward independence from the current marital system that leaves them at the mercy of their in-laws. However, it can be seen in Rama Mehta’s *The Western Educated Hindu Woman* that highly educated women felt equally bound to marry and helpless against the social and religious requirements as women with less education and exposure to other cultures. Most of the respondents in Mehta’s study had been married after undergraduate, graduate and post graduate education. Twelve of forty-two who had accepted arranged marriage felt they had no alternative.\(^{20}\) The
women in the piece by Mehta saw themselves as individuals with their own valuable views, but in spite of their education and heightened levels of self-confidence they were essentially afraid to contradict what was thought to be best for them. The great majority of the group saw marriage as the only real security for themselves.  

This is a mirror image to the way that the women in the rural area of the North feel. The more educated women did not actually say that unless they were married they would feel suicide is the next alternative, but they felt a clear sense of helplessness to the social norms that make marriage the only means for them to maintain their livelihood, security and family relationships.

The relationships that are destroyed if a woman does not marry also have catastrophic effects on the life any women, educated or uneducated. Hindu women

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20 Mehta, The Western Educated Hindu Woman, 106.

21 Ibid., 113.
depend on their personal relationships, as their success relies much more on personal relations than objective achievements.\textsuperscript{22}

Aastha, an educated and successful woman who married a man of a different caste six years previously exemplifies the loss of relations that is encountered even by the more “accepting” of families. After months of persuasion, the family accepted the inter-caste marriage, but her father has never spoken to her since. He has never met her children. Aastha says she is happy with her decision to marry her husband, but she is unhappy with the mindset of her parents. Astha goes on to proclaim that, “Because of their false beliefs, families are broken.” she says.\textsuperscript{23}

While Astha did marry her choice of suitors and

\textsuperscript{22} Cormack, \textit{The Hindu Woman}, 82.

attained personal independence, it destroyed her family. “Defying the practice of arranged marriage in India can tear families apart, particularly when young people go outside their castes. The Supreme Court has sided with the young couples, calling the caste system a ‘curse on the nation’.”  

The notion that the caste system is not as relevant as it was once was also mentioned by the people in the rural areas, depicted in Pink Saris. Many people were vocal in their belief that caste was not something that many people cared about anymore. However, this does not seem to be the over-arching case. Women in the lowest and highest castes are joined in that they must marry and must marry within their caste or higher. The thought of not marrying at all causes women throughout the social sphere to feel worthless and in many cases suicidal.

24 Ibid.

25 Longinotto, Pink Saris.
Conclusion

The women of North India, regardless of caste affiliations and education levels all suffer from the notion that marriage is the only way that they can survive in this life, maintain their family connections and find peace in the afterlife. Women of all backgrounds within the northern region stand alone if they do not stand with a husband and his family. “It is not culturally acceptable to show aggression (accept in a time of crisis), and therefore the frustration can only point inwards, resulting in resignation and submission. This is the price the Hindu woman pays for her security.”

CHAPTER 2
DOWRY & DOWRY-MURDER IN NORTHERN INDIA

The goal of this chapter is to develop a link between the customary practices of dowry giving in marriage and the impact that custom has on the act of dowry-murder. In doing this, first there is an overview of what dowry practices are in northern India and how they have developed over time. Once the broad foundation of dowry practice is established, the analysis moves to connect how that practice has led to increasing numbers of dowry-murders within certain sections of the region.
Dowry

Dowry in India

The origins of the practice of dowry in India can be placed approximately in the 13th or 14th century AD based on the Hindu law of the Mitakshara system. Historically dowry is defined as an offering of goods from the bride and her family to the groom and his family. In India the relationship between dowry and marriage is quite unique in that the dowry gift acts as medium for both religious and material satisfaction. In the traditional dowry system in India, dowry was a means for a woman to have property transferred to her at the time of marriage. However,

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2 Ibid.

dowry in India has also always been a way of demonstrating and sometimes obtaining status.\(^4\)

The Hindu people of India are deeply spiritual. The impact of this high level of spirituality helped to create a religious value of the custom of dowry. In India the gift of *dakshina* is given to a Brahim priest without reciprocation that blesses the gift giver. The same theory is applied to dowry. A father does not receive anything in return for the dowry of his daughter, but he does obtain status and honor. The bride faces the loss of her life, while her new in-laws and her own family gain status and valuable goods.\(^5\)

This honor was not historically for society as a whole. The act of giving one’s daughter and her dowry was a holy act; it was only practiced by the most holy caste, the Brahimins. The lower castes

\(^4\) Ibid.

\(^5\) Ibid.
utilized the brideprice, where the groom’s family offered gifts to the bride’s family for the loss of a daughter. Hence, the dowry practice was a status symbol of high castes. While early in Indian history the dowry system was only practiced by the highest caste, with the development of the Indian economy, more inclusion into the dowry system of marriage arrangements became available. As will be discussed later in this chapter, the monetization of India resulted in a shift in the demand for cash and materials goods; therefore, an opportunity for those in lower castes to purchase the access to status that was never before available.

Dowry practice began to expand in the past few decades to the point where legislators were compelled to attempt to stop the practice through legal codes. In an effort to mitigate the expansion in the practice of dowry and the residual effects, such as dowry-murders, laws have been put in place to ban the

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6 Ibid.
practice. In 1986, after the laws and amendments made to the Dowry Prohibition Act of 1961 failed to work, the government made the practice of dowry punishable with “not less than five years imprisonment and a fine not less than fifteen thousand rupees, or the amount of such dowry whichever is more.” The legislation that was put in place has not had the effect of minimizing the practice of dowry. In India, the historical, religious and cultural aspects of the practice far outweigh the strength of the government.

**Origin in Northern India**

While the entire nation had been affected by the development of the dowry system, this analysis looks specifically at the northern region of India. The northern states of India are characterized by the patrilineal inheritance system (descent traced through

male lineage) and a patrilocal residence system (where the bride and groom live with the groom’s family). An additional characteristic of the northern states is that dowry is “movable goods only”, unlike the south where dowry may include land. This makes the north more susceptible to the increasing shifts to material demands and desires that come with monetization and modernization. In north India the increasing demand for dowry was noted at the beginning of the twentieth century in upper caste Bengal and has subsequently spread throughout the region.

Another important aspect of northern Indian dowry practice is that the cultural system of dowry is seen as the collective property of the woman’s in-

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8 Dalmia and Lawrence, The Institution of Dowry in India, 74.

laws. This is another piece that makes the northern region far more vulnerable to increases in in-law dowry demands. The groom’s family assumes ownership rights over all material items and cash that the bride brings to the marriage and that are received after the marriage takes place.

**Practices and Custom of Dowry in Northern India**

While it is commonly held that the dowry custom is practiced more in the upper castes, in the north, dowry payments are common among both upper and lower castes. This is based on their kinship patterns and the lower female participation in the work and labor force. “Dowries are twenty eight percent higher in Uttar Pradesh (north India) than in Karnataka (south India).”

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10 J. Rudd, *Dowry-Murder*, 517.

11 Dalmia and Lawrence, *The Institution of Dowry in India*, 75.

12 Ibid., 87.
Today in northern India the dowry amount is not decreased by the value of a bride’s education or ability to successfully join the workforce. In fact, evidence shows that while counter intuitive, a bride with more education will likely pay a higher dowry. This phenomenon is possibly a result of the hypergamous marriage market in which women generally marry men who have equal or better education levels.\textsuperscript{13}

The north places a premium on male education.\textsuperscript{14} Hence, in the north families of women find themselves needing to offer more dowries for more desirable bride grooms. Another result of this premium on male education is that dowries paid become a mechanism to control competition for the limited number of desirable husbands.\textsuperscript{15} The most educated brides are competing in a smaller market for fewer eligible men

\textsuperscript{13} Ibid., 86.
\textsuperscript{14} Ibid., 87.
\textsuperscript{15} Ibid., 86.
of equal education levels that they demand, hence driving up the dowry price.\textsuperscript{16} Essentially, dowry givers are forced to compete upwards for the scarce bride grooms at the top.\textsuperscript{17}

An alternative possibility for this phenomenon is that the education level of a woman displays her household wealth.\textsuperscript{18} In this case, women will better educate themselves to promote the material wealth of their own family in an effort to attract a bridegroom. Either scenario requires women and their families to publically display the dowry that comes with them in marriage, hence creating a competition among women for a smaller pool of men.

**Impact of the Dowry**

The expectation of suitable dowry leads to a heavy financial burden on the females’ families. This

\textsuperscript{16} Ibid., 87.


\textsuperscript{18} Dalmia and Lawrence, The Institution of Dowry in India, 86.
leads many daughters to be unwelcome in their own homes.\(^{19}\) As previously mentioned, girls are not born into the home with a high value. In fact the pressure to pay a dowry in order to secure a marriage (an absolute requirement in the life of an Indian girl) has another subsequent result. The subjugation of women is justified by the notion that a woman’s purity increases her value. The girls ‘sacred status’ was used to justify restricting her movements in the form of purdah. Women who have a high moral standard, demonstrated in their strict purdah, are a status symbol for their husbands.\(^{20}\) Men have a higher value by birth, as a commodity over whom women must compete and social stigmas that require women to maintain the highest levels of purity provide justification for suppressing women and aides the continual perception of females as a burden.

\(^{19}\) Rudd, *Dowry-Murder*, 515.

\(^{20}\) Ibid.
The economic side to the situation in northern India provides an outlet for a bridegroom’s family to actually assist their own daughter. The family of a groom can use the dowry received to pay debt for his education (the education that made him a more desirable groom choice) or to provide dowry for the groom’s sister.²¹ Increasingly, dowry is a means to a financial end for grooms and their families. Brides have virtually no rights to their items of monies the brought to their new home with their in-laws. “None of the dowry goes directly to the woman, who becomes increasingly defined as a means by which to obtain cash.”²²

Dowry-Murder

Northern India and Dowry “Gone Wrong”

Dowry has deteriorated into a “bargaining system in which bridegrooms go to the highest bidder”.²³ Dowry

²¹ Ibid., 517.
²² Ibid., 515.
as a means for a bride’s family to obtain status and a 
groom’s family to obtain material goods has resulted 
in the loss of control and status in the home begins 
when the bride moves in with the groom’s family. This 
leaves them incredibly susceptible to domestic abuse 
and fatal violence at the hands of in-laws with unmet 
material desires. The abuse tends to begin when the 
husband and/or in-laws demanding more goods from her 
family. If they do not comply, a “staged accident, 
dowry burning” may occur.²⁴

Women who have entered into a marriage situation 
with a rich dowry or a small dowry both face the same 
danger, in-laws that require more dowries. A small 
dowry can lead to a women being continually harassed

²³ Ibid., 515.

²⁴ Pamela Johnson and Jennifer Johnson, “The 
Oppression of Women in India,” Violence Against Women 7, 
no. 9, (September 2001),
by the groom’s family.\textsuperscript{25} Alternatively, a woman who came with a large dowry, will be expected to have parents that will continue to provide any items or cash amounts demanded throughout the life of the marriage. The danger is that once cash and goods stop flowing to the groom and his family, the woman becomes expendable.\textsuperscript{26} Historically, gifts were passed from the bride’s family to the groom’s on holidays. This has become the most threatening aspect, as the expectation of continually receiving gifts puts women at risk when disagreements occur or disappointed in-laws react.\textsuperscript{27} Presently, the expected gifts among urban middle class families include gifts of televisions, scooters, refrigerators and large sums of cash. Many relate modern dowry and dowry deaths to frustrations in the urban middle class brought on by consumerism, status-

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\textsuperscript{25} Bhat and Halli, \textit{Demography of Brideprice and Dowry}, 130. \\
\textsuperscript{26} J. Rudd, \textit{Dowry-Murder}, 515. \\
\textsuperscript{27} Ibid., 517.
\end{flushright}
seeking and life-style expectations that they cannot obtain on their own earning power.²⁸

A Breakdown of Dowry-Murder

A woman whose family cannot meet the demands of her in-laws in northern India can find herself in grave danger. The ultimate danger is being the victim of dowry-murder. Generally, dowry-murder is defined as the killing of a woman for not bringing enough dowries into the marriage.²⁹

Dowry-murder, also known as dowry-burning, is a fatal act against a woman. It occurs when a wife is doused with kerosene by her husband and/or in-laws and set on fire. Authorities investigate and usually categorize incident as a cooking accident.³⁰ The deaths are grotesque in nature. They are commonly perpetrated by pouring kerosene on a woman and setting her on

²⁸ Stone and James, Dowry, Bride-burning and Female Power in India, 127.
²⁹ J. Rudd, Dowry-Murder, 513.
³⁰ Johnson and Johnson, The Oppression of Women in India, 1060.
fire, as kerosene is in every Indian kitchen, and it offers a plausible explanation for an "accident" while a woman is boiling milk or making supper.\textsuperscript{31}

In terms of geographic distribution, dowry murder is allegedly more prevalent in northern India. While some will argue that the practice is concentrated in certain areas, these areas are predominately in northern regions such as Harayana, Punjab and Uttar Pradesh.\textsuperscript{32} They occur more in arranged marriages than in love marriages.

Police figures indicate that 2755 women died from dowry burning between 1979 and 1983.\textsuperscript{33} Additional reports showed that at least two thousand per year women are victims of dowry deaths. The area with the greatest problem is New Delhi, with an estimated two

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\textsuperscript{32} Johnson and Johnson, The Oppression of Women in India, 1052.

\textsuperscript{33} Ibid.
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dowry deaths per day. In the 2011 report by International Health 3, analysis showed that there are approximately fifteen thousand dowry related deaths per year that are likely kitchen fires designed to look like accidents. The number of reported cases increases every year, but it cannot be determined if this represents a higher number of cases or a higher number of cases being reported. It can still be deduced there are many incidents going unreported as the number of young married women with severe burns reported by hospitals is higher than reports of violence against women by burning.

34 Stone and James, Dowry, Bride-burning and Female Power in India, 127.


36 Stone and James, Dowry, Bride-burning and Female power in India, 127.
The cause of dowry-murder is usually inadequate dowry. While a small dowry is the most common cause, the motivations range from a wife not entering into the marriage with enough dowry, the wife’s family is not complying with additional demands for gifts or if she is deemed as not fulfilling her role as a good wife. This leads to the groom and/or his family wanting another wife to allow for remarriage and the opportunity to gain more dowries. This scenario also creates the potential for another burning.

In many instances the act is committed by the groom and his mother. The role of the mother-in-law can be as a supporting role to her son or as an actual participant in the act. Today in India, it is against the law to practice dowry giving or commit dowry-murder. The laws, however, are not upheld;

37 Ibid.
38 Ibid., 125.
39 Johnson and Johnson, The Oppression of Women in India, 1060.
40 Ibid., 1062.
as a result of the police ignoring the crime or the failure of anyone to report the crime.\textsuperscript{41} Since the economic crisis of the 1970’s, dowry practice has increased exponentially, and with it dowry-murder.\textsuperscript{42}

\textbf{Stories of Dowry-Murder}

The few stories in this section represent only the smallest sample of those who have fallen victim to dowry-violence. The thousands of women killed every year stand silently behind the stories of victims below whose voices have somehow been able to be heard.

\textbf{The Story of a Survivor (Economic Motivation)}

In the 1995 Women’s International Forum, Dowry, Bride-Burning and Female Power India, Linda Stone and Caroline James tell a story of a woman known only as “Sita”.\textsuperscript{43} Sita is a survivor of an attempted burning. The daughter of a successful businessman, Sita entered

\textsuperscript{41} Ibid., 1063.

\textsuperscript{42} J. Rudd, Dowry-Murder, 519.

\textsuperscript{43} Stone and James, Dowry-Bride-burning and Female Power in India, 128-129.
her marriage with eight thousand dollars in cash, fancy clothes, gold jewelry and household appliances. Although in addition to the initial dowry, her parents sent gifts throughout the year. Her in-laws did not think this was enough. They complained to her husband that she was not a good wife and he should get another.

One night, after the birth of her son, Sita’s mother-in-law and another female relative told her to take her gold jewelry off when she entered in the house. At the time Sita did not know why, but obeyed. As chance would have it, that night the electricity went out and her mother-in-law took a matchbox from the bedroom where Sita and her young son were sleeping. Sita woke up that night to her husband pouring kerosene on the blanket which covered her and her son. Thanks to the lights going out and her mother-in-law needing to use the matches for lamps, her husband could not ignite the bed, Sita or son. Her husband’s attempt to burn her to death failed, but he
did eventually remarry and his family kept all the items that were obtained throughout the marriage.

**A Father’s Story (A Helpless Position and Lack of Justice)**

Stone and Caroline also tell a story of a father who began having trouble with his daughter’s in-laws at the on-set of the marriage.⁴⁴ They demanded diamond jewels over gold, fancy clothes for their sons’ sisters, electronics and appliances. The father was terrified for his daughter’s safety as unmet dowry demands were known to result in abuse or death. Due to this fear he met as many of the demands as he could afford. He told them he would pay anything possible, but hey may have to wait a bit. After one demand was not met immediately, he assumed that they realized he had little left. The next day his daughter was dead. There has never been an investigation into his daughter’s death and his son-in-law is free to marry again.

⁴⁴ Ibid., 129.
Mrs. Krishna Puri recalled the story of her daughter’s match, marriage and death in an article published by the Atlantic Magazine in 1986, *Dowry Murders: A Bride Whose Family Can't Reward the Groom May Pay with Her Life.* Mrs. Puri thought she had found an ideal match for her college educated daughter, Renu Puri in Rajesh Balla who was a computer engineer. The groom’s family demanded a rich dowry in cash and electronics, and Renu’s parents found the means to meet the high demands for such a match.

However, the man that provided such a prestigious husband for Renu also wanted to go to the United States. Renu, who was a “modern girl”, did not want to leave India and voiced her objection of the idea that they make such a move. It was at this point that in response to Renu’s disobedience, Rajesh began making outrageous demands of her parents. He demanded

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45 Bordewich, 21.
thousands of rupees for a shopping trip to Hong Kong and a car. They could not meet his demands. It was not long after that Renu’s father received a call to his office that his daughter, who was a college beauty queen, had been burned beyond recognition. Renu Puri survived a week in the hospital before dying of the burns she suffered at the hand of her husband.

Unlike the story of the father whose daughter’s killer(s) remain unpunished, Rajesh Balla was arrested, convicted and serving a life sentence for his crime. Also noted in the Dowry Murders article, Rajesh is the rare case of an attacker that is brought to justice by the court system.

In 1986 an amendment was made to the Dowry Prohibition Act that included a definition of dowry death and made the act punishable by seven years to life imprisonment. This law was crippled when a judge ruled in favor of a dead bride, that her husband and his parents be sentenced to murder for her death, his ruling was overturned in an historic decision by the
high court. Clearly the laws were not successful. The issue with the law is that while they are in place, there is nothing in place to alter the way that police and court officials enforce them.

**Conclusion**

This chapter aimed to bring to light the practice of dowry in northern India as it leads to the perpetration of dowry-murders. The driving force of the bride as an inevitably ‘expendable commodity’ is the growing of a cash-based economy and commercialized dowry in northern India, which for a small number of communities results in increased incidents of dowry-murders. This effect is despite the new law as and educational opportunities in place to support them.

Monetization of India has led women to lose the ritual power and lose what control they had prior to

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46 Johnson and Johnson, *The Oppression of Women in India*, 1064.

47 Ibid., 1064.

marriage. They have become very vulnerable to being easily replaced. They are seen simply as commodity suppliers, which results in them also being vulnerable to criticism, abuse and murder by the groom and the groom’s family. One cannot blame modernization entirely. Clearly there is a materialism and greed that emanates from the people who are willing to commit these crimes for material gain. It would be unfair to pretend that material gain of some kind is not a motivation for murders around the world. That simply is not true.

While there is an obvious moral dilemma, the analysis is not intended to serve a moral judgment. This chapter is meant to explain the links and draw clear lines between where and how the custom of dowry impacts the practice of dowry-murder. While there is not an exorbitant amount of data on dowry-murders, it appears as though these murders are a “fairly recent

\[49\] Ibid., 516.
phenomenon that seems to have come into ‘systemic existence’ in the last three decades.”

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50 Ibid., 513.
CHAPTER 3
FEMALE-INFANTICIDE & SEX-SELECTIVE ABORTION

Female-Infanticide versus Sex-Selective Abortion

In Northern India the situation that the demand for dowries has created played a large role in the prevalence of female-infanticide and sex-selective abortion. The two are similar in that they both eliminate female babies but there are, however, distinct differences. The differences in these acts are self-explanatory, and the practices are defined, in many cases, by class. In both cases, the motivation is that the economically excruciating demand for dowry (to obtain a marriage for their daughter as well as meet the continual demand of her in-laws), is simply too much of a burden for a girl’s family to handle.

Female-Infanticide

The universal definition for female-infanticide is the intentional killing of baby girls due to the preference for male babies and from the low value
associated with the birth of females.\textsuperscript{1} However, the phenomenon of female infanticide is as old as many cultures and remains a critical concern in a number of "Third World" countries today, particularly in India.\textsuperscript{2}

A large part of the concern is that the practice has become a justifiable solution to an economic issue. "In rural India, the centuries-old practice of female infanticide can still be considered a wise course of action."\textsuperscript{3} While female infanticide may seem wise, it is an undoubtedly brutal act. "Female infanticide is a common practice, especially in the rural parts of India. In some cases the only consideration the baby gets in her short and


\textsuperscript{2} Ibid.

unfortunate life is that she's drowned in milk and not water.\textsuperscript{4}

\textbf{Sex-Selective Abortions}

The act of infant homicide is extreme, and is prevalent among impoverished people. Unfortunately, the poor are not the only Indians who do not want daughters. More affluent residents of Bombay and other cities simply resort to a more clinical procedure - the abortion of a fetus if an ultrasound test shows it to be female.\textsuperscript{5} This practice, aborting a fetus upon learning it is a girl, is referred to as sex-selective abortion. Sex-selective abortions target female fetuses almost exclusively.\textsuperscript{6}


\textsuperscript{5} Dahlburg, \textit{The Toronto Star}.

Evidence of Female-Infanticide and Sex-Selective Abortions in Northern India

Due to many factors, hard data is difficult to come by in cases of female-infanticide and sex-selective abortions. First, many deliveries take place in remote rural areas, where record-keeping is poor. Second, in these rural areas it is easy to attribute the death of an infant to natural causes. However, population data provide a glimpse into the skewed distribution of women versus men in India. It indicates that there is a much larger problem than any records show. “The sex ratio—number of females per 1,000 males has decreased from 972 in 1991 to 933, according to the Indian Census Report of 2001. From 1981 to 1991 an estimated 1.2 million female children were reported missing.”

As noted above, in rural areas, female infanticides are easy to attribute to natural causes and can be hidden after the fact. In urban areas, one

7 Verma, “Missing Miss India,” 28.

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notes a different pattern. In urban areas, easier access to modern medical technology enables women to act before the girl baby is born. Through amniocentesis, women can learn the sex of a fetus and have sex-selective abortions. At one clinic in Bombay, of eight thousand abortions performed after amniocentesis, 7,999 were of female fetuses. In Jaipur, capital of the western state of Rajasthan, prenatal sex determination tests result in an estimated 3,500 abortions of female fetuses annually.

**Female-Infanticide as Related to Dowry**

In Northern India, certain segments have a long history of female-infanticide. The practice was known to be very common among the Rajputs. “The Rajputs

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9 Dahlburg, The Toronto Star.
would kill their female daughter just after birth or soon after as they had to incur a great debt for getting her married.”

The bottom line is that if the girl cannot be married, she is worthless. The core of this dilemma is that she cannot be married without the family incurring a large monetary loss to pay her dowry. “A Rajput does away with his daughter in the belief that no one would be anxious to marry her and the family would be disgraced if she grew up an old maid.”

In an interview conducted by Kamala Gupta one Rajput father explains that he had no excuse to offer for prevalent infanticide in his community other than the anticipated difficulty of finding a husband for his daughter when she attained a marriable age.

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11 Ibid.

12 Ibid.

13 Ibid.
Explaining further, the father discloses that due to the strict caste code, the daughter could not marry within her tribe and for her to remain unmarried would have brought shame to the family, even if a suitable husband could not be found.\textsuperscript{14}

The Rajput father in the above interview is one of many that subscribe to the widely-held bias against women that they have a negative monetary value. The bias against females in India is related to the fact that male children are a source of income and a sense of financial security, whereas female children will cost the family an evitable, yet undetermined amount of money in dowry. With this perspective, it becomes clearer that the high value given to males decreases the value given to females, and that the problem is also intimately tied to the institution of dowry.\textsuperscript{15}

\textsuperscript{14} Ibid.

Though formally outlawed, the institution is still pervasive. "The combination of dowry and wedding expenses usually adds up to more than a million rupees ($35,000). In India the average civil servant earns about 100,000 rupees ($3,500) a year. Given these figures combined with the low status of women it is not hard to imagine that female children are seen as financially crippling.\(^{16}\)

While the custom and tradition dictate that girls must be a financial burden to their families, the darker side is that the burden is so great that it puts girls in mortal danger from the moment of their birth. Women are perceived as a net loss to the family wealth. They take away dowry and don't bring in a bride price. To the father of a child, a girl is a net outflow.\(^{17}\)

"The instruction to kill a girl baby usually comes

\(^{16}\) Ibid.

\(^{17}\) Dahlburg, The Toronto Star.
from the patriarch of the family. Refusal to carry out the order would mean severe punishment."

In a story relayed in *Missing Miss India* by Priya Verma, one midwife recalls the pleas of a mother whose infant she had been ordered to kill just weeks before giving the interview. Verma recalls how her husband threatened to kill the baby by smashing the baby's head against the wall while she was crying for the baby's life. At the opposite end of that spectrum are the midwives whom have convinced themselves that they are "liberating" female souls by carrying out mercy killings before they experience persecution in a male-dominated society.

The northern India society is a male-dominated one, but it is not uncommon for women to act as the perpetrators of female infanticide. In the 1993 Washington Post special edition, *Born Oppressed;*

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19 Ibid.
20 Ibid.
Women in the Developing World Face Cradle-to-Grave Discrimination and Poverty, a woman tells the tragic story of her infant daughter’s death:

Rani returned home from the hospital cradling her newborn daughter, the men in the family slipped out of her mud hut while she and her mother-in-law mashed poisonous oleander seeds into a dollop of oil and forced it down the infant's throat. As soon as darkness fell, Rani crept into a nearby field and buried her baby girl in a shallow, unmarked grave next to a small stream. "I never felt any sorrow," Rani, a farm laborer with a weather-beaten face, said through an interpreter. "There was a lot of bitterness in my heart toward the baby because the gods should have given me a son."

In the same Washington Post piece, it was reported that every year potentially thousands of newborn girls in India are murdered by their mothers simply because they are female. The belief among many women is that sacrificing a daughter guarantees a son in the next pregnancy. However in many other cases, the family

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cannot afford the dowry that would eventually be demanded for a girl's marriage.\footnote{22}{Ibid.}

**Sex Selective Abortion as Related to Dowry**

India is also the heartland of sex-selective abortion. As reported by Gendercide.org, amniocentesis was introduced in 1974 to screen for birth defects in certain segments of the population, but the procedure was quickly appropriated by medical entrepreneurs and a surge of sex-selective abortions followed.\footnote{23}{Gendercide, “Case Study: Female Infanticide-Focus:(1) India(2) China,” \url{http://www.gendercide.org/case_infanticide.html} (accessed February 20, 2012).} The same study also points out that the women who abort knowing that the fetus is female are actively taking a stand “against equality and the right to life for girls”. In many cases, however, the pregnant women are victims of a male dominated society that prefers male children.\footnote{24}{Ibid.}
The level of that preference can be seen in the favoritism shown in the treatment of male children. Such preference can also be quantified as more studies are providing empirical data of how many abortions occur based on sex. “More than two million fetuses are killed in India every year through abortion simply because they are female.”

In a report by Priya Verma, she indicates that northern India, especially the states of Haryana and Rajasthan, she was surprised to see the large number of abortion clinics. The number of facilities as well as the marketing of the procedure was shocking to her. Verma refers to the sales techniques as “disgusting, though doubtless effective, marketing strategies of such clinics.” She recalls coming across huge


26 Ibid.

27 Ibid.
billboards that read: "'invest Rs.500 now [on abortion] and save Rs.50,000 later [in dowry].'"²⁸

Conclusion

In northern India the system of dowry and the structure of the marriage system lead parents to desperate and brutal measures. "The combination of dowry and wedding expenses for a girl's parents often adds up to their life's savings. A son is an asset. Someone in whom the parents invest, someone who takes care of the elders in their old age."²⁹ A female is a cost that families simply cannot afford. Female infanticide reflects the low status accorded to women in most parts of the world; it is arguably the most brutal and destructive manifestation of the anti-female bias that pervades "patriarchal" societies."³⁰

²⁸ Ibid.
²⁹ Ibid.
Even though laws against female feticide have existed for almost a decade, the government has been unable to end the problem.\textsuperscript{31}

The increasing problem of sex-selective abortion also is indicative of the problems incurred by the marital system. According to a 1988 report by India's Department of Women and Child Development: "The Indian woman on an average has eight to nine pregnancies, resulting in a little over six live births, of which four or five survive. She is estimated to spend 80 per cent of her reproductive years in pregnancy and lactation."\textsuperscript{32}

Both female-infanticides and sex-selective abortions are the growing methods of oppressing girls to avoid dowry. The practice of dowry-murder is a post-marital event that is difficult to avoid: once a girl has entered the home of her husband and in-laws

\textsuperscript{31} Verma, "Missing Miss India," 30.

\textsuperscript{32} Anderson and Moore, "Born Oppressed," The Washington Post.
who would like to see her murdered rather than accept the fact that her family will not be able to meet their exorbitant dowry demands. Female infanticide and sex-selective abortions are the methods that can be used as a means to avoid financial and emotional trauma of marrying a girl and meeting dowry demands.
CHAPTER 4
ENDING THE CRIMES

State Actions Dowry and Dowry Murders

The Dowry Prohibition Act of 1961, which was amended in 1984 and 1986, bans paying and receiving dowries.¹ However, it has not been effective in ending the dowry-related crimes. Minister of Women and Children, Krishna Tirath, reported to the upper house of Parliament that the rates for dowry-related murders were relatively unchanged with 23.3 percent in 2010 compared to 27.3 percent in 2006.² Tirath also stated that making police more sensitive to gender violence, minimizing delays in investigations of crimes against women, and setting up 'women cells' to specifically


deal with such cases in some areas was necessary. There is no evidence that Minister Tirath’s recommendations have been adopted.

In fact, the latest figures from India’s National Crime Records Bureau have record of 8,391 cases of dowry-related deaths in 2010 compared to 8,383 the previous year.³ Further evidence is that the laws are failing is in another report by the National Crime Records Bureau. The NCRB reports that there were almost ninety thousand cases of torture and cruelty towards women by their husbands or family in 2010. The numbers in 2010 are an increase of five percent from 2009.⁴ Ranjana Kumari, who runs seven domestic violence refuge centers for women in Delhi, believes up to seventy cases per month are linked to fights over dowry.⁵

³ Ibid.
⁴ Ibid.
In her reply to legislators on how to respond to the obvious failures of law enforcement, Minister Tirath emphasized the need for fundamental changes in the attitudes and practices of state-level law enforcement officers if things are to get better. She pointed out that “the primary responsibility of prevention, detection, registration, investigation and prosecution of crimes, including crimes against women, lies with the state governments...”\(^6\) The lack of enforcement of the laws protecting women are weak at best. The laws simply do not deter any crimes against women and do nothing to control or decrease the numbers of dowry-murders each year.


State Actions Female-Infanticide and Sex-Selective Abortion

The India Pre-Natal Diagnostics Techniques (Regulation and Prevention of Misuse) Act of 1994, which was amended in 2002, bans sex determination tests. This law has proven difficult to enforce. In northern India, it is a near impossible task to stop a woman from having an amniocentesis and terminating a pregnancy of a female fetus that she does not want or that she has been instructed by her husband to abort. In theory, a conviction could mean life imprisonment or even the death penalty. However, the reality is that even in the unlikely event that the parents are caught, corruption in the local police gets in the way of prosecution.\(^7\)

\(^7\) Ibid.

\(^8\) Verma, “Missing Miss India,” 30.
In an attempt to combat the problem at its early stage, the Indian Council for Child Welfare$^9$ has adolescent training programs that teach girls between the ages of twelve and sixteen self-confidence, hygiene, and health. Upon the completion of the program, girls take an oath to refuse to take part in female-infanticide.$^{10}$

Yet, the steps surely are not enough. To instill self-esteem in girls, they need to be allowed to complete their education and allowed to acquire marketable skills before they marry. Perhaps that would allow them to make different decisions. Entering marriage with significant earning power would surely enhance their status with in-laws and allow them to welcome the birth of daughters.

$^9$The Indian Council for Child Welfare was established in the 1950’s and is funded by a private Board of Trustees and an established Deed of Trust. It is located in New Delhi. The Council specializes in child advocacy, special education, training for child care workers and rehabilitation for abandoned children, [http://www.iccw.in/aboutus.html](http://www.iccw.in/aboutus.html) (accessed on 3/21/2012).

$^{10}$Verma, “Missing Miss India,” 30.
Prima Verma recounts that the state governments of India have taken some steps to combat female infanticide and sex-selective abortion. In 1992, the Jayalaitha Protection Scheme for the Girl Child was enacted.\textsuperscript{11} Under the provisions of this program, a poor family with one or two girls and no sons would be eligible for monetary incentives if one parent agreed to be sterilized. Money given in the name of the infant girl would be held in a fixed deposit account until she turned twenty-one, at which time it could be used as dowry.\textsuperscript{12} The "Cradle Babies" program was also developed to encourage families to leave their unwanted female infants in cradles arranged in government health centers, rather than kill them.\textsuperscript{13}

In Rajasthan, another program was developed to advance the education of girls. Kasturba Gandhi Balika Vidyalaya (KGBV) residential schools were established

\textsuperscript{11} Ibid.
\textsuperscript{12} Ibid.
\textsuperscript{13} Ibid.
in 2004 under the Sarva Shiksha Abhiyan (SSA) as an incentive to poor and mostly illiterate parents to send their daughters to school. The target demographic of the schools are girls between eleven and sixteen years old who belong to historically disadvantaged areas and have either dropped out of school or have never been to school at all.\textsuperscript{14} The schools were established in all districts of the country where female literacy is below the national average and gender gaps are large. The primary goal is to enable the girls to escape from their traditionally inferior status at home and complete their primary education.\textsuperscript{15} Approximately two hundred residential schools have been established in Rajasthan, which is one of India’s most educationally challenged states.\textsuperscript{16}


\textsuperscript{15} Ibid.

\textsuperscript{16} Ibid.
According to an article in the World Bank Newsletter in 2009, the residential schools were changing the lives of the young women who attend for the better. One young girl, Madhubala Bishnoi, recounts in the same article that she enjoys the new life of studying with friends and learning how to use a computer.¹⁷ “This complete turnaround in her life came about a year ago when her parents, after much convincing, sent her to the nearest Kasturba Gandhi Balika Vidyalaya (KGBV) residential school to finally get an education.”¹⁸

Social Movements and Changes from Social Norms

Change is slow, but many programs have been put in place to fight discrimination.¹⁹ Dowry-murder, female-infanticide and sex-selective abortions will continue to increase unless social norms can change.

¹⁷ Ibid.
¹⁸ Ibid.
While legal and legislative measures have seemed to have failed, movement’s way from the current social norms seems to be the only way to end the vicious cycle of dowry, dowry-murder and female infanticide/sex-selective abortion. “The deviation from the social norms governing the behavior of women in public has proved to be one of the most critical factors.”\textsuperscript{20} In her report Priya Mehta states that it is her strong belief that the age-old system of females being considered unequal to their male counterparts still exists in India and discrimination toward girls is buried deep within the social system.\textsuperscript{21}

\textbf{Outlook for the Future}

The evidence is clear that legislation has not been successful in combating dowry-murders, female-infanticides or sex-selective abortions. However, change in the mind-set and social norms seems to be

\textsuperscript{20} Maria Mies, \textit{Indian Women and Patriarchy: Conflicts and Dilemmas of Students and Working Women} (New Dehli: Concept Publishing Company, 1979), 271.

\textsuperscript{21} Verma, “Missing Miss India,” 30.
the key to progress and change for the people affected.

In a telling statement made by a husband in the documentary *Pink Saris*, he proclaims that nobody believes the in arranged marriages anymore and if his wife wanted a divorce she could have one.  

This stand-point is an obviously new-age opinion for his community. Another example of a new outlook is in an interview conducted by Rama Mehta, where one mother states that she cannot afford dowry and education, but has chosen education for her girls. The woman states that “Education is the best dowry that a parent can give her daughter.”

Perhaps the most encouraging actions of all can come from women themselves. In a BBC story from 2003, Nisha Sharma called the police and had her husband arrested for abuse when she refused to meet his additional dowry demands. Her case is rare and the

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22 Longinotto, *Pink Saris*.

23 Mehta, *The Western Educated Hindu Woman*, 133.
actual arrest and conviction of a husband and his family, also rare. The fact that she did it and had the support of her own family is a positive move in the direction toward progress and the end to dowry-murder and female-infanticide.

Social movements are slowly assisting people with alternatives to murdering newborn babies or having gender-driven abortions. The strongest weapon that has proven to work is the changing of social norms on the part of individuals simply living their lives. Examples can be seen in Samat Pal and her Pink Gang, mothers who chose to educate their daughters over providing dowry and women who run from their abusers and force the laws into action. In order for change to truly occur, it must continue to come from the individuals who until recently have been silenced and hidden in the small communities the live in within a vast nation.


Gendercide. “Case Study: Female Infanticide Focus: (1) India (2) China.”


Indic Studies Foundation.


Religion Facts.  


