

BRIDE-BURNING

Until Death Do Us Part

I am your valuable,|The pure gold baby,|That melts to a shriek,|I turn and burn,|Do not think I underestimate your|great concern,|Ash, ash|You poke and stir,|Flesh, bone, there is nothing there—A cake of soap,|A wedding ring,|A gold filling.

— Sylvia Plath in *Lady Lazarus*

NO AMOUNT of civilised debate can take away from the savagery of the traditional Indian marriage. In the last few weeks, eight women have died in Delhi alone, victims of their in-laws' lust for more and more dowry. A couple of them may be suicides, but even those are morally culpable. The victims ranged in age from 17 to 26. Last fortnight it seemed as if summer's incandescent heat had suddenly brought cruelty to boiling point.

Dowry is a conundrum defying rational solution. Twenty-one years after the toothless Dowry Prohibition Act was passed, dowry seems to be battenning on the consumer society. Cash presents are now trailed by demands for jewellery, utensils, gas connections, a scooter, a refrigerator, and a host of other goods. Delhi has been a nursery of women's movements; the city abounds in women's organisations, all committed to struggle against sexism, sexual violence, rape, murder, eve-teasing, and inequality. But they have not succeeded in slowing the dowry juggernaut as it crushes one victim after another.

Disputed Statistics: Delhi Administration figures from 1979 to May 1982 for crimes against women—ranging from murders to attempted suicides—show that murders in particular are dropping in number (see chart). But women's organisations dispute police statistics about dowry deaths. They claim that there were as many as 394 dowry deaths during 1980 alone, up from 375 during International Women's Year, 1975. The police are also accused of dragging their feet over dowry cases, and of being amenable to easy persuasion by the boy's parents. For this reason, police figures definitely seem to be extremely low and unrealistic.

The latest spate of dowry deaths began



(From left) Geeta Malik, Neelam Khanna, and Chander Mohini Saluja: victims of greed

on May 30, when Prem Lata, a Punjabi Bagh mother of two, and Kusum, were both burnt to death. Two days later, Bharati Narula, 20, died of burns sustained in the house of her father-in-law Prithvi Raj Narula, a teleprinter operator in the Press Trust of India. Bharati's death came as a rap on the knees of the press, and there was a huge uproar. The Narulas, apart from being denied bail by an additional sessions judge, have become targets of ostracism and neighbourhood rage.

But the grim toll did not end. On June 5, lecturer Shakuntala Arora allegedly burnt herself to death. On June 7, school teacher Geeta Malik died of burns at Safdarjung Hospital after a frantic SOS she sent to her brothers reached them too late. The very next day, Usha Rani, a bride of eight months, was consumed in flames; her husband and father-in-law were detained for abetment to suicide. Neelam Khanna, a Paharganj housewife, died of burns on June 11; Chander Mohini Saluja, a young stenographer in the Supreme Court, died under suspicious circumstances at Simla on June 16. On June 21, 17-year-old Meena suffered serious burns in a Dakshinpur hut; a magistrate recorded her dying statement that her husband had set fire to her because she hadn't brought enough dowry.

Impossible Odds: Yet, even with such explicit evidence, law enforcement agencies face impossible odds in prosecuting dowry deaths. Dowry murders are bailable, non-cognisable offences—police investigators cannot step in unless a complaint is registered. The Indian Evidence Act stipulates that dying declarations are not usually definitive evidence unless backed by corroboration or endorsed by a magistrate. Even though the courts occasionally treat such declarations as evidence in the absence of other endorsements, they usually shy away from circumstantial evidence, and dowry murders are usually committed in the privacy of a house, with no eye witnesses.

There are therefore very few convictions. The Lok Sabha was informed in 1980

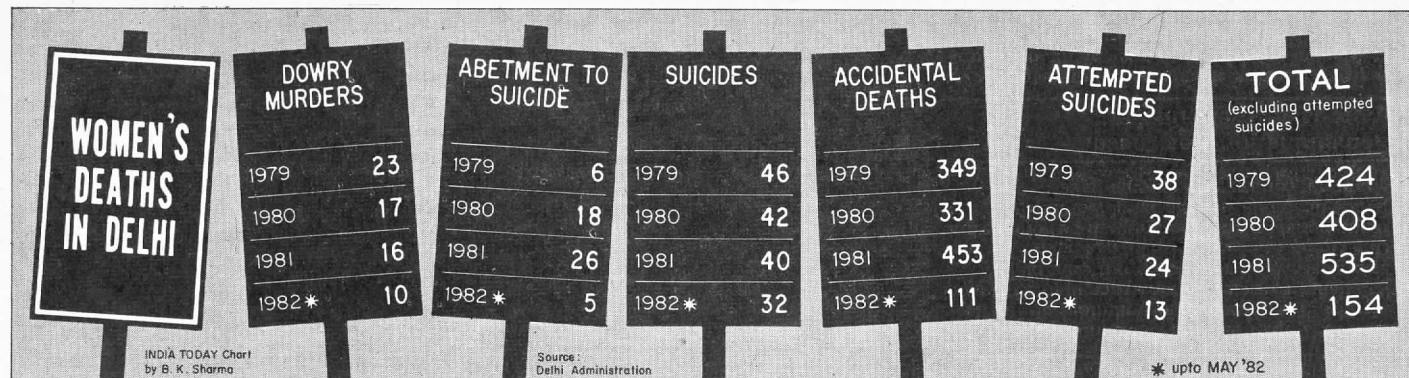
that in the two years ending 1978, 90 cases of dowry deaths had been registered by the Delhi Police. Of these, 81 were dropped for lack of evidence, six more were given the benefit of doubt, and only three cases resulted in convictions.

Subhadra Butalia, lecturer in English at Dyal Singh College, who runs Karmika, a forum for women's rights, says that the only consolation is that the public is becoming "more and more aware of dowry's evil". Butalia was an eyewitness to the death by burning of Hardeep Kaur in Jungpura Extension on October 18, 1978. Hardeep gave a dying declaration indicting her in-laws of the crime, and died two weeks after the burning. A lower court judge sentenced her in-laws and husband to life imprisonment, but the Delhi High Court granted them bail in early 1981, because of "lack of evidence".

Dowry is poorly defined even by the Dowry Prohibition Act, which says that dowry means "any property or valuable security given or agreed to be given... at or before or after the marriage as consideration for the marriage". But it states that presents in the form of "cash, ornaments, clothes or other articles" made at the time of a marriage cannot be deemed to be dowry. Yet, dowry is precisely that. Worse still, the Act stipulates that dowry is cognisable only if a complaint is made within one year from the date of the offence. And dowry is not time-bound—it continues to flow in the form of gifts on ritualised 'occasions' long after marriage.

"If a wife dies of unnatural causes," says Supreme Court Lawyer Chandermani Chopra, "the presumption should be that it is murder. Ideally, in such cases, the onus of proof ought to rest on the accused, unlike in criminal cases where the accuser has to prove the accused's guilt."

Materialistic: Investigations conducted by women's organisations reveal that in most cases the families have come into college education only recently, with the accompanying financial improvement, or



they have suddenly come into considerable wealth. All these are factors that seem to whet appetites for more and more worldly wealth. Dowry is also a convenient method of disposing of black money: for this reason, few families will ever declare all the presents given to the bride.

Geeta Malik's father-in-law, for instance, was a railway clerk; her husband however is a trained engineer. Bharati Narula's in-laws, too, were first-generation educated people; her parents are wealthy *thekedars* (contractors) at Kaithal. Shakuntala Arora's husband was the only one in his family to do an M.A.; her family owns a lucrative *halwai* (sweets) shop in Delhi.

Sarla Mudgal, chairman of the Nari Raksha Samiti, another activist organisation, says that her major problem has been galvanising anti-dowry sentiment in neighbourhoods where dowry deaths have taken place. "I have found many deaths in Punjabi and Sikh families," she says, "where the girl seemed prepared to stand up to harassment, and thus enraged her in-laws all the more. These post-Partition *kothiwalas* have a tremendous sense of chauvinism. Moreover, in the north, the girl's parents rarely go and stay with her, so the tendency is to give her as much dowry as possible. The situation is worsened because Punjabis do not demand dowry. Dowry is expected on the basis of the two sides' status."

Ved Marwah, joint secretary in the Union Ministry of Social Welfare, says that although the Hindu Code Bill has been recently amended to allow fathers to bequeath property to their married daughters, in few cases only does such equitable distribution of assets take place.

A parliamentary Joint Consultative Committee under the chairmanship of Lok

Sabha Member Krishna Sahi has, since 1980, been looking into proposed amendments to the Dowry Prohibition Act. The committee has toured the country extensively, and its report, which was due in December last year, is still not complete. Marwah says that the salient points of the proposed amendment are:

- ▶ a clear ceiling on all marriage expenditure;
- ▶ the giving and receiving of dowry being treated as a cognisable and non-bailable offence;

res for both police officials and judges to enable them to prosecute dowry cases on a special footing; but he admits that the tendency to treat dowry as just another offence remains. Even the much-experienced Delhi Police has still not set up a special dowry cell, and the Delhi Administration's Dowry Cell has, according to women's organisations, been dismally tardy in following up specific cases.

The Social Welfare Ministry is also thinking of setting up "family courts", on the Japanese model, to prosecute dowry offenders, bring about conciliation in broken families, and play a vital role in family litigation. Judges with at least 10 years' experience are proposed to be trained further in psychology and counselling in order to man these family courts, and the Department of Legislation in the Union Law Ministry is currently studying the proposal "actively".

One death is a tragedy, a million deaths are a statistic. All these measures smack of the proverbial too little, too late in the long and sickening history of dowry deaths. No proper national survey has been carried out so far on the fast spreading evils of dowry.

Like much else, dowry deaths eventually become easy pegs to hang opportunism on: a Delhi film maker decides to make a film on bride-burning and the nation's most martyred daughter-in-law, Maneka Gandhi, speaks in Baroda about the Government's indifference towards dowry. Undeterred by all the hue and cry, of course, and armed with a can of kerosene, a box of matches, and hearts filled with hatred, loathing and indifference, innumerable husbands and their parents ring their golden geese because their eggs are no longer golden but only yolk-and-white dispensables.

—CHAITANYA KALBAG



Protest outside the Saluja house: of little avail

- ▶ the participation of voluntary agencies in dowry eradication;
- ▶ the enhancement of penalty for dowry from a sentence of six months to two years, and the enhancement of the fine from Rs 5,000 to Rs 10,000; and
- ▶ the appointment of dowry prohibition officers throughout the country, the special training of such officers, and the granting of police powers to them, along with investigative powers aided by a five-member non-official committee.

Tardy Involvement: Marwah says that the National Institute of Social Defence in Delhi has been organising reorientation cou-