

A Review of the 5th International Conference on Dowry, Brideburning and Son-preference in India—January 27-30, New Delhi

— Isabelle De Somville* and Steven Marchand*

From the very beginning this conference set out to be atypical in its entirety. Unlike its predecessors this 5th conference was held on Indian soil for the first time. The initiative for this event went out from the Boston based *International Society Against Dowry And Bride-Burning in India* (ISADABBI) and was hosted by *Bandhua Mukti Morcha* of Swami Agnivesh in Delhi. As organisers we were determined not to waste time on holding a gathering where people would just fly in, deliver their speeches, and disappear... The debate on dowry abuse has had all the rhetoric it can take. The so-called 'career in development' can be a dirty business, and we were not willing to be prostituted into a forum for this purpose.

In the run up to the conference we constantly stressed the *Remedy Focussed, Action Centred* format. Social science and research has social and moral obligations. Clearly we did not use the prototype format of a 'classical' inter-

national academic convention, which turned out to be the very reason for its success. This 5th conference has uplifted the debate on the struggle against dowry abuse in many ways, as it put existing initiatives as well as obstacles in their right perspective.

Due to its mind-boggling cruelty, bride-burning certainly is generally the best known, but by no means the only form of dowry abuse. Female infanticide, foeticide, gender based neglect, dowry related suicide, physical and mental harassment etc. are all rightly considered to add to the range of "dowry related violence".

This is a review not in a way that it gives a summary or the minutes of the event. Rather it reflects upon the main conclusions of this conference, and its effectiveness.

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Since the first conference (Harvard, 1995) a broad gathering of Indian and foreign specialists have engaged in indepth study and research of these phenomena.

The effort was continued in the following years (Harvard 1996, London 1997, London 1998). Next to that, various organisations, interest groups and academics have produced different materials and views on the problem.

We collectively recognise the interrelated fields the problem should be viewed in, which range from ancient cultural history over gender studies, cultural specific violence to human rights, democracy and justice in legal terms.

Nevertheless a large amount of unilateral approaches have already been published, often with a manifest lack of recognition for the existing material. A lot of time and effort appears to have been spent on neglecting or criticising

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5th International Conference on "Dowry, Bride-Burning and Son - Preference in India" : L-R. Swami Agnivesh speaking, Prof. Werner Menski, NCW Chairperson Ms. Vibha Parthasarthy, Mr. Himendra Thakur and Meleka Begum



L. to R. Prof. Werner Menski, Isabelle De Somviele and Himendra Thakur at the 5th International Conference on "Dowry, Bride-Burning and Son-Preference in India"

the work of others and putting forward their own field of research and expertise as the key towards insight and eradication. However, we strongly believe the complexity of the problem demands a multi-disciplinary approach. This was again stressed at the Pre-Conference Seminar (SOAS, December 2000).

A large compilation of data on the subject has thus been generated and was extensively debated in the previous conferences. Unfortunately, too often the same issues are targeted over and over, while pressing key factors are left untouched. In this conference, we set out to abstain from regenerating theories and arguments already thoroughly discussed, in order to abstract from the existing compilation, suggestions on the need for real debate and remedy centred and action focussed strategies.

Delegates came from eight countries (Bangladesh, Belgium, Italy, Nepal, The Netherlands, South Africa, UK, USA) and different part of India, representing a variety of academic and non-academic domains, including women's organisations, NGO's, and representatives from five different religious communities.

The opening of the conference had an original format as it started with the staging of a play on dowry

abuse based on a short story written by Rabindranath Tagore in 1891. The play was performed by 'Katha', an Assamese drama group that had come to Delhi especially for this occasion. Swami Agnivesh came directly from a United Nations meeting in Geneva to the conference centre at IIC. He and other people in the audience could be seen moved to tears by the play. With a lot of students from the conference; it turned out to be an awareness campaign in itself. The inaugural speech was by Ms. Vibha Parthasarthy, Chairperson

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of the National Commission for Women. She had prepared a formal speech, which she abandoned to speak extempore, referring to the relevance of the play to the current social scene. Ms. Parthasarthy emphasised in her speech that we have to get rid of the idea that *'investing in a girl is like watering a plant of the neighbours...'*

This focus on taking out dowry related violence by the root, by changing the mindset of the people in a society with an explicit son-preference, set the tone for the panel debates on day 2 and 3. Ses-

sions covered: 'Indian marriage traditions and dowry abuse', 'Son-Preference, female infanticide - foeticide', 'Dowry Related Violence as a Medical and Psycho Social Issue', 'Economic analyses of dowry abuse', 'Legal Improvements in Anti-Dowry Legislation and its implementation', 'Remedy Focussed and Action Centred Approaches', 'Dowry and Religion'.

Rather than putting on trial the dowry system, we agreed to concentrate our efforts on the abuse. Generally it seems that the abusive behaviour is mostly triggered off by the incapacity of the father of the bride to meet inflationary demands of dowry, increasing after the wedding. The intent is to find out which factors exactly are responsible for the violent derailments of the dowry system. We have to search for the lethal combination. That is, what gives that in one particular situation a dowry arranged marriage is followed by a lasting, stable and happy relationship, where in other circumstances it results in the harassment or even burning of a woman.

Several of the women's organisations present brought new case material to the attention. However recognising the need for more accurate statistics, everyone firmly agreed that all indicators clearly show the problem is

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steadily on the increase. Furthermore, dowry atrocities seem to have become an export product to South Asian communities anywhere in the world. Therefore there is an urgent need for lawyers and judges who can overcome the current lack of this cultural specific knowledge, enabling them to bring justice in these NRI dowry cases.

Dr. Werner Menski, Sanskritist and Specialist in South Asian Family Law, described the pattern in dowry murders as a cruel divorce strategy. When expectations are not met, the woman is simply disposed of as if she were a 'vastu'. The perspective of a woman as a commodity, inferior to man, is imbedded in the social mindset. Together with elements of new consumerism, this mindset enables women to be killed over Dowry disputes every day without people considering these cases as 'real murders'. Smita Barathi, Deputy Director of *Kanchi*, noted that when referred to, it seems that a "language of custom and tradition" is being used, while there is no trace of a "language of crime" regarding dowry abuse. Until today society apparently fails to see dowry abuse through a criminal perspective.

The morning session on day 3 was entirely reserved for the panel on Legal Improvements in Anti-Dowry Legislation and its implementation. With eminent law scholars present like Lotika

Sarkar and Werner Menski, Supreme Court lawyer Rani Jethmalani who has brought several dowry cases to the courts, as well as the representatives of the grassroots women's organisations which are confronted with the abuse in their communities and are fighting to get the cases registered with the police in the first place, we had a strong forum for debating the powers, possibilities and

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limitations of the law. Major points of discussion were: the potential effect of introducing legislation securing equal inheritance rights for women, and the current loopholes in the existing anti-dowry laws. The problem of delivering the evidence of the dowry transactions remains an obstacle hard to overcome in the prosecution of dowry murder cases under the Dowry Act. Next, to proving the murder, evidence is needed to show the motive of dowry behind the crime.

We feel the quest for the ultimate legal provisions that, by way of social engineering, will accomplish social reform *an sich*, has to be shifted towards a more integrated strategy of providing a solid legal basis for ongoing social

agitation.

The slogan 'Let's not build castles in the air' was echoed several times, calling for legal realism.

A good example was set by the discussion of compulsory female education as an important remedy component. While several delegates defended legislative work on this, Ms Jethmalani pointed out that this is a matter of implementation since compulsory education for both boys and girls is already provided by the law upto 14 years of age. Obviously passing a law is not the end of the story.

Social reform requires changing the mindset of the people. As we learnt in this conference a lot of initiatives, linked to the broader context of dowry abuse, are already up and running for several years, delivering very good work. Subsequently we feel that the first step, in any plan aiming to generate immediate live saving mechanisms, has to start by taking into account the work that has already been done. One of the rather cynical lessons social work has taught us over the last years is that organisations are often 'claiming' a certain social problem becoming rather resistant in working together with like-minded initiatives. This is exactly the reason why, in announcing and organising this conference, we have been stressing its crucial function of bringing people together.

Throughout the panel discussions it became clear that the delegates, from various backgrounds and organisations, represented an invaluable amount of expertise. The facilitating role of this conference was again highlighted, and a lot of new path-breaking research materials have been shared. A few examples of running projects presented at the conference:

Smita Bharti, of *Kanchi* (Delhi): Talked about her experiences in organising drama therapy in jail, with people who have been convicted for dowry abuse. Working with the offenders is leading to a better understanding of the circumstances that lead to violence, and provides unique insight in 'the lethal combination'.

Shashi Yadav, *All India Women's Conference*, Rewari (Haryana)

This organisation has established a positive co-operation with local police authorities, and is jointly organising workshops on a regular basis. They assist victims in getting their cases reported to the police, and ensure follow up of the file.

Yamuna, *Gramya Resource Centre for Women* (Andhra Pradesh)

Are working for women's empowerment and mobilisation, providing shelter for victims of abuse, pressuring authorities to take action.

The concept of facilitation, which is currently mostly referred

to as a modern management technique, has been a leading inspiration for us, and can in our view set the tone for the future strategy of setting up a (International) support structure for a people's movement against dowry abuse.

When facing a specific task, problem or crisis, a central body (a team, or one person) is assigned; *the facilitator*, that is considered to have a broad experienced overview of the domain. The facilitator recognises the different factors, organisations, relations and people involved, and brings together a team of specialists from all these sectors; *the players*. The facilitator provides the players, on their own advice, with all the material needed to get the job done.

The Brussels based *Amazone House* is a good example proving that this concept can also work in a non-profit environment. The *Amazone House* hosts 40 different small-scale women's organisations in one building, facilitating their work, and thus drastically decreasing the individual working expenses of the organisations. These organisations benefit from a whole range of centrally provided services; availability of conference rooms, IT and communication services, juridical advice and bookkeeping, documentation centre etc. Next to these immediate financial

benefits, the exchange and co-operation between the organisations is stimulated.

Similarly an anti dowry abuse facilitation body could be established in India.

Some key principle of the facilitation concept:

- No intent to reshape the identity of the players
- Providing facilities needed to allow these organisations to work in the way they want to work efficiently
- Giving the opportunity to focus on their goals, without losing themselves in all kinds of practicalities
- Sharing work experiences, creating win-win co-operation.

The exchange between the conference delegates will be further stimulated, and as a first step towards a more structured co-operation an '*Anti Dowry Abuse Reference Sheet*' is being prepared for distribution, with contact information of all organisations represented at the conference.

Furthermore establishing an information flow in this network will be an immensely valuable source of data for academic research. The alienation of the very people we want to help has been a growing problem. Not only can we not expect action to be effective if there is no recognition from them, but this alienation might be an indication of the

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contents of the action not being in accordance with the help needed. The possibilities to bring together all splintered action and adopt a common stand towards an effective and stronger action should at least be considered and worked on.

Note on Dowry and the Press – Another possible remedy component that was discussed is the power of the print media in India, as a tool create awareness about the dowry problem and influence the mindset.

Over the years a case of dowry is reported in the newspapers virtually every day. Obviously, this means a 'plain old simple' dowry murder is by no means a scoop any more. Articles are becoming smaller and are usually banned to the back pages. On the

other hand our press-briefings seemed to attract quiet a lot of interest reporters (which might at least partly be explained by Swami Agnivesh's commitment to the event, regardless of the topic). The question whether there is a role to play by the media in the struggle against dowry abuse was presented to the journalists participating in the debates.

A *Hindustan Times* reader's survey apparently showed that a large percentage of people do not like articles on rape and other atrocities against women, but prefer articles on development. Next to that journalists are under pressure 'to spice things up', to get their articles published. This is not only the case in India, but is more a general trend. The article 'Blutbad um Mitgift' (Dowry bloodbath) by

Padma Rao in the German *Der Spiegel* magazine (January 15, 2001) does not seem to get beyond old case material and the sensationalist aspects of the matter either.

Still, despite these difficulties, there are a lot of committed journalists who will continue to portray son-preference, gender discrimination and dowry harassment simply as 'uncool', whenever they can. The challenge for them is to be able to use the style of *The Sun* to wrap the contents of *The Guardian*.

The main issues that were raised at this conference concerning remedy centred action focussed approaches to the dowry problem will be published in London and Delhi.

