

on population growth remained unclear. Unless of course the Govt. plays a numbers game at the Census time. In fact, isn't it rather surprising that the only time our female population shot up since 1901 coincided with the wide publicity given in international forums to our uniquely skewed sex-ratio?

All these arguments did not seem to have convinced the majority of the participants in the Seminar about how the benign and humanitarian the whole thing was. The participants being mostly social workers or social scientists of the female sex, must have had a glimpse of the root of the neurosis that Dr. Wahia mentioned. To support abortion of female foetuses simply because they are female, implies contempt for the female sex. If you are a female it implies self-contempt. Such basic self-contempt must in some sense negate your identity since you deny your very existence. Our society offers you two possibilities-suicide or Dr. Wahia's couch. If you want neither, create an alternative. Fight back. But it had better be soon because our committed doctors are busy researching a newer, 'better' method to predict the sex of the child before birth. Its called 'chorion biopsy' and consists of the extraction of chorionic villi from the future placenta and the examination of chromosomes. It can be done in the 8th week of pregnancy and the results will be available in 1-2 days. This would eliminate the risks of midtrimester abortion associated with amniocentesis and will probably replace amniocentesis very soon.

-----AMMU ABRAHAM .

II) CHRISTIAN WOMEN CHALLENGE DISCRIMINATORY PERSONAL LAWS  
MARY ROY VS THE STATE OF KERALA.

Approximately sixty percent of India's Christian population is in Kerala and among them, the majority are Syrian Christians. Socially and financially, the Syrian Christians are a powerful community and play a significant role in State level politics. Legend has it that their ancestors were converted to Christianity by St. Thomas, one of the 12 apostles of Christ. Apparently, when Vasco da Gama arrived in Kerala in the 15th Century, he found that Christianity had preceded him. Whatever the truth of the legend, the Syrian Christians do constitute an identifiably separate community within Indian Christendom. Their claims to being a separate community has enabled them to retain customary laws not applicable to other Christians.

For example the Dowry Prohibition Act applies to the whole of India except the State of Jammu and Kashmir. But the Syrian Christians can give dowry legally. It is called 'Streedhan' (woman's wealth) and is given at the time of marriage.

She can reclaim it, if the marriage ends. It is on the basis of this provision that exclusion of women to equal rights in inheritance is justified. On the face of it, this might look quite simple and logical; but reality is quite different. The legally permissible 'Streedhan' has an upper limit i.e. Rs.5,000/- . Syrian Christians have to pay through their noses to marry their daughters off. The dowry money is usually given to the father - in- law and the bride has no control over it. If the husband should die, all she can claim is Rs.5,000/- .

In the matter of succession, three separate Acts govern, different sections of Christians, in Kerala - The Cochin Christian Succession Act, The Travancore Christian Succession Act (1916) and The Indian Succession Act (1925). With various exemptions, territorial limitations, problems of domicile and conflicting judgements, the applicability of these laws is quite complicated. Still there are people to whom the Travancore and Cochin Acts are legally applicable.

Under the Travancore Act, if a mother or widow becomes entitled to any immovable property, she can claim only a life interest terminable at death or remarriage. The male heirs are entitled to divide the intestate's property equally among themselves after settling a daughter's claim of 'Streedhan' which is one fourth of the value of the son's share or Rs.5,000/- whichever is less. If she received her 'Streedhan' at the time of marriage, she has no further claim. The value of Rs.1/- in 1916 is equivalent to that of Rs.100/- today. On this ground alone, this provision is grossly outdated.

Mary Roy has, in her Writ Petition No.8260 of 1983 before the Supreme Court of India, challenged Sections 24,28 and 29 of the Travancore Act on the grounds that they are discriminatory on the basis of sex, religion and place of birth and thus violative of Articles 14 and 15(1) of the Constitution. Mary was married to a Bengali Brahmin under the Special Marriages Act in 1956. She has two children and is separated from her husband. She was given no dowry at the time of marriage. Her father died intestate in November, 1959 leaving a widow, 2 sons and 2 daughters. A property in Ooty has since been gifted to Mary. Today, she runs a well-established school in Kottayam (the Syrian stronghold) In her correspondence with the Centre, she says that she is not very bothered about the property, but her history gives her 'locus standi' to challenge these discriminatory laws. She has been joined by a second writ filed by six sisters and a mother who were turned out of home by their only brother under these laws. The Y.W.C.A of Trivandrum and the All India Women's Conference have passed resolutions supporting Mary's petition. While the

All India Council of Christian Women, Madras and the Women's Desk of the Institute for Development Education, Madras have supported and made supportive interventions.

Within the conservative Syrian Christian community, Mary is unlikely to get any support even from women, unless they have suffered under this Act. She needs and deserves the support of all women's groups struggling against discrimination. The facts of the petitions challenging discriminatory personal laws will be eagerly watched, by supporters and opponents alike. These petitions constitute a crucial aspect of the struggle of Indian women for equality.

----- AMMU ABRAHAM.

III) MANJUSHREE SARDA & SUDHA GOEL: Has justice been done to them?

On 13th October, '84, the Women's Centre held a meeting to discuss the recent Supreme Court judgements in cases which have engaged the attention of women's groups for some time. Due to lack of time only two cases - Manjushree Sarada's and Sudha Goel's - were discussed. Sujata Gothoskar reviewed the Sudha Goel case and Gayatri Singh commented on the Supreme Court judgement in Manjushree Sarada's case.

Sudha Goel, a 21 year old woman in the ninth month of pregnancy, received burns in the courtyard of her in-laws house where she was staying, on December 1st, 1980 and died the next morning. The case first attracted national attention when Delhi Additional District and Sessions judge, S.M. Aggarwal convicted Sudha's mother-in-law, husband and brother-in-law of murder and sentenced them to death. After the Shaila Latkar judgement in 1982 by the Pune Sessions judge, this was the next time that the accused in an alleged dowry-death case, were sentenced to death. Five months later, Justices R.N. Aggarwal and Malik Sharief-ud-din of Delhi High Court reversed the Lower Courts' decision completely and acquitted all three accused. The lower-court completely believed the evidence of the neighbours who said that they rescued Sudha and that she had accused all three of pouring kerosene on her and burning her. Sudha's dying declaration, (exonerating husband and in-laws and attributing her burns to boiling milk) prepared by an S.I. and a doctor late at night in the hospital was discounted because the legal procedure had not been followed. There were several thumb-prints on the paper, no magistrate was called and the doctor had not certified that Sudha was in a fit state to make a statement, though she had been administered drugs and was in such a serious state that she died in the morning. The High Court on the other hand completely discounted the neighbours' evidence and found the dying declaration absolutely convincing. The basis was that the neighbours had improved on their F.I.R. while giving