



Families are at war over a wedding tradition India banned decades ago

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(CNN) Vismaya Nair had been married for just over one year when she was found dead in the bathroom of her husband's family's home in India's southwestern Kerala state.

Initially, police had no reason to view the 24-year-old student's death on June 21 as suspicious, until her family made a complaint under the country's "dowry death" law.

The law allows charges to be brought against people for causing the death or suicide of a woman within the first seven years of her marriage in which the family had promised a dowry -- gifts given to a groom's family when a couple marry.

Dowries have been banned in India for more than 60 years, but the practice persists -- and not only in rural and more traditional parts of the country.

Kerala -- where Nair died -- boasts some of the highest literacy rates for both men and women in India, and is generally considered a progressive state -- but it still "exhibits stark and persistent dowry inflation since the 1970s and has the highest average dowry in recent years," according to a [World Bank report](#) released in June.



Vismaya Nair at her wedding in May 2020.

Harshita Attaluri, an inspector general of police in Kerala, said investigators have yet to establish whether Nair died by suicide or was murdered.

Police arrested Nair's husband, Kiran Kumar, under India's dowry death law. He remains in custody but hasn't been charged.

Kumar's lawyer, B. A. Aloor, said Kumar did not commit any dowry-related crime.

"There is nothing on record to show that this gentleman either committed a murder or a dowry death," he said.

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B A Aloor

Kumar's lawyer

Traditionally, a dowry referred to gifts in the form of cash or goods that parents gave their daughter to provide her with more financial security in her marriage.

But now experts say families are transferring cash, gold, cars, real estate property or other assets to the groom's family as a condition of the marriage.

And some families are deeply unhappy with the deal.

An illegal practice

India's dowry system dates back in some form for thousands of years, when women who were unable to inherit property under Hindu laws were provided with a dowry registered under her name during marriage. Over time, the practice became associated with violence against women linked to the coercion of dowry from her family. Crimes included physical abuse and harassment, as well as deaths related to dissatisfaction over the amount of dowry received. So, it was criminalized under the [1961 Dowry Prohibition Act](#) with a fine and prison sentence of at least five years.

But the law was ineffective, say experts, so in the 1980s lawmakers introduced [sections](#) into India's penal code allowing authorities to charge men or their family members with a "dowry death." The charge carries a prison sentence of seven years to life.

But despite the tougher penalties, the practice of dowries still remains deeply entrenched in society as an integral part of marriage.

[According to the World Bank](#), a dowry was given in 95% of the 40,000 marriages that took place in rural India between 1960 and 2008.



Gender discrimination kills 239,000 girls in India each year, study finds

The information was based on the 2006 Rural Economic and Demographic Survey -- the most recent source of dowry data covering 17 major states.

Recent crime figures suggest dowries are still being paid.

In 2019, the country recorded more than 13,000 complaints over dowries and more than 7,100 dowry deaths, according to the [National Crime Records Bureau of India](#).

Of the 3,516 dowry deaths that were tried in court in 2019, only 35.6% led to a criminal conviction. Experts say it can be difficult for families to prove that harassment over a dowry led to a woman's death.

Thousands of cases are still working their way through courts; at the end of 2019, more than 46,000 cases were still to be tried. Activists say the large number of cases shows the laws in place are highly ineffective, and have been for a long time.

"Legally it is banned, but it is a socially accepted practice," said Sandhya Pillai, a trustee of Sakhi Women's Resource Centre in Kerala. "Nobody feels that it is not OK to give or take dowry, irrespective of the law."

'She loved to dance'

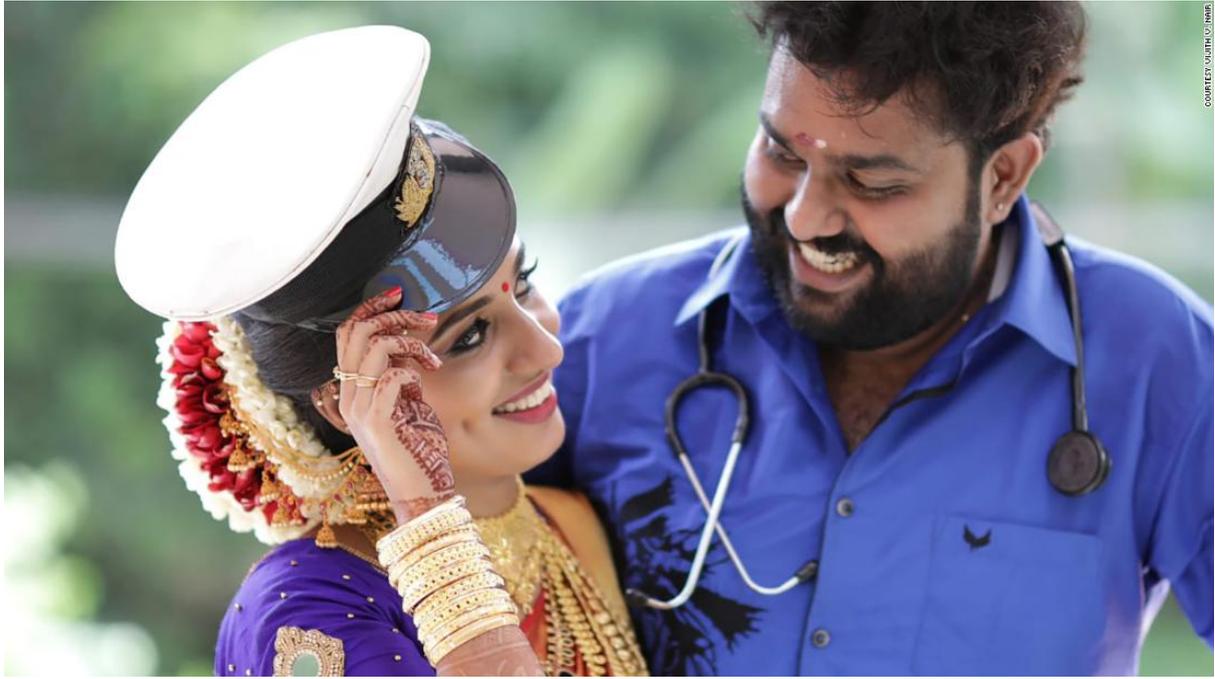
Nair's brother Vijith Nair said his sister was once a "bright, bold, and active girl."

"She was a very active woman, not only was she studying medicine but also she used to be part of the National Cadet Corps and represented the state in national camps," he said, referring to her involvement in the youth wing of the Indian Armed forces.

"She loved to dance, she loved to travel and fly."

That changed after she married, he said.

"She was restricted from using social media, from calling her parents, from flying, all because of this one thing -- this dowry."



Vismaya Nair with her brother, Vijith Nair.

He said her husband, Kumar, didn't seem happy with the car his family gave him. "We gave him a good car, but he didn't stop demanding for a bigger and more expensive car," Nair said.

The police inspector Attaluri said Kumar was embarrassed by the make and model of the car he received and not happy with his wife's dowry, which included an amount of gold.

Nair said his family wanted his sister to be financially secure.

"We gave this much for her -- what I earned working, my father's life savings from 20-plus years of working, we gave it all for her life security," he said. "And only one year passed (after her marriage), and we lost her."

Kumar's lawyer said allegations of a dowry dispute were "false and baseless." CNN has attempted to reach Kumar's family for comment.

An ongoing battle

Nair was not the only woman to die in suspicious circumstances in Kerala in June -- the families of three other women have also filed complaints with police over dowries.

On the same day as Nair's death, 22-year-old Archana died from immolation, according to the complaint lodged with police that only identifies her by one name. Police registered the case under the criminal section of the death of a woman within seven years of marriage.

A day later, 19-year-old Suchitra Tial was found dead in the home she shared with her husband, according a complaint filed at Vallikunnam Police Station. Police say they have not made any arrests and have not ruled out allegations from Tial's family that it was a dowry death. CNN has reached out to Tial's family for comment but has not heard back.

A fourth new bride was also found dead in her home, and the family has complained of dowry harassment, [Reuters](#) reported, without naming the woman.



Women gather to participate in the 620-kilometer "Women's Wall" against gender discrimination in Kerala, 2019.

While the fatalities haven't conclusively been classified as dowry deaths, they have sparked widespread shock and anger in Kerala, with many demanding an end to the controversial custom.

"We cannot say that literacy has not contributed to women's empowerment -- lots of progress has been made for women's rights in different social avenues," said Pillai. "At the same time, we have this deep seated patriarchy that we are not able to overcome irrespective of the high rates of literacy."

"If you want to get your daughter married, and you don't give dowry, you're not going to find a good, educated man."

Vijith Nair

Vismaya's brother

Kerala police investigated 68 dowry-related deaths, including suicides, between 2016 and May this year, according to [police records](#). The same records show police dealt with more than 15,000 complaints of "cruelty by husband and relatives" during the same period.

Nair's brother said there was no question that a dowry was expected for his sister's marriage.

"If you are a girl who has a good education, and you're from a good family, it doesn't matter," Vijith Nair said. "If you want to get your

daughter married, and you don't give dowry, you're not going to find a good, educated man. That's the system in Kerala."

Shame, stigma and silence

Experts say it's hard to clamp down on the controversial custom because it has become intertwined with one's reputation and social standing.

"People fear they will be looked down upon if they don't display wealth in their daughter's marriage," said Pillai.

The custom has also been normalized under the guise of "gift-giving" -- blurring the line between what is traditionally considered a "dowry" and what could be classed as a gift voluntarily given to the groom's family from the bride.

Shahida Kamal, a member of the Kerala Women's Commission, describes this as a "loophole" in the 1961 Dowry Prohibition Act. She says presents such as gold, land or cars gifted by families don't come under the provision of the act. "Here starts the dilemma of pretending (to be) a wealthy family and (satisfying) the groom's family by any financial means," she said.

Praveena Kodoth, a professor researching gender, migration, and human development at the Center for Development Studies in Kerala, said many women in marriages where dowries are causing disputes don't say anything due to "shame and humiliation."

Nair said his sister had been physically and verbally abused by her husband throughout their marriage. When her family found out, "we brought her back home and never wanted to (send) her back again to her husband's home," he said. Nair said she convinced him not to report the abuse to the police.

She was doing her practical exams at school when her husband found her, apologized and asked her to return to his home, her brother said. She agreed.

"After that, she hid all things from us. We believed that she was OK," Nair said.

He believes his sister did not want to cause any more pain for her family, or bring any burden or shame to them.

Pillai says a sense of guilt is common in women -- especially if the woman's parents are elderly, or struggled to provide a large enough dowry.

Kumar's lawyer says Kumar denies the abuse allegations, adding there was no physical abuse or ill-treatment inflicted by Kumar through the course of the marriage.

Fighting for justice

Pillai says the Sakhi women's center receives hundreds of calls from women seeking help every month, but many women don't speak up.

"We need to continue talking about these topics seriously in society," Pillai said. "That is the only way people will begin to confront them and not forget about the plight of our daughters."

But there are also systemic frameworks that set inherent power imbalances between men and women that need to be addressed, said Kodoth.

For instance, state banks emphasize giving loans to facilitate marriage for women, but don't offer the same loans for grooms, which could encourage families to push their daughters into marriage at an early age.



Chief Minister Pinarayi Vijayan with an activist during the "Women's Wall" protests in 2019.

Days after Nair's death, Kerala Chief Minister Pinarayi Vijayan took to [Twitter](#) to condemn the practice of dowry.

"As a society, we need to reform the prevailing marriage system," he tweeted. "Parents have to realize that the barbaric dowry system degrades our daughters as commodities. We must treat them better, as human beings."

Vijayan said more stringent measures would be put in place in Kerala to support women.

Since then, a round-the-clock women's helpline has been set up, and Vijayan said the school syllabi will be revised to remove content that may be disparaging toward women.

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degrades our daughters as commodities. We must treat them better, as human beings."

Pinarayi Vijayan

Kerala Chief Minister

"Steps will be taken to turn our schools and colleges into spaces that embrace the idea of gender equality and equal rights," he said.

Kodoth says the dowry custom persists nationwide because of patriarchal values deeply embedded in Indian culture, systems and daily life. She says teaching children to embrace gender equality from a young age is crucial because the dowry practice can only be challenged if there is a "societal reawakening."

Nair's brother says he's determined to get justice for his sister.

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"We need to keep her story alive," he said. "I need justice for my sister. I'll fight for her till my last breath."