

The institution of marriage is one aspect where critical issues in international women's health manifest. Examining marriage practices in different countries can shed light on the extremely harsh and unfair treatment that women face. Often, marriages reflect a patriarchal society where the male dominates in every aspect, and the woman is treated as an inferior being at the disposal of the males around her. Due to this mentality, marriage practices often display incredible violence and disregard for the woman as a feeling human being.

The following paper examines violence against women in marriages from the two case studies: Dowry Death in India and bride kidnapping in Kyrgyzstan. These terrible phenomena are not simply violence against women – they are institutionalized violence. In these case studies, we will examine the role of a deeply patriarchal system on the health, status, and treatment of women.

1. INTRODUCTION TO CASE STUDIES

Case: Bride Kidnapping:

Bride kidnapping, also known as marriage by abduction, is when a young woman typically under the age of 25 is taken by force by a group of men for a groom.^[1] The men can be strangers or acquaintances. The men are usually drunk and the woman is usually alone. She is taken to the home of the intended groom, where the groom's female relatives try to coerce her using physical and/or psychological ways to make the bride agree to the marriage, which is symbolized by submitting to the marriage scarf on her head.

Kyrgyzstan is the country with the highest prevalence of bride kidnapping. Up to one-third of all ethnic Kyrgyz women in Kyrgyzstan were kidnapped brides. Some studies suggest that in certain regions, bride kidnapping rates reach up to 80 percent of marriages. Almost half of the 1,322 marriages registered in six Kyrgyzstan villages were from bride kidnapping, and up to two-thirds were non-consensual. In one Kyrgyz village, 63% of kidnapped brides were ages 16 to 25, 47% were 36 to 56, and 27% were 76 or older. Out of 806 case studies, 65% of bride kidnapping cases occurred after 1990.^[2]

Case: Dowry Death

Marriage in India can be a terrifying abusive state mentally and physically. A widespread phenomena known as Dowry Death has long persisted throughout the country, as well as in Pakistan and Bangladesh, and in many expatriated communities. According to the National Crime Records Bureau (NCRB) 7467 deaths were recorded in the Indian States in 2006, with a total of 7618 when including the Union Territories.^[3] This is nothing new to India however; in 2005 there were only 6787 registered cases in State records, and 7026 in 2004.^[4]

As defined by the Dowry Prohibition Act of 1961, Dowry is "any property or valuable security given or agreed to be given either directly or indirectly-(a) by one party to a marriage to the other party to the marriage; or (b) by the parents of either party to a marriage or by any other person to either party to the marriage or to any other person; at or before or any time after the marriage in connection with the marriage of said parties."^[5] Dowry Abuse is any harm inflicted upon a woman in connection with this arrangement.

Considering Dowry Death as a region-specific form of Domestic Violence, it is easy to imagine that these figures, nonetheless shocking, do not represent the full scope of the problem. These figures represent only completed murders, many in which the victims, like Nasima and Sangita, had already been abused for years. In 2006, 2276 female suicides were also linked to Dowry demands by the NCRB, which can be roughly calculated to one death every four hours.^[6] Even in instances of suicide where police have deemed that the probable motive was release from Dowry Abuse, there is possibility of second-party fault. Dowry Death is often called "Bride Burning" after the most popular means of disposing of one's spouse. Reasons cited for the prevalence of this method are lack of forensic evidence, and the relative ease with which it may be attributed to accident, due to open flame kitchen stoves and highly flammable saris.^[7] Beyond current statistics, there may be many more women suffering from Dowry abuse and even murder; it is estimated that the majority of cases, even those resulting in death, go unreported.^[8]

2. PATRIARCHAL STRUCTURE OF SOCIETY

Case: Bride Kidnapping:

A patriarchal structure of society also helps to explain the existence of bride kidnapping. Due to the societal view that men are superior and dominant, women are therefore subservient and objectified. Marriage is a status symbol and a sign of success. Therefore, via the pressures of society and from family, men carry a huge burden to marry, and hence, resort to kidnapping to acquire a wife. The steadfast structure of this society also reinforces bride kidnapping. Many men are raised by a mother who was a victim of bride kidnapping, so children are raised accepting this behavior as normal.

In addition, kidnapping is also an expression of male power. It shows dominance and authority of men. Many men even view themselves as entitled to marry whomever they choose, regardless of the woman's choice. Indeed, men are often congratulated for kidnapping a good wife.

Case: Dowry Death

Dowry Death is a practice only prevalent in India, Pakistan, and Bangladesh.^[9] This limited occurrence has made scholars wonder, why here, and not elsewhere? What is so terribly wrong in India, when Dowry has been present elsewhere without such terrifying effects. Even after being outlawed, the practice of Dowry continues at an alarming rate, and there continued to grow a practice of Dowry Murder. We know that instance of Dowry Death requires Dowry to be present, but it seems that Dowry is more of a structural element and manifestation of a larger problem in Indian society today.

To examine this, we can look at the two other major Gender Violence problems that have persisted throughout India's recent history. The first, female infanticide occurs when an infant girl is either directly murdered, or left to die of neglect. Though this practice was present when the British began to colonize India,^[10] the practice persists, and signs indicate is worse today than it has ever been. India's sex ratios are quickly dividing, even since 2001. In a study of five of the districts with some of the most skewed ratios, (Punjab, Rajasthan, Haryana, Himachal Pradesh, and Madhya Pradesh) four out of five had worsened. In Punjab's Fatehgarh Sahib district there were only 300 girls for every 1000 boys.^[11]

The second, sex-selective abortion, is simply the modern alternative, and even poorer families will often spend months wages on a sex test rather than go through the trouble of carrying the baby to term, or the strain of killing it.^[12] Besides, many figure correctly that a sex test and abortion will cost them much less than raising dowry for their prospective daughter. Also present in Bangladesh and Pakistan, this phenomena cannot be singly linked to dowry, as there is a low presence of dowry practice in Muslim tradition, and yet male-fetus preference is quite prevalent.⁽³⁵⁾^[13]

This anomaly exists in Indian history as well, in which the Jats, a caste of Hindu, Muslim, and Sikh agriculturalists practiced infanticide, but had no Dowry. The British overlooked such variations in tradition like the Jats or infant-killing with no dowry. In British-colonial view culture is seen as unchanging and relative, and infanticide is seen as an existing cultural practice specific and enduring within Indian culture, and unaffected by influx of British custom. Today researchers claim the opposite—that the British imposed a new cash economy and patriarchal system which forced indigenous Indians into a cash-based and paternalistic system, which is the underlying cause of Dowry Death today and the associated problems of Male-Preference and female infant deaths. It appears too, when one takes a closer look at the historical record, that these new claims are well founded.^[14]

Dowry death began in the Punjab region in Northern India, where Dowry death is still more prevalent than in Southern India, and then spread throughout South Asia, and later into its expatriated communities. Dowry began was traditionally in Indian society a "safety net" for a new bride as she left her natal home and moved in with her new husband and his family. Initial British accounts on the custom in Punjab detail a collection of material gifts both from the natal family of the bride, but also from others in the community, to celebrate her marriage. There is no record that this was ever a required transaction. (35-36)^[15] By some it was even considered an institution which more greatly benefited women ("feminist" even, except for the controversial connotations of the term.)^[16]

If we look at culture as a shifting entity, and not a fixed one, which clearly was the case in colonial India, as new language, technology, and practice were constantly infiltrating and disrupting Indian groups we can see that it was this period of change in which the practice of Dowry Death erupted. In pre-colonial India, though wealth and goods were exchanged at a wedding celebration, they were not grounded in a market economy, and it is noted that there was not an expected return of all value.^[14]^[xv] It was therefore advantageous for the giver not to recoup his or her losses right away, and served as a method of social cohesion.^[xvi] This was seen in the earlier “safety net” system of dowry, in which the community came together in support, transferring a daughter from one household to another, but building ties through material exchange.

Colonial influx completely changed this system of social capital. A cash economy quickly took over the Indian economy, and all wedding costs were quantified, and led to increasing expectation of Dowry from the natal family. ^[xvii] Money lending created a system of debt between borrower and lender, and out of this rose an increasing demand for monetary wealth, and also for associated land. Many peasants were chronically in debt and seeking cash, and in the new paternalistic system, women had no means for obtaining currency. Men on the other hand could own property and work as wage labor, especially advantageous if they could work for the British. ^[xviii] Because of this shift, even in communities like the Jats, where Dowry was not present and women were also agricultural workers and therefore of some economic value, a female child might simply be deemed not worth the economic loss.

3. IMPACTS ON WOMEN

Case: Bride Kidnapping

Abductions are often very physical and violent. Not only are abductors physically violent in the actual act of kidnapping, but they also use physical force to coerce the bride into “voluntarily” committing to the marriage.

Case: Feruza F. (interviewed by the Humans Rights Watch) described how she was abducted at age 17, “. . . it was already late at night and we came to a house and they said, ‘Come in for tea.’ I said ‘No.’ They forced me out of the car and I sat in the house. They brought the scarf. I fought them off. They used physical force and violently put it on me. . . . I was behind the curtain. They forced me behind it and they grabbed me by my wrists and ankles and forced me onto the floor. I cried, I was in shock. Later they forced me to write to my parents to say it was voluntary.”^[1]

Bride kidnapping also has many long-term impacts after the actual act; women experience trauma from the act of kidnapping and suffer from years of abuse later on. After the “wedding,” the new brides are treated poorly. Often, women become victims of long-term domestic violence, in the form of beatings by the husband and bullying by the family. Some wives are forced to work as servants for their in-laws.

In more extreme cases, bride kidnapping can result in death, usually the bride’s suicide. In one case, Kyal was kidnapped from outside her home, and then was found dead a village a few hours away. She had hanged herself. Kyal’s father’s theory is that the groom’s family kidnapped her, but she resisted and perhaps was raped in the process, so she hanged herself.^[2] Though the groom’s family denies wrongdoing, Kyal’s father wants to seek an investigation.

From an emotional and psychological standpoint, bride kidnapping also involves manipulation that often causes long-term impacts on the women. One tactic that abductors use to lure females is deception.

Feruza F. said, “The men who took me were acquaintances of my father. . . . They told me that my parents needed to see me and they’d take me to them, so I got in the car.”^[3]

Abductions are often carried out by acquaintances, and sometimes a rejected suitor or impatient boyfriend. The trickery and deceit suggests an interesting cultural dynamic between men and women that shows the normalcy in the lack of respect for women.

Abductors tend to isolate women in order to prevent escape, during which other family members try to persuade the woman to agree to the marriage.

Aisulu A. (mentioned above) stayed for nine months with her abductor because she did not know where she was and did not know which way to run.^[4]

During this period of isolation, the woman suffers from psychological abuse and coercion.

In addition, women are often raped, and thus forced to stay with the groom due to fear of social stigma.

Feruza F.: “He forced me to have sex with him the first night. A woman came to say that they’d prepare my bed; I thought I’d be alone. I lay down to sleep, then he came in and he forced himself on me and raped me. I was saying no and he still did it. I cried and screamed. I still have psychological problems because of that incident. There were other times too when he raped me. I didn’t want to ever go to sleep. I’d fight him off and try to sleep and he’d fight with me and hit me and force me. He especially hit me at night. I didn’t want to have sex with him, but he forced me.”^[5]

In a society that highly values chastity as a virtue in women, rape is a powerful weapon used to control women, causing devastating psychological and physical aftereffects on the female victims.

One would expect that the perpetrators involved in bride kidnapping are all men, but on the contrary, women have a large role as well. For example, after the bride is kidnapped, the women of the groom’s family surround the bride and use manipulative tactics on the bride. They will comfort her by saying that they, too, were kidnapped. They also may insist that they have negotiated with the bride’s family, and have received approval from the bride’s family.^[6] Such techniques often prove successful in convincing the bride to “voluntarily” consent to the marriage.

Case: Dowry Death

In Calcutta, India, on June 6th 2007, Sheikh Nazbul strangled and murdered Nasima Bibi, his 20-year-old wife and mother of his year-old child because her natal family refused to grant his latest demand of a motorcycle. She had suffered abuse at the hands of her husband and his relatives the entirety of their two year marriage. ^[six] A week later in Nagpur, 25-year-old Sangita Dudhankar died in the hospital after her husband of one year, Sunil Dudhalkar poured kerosene on her and set her on fire. She had been mentally and physically abused for continuing dowry demands. ^[xx] Women throughout India suffer all kinds of mental and physical abuse at the hands of husbands and relatives. These include but are not limited to verbal abuse, control of social and economic life, beating, strangling, burning, and murder.

There has been little research done on the psychological effects of Dowry Death, but one may refer to work done on Domestic Violence in other countries to gain a clearer view. Victims most often enter into arranged marriages to avoid the cultural shame of being unmarried, and may not have much say in their who their partner is. As discussed, they are viewed as a burden in many cases, either economically or simply in gender terms, and are not given equal autonomy or status in their household. This in itself can be devastating, and perpetuate negative ideas or even abuse to new generations. Along with the documented physical abuse, psychological abuse becomes normative. As discussed later, this can be quite harmful when women seek support from their families, community, or even legal authorities, and are told that they should not complain; that is simply the way things are.

4. WHY IT CONTINUES

Case: Bride Kidnapping

Women who are victim to bride kidnapping often stay in the marriages due to a lack of support in the society. Bride kidnapping is a very alive concept in Kyrgyz society. Women stay with their abductors due to pressure from family to stay in the marriage, as well as fear of being ostracized from society.[1] They also fear not being able to find a husband after divorcing. Families expect that it may happen to their daughters and often do not offer support. Instead, from a young age, girls are taught not to leave their abductor's home if they are kidnapped for marriage. Women realize the inevitability of kidnapping and marriage. One woman who remained in a marriage after being kidnapped said, "Only one in 100 Kyrgyz girls marries her true love... After the kidnapping, you've no choice. You start loving, even if you don't want to. You have to build a life." Though in many cases, bride kidnapping is against the will of the bride and the woman ends up living a life of misery, there are instances where the bride later becomes happy. Four months after being kidnapped for marriage, another woman says, "I have a husband. Before I got married, I was alone... Now I have someone to take care of and to dream with." [2] Studies show that approximately 35-45% of married ethnic Kyrgyz women are married against their will due to bride kidnapping, which conversely implies that 55-65% of these marriages are consensual.[3] More research should be done to examine the reason behind the consensus to the marriage, which could have implications in dealing with the issue of bride kidnapping.

In addition, men who kidnap are also not punished or held accountable for their action. Bride kidnapping has been illegal in Kyrgyzstan since 1994, but the law is rarely enforced.[4] Enforcement is difficult because for poor countries like Kyrgyzstan, bride kidnapping is not a high priority on the agenda for reform, as there are many other pressing issues to consider.

Case: Dowry Death

Because of the structure of society, there are many checks which keep men in places of power, and women viewed as commodities and even burdens on their families or husbands. The lack of familial, community, and legal support often exacerbates the problem, rather than providing support to a woman in a dangerous situation.

As discussed earlier, Dowry used to serve as a "safety net" for a woman getting married, and represented metaphorically and physically the community's support of her as she entered a new household. However, when women began to be viewed more as burdens to their families, without much cash economy potential, all that changed. As can be seen in the prevalence of female infanticide and sex-selective abortion, women are not valued generally in India, and though a family may not wish their married daughter dead, the pressure to have her to maintain a "successful marriage" may indirectly contribute to her death. Sheikh Nazibul, the woman from Calcutta discussed at the beginning of this paper who was strangled by her husband had taken her child and fled to her natal home, only to be sent back to her death.[xxi]

Dowry Murder of a wife is often perpetuated by the husband's family, in many cases by a woman's mother in law. Family may also turn violent if a husband tries to change views and oppose a dowry. In one case, Prakash Rout of Guahatiji opposed the abuse forced upon his wife Pravasini in demand of more dowry, even going so far as fleeing his village. He turned up at a crematorium a few days later, presumably killed by his own family for refusing to support their demands.[xxii] With such familial opposition to change, even going so far as to murder their own children, the road to society change may be very slow.

Without family support, or even with it taking into account proximity and social stigma, women may seek help in their community when they feel at risk. However, general feelings in Indian society are not necessarily sympathetic to their need for help. They often perpetuate male-centric ideology, even going so far as to accuse women of abusing legal or social institutions to cause harm to men. One such group which has been active in this is the Save India Family Foundation, which charges that women use false Dowry Abuse claims to hurt their husbands, even sending them to jail. These claims, like those in the United States that rape or domestic violence victims are "faking it" are generally ill-founded and lacking evidence, and yet persist in making the public unsympathetic to women's claims.

To watch footage of "Devil's Advocate" Debate with Host Karan Thapar, and government official Renuka Chaudhary on the new Domestic Violence Act, click below or follow links. Thapar demonstrates an attitude which is perpetuating normalcy of violence:

Part I http://www.youtube.com/watch?v=in_4QhWQaq4

Part II <http://www.youtube.com/watch?v=s-k-RCM8h3oQ&feature=related>

Part III <http://www.youtube.com/watch?v=RRDg-IXF3pU&feature=related>

The above film offers a very prevalent but misinformed attitude that women are usurping the legal system to harm men. However, this view fails to recognize women's lower status in society, and the lack of resources or support available to them in crisis. Men, whom Indian society and legal structures center around, already have sufficient agency and options if they actually face such problems.

There have been great legal advances in the last century, beginning with the Dowry Prohibition Act of 1961, there are still many problems giving the legal system "teeth" and women access to it. It is however hope for the Dowry Abuse victim in a number of institutions and legal advances. The National Commission for Women was founded in 1990 under an Act of the same name. It has been helpful in pushing legal amendments, and on a local level with counseling and compliant departments which often are a more effective means of reaching out to Abuse victims than the local police station.[xxiii]

One of the most important recent legal actions taken, which may have long-reaching effects on Dowry Abuse is the Domestic Violence Act of 2005. Before this law, any woman claiming abuse had to prove physical abuse, and there were many loopholes in the standing legal structure. This will allow for legal action to be taken for mental and verbal abuse, and stricter enforcement of the physical.[xxiv] However, legal action is not a fix-all, especially with a problem so deeply entrenched in a patriarchal system, in which women are given little voice, and men's rights given much more attention. In fact, there has been much reaction about the act, even with a nationally recognized problem of male-preference and a high prevalence of abuse.

Many women report social stigma or inaction when they file a complaint, which may be indicative of the larger structural problem. Even if a woman wishes to break free of her marriage, she may face many obstacles. [xxv] In response to continued societal stigma, the government has recently instituted a number of all-women police stations (roughly 300 currently) across the country. These institutions have met with mixed responses, and in fact reveal that the social problem is not solely perpetuated by men, but also by women. One officer reports station members telling women who come in lodging complaints of Domestic and Dowry Abuse: "Oh, it doesn't matter, my husband beats me too. Don't make such a big deal, it happens to all of us." (Ruiz 2006) Another negative aspect of the stations is their focus on "patch-it-up" counseling which can be very discouraging to a woman with nobody else to turn to and who is in immediate fear for her mental or physical being, or even her life. [xxvi] Clearly, legal institutions have a long way to go before they are a clear help and not detriment to women's health in the institution of marriage.

5. WHAT IS BEING/SHOULD BE DONE?

Case: Bride Kidnapping

In order to combat the existence of bride kidnapping, the law needs to be more strictly enforced with punishment. A huge reason for its existence is due to men assuming that they can get away

with the act. More effort also needs to be spent in investigations and prosecution of bride-kidnapping cases. Research also is needed to determine an effective way of motivating local and national governments to become responsive to the problem, being that it is a deeply-rooted cultural practice.

Case: Dowry Death

Despite the severity of the problem, there is hope for the future, and societal change. In July of 2007, 22-year-old Pooja Chauhan was not killed by Pratap Chauhan, her husband of three years. Instead, outraged by the abuse she was suffering at the hands of her Pratap and his family in pursuit of more dowry, and apathetic police response to her filed complaints, Pooja stripped to her undergarments and marched through the streets of Rajkot with a baseball bat in protest. Though she faced indecency charges, the public nature of her protest and media coverage led to her husband's arrest and further investigation into her claims.^j

To watch video footage of Pooja's Protest click below or follow link:

<http://www.youtube.com/watch?v=8g3mZAqN0WU&feature=related>

Pooja's case is heartening, but exceptional. As opinions and societal structure do not change overnight, or indeed as clearly demonstrated with Dowry in the past half century, under legal action, pressure for change must often come from a grassroots level. One website which is causing relative marriage custom revolution is www.idontwantdowry.com in which couples who do not wish to involve Dowry in their marriage can find a match. Though not immediately effective for other gender-based violence such as sex-selective abortion and female infanticide, the eradication of Dowry would go a long way towards solving these problems as well. In October 2007, the site claimed around 3,800 men and 2,100 women users. Though the site claims that social factors like caste still play a large factor in user choice of husband or wife, the founders are primarily concerned with preventing Dowry Death. Their main preliminary users are mostly members of the wealthier urban strata, but they are reaching more users with a call-in hotline and posted classifieds service, and hope to include less affluent users as well.^{ix}

It is individuals like Pooja and Institutions like *I Don't Want Dowry* who are beginning to make change, but legal action, familial and community change, and increased diplomatic pressure on India to continue fighting this epidemic of violence need to occur if women in India are ever to feel safe, and be viewed as equals in their own society.

CONCLUSION

These two regional case studies clearly demonstrate the harm of a patriarchal system and the attitudes it manifests in the institution of marriage can be very harmful to women, both physically and psychologically. Both societies are founded upon the assumption that men are the principle citizens, with women existing as either possessions, either to be taken by force or coercion, as seen in Bride Kidnapping, or to be used for monetary gain, as in Dowry Abuse and Death. The pressure to marry, both for men and women in both societies is central, which makes it difficult for any individual, let alone a critical mass of people to deviate from entrenched norms and curb respective histories of violence.

Both cases demonstrate systems of abuse which have been normalized in society, and remain so by the traditions of family, society, and the legal system. In Kyrgyzstan, a man may perceive Bride Kidnapping as acceptable because his mother married this way. In India, a natal family may send their abused daughter back to her husband because the thought of a failed marriage is too horrible to consider. Neither society has the social stigma and support, nor the legal enforcement to adequately protect women on a broader level, and in many places, do not even feign to try based upon perceptions of normalcy. In all cases, women lack much choice in the course of their lives, and over ownership of their own bodies. The right to personal physical and mental agency which most American women enjoy is not available to many women because the structure treats them as second-class citizens, if not possessions, and this can be isolating and harmful.

To change these systems, there must be attack on multiple fronts. Legal action is necessary for enforcement, but must be accompanied by greater community education and de-stigmatization of alternatives to abuse if any meaningful change is to come. Community and family support, along with legal backing is important in making women understand that the situation they are in is not one which has to be normal, and not one which they deserve. Hopefully as opinions and acceptable customs change, so will the violent and harmful actions which accompany deeply rooted patriarchal systems.

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