

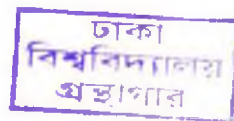


**DOWRY AND VIOLENCE AGAINST WOMEN:
A STUDY OF TWO BANGLADESH VILLAGES**



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DEPARTMENT OF POLITICAL SCIENCE

UNIVERSITY OF DHAKA

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A STUDY OF TWO BANGLADESH VILLAGES**

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বিশ্ববিদ্যালয়
গ্রন্থাগার

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A STUDY OF TWO BANGLADESH VILLAGES**

By

Shamsun Naher Khanom

A thesis Submitted for the Degree of

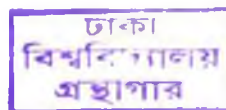
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September, 2008

Dowry and Violence Against Women: A Study of Two Bangladesh Villages

A thesis submitted to the Department of Political Science under the Faculty of Social Sciences, University of Dhaka, Dhaka, Bangladesh, for the degree of Doctor of Philosophy in the Department of Political Science.

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September, 2008

Declaration

I declare that my thesis entitled “**Dowry and Violence Against Women: A Study of Two Bangladesh Villages**” is completely my own research work. So far I know, no research work on this title has been conducted previously. I have not submitted this thesis anywhere for any degree or publication.

Shamsun Naher Khanom
Shamsun Naher Khanom

Certificate of Approval

This is to certify that the thesis entitled “**Dowry and Violence Against Women: A Study of Two Bangladesh Villages**” has been carried out by Shamsun Naher Khanom, Registration no.13, Session: 2006-07, for the degree of Doctor of Philosophy in the Department of Political Science, University of Dhaka, Bangladesh. This research work has been carried out under my supervision. She has not submitted this thesis or any part of it anywhere for any degree or publication.

Considering the style and contents of the thesis I approve and recommend for the award of Ph. D. degree.

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Dedicated
to
THE ALMIGHTY

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ABSTRACT

The present study has been designed in order to deal with the dowry system and dowry related violence against the rural women of Bangladesh. It has intensively studied the prevailing conditions of dowry system in rural Bangladesh, the socio-cultural and religious origin of dowry in Bangladesh various causes of dowry, diverse forms of dowry, dowry related violence and its consequences in rural Bangladesh. The study started with four objectives and four hypotheses congruent with the stated objectives. The hypotheses are: (1) dowry system has a socio-cultural and religious origin in Bangladesh; (2) there are social, psychological and economic causes and conditions of dowry system; (3) there are various forms, sources and uses of dowry; (4) dowry is a cause of various forms of violence against women which violate women's rights. Attempts have been made all through the study to test these hypotheses. For this purpose, the data collected mainly from the primary sources (two selected villages) have been used in this study although the data from the secondary sources have widely been used.

The first chapter of the study mainly is a research design or a plan of action. It includes the statement of the research, objectives of the study, rationale of the study, hypotheses of the study, operational definition of violence and dowry, literature review, methodology, description of the research area, limitations of the study and chapter design.

The second chapter deals with the first hypothesis of the study. Dowry refers to a marriage practice in Hindu society where gifts, cash and/or other valuable goods are given mainly to the groom's family. Although its ancient meaning was to show respect but now it has taken on a harmful form and meaning in recent years. The wide practice of dowry in the Hindu society has touched the lives of the Muslim of this subcontinent specially in Bangladesh. In fact, this practice has never been sanctioned by Islam and has not prevalent amongst Muslims of other cultures. But the ancient practice and culture of dowry of the Hindu religious people, Hindu inheritance law, women's inferior position in the society, their complete dependency on male persons, patriarchic social attitude and norms, polygamy, caste system, expansion of English education and cultural hybridism etc. are responsible for the origin of dowry system in Bangladesh. Therefore, socio-cultural, religious and economic factors led to the origin and

expansion of dowry system in Bangladesh. Thus, the first hypothesis of the study has been tested properly.

The third chapter of the study deals with the second hypothesis. The present study has intensively investigated the various causes and conditions of dowry system in rural Bangladesh. It has tried to analyze in details why one party gives dowry and why another party takes dowry. In this respect, social status of both parties, compulsion, inferior psychological make-up of women, religions, mental satisfaction, competition for better grooms, patriarchy, cultural hybridity, social tradition etc. are responsible for giving dowry to the groom's party by the bride's party. On the other hand, easy way to earning, groom's necessity or need, superior psychological make-up of men, groom's cost, return of *denmahr*, social custom, social prestige, greediness etc. are responsible for taking dowry by the groom's party. In addition, some conditions, like the local leaders' inactivity, their indifference and irresponsibility towards resisting dowry, indifference of law enforcing agencies, absence of any written document of exchanging dowry marriage etc. are also responsible for fueling the dowry system in the rural areas of Bangladesh. The data and analyses lead one to conclude that there are certain causes and conditions of

dowry system in rural Bangladesh. Therefore, the second hypothesis of this study has properly been dealt with.

The third hypothesis of the present study has been dealt with in the fourth chapter. There are various forms of dowry. Dowries are exchanged in various forms, like land, property, jobs, necessary household goods and cash money etc. The study has both intensively and extensively dealt with the dowry items given to the groom as well as the items given to the bride. Who gives what items to whom (either bride or groom's party or to both parties)— have been elaborately discussed in the study. The study has also analyzed the changing nature of dowry items in the recent years. In this respect, it has been found that cash money is the very common form of dowry in the rural marriages of Bangladesh but the amount of dowry money is totally different. In this respect, impact of certain demographic variables, like education, income, occupation and age of the groom as well as bride have been studied. It has been found that the lower aged grooms demand higher amount of dowry, lower family income grooms take more frequent but less amount of dowry. And usually the labor and peasant grooms take more dowry than the grooms of other occupational groups. The present study has investigated the sources as well as the uses of dowry money intensively. In this respect, it has

been found that family savings, mortgage or sale of land, loans, sale of domestic animals and agricultural product etc. are the main sources of dowry money. On the other hand, given dowry money is used mainly in the marriage ceremony, daily expenditure, paying off loan, house building, job or going abroad, purchasing land, buying domestic animals etc. This chapter has also investigated the times of payment of dowry money in details. Therefore, it can be said that the third hypothesis of this study has properly been tested.

The fifth chapter of the study has dealt with the fourth hypothesis of the study. Various forms of violence against women take place in the rural society of Bangladesh due to dowry, and women rights are seriously violated because of dowry violence. It has been found that killing, acid-throwing, burning, committing suicide, divorce, serious physical and mental torturing etc. are the main forms of dowry violence. This chapter has intensively analyzed the actors that are responsible for creating dowry violence as well as the grievances responsible for the violence. It has also investigated and analyzed the consequences of dowry violence in the rural society. Some secondary sources of the subject matter have also been used for the discussions of this chapter. Prostitution or selling wives to the traffickers, maladjustment in conjugal life, remarriage of the husband, odd

marriage, abandoned from the society, facing awkward situation by filing case against groom— these are the serious consequences of dowry violence which make women's life inhuman and miserable. Therefore, the fourth hypothesis— dowry is a cause of various forms of violence against women which violates women's rights— has been tested properly.

The sixth chapter of the study is the conclusion of the present study. In this chapter, some concluding remarks about the study as a whole have been made. At the same time, some general suggestions have been offered in this chapter in order to root out dowry system from Bangladesh.

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GLOSSARY

Almirah	: Steel made furniture
Baccha	: Child
Bangsha	: Caste/Gosthi
Bhalo	: Good
Bloody	: A slang word
Bor	: Groom
Boro	: Elder
Borpan	: Groom price
Bow	: Bride
Brahmachorya	: Of the Brahman
Choto	: Younger
Dahej	: Dowry
Dana	: Gift
Denmahr	: Bride price according to Muslim marriage
Dharma	: Religion
Dosh	: Guilt
Dulavai	: Sister's husband
Ghar	: House

Gharjamai	: The groom permanently lives in father-in-law's
Ginni	: Leader women within family
Gosthis	: Community
Ghar	:house.
Jamai	: Groom
Jati	: Community race
Jonmer	: Of born
Joutuk	: Dowry
Jumma	: Special prayer of the Muslim on Friday
Kabinnama	: Marriage registration document
Kanna	: Bride
Kanya	: Bride
Kanyadana	: Bride gifted to the groom
Khandani	: Muslim higher caste
Khankir	: A slang word (of Khan)
Kone	: Bride
Kulin	: Hindu higher caste
Kulinism	: Aristocracy in the Hindus
Kuttar	: A slang word (of dog)
Mahr	: Bride price according to Muslim marriage

Mahrana	: Bride price
Mama	: Maternal uncle
Matbar	: Local leader
Meya manush	: Woman
Mohajan	: Rural money lender
Munijjat	: respect/honor
Nakful	: An ornament of women wear on nose
Nana	: Grand father
Nanad	: Husband's younger sister
Nanash	: Husband's elder sister
Nani	: Grand mother
Nari	: Female
Nibondhikaran	: Registered
Nichu	: Low
Nor	: Male
Onnao	: Other
Pan	: Dowry
Para	: A small part of a village
Pativrata	: Obediency to husband
Poider	: Of born

Probashi	: He who lives in abroad
Rongin	: Colorful
Samaj	: Community
Saptpadi	: Seven times encircling
Shajano	: Decorated
Shalish	: Local judicial court
Shari	: A long dress of women
Shariah	: Islamic rule
Sharnaker	: Maker of gold ornaments
Shikkita	: Educated
Sridhan	: Gifts given to groom
Tickly	: Small size ornament of women
Tong	: A small shop
Ucha	: High
Vivaha	: Marriage
Vorie	: Measure of gold

Chapter One

Chapter One

Introduction

1.1: Statement of the Research

The rural women of Bangladesh are the most disadvantaged and oppressed section of the society. In the society, serious inequalities are maintained; because conditions of marriage, divorce, inheritance, guardianship, and custody to be from a combination of discriminatory religious and customary laws. All personal laws based on religious precepts, to varying degrees, discriminate against women.¹ Violence against women in the rural society is a basic abuse of human rights. Domestic violence is the most common form of violence faced by the rural women in their everyday lives. Dowry, rape, acid throwing, fatwa, trafficking, wife-beating, low-wage, illiteracy, social and political exclusion etc. are some common forms of violence against the rural women.

Dowry system is a very common but largely expanded social disease in Bangladesh. It is a common form of violence against women as well as a serious violation of human rights. It is an illegal criminal power

which can corporate exploitation, discrimination and all other dominations over women by male persons both inside and outside the family. Due to the traditional social system, economic backwardness, lack of education, economic dependency, hierarchical family power structure, patriarchic family and social system, unfavorable religious and customary laws the rural women have become the most vulnerable section of the society. As a result, they are easily denied of their inherent rights. Particularly, they are the victims of dowry related violence. As the victims of dowry system, they cannot live as human beings rather they are tortured in various ways both in the family and outside the family. But for a peaceful, healthy and prosperous life, dowry system should be rooted out. Therefore, it is imperative to know about the prevailing conditions of dowry system in the rural society of Bangladesh where most of the women reside.

The present study attempts to investigate and analyze dowry system, dowry related violence and women's rights violation due to dowry system. In this research, some pertinent and significant questions have been dealt with like: How dowry system originated and continues in Bangladesh society? What are the causes and conditions of dowry system? What are the forms of dowry or what are the items exchanged

in the forms of dowry? What are the sources of dowry money? What are the uses of dowry money? What are the forms and consequences dowry related violence? How does dowry related violence violate women's rights? For this purpose, the study has selected two typical villages of Bangladesh as the research area.

1.2: Objectives of the Study

The present research is a multi-purposive one. In general, the purpose of the study is to know about the prevailing conditions of dowry system and women's rights in rural Bangladesh. Specifically, the main objectives of the study are:

1. to investigate and analyze the socio-cultural and religious origin of dowry system in Bangladesh;
2. to investigate and analyze the causes and conditions of dowry;
3. to inquire and analyze the forms, sources and uses of dowry;
4. to investigate and analyze the dowry related violence and its diverse forms, and violation of women's rights due to dowry violence.

1.3: Rationale of the Study

About 80% of the total population of Bangladesh lives in the rural areas. Among them almost 50% are women.² This large number of population is very much significant for the overall development of the society. But they are the most suppressed and oppressed section of the society. The traditional social system, patriarchy, economic backwardness, illiteracy, illness etc. have made them most disadvantaged and deprived section of the society. For the over all development of the rural community as well as society it is necessary to improve the conditions of women. Empowerment of them is essential for this purpose. Necessary human rights should be protected for them. For such a disadvantaged section of the society, protection of human rights is essential for their survival as well as progress. A peaceful and congenial family and social life can only be achieved by protesting women's rights. But in reality the rural women cannot enjoy necessary rights. Violations of human rights mostly take place in the case of the rural women. Of all, dowry system makes human rights meaningless. But dowry system is a very common and largely expanded social curse in our rural society. The rural women are the main victims of dowry related violence.

Thus, it is very imperative to know about dowry system, dowry related violence and violation of women's rights due to dowry system. But no major research has yet been conducted on this topic. Therefore, it can be mentioned that the present research is very much meaningful and important from many considerations and also pioneers one in this field.

1.4: Hypotheses of the Study

There are four main hypotheses of the study. All through the study attempts have been made to test these hypotheses. The hypotheses are:

Hypothesis-I: Dowry system has a socio-cultural and religious origin in Bangladesh

Dowry system is a significant violation of women's rights. Women are the main plunders of dowry. But when and how dowry system originated in this society— it is a question to be answered. It may be hypothesized that patriarchic social system, male dominated culture and religion, women's dependency on men and cultural hybridism are responsible for the origin and continuation of dowry system in this society. At present, this practice has been a deep rooted social curse.

Hypothesis-II: There are social, psycho-cultural and economic causes and conditions of dowry system

The demand for dowry is a must in almost all marriages in the rural society. Social customs, family prestige, economic benefit, greediness, patriarchic culture, religious rules, inferior attitude towards women etc. are the main causes and conditions behind dowry system. Therefore, it may be hypothesized that there are social-cultural, economic and psychological causes and conditions of dowry system.

Hypothesis-III: There are various forms, sources and uses of dowry

In the rural society of Bangladesh various forms of dowry prevail. Usually, gold, cash money, land, domestic animals, property, necessary daily household goods, luxurious goods, job, sending abroad etc. are exchanged as dowry. Though the amount of demand depends on the family's economic condition of both parties, but almost all individual families practice this system. Therefore, it appears that irrespective of socio-economic conditions of the family, the forms of dowry can partially be different but the amounts of dowry must be different.

Similarly, there are diverse resources and uses of dowry money which largely depend on the economic conditions of the parties concerned.

Hypothesis-IV: Dowry is a cause of various forms of violence against women which violates women's rights

Dowry related violence is the most common and dominant one that makes women's lives inhuman, disgraceful and embarrassed. In the rural society, in most cases poor and lower middle class family cannot fulfill the demands of bridegroom party. Due to un-fulfillment of the bridegroom party's demand for dowry, women become the victims of both physical and mental torturing, rape, acid throwing, wife beating, suicide, killing etc. Therefore, it appears that dowry related violence has serious consequences on the violation of human rights of the rural women.

1.5: Operational Definition of Violence and Dowry

In order to analyze the subject matter of the present research, an attempt has been made to define both dependent and independent variables operationally. The dependent variable of this study is violence against women and dowry is the only independent variable i, e, dowry is a cause and violence is an effect of the cause.

Violence: Violence against women (VAW) means any act that results in harm and disproportionately affects women.³ The root cause of VAW lies in unequal power relations between men and women in almost all of facets of life. Some examples of VAW include domestic violence, rape and sexual harassment. The United Nations Declaration of the Elimination of Violence Against Women defines VAW as “any act of gender based violence that results in, or likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.”⁴

Dowry: Dowry or *Dahej* is the payment in cash or/and kind by the bride’s family to the bridegroom’s family along with the giving away of the bride (called *kanyadana*) in Indian marriage. *Kanyadana* is an important part of Hindu marital rites. *Kanya* means daughter, and *dana* means gift. Dowry is the demand of the groom (*bor*) to which the bride’s (*kone*) family unwillingly accedes. The practice of dowry significantly shifts in terms of exchange at marriage in favor of the groom’s party. According to *The National Encyclopedia of Bangladesh*, dowry property or money is given by a bride’s family to a groom’s family or vice versa as part of a marriage contract.⁵ In Bengali, it is

known as *pan* or *joutuk*. In Hindi and Urdu it is called *dahej*. In accordance with *The Webster Dictionary*, dowry means money, goods and estate that a woman brings to her husband at marriage.⁶ 'Dowry' is defined as any property or valuable security, given or agreed to be given in connection with the marriage i.e., it is a consideration from the bride's parents or relatives to the groom or his parents and/or guardians.⁷ This may be given at the time of marriage or any time after the marriage. The only exception to this rule is the dowry or *mahr* given during marriage under the Shariah (Muslim Personal) Law. *Mahr, denmahr* or *mahrana*, payable obligatorily by a husband to his wife as part of the written or unwritten marriage contract under Muslim personal law or *shariah* law, is to be regarded as dower and not dowry.

1.6: Literature Review

A number of literatures which are indirectly related with dowry system and violence against women are available in Bangladesh. I have reviewed certain of those like, Shamim Hamid, *Why Women Count: Essays on Women in Development in Bangladesh*;⁸ Robert Orr Whyte and Pauline Whyte, *The Women of Rural Asia*;⁹ Salma Khan, *The Fifty Percent: Women in Development and Policy in Bangladesh*;¹⁰

Shaiduzzaman and Mahfujur Rahman (edited), *Gender Equality in Bangladesh: Still a Long Way to Go*;¹¹ Dogmar Engels, *SOAS Studies on South Asia Beyond Purdah*;¹² Annette Kuhn and Anu Marie Wolpe, *Feminism and Materialism: Women and Modes of Production*;¹³ Deepa Narayan and others; *Voices of the Poor; Can Anyone Here Us?*;¹⁴ Jamila Brijbhusan, *Muslim Women in Purdah and Out of It*;¹⁵ Shiring Lindebeum, *The Social and Economical Status of Women in Bangladesh*;¹⁶ Sangeeta R. Gupta (ed.) *Emerging Voice: South Asian American Women Redefind: Self, Family and Communities*¹⁷ etc. But following literatures are the most important and relevant in this context which I have presented here:

Mohammad Sirajul Islam (ed.), *Dowry and Islam (Joutuk O Islam)*, Islamic Foundation Bangladesh, Dhaka, 2004.

This book is a collection of some articles on the perception about dowry system in Islam. The author of the articles has discussed dowry system from various points of view. There are twenty four articles are in this book. Most of the articles named as Islam and Joutuk, Marriages and Joutuk, Joutuk as a Social Curse, Joutuk as a Superstition, Joutuk as a Violence of Women Emancipation etc. Some authors have used the Quranic version on their discussion. The book says about the

definition of *joutuk* (dowry) very clearly. The authors have made it clear that Islam does not permit dowry or *borpan* rather it fully permits *denmahr* for the bride.

Maleka Begum, *Culture of Dowry (Joutuker Sankriti)*, The University Press Limited, Bangladesh, 2006.

The book is based on a Ph.D. dissertation titled *Joutuke Prother Samajik Rup O Bangla Shahithey Tar Protifolon* (Social Expression of Dowry System and Its Reflections on Bengali Literature). The book consists of four chapters in addition to “Introduction” and “Conclusion”. The first chapter deals with origin and development of dowry system in the literature and the other sources of undivided Bengali. The second chapter deals with the reflection of dowry system in Bengali literature during 19th and 20th century. The third chapter deals with dowry system in the literature of contemporary Bangladesh. The fourth chapters focuses on the dowry system and the violence against women in Bangladesh from 1972 to 2003. In this context, she presented some secondary data collected from twelve daily newspapers. This study has little success in analyzing dowry as a social curse particularly the context of in rural Bangladesh.

B. K. Jahangir and Zarina Rahman Khan (ed.), *Oppression of Women in Bangladesh* (Bangladeshe Nari Nirjaton), Samaj Nirikhan Keddho, Dhaka, 1993.

This is an edited book on violence against women in Bangladesh. The book consists of eight articles. Meghna Guha Thakurta says in her article named “Bangladeshey Nari Nirzaton: Rashtreer Bhumika” (Gender Violence in Bangladesh: Role of the State) how state policy influences violence against woman and how women subordination in the society is maintained by state interference and legislation. Zarina Rahman Khan has reviewed and presented her arguments about non-physical gender violence in the rural society of Bangladesh. Syed Hashemi says about the theoretical framework of economic exploitation against women in Bangladesh. Suraya Begum says how women oppression takes place in the male female relation of conjugal life and maternity duties. Milu Shamsun Naher says about demand and gender violence. She stresses on how demand system plays role in gender violence through an institution named “marriage”. She has presented the transformation of the marriage system in the context of Muslim and Christian populations. Tanvir Mukammel says about traditional behavior of women in Bangali literature in various periods.

Finally Rehnema Ahamed says about the religious ideology and women movement in Bangladesh.

In addition to the above mentioned books, a number of relevant books and articles have been carefully reviewed for this research. It appears, no remarkable research has yet been conducted in Bangladesh on dowry and violence against the rural women of Bangladesh. These literatures have helped me in theorizing the subject matter: at the same time these have provided with some secondary information.

1.7: Methodology

1.7(a): Sources of Data: Data for this study have been used mainly from the primary source. The data collected from the research field have been used as the main source of data. Some secondary sources have also been used in the study especially for theoretical analysis of the study as well as supporting documents of the primary data. In the case of secondary sources, books, journals, newspapers, radio and television news bulletin, government documents etc. have been used in this study.

1.7(b): Method of Data Collection: The study has followed both survey and case study methods in order to collect data. Interview with questionnaire, group discussion, in-depth-discussion have been used as the techniques of data collection. As the research area of the study, two typical villages have been selected: Hazipur under Shaturia thana in Manikgonj and Bashna under Dhamrai thana in Dhaka district.

All individual cases of marriage of the selected villages have been studied separately through a questionnaire made for this purpose. Both bride and bridegroom, their family members and other knowable persons have been interviewed with the questionnaire. In this respect, causes and conditions of dowry, forms of dowry, way of payment, sources of dowry money, uses of dowry money and dowry related violence have been studied with special emphasis. Impact of certain demographic characteristics (like age, education, occupation and income) of both bride and bridegrooms on the above mentioned aspects of dowry has been studied. By nature, it is a structured questionnaire with both open-ended and close-ended questions. Some contingency questions have also been made in order for as investigation of the subject matter. Before finalizing the questionnaire, it has been pre-tested several times. In addition, in some cases

observation method has also partially been followed in this study. The collected data have been presented in tables, figures and charts.

1.8: Description of the Research Area

Two typical villages have been selected as the research area of the study: Hazipur and Basna. Hazipur is a village of Baliyati union under Saturia thana of Manikganj district and Bashna is a village of Sanora union under Dhamrai thana of Dhaka district. The general description of the villages has been given below:

1.8(a): Hazipur

Hazipur is located in low land area. The area of the village is about 1,350 acres. It is divided into eight small size *paras*. The *paras* are: Fakir Para, Char Para, Maddha Para, Purba Para, Pashshim Para, Dewan Para, Bagan Bari. The village is divided into two wards: word no five (5) and word no six (6). The inhabitants of all *paras* are Muslim except Bagan Bari. Bagan Bari is the Hindu dominant *para*. The total population of the village is about 1,553. There are 791 (51%) male and 762 (49%) female in the village. There are 1331 Muslims and 222 Hindus in the village. There is a government primary school in Hazipur but no high school. Students of Hazipur go to the Baliyati Uchaa

Biddalay for their secondary education. There is a mosque and a club named Hazipur Unnayan Samity in the village. Some NGOs like BRAC, ASA, Proshika, Grameen Bank, Gonokalyan Trust are operating their activities in the village. There is no bank, post office, medicare centre and hat-bazaar in the village. The villagers go to Saturia or Sinduria bazaar for buying their daily necessary goods. Hazipur is two km away from Saturia bus stand which is connected with Manikganj sadar by a metalled road. Radio and television are frequently used in many families of the village but there is no subscriber of any newspaper. The economy of the village is predominantly agro-based. Most of the people are engaged in agricultural activities. Sharecropping is the dominant feature of agricultural relationship. Only a few inhabitants are engaged in service and business. All the women of the village are engaged in household activities except a very few primary school teachers and NGO workers. So far as their income is concerned most of the people of the village are poor. Some people belong to lower middle class group and there are some rich families in the village.

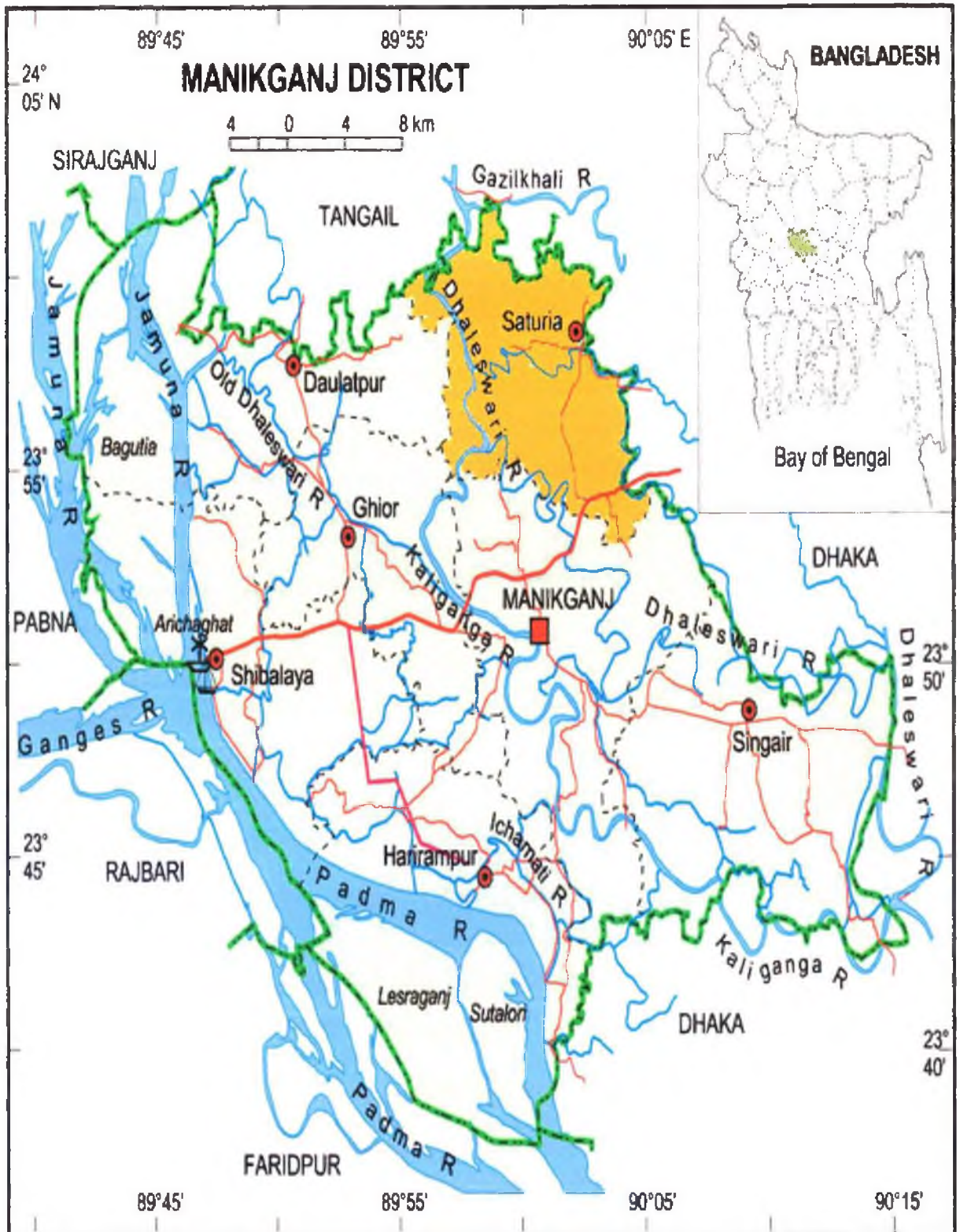
1.8(b): Bashna

The village is located in the eastern side of Sanora union. Dhaka-Saturia road crosses inside the village. The area of the village is about

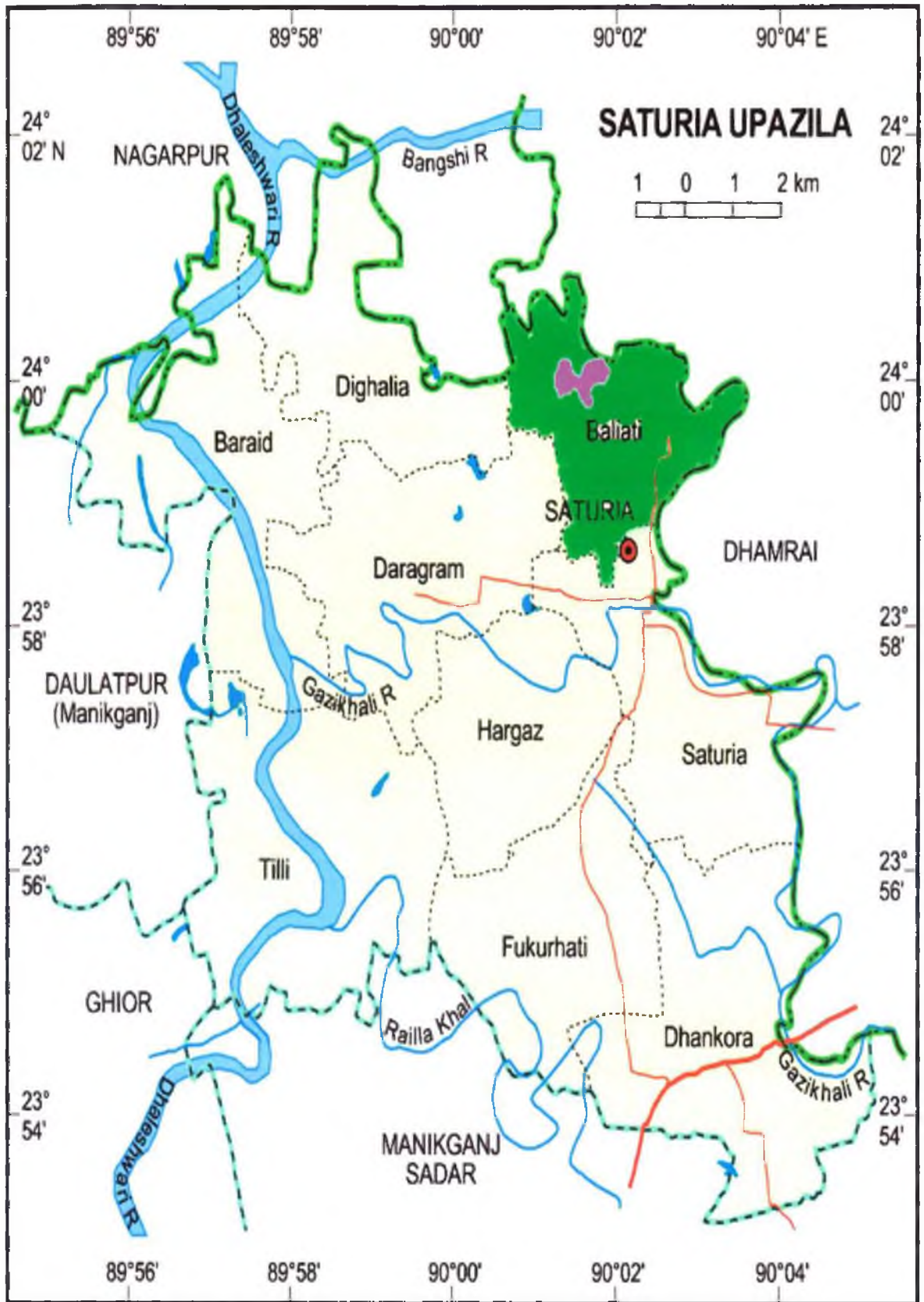
1,200 acres. The total population of the village is about 1,350. Most of them are Muslims. There is a government primary school, a BRAC school and also a kindergarten school named Zenith Kindergarten in the village. There are two mosques and three mandirs in the village. Among the three mandirs, two are Durga mandir and one is Kali Mandir. There is a kawmi madrasa in the village. There is a satellite clinic in the village. Every Thursday or Tuesday a doctor comes here from Dhaka city. Some NGOs like BRAC, Proshika, Grameen Bank are operating their activities in the village. There are two clubs named Bashna Jubok Samiti and Bashna Anser V.D.P Bahumukhi Samabay Samiti Limited operating their activities to organize the youth to participate in developmental activities. There is a Grameen Bank and a post office in the village. There is a small bazaar inside the village. The villagers go to the bazaar for their necessary buyings. Radio and television are frequently used in most of the families of the village. But no regular subscriber of newspaper has been found in the village. Most of the women of the village are engaged in household activities but a few are engaged in service and NGO jobs.



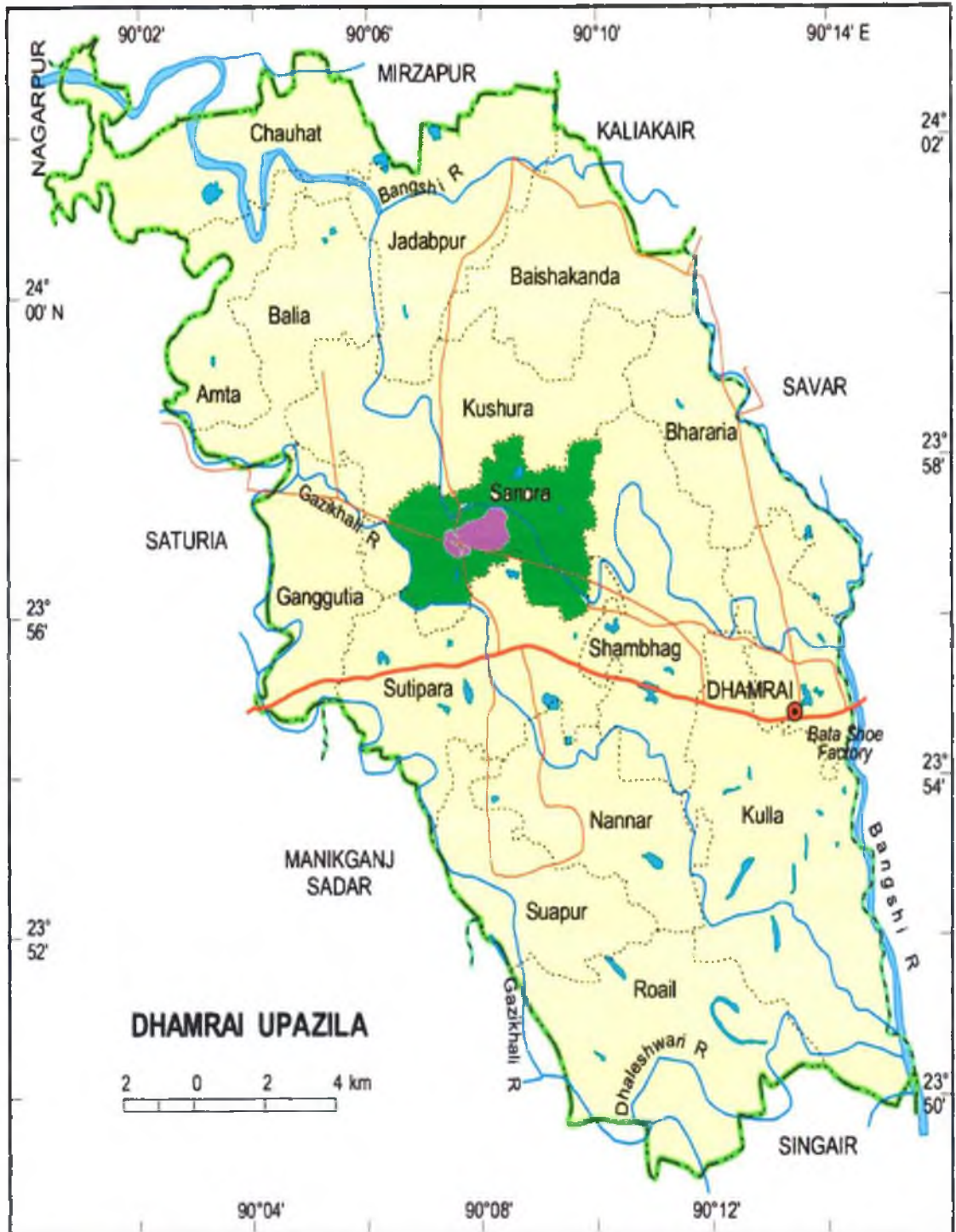
Dhamrai Upazila in Dhaka District



Saturia Upazila in Manikganj District



Baliati Union and Hazipur Village (Violet Color) in Saturia Upazila



Sanura Union and Bashna Village (Violet Color) in Dhamrai Upazila

1.9: Limitations of the Study

The present research has some limitations. Following are the major limitations:

1. A researcher's manageability mainly depends on time, money, personal skill and capacity. As the effort of an individual researcher, time, money and labor constraints have limited my study to be extent.
2. The rural women of Bangladesh are mostly introvert, timid, suspicious and conservatives. It is difficult to conduct a research on such an inaccessible community. Particularly, the respondents do not feel comfort to be interviewed about dowry system.
3. Most of the rural people do not know their respective dates of birth. Similarly, it is very difficult to calculate one's income in agricultural economy. In determining age and income, we had to depend on a complex process of calculation and personal judgment.

1.10: Chapter Design

The present study is divided into six chapters. Each chapter deals with particular parts of the subject matters in order to test the hypotheses.

The chapters are:

Chapter One

Introduction

This chapter deals with some introductory matters of the study. It includes the statement of the research, objective, hypothesis, rational, operational definition of variables, literature review, methodology, research area, limitation and chapter design of the study.

Chapter Two

Origin of Dowry System in Bangladesh

This chapter deals with the socio-cultural and religious origin of dowry system in the rural society of Bangladesh. Patriarchic social system, male dominating culture, religion, cultural hybridism etc. play significant roles in the origin of dowry. The subject matter of this part has been dealt with from historical and sociological perspective.

Chapter Three

Dowry: Causes and Conditions

This chapter deals with various causes and conditions of dowry system. Social tradition, social prestige, economic benefit, superior mentality of the bridegroom's party etc. are responsible for dowry system. An in-depth investigation and analysis has been made to explore the causes and conditions of dowry system in rural society.

Chapter Four

Dowry: Form, Source and Use

Various forms of dowry are prevailing in the rural society of Bangladesh like gold, cash money, land, domestic animal, daily household goods etc. Similarly, there are various sources and uses of dowry money. The chapter attempts to deal with these matters.

Chapter Five

Dowry Violence and Women's Rights

Women are exploited, discriminated and fully dominated by dowry system. Physical and mental torturing, wife beating, acid throwing, divorce, rape, killing etc. frequently happen in the society due to

dowry. Therefore, this chapter deals with the consequences of dowry system in Bangladesh. At the same time how dowry related violence violates women's rights has been analyzed in this chapter.

Chapter Six

Conclusion

Chapter six is the conclusion of the study. In this chapter, some concluding remarks have been made. In addition, some suggestions have also been made on how dowry system can be rooted out and how women's rights can be protected.

END NOTES

1. Ain O Salish Kendra, *Human Rights in Bangladesh 1997*, The University Press Limited, Dhaka, 1998, p. 92.
2. According to the population census of 2001, the ratio of the rural and urban population is 71.19% and 28.8% respectively. But only 12% of the total populations live in metropolitan areas. See, *Statistical Year Book of Bangladesh 2000*, Government of the People's Republic of Bangladesh, January, 2002, p. 81.
3. From now violence against women will be used as VAW
4. *Empowerment*, A Journal of Women for Women, Volume-12, Dhaka, 2004, pp. 54-55.
5. *BANGLAPEDIA: The National Encyclopedia of Bangladesh*, Volume-3, Dhaka, 2003, p. 381
6. *The Webster Dictionary*,
7. *Banglapedia, op, cit*, p.381.
8. Shamim Hamid, *Why Women Count: Essays on Women in Development in Bangladesh*, The University Press Limited, Dhaka, 1996.
9. Robert Orr Whyte and Pauline Whyte, *The Women of Rural Asia*, Westview Press, Colorado, 1992.

10. Salma Khan, *The Fifty Percent: Women in Development and Policy in Bangladesh*, The University Press Limited, Dhaka, 1993.
11. Shahiduzzaman and Mahfujur Rahman (edited), *Gender Equality in Bangladesh: Still a Long Way to Go*, News Network, Dhaka, 2003.
12. Dogmar Engels, *SOAS Studies on South Asia Beyond Purdah*, Oxford University Press, Delhi, 1996.
13. Annette Kuhn and Anu Marie Wolpe (edied.) *Feminism and Materialism: Women and Modes of Production*, Routledge and Kegan Paul, London and New York, 1986.
14. Deepa Narayan and Others, *Voices of the Poor: Can Anyone Here Us?* Oxford University Press, 2000.
15. Jamila Brijbhusan, *Muslim Women in Purdah and Out of It*, Vikas Publishing House Private Limited, India, 1980.
16. Shiring Lindenbeum, *The Social and Economical Status of Women in Bangladesh*, The University Press Limited, Dhaka, 1996.
17. Sangeeta R. Gupta (edited), *Empowering Voice: South Asian American Women Redefine: Self, Family and Community*, Sage Publications, New Delhi, 1999.

Chapter Two

Chapter Two

Origin of Dowry System in Bangladesh

The present condition of dowry system in rural Bangladesh can best be understood if the matter is dealt with from historical perspective. That is why, it has been hypothesized in the first chapter that dowry has its socio-cultural and religious origin in present Bangladesh. Therefore, this chapter has been designed in order to test this hypothesis. For this purpose, the factors led to the origin of dowry system in undivided India and Bangladesh have been dealt with from historical point of view. In this process, social, cultural, religious and economic factors have been taken into account with special importance. Some scholars like A. S. Altekar evolved stage theory in order to understand the position of women in Hindu civilization.¹ But in this study, no rigid stage-based analysis has been followed rather some general and broad stages have been maintained in order to understand the origin and expansion of dowry system in this region.

2.1: Vedic Era

The Veda is a significant source about the social life of ancient India. In dealing with Indian civilization, it is customary to trace everything to Vedic thought. Position of women and origin of dowry system can also be dealt with in this way. The earliest literature of this age is the Rigveda which could be considered roughly as having evolved from 1,500 BC to 1,000 BC. In Vedic philosophic thought, men have been given the most powerful anthropomorphic form. The word *nari* appears frequently in the Rigveda and is supposed to be the origin of *nar* (man) and *nari* (woman). The word *nari* is also used for bravery, working alongside man, giver of equality and leadership. At the highest level, *nari* was worshipped as Usha or Dawn, the bringer of hope, the path-finder of the sun and his sister as well as mother.²

The social, economic, political and financial status of the Indian women is also governed by her past. When we analyze her situation in the earliest historic phase, we find that in the Vedic age women had perhaps the most honored position in the contemporary world.³ In the Vedic period, the birth of a son was an important development in any postural society gradually turning agrarian. In Aryan society, which was constantly waging war with a substantial indigenous population,

it was even more important. A special ceremony called Punswan was prescribed in the third or fourth month of pregnancy for those wanting the birth of a son although its main aim was to ensure the security and safety of the fetus.⁴ Therefore, a son was also desired to a mother during the Vedic period.

Women had their won rights and choices in their personal lives in the Vedic era. It is an interesting reflection on women's status in the Vedic age that women could remain unmarried and remain Brahma vadinis devoted to the pursuit of knowledge and self realization or marry. Young men and women married after *brahmacharya* (a life of celibacy till the age of 25). Discussions on love between young men and women are often reported in the Rigveda. Girls could find a husband of their own choice. Young men, and even not so young men, could convert their romantic friendships into marriage. Marriage, according to the Rigveda, was based on truth and duty. It had a spiritual connotation meant to strengthen the social aspect, the mind, life breath and body of the couple. It could be Brahma *vivaha* (marriage) or Daiva *vivaha* in both cases involving the selection of marriage partners by their parents or Gandharva *vivaha* based on the couple choosing each other. During the marriage ceremony, the couple took solemn vows. The woman promises in the *saptpadi* (seven steps taken around the fire)

that she will look after her husband and his family and the husband endows her with his wealth, grain and eatables which are her managerial responsibility. She has equal rights as a partner. Marriage was regarded as such a noble institution that there is no mention of divorce. From such state of affairs women's respectable position in the society and family can be realized.⁵

At that period, the marriage bond was strong. Men did tapa to secure a wise wife and women knew how to cement the bond through service of the husband and the family. The bride was decorated with jewels for the wedding ceremony but no dowry as such is mentioned, though sometimes cows and servants were given to the groom. A woman was considered a symbol of good fortune in the husband's home. She could perform *yajnya* herself or along with her husband. Visvarara used to perform *yajneja* everyday in her home. The bonds of marriage were not hard but comfortable to live with. The marital bonds appear to have been so strong that even when a man performed the Vanaprastha Samskara or left for as a stated in the Atharvaveda Samhita, he was supposed to take his wife along.⁶

The basic religious belief and patterns of kinship of the Dravidians remained in their original form with some adoption of Aryan practices.

The Aryan practice of *ban* or *sapinda* or collateral marriages on the mother's father's side was not adopted by the Dravidians. Here all castes believed in cross cousin marriages with one's mother's brother's children or father's sister's children.⁷

The most important concept of *kanyadan* or giving the bride as *dana* or charity or gift to a suitable bridegroom was largely accepted in the south. This ritual implied that the object of the gift, the woman, had to sever ties and forego her rights from the paternal home. In some cases, this led to lowering the status of the woman. In the south, this was mitigated due to the subject of charity going to a family she knew from her childhood and would largely be treated with due to family ties. In the north, the woman assumed a completely new identity. In both cases, she was supposed to make her husband's family complete. In the south, it often had the advantage of family property remaining within the family.⁸

2.2: Era of Manu

A very important influence on the status of the Hindu woman has been the Manusmriti, a grand composed by Manu somewhere between 200 BC to AD 200 and committed to writing in twelfth century AD. In the

beginning of his book he writes: "Brahma separated his body into two parts; from half he created man and from the other part woman. She is, therefore, born equal."⁹ God resides where women are respected and where they are insulted all endeavor is useless. Women are also seen by Manu, as in the Jatakas, as seductive, who blame men and should be avoided seclusion.

The importance of marriage is stressed as paramount for women. Most of the marriage mantras are prescribed for women during the marriage ceremony. Manu prescribes, very strictly, the qualities of a girl who should be selected by a man as his wife. He states that a girl should not hail from a family which does not perform *jati* rituals (custom of the race).¹⁰

Manu has prescribed different forms of marriage like Prajapatya, Asura, Grandharva, Raskshana, and Paisacha. In marriage, a wise father is prohibited from taking any money for giving the daughter in marriage. As far as the actuals of marriage were concerned, he states that a man should invite an educated and well-mannered youth to marry his daughter who should be adorned with ornaments and given clothes for purposes of *kanyadan* after blessing them by saying that 'both of you (the couple) should perform *Dharma*'. According to Manu,

the most accomplished children are born out of such unions.¹¹ Here Manu put emphasis on ornaments and cloths which are not be labeled as dowry. He rather maintains men wanting prosperity should always respect women and on special occasions give them clothes, ornaments and special food. A family where there is conjugal harmony and happiness will have more lasting welfare than any other family.

In the marriage institution, Manu gives great respect to women and enjoins on the husbands to provide for her every comfort and respect. In those families where wives do not get respect, they curse the family which is destroyed, as after death or a murder in the family. He also states that if men desire greater welfare, then as fathers, brothers, husbands and brothers-in-law they should respect women and adorn them with ornaments.¹²

Manu respects the bond of marriage and condemns adultery stating that nothing reduces a man's life more than involvement with another man's wife. He goes on to state that if a lower caste man enjoys a higher caste woman, he should receive the death penalty while in the case of a woman who is proud of her beauty and copulates with another man, the king should get her bitten by dogs. He, therefore, advices that women should be protected day and night.¹³

The Manusmriti clearly states that a society cannot prosper where women are not happy and no family can thrive if its women members are unhappy and cursed. They were not shown disrespect through the process of marriage. They could keep their *sridhan* (money given to them by parents or in laws) and inherit property and wealth if unmarried or no male issues of their family were left.¹⁴

Manu stated about high esteem of women both in family and society. He did not mention about groom price rather emphasized bride price. According to him, marriage is a holy institution through which women are respected by men. But he did not allow inter-caste marriage which is punishable offence according to them.

2.3: Modern India and Bangladesh

In ancient Hindu society there developed, the custom of paying dowry as bride price but in modern times, this has turned into dowry as groom price because of hypergamy or *kulinism*. The traditional concept of hypergamy based on caste distinctions has since the 19th century assumed a new dimension in the shape of university degrees.

The Bengal Census Report of 1911 quoted one eminent observer as saying: "Education, instead of stifling or mitigating the baneful effect of

kulinism, has gone to a horrible degree to strengthen them. In fact, the university standard has become a more powerful engine of oppression for the girl's father than *kulinism*."¹⁶ Educational qualification put up the price of a groom because he has more likely to get a remunerative employment. As Muslims took to English education about fifty years behind Hindus, this brand of *kulinism*, in addition to the prevailing *kulinism* in the grab of *khandani* families in contrast with the families in such lowly professions as farming, fishing, weaving and oil-milling, also developed among them promoting the practice of dowry on a wider scale.¹⁷

The position of women in Indian society underwent many changes as a result of the social changes in the century. The honored position which the women enjoyed before the advent of Muslims in India gradually deteriorated during the Turkish rule. While the older tradition of high respect for them continued in a section of society, there were some people who looked down upon them and denounced them as the root causes of the ruin of men. A girl in a Hindu house was taught to respect the members of the family, especially the elders, from her very childhood. She was supposed to worship her husband like God and obey his commands. She was to follow her *pativrata dharma*

(complete loyalty and devotion to husband) and lead a very chaste life.¹⁸

Dowry was an old custom and gradually it became rigorous. This system was prevalent more among the rich than among the commoners. It also appears that it was absent among the Brahmins. The nature of dowry was different with the economic standards of the parents. The foreign travelers also took notice of the system of dowry prevalent in India. Usually it was the bridegroom's side which received the dowry. But the reverse cannot be ruled out and in some cases the parents or guardians of the bride also receive the dowry. This custom was prevalent mostly among the lower classes in the region comprising today of the states Uttar Pradesh and Bihar.¹⁹

In Bangladesh the widespread prevalence of dowry among Hindus is attributed to strict *kulinism* or caste restrictions, especially among the highest castes. Until the 19th century, this led to the spread of polygamy on a scale that saw high caste Brahmans having even more than a hundred wives allowing them to visit a wife left in her father's house not more than once a year. This made it easy for these Brahmans to live like parasites on the dowries and hospitality of their many fathers-in-law.²⁰

Dowry originated in upper caste families as the wedding gift to the bride from her family. The dowry was later given to help with marriage expenses and became a form of insurance in the case that her inlaws mistreated her. Although the dowry was legally prohibited in 1961, it continues to be highly institutionalized. The practice of dowry abuse rising in India. It is evident that there exist deep rooted prejudices against women in India. Cultural practices such as the payment of dowry tend to subordinate women in Indian society.

The practice of dowry in India goes back thousands of years. Its original intent, scholars say, was to protect women, who by bringing property and belongings to the marriage could enjoy some creature comforts and not have to depend entirely on their husbands. But somewhere along the line, what was supposed to be security for the bride came to be seen as a boon to the groom and his family, a way for them to augment their wealth.²¹

The main target of conjugal life is to get company of a husband from which the wife was totally oppressed for her life due to *kulin* polygamy of the husband. The husband came to his father-in-law's house to collect money and then came back.²² More money was collected if the husband stayed at night with his wife. In this way, the society did not

pressure on husband for the maintenance cost of the wife rather it pressured on bride family for the cost of maintenance of the groom.

The groom price that was started in 17th -18th century was transformed into as education (pass/degree) *kaulinnay* in the early 19th century that introduced dowry or the demand of *pan*. On the other hand, polygamy was emerged as the means of living from *kaulinnay* here literally (*bangsha kaulinnay*) the *kuline* Brahman got married as their livelihood and in course of time it was quite impossible to collect grooms for the guardians of the brides.²³

In nineteenth century, education and degree *kaulinnay* had become high in price in the marriage market. Bengali Hindu educated groom's party started competition for demand capitalizing education. Once dowry are free gifts spontaneous gifts in the Bengali Hindu society and the gifts are gifted to help the grooms of the brides. In nineteenth century this practice turned into the form of dowry demand.²⁴ In this way, dowry or *pan* system started its journey first in Bengali Hindu community and then in non-Hindu community.

The value of educated grooms who have money but no *bangsha kawlinnay* also increased. The guardian of the bride weared indirect string to their daughter's neck agreeing with dowry demand of the

educated *kaulin* grooms. The guardians of the bride started to choose *shikkhita patra* (educated groom) for the happiness of their daughter's future. The guardians of the educated grooms also started to take the chance of these conditions. As a result, they took the compensated money of their son's education expenditure from the bride's family. When the trend of getting conjugal life of the son with his wife in place of son's employment/job was begun even in joint family, the full cost of education and other costs were also collected from the bride's parents. The son may look after his parents in near future or not from such psychological build-up of the parents— they did not want to wait for that. Therefore, their attention was to collect money as soon as possible from the bride party and they started to use their son's education in competition of marriage market. In the above mentioned way, educated grooms turned them into *biddabebashayi'* (educated businessmen) class. The *pan* system in marriage was emerged in this way in Bengali Hindu society.²⁵

A chief historic motivation for bestowing dowry, as practiced in ancient Greece, Rome, India and medieval Europe, was to provide a degree of financial autonomy to a bride, how otherwise had little or no right to property after marriage. According to various traditions, dowry might flow from the groom and/or his family to the bride- thus

ensuring her economic well being in the event of her husband's death or the dissolution of the marriage- or from the bride's parents to the bride or her new husband, as a form of bequest, or premortem inheritance, for their daughter. Now practiced primarily in Asian cultures, dowry payment in its current manifestation typically involves the transfer of wealth from the parents of the bride to the groom and his family. Although women and girls are no longer the direct beneficiaries, some researchers maintain that the practice still confers benefits to the bride by enforcing her status in the marital home. Evidence from India, however, indicates that the positive effects of dowry for wives have more than diminished. Once considered a beneficent and even spiritual act observed only by the wealthiest and holiest castes with the lower castes practicing the more pragmatic tradition of bride price, involving compensation by the groom's family to the bride's family for the loss of human capital, the dowry system today often functions more as a commercial transaction and has been resolutely embraced by the middle and lower classes.²⁶

Dowry system directly relates with the marriage system. To know about the emergence of dowry system it is essential to know the marriage system of the Bengalis. During the birth of agricultural civilization there was no marriage system. At that time, a man could

build a family ensuring his future inheritance by entrancing a woman in his house. From the anthropological information it is known that it was compulsory for woman to make marriage relationship with a male partner. Relation with many women was recognized in the society for the male husband. From that times women is treated as property. As a result, control over women started from the period.

The marriage system of Bengali Hindu, Muslim, Buddha and Christian is different. The marriage system of Bengali Hindu community is guided by religious rituals and local customs. On the other hand, Muslim marriage is conduct by 'contract'. The Aryan society was built up by the patriarchal ideologies. In the tenth-eleventh century Bengali smiriti and puranist built-up the social system of Bengal in the frame of Indian caste classification. Aryan marriage custom also mixed with Bengali caste Hindu society through this process.²⁷ The marriage system of Bengali society has turned into present condition through many changes. Dowry system in Bengali Hindu and Muslim communities have contained same form through gradual transformation in different places and times.

Dowry system was not practiced in the Bengali Muslim society before 20th century. But the trend of *gharjamai* (the groom who puts up with

his father-in-law's family) was practiced in many families at that time. In the Muslim marriage, it has to mention in the contract form or *kabinnma* that how much money will be given to the bride by the groom as *mahrana*. The money given to the bride is called *denmahr*. This Muslim religious rules had been granted into the marriage registration act of Bangladesh.²⁸

The emergence of dowry system can be known from analyzing the history of dowry system. The custom of *kaulinnay*, the system of bride sell, bride price and groom price are related with the emergence of dowry system. The lives of Bengali women faced unflagging sufferings due to the negative role of *kaulinnay* system. Polygamy, child marriage, misfortune of women, adultery all are the negative effects of *kaulinnism* in the society.²⁹ Since the emergence of dowry system it created economic pressure on bride party.

To say about the emergence of dowry, Moulana Mosharraf Hossain said three sources are responsible for the emergence of dowry system.³⁰ These are:

1. In ancient Egypt dowry or *pan* system was present. It can be known that this system was introduced by the fire-worshippers.

2. In ancient period, the non-Aryans got their daughter's marriage with the Aryans in exchange of lot of dowry money hoping for their superior social prestige.

3. The main root of practice of dowry system lies in Hindu inheritance law. According to Hindu inheritance law, daughters have no share in her father's property. For this reason, Hindu fathers give a number of items as well as a lot of money at the marriage time of their daughters. In the next time, the practice turned into dowry system.

4. In the second and third decade of twentieth century a strong middle class society emerged due to the expansion of English education. This educated class got different government jobs that increased their social status. They were attractive as grooms to the bride's party. Bride's father gave a lot of gifts and other valuable things to the groom's party to get their attention and attraction. Groom's parent's satisfaction depended on the amount and qualities of the various gifts, later it turned into burning factor. It means that the gift items or money that was given to the groom's party spontaneously in the later period, it turned into the demand of the groom's party.

In nineteenth century even in the poor families' fathers had arranged their son's marriage in condition of getting education cost from

daughter's fathers. Sometimes aristocratic bride party took step willingly to give education cost as well as living cost even to the poor groom of aristocratic gentle caste. The combination of both the demand of the groom's party and willingly gifts of the bride's party was practicing continuously all over the time of twentieth century. Later, in twenty first century this practice turned into dangerous form and women of any caste, educated or uneducated, economically depended or independent suffered a lot for dowry demand.

From the emergence of *kawlinnay* system, *kannaypan* (bride price) and *borpan* (groom price) were established in publicly. The non-*kulin* grooms started to give bride price to the *kulin* brides to get marry them. On the other hand, the bride party started competition to collect groom by giving *pan* due to lack of *kulin* groom. In such way, *pan* system expanded in the society. In Bengali Hindu society, *pan* system took place as a negative result of *kawlinnay* system.

The seed of *borpan* system lied into polygamy as well as in child marriage. Once upon a time, the number of unmarried girls was higher than the number of boys. Unmarried girls treated as criminal/guilty person as well as disgraceful in the society. Girls were unprotected in society. So father's firm duty was to arrange marriages for their

daughters. The family of the unmarried girls was socially excluded. So getting *jamai* (groom) even in exchange of money was a serious headache for the bride party. The *barpan* system started from such an urge of searching groom of the bride party. The practice of dowry significantly shifts the terms of exchange at marriage in favor of the groom's party. This reflects a change over the last two generations in Bangladesh and parts of North India, where bride price used to be the norm.

The British policy in India and consequent expansion of English education and economy were responsible for the origin on dowry system in Bangladesh. In this respect, a scholar's observation is worth quoting at length:³¹ There is a general consensus among South Asianists that emphasis on dowry (of which groom price is a corrupt version), co-varies with social mobility, higher social position, urban employment and involvement in commerce. The first opportunity for meeting these pre-requisites in this predominantly rural part of the British empire arose when the British administration in West Bengal offered government employment to Hindu males in the end of 19th century. This in India introduced money accumulation into

the prestige system that had been based until then exclusively on land ownership. Thus education and employment possibilities gave rise to a new category of grooms— ones with salaried income. Henceforward, the rural householder's economic success depends on an ability to diversify a household's activities among landholding and private or government connected commerce. High demand for salaried grooms thus redirected the focus from desirable brides to qualified grooms and opulent dowries were meant "as an inducement to the family of a qualified groom to make an alliance".

In this context, Lindenbaum goes on explaining: The departure of the British followed by the formation of the Muslim state of East Pakistan in 1947, accompanied by continuous pauperization, dwindling landholdings and an ever increasing category of landless Muslim peasants, provided a political and economic framework for an aggravation of the male exodus from the villages. The educated minority could find an opportunity in the administrative and military services of the newly created state while the rest were absorbed by diverse odd jobs in the urban service and commercial sector. Hence

the 'shortage' of males in rural areas and the appearance of a new type of groom— one with in income potential.³²

Regarding the expansion of dowry during Pakistan period Linderbaum further states that a further factor contributing to the change was the economic re-orientation of East Pakistan towards the international market after 1947. East Pakistan's ever increasing dependence on foreign aid gave rise to a new sort of business class and introduced to the local market a wide range of foreign made consumer goods. In this scenario, the groom is no longer an undifferentiated category. The modern groom, one with regular cash income and dual residence, corresponds to a new ideal which fathers strive to obtain for their daughters in marriage and it is the suitable groom.³³

Linderbaum points to the different implication the political and economic changes had for men and women. The diversified economic activities split the attachment of the new groom between the employment market and the home and lead to his communiting life style. His income potential thus surpasses previously valued attributes of the bride. Brides in contrast, remain, in spite of emerging education opportunities, a relatively homogeneous, static and secluded group, embedded in old values. While grooms demand externally designed

objects that facilitate outward orientation and achievement through the acquisition of knowledge, speed, adjustment to outward forces, the valuable for the bride include the locally defined items of home manufacture.³⁴

2.4: Islam and Dowry

The custom of giving dowry (*jahaz*) is not part of Islam although it actually seems to be on the increase among several Muslim cultures, notably these of Indian, Pakistani and Bangladeshi origin. In fact, it is a practice which has never been sanctioned by Islam and is not prevalent amongst Muslims of other cultures. It seems to be in imitation of ancient Hindu culture in which daughters were not given any share in the family property, but were given payments, part of which might be in the form of household goods, as a measure of compensation. Islam granted daughters a rightful share in their family property and inheritance. As a result, dowry is not legal as well as logical in Islam. In the first era of Islam, marriage was a simple affair without pomp or ceremony. Any expenditure incurred in its performance was quite minimal and not a burden on either family.

Indeed, the Prophet stated: “the most blessed marriage is one in which the marriage partners place the least burden on each other.”³⁵

Nowadays, much difficulty and hardship can be caused by the setting and giving of dowries, bride prices and *mahr* not to mention enormous wedding feasts and celebrations in some cultures which bring a most unreasonable financial burden on the families concerned. Financially crippling celebrations are totally in opposition to the spirit of Islam, and are not necessary. They are purely a matter of the culture of certain regions. No Muslim should feel obliged to continue these un-Islamic traditions, or be embarrassed about breaking with their old cultural traditions.

A woman holds a very high status in the Islamic faith. She is honored and respected at all times, but many startling transgressions have crept into Islamic practice. These transgressions have been caused by cultural influences that have no bases in Islam. One such influence is the dowry. Muslim living on the Indian subcontinent has slowly incorporated the payment of dowry into their lives. In India, the dowry originated in the upper caste Hindu communities as a wedding gift (cash or valuables) from the bride’s family to the groom’s family. There is nothing strange or unique about a culture influencing Muslim

practice, as it is a common occurrence around the globe. There is nothing wrong with this as long as those cultural practices do not contradict Islamic law. The practice of dowry, however, does in fact transgress Islamic Law.³⁶

Dowry system in Bangladesh has a long and diverse history. The present condition of dowry system is the result of many centuries development. Its form was also varied from time to time and region to region. But point is to note that dowry system originated not in the Bengali Muslim culture rather its origin was in Hindu religion and culture. Polygamy, Hindu inheritance law, child marriage, caste system, emergence of English education etc. were responsible for the origin of dowry system. Hindu of Muslim coexisted for many centuries in this region. As a result cultural, hybridism emerged and its direct implication is the intervention of dowry system in Bengali Muslim. But the continuation and expansion of the system depends on the realities of contemporary Bangladesh society.

END NOTES

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Chapter Three

Chapter Three

Dowry: Causes and Conditions

There are diverse causes and motives behind giving and taking dowry. At the same time, there are some fertile conditions which fuel dowry system. It is very important to investigate these causes and conditions. Why does one party give dowry? Why does another party take dowry? What do they want to achieve through dowry? What are the motives behind giving and taking dowry? What are the conditions that fuel dowry system? These are very pertinent questions to deal with dowry system in rural Bangladesh. Therefore, this chapter of the study attempts to investigate various causes and conditions of dowry. But why one party takes dowry and another gives it— are not always due to same cause or conditions. That is why, we have divided the following discussion into two broad parts: (i) why one gives dowry; (ii) why one takes dowry.

3.1: Why One Gives Dowry

Why ones gives dowry— there are certain causes and conditions behind this action. But following are the important causes and conditions:

Social Status: This is an important cause of giving dowry. Sometimes dowry is given as a symbol of social status both of the bride and bridegroom parties.¹ The people of the poor families cannot think about their status, because they are economically backward and they have no ability to be involved in such expensive exchange. But the people of rich and middle class families always think about social status. Rich families have status in the society and they are respected by the commoners. So, they want to maintain their status quo in the society. As a result, they give more valuable things as a form of dowry in the marriages of their family members. It has been found in our research area that some rich families are very conscious about their social status and they think that giving money or valuable things in daughter's marriage is one kind of struggle for getting honor. We have found a marriage case where bride is the daughter of a UP member of the village and groom is the son of a UP chairman of another village. Both parties are economically affluent and socially honorable and both

belong to the *matbar* (leader) group of their respective villages. We have interviewed the bride party intensively. Some parts of the conversation are as follow:

Q. Have you given dowry in your daughter's marriage?

A. Yes, I have given all ornaments for my daughter, a 24" color television, a motor-bike and some clothes for the bride and groom.

Q. Why have you spent a lot?

A. See, I'm a *matbar* (leader). What I have given in my daughter's marriage— every one will enquire about it. So, to maintain my *mun-ijjat* (respect) in the *samaj* I have to do many things. Now, you tell me whether it is good or bad.

An old lady who is about 85 has two sons and three daughters. Her two sons are about 55 and 45. They are highly educated and doing good jobs in Dhaka city. Their house is very good to look at and their aristocratic faces are also remarkable. In an in-depth discussion with the family members we have come to know that in the marriages of the two sons *pan* was given to the sons-in-law. But in the marriages of the grand daughters, various valuable things (including gold and luxurious furniture) were given. They think that marriage is the most important matter in one's life. It happens only once in one's life. So, it

should be grandeur. They usually give valuable things in all the family members' marriages. They do it in order to maintain their family status.

The above mentioned practices of rich families touch the lives of others. Everyone wants to follow the rich man's culture and practices, because poor people are not only economically dependent on rich families rather culturally as well. The practice of giving dowry in daughter's marriage (either it is by pressure or willingly) also touch the lives of the lower and middle class families. But the capacity of giving dowry in various classes is different. Therefore, it can be maintained that giving dowry has become a matter of social status in the rural society of Bangladesh.

Compulsion: Dowry is a must in almost all marriages in the rural society. All families recognize dowry as a curse, but almost all of them practice it. Brides' fathers think that it is a great responsibility for a father to arrange a marriage for his daughter. It has been found in the rural area that the guardians of the daughters are very busy to handover their girls as soon as possible. It has been observed that parents feel anxious most of the time since the born of their female children. It becomes a serious headache for them when their girls

grow up. They (parents) attempt to arrange their daughter's marriages very soon after their daughter's puberty. They search a bridegroom before their daughter's puberty so that they can deliver the daughters after puberty, because the demand for a tender aged bride is higher in the marriage market than older aged one. Therefore, they do not want to lose the chance of getting grooms for their daughters at tender age. It is found in our study area that almost 80% respondents reply that they agree to pay dowry under compulsion. In a group discussion, the participants of the research area said, "It is difficult to get a good one as a bride without dowry, so none wants to miss the chance." A respondent (who is a teacher in profession) expressed his view in the following way:

I dislike dowry from my heart and soul. I am a school teacher and I have a morality and ideology. But I am fully helpless. In my daughter's marriage I had to give dowry. If I disagreed with dowry marriage, another father would agree with it (dowry marriage). So, where will I go? How can I bear the burden of an adult but unmarried daughter? If I disagree with dowry marriage, my *samaj* would blame me: what kind of father I am!

Another respondent who is a farmer has three daughters, said, "I am a father of three daughters, their ages are about 15, 13 and 6. I hoped that almighty would give me a son, but my hope has become in vain. I can't throw my daughters here and there. I think about their future. It is my duty to arrange marriages for them." He added, "I have arranged my elder daughter's marriage. Now she is 16. My second daughter is growing up. If I can't arrange my first daughter's marriage earlier, then second daughter's marriage will also be late." Here it is found that fathers in the rural areas want to arrange the marriages for their female children at their very young stage. As a result, early marriage has been a common practice in almost all families in the rural areas. That is why, to collect a bridegroom even in exchange of much money has been essential to the guardian of daughters. In case of Hindu marriage, compulsion is very high; because daughter can't claim in their fathers' property according to the Hindu inheritance law. In marriage, they get whatever to get in their paternal property.

Psychological Make-up: The attitude of family members towards a girl and a boy is totally different. Even the parent's attitude towards their male and female children is also different. They think that female children will to go another house after marriage but the male children

help them in their older age. Due to such parochial attitude of the parents a girl child gets negligence since the beginning of her childhood. She becomes psychologically weak and treated as second class citizen in the society. Her inferior and subordinate position creates complexities in her life. Even the parents of the daughter feel inferior complexities only because of being a father or mother of a daughter. But at the same times a daughter's father is also a son's father. Being a son's father he feels proud of that. So, it can be said that dual roles are played by same father. Dowry is given to the groom due to such a weak psychological make-up of the bride party. A respondent who is newly married, said, "I am a *meya manush* (woman) by birth. This is a very cause of tension of my father because he (father) will have to pay dowry money." Another respondent named Santa (23) said, "*Me ya manush* (woman) is the burden of the society. Life of a father of a *me ya manush* is full of pain." Here it is found that a daughter can realize she is the main cause of her father's pain and suffering. It is a great tragedy in a woman's life.

Female children in the family are treated as "*onnao*" (other) and other's property. They are always treated as beloved daughter or lovely sister or enjoyable lovely wife or affectionate mother. Simon de Beaviour says, society makes a man as positive but a woman as

negative; second sex and as other.² Simon's comment is much applicable to the women of rural society of Bangladesh. It has been found in our research area that women are totally dependent on others and they have no individual identity. About woman's negative role, Beauvior says, "Woman is oppressed by virtue of 'otherness'. Woman is the other because she is not man. Man is the self, free, determining being who defines the meaning of his existence, and woman is the other, the object whose meaning is determined for her. If woman is to become a self, a subject, she must like man, transcend the definitions, labels, and essences limiting her existence. She must make herself be whatever she wants to be."³ Even a woman has no control on her won body rather her body is under male control. All over her life she learns about subordination and weakness from the family, society and the environment that surrounds her. Her family also believes and maintains such inferiority in minds. That is why, bride's family gives dowry to the groom's family considering themselves as inferior.

Religious Values and Practices: Hindus conceive of marriage as a sacrament. In ancient Hindu society there developed, in disregard to the form of the scriptures, the custom of paying dowry as bride price.

But in modern times, this has turned into dowry as groom price because of hypergamy or *kulinism*. In Islam, marriage is an obligation and contracts in which *mahr* plays a significant role. *Mahr* or *denmahr* (bride price) is payable in two parts: (i) on the spot at wedding; and (ii) delayed. The wife may legally refuse to have conjugal relations with the husband until the first part is paid. The second is a debt that a husband must pay on demand even if divorced or widowed and this is to be paid if the claim is made within three years. *Denmahr* is payable to the wife under all circumstances even if there is no mention of it in the marriage contract. It is obligatory on the part of the husband whether he is rich or poor, adult or adolescent, young or old. If he is incapable of paying, the court will not spare him. Under Islamic law, *denmahr* is entirely wife's property. *Denmahr*, bride price or dowry, never permitted the wife to be treated harshly by the husband; it merely conferred legal recognition of the two to lead conjugal life and to have children. Apart from other factors, the value of dowry in reality is equated with the value of *denmahr*. It is found that if one gives 1 lakh taka as *denmahr* to the bride, he expects a return almost same value of *denmahr* in the form of dowry. In fact, it is a matter of give and take relationship between two parties, though *denmahr* is not paid in reality but dowry is directly paid. Another cause of dowry is

related with psycho-religious factor. According to the Quranic verse, men are superior to women. It is stated in *the Quran*:

Men are the protectors and maintainers of women; because Allah has made one of them to excel the other, and because they spend (to support them) from their means. Therefore, the righteous women are devoutly (to Allah and to their husbands), and guard in the husband's absence what Allah orders them to guard (e.g. their chastely, their husband's property). As to those women on whose part you see ill-conduct, admonish them (first), (next) refuse to share their beds, (and last) beat them (lightly, if it is useful); but if they return to obedience, seek not against them means (of annoyance).⁴

Thus religious ideology justifies superior status of men to women. It is also stated in religion:

Eve is depicted as being made by God from Adam's rib and is thus seen as an appendage to the use for his pleasure. Eve is further devalued when she is seen as the cause of humankind's original sin. She tempts Adam to eat from the forbidden fruit of knowledge and they are subsequently

expelled by God from the garden of the Eden for disobedience. Eve is not seen as inherently evil. The serpent thinly veiled allusion to the Devil-tempts her originally and so she is seen as weak and foolish, the unwitting instrument of the man's downfall. There is also a sexual allusion in the eating of the fruit of the knowledge, so that Eve is also seen as a sexual temptress.⁵

Thus, a number of verses and orders may be cited from religions which justify the superior status of men to women. In the process of superior-inferior relationship, superior may demand some thing extra from inferior. Apart from the other factors, men's superior psychology has developed in this way of religious interpretation. But Islamic prescript says, groom will give money to bride. It indicates, inferior will take from superior. But it is found that when groom pays money to bride it indicates that groom is buying brides in our society. On the other hand, when bride gives money to groom it is considered as usual.

In this respect, property inheritance law based on religion deprives women of their due property rights. At the same time, it creates subordinate position of women in family. An observer analyses the matter in the following way, "Patrilineal inheritance patterns in both

Muslim and Hindu laws are also a cause for women to favor their son's over their daughters. Placing a higher value on offspring therefore arises out of the perception of sons being better economic assets and old age security than daughters who have limited inheritance rights, if any and will remain subordinate to their husband and their families their own life time."⁶

Satisfaction: In some cases, dowry is given for mental satisfaction of the bride's family. Usually, the affluent families in the rural areas give dowry for their satisfaction rather than pressure from the groom's party. It is found in our research area that in the marriages of an affluent family in most of the cases bridegroom's parties did not throw any demand to the bride's family directly. The groom's party offered in the following way:

Groom's party: We have no demand. You know better than us what should you give to your groom.

Bride's party: please tell us what will we give you in the marriage?

Groom's party: You can decorate beautifully your daughter by gold and some furniture. If you do not mind

we want to say that our groom needs a job. If you can manage a job for him, your daughter's life will be happy and peaceful.

It has been found in our research area that the amount of dowry is very big in the case of an affluent family. But both parties deny it as dowry. A mother of a bride says, "My daughter will go to another home, another environment which is very new to her. To control the new environment dowry will help as a medicine." Generally, the bride who brings a lot of money for the groom is honored and regarded by her husband's family. A grandmother of a rich family of Hazipur says, "We have given almost 15 *vorie* gold in each grand-daughter's marriage. My elder son has three daughters and my younger son has two daughters. Among them, four daughters have already got married." She added, "In the case of my son's marriage we did the same. We brought our daughter-in-law by giving her more things within the range of our capability." In answering to the question why that family gave a lot of things in their sons and grand-daughter's marriages, she said, "We have not given those as dowry. Rather we have given those willingly for our own satisfaction. Recently, we have given a motor-bike to our elder grand-groom but they never wanted this bike."

In accordance with Hindu religious law, daughter cannot claim in the father's property. Daughter's share in father's property is not recognized by Hindu religion. So, the father may want to give something valuable to their daughter's marriage for mental satisfaction. Of course, it is known to them that the ultimate owner of the dowry property is their daughter's husband.

Competition: Sometimes dowry is given due to competition amongst the fathers of the brides. It has been found in our research area that if a father denies giving dowry to a groom in his daughter's marriage, another father proposes to take more dowries to the same groom. The bride's family is eager to marry their daughters as soon as possible because an unmarried woman still has neither place nor status in patriarchal family and society. Therefore, bride's parents eventually fulfill the dowry demands of other side. If they do not have the money they make loans. Money is valued as symbolic evidence of success and thus personal worth.⁷ Abdur Rahman (56), a school teacher of Bashna, says, "In my younger daughter's marriage we agreed to give 50,000 taka that were proposed by the groom and all arrangements for the marriage ceremony were completed. But the groom party refused to marry my daughter before two days of the marriage date. After few

days, we came to know that the groom got married another girl of another village in exchange of taka 80,000. So, if I do not give money to the groom, another father will give it.”

It is found in both Bashna and Hazipur that in most cases guardians of the bride are ready to give dowry money to the groom and in this respect a silent competition goes on amongst them. Giving dowry to the groom is almost a matter of competition among the bride’s families. It has been mentioned earlier that a girl’s marriage is a great headache to the guardians and all the guardians are very concern about searching a good boy. As a result, they never want to miss the chance. A cold and silent competition goes on among the guardians for this purpose. Who will get the good boy and how they can get it is highly an important issue to them. From the competitive point of view a bride party in most of the time proposes valuable things and cash money willingly. To handover the daughter to a good groom is a moral obligation for the father. Therefore, a boy (groom) of a *bhalo ghar* (good house) *bhalo jamai* (good groom), *bahlo bangsho* (good lineage) gets importance to the bride’s side. To capture a good groom they never think about money. Whatever the price they try their best to make the groom’s side satisfied. Ultimately, such an attempt turns into a race.

A number of respondents in our study area said, "This is the time of dowry. All guardians try to handover their daughters at the very young stage. Nobody wants to buy (marry) even a slightly aged daughter." They added, "The number of girls is high in the present society. As a result, the demand of the groom is also high. So, we have to pay dowry". Most of the inhabitants of Bashna and Hazipur believe that due to more number of girls than boys dowry has become a common phenomenon in the society. But our national figure does not permit this hypothesis rather it says that almost 49.5% are women and 50.5% are men. Actually, bride's party remains in a highly confusing and fearful position about their daughter marriage. This fear ultimately is turned into a competition among them. Among the competitors he succeeds who can spend the largest amount of money in the marriage market. We have found a married man who has a female child of 6 years old. Most of the time he lives abroad (Middle East). He is bright to look at and always wears good dresses, but he is very much aggressive to his wife and child. He says, "Getting marriage is a matter of two minutes. At least fathers of one dozen brides are ready for that."

Demand for dowry money is acute in Hindu marriage. A study reveals that in a survey of 105 families in Bangalore it was found that 66 percent of the families incurred debts in order to marry their

daughters, or they promise to pay more after marriage.⁸ Same can be said about the Hindus living in Bangladesh territory.

Patriarchy: Patriarchic social and family system is one of the most important causes as well as conditions of dowry system in rural Bangladesh. Patriarchy literally means the rule of fathers. But today's male dominance goes beyond the rule of the father, it includes the rule of the husbands, of male bosses, of rule of man in the most societal institutions, in politics and economics, in short, what has been called 'the men's league' or 'men's house'.⁹ The concept patriarchy was re-discovered by the new feminist movement as a struggle concept, because the movement needed a term by which the totality of oppressive and exploitative relations which affect women, could be expressed as well as their systematic character. Moreover, the term patriarchy denotes the historical and societal dimension of women's exploitation and oppression, and is thus less open to biologicistic interpretations, in contrast, for example, to the concept of male dominance.¹⁰ The fact is that today's patriarchy is almost a universal system which affected and transformed most pre-patriarchal societies has to be explained by the main mechanisms which are used to expand this system, namely robbery, warfare and conquest.¹¹ In the

patriarchic society of Bangladesh, women appear as objects not subjects, and their roles have been marginalized and inferiorized.¹² A proverb can be mentioned in this respect: “men are superior to women as the front legs of an elephant are superior to the hind.”¹³ The root of patriarchy lies in personal property relations. Personal property is the foundation of the family, society, state and culture. And anyhow ownership of this property goes to men as per rule of patriarchy. Like other necessary things, wife is the personal property of husband. The relation between the people is also determined by the property relation in the society.

Patriarchy holds power and power is recognized as a vehicle of progress, or more precisely, a means to attain and accumulate things.¹⁴ Because of this power, grooms demand dowry to brides. But a particular sex-gender is not the victims of patriarchy rather both male and female are the victims of the system. As for example, a father is to bear the burden of dowry money although he is a male. Thus, patriarchy is very much responsible for the origin as well as continuous existence of dowry system.

Cultural Hybridity: Culture is the collection of one’s beliefs, attitudes and orientations towards anything. It includes social habits,

practice and traditions. Generally, the people live in a particular area hold almost same culture. It is true for the inhabitants of Indian subcontinent. In this subcontinent, Hindu culture is very dominant. Dowry is very common and largely expanded tradition in Hindu culture because of their property inheritance system. A father gives a big amount of dowry in his daughter's marriage. This cultural practice touches the lives of other religious communities, like Muslim, Christian and Buddhist living in the subcontinent. But in India and Bangladesh, now dowry is payable mostly to grooms for their higher value in the marriage market on account of their capacity to earn a good living or higher status in the society.¹⁵ In Bangladesh, the widespread prevalence of dowry among Hindu is attributed to strict *kulinism* or caste. Until the 19th century this led the spread of polygamy on a scale that saw higher caste Brahmans having even more than a hundred wives allowing them to visit a wife left in her father's house not more than once a year. This made it easy for these Brahmans to live like parasites on the dowries and hospitality of their many fathers-in-law.¹⁶ The social scenario in the subcontinent especially in Bangladesh has remained largely static although authorities continue to be engaged in legal exercises to prevent dowry related cruelty to women. Dowry system has penetrated in the Muslim dominated Bangladesh

mainly from the Hindu culture and society.¹⁷ This cultural hybridity is also seen in Nepal where most of the people are Hindus. In this respect, Narayan's comment can be mentioned: "In Nepal, a major problem reported for women in the community was dowry because of which so many women got torched and there were so many deaths and injuries."¹⁸ Therefore, origin and expansion of dowry system in rural Bangladesh is due to cultural hybridity.

Social Tradition: Like other traditions, dowry has almost been an established tradition in Bangladesh society. Poor or rich, educated or uneducated, Muslims or Hindus almost all are more or less directly or indirectly involved with giving or taking dowry. This practice has been socially institutionalized. The society based on patriarchy creates superior-inferior relation between men and women. Society teaches various cultural practices to dominate women. Social and cultural practices are closely link to the legal rights of women which makes the empowerment of women in this area a complex and long term objective.¹⁹

In answering to the question why dowry is given to the bride, most of the respondents say, "Dowry is given because it has been a tradition." A respondent says, "Giving dowry is a law in the rural society." In

answering the same question, a number of respondents replied, “Dowry is given because all people give it.” They added, “If we do not agree to give dowry, other persons give it; then we will be sufferer, our daughters will be sufferers.” A respondent named Jagadish Sutradhar (27) of Hazipur says, “Bride party gives dowry because groom party wants it. On the other hand, groom party wants dowry because they get it.” A respondent who is an I.A. says, “Dowry is given for social causes. He added, “If I do not give dowry, then what my *samaj* (society) will say? So, in order to save social prestige I have to give dowry.” From the above mentioned discussion it has been found that the practice of giving dowry is a social tradition. Among the Hindu, lower caste have to give dowry because of their lower position/status in the society. Thus, dowry has been a social practice/custom in rural Bangladesh.

3.2: Why One Takes Dowry

Why one takes dowry— there are certain causes and conditions behind it. But following are the important causes and conditions:

Easy Earning: Dowry is an important source of easy earning. It is a very profitable business for the groom. There is no risk of losses in the business although the amount of the dowry depends on both bride and groom parties' family conditions, groom and bride's qualifications. Whatever the qualities of the grooms, usually they demand dowry to the bride party. They do not think about the hardship of the bride. How bride's father will collect this big amount of money— they have no headache about it. They just throw the demand to the bride party and wait to get it on time. Anwara (45) who has two daughters, blamed, "Groom's father does not move single step without demand. They can get money easily if they demand. Who wants to miss this opportunity?"

Necessity/Need: Usually, groom party uses dowry money in various necessary activities of them, such as paying off loan, buying domestic animals, house building, daily necessities, buying land, going abroad, marriage expenditure etc. It has been found in our study area that out of 450 marriage cases 262 groom parties have taken dowry for their necessities. Among them, at least in 110 marriages grooms have spent the dowry money in the marriage ceremonies. In 80 cases, it has been found that dowry money has been used by the grooms or their fathers

in daily family expenditures. In 22 marriage cases, it has been found that dowry money has been spent in getting employment either in board or abroad. Sometimes dowry money is spent for repaying the loan of the groom family. We have found such cases in both Bashna and Hazipur.

A respondent named Anwar, says, "My father needs money to give a *tong* shop in the village and also to buy an ox for ploughing. My mother has taken loan for that purpose from Grameen Bank. My father has also made some loan from *mahajan*. But one year has already passed; they cannot return their loans until now. Now, I am 21 only. I want to get marry at least three or four years later. But my father gives me pressure to marry in exchange of taka 25,000." From the above mentioned incident it can be realized that in some cases people of the rural areas get marry only for taking dowry and spend it in their own necessity.

It has been found in our research area that dowry money or property in most cases has been used by the groom party in marriage expenditure. It is very common in rural areas that bridegroom's family demands dowry, collect it from the bride and easily spend this money in the marriage ceremony. It is found that in 110 marriages out of 263 dowry marriages, dowry money has been spent mainly in marriage

purposes. In answering to the question: how you (groom) have used the dowry money. They replied in a very short sentence, "in the marriage." We have asked another question to them: do you know how the bride party collected the money? Most of the respondents reply that they do not know about it. Some grooms say, "My father-in-law collected this money by making a loan or by selling a cow." We have found a husband who is an NGO officer. According to him, "My father-in-law is a teacher. He has three daughters. He has distributed his property among three daughters. I demanded money for house building to him. My office is at least 8/10 km. away from here. Therefore, I also demanded for a motor-bike to my wife. My wife placed this demand to my father-in-law and he fulfilled it."

We have found a case in which the groom lives in South Korea. In an in-depth discussion with the family members of the bride we have come to know that the bride's father gave taka two lakh in his daughter's marriage. Of this big amount, 1 lakh has been paid before marriage and the other one lakh has been paid after marriage. After six months of marriage the bride went to South Korea to live with her husband. We have found some other cases in which grooms live in some Middle East countries like Saudi Arabia, U.A.E. and Bahrain. Most of them went to abroad with the financial help of their fathers-in-law

families. In the rural area, sometimes groom parties take dowry for buying land. We have found at least 22 such cases.

Usually, bride's party uses the dowry money in various necessary activities such as paying off loan, buying domestic animals, house building, daily necessary activities, buying land, going abroad and marriage expenditure etc. Among 263 dowry marriage cases, the groom has taken dowry to pay off the loan. Mozibor (45), a day laborer of Hazipur, takes taka 15,000 from his relatives at least three years ago. He promised to back the money in that year. But he fails to back the money in due time. By this time his son has grown up and now he is 22. He thinks that he can pay off the loan if he can arrange marriage of his son. Then he started to search his son's bride and finally he arranged his son's marriage with Joinal's daughter (Sumi) in exchange of taka 25,000 as dowry. Joinal is also a day laborer. Here it can be mentioned that getting marriage is a way of the groom's father to protect him from such an odd situation like loan. On the other hand, bride's fathers have to collect this big amount of money by hard working. Despite such hardship he feels comfort that he has been able to arrange his daughter marriage and now he is at least has no tension.

Superior Psychological Make-up: Women feel inferior complexity because of gender discrimination in everywhere of the family and society. But superior-inferior relationship between men and women creates problem in the society. In the patriarchic society of Bangladesh, the superior position of male persons allows them much scope to participate in political and social activities as well as family decisions. Islam has also recognized the superiority of men over women. Such recognition of men's superiority over women by Islam fuels male domination. But not only religion but the society also created discriminatory rules for women that make them inferior to men. In this respect, a scholar's observation is worth quoting:

The society makes much hard rules for the women than the religion. The society that makes rules such as a girl will stay within the house while a boy can go out, or that a girl will be given less food to eat and less time to play than a boy, that a boy will be sent to a better school so that when he grown up he can look after the family business or get a good job, while not much attention will be paid to a girl's education, etc.²⁰

It is the society (or all of us who make up society) that decides that man is superior, woman is inferior, that the wages paid for men's work

are higher, for women's work lower, that man is powerful, women is powerless.²¹ Inequalities, hierarchies and customs of the society are created by society, not by the nature. Such inequalities and customs make superior psychology among men. They do pressure on women as their subordinate. They try to overload on their wives, sisters or other female persons. A husband's possession of his wife is reinforced by the payment of a bride price. Male ownership of a woman as property under marriage rationalized marital rape.²² As a continuation of superior psychological make-up of men, they want to control or influence their subordinate and taking charge from the bride party (either forcing or not) is the way to put pressure upon them (brides). In this respect, Narayan says, "Men believe that paying dowry means buying the wife, so they use her anyhow at all times."²³ It has been heard from some bride's guardians that they would have "to sell" their daughters. They use the term "sell" to mean "marriage" which makes a bride an "object of sale." Therefore, it may be concluded that men's superior psychological make-up upon women is responsible for taking dowry from the bride party.

Groom's Cost: Dowry is taken from groom's cost-benefit point of view. Amount of dowry depends on the qualities of grooms, like

education, resources, character, beauties etc. An educated groom whose father has huge property demands higher amount of dowry. A good looking groom demands much money to the brides. It has been found in our research area that a groom of 24 (HSC), bright colored face demands taka 1 lakh at his marriage, but finally his family demands for taka 80,000. In an in-depth discussion with the family members of this groom they said very strongly, "Our son looks beautiful, tall figure and educated also. Fathers of many girls proposed willingly to marry in exchange of big amount of money. But we have selected a bride of a good family though they have offered comparatively less money." Here it is mentionable that this groom is totally unemployed but he has earned a big amount in his marriage mainly by showing his physical appearance and education. On the other hand, an educated but unemployed girl requires higher dowry. It is because of social norms that the boy is normally more educated than the girl in a marital relation. But in the case of inverse condition the boy is not willing to marry the girl of higher education than him. An uneducated girl without a job commands a dowry in between.²⁴ In a discussion with the people of both Hazipur and Bashna we have come to know that there is a general preference for son in the male dominating society which has some practical uses. Sons secure the

transfer of property into the next generation and they have also better prospects as wage earners while daughters have far opportunity for employment and will anyway marry and so leave.²⁵ In addition, they are the ultimate bread earner of the brides. After marriage a wife is totally dependent on her husband. So, in consideration of the economic dependency of the bride taking dowries at marriages bridegrooms bring funds for the household. In this respect, Sarah says, "Giving dowry at daughter marriages drains family resources, while a son brings funds into the household on their marriage. The gender competition of households is a very significant factor in their class mobility."²⁶

If there is one boy in a family, then it helps to earn more money for the family. Having a son in the family has many opportunities because he is the only owner of his father's property. Therefore, such boy's cost is higher than others in marriage market; as the property will not be distributed among others. The family who has both brothers and sisters in that cases lower number of brothers is countable in the marriage market. Here it is mentionable that if the sisters are married or if there is no sister— both conditions are demandable.

Return of *Denmahr*: In the Muslim marriage, *denmahr* is a must to pay for the groom. In Muslim societies *mahr* or *denmahr* (bride price) is payable in two parts: (i) on the spot of wedding; and (ii) delayed. The wife may legally refuse to have conjugal relations with husband until the first part is paid. The second part is a debt that a husband must pay on demand even if divorced or widowed and this is to be paid if the claim is made within three years.²⁷ "*Denmahr* is payable to the wife under all circumstances even if there is no mention of it in the marriage contract. It is obligatory on the part of the husband whether he is rich or poor, adult or adolescent, young or old. If he is incapable of paying, the court will not spare him. Under Islamic law, *denmahr* is entirely the wife's property. *Denmahr*, bride price or dowry, never permitted the wife to be treated harshly by the husband; it merely conferred legal recognition of the two to lead conjugal life and to have children."²⁸ The practice of *denmahr* is also applicable to the Muslim in the rural society of Bangladesh; *denmahr* (bride price) is a written document which is signed by the groom himself. But most of the grooms do not implement their written promises to their brides. Both parties do not take it seriously because they are not conscious about the obligation of Islamic order. On the other hand, groom party takes dowry from the bride as a return of *denmahr*. Kamal Uddin, husband of

Sokhena, took taka 40,000 from Sokhena's father at their marriage. But he signed for taka 50,000 as *denmahr*. Most of the brides in our study area do the same thing. Therefore, it can be concluded that in most cases groom party takes dowry as a return of *denmahr* which is in fact a promise but never paid in reality.

Social Custom: Social custom or tradition is an important cause as well as condition of dowry system in our rural society. Once upon a time there was a system known as *pan* – compulsory dowry which was paid by a Hindu father to his son-in-law. But in the cases of Muslim marriage, the *pan* system was used differently. In such a case, the groom would give *pan* to his new coming wife as *denmahr*. Even the grooms gave the marriage expenditure to the bride's father. We have found such cases which prevailed almost one hundred years ago. As for example: Moyful Banu, a very old woman (91) of Hazipur, said in her own words, "I got married in 1925. At that time, my father-in-law gave my father one taka that means *sholo ani* (16 *ana*), not only that my father-in-law told my father, please spend the money in your daughter's marriage. If you need any more, please tell me, do not hesitate." She added, "My father-in-law loved me very much. That time was the time of getting of girls and this time was the time of getting of

boys.” Most of the respondents of Hazipur and Bashna said that boys take dowry because it is a social tradition. Some respondents said in this way, “We cannot break the chain of tradition. Where everyone is taking dowry, there what we will do by not taking it.” Some respondents replied, “Now the daughter’s fathers give dowry automatically. Now, it is not the matter to demand. They are ready to give it. So, the groom and groom’s father are also ready to take it. It is an easy practice: groom party takes dowry because bride party gives dowry. In the ancient times, the custom of paying dowry as bride price but in the modern times, this has turned into dowry as groom price.²⁹”

Necessity: Sometimes dowry is taken from the necessities of the bride groom party. This is very true in the case of the rural area where most of the people are poor and needy. They cannot fulfill their daily necessary demands. Ill health, insufficient food, illiteracy, economic backwardness, insufficient land— these are very common features of the rural people. So, earning something from anywhere and anyhow is usual to them. They hardly think about legality and morality. From this consideration, the bridegroom party tries to take as much as they can from the bride’s party. They behave as selfish with the bride party. They do not think about the hardship of the bride’s

family. "Necessity knows no law" – this proverb is very much true especially for the rural poor people in making a marriage contract. It has been found in our study area that the frequency of dowry is higher (72.22%) in the marriages of the grooms who belong to 10,000-20,000, 20,001-30,000 and 30,001-40,000 income groups. On the other hand, the frequency of dowry is lower (25%) in the cases of 60,000+ income group. Therefore, it indicates that the lower is the level of groom's income; the higher is the level of frequency of taking dowry. On the other hand, the higher is the level of groom's income; the lower is the level of frequency of dowry.

Social Prestise (*Kulinism* or *Khandani*): Hindu *kulinism* and Muslim *kahndani* are very prestigious and honorable family titles in Bangladeshi society. These are the symbols of family prestige. The bride price turned into groom price because of hypergamy. The Bengal Census Report of 1911 quoted one eminent observer as saying: "Education, instead of shifting or mitigating the baseful effects of *kulinism*, has gone to be a horrible degree to strengthen them. In fact, the university standard has become a more powerful engine of oppression for the girl's father than ...*kulinism*."³⁰ Another observation is also worth questing at length: "Educational qualification put up the

price of a groom because he was more likely to get a remunerative employment. As Muslim took to English education about fifty years behind Hindus, this brand of *kulinism*, in addition to the prevailing *kulinism* in the garb of *khandani* families in contrast with the families in such lowly professions as farming, fishing, weaving and oil milling also developed among them promoting the practice of dowry on a wide scale."³¹

In the rural area of Bangladesh, usually the daughters' fathers want to establish relationship with the prestigious family. Social prestige can be bought by money like investing money in marriage. Therefore, dowry is a significant investment in buying social prestige as well as upgrading social status.

Greediness: One of the main causes of taking dowry is the bride's and his family's greediness. According to Thomas Hobbes, "Human nature is nasty, brutish, solitary, poor and short." Hobbes' ideas are very much true even for the rural people of Bashna and Hazipur. Because rural people are mostly poor, backward and needy, and in most cases needy people become greedier. Most of the bride families are poor and they cannot fulfill their basic needs. As a result, bride families demand dowry at marriages and get the dowry demand

within a very few days. And it is very difficult to control the greediness of getting a big amount of money as dowry.

The rural people are mostly poor and economically backward and they are very much needy. They cannot fulfill their very necessary basic demands of everyday lives. Their necessities of daily lives make them greedy. But one's greediness makes him or her inhuman. A greedy person can do any occurrence in the family as well as in the society. Taking dowry is in most cases as the result of excessive greediness of the groom family. It has been found in our study area that greediness takes place not only in case of poor families but also in lower middle class and even rich families. In an in-depth discussion, the respondents expressed their views in this way: "A marriage without dowry is quite impossible, because fathers of the grooms are very greedy." They added, "They (fathers) do business with their son's marriages and this is very profitable business." It has been found in our study area that in most cases father or guardians of the bridegrooms do not want to miss the chance of getting a big amount of money and other luxurious goods from the bride's father or bride's families. It is also found in the research area that comparatively well established groom family also demands dowry.

We have found a marriage case in Bashna village where bride was tortured both physically and mentally only for one *vorie* gold. Here this bride's opinion is presented: "My father-in-law and mother-in-law demanded two *vorie* gold in my marriage contract. My father sold his cow and bought a gold ring and chain for me by one *vorie* and spent some money in my marriage ceremony. He could not give me another *vorie* gold. Therefore, my father-in-law and mother-in-law are very much unhappy with me." She added, "I do every thing to make them pleased like to polish mud-made house, cooking food, washing cloth and always remain obedient to them. But they do not count my hard labor. They are very selfish and greedy." A father of the bride feels helpless in giving dowry in his daughter's marriage. On the other hand, some father feels happy to take dowry in his son's marriage. Such dual roles in a father's attitude are available in Bashna and Hazipur. They never think about the hardship of the bride's fathers. They know that giving dowry to them is a very hard matter for the bride family but they do not care of it. They want to get their demand money within a very short time. Sometimes their demand goes on cyclicity one after another. They do behave as hijackers in capturing money and other materials.

Inactivity of Local Leaders: From the above discussion on the causes and conditions of taking and giving dowry in the rural society of Bangladesh, it seems that some more factors are also responsible for it. We know he who is a leader should have some responsibilities for the people. He must have some controlling capacities on others activities. So, the leaders of the villages like chairman, member and other respectable persons have some duties to do something for the village people. It is their duty to motivate the people in the right track. But it has been found in our study area that the local leaders do not play effective roles in resisting dowry system. We asked them: you are the local leader of the village, so as leaders you should play roles in resisting the social curse like dowry. One of them replied, "Yes, we have some duties in this respect. But this (dowry) is very deep rooted and dangerous practice. If I go to protest it, nobody will listen to my advice. So, why I will advice the people to resist dowry." Leaders of both Hazipur and Bashna villages do various social activities, like resolving conflicts of the rural inhabitants by *shalish*, relief distribution among the poor people, distribute *saris* and *lunges* among the old people, constructing the public roads, safeguarding the common properties etc. Though they are not active in resisting dowry but they play roles in any marriage related problems, like husband

wife conflict, wife beating, conflict between bride and groom parties etc. A leader is a respected person to all. If the leaders guide the people carefully and cordially they can easily create consciousness among the people of the village in resisting dowry. But their indifference towards resisting dowry, their insincerity, lack of cordiality and lack of consciousness are some fertile conditions in which dowry system grows and expands.

Indifference of Law Enforcing Agency: The Bangladesh Government has enacted a number of laws in order to root out the dowry system. It has also employed some law enforcing agencies in implementing the laws. In Bangladesh, the practice of giving and taking dowry has been made a punishable offence by the Dowry Prohibition Act of 1980 to prevent wives being oppressed and murdered on account of it. The Bangladesh act provides that payment or demand for payment of dowry by one is punishable with imprisonment for up to five years or a fine or both. But the laws enacted in 1983, 1995 and 2000 to prevent cruelty to women and children provide for a sentence of death or life imprisonment and financial penalty to a husband or any of his relatives who causes or attempts to cause death or grievous injury to a wife on account of

dowry.³² But our study reveals that after 1980s especially in 1990s range of dowry has increased largely in rural Bangladesh. It is because of absence of effective law enforcing agencies. We have laws in this regard, but it has no effective implementation. If there were fear of punishment the people would not have committed this crime. But it is also true that various media like radio, TV channels and Bangladesh Television, newspaper, magazines, bulletins advertise regularly for awareness building among the people against giving and taking dowry. Despite these efforts due to indifferences, corruption and inadequate number of law enforcing agencies an effective and meaningful outcome is not coming out in this respect. In addition, most of the villages of Bangladesh are located far away from the police stations, and they cannot get the help of the police.

Absence of Written Document: One of the most important causes of taking and giving dowry in the rural society is the absence of written document of dowry. Dowry has no written document. It is verbally contracted and exchanged. As there is no evidence of it, in case of punishment no evidence is found. As a result, the guilty is released having no written document of dowry. Even some marriages

in the rural area are also not registered. Such state of affairs has made dowry easy exchangeable matter.

END NOTES

1. 'Status' is used to signify the degree to which one have authority or power in the domestic and/or public domain. See, Robert Orr Whyte and Pauline Whyte, *The Women of Rural Asia*, Westview Press, Boulder, Colorado, 1982, p.17.
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4. *The Holy Quran*, Saral Nisa,....
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6. Shamim Hamid, *Why Women Count: Essays on Women in Development in Bangladesh*, The University Press Limited, Dhaka, 1996, p.147.
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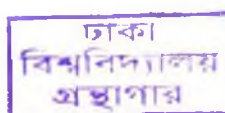
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19. Shamim, *op.cit.* p.

20. Kamola Bhasin, *What is a girl? What is a boy? (Meye ki? Chele ki?)* Proshika Human Development Center, JAGORI, DHAKA, p.33.

21. *Ibid*, p.36.
22. Narayan, *op.cit.* p.211.
23. *Ibid*, p.211.
24. *Ibid*, p.210.
25. Sarah C. White, *Arguing With the Crocodile: Gender and Class in Bangladesh*, The University Press Limited, Dhaka, 1992, p.110.
26. *Ibid*, p.110.
27. Banglapedia, *op.cit.*p.382.
28. *Ibid*, p.382.
29. *Ibid*, p.382.
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Chapter Four

Chapter Four

Dowry: Form, Source and Use

In dealing with dowry, it is imperative to take into account its diverse forms, sources and uses. Dowries are exchanged in various forms and the amounts of the dowries are also varied from person to person and family to family. How dowry money is collected by bride parties— is a big question. Similarly, uses of dowry money are also important to know about the motives as well as needs behind taking dowry. Therefore, this chapter has dealt with the forms, sources and uses of dowry money. In order to do that the chapter has dealt with the following: various forms of dowry, dowry items given to grooms and brides, what items are given by whom, changing nature of dowry items, amounts of dowry money and their variations, uses of dowry money and various sources of dowry money.¹

4.1: Forms of Dowry

Dowries are given and taken in various forms. Usually, necessary goods for life like gold, cash money, daily necessary household goods,

land, property, jobs etc. are exchanged as dowries. Dowries may be divided into two main forms: (i) dowries given to the groom; and (ii) dowries given to the bride. Again the forms of dowries given to the bride are divided into two parts: (i) dowries given to the bride by the groom's party; (ii) dowries given to the bride by the bride's family and relatives.² Usually, the dowries given to the groom by the bride party are labeled as dowry in our society. This section has discussed and analyzed the above mentioned forms of dowries in details in the following way:

4.1 (a): Dowry Items Given to the Groom

Dowry given to the groom is the main form of dowry. This is the form in which the groom and his family take dowry directly from the bride party. Many necessary goods and things for daily life are given as dowries to the grooms in the rural society of Bangladesh. Bride's parents give it to the groom for social tradition or custom or for the pressure of the groom's party. Educated or illiterate, black or white, rich or poor, higher caste or lower caste, high born (*ucha bangsha*) or lower born (*nichu bangsha*) - almost all the grooms of the rural society more or less take dowry. The agreement between the families of the

bride and groom over an acceptable dowry may be done through a mediator, or directly between the two families.³ The items that are given to the grooms are mainly cash money, motor cycle, bi cycle, gold ornaments (gold chain, finger ring), costly watch, land, domestic animals (mainly cow/ox, goat), radio, television, job, sending abroad, marriage expenditure etc. The demand of the dowry of the bridegrooms depends on the economic condition of the bride father, social status of the bride family, beauties of the bride, education and other qualifications of the bride, ownership of paternal property, nature and income of job, behavior, moral character, piousness etc.

It is found in our study area that in the case of rich families, usually cash money, land, motor cycle, luxurious furniture, job, valuable electronics items like refrigerator, color television, cassette player even mobile set etc. are given as dowry. In addition, groom's costly dresses, a good (expensive) watch, shoes and golden chain, finger ring are also given to grooms.

In the case of middle or lower-middle class families, usually cash money, television, necessary household goods like: a *cot*, dressing table, *almirah*, sofa set, land, job etc. are given to the groom. Mahbub (M.A) a business man got married in 2005 with Munni (M.A). No

remarkable items are given to Mahbub from Munni's family. But Munni's maternal uncle has given a golden color watch, a gold finger ring, a gold chain and a set of dress to the groom. Zabbar Ali, a labor (now in Saudi Arabia) got a color television, a big *cot* and a gold chain as he demands. Anowara's maternal grandfather gave the gold chain for her husband, Zabbar. Amina (19) got married with Makbul Hossain (22 and S.S.C). Makbul (a business man) got taka 1 lakh as dowry from the bride family. Amina's maternal uncle gave taka 20,000 and her two elder brothers (who are farmer) gave taka 40,000. It means that taka 60,000 has been given by the bride party. Here the very close relatives (those are blood-related) helped in this respect.

Sirajul Islam (22) a *probashi* labor got married with Nilufa Begum (18). Nilufa's father gave taka 1 lakh 20 thousand to Sirajul's family as they demanded. In addition, as the fulfillment of the part of the groom party's demand Nilufa's maternal uncle gave a mobile phone valued 2,000 taka. Joydev Chandra Sutradhar (22) has taken 50,000 taka and a television as dowry from his father-in-law. Maternal uncle of Shamsunnaher gave a television to her husband Saidur. Fahim's (16) father has given taka 15,000 cash to the groom, Jashimuddin (22). Her brother has given a *cot*, an *almirah*, a show-case, a wad drop and her maternal uncles have given a gold chain of 8 *ani* to the groom. Salma's

father is a farmer whose yearly income is about 35,000 taka. But he has given to his daughter's husband taka 50,000 in cash money, a gold finger ring, an *almirah* and a *cot*. The demand of the groom party has been given by her father by making a loan. Amir (26) got married with Fahim Akter (21) in exchange of taka 40,000. This full amount of demand money has been given by Fahima's father alone. But a watch, 2 shirt pieces and two pant pieces have been given by Fahima's maternal grand father. Saiful Islam, an E.P.Z. labor (H.S.C.) has taken 20,000 taka from his father-in-law in his marriage. He demanded a television and a cassette player that are given by his maternal uncle-in-law. Therefore, it can be said from the above mentioned analysis that in the lower or lower middle class family marriages (both parties yearly income is about 50,000 to 60,000) usually cash money, useful furniture, electronic items and sometimes gold are given as dowry.

In the poor families of the rural society, usually cash money, watch, by cycle, cassette player, color television, black-white television, radio, bed sheet, umbrella, melamine set, gold chain and finger ring, shirt-pant etc. are given as dowry. It has been found in our study area that among 340 marriage cases (who belong poor groups) in 217 cases grooms or their parties demanded cash money compulsorily to the brides. China's (19) father is a very poor peasant of Hazipur village. He

arranged his daughter's marriage with Halim (28) who is a government employee. Halim's family has demanded taka 50,000 but he got taka 40,000. Jalah (33), a B.A, got married with Lipi (20) H.S.C. Lipi's father has given 20,000 taka and a fridge as the partial fulfillment of dowry demand of Jalal's family. A *cot* and an *almirah* have been given to this groom by the bride's maternal uncles, and a set of dress (pant and shirt) and a gold finger ring have been given by the groom's paternal uncles. Shahnaz got married with Shahed Ali (farmer) in 1999. Shanaz's father gave taka 7,500 and other daily useful items as dowry. Bina Rani Ghosh (14) got married with Sushil Ghosh (a business man, *sharnaker* 22) in 2004. Bina Rani's father is an employee of a jewelry shop. Bina's father gave taka 10,000 that Sushil's family demanded.

It has been found both in Bashna and Hazipur villages that in all classes (rich, middle or poor) cash money is a very common form of dowry though the amount of dowry depends on the family's economic conditions of both parties. In addition, the amount of demand depends on the bride's beauties, her educational qualifications, her profession and the social position of the bride's family. On the other hand, groom's quality, his beauties, educational qualification, occupation,

age, number of brothers, social position etc. are considered as the main determinants of dowry demand.

4.1 (b): Dowry Items Given to the Bride

Dowries given to the bride may be divided into two forms: (1) Dowry given to the bride by the groom's family; and (2) Dowry given to the bride by the bride's family. Dowry given to the bride by the groom's family is very common form of dowry. Usually, this dowry is given to the bride by the groom himself or his father or brothers or other nearest family members. But in most cases, only the groom and his father give this dowry to the bride. The main items of this form of dowry are ornaments, *shari*, shoe, cosmetics, ladies watch, etc.⁴ It has been found in our research area that in the poor families *shari*, a pair of silver made nose ring and ear ring and a pair of sandal are given to the bride by the groom in their marriages. But in the rich and middle income families usually gold ornaments like ear ring, hand ring, finger ring, necklace, bracelet, *tickly* (ornament of the head), chain, *sharis*, shoe, cosmetics etc. are given to the bride. Among the items, the main items (gold ornaments and *shari*) are usually given by the groom's father. But to give the *nakful* (nose ring) is a must in all marriages in

the rural areas.⁵ Every groom and his family practice the system of giving *nakful* to the bride. Because wearing *nakful* is the symbol of taking a husband. In addition, the rural people believe that *nakful* is the symbol of husband's welfare and a wife does not wear *nakful* after the death of her husband. The bride's family also gives dowry to the bride at their marriages. Dowry given to the bride by the bride party is also divided into two categories: (1) Dowry items given to the bride's by the father or brother; and (2) Dowry items given to the bride by the relatives and neighbors. Usually, in most cases the bride's father and in some cases the bride's brother give the main items like gold or silver made (chain, ear ring etc) ornaments to the brides.

We have found a few marriage cases in which the father of the brides has given land as dowry. Here it may be mentioned that the father registers the land in the name of her daughter, but the ultimate ownership of the property goes to the daughter's husband. An example can be mentioned in this respect: Bindu Rani, daughter of Haritosh Roy, got married with Subindar Roy. Horitos Roy has some land property and he is a business man. He has given 5 decimal land to his daughter after one month of their marriage. But Bindu Rani does not agree to register the land in her own name. She requested her father to register the land in her husband's name.

4.1 (c): Who Gives What Items

In the rural society of Bangladesh, usually a groom gets a lot of dowries in the form of gifts at his marriage as per his demand. Bride's father, brothers, sometimes sisters (if their husbands are rich), her maternal relatives, paternal relatives and other relatives of the bride give the items as the fulfillment of the demand of the groom's party. The main items of the demand are generally given by the parents of the bride. But among other items, mainly bride's maternal relatives like '*mama*' (maternal uncle) or '*nana-nani*' (grand father and grand mother) give a major and valuable gift. The main cause of giving valuable gift by the maternal party is the mother's share in her paternal property. Though mother has yet not possessed her share in father's property, the maternal uncles want to get release from obligation by a so-called big share in dowry.⁶ In most cases, paternal uncles share a little to his niece's marriage because father of the bride has already possessed his share of the paternal property. But bride's own sisters (if she is married and capable to give) and brothers (if they have capacity or not) try to give something at their sister's marriage.

In the rural society of Bangladesh, the rich people give valuable items to the grooms as the groom party demands. But sometimes the groom party does not demand any items directly though bride party gives various items to the groom. It has been found in our study area that valuable items are exchanged as dowry in the rich family.⁷ Usually, bride's father or brothers give the total part of demand of the groom family. In some cases, bride's maternal uncles to some extent share in the total part of the groom's demand. Some cases of dowry items exchanged in marriages are described below:

The yearly income of Rubi's father is about 1 lakh 78 thousand taka. He has arranged a job in a private company for his coming son-in-law before her daughter marriage. Here job is exchanged as dowry. Masuma Begum married with Mujahid Ali. Masuma's father gave a motor cycle to his daughter's husband. But he (father) gifted it willingly. A school teacher of Bashna has three daughters. He has much land and properties. He has given a big amount of cash money to all of his daughters' marriages. All husbands of the daughters have got some land and other properties. Samad Miah is the husband of elder daughter. He is an NGO worker. He has got taka 10,000 with a well furnished ceramic bricks made house of six lakh taka. There are three bedrooms, one dining, one drawing room, two bathrooms and one

kitchen room. He has got all essential furniture like 3 big *cots*, dressing table, dining table, sofa set, wad rope, *almirah* etc. In addition, television, refrigerator, cassette player etc. are also given by his father-in-law. Here, all items are exchanged as dowry. Moshiur Rahman got married with Bithi. As Moshiur is a service holder, his family demanded good cash (50,000 taka), a motorbike and some useful furniture for new familial life. Bithi's father gave the total cash to the groom. But her elder maternal uncle (*boro mama*) gave the motorbike; young maternal uncle (*choto mama*) gave a dressing table and *almirah* to the groom.

4.1 (d): Changing Nature of Dowry Items

In the recent years, the forms of dowry have been changed to some extent. It has been found in our study area that there was no demand of dowry in the marriages before 1960. Table-4.1 shows that during 1961 to 1970 there were 28 marriage cases both in Bashna and Hazipur. Of these, 3 were dowry and 25 were non-dowry marriages. During 1971-80, there were 17 dowry and 35 non-dowry marriages out of total 52 marriages. The amounts of dowry in most cases were below 10,000 taka. But after 1980, both frequency as well as amount

of dowry gradually increased. The present study reveals that in the years 1981-90, 52 marriage cases out of 81 were dowry marriage. In the period of 1991-2000, we have found 82 marriage cases out of 123 cases in which grooms have taken dowry. It has also been found in the study that the demand of cash money in the mentioned period was in most cases 10,000 to 30,000 (70 out of 123) and in some cases it was 30,000 to 50,000. After 2000, the frequency and amount of dowry payment have increased a lot. The study reveals that in 109 out of 154 marriage cases bride parties have given dowry to the groom. Of these, in 61 cases, amount of dowry ranged 30,000-60,000+ taka and only in 48 cases below 30,000 taka dowry. Therefore, it can be concluded that the number of dowry has increased, the amount of dowry has also increased and cash money has a special value to all in all the times.⁸ But in the recent years, valuable furniture, electronics items, flat, land, gold etc. are given with cash money to the groom by the upper and middle class families. And in the marriages of the poor or lower-middle class the forms of dowry demand are confined to cash money, a very small amount of gold, necessary household and useful items like bi-cycle, watch, cassette, television etc. Therefore, it reveals that the forms of dowry are partially different and the amounts of dowry completely different in the marriages of different classes.

Table-4.1: Increase of Dowry Marriage in Some Selected Periods

Period	Dowry marriage	Non-dowry marriage	Total
+1960	0 (0%)	12 (100%)	12
1961-70	3 (11%)	25 (89%)	28
1971-80	17 (34%)	35 (66%)	52
1981-90	52 (64%)	29 (36%)	81
1991-2000	82 (67%)	41 (29%)	123
2001+	109 (71%)	45 (29%)	154
Total	263 (58%)	187 (42%)	450

In *pan* system, gold ornaments, necessary useful materials and a very little amount of money was given to the bride by the groom. At that time, the use of cash money was rarely important. But during 1970s and 80s, use of cash money as dowry increased. Our study also reveals that after 1970s the practice of giving cash money at marriage has increased both in Bashna and Hazipur. As cash money is very much useful to all classes, therefore, it is found that the use of cash money is common in the research area. Though the rural people are mostly poor, the demand of cash money is found at the marriages of almost all poor families. In addition, the items (watch, radio, television, cassette, cycle, dress) that are very useful in everyday lives are also demanded by the grooms of the rural area. Radio, television, cassette player etc. are taken mainly for the recreation of the groom.

A father of Bashna arranged his son's marriage with the daughter of Iskander Miah. Before the marriage the groom did not demand anything. At the marriage time they demanded the get ready the bride (which is popularly known as *kanna shajano*) by gold ornaments and they also gave ornament to the bride. After marriage the groom's father demanded a color television to the bride's father. He argued in favor of this capricious demand and said, "my son's mother goes to another house for watching television and it is very disgraceful for us. So, if you buy a television (*rongin television*) for her, we will be relieved from such embarrass situation."

We have found at least 22 marriage cases where getting job for the grooms and 'business money' were exchanged as dowry. Amina's father and brother have collected taka one lakh and 60 thousand by which they have arranged a job for Amina's groom in Saudi Arabia. After confirmation of the job for the groom, he agreed to marry Amina. Sabera's father has been living in Saudi Arabia for 14 years. He is a laborer. He comes Bashna once in a year. Sabera's father arranged his daughter's marriage with Babu of Bashna village in exchange of a job in Saudi Arabia. To get the job for the groom (Babu) Sabera's father had to count taka one lakh and ninety thousand. In exchange of taka 1,90,000, he has been able to settle his daughter's marriage. Taslima's

father has given taka 70,000 to the groom for his poultry business. Shilpi got married with Badshah who is an army person. Badshah's family has taken taka 50,000 from bride's family to send abroad their younger boy. So, it is found that dowry is given to the groom not only for his own interest but also for his family member's interest.

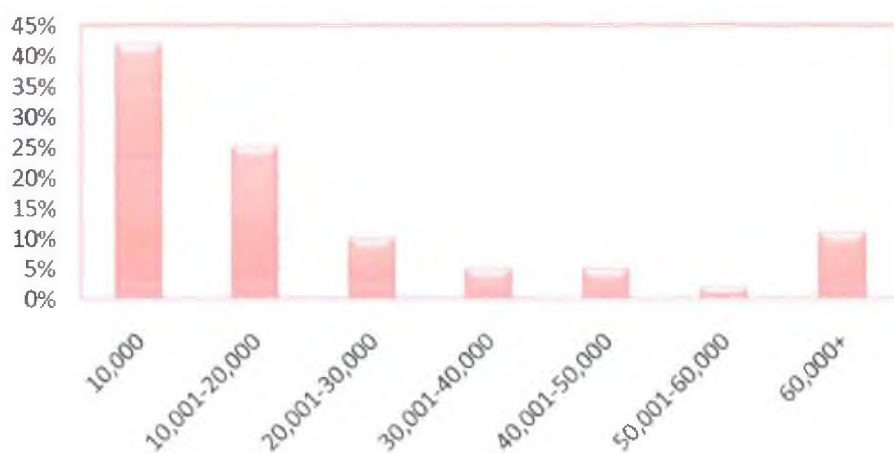
Almost all grooms want to take money in their marriages. Because it has an exchange value and it is easily exchangeable. By money one can easily go to abroad, can buy anything or can do any business. Therefore, money is a dominant form of dowry in rural Bangladesh. We have found in some cases in which land is given as dowry. A piece of land is the symbol of one's financial security. It is the main source of livelihood in rural society. Land secures one's living and it ensures a big return of money in future. So, land as a dowry has a special value to all. In the cases of unemployed grooms almost all of them want to get a job as dowry. Almost all the grooms see the dream of jobs. Because a job can change one's life, a job is a significant means of getting many other things of life. Therefore, unemployed grooms prefer to get a job as dowry. Gold is another form of dowry. Almost in all marriages (either rich or poor) gold is exchanged as dowry. But in most cases, the poor families demand silver ornaments as dowry. The value of gold is very high in all times and its value is increasing day by

day. Therefore, getting gold is not only useful but also prestigious to the groom. As a result, it is found that in the cases of marriage of rich family gold is compulsorily exchanged.

4.2: Amounts of Dowry Money

It has been mentioned earlier that cash money is the common form of dowry in the rural marriages of Bangladesh. Figure-4.1 demonstrates data in this respect. But the amounts of dowry vary from marriage to marriage. What are the factors behind such variations? In order to investigate various amounts of dowry taken by the grooms we have taken age, education, income and occupation and of the grooms into account.

Figure-4.1: Amounts of Cash Money as Dowries Exchanged (in %)



4.2 (a): Age and Amount of Dowry

Table-4.2: Distribution of Amounts of Dowries by Age Groups of Bridegrooms

Amounts of Dowries (in taka, constant price)

Age of the bride groom	+10,000	10,001-20,000	20,001-30,000	30,001-40,000	40,001-50,000	50,001-60,000	60,000+	No dowry	Total
+20	42	15	8	2	3	1	7	38	116
21-25	39	38	14	8	5	2	17	76	199
26-30	13	12	3	4	5	2	5	47	91
31-35	9	1	0	0	0	0	0	17	27
36-40	2	0	0	0	0	0	0	6	8
41+	5	0	0	0	0	0	0	4	9
Total	110	66	25	14	13	5	29	188	450

Table- 4.2 exhibits that 67% grooms belong to +20 age groups take dowry. Most of them (53.84%) take +10,000 taka dowry, 19.23% take 10,0001-20,000 taka dowry and 8.9% take 60,000+ taka dowry at their marriages. 62% grooms belong to 21-25 age groups take dowry; 31.70% of them take +10,000 taka dowry, 31% take 10,001-20,000 taka dowry and 13.82% take 60,000+ taka as dowry. 48% grooms belong to 26-30 age groups take dowry; among them 29.54% take +10,000 taka 27.27% take 10,000-20,000, 11.36% take 60,000+ taka dowry. On the other hand, 37% grooms belong to 31-35 age groups

and 25% belong to 36-40 age group mostly take +10,000 taka dowry. Data shows that 67% (6 out of 9) grooms belong to 41+ age group take mostly +10,000 taka dowry. But it may be mentioned in this regard that a conclusion cannot be drawn from a negligible number (6) of frequency that cases of dowry marriage are more in higher aged grooms; because in reality the demand of higher aged grooms is lower in the marriage market. Other frequencies of this table demonstrate that the cases of dowry marriage are higher among the lower aged groups and the amount of dowry in most cases is +10,000 taka and 10,001-20,000 taka. But in some cases it is 60,000+ taka. But in almost all cases in the marriage of higher aged grooms, the amount of dowry is very low (+10,000). Therefore, it may be said that the lower is the age of the grooms; the higher is the cases of dowry marriage. On the other hand, the higher is the age of the bride grooms; the lower is the amount of dowry. But it does not mean that early marriage is more demandable.

Figure-4.2 shows that 67% grooms belong to +20 age group take dowry. 62% belong to 21-25 age groups, 48% belong to 26-30 age groups, 37% belong to 31-35 age group and 25% belong to 35-40 age group has been found to take dowry. From the figure it reveals that the cases of dowries are higher in the lower age groups. But data shows

that 67% bridegrooms belong to 41+ age group take dowry which is contradictory to the other data in this regard. But it may be mentioned in this respect that a negligible number (6) of frequency from which a conclusion cannot be drawn that cases of dowry marriage are more in higher aged grooms. In reality, the demand of higher aged grooms is lower than the lower aged grooms in the marriage market.

Figure-4.2: Age of Bridegroom and Cases of Dowries (in %)

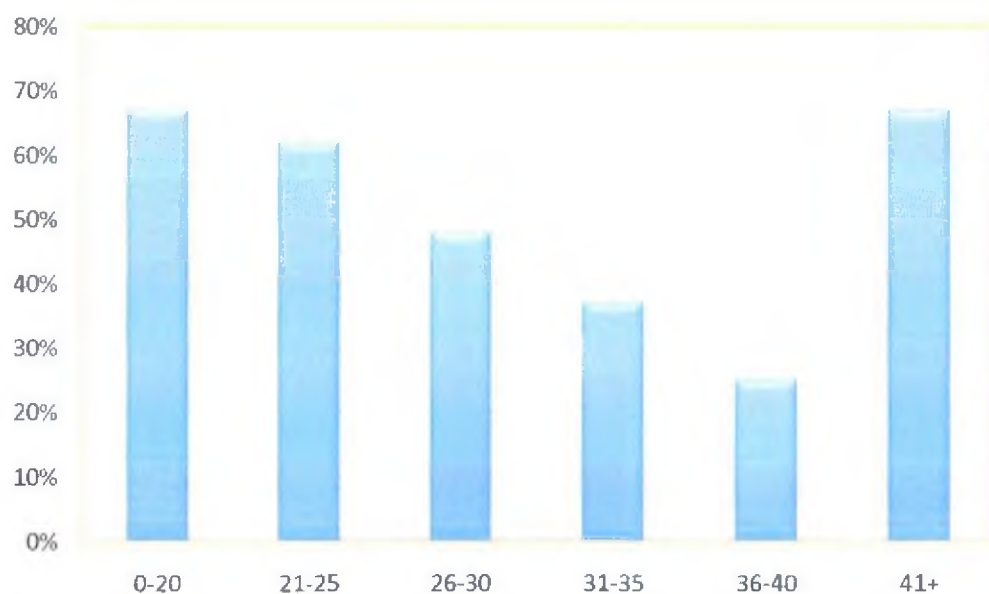


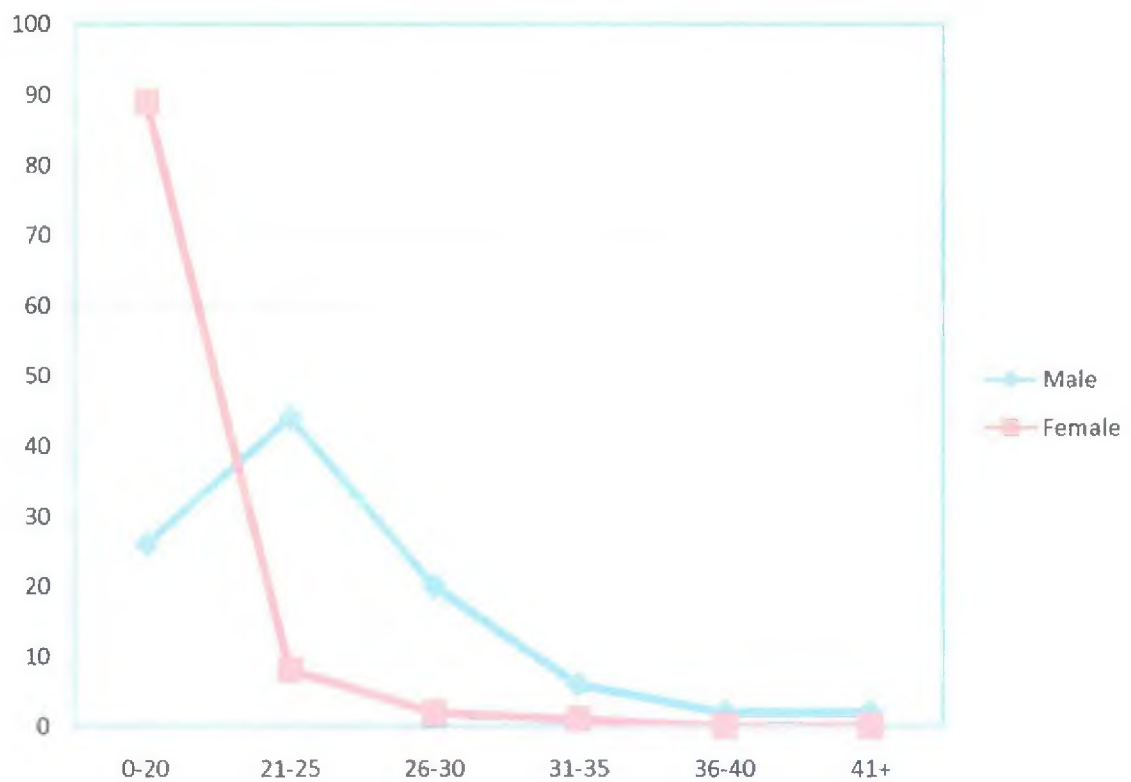
Table -4.3: Distribution of Amounts of Dowries by Age Groups of Brides**Amounts of Dowries (in taka, constant price)**

Age of brides	+10,000	10,001-20,000	20,001-30,000	30,001-40,000	40,001-50,000	50,001-60,000	60,000+	No dowry	Total
+20	99	62	24	13	12	5	25	160	400
21-25	5	4	1	1	1	0	4	18	34
26-30	3	0	0	0	0	0	0	6	9
31-35	2	0	0	0	0	0	0	3	5
36-40	0	0	0	0	0	0	0	0	0
41+	1	0	0	0	0	0	0	1	2
Total	110	66	25	14	13	5	29	188	450

We have tried to examine the variation in the amounts of dowry money on the basis of bride's age. Table 4.3 demonstrates that 60% (240 out of 400) brides belong to 20+ age group give dowry in their marriages. Among them, 41% (99 out of 240) give +10,000 taka dowry and 26% (62 out of 240) give 10,001-20,000 taka dowry. Only 10% of this group gives 60,000+ taka dowries in their marriages. On the other hand, in 21-25 age groups, 31% give +10,000 taka, 25% give 10,001-20,000 taka, 25% give 60,000+ taka dowries in their marriages. A dominant feature is that almost 80% girls get married at and before the age of 20. Women's dependency on their husbands starts at the time of getting marriage. A bride is economically and socially burden for her father's family. In addition, demand for dowry is also lower if a

bride is of lower aged. Therefore, early marriage is convenient for the bride party in many considerations. Figure-4.3 shows various ages of marriage of both male and female.

Figure-4.3: Age of Marriage of Male and Female (in %)



4.2 (b): Education and Amount of Dowry

Figure-4.4: Education of Bridegrooms and Cases of Dowries (in %)

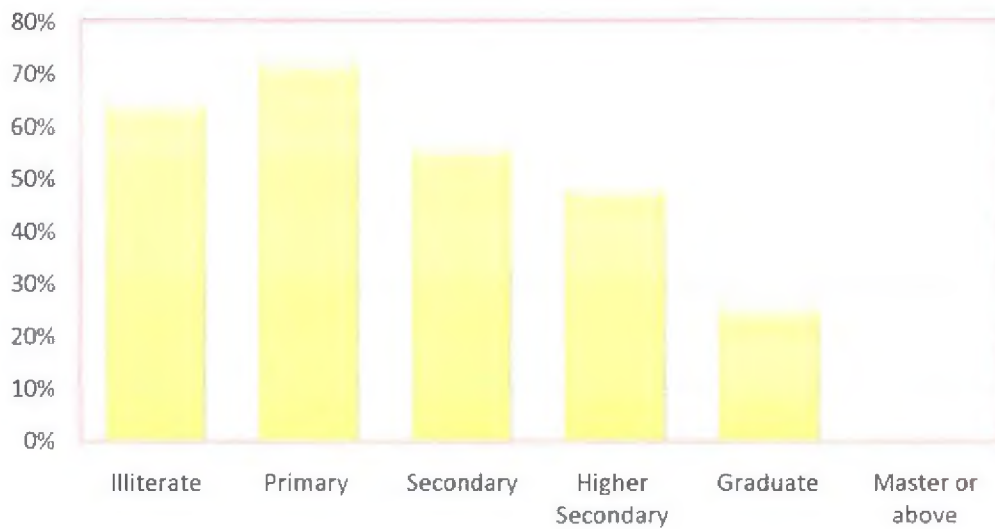


Table-4.4: Distribution of Amounts of Dowries by Education Groups of Bridegrooms

Amounts of Dowries (in taka, constant price)

Bridegrooms' Education	+10,000	10,001-20,000	20,001-30,000	30,001-40,000	40,001-50,000	50,001-60,000	60,000+	No dowry	Total
Illiterate	62	19	5	0	0	0	1	48	135
Primary	25	23	7	4	3	1	4	26	93
Secondary	20	19	13	9	8	4	14	68	155
Higher Secondary	2	4	0	1	0	0	7	15	29
Graduate	1	1	0	0	2	0	4	24	32
Master and above	0	0	0	0	0	0	0	6	6
Total	110	66	25	14	13	5	30	187	450

The present research attempts to investigate and analyze the relationship between education of the grooms and the amount of dowries. Table-4.4 demonstrates that 64% grooms belong to illiterate groups, 72% belong to primary education groups, 56% to secondary education groups, 48% to higher secondary education group, 25% to graduate group and 0% to masters and above education groups take dowry. Data shows that the grooms of illiterate and lower educational groups take mostly +10,000 and 10,001-20,000 taka dowry. But the grooms belong to higher secondary and graduate education groups take mostly more amount of dowry (60,000+) in their marriages. But no groom belongs to Master and above education group takes dowry. Therefore, it can be said that there is a strong relationship between grooms' education and the amount of dowries: the higher is the level of education of the bridegrooms, the higher is the amount of dowry. Similarly, the higher is the level of education of the bridegrooms, the lower are the cases of dowry marriage.

Figure-4.1 shows that 42% grooms take +10,000 taka dowry in their marriages. 25% grooms take 10,001 to 20,000 taka, 10% grooms take 20,001 to 30,000 taka, 5% grooms take 30,001 to 40,000 taka, 5% grooms take 40,001 to 50,000 taka and 2% grooms take 50,001 to 60,000 taka as dowry in their marriages. Only 11% grooms take

60,000+ taka as dowry. The figure demonstrates that the cases of taking dowry are higher in the lower amount of dowry money. Because most of the grooms of Bangladesh are poor, uneducated and mostly belong to very lower income groups. As a result, their demands are also confined to small amount of dowry. But the amount of dowry is higher in the cases of educated, service holder grooms, who have sufficient income and social status. Therefore, the amount of dowry they take is higher than the other group's.

4.2 (c): Family Income and Amount of Dowry

Table-4.5: Distribution of Amounts of Dowries by Family Income Groups of Bridegrooms

Amounts of Dowries (in taka constant price)

Family income of bridegroom (annual in taka)	+10,000	10,001-20,000	20,001-30,000	30,001-40,000	40,001-50,000	50,001-60,000	60,000+	No dowry	Total
+10,000	5	0	1	0	0	0	0	7	13
10,001-20,000	57	27	8	4	4	1	5	63	169
20,001-30,000	33	22	14	3	4	0	3	29	108
30,001-40,000	9	8	1	2	3	1	7	30	61
40,001-50,000	4	6	1	2	1	0	4	15	33
50,001-60,000	1	1	0	2	0	0	6	8	18
60,000+	1	2	0	1	1	3	5	35	48
Total	110	66	25	14	13	5	30	187	450

We have examined the relationship between the groom's family income and the amount of dowry. The study reveals (see table- 4.5) that 46% (6 out of 13) grooms belong to +10,000 income group take dowry and among them 83.33% take +10,000 taka dowry. 63% (106 out of 169) grooms belong to 10,001-20,000 income group take dowry; 53.77% of this income group take +10,000 taka and 25.47% take 10,001-20,000 taka as dowry. 73% (79 out of 108) grooms belong to 20,001-30,000 income group take dowry; 41.77% of them take +10,000 taka and 27.84% take 10,001-20,000 taka dowry. 51% (31 out of 61) belong 30.001-40,000 income group take dowry and 29% of them take +10,000 taka dowry. 55% (18 out of 33) belong to 40,001-50,000 income group take dowry and most of them (33.33%) take 10,001-20,000 taka dowry. On the other hand, 56% (10 out of 18) belong to 50,001-60,000 income group take dowry and most of them (60%) take 60,000+ taka dowry. 27% grooms (13 out of 48) belong to 60,000+ income group take dowry; Among them 23.07% take 50,001-60,000 taka and 38.46% take 60,000+ taka dowry at their marriages. Therefore, it can be said that cases of dowries are higher in the lower income groups than the middle and the upper classes. But the amount of dowry is mostly lower among the lower income groups. Because lower income groups are mostly poor and the demand of the poor

grooms is comparatively lower than others. On the other hand, amount of dowry is higher among the grooms of higher income groups though the number of dowry cases in higher family income groups is lower than the lower family income groups, because the demand of the grooms of higher income groups is higher. They demand valuable things and big amount of money to their fathers-in-law.

4.2 (d): Profession and Amount of Dowry

Figure-4.5: Professions of Bridegrooms and Cases of Dowries (in %)

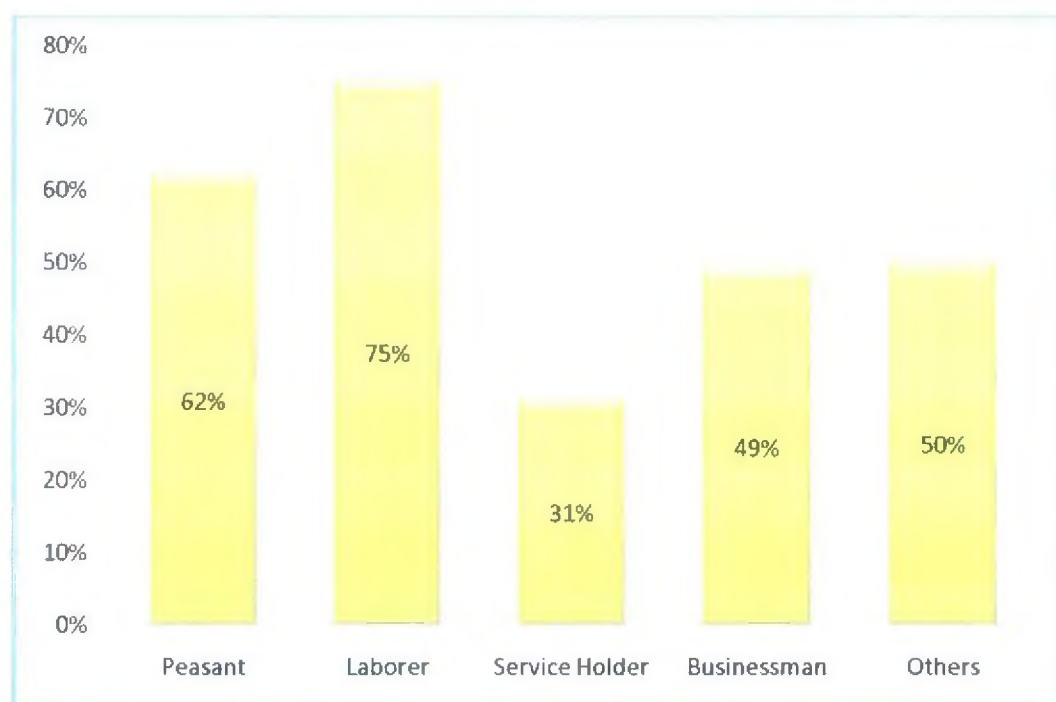


Table-4.6: Distribution of Amounts of Dowries by Profession Groups of Bridegrooms**Amounts of Dowries (in taka, constant price)**

Profession of the bridegrooms	+10,000	10,001-20,000	20,001-30,000	30,001-40,000	40,001-50,000	50,001-60,000	60,000+	No dowry	Total
Peasant	54	28	9	1	1	0	0	57	150
Laborer	33	27	11	6	6	4	10	32	129
Service holder	5	3	0	2	3	0	5	41	59
Business	17	8	3	4	3	0	14	51	100
Others	1	0	2	1	0	1	1	6	12
Total	110	66	25	14	13	5	3	187	450

The present study attempts to investigate the relationship between amounts of dowry and professions of the bridegrooms. Figure- 4.5 and Table -4.6 exhibit that 62% grooms belong to peasant groups take dowry. 58% of them take +10,000 taka and 30% of them take 10,001-20,000 taka. 75% grooms belong to laborer profession take dowry.⁹ 34% of them take +10,000 taka, 28% take 10,001-20,000 taka, 11% take 20,001-30,000 taka and 10% take 60,000+ taka dowry. 31% grooms belongs to service holder group take dowry. 28% of them take +10,000 and 28% take 60,000+ taka. 49% grooms belong to the business profession take dowry. Among 49% grooms, 35% of them take 10,000+ taka but 28.57% take 60,000+ taka dowry. Therefore,

data reveals that the cases of dowry marriage are lower among the service holder groups. It is because the service holders have education, regular income as well as social status.¹⁰ As a result, their demand is also higher in the marriage market. After service holder the businessmen take more amount of dowry, because they are economically more affluent than peasant and laborer. So, from the above mentioned analysis it can be said that there is a partial relationship between the bridegroom's occupation and the cases as well as amounts of dowries.

4.3: Uses of Dowry Money

How dowry money is used- it is a very important and pertinent question to deal with dowry. In answering the question some other relevant questions will also be answered like motives behind taking dowry, necessity of the grooms, economic condition of the rural people etc. Therefore, this section of the present study will identify and analyze the sectors in which dowry money is used by the groom parties.

Figure-4.6: Uses of Dowry Money (in %)

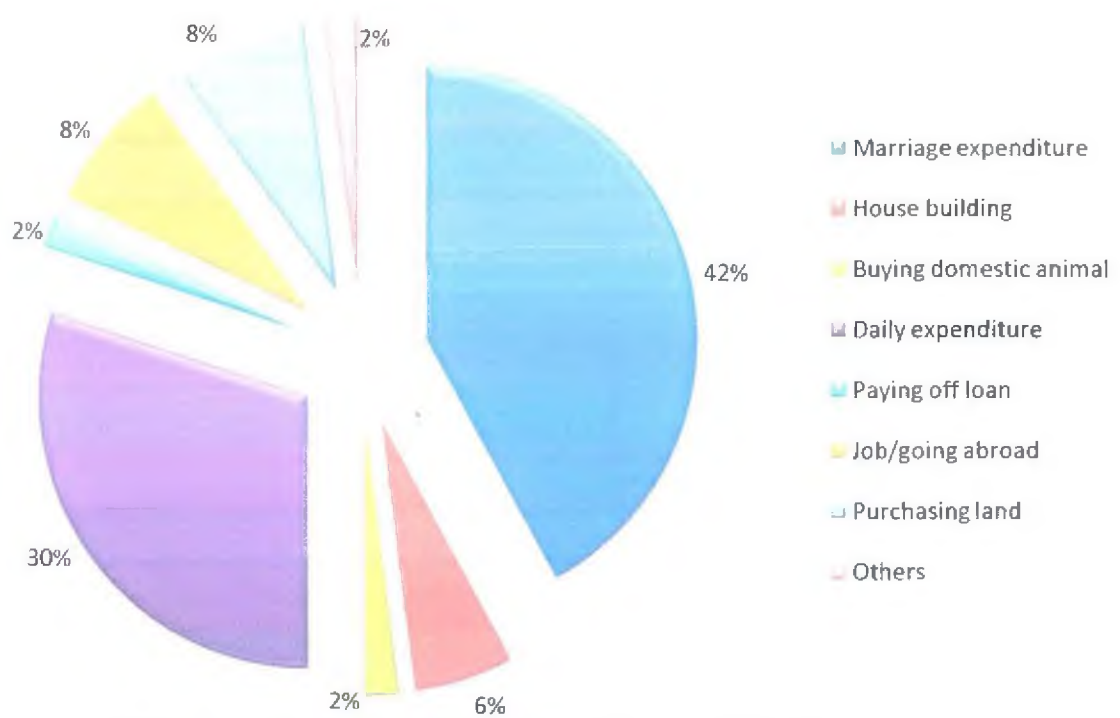


Figure-4.6 exhibits that 42% groom use dowry money in marriage expenditures. It is because they are needy and they cannot bear even their marriage cost.¹¹ So, they take dowry to cover their marriage expenditure. 30% dowry money is used in daily expenditures of the grooms which indicates financial insolvency of the rural people. The figure also demonstrates that 2% grooms use dowry money in paying off loan, 6% in house building, 8% in getting job or going to abroad, 2% use dowry money in buying domestic animals, 8% in purchasing land and 2% use the money in other activities. Various uses of dowry have been analyzed below:

Marriage Expenditure: In the rural areas of Bangladesh, in most cases, dowry money is used in marriage expenditure. It has been found in our research area that out of 262 dowry related marriage cases the dowry money in marriage expenditure has been used in 110 cases. Among 110 cases, 42 are farmers, 42 are laborer, 4 are service holders, 19 are businessmen and 3 belongs to others professional groups. Alal Uddin, a truck driver, had taken 20,000 taka from his father-in-law and used it in marriage purposes. Sohel Raza (laborer) took taka 30,000 from his father-in-law and spent the total amount at his marriage time. In answering the question of how you have used the dowry money, he replied, “we had arranged rich food, beef, chicken, sweet and salad for at least 200 people in my marriage ceremony. A big amount of money has been spent for this purpose. In addition, decoration cost, cost of coming and going to the bride's house (procession of a bridegroom) and in buying some gifts for neighbors and relatives at least 10,000 taka has been spent in those sectors. He added, marriage expenditure is a big expenditure. This amount of money is not enough for its expenditure. Figure-4.6 shows that 42% dowry money was spent in marriage expenditure in the study area.

Paying off Loan: Most of the rural people of Bangladesh are poor and needy. They make loans from various sources. It has been found in our study area that in some cases grooms have taken dowry from the bride and paid off their loans by that money. We have found four cases where grooms have paid off a big cash of loan taking dowry from their fathers-in-law. Razak (25) a grocer's shop-keeper has taken taka 40,000 from an NGO bank through one of his female relatives. But he could not back the money in due time. In the mean time the amount of the loan has increased by a big interest. Having no other way he married Nilufa (17) in exchange of taka 50,000 as dowry. According to Razzak, "I wanted to marry at least two/three years later. But I was in a big trouble due to my loan. Therefore, I agreed to marry because they (bride party) proposed my father taka 50,000." Asir Ali (35) of Hazipur has three children now. In 1998, he got married with Saleha in exchange of taka 39,000. But after 10 years of his marriage, he got married again in May 2006 only for taka 30,000. His new father-in-law proposed the money as dowry. Asir Ali did not miss the chance of getting an young wife as well as a big cash. Because of his ill habit (the practice of gambling for money) he made a big loan. Figure-4.6 shows that 2% dowry money was spent in paying off loan in the research area.

House Building: Sometimes dowry money is spent for making house for groom's family. We have found 16 cases where bridegrooms have taken money from the brides and used those in house making. Samad's (NGO worker) father-in-law has given him a brick made house by taka 6 lakh. Samad had added 50,000 taka of his own with the dowry money. Nurnaher's family has given Alamgir's family taka 20,000 and they used it for house building. Azhar Hossain (a poor farmer) got married with another farmer's daughter. But he has taken taka 10,000 as dowry. He repaired his house by this money. Figure-4.6 shows that 6%% dowry money was spent in house building.

Buying Domestic Animals: In some cases, dowry is used in buying domestic animals. The rural people are mostly engaged in agricultural activities and they are mostly poor. The poor farmers cannot buy many essential materials that are necessary for farming like bull. Therefore, the trend of buying bull/cow by dowry money is found in the rural areas. Apart from this necessity, one can easily get and sell milk of a cow. For this reason, sometimes the grooms use their dowry money in buying domestic animals that help them in getting economic support to some extent. It has been found in our study area that only 1.9% grooms (5 out of 263) use dowry money in buying domestic

animals and all of them belong to lower income groups. Therefore, it may be said that the poor grooms use dowry money in buying domestic animals and they sometimes use it in their daily agricultural necessities. Sometimes they get milk from the domestic animals and sometimes they sell it for getting more money. They use dowry money in buying other domestic animals like cow, goat, hen or duck etc. for their temporal benefit.

Job/Going Abroad: The rural people of Bangladesh are mostly unemployed. Most of them are poor farmers and day laborers. They have no regular and fixed income. They hope to get a job but they know that getting job is not easy task. As they have no necessary education, training and skill for getting a job. As a result they want to get the job by employing money and they collect this money from the bride's father. A job can secure one's economic life. Bride's father agrees to give the dowry money to help his son-in-law so that he can get a job; because this job secures his daughter's life also. Sometimes young people want to go to abroad for better job. In that case, they need much more money and they collect it through dowry money. We have found 8% grooms (22 out of 263 marriage cases) used dowry money for getting job or going to abroad.

Purchasing Land: Land is a very important and valuable asset for one's life. He who has land can ensure his/her shelter. Land has various uses. But in the rural areas usually arable land is purchased because the demand of agricultural land is higher. The people want to be the owner of a land and it is a matter of proud for them. But it needs a lot of money to purchase a land. Sometimes this money is collected from the bride party as dowry money. Figure-4.6 demonstrates that 8% (22 out of 263) grooms use dowry money in purchasing land. Usually, poor and lower middle class groups use dowry money in this sector, because they have no necessary land or they need more land. A land is not only permanent assets of one's life but also the permanent shelter of one's future generation. So, some grooms and their fathers don't want to miss the chance of getting ownership of land. Such grooms may take dowry money from their greediness but they use it in productive sector. But not only purchasing of land dowry money is also used in purchasing of mortgaged land, because purchasing land needs a huge amount of money.

Daily Expenditure: In the rural area of Bangladesh, dowry money in most cases used in daily expenditure of the groom's families. The rural people are mostly very poor. They cannot fulfill their minimum

demands for their daily lives, food, shelter, cloth, education and health. None of these basic needs is available to them. So, they hardly think about good morality in getting money from the bride parties. In our research area, we have found a number of grooms who used dowry money in buying rice, oil, vegetables etc. The poor grooms use dowry money to a great extent in daily expenditure. But in the cases of rich grooms, scenario is not same. Another cause of spending dowry money in daily expenditure is the lack of proper knowledge of using money properly in a productive sector. Figure-4.6 demonstrates that 30% grooms (80 out of 263) in our study area use dowry money in daily expenditure.

4.3 (a): Uses of Dowry Money by Groom's Occupation

Dowry money is used by the grooms in many purposes. But is there any relation between groom's occupation and use of dowry money? An attempt has been made to investigate the answer of the question. Table-4.7 demonstrates that 61% grooms belong to peasant group and 75% belong to laborer group take dowry. Both of them mostly use the dowry money in marriage ceremony (respectively 46% & 43%) and daily expenditure (respectively 33% & 33%). It is because the peasant

and day laborer of Bangladesh are mostly poor and their income is very low. They cannot fulfill their daily urgent necessities. They are simply deprived of their basic needs like food, shelter, cloth, education and health. So, they usually try to get their necessities anyhow and from any where. Their needs make them immoral, because it is very difficult for a needy man to become moral and honest; in some cases, it is definitely impossible. In addition, man is naturally greedy.

Table-4.7: Distribution of Uses of Dowry Money by Profession Groups of Bridegrooms

Uses of Dowry Money

Profession of bridegrooms	Marriage ceremony	Paying off loan	House building	Job/going abroad	Buying domestic animals	Purchasing land	Daily expenditure	Others	Total	No dowry	Total
Peasant	42	1	8	0	0	11	30	0	92	58	150
Laborer	42	2	5	10	0	4	32	2	97	32	129
Service holder	4	0	2	2	2	2	6	0	18	41	59
Business	19	1	1	10	2	5	11	1	50	50	100
Others	3	0	0	0	1	0	1	1	6	6	12
Total	110	4	16	22	5	22	80	4	263	187	450

It is known to all that there is a big expenditure in a marriage ceremony. The grooms of peasant and laborer groups want to overcome their marriage expenditure by the money of their fathers-in-

law. They get the dowry money without hard labor, so they can easily spend it without any hesitation. Therefore, the trend of taking dowry is higher in the peasant and laborer groups and both groups use dowry money mainly in marriage ceremony and daily expenditure. On the other hand, 69% of the service holders do not take dowry and rest 31% take dowry from the bride's family. It is a good sign that the trend of taking dowry is lower in the service holder group. The service holders have regular income and have a strong occupational base. It is not so tough for them to fulfill their necessities. Most of them have a kind of personalities and self esteem. Dowry money is quite disgraceful to them. That is why, the trend of taking dowry is lower (31%) in this occupational group. But 22% (4 out of 18) of them use dowry money in marriage ceremony and 33% (6 out of 18) of them use the money in daily expenditure. It may occur that the service holders whose income is very low may take dowry. But it is also true that the examples of taking dowry in the rich service holders are available in Bangladesh. Most of the businessmen (38%) use dowry money in marriage expenditure, but a good number of businessmen (20%) use the dowry money in getting job or going abroad or invest it in their business.

4.3 (b): Groom's Family Income and Uses of Dowry Money

We have tried to know about the uses of dowry money by groom's family in terms of family income. Table-4.8 demonstrates that 46% grooms belong to +10,000 income groups take dowry and 50% of them use the dowry money in daily expenditure. 62% grooms belong to 10,000-20,000 income groups take dowry. Among them, 41.9% use the dowry money in marriage ceremony and 34.28% use dowry money in daily expenditure. 72% grooms belong to 20,001-30,000 income group take dowry and the rest of the 28% do not take dowry. Among these groups, 46.15% use the dowry money in marriage ceremony and 29.49% use the money in daily expenditure. On the other hand, 54% belong to 30,001-40,000 income group and 55% belong to 40,001-50,000 income group take dowry. Both income groups use the dowry money mainly in marriage ceremony (42.42% and 33.33% respectively) and daily expenditure (21.21% and 33.33% respectively). But 75% grooms belong to 60,000+ income group do not take dowry, only 25% grooms take dowry. In this group, 25% grooms use dowry money in marriage ceremony, 33.33% in daily expenditure, 25% in job or going abroad and only 16.66% groom's use dowry money in house building. Therefore, it can be mentioned that the trend of taking dowry in the lower income groups is higher than

Table-4.8: Distribution of Uses of Dowry Money by Family Income Groups of Bridegrooms

Uses of Dowry Money

Family income of bridegrooms (annual in taka)	Marriage ceremony	Paying off loan	House building	Job /going abroad	Buying domestic animals	Purchasing land	Daily expenditure	Others	No dowry	Total
+10,000	2	0	0	1	0	0	3	0	7	13
10,001-20,000	44	0	8	4	4	9	36	0	64	169
20,001-30,000	36	3	3	3	1	8	23	1	30	108
30,001-40,000	14	0	2	5	0	4	7	1	28	61
40,001-50,000	6	0	1	3	0	1	6	1	15	33
50,001-60,000	5	0	0	3	0	0	1	1	7	28
60,000+	3	1	2	3	0	0	4	0	36	48
Total	110	4	16	22	5	22	80	4	187	450

other income groups, and they spend the dowry money mainly in marriage ceremony and daily expenditure. The grooms (50%) of very low income (+10,000) groups use dowry money in daily expenditure, because they are very poor and belong to the marginal of the marginal group. So, it is very usual for them to spend dowry money in daily family expenditures. The grooms of higher income groups also use dowry money mainly in daily expenditure and marriage ceremony, but they also use the money in job/going abroad (25%) and house

building (16.66%). The grooms of higher income groups take dowry money for their greediness. But in some cases they want to use the money in any productive sector or to invest somewhere. But in most cases the grooms of all groups misuse dowry money through in an unproductive way like marriage ceremony (42%) or daily expenditures (30%).

4.3 (c): Groom's Education and Uses of Dowry Money

We have tried to analyze the relationship between groom's education and the use of dowry money. It has been found that 64% (from the Table-4.9) grooms belong to illiterate groups take dowry and they use the money mainly in marriage ceremony (55.17%) and daily expenditure (33.33%). 71% grooms belong to primary education group take dowry and use the dowry money mainly in marriage ceremony (42.42%) and family expenditure (25.75%). 57% grooms belong to secondary education group take dowry and they also spend dowry money mainly in marriage ceremony (36.36%) and family expenditures (30.68%). 67% grooms belong to higher secondary education do not take dowry that means 33% grooms of this group take dowry and they use dowry money mainly in daily expenditure

(40%) and job/going abroad (40%). On the other hand, only 38% grooms belongs graduate education group take dowry and they use dowry money mainly in family expenditure (25%) and other purposes (25%). But no grooms belong to Masters and above education group take dowry. Therefore, it can be said that the trend of taking dowry is higher in the illiterate and lower education groups.

Table-4.9: Distribution of Uses of Dowry Money by Education Groups of Bridegrooms

Uses of Dowry Money

Education of bride grooms	Marriage ceremony	Paying off loan	House building	Job /going abroad	Buying domestic animals	Purchasing land	Daily expenditure	Others	No dowry	Total
Illiterate	48	0	3	1	1	5	29	0	48	135
Primary	28	3	5	4	3	6	17	0	27	93
Secondary	32	1	6	12	0	9	27	1	67	155
Higher Secondary	0	0	0	4	1	1	4	0	19	29
Graduate	2	0	2	1	0	1	3	3	20	32
Master and above	0	0	0	0	0	0	0	0	6	6
Total	110	4	16	22	5	22	80	4	187	450

Figure-4.4 demonstrates that the higher is the level education; the lower is the level of cases of dowry. On the other hand, the lower is the level of education; the higher is the level of cases of dowry. The rural people of Bangladesh are mostly illiterate or lower educated.¹² They

are poor and they have no resources. They like to get money from other sources because of their need as well as their idle habit also. They use the money mainly in family expenditure and marriage ceremony. But the higher education groups (HSC and Graduate) use dowry money not only in family expenditure but also in some productive activities like job or going abroad and other activities. That is why, cases of dowry are higher in the illiterate and lower education groups. Cases of dowry are zero (0%) in Master and above education group. They can easily fulfill their demands. Because of their very honest morality and personality they think that taking dowry from the brides is a matter of shame as well as begging to them. It is also true in Bangladesh that a number of higher educated grooms take dowry at their marriages and use it in getting jobs or going to abroad or to do business.

4.4: Sources of Dowry Money ✓

It has already been said that the amount of dowry depends mainly on families' economic conditions of both parties. So, how dowry money is collected by the bride families also depends on the economic conditions of the bride families. It has been found in our study area

(see Figure-4.7) that 77 (29%) out of 263 marriage cases the bride fathers have collected the dowry money by selling or mortgaging land. Table-4.10 shows that 38 out of 77 marriages where bride's family income is 10,001-20,000 taka accordingly and 20,001-30,000 taka has collected dowry by selling their land/mortgage their land. Even at least 5 marriage cases out of 16 where the father's family income is below 10,000 taka have also collected the dowry money by selling the land/mortgage the land.

Figure-4.7: Sources of Dowry Money (in %)



We have found at least 58 cases (22%) where bride's father has collected the money by taking loans. Most of the fathers have taken the loans from *mohajan* or local leaders or NGO. We have found some

brides' fathers who have taken loans from Grammen Bank and Proshika for their daughter marriages.

Sometimes bride's families collect the dowry money by selling their personal properties. Usually the poor families collect the money in this way. It has been found in our research area that in 21 cases (8%) out of 263 have collected the money by selling their domestic animals, rice or paddy, tree and the ornaments of the bride's mothers. Among those 21 cases, in 20 cases it is found that they belong to 30,000 taka income groups.

Many fathers and mothers collect money from their family saving. It is because they are conscious about their daughter's marriage and marriage expenditure and dowry. They take preparation by saving the money for their daughter's marriage. We have found 95 (36%) marriage cases in our study area where the bride's families have collected the dowry money from the family income and savings. Among 95, 71 belong to below 30,001 family income group.

Jamshed Miah is a seasonal day-laborer of Hazipur. He works in other's land. He has given marriage of his daughter with another day laborer. He has sold his only resource a cow for giving dowry to his daughter-in-law. Jotsna has got married with Munna. Her father has

arranged her marriage in exchange of taka 30,000 and a 3 *vor*i gold. Jatsna's father is a farmer and he has only 0.5 acre land, two cows and some trees. At his daughter's marriage, he sold two cows and some trees and has taken loan taka 30,000. He has taken the loan with a big amount of interest. Now he is trying to pay off the loan by selling his arable land. According to his own version, "I am a very poor farmer. I run my family by hand to mouth. I have a small piece of agricultural land, and no other resources. I had only two cows, but I sold those by 12,000 taka in October 2004, before my daughter's marriage. I have a little boy and three girls. If my boy were adult then he could help me by working and earning. I have taken loan 30,000 taka from one of my relatives. Now, I have to sell my land to pay off the loan and then I will take shelter in my maternal grandfather's abandoned home."

Jayanti Sutradhar has got married with Jadov Sutradhar. Jadov is a laborer. Jayanti's father died some year ago. Her only brother Harilal Sutradhar is also a laborer. But he has to pay taka 1 lakh to the groom in his sister's marriage. Harilal saved only taka 20,000 from his daily earnings. But he has made a loan of 80,000 taka. On the other hand, the groom has given Jayanti 3 *vor*i gold ornaments. According to Jayanti, "my father-in-law gave me 3 *vor*i gold ornaments but it is from our money." Shewly's family has given 45,000 taka as dowry in her

marriage with Lal Miah. Lal Miah is a foreign laborer. Shewly's family has collected the money by mortgaging land. They used to live on selling the produced food in the land. But after mortgaging the land, they are buying their food from bazaar. Rahima is a maid-servant of Mandal's home of Hazipur village. She gets 300 taka every month as salary and also takes food from Mandal's family. Her daughter Salma is about 16. She has two more children about 13 and 10. Her husband died in 2001. Rahima arranged Salma's marriage in exchange of taka 15,000. She saved some money gradually and she took some money in advance from her proprietor.

Table-4.10: Distribution of Sources of Dowry Money by Family Income Groups of Brides

Sources of Dowry Money

Annual family income of bride (in taka, constant price)	Sale /mortgage of land	Loans	Sale of domestic animals and agricultural product	Savings	Others	Not known	No dowry	Total
+10,000	5	3	2	6	0	0	20	36
10,001-20,000	38	29	12	39	0	7	73	198
20,001-30,000	21	20	6	26	0	3	30	106
30,001-40,000	7	6	1	14	0	0	21	49
40,001-50,000	1	0	0	5	0	1	12	19
50,001-60,000	1	0	0	2	0	0	3	6
60,000+	4	0	0	3	0	1	28	36
Total	77	58	21	95	0	12	187	450

In this section of the present study, an attempt has been made in order to know the sources of dowry money on the basis family income of the brides. In this respect, Table-4.10 demonstrates that the number of dowry marriages is higher in the brides of lower family income groups. On the other hand, the number of dowry marriage is lower in the brides of higher family income groups. Data also reveals that 20% brides (77 out of 263) collect dowry money by selling or mortgaging land, 22% (58 out of 263) collect dowry money by making loans, 8% brides (21 out of 263) selling domestic animals and agricultural products. Table 4.10 also shows that in the cases of 36% (95 out of 263) brides saving is the main source of dowry money and in the cases of 5% the source of dowry money has not been known. The trend of collection of dowry money by saving is mostly found in the brides belong to 40,001-50,000 and 50,001-60,000 family income groups who have the capacity more or less to collect dowry money from their family savings. It is because of the fact that bride's parents are conscious and they can easily realize the existing dowry system of the society. They cannot avoid this system; rather they have adapted themselves with the system. As a result, they carefully save a very small amount of money since many years and sometimes they save it since the birth of their girl children.

Data also shows (see Figure-4.7) that the highest source of dowry money is the family saving (36%) and second source of dowry money is the sale/mortgage of land (20%). The brides those have enough land they mostly mortgage or sale it for collecting dowry money. But in Bangladesh, a number of bride's families have no land except their homesteads. We have found some landless brides in our research area who have only homesteads. They have to sell their last shelter (homestead) of living only for daughter's marriage and in some cases they take shelter in other's homestead.

4.5: Payment of Dowry Money

It is very pertinent to know about the timing of paying the demand of the dowry. To know about this matter we have a common question to all respondents: when you have paid the demanded money or items?

Based on the answers, we have made the following categories:

- 1) Paying the demand money before marriage;
- 2) Paying the money in the marriage ceremony;
- 3) Paying the demand dowry after marriage;
- 4) Paying of a partial of the demand money;

5) Not paid.

Figure-4.8 demonstrates data about the times of payment of dowry. It has been found in our study area that only in 2 marriage cases demand of dowry has been paid before marriage. In 215 marriage cases out of 263, demanded dowry has been paid at the marriage times. On the other hand, in 24 marriage cases dowry money has been paid after marriage and in 22 cases dowry money has partially been paid. We have found no cases of 'not paid' the dowry money by the bride. We have found (see table-4.11) 108 cases (out of 215) belong to 10,001-20,000 income group paid dowry in the marriage time. On the other hand, in 5 cases (out of 215) belong to 20,001-30,000 income group and in 23 marriage cases belong to 30,001-40,000 income group have paid the demanded money at the marriage time. Only 3 marriage cases belong to 40,001-50,000 income group, 2 marriage cases belong to 50,001-60,000 income group and only 5 marriage cases belong to 60,000+ income group have paid the demanded dowry at the marriage time. Therefore, it can be said that the trend of dowry is mostly seen in the poor and lower-middle income families, and most of the families have paid the demanded dowry money at the marriage times. The groom's party does not want to delay to take the dowry money. In addition, though the groom's economic condition is not good enough

and their money is very limited, yet they want to give the dowry money to the groom as soon as possible. There is a fear of their own necessities because they are also very needy. Sometimes the brides family fear about the torturing their daughter if they do not pay the money in due time.

Figure-4.8: Times of Payment of Dowries

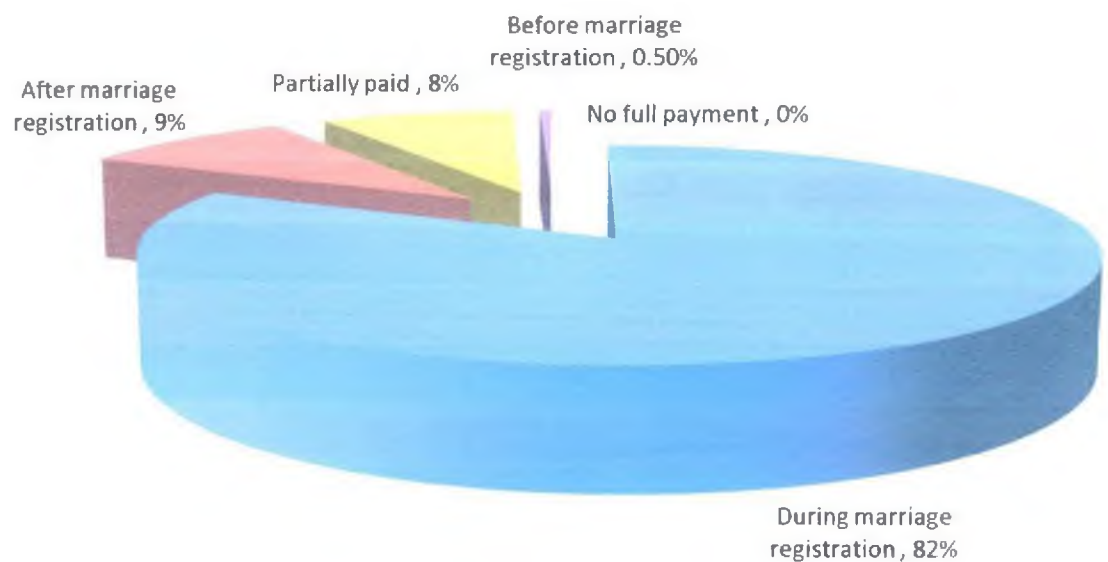


Table-4.11: Distribution of the Times of Payment of Dowries by Family Income Groups of Brides**Times of Payment of Dowries**

Annual family income (in taka constant price)	Before marriage registration	During marriage registration	After marriage registration	Partially paid	No full payment	No dowry	Total
+10,000	0	15	0	1	0	18	34
10,001-20,000	0	108	9	6	0	75	198
20,001-30,000	1	59	8	10	0	29	107
30,001-40,000	1	23	3	2	0	21	50
40,001-50,000	0	3	2	1	0	13	19
50,001-60,000	0	2	0	1	0	3	6
60,000+	0	5	2	1	0	28	36
Total	2	215	24	22	0	187	450

An attempt has been made in this study to know about the times of payment of dowries on the basis of family income of the brides. Table-4.11 reveals that 47% brides belong to +10,000 income group give dowry and 94% of them (15 out of 16) give money during marriage registration, 62% brides belong to 10,000-20,000 income group give dowry and 88% of them (108 out of 123) give dowry money during marriage registration. 73% brides belong to 20,001-30,000 income group give dowry and 76% of them (59 out of 73) give dowry in their marriage registration. On the other hand, most of the brides (23 out of 29) that means 79% belong to 30,001-40,000 income group give dowry money during marriage registration.

A similar trend of payment (respectively 50%, 67% and 63%) of dowry money during marriage registration is found among other family income groups (respectively 40,001-50,000; 50,001-60,000 and 60,000+). This table (Table 4.11) also demonstrates that a negligible number (only 2) of brides parties give dowry money before marriage registration. On the other hand, 82% brides give dowry money during marriage registration, 9% brides give dowry money after registration and 8% brides paid dowry money partially. Therefore, it can be said that the brides of all income groups mostly (82%) paid dowries during marriage registration. Because most of the fathers (either he is poor or rich) of the brides try to collect the dowry money before their daughter's marriage registration. They want pay off the demand of the groom's party as early as possible thinking about the future happiness of their daughter's life. On the other hand, the groom's party is also very unwillingly to keep dowry money unpaid. Therefore, paying off dowry money mostly found at the time of marriage registration. In some cases, it is paid after marriage registration and in a few cases dowry money is partially paid to the grooms.

END NOTES

1. This chapter is fully based on the primary data collected from the research field. No secondary data are available in this respect. As a result, secondary data have hardly been used in this chapter.
2. Items of dowries are many and diverse those have been discussed in subsequent part of this chapter.
3. Shraventy Reddy, "Ancient Practice of Dowry perpetuates violence against women in India," *Digital Freedom Network*, (www.dfn.org).
4. *Shari* is a kind of long dresses normally the women this region wear.
5. *Nakful* is a small and flower size ornament which generally symbolizes one's marital status.
6. In this patriarchic society, maternal relatives normally take more burdens in marriages than paternal relatives. It is a rule of patriarchy.
7. It is popularly called 'gentle men's marriage' in which nothing is demanded.
8. In the increase of amount of dowry, growing rate of inflation contributed a lot apart from other factors.

9. Labor refers mainly day laborer and majority of them are agricultural laborer. This professional group is the most marginal group in the rural area in terms of income. They are most needy group. There is a close relation between need and dowry.

10. Apart from these, it seems that the service holders are more conscious about anti-dowry laws.

11. Poverty in rural area is more acute than urban. Data shows that 43.8% rural people are poor whereas this figure is 28.4% in the case of urban population. See, *Bangladesh Economic Review 2007*, Government of the People's Republic of Bangladesh, March 2008, p.172.

12. Rate of literacy in Bangladesh is about 50% (7 years and over) but this rate is low in the rural areas. See, *Statistical Yearbook of Bangladesh 2006*, Bangladesh Bureau of Statistics, Planning Division, Ministry of Planning, Government of the People's Republic of Bangladesh, Dhaka, 2007, p.483

Chapter Five

Chapter Five

Dowry Violence and Women's Rights

In rural Bangladesh, women are the main victims of different forms of violence, like killing, physical and mental torturing, acid throwing, rape etc. Of all, dowry itself an important violence as well as the source of other violence. At the sometimes it is a cause of serious violation of human rights. A recent survey on domestic violence indicates that torture as beating, harassment and lastly either acid attack or killing are mostly confined to newly wed couples and in marriages not going beyond four years.¹ The most frequent causes for the acts of violence are domestic quarrel, inability of the women's family to make dowry payment at the time of marriage, elicited relationship and property dispute etc. The brunt of the violence is borne by housewives and young married girls between the ages of 15 to 30 years, an evidence which indicates that women's vulnerability is as much in the public as it is in the domestic sphere.² Unhappily, there are some stories of dowry violence that are reported in the daily newspapers but most of those are never reported.

Therefore, the present chapter analyses the dowry related violence and their consequences from the view point of women's rights. In this chapter, some pertinent and significant questions have been dealt with: What are the forms of dowry violence? Who are the actors of creating violence? What are the grievances responsible for dowry violence? What are the consequences of dowry violence? These questions have been dealt with mainly based on field data and partially secondary data.

Chart-5.1 demonstrates that in 2004 (January to March) there are 67 incidents occurred for dowry and 44 death cases are found only for physical torturing for dowry. It is seen in the report published in 2004 (January to March) on insecurity of women, there are 422 incidents occurred on violence of women insecurity. Among these rape is the highest (220) in number. Dowry violence occupies the second position with 67 cases. The women belong to 19-24 aged group are the main victims of violence.

Chart-5.1: Women Insecurity or Violence against Women (January 2004 -March 2004)

Form of woman insecurity	Age						No name	Total	Case filing condition
	0-6	7-12	13-18	19-24	25-30	30+			
Rape	14	28	35	4	13	4	122	220	109
Acid-burning	1	0	9	4	15	14	7	50	17
	0		5	27	11	2	25	87	34
	0	0	2	28	7	0	26	44	34
Abnormal death (rape and acid throwing related)	0	9	3	3	3	5	12	32	0
Suicide	0	0	3	1	2	1	2	9	
Total	15	37	56	59	51	26	181	422	188

(Source: Ain O Shalish Kendro and মাহজাবীন সুলতানা ও মোঃ এনামুল হক, "বাংলাদেশে নারীর সার্বিক নিরাপত্তার ধরন: বিশ্লেষণমূলক পর্যালোচনা," ক্ষমতায়ন, ২০০৪, সংখ্যা ৬, পৃষ্ঠা ৯০)

5.1: Forms and Consequences of Dowry Violence

Various forms of dowry violence take place in Bangladesh society. In the rural society, usually poor and lower middle class families cannot fulfill the dowry demand of the groom's party. Such no fulfillment of dowry demands creates a restless torturing on the bride. In some cases, women

from respectable upper and middle class families also suffer from such violence due to dowry. Therefore, the present study attempts to investigate the various forms of dowry violence and violation of women's rights due to dowry violence. There are a number of forms of dowry violence that are the following:

1. Killing;
2. Acid throwing;
3. Burning;
4. Divorce;
5. Commit suicide;
6. Physical torturing;
 - a) Hazed fracture;
 - b) Leg fracture;
 - c) Head smash;
 - d) Beating and prodding;
 - e) A blow with the fist;

- f) Strike with the finger;
- g) Seize by the throat;
- h) Hit with a stick;
- i) Kick in the belly;
- j) Act of dragging forcibly;
- k) Bold headed the wife, etc.

7. Mental torturing:

- a) Deprivation of food and other needs;
- b) Ill-behave/ verbal abuse;
- c) Verbal humiliation;
- d) Underestimate the wife;
- e) Keep wife to her father's house;
- f) Going father's house is totally prohibited;
- g) Intolerable behavior;
- h) No role in family decisions;

- i) Torturing children;
- j) Break utensil;
- k) Groom's not going to his father-in-law's house;
- l) Groom's family member's not going to bride's father's house;
- m) Use slang words towards wife/brides like ill birth (*jonmer dosh*), idle birth (*poider dosh*), children of a worse lady (*khankir baccha*), children of a dog (*kuttar baccha*) etc.
- n) Conflict between the *gosthis* (if the couple lives in same village)

Killing: Killing is the worst form of dowry violence. The Crimes Records Bureau under the Law Enforcement Agency in its last report states that crime against women is increasing dangerously. In a report published in July, 2006, quoting police sources it was revealed that because of dowry demand 111 women were killed in 2001, in 2002 the number shot up to 173 and in 2003 the number rose further in 198, in 2004 the number claimed down to 128 but then again in 2005 it spiraled to 212, and sadly enough in the first six months in 2006 death figure rose to a staggering number of 133.³ But we have found no cases of killing for dowry in our

research area though there are many incidents of killing by burning, by tutoring, by poisoning, by acid throwing, by plunging in the water, etc, for dowry especially in the rural society of Bangladesh. But in the law of 2003 of Women and Child Torturing Restriction Law 2000 (Correction) mentions clearly that if any one kills or attempts to kill a woman or does severe attack on a woman then he will be punished for economic fine, life imprisonment and execute highest death penalty. In spite of strong prohibition of state rules as well as religious rules against dowry, killing for it (dowry) is frequently happening in Bangladesh society.

Table-5.1: Killing for Dowry in Some Selected Years

Year	No. of killing
2001	111
2002	173
2003	198
2004	128
2005	212
2006	266

(Source: *The Daily Star*, November 17, 2006.)

The Daily Star reports on 3 July, 2000, about killing housewife by cruel beating for the demand of dowry. The incident has been described below:

The incident occurred in the Hatubhanga village of Raipura Upazilla in Narshinhdi district. Sipahi Monir is the son of Niazuddin got married with

Shahida, daughter of Afasuddin of the village of Charashbundia adjacent to Hatubhanga village. Shahida's husband, father-in-law, mother-in-law and sister-in-law made pressure and tortured her for dowry. Sipahi Monir, an employee of the Bangladesh Naval Force was demanding taka 2 lakh dowry to his father-in-law. After two years of his marriage Monir killed his wife Shahida for the demanded money with the help of his father, mother and sister. They cruelly beated Shahida, a mother of a one year old child, and killed her seize by the throat. As a part of pre-plan of the groom's party, they handed over the only child of Shahida to another keeper of another place before killing Shahida.

Husband Monir Hossain sent Shahida to her father's house to bring 1 lakh taka from there before few days of Shahida's death. Monir wanted to go abroad in exchange of the money. But Shahida's poor father gave 10,000 taka by leasing his land. But 10,000 taka was not sufficient to cool the heart of Monir. So he beat his wife cruelly. Shahida protested the ill-beating of her husband, then her father-in-law and mother-in-law and also sister-in-law participated in tutoring and beating Shahida's body and kept her confined in a room. After one day the neighbors and inhabitants

of Hatubhanga village released her body from a room. Shahida's father filed a case against the criminals including his son-in-law.

The Daily Samgbad reports on 23 May, 2001, about the killing of a pregnant housewife for dowry. The report states:

A husband named Nazrul has killed his pregnant wife Nargis Khatun by rough physical torturing. The incident occurred in Joyapur village under Bagatipara Upazilla of Natore district. Just before eight months of this incident, they got married. Nargis's father died in 2000, so his brother Bablu took the responsibility of giving taka 30,000 dowry money in his sister's marriage. Bablu gave taka 10,000 to Nazrul at the time of his marriage ceremony. Nargis's life was going better at the early stage of her marriage. But when she became pregnant her husband pressured her to give rest of the money from her brother. This pressure turned into physical torturing within few days and this torturing also increased day by day. On 3rd May, 2001, Nazrul badly tortured his wife and kept her confined in a room and even did not give her any food. On the following day, the health condition of Nargis turned into very worse then Nazrul mixed poison with water and pushed it into his wife's mouth. And he propagated it as Nargis drunk poison by her own hand and died. Without

informing her brother about the death news of his sister the groom family finished the funeral of the dead body. To know about the death news of his sister, brother came soon and filed a case against the criminals, but the then responsible police officer disagreed to file the case without post mortaming report.

The Daily Star reports another incidence of dowry violence. It describes:

A housewife Zabun Nessa, 24, mother of two children died at the Dhaka Medical Hospital. Her husband Rezaul Haque Bablu had allegedly poured petrol and set fire on her body at their house at Malakandi under Karaniganj Thana on February 8 following a quarrel over dowry money. She married Bablu about five years back. Bablu often tortured her and demanded money. She gave her husband taka 2.4 lakh by selling some land which she got from her father's family.

The Daily Sangbad, 7 August, 1996, reports about the killing of a wife by plunging in the water. The report states:

Taslina, a mother of three children, was killed by her husband Taiwab Ali for the demand of dowry. The incident occurred in the village Hogliraath under Shibchar thana of Madaripur district on 29th July, 1996. Police

arrested Taslima's mother-in-law, Johora (50), in this connection. Taslima, a daughter of Fazlu Gomasta of Shibchar thana, got married with Taiwab Ali, the son of Amjad Miah of Hogliraath village of the same thana. They have three children. Taiwab Ali often beat his wife for the demand of dowry. The day of the death of Taslima, she could not able to bring the demand money from her father. As a result, Taiwab became burst into fire and started to beat his wife roughly. At one stage of torturing, Taslima tried to run away but she failed to do that. The heretic husband caught her and took her a nearby pond in the village for plunging her in water. She requested a lot to pardon her and release her but no request softened her husband's mind. Thus, Taiwab Ali killed his wife by plunging in pond's water.

The *Daily Star* reports that a husband killed his wife by mixing poison with cake. The report states:

18 years old housewife Asma Begum was killed for dowry by his husband Rustam Ali. Only eight months ago they got married. After marriage, Rustam Ali started to make pressure on Asma to bring dowry from her father's house. Only one month ago of her death her husband physically tortured her and sent her to her father's house. At the night of that day,

Rastam gave a cake to Asma. After eating the cake she became severely sick. Later she died in Uraihara health complex.

Above mentioned incidences are a very few that are reported in mass media. But in reality, a huge number of killings for dowry are not reported in any media. Even they are not identified as killings for dowry. In addition, culprits are hardly punished for this crime. As a result, death tolls for dowry are gradually increasing.

Divorce: Dowry grievances create serious unhappiness in the conjugal lives of the couple. In most cases, the grooms threaten to divorce for the no fulfillment of the dowry demands. Such threats to divorce by the husbands frequently happen in the rural society of Bangladesh. The husbands aspired for dowry hardly think about happiness in their conjugal lives. They do not think even about their children and their future. They think that only money can make them happy and getting money from their fathers-in-law families is considered as the easiest source. Peaceful family life is not important to them because they judge everything by money. Therefore, when they demand dowry money to their wives and cannot get it according to their demand they want to

make the family life end and want to leave off their wives. It has been found some divorce cases in our study area which occurred only due to the no fulfillment of dowry demand. Almost in everyday, such divorce cases are reported by the dailies occur almost everywhere of Bangladesh.

A report published in May or June 2004, in the dailies which states:

Rahela's father Raisuddin is a poor farmer. He collected 10,000 taka for his daughter's marriage. Rahela's mother collected 1,200 taka by selling some of her domestic animals. The match-maker said before marriage that the groom party had no demand except a bi-cycle. Rahela's father gave a bi-cycle including a coverlet, a mattress, cushion and some kitchen utensils considering her daughter's future happiness. Rahela was passing better life with her husband Idris Ali for at least four months of their marriage ceremony. After four months, in a day mother of Idris Ali said him, "You have got a wife, but you have not got money". After then Idris started to make pressure on Rahela to bring 5,000 taka for him. Rahela went to her father's home and said him about the demand of her husband. Raisuddin collected 3,000 taka from *mahajan* as

loan with a big interest and then sent Rahela to his husband's house. But Idris' greed was not satisfied with the money. After two months of this incidence, Idris again demanded taka 10,000 and threatened that if she could not bring money she would not continue his conjugal life with her. The pressure for dowry money increased day by day and one day he pushed her out of house. On the other hand, Rahela's father Raisuddin became landless. He had to give the land because he could not return the loan to the *mahajan*. Therefore, hearing all things from his daughter, Raisuddin managed 1,000 taka for his son-in-law and backed his daughter to her husband's house. But Rahela's husband threw the money towards Rahela and became very angry and used rubbish and slang words to divorce her. Ultimately, he divorced Rehela for dowry money.

Burning: Sometimes grooms take revenge by burning wives. They never feel fear in doing such inhuman behavior. They think that getting dowry money from the bride is their rights and they are very obstinate in collecting the dowry money. Therefore, they want to get the money

whenever they demand. When they fail to take or collect it, then they can no control themselves rather they are controlled by the revenge instinct. As a result, they even burn their wives for dowries. But we have not found any case of burning in our research area for dowry money.

The Daily Star reports on 17 November, 2007, about burning a housewife to death for dowry. The report states:

Shahjahan Kottal of Char Gobindopur village of Madaripur Sadar upazilla poured kerosene over his wife Ripa in a broad day-light in the effort to kill her on her inability to bring second installment taka 30,000 dowry money. He started torturing her, and very often his mother, father and brother joined him in this grisly act. The final play was to burn her often locking in a room.

Commit Suicide: Commit suicide often takes place in the rural society of Bangladesh as a result of dowry violence. When the newly wed bride is in serious pressure from her husband's side but her father's side is unable or unwilling to pay the dowry money then she finds herself alone. Because the bride knows about her father/brother's economic condition very well and knows that it is definitely impossible to fulfill the demand

of the husband or his family. On the other hand, she cannot make her husband and his family understand about her father's condition. Under such circumstances, to get rid of severe attack of the husband's family as well as to relieve her father family from the excessive demand of the grooms she committed suicide. By killing herself she attempts to save her father from intolerable problems. Sometimes it is also noticed that a mother commits suicide leaving her little child to release her from miserable life. A report published that among 262 killing cases occurred in 2003 to January 2004, only 9 committed suicide due to dowry.⁵ But we have not found any suicide case in our research area for dowry violence.

Acid-throwing: Acid-throwing is a significant form of dowry violence. A number of cases of acid-throwing take place in Bangladesh due to dowry. A report published in daily newspapers states that among 262 cases of killing for dowry occurred in 2003 to January 2004 at least 26 cases were related with acid throwing. But among the cases, only 8 cases were filed for acid throwing.⁶ The perpetrators use acid or other weapons against women mainly wives on being refused of their repeated dowry demands as punishment because a bride cannot bring enough money. These men are driven first by greed and then by revenge. But it seems that throwing

acid has become something like a fun for them because they know that they can get away with their crime through the loopholes of their lax criminal justice system in the country.

A recent case of acid throwing has been reported in *The Daily Star* on ---, 2008. The report states: Al Mamun, a physician of animal disease at the Bangladesh Livestock Research Institute (BLRI), Savar, after frequent feuds with his wife, Mahmuda Kahtun Topy (22), poured concentrated sulfuric acid on her face and body at their Savar residence on November 5, 2007. Because she could not comply with his demand for five lakh taka that Mamun demanded as dowry money for the second time. Tragically enough, Mahmuda's two years old son Togor was not also spared of this heinous attack. After suffering from four days at the Dhaka Medical College Hospital Burn Unit Mahmuda met the tragic end of her life on November 10, but her son till then in the hospital was fighting for his life. As report published in the dailies quoting Mhmuda's father Ibrahim Khalil- Mamun's first demand of dowry money was met by him immediately after Mahmuda's marriage in 2001 in terms of gold ornaments and furniture. Exasperated at the torture perpetrated and at the stage her brother filed a G.D. against Mamun in Ashulia thana which

made him furious all the more. On the fateful night of torture session, Mamun was not alone; his brother-in-law and a friend joined him in the acid attack on Mahmuda.

Physical Torturing: Physical torturing is a very common form of dowry violence in the rural society of Bangladesh. But most of the time women of both in rural and urban areas do not disclose about the torturing. A physically tortured woman tries to keep the image of her husband and does not want to blame him. We have found some cases of physical torturing like beating, prodding, hit with stick, head smash, size by the throat, not give foods etc in both Hazipur and Bashna villages. A Case of physical torturing has been described below at length:

Jasmin is a housewife of a middle class family in Hazipur village. There was no demand of the groom at the marriage time of Jasmin. Jasmin's father had also no demand for the groom and he did not give dowry in his daughter marriage. But after few days of the marriage, her father-in-law, mother-in-law and sister-in-law always tried to remember her that her father did not give dowry in the marriage. As she did not bring dowry in

her marriage, therefore, she had to do more household activities than other female members of the husband's family.

Jasmin's words are remarkable in this respect, "My father is a poor farmer and he did not give anything except ornaments in my marriage. So my father-in-law says, "your father will not give money and you will not do work— it can not happen. How do you save your family without money? Wives of my other sons have brought a big amount of money but you have not done it. So, you have to do all the works of the family." Jasmin added, "Now I have no time to take rest. There are 22 members in the family including children. Everyday I have to get ready the food for three times for 22 members. In addition, paddy husking, boiling, cleaning the house, bringing water, washing cloths and dishes, cleaning the yard etc. are my common works to do. She added, "I have not looked after my 2 years old daughter due to over working. Even sometime I cannot take my sucking child at once in a day in my arms or on the lap. I went to my father's home only once after my marriage in 2003. I cannot go because I have no time to go. One after another work waits for me. In addition, I have no permission to visit my father's home. But my other sisters-in-law go to their father's homes at least 3 times in a year." Three sisters-in-law

of Jasmin do work less than her. They usually busy to look after their children and husbands and they rarely go to the kitchen. The father-in-law and mother-in-law have no objection to it, because they have brought a big amount of dowry. Jasmin cannot say about her problem to anyone even to her husband. But due to overload and dissimulating statements of her father-in-law, mother-in-law and sisters-in-law, Jasmin's physical as well as mental health has become vulnerable. She wants to take rest for some days. But when it will happen— it is a question to her.

The Daily Dinkal reports on 19 January, 2002, about a housewife is in hospital after inhuman torturing in Kushtia. The report states:

Rashida is in now near death after being physically tortured by her husband, mother-in-law and sisters-in-law and their husbands. "Why they have robbed my every thing" —this is the question of Rashida but none can answer this and all become silent. Rashida could not fulfill the whole amount of dowry money. Her violent husband, mother-in-law and sister-in-law tortured her whole night. They did not stop their violence after pushing cloth in her mouth rather her nipples of the breasts have distorted by beating. They also tortured her leg and heap. It can be known that before some years Rashida, the daughter of Mahiuddin of

Mirpur village in Kamarkhali upazilla in Khustia, married with Monirul who demanded taka 30,000 and some gifts as dowry. Rashida's father could accumulate 10,000 taka and handed over this money to Monirul. But Monirul was not pleased with such amount of money and started to make pressure on Rashida for more money. Rashaid's mother-in-law also took part in torturing. But when both of them together could not torture then Rashida's sisters-in-law's husband, Hossain Ali and Ayub Hossain, also took part in it.

On 13th January night all of those violent persons started their inhuman torturing on Rashida. Hossain Ali and Ayub Hossain raped Rashida one after another. Rashida become senseless after long torturing. They thought that Rashida died and they ran away from home. Rashida's father came on 15th January after hearing the news and took Rashida in Horinarayanpur Police Camp. On 16th January Rashida's father failed a case against the culprits under the Article 9(3) and 30 of Women and Children Repression Act. It can be known from the source of hospital, Rashida's condition is near about death. On the other hand, all the culprits are trying to change the course of the incident in different way.

Selling Wife Because of not Getting Dowry: A husband named Sanaton (Robin) has sold his wife Nupur Rani to the smuglar because she could not collect dowry money from his father-in-law. Informing this complain the CID police has arrested him from Chitagong Railway Colony. Sanaton is a peon of accounting sector of the railway, and the couple has a child. Nupur's father Gouranga has filed a case against him.⁷ There are a number of persons who get married again and again and sell those wives. This is one kind of profession. Generally, unemployed and tout persons are involved with such crime.

Throwing Wife and Child to the River for Dowry: A heretically husband has thrown her wife and a child to the river for not getting dowry. The wife Nadira Akther has received her life but her 8 months old child died in the Korotoya river. This incident occurred in a village of Panchagor district. At first her father-in-law, mother-in-law and sister-in-law make her and her child senseless by pushing sleeping pill at that grisly night. After then, they are thrown into the river of Korotoya. A man who was crossing the river at that night recovered Nadira as senseless condition and admitted her into the hospital. After one day she gets her

sense but the body of her little child was recover from the river after two days. Nadira's father, Nazmul, driver of Telipara village complained that he gave his daughter's marriage with Arman Khan, the son of Mohiuddin of Khalpara area in exchange of taka 40,000 as dowry. But after marriage, Arman had been torturing his wife for more dowries. Before few days of this incident, Nadira's mother-in-law cut her hair and open ornaments from her body and tortured her rushly for dowry. A case has been filed in this respect in Sadar thana. The post mortem of the little child has already done. The investigation officer of the case informs that necessary steps will be taken after witness of Nadira as well as improving her health condition. The police have arrested brother-in-law and mother-in-law of Nadira but her husband and father-in-law are not arrested yet.⁸ Such a case of dowry violence is common almost everywhere in Bangladesh But we have not found such a case in our study area.

Lost Leg for Dowry Demand: After the fulfillment of dowry demand of husband the demand of sending husband's younger brother abroad gets priority. In this respect, demand for 80,000 taka from her father's house is demanded for the brother-in-law. But due to refuse this demand, housewife Rehana has been tortured by her husband's family members

and lost a leg. Rehana brushed into tears while the news arrived to her. In 1997, Rehana married Nizamuddin. After marriage the husband made pressure her for bringing 1 lakh taka from her father for going abroad and since then torturing also began. Rehana's father sent Nizamuddin in U.A.E. but did not give him cash money. But after few days, Nizam's family made pressure on Rehana for taka 80,000 from her father so that Nizam's younger brother could go abroad. On last 10th January, 2002, Rehana's brother-in-law Eusuf and father-in-law Iddris including others made serious and excessive pressure on her for 80,000 taka. But Rehana opposed it. As a result, at mid night (1 p.m.) Eusuf, his brother Khokon, father Iddris Miah including four more persons started severe torturing on Rehana while she was sleeping. Rehana noticed that they tortured with iron stick and big bamboo stick tightening her hand, leg and mouth by cloth. Her right leg was mashed by the back side of heavy knife. The culprit's breathless torture made her senseless and they sent her in the yard of the house in that mid night. Informing this tragic news, Rehana's father came to Langolcoht thana police and with the help of police he freed her daughter from danger. After admitting Rehana in the hospital on 13th January the doctor decided to cut her severe paralyzed right leg. A case had been filed in Langolcoht thana against six criminals. But police

arrested only Rehana's father-in-law.⁹ We find out such a case in our research area.

Regarding physical torturing for dowry demand and its diverse consequences Maleka Begum observes "Notable features of the dowry deaths in the decade are its association with physical and mental torture which is prolonged in nature and leads to murder, fraction of which is merely disseminated to the public considering the nature of suicide deaths, it is assumed that many deaths are also disguised under deaths due to disease. Implications of dowry evils which has little been studied needs to be studied thoroughly to understand its diversities and implications."¹⁰

Mental Torturing: Mental torturing is a significant form of dowry violence. One cannot express the level of mental torturing as it can be expressed in the cases of physical torturing. It is very well known dictum in the rural area that women are the main plunder of mental torturing. A recent report based on hospital data revealed that 61.6% of all tortured women suffering from psychological symptoms were in fact tortured by their husbands.¹¹ Verbal humiliation, ill behave, verbal abuse, deprivation

of food and other basic needs, underestimate the wife, keep wife to her father's house, restriction of wife to go to her father's house, ill behave and torture the child, broken utensil by the husband, avoiding to keep the relationship between two parties by husband family etc. are some common forms of mental torturing due to dowry.

It has been found in our study area that verbal humiliation/verbal abuse towards the wife by the husband and her family members is a very common and largely happen due to dowry. In such cases, the groom and his other family members use various slang words to the bride like ill birth (*jonmer dosh*), idle birth (*poider dosh*), ill blood (*bloody man*), child of dog (*kuttar baccha*). In some cases, tortured women are given lower and less nutrition food and deprived the victims of other necessary goods like oil, soap, cloths etc. We have found a few cases of keeping wife to their father's houses for a long time due to dowry demand. A woman of Hazipur who is known to all as Akhir Ma says, "Akhir father married me in 1988 when a dangerous flood occurred all over the county. After some days of getting marriage he demands a lot of things to my father and brothers. My father tried his best to give him the things and my two brothers also did the same. But they could not satisfy him. My husband

wanted more things and money. His demands and wants continued after fifteen years of our marriage. He used a lot of worst slang words to me. Not only my husband but also his brothers, sisters, nephew all were involved in torturing me both mentally and physically. I fled from their house at one night. In 2000, my husband went to Saudi Arabia, took a big amount of money from my father and brothers. My father has given him money many times only for my happiness in my marital life. At last three months after going to abroad, my husband sent some money for us. But my brother-in-law and sister-in-law and their children did not give it to me and my children. Then I protested and said them, "Why do not you give my money to me" But they blared up and gave me life threat. She added, "At that night when we were sleeping, they entered our room at one or two o'clock and caught my throat. But my younger daughter awake then and shout loudly to save me and they (the culprits) fled away. After this incident I left my husband's house with my children and came to my brother's house."

Prostitution/Selling Wives to Traffickers: Sometimes selling girls to someone is occurred in the society of Bangladesh. Though we have found the cases of selling daughters or sisters to the traffickers, but a

secondary study reveals that in Bangladesh when guardians are very poor and cannot provide their daughter's dowry, they may find themselves obliged to sell their own sisters or daughters. A report says that during the past ten years an organized gang sold more than 10,000 women from Chapainababganj to traffickers. A young girl was sold by her mother to a trafficker for taka 10,000. Families are targeted who have daughters eligible for marriage but they are very poor. The price for a beautiful and healthy girl is between 10,000 to 30,000. The young girls sold to the brothels in Pakistan, India and other countries.¹² A number of women of Bangladesh who are the victims of dowry violence. They have no place to go. They are denied in their husband's house as well as their father/brother houses. Therefore, it is very usual for them to select the way to go to prostitution. They select it only for their survival. In the study area we have found no case of selecting prostitution due to dowry violence. But some secondary sources support it.¹³

Maladjustment in Conjugal Life: A bride goes to her husband's house forever through marriage. She fully depends on her husband both economically, socially. Even her individual and identity is also abolished through marriage. Because after marriage, she is identified by her

husband, she can be happy through her husband; she can develop herself through her husband and also can get a peaceful conjugal life through marriage. But only due to dowry demand, one's conjugal life is seriously hampered. It has been found in our research area that long term maladjustment has been found in many couples' marital life. The main cause of such maladjustment is the groom's desire to get money or more money from his father-in-law's house. If the bride can bring money from his father's house, her husband becomes satisfied. But after finishing money, husband demands for more things/money. As a consequence, the relationship between husband and wife deteriorates. Serious verbal humiliation/attack towards one another, physical as well as mental torturing usually occurs in their everyday life. In addition, in most cases, groom's family members play roles to influence in making bad relationship between husband and wife. As a result, the taste of happiness in marital life is withered away forever. Their negative attitude towards one another, dishonor and violent activities touch the lives of children. Children's negatives attitude easily develops towards their parents. All these conditions seriously threaten to peaceful conjugal life.

Remarriage of Husband: Another serious consequence of dowry violence is husband's re-marriage. In the rural areas of Bangladesh, sometimes husbands remarry for taking dowry money from the new bride. In such cases, one's wife is hardly informed and no permission is sought. But according to the marriage code, a person cannot remarry without the permission of his wife and it is a serious crime and it is punishable. But the grooms of the rural Bangladesh in most cases do not care this law. In addition, the marriage registration system in rural Bangladesh is very faulty and many of the marriages are not registered. Therefore, it is easier for the groom to remarry. In some cases, husbands want to get dowry anyhow and they do not want to know the law about it. They leave their wives and go to another place and get marry again in exchange of a lump sum as dowry. Here it is mentionable that in the rural area bride's fathers are mostly poor and their daughters are obviously serious burden on them. They want to get release from such burden and for that they sometimes agree to such marriages. Sometimes they argue that a married man may remarry and it is very usual. Such orientation bride's parents help and inspire the groom to remarry. Here, we can give an example of a remarried husband of Hazipur village. He said, "Money is

essential. I need money. I wanted to get marry second time but I have not given any pressure on my new father-in-law. He willingly gave me 25,000 taka dowry as I demanded and I got married his daughter." But the husband's such activities directly affected his first wife as a complicated family relation emerged. As a result, the lives of both brides are seriously hampered, and un-satisfaction, unhappiness, frustration, beating and quarrel etc. are frequently happen among them.

Odd Marriages: Marriage is a very important part in one's life. But sometimes it is found that a girl has to choose an old person as her husband, because the poor father of the girl has no capacity to buy a suitable son-in-law for his daughter. For the incapacity of her poor father, she willingly or unwillingly agrees to take this type of groom. In most cases, these grooms get marry several times before taking a new young lady as their wives. Usually, it is very harmful for a young girl to get marry an old aged husband. We have found such a case in Hazipur village where a girl of 15 years got married a man of 50 years who have five children. Of the five children, two boys already got married. Getting marry an old groom, a bride cannot become happy. Because a big

different of age between bride and groom create many problems, like maladjustment, cultural gap, mental difference, quarrel etc.

Abandoned/Rejected from the Society: A direct implication of dowry is divorce which is harmful for both bride and groom. Particularly, a divorcee is to bear a serious negative consequence in her whole life. She is to go back to her father's house. But this is a serious burden for the father both economically and socially. If the bride's father is dead then the responsibility of the bride goes on to her brothers or other family members. But in such cases, none of them take the bride easily. It is a serious burden for them. They become looser economically because they have to bear all costs of the bride and her child (if any). Therefore, it is seen that in the first few days the ousted lady get some services from her parent's house but after few days she becomes intolerable to almost all her family members and ultimately she leaves her parents family. We have found a case in Hazipur where the victim was divorced firstly from her husband's family and then took shelter in her father's house. But after her father's death, she took shelter in her brother's house. When her mother died then she took shelter in her elder brother's house. But her elder brother had some problems. He could not run his family. In

addition, his wife did not like to keep her (bride) in her house. On this issue, serious problem arose between husband and wife. As a result, the bride went to her younger brother's house. But ultimately she was ousted from her younger brother's house. Therefore, it can be said this lady who is ousted from his husband's family as well as his father's family is also neglected by other people of the society. The whole society treats her with neglegency. Her children also suffer a lot. Society does not bear the unflagging sufferings of this family. The rural women are both economically and socially dependent on others. Any break, separation and divorce in their conjugal lives force them to lead an inhuman life.

Awkward Position by Filing Case against Groom: In Bangladesh, although dowry violence frequently happen but only in few cases bride parties file cases against the groom parties for dowry violence. In most cases, the stories of dowry violence are not reported to the law enforcing agencies. It is also difficult to reach the law enforcing agencies. In the case of case filing, in most cases the victim does not get proper treatment from the police or other law enforcement agencies because of their indifferences towards the case or for the lack of sufficient evidences. As a result, the culprits are freed and move easily in the society. In most cases,

the oppressors are not punished. Therefore, the culprits or his followers or his family members give life threat to the bride/bride's family members. A government survey report also says that more than 95% alleged under the Women and Children Repression Act are not punished.¹⁴ As a result, the bride and her family face a lot of troubles by filing case against violence maker for dowry.

Select Prostitution: In some cases, the bride ousted from her husband's family takes prostitution as her profession. It is also true that no woman of Bangladesh want to take prostitution as their profession. But having no alternatives except committing suicide one select this occupation only for her survival. By taking this profession they are completely detached from their society. Society does not accept them easily. They are neglected both in and outside of the family. Faride Akter a sex worker in Bahadurabad Ghat, was a victim of dowry violence, tell her story in the following way:

Once I married Abdur Rahman in our locality. My father gave her 10,000 taka as dowry in our marriage. But he demanded more and more money. In the meanwhile, my father and

mother died. My poor brothers could not fulfill the dowry demand. After a serious quarrel my husband divorced me. Having no way I took this line. Not only rather Sabera, Shokina, Amena all are victims of dower and they work with me.

Chart-5.2: Some Selected Incidents of Dowry Violence as Appeared in Dailies

No	Area of the incident	Victim of the dowry	Nature/Form of dowry	Who wants dowry	Forms of violence
1.	Munsiganj	Nilufa	demands 50,000 taka dowry	husband	threw kerosene towards and then burnt her.
2.	Mirpur Palabi	Mahmuda	demands two lakh taka dowry	husband Shamim	physical torturing and deprived food.
3.	Sadar Upazilla Durgabari village	housewife Fatema	demands 20,000 taka dowry	husband Batchu	tortured by tightening hand and leg, cut hair by a scissor and beatd by a burning fuel wood
4.	Kushtia	Housewife	demands some vehicle about 30,000 taka	husband Monirul	husband, mother-in-law and sister-in-laws tortured her
5.	Palli of Panchagar	Akther Moni	40,00 taka demanded at the marriage time and after then more money demanded	husband Arman	mother-in-law cut the hair of Moni and pick up her ornaments by beating her
6.	Comilla,	Romana	first time 1	husband,	tightening hand and leg

	Langolcott, Majhipara village		lakh taka demanded by the husband, second time, 80,000 demanded for husband's younger brother to send abroad	mother-in-law	beating by iron stick and just broken the leg. Then Romana had to cut her leg
7.	Vangathana Kukhuri a village	Sima Begum	50,000 taka dowry	husband Sultan Matbar and father-in-law Karim Matbor	killed Sima but pour out acid in her mouth.
8.	Galachipa	Kohinur Begum	demand for money	husband Moslem	inhuman torturing and expelled her from the house
9.	Sonargoh, Jainopur village	Hasu Begum	50,000 taka demand as dowry	husband and husband-in-law	pour out kerosene and catch fire on her body after several beating and binding her mouth.
10.	Bogra, Dupchapia upazilla, Tallora Kamarpara village	Salma Khatun	begging for marriage expenditure including 6,000 taka dowry	husband Sadek Ali	begging for dowry
11	Mymensingh	Moina Begum	2000 taka dowry at the time of marriages, demand more money after marriage	addicted gambler husband Soiemann	threw hot-oil towards face for Moina wants for intoxicating drink
12.	Bazar Badraahat	Aduri	50,000 taka as dowry	husband and father-in-	expelled her from the husband house.

	village of Khamar had thana			law	
13.	Konapara of Dempra thana	Nasima	demand for 50,000 taka dowry	addicted husband Maud	giving electric shock on the knee and make her senseless
14.	Panchagar Guarhati Khalpara village	Nadira Akther Moni	40,000 taka is given in marriage but more demand	husband Arman	brother-in-law and mother-in-law picked up the ornaments of Mony. Husband pushed sleeping pill to make senseless and threw her in the Korotoya river.
15.	Dinajpur, Chibirbandas upazilla, Baikart hapur village	Nasime	demand a 125 motor cycle	husband Idris Ali	killing by pushing poisonous injection
16.	Narsingdi, Raipura upazilla, Hatubhanga village	Shahida Begum	demand 1 lakh but paid 10,000	husband monir is a sipahi of navy	beaten by the husband, father-in-law, mother-in-law and then they killed her seize by the throat
17.	Madaripur Sibechar thana Hoglirmadh village	Taslma	beating often for dowry	husband Taib Ali	Beating severe and killed by strunking in the pond's water.
18.	Chittagong Railway Colony	Nupur Rani	sell wife for collecting dowry money	husband Robin	sold wife to the smuggler
19.	Norail's sadar thana Dhondh	bride's father Moshara f Hossen	demand 30,000 taka, but give 20,000	husband Fazlul Haque	conspiracy of cut out the eyebrow and rower including other organ of the body by a sharp bled and packed her in

	a village		torture for rest 10,000 taka		a bala or sack and throw her to the water.
20.	Netrakona, Purbadhala	Robina Akther	5,000 taka given for buying television and again demand 10,000 taka	husband Abdul Gani	father-in-law, husband, elder brother-in-law beat and wound severely; a case filed by the Robina's father.
21	Rupali Adarsha Gucchagram of Chargazi Union of Ramgati Upazilla	Bibi Rahima	demand gold ornaments	husband's elder brother, wife of husband elder brother and mother-in-law	mother-in-law cut the hair of Rahima
22.	Tejgao, Monipuri Road	Nabila Haider Ima	demand 1,00,000 as dowry	husband Alaul Huq	locked her in a unknown place and advertise for demand of taka
23.	Kootwalbagh of Fatullah thana	Nahar Sultana	demand 10,00,000 taka dowry	inhuman husband Giasuddin Mia	tortured always in one phase of torturing husband pushed Nahar an injection
24.	Mirpur	Nasima	giving 50,000 taka at marriage time; husband asked Nasima to bring even the milk of the child	husband Amjad	mother-in-law and sister-in-law catch the hair of the bride and husband beats her by stick
25.	Narshindi district, Shibpur thana Kharia village	Sabikunahar	demand 50,000 for going abroad	husband Ripon Mia	beat by a sharp knife, wound her and waste right eye by a iron stick
26.	Narshin	housewif	demand	husband	beat regularly and at one

	di district, Sadarpur thana Alipur village	e Shahida	money as dowry	Kawser	stage of beating he killed her seize by throat
27.	Notore, Joyapura village	Nargis	demand for 30,000 taka but given 10,000 taka	husband Nazrul	locked her in a room, beat her and pour out poison in the mouth when beating goes on danger
28.	Barishal Babuganj	six month girl child	demand 10,000 taka	husband Jahangir Bepari	kick the six month child while the wife is not agreed with the dowry demands of the husband
29.	Araihazar thana	Asma Begum	demand dowry	husband Rustam Ali	fed a cake with poison to wife
30.	Narshindi Meherpara village	housewife Pervine	only for 500 taka	husband Miah	beaten by iron pipe killed her and then hanged her inside of the room
31.	Chandpur Sadar thana Bekralia	Bilkis Akther (Bila)	demand 2,00,000 taka dowry for business	husband Ali Zahir and mother-in-law	pour out kerosene to the body and fire on her body. She died after 8 days of inhuman torturing

Chart-5.2, Table-5.2, Table-5.3, Table-5.4, Table-5.5, Table-5.6, Table-5.7, Table-5.8, Table-5.9 and Table-5.10 clearly demonstrate that a number of dowry violence take place all over the country every year. This figure is gradually increasing day by day. Particularly, in the rural areas of Bangladesh dowry violence has been a chronic disease of the society. A striking feature of contemporary dowry violence is that new forms of violence are gradually emerging apart from traditional ones.

Table-5.2: Dowry Related Violence in 2000

Nature of violence	Age						Not mentioned	Total	No. of cases
	0-6	7-12	13-18	19-24	25-30	30+			
Physical torture			8	18	8	1	32	67	37
Death from physical torture			18	67	40	8	46	179	101
Acid burn	1	1	2	5	3	1	5	18	7
Suicide			1	1	2		5	9	2
Rape			1				1	2	
Abandoned				1	2		3	6	1
Total	1	1	30	92	55	10	92	281	148

Source: *Prothom Alo, Bhorer Kagoj, Sangbad, Ittefaq, Janakantha, Inqilab, Banglabazar, Jugantor, Dinkal, Independent & Daily Star.*

Table-5.3: Dowry Related Violence in 2001

Nature of violence	Age						Not mentioned	Total	%	No. of cases
	0-6	7-12	13-18	19-24	25-30	30+				
Physical torture				1	7	1	16	29	15.34	18
Death from physical torture				16	52	4	31	124	65.61	82
Acid burn				2	11		6	25	13.23	7
Suicide				1				1	0.53	1
Rape					2		1	3	1.59	
Abandoned					1		6	7	3.70	1
Total				20	73	5	57	189	100	109

Source: *Prothom Alo, Bhorer Kagoj, Sangbad, Ittefaq, Janakantha, Inqilab, Banglabazar, Jugantor, Dinkal, Independent & Daily Star.*

Table-5.4: Dowry Related Violence in 2002

Nature of violence	Age				Not mentioned	Total	No. of cases
	13-18	19-24	25-30	30+			
Physical torture	6	14	12	3	40	75	33
Death from physical torture	28	79	53	8	59	227	110
Acid throwing	6	3	6	1	5	21	5
Suicide	4	14	5		6	29	6
Divorce					2	2	
Abandoned		1			3	4	
Total	44	111	76	12	115	358	154

Source: *Prothom Alo, Bhorer Kagoj, Sangbad, Ittefaq, Janakantha, Inqilab, Banglabazar, Jugantor, Dinkal, Independent & Daily Star.*

Table-5.5: Dowry Related Violence in 2003

Nature of violence	Age				Not mentioned	Total	No. of cases
	13-18	19-24	25-30	30+			
Physical torture	8	25	6	3	66	108	54
Death from physical torture	28	78	46	4	67	223	123
Rape					2	2	
Acid throwing		8	2	3	6	19	9
Suicide	3	6	3	2	8	22	7
Total	39	117	57	12	149	374	193

Source: *Prothom Alo, Bhorer Kagoj, Sangbad, Ittefaq, Janakantha, Inqilab, Banglabazar, Jugantor, Dinkal, Independent & Daily Star.*

Table-5.6: Dowry Related Violence in 2004

Nature of violence	Age				Not mentioned	Total	No. of cases
	13-18	19-24	25-30	30+			
Physical torture	26	106	57	7	119	315	172
Death from physical torture	17	84	45	4	63	213	126
Acid burn	1	5	3		5	14	6
Suicide	3	6	3	1	4	17	5
Expulsion from home	1	1	1		1	4	2
Divorce					2	2	
Total	48	202	109	12	194	565	311

Source: *Prothom Alo, Bhorer Kagoj, Ittefaq, Janakantha, Inqilab, Banglabazar, Jugantor, Dinkal, Daily Star, Manabzamin, Sangbad & Independent.*

Table-5.7: Dowry Related Violence in 2005

Nature of violence	Age				Not mentioned	Total	No. of cases
	13-18	19-24	25-30	30+			
Physical torture	35	108	68	26	94	331	66
Death from physical torture	20	83	57	13	52	225	134
Acid burn	2	1	1	1	2	7	1
Suicide		8	2		1	11	
Expulsion from home					6	6	6
Rape					1	1	
Total	57	200	128	40	156	581	207

Source: *Prothom Alo, Bhorer Kagoj, Ittefaq, Janakantha, Inqilab, Banglabazar, Jugantor, Sanakal, Daily Star, New Age, Sangbad & Songram.*

Table-5.8: Dowry Related Violence in 2006

Nature of violence	Age				Not mentioned	Total	No. of cases
	13-18	19-24	25-30	30+			
Physical torture	24	125	76	12	91	328	34
Acid burn		3		1	2	6	1
Death	18	105	71	10	55	259	48
Suicide		1	2	1	1	5	
Total	42	234	149	24	149	598	83

Source: *Prothom Alo, Bhorer Kagoj, Ittefaq, Janakantha, Inqilab, Banglabazar, Jugantor, Sanakal, Daily Star, New Age, Sangbad & Songram.*

Table-5.9: Dowry Related Violence in 2007

Nature of violence	Age				Not mentioned	Total	No. of cases
	13-18	19-24	25-30	30+			
Physical torture	10	82	67	14	100	273	46
Acid throwing	1	3	2		6	12	3
Expulsion from home	1		2		6	9	
Killing	8	63	51	9	56	187	105
Suicide		10	4		2	16	6
Total	20	158		23	170	497	160

Source: *Prothom Alo, Bhorer Kagoj, Sangbad, Ittefaq, Janakantha, Jugantor Inqilab, Dinkal, Daily Star & New Age.*

Table-5.10: Dowry Related Violence in 2008 (January-June)

Nature of violence	Age				Not mentioned	Total	No. of cases
	13-18	19-24	25-30	30+			
Physical torture	3	66	35	4	53	161	14
Acid throwing					1	1	
Expulsion from home						0	
Divorce		1				1	
Killing	3	29	25	2	25	84	59
Suicide	1	3			1	5	
Total	7	99	60	6	80	252	73

Source: *Prothom Alo, Bhorer Kagoj, Sangbad, Ittefaq, Janakantha, Jugantor Inqilab, Dinkal, Daily Star & New Age.*

5.2: Actors of Violence

Dowry related violence seriously violates human rights. In this respect, women are the main plunders of various violence due to dowry. But what are the actors directly involved with creating violence? What actors make a women simple miserable, intolerable? In an in-depth discussion, it has been found in our research area that the main actors of torturing women for dowry are: husband, mother-in-law, father-in-law, husband's brother, husband's sisters, husband's sister-in-law, husband's uncle or aunty, husband's nephew or niece, other relatives of husband, neighbors etc.

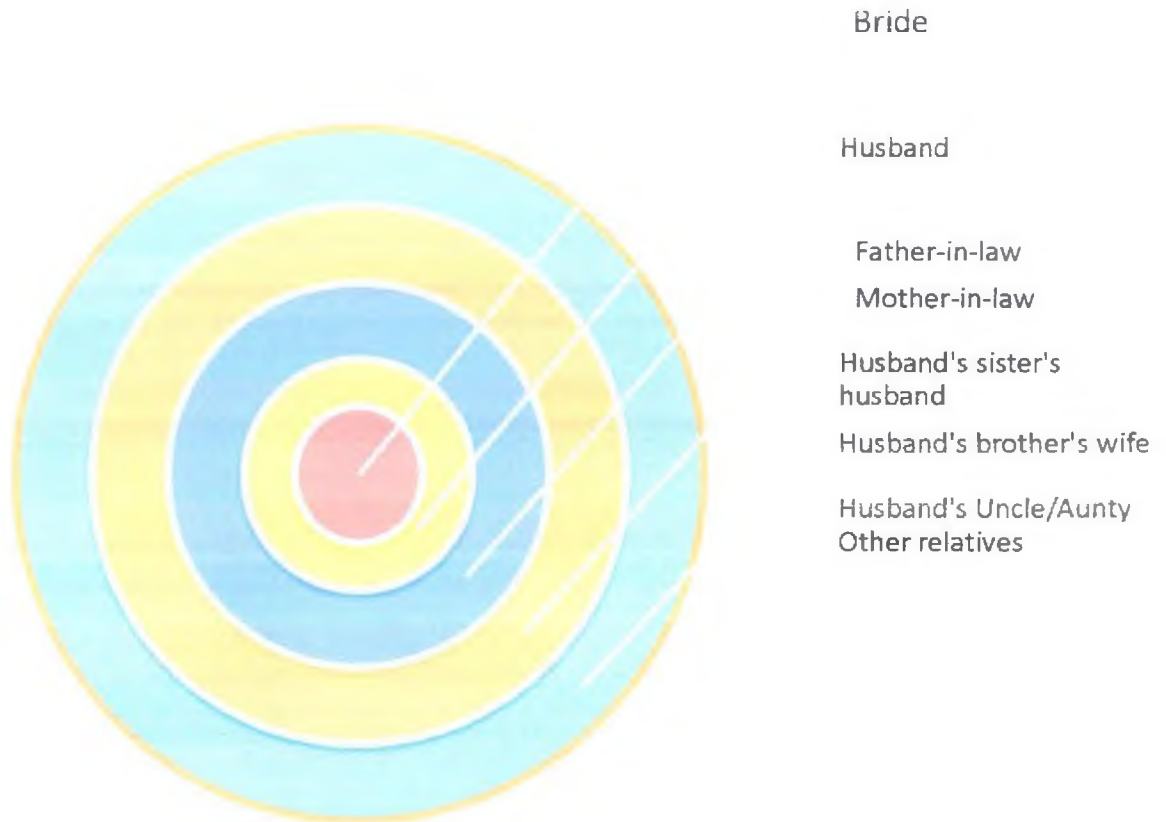
The study reveals that in most cases of violence against women for dowry happen inside the victim's own home. But it is known to all that a home is the best place for everyone to live in peace. It is just like a heaven for everyone's safety. But dowry makes the home very un-safety and risky for women's lives. In this respect, the prominent writer Rounaq Jahan said, "...while for many Bangladeshi men family home is a heaven of peace; for Bangladeshi women, it is neither a safe shelter nor an abode of peace though these are the very image projected tirelessly and lovingly by the myth makes in the mass media and literature."¹⁵ Therefore, domestic violence is one of the most serious types of violence committed against women by men in Bangladesh. "It ranges from verbal humiliation and beating to murder.... 44% female victims were beated and stabbed by their family members."¹⁶

A similar pattern of high incidence of family violence in the form of acid throwing (28%) was observed where victims were family members. According to the Domestic Violence in 2001 Report states that 173 murder out of 530 are occurred domestically only for dowry. Some other secondary sources also reveal that violence against women at household level is a common feature in male dominated society. A report from the

UN Population Fund in September 2000 asserted that 47 percent of adult women reported physical abuse by their male partner- the highest proportion in the world. From a total of 3,516 rapes and 3,523 incidents of spousal abuse cases, 2,814 were related to disputes over dowry.¹⁷ Nevertheless, in women's middle age there is a risk of divorce or abandonment.

It appears that family violence for dowry is the most significant form of violence; therefore, it is imperative to know the composition of family system in rural society in which dowry violence take place. It is also important to locate the position of the bride in a family. Following is the composition of a rural joint family and location of probable actors of dowry violence:

Chart-5.3: Composition of Rural Joint Family and Location of Probable Actors of Dowry Violence



Women are the mostly exploited, discriminated, tortured and murdered for dowry. But who are directly or indirectly involved in creating dowry violence— it is a significant question to be answered. The study reveals that there are some actors who are responsible for creating violence against women for dowry? The main actors are:

1. Husband;
2. Father-in-law;
3. Mother-in-law;
4. Husband's brother;
5. Husband's sister;
6. Husband's sister's husband;
7. Husband's uncle/aunty;
8. Husband's nephew/niece
9. Other relatives;
10. Husband's friends;
10. Neighbors etc.

How the actors play role in creating violence for dowry is a pertinent question to be answered. Therefore, the role of various actors in creating violence against women for dowry is discussed below:

Husband: Husband is the main actor of creating violence against women for dowry, because dowry directly benefits husband. In reality, he creates violence, consolidate/perpetuate violence for dowry as husband and wife always live together and they are very close to each other. Therefore, it is very easier for husband to generate an effective violence for dowry money. As an actor of torturing and violence maker he plays the most decisive role. In a nuclear and single family, he is almost only role player in this respect. He plays significant roles in violence making in the following ways:

- i) physical torturing like wife beating and prodding, seize by the threat, hit with a stick, dragging roughly, kick in the belly etc.
- ii) mental torturing like verbal humiliation, given lower/less food, keep wife to her father's home, intolerable behavior, not going father's house or bride is not permitted, ill behave and torturing to the child, deprivation of necessary goods and needs, slang words etc.
- iii) divorce;
- iv) burning by heating or throwing kerosene;
- v) acid throwing;

vi) influence wife to do commit suicide;

vii) killing.

Father-in-law of the Bride: In the rural society of Bangladesh, usually father-in-law of the bride plays decisive role in making effective violence for dowry money. In a joint family, the father-in-law is the ultimate owner of the properties and he is the head of the family. So, there is a big interest involved in getting dowry money through his son. Therefore, it is usual that he will create violence for dowry money. But in a single or nuclear family the condition to a great extent is different as husband is the ultimate owner of all properties. The father-in-law plays important roles in many ways for creating violence for dowry money:

i) the father-in-law (of bride) assists his son in creating violence;

ii) he himself can create violence;

iii) physical torturing like beating, hit by the stick etc.;

iv) verbal torturing (like strength words);

v) serious ignorance to the bride;

vi) mental torturing;

vii) assist in throwing kerosene on wife's body;

viii) acid throwing;

ix) he can deprive of necessary goods and services;

Therefore, the father-in-law to serve his own interest generates violence for dowry money. Sometimes, the husband is not interested to take dowry or to torture his wife, but the father-in-law makes pressure on his son to do that.

Mother-in-law: Another important actor of making violence is the mother-in-law. Mother is treated as the *ginni* of the family who distributes all activities inside the house and allocates the resources. Thus, she holds the position of creating effective violence. The son is the ultimate shelter of the mother. So, if the son is benefited by getting dowry money, she also to some extent may be benefited. In one hand, she herself cannot avoid the greediness of dowry money and on the other hand, she usually supports her son as well as her husband's demands. Therefore, the mother-in-law of the bride becomes an oppressor due to her partial

interest of getting dowry money. As an oppressor, both directly and indirectly she plays various roles in making violence:

i) strong support her husband to insists their son in making violence for dowry money;

ii) she herself can make violence;

iii) she herself can torture the wife both physically and psychological

iv) beating;

v) using ill/slang words;

vi) throwing kerosene in the body;

vii) throwing acid in the body;

viii) pulling hair and hit with a stick;

ix) bold headed the wife;

x) given lower food and less nutritious food;

xi) intolerable behavior;

xii) prohibited the son to talk/stay/mix with her wife;

xiii) keep wife (*bow*) in a separated *ghar* (room);

xiv) insist other persons of inside and outside the family to misbehave with the *bow* etc.

In this study, it has been found that 13% respondent said that the mother-in-law is the oppressor for making violence due to dowry and 19% said that the oppressors are both mother-in-law and father-in-law.¹⁸ We have also found that a significant number of fathers-in-law and mothers-in-law create violence.

Sister-in-law: The significant oppressor of making violence towards women is *nanash* (husband's elder sister) and *nanad* (husband's younger sister). In the rural area of Bangladesh it has been found that these oppressors in most cases participate in making violence as the supporting hands of the husband and father-in-law. They take part in violence both indirectly and directly for dowry money. They usually play different roles in making violence, like

- i) use very slang words towards bride and bride's family;
- ii) intolerable behavior toward bride;
- iii) influence others to misbehave with her (bride);

- iv) influence their brother (bride's husband) to create bad relation with his wife;
- v) they themselves can do violence;
- vi) provide direct support and help to beat the wife;
- vi) help to throw kerosene or acid toward wife;
- viii) help to kill her;
- ix) influence their brother (husband) to divorce his wife;
- x) insult the family members of the bride etc.

Brother-in-law: Brother-in-law is an important actor of making violence for dowry. As a *jamai* (son-in-law) he has a special prestige and voice in his father-in-law's family. He is one of the most important helping hands of the oppressor for torturing the bride. In a joint family, husband's brother may also be benefited by the husband property. If husband can get money from his father-in-law then husband's brother can also get a share of that money. So, it is very usual for him to strengthen the pressure for bringing dowry money from bride's parents. Different roles of brother-in-law in making violence are:

- i) influence other family members to oppress the bride for dowry money;
- ii) he himself makes pressure on the bride to bring money for his own business;
- iii) helps his brother-in-law and father-in-law to beat the bride;
- iv) insulting his brother-in-law's wife by using slang words and misbehave;
- v) he himself can make serious violence by rape or acid throwing;
- vi) influence other family members to kill her, etc.

Husband's Friends: Sometimes husband's friends can play roles in making violence for dowry money. Many husbands in the rural area passes their times mostly with their friends and they are very much influenced by their friends. These friends can motivate them (husbands) to bring dowry money. They may have any interest; as a result they like to influence the groom for bringing money, because they also do the same. They can play roles in the following ways:

- i) they influence as well as inspire the groom to bring the dowry money from bride's family;

ii) they can use slang words towards husband if he is not able to bring enough money;

iii) they can influence or support family members of the husband for making violence;

iv) they can use bad words to wife and her family directly, etc.

Other Relatives and Neighbors: Sometimes the relatives and neighbors of the husband as well as bride can play roles as actors of making violence for dowry money. In some cases, the relatives have some interest; therefore, they interfere in it. In most cases, the neighbors are totally detached from getting any interest from husband's dowry money, but they like to take part in violence making for dowry money. Among the relatives, usually husband's uncle, aunty, sister's husband (*dulavai*) are the main actors of torturing. We have found some cases in our study area where sister's husbands of the grooms made serious pressure to bring dowry money at marriage and after marriage. Various roles in making violence for dowry money by the relatives and neighbors are:

i) relatives and neighbors can influence groom's family to make violence for dowry money;

- ii) groom's relatives can make pressure to bring dowry money;
- iii) groom's relatives and neighbors can insult for not bringing enough money from the bride's family;
- iv) grooms relative as well as neighbors can insult the bride directly;
- v) they can create mental pressure on husband and wife (bride) for dowry money;
- vi) they can inspire the groom to beat his wife for dowry money, etc.

END NOTES

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Chapter Six

Chapter Six

Conclusion

The present study has dealt with the dowry system and dowry related violence against the rural women of Bangladesh. It has intensively studied the prevailing conditions of dowry system in rural Bangladesh, the socio-cultural and religious origin of dowry in Bangladesh, various causes of dowry, diverse forms of dowry, dowry related violence and its consequences in rural Bangladesh. The study started with four objectives and four hypotheses congruent with the stated objectives. The hypotheses are: (1) dowry system has a socio-cultural and religious origin in Bangladesh; (2) there are social, psychological and economic causes and conditions of dowry system; (3) there are various forms, sources and uses of dowry; (4) dowry is a cause of various forms of violence against women which violate women's rights. Attempts have been made all through the study to test these hypotheses. For this purpose, the data collected mainly from the primary sources have been used in this study although the data from the secondary sources have widely been used.

The present chapter (conclusion) has been designed in order to make some concluding remarks about the study as a whole. For this purpose, two relevant and main topics have been dealt with in this respect: (1) how the hypotheses built earlier have been tested; and (2) make some suggestions for the prohibition against dowry system in Bangladesh.

6.1: Testing of Hypotheses

Hypothesis-I: Dowry refers to a marriage practice in Hindu society where gifts, cash and/or other valuable goods are given mainly to the groom's family. Although its ancient meaning was to show respect but now it has taken on a harmful form and meaning in recent years. The wide practice of dowry in the Hindu society has touched the lives of the Muslim of this subcontinent specially in Bangladesh. In fact, this practice has never been sanctioned by Islam and has not prevalent amongst Muslims of other cultures. But the ancient practice and culture of dowry of the Hindu religious people, Hindu inheritance law, women's inferior position in the society, their complete dependency on male persons, patriarchic social attitude and norms, polygamy, caste system, expansion of English education and cultural hybridism etc. are responsible for the origin of

dowry in Bangladesh. Therefore, certain socio-cultural, religious and economic factors led to the origin and expansion of dowry system in Bangladesh. Thus, the first hypothesis of the study has been tested properly.

Hypothesis-II: The present study has intensively investigated the various causes and conditions of dowry system in rural Bangladesh. It has tried to analyze in details why one party gives dowry and why another party takes dowry. In this respect, social status of both parties, compulsion, inferior psychological make-up of women, religions, mental satisfaction, competition for better grooms, patriarchy, cultural hybridity, social tradition etc. are responsible for giving dowry to the groom's party by the bride's party. On the other hand, easy way to earning, groom's necessity or need, superior psychological make-up of men, groom's cost, return of *denmahr*, social custom, social prestige, greediness etc. are responsible for taking dowry by the groom's party. In addition, some conditions, like the local leaders' inactivity, their indifference and irresponsibility towards resisting dowry, indifference of law enforcing agencies, absence of any written document of exchanging dowry marriage etc. are also responsible for fueling the dowry system in the rural areas of Bangladesh. The data and

analyses lead one to conclude that there are certain causes and conditions of dowry system in rural Bangladesh. Therefore, the second hypothesis of this study has properly been dealt with.

Hypothesis-III: There are various forms of dowry. Dowries are exchanged in various forms, like land, property, jobs, necessary household goods and cash money etc. The study has both intensively and extensively dealt with the dowry items given to the groom as well as the items given to the bride. Who gives what items to whom (either bride or groom's party or to both parties)— have been elaborately discussed in the study. The study also tried to analyze the changing nature of dowry items in the recent years. In this respect, it has been found that cash money is the very common form of dowry in the rural marriages of Bangladesh but the amount of dowry money is totally different. In this respect, impact of certain demographic variables, like education, income, occupation and age of the groom as well as bride have been studied. It has been found that the lower aged grooms demand higher amount of dowry, lower family income grooms take more frequent but less amount of dowry. And usually the labor and peasant grooms take more dowry than the grooms of other occupational groups. The present study investigated the sources as well as

the uses of dowry money intensively. In this respect, it has been found that family savings, mortgage or sale of land, loans, sale of domestic animals and agricultural product etc. are the main sources of dowry money. On the other hand, given dowry money is used mainly in the marriage ceremony, daily expenditure, paying off loan, house building, job or going abroad, purchasing land, buying domestic animals etc. This chapter has also investigated the times of payment of dowry money in details. Therefore, it can be said that the third hypothesis of this study has properly been tested.

Hypothesis-IV: Various forms of violence against women take place in the rural society of Bangladesh due to dowry, and women rights are seriously violated because of dowry violence. It has been found that killing, acid-throwing, burning, committing suicide, divorce, serious physical and mental torturing etc. are the main forms of dowry violence. This chapter has intensively analyzed the actors that are responsible for creating dowry violence as well as the grievances responsible for the violence. It has also investigated and analyzed the consequences of dowry violence in the rural society. Some secondary sources of the subject matter have also been used for the discussions of this chapter. Prostitution or selling wives to the traffickers, male-adjustment in conjugal life, remarriage of the husband,

odd marriage, abandoned from the society, facing awkward situation by filing case against groom— these are the serious consequences of dowry violence which make women's life inhuman and miserable. Therefore, the fourth hypothesis— dowry is a cause of various forms of violence against women which violates women's rights— has been tested properly.

6.2: General Suggestions

Women Empowerment: It is essential to take development programs for women. "Development is here interpreted to mean total development, including development in the political, economic, social, cultural and other dimensions of human life and also the physical, moral, intellectual and cultural growth of the human person. Women's development should not only be viewed as an issue in social development but should be seen as an essential component in every dimension of development."¹ These kinds of development programs will make women self-dependent. Particularly, economic development programs are essential for women empowerment.

Patriarchic Attitude Should be Changed: A very important cause of continuing dowry is the patriarchic attitude of male members towards

women. In the patriarchic society of Bangladesh, suppression and oppression of women both at home and outside the home is very common. The family life is hierarchically structured here and usually the male member is the head of the family. A female child or female member is tortured as *maya manush* which is used with very negligence. Unequal treatments are also observed to them in the distribution of food, cloths, games, education etc. before marriage. A girl is treated as 'other' in his father's house and after marriage she is also treated as 'other' in his husband's house. As a result, they are treated as 'object' in every stage of their lives and they become the most vulnerable and oppressed section. So, such negative patriarchic attitude of male members of the family as well as society towards women should be changed. And with the change of this attitude, male's treatments towards women will also be changed. As a consequence, all the systems like dowry which are disgraceful to women will be rooted out.

Compulsory Marriage Registration: Compulsory marriage registration may be a way of prohibiting dowry and dowry related violence. The Muslim Family Law Ordinance of 1961 provides for compulsory registration of Muslim marriage and has been consolidated by the Muslim marriage and

Divorce Act (1974) and Registration Rules (1975). All Muslim marriages are required to be registered though in practice many marriages are not registered. As a result of Muslim Marriage and Divorce (Nibondhikaran) Act, a married woman directly or indirectly gets her opportunities, and her position/status become strong in the family as well as in the society through the marriage. In case of Hindu marriage there is no marriage registration act for them in Bangladesh rather to give dowry to the groom is permitted in Hindu religion. It is also necessary to abolish the system from Hindu culture and compulsory marriage registration should be introduced for them. There is no written document of taking or giving dowry in Bangladesh. So, written document is essential for evidence and such evidence may create fear among the dowry practitioners. Therefore, compulsory marriage registration and written document of dowry money can help to abolish dowry system and dowry related violence.

Dowry Violence Should be Reported: It is important to note here that in most cases neither the victim nor her family reports the dowry violence to the police or took legal action against the demand for dowry which is punishable offence.² While there is no systematic information available as to why families fail to report dowry demands, the psychology of criminal

victimization researchers have concluded that three factors are responsible for non-reporting.³ First, victimization produces fear, particularly about one's own safety and security. The woman fears that reporting may aggravate domestic violence or result in the breakdown of an institution she considers sacred. Secondly, crime victims commonly come to see themselves as helpless, vulnerable and impotent. Thirdly, the victim may come to believe that even others are ineffective in changing life's events. This projected helplessness does have some basis in reality. When the victim does not report because of her belief that nothing can be done, it has serious negative consequences for the community.⁴ Therefore, it is an urgent need to report crime first and go for legal actions. Unreported complain cannot expect justice rather in fuels further crimes.

Social Movement Against Dowry System: There is very little and often no awareness among them of the root of the dowry problem or any motivation to curb the practice and bring about a much needed social change. This can be attributed to an internalization of prevailing patriarchal values which view women as inferior and having only themselves to blame for their predicament.⁵ So, it is necessary to take this problem as a challenge and should take social action against it. The society

which gives us the ideas like 'the husband as lover, the brother as protector and the son as security'— should change through empowering women both economically as well as socially.⁶ Therefore, social movement against the dowry system should be launched and strengthened from all corners of the society.

Equalize in Power: Equality of roles depends on equality of power, or the ability to achieve one's desires in the face of opposition from others. Such power or the ability to tell who what to do in what circumstances, is one of the main issues in marital satisfaction. Power in turn is based on resources. Resources can consist of money, education, attractiveness, social status or even the ability to be a good hostess.⁷ The struggle against violence is the struggle against the unequal distribution of power— both physical and economic between two sexes. The challenge lies not only in redefining hierarchical relationship between the sexes but hierarchical interactions in all aspects of interpersonal relationships.⁸ Therefore, measures should be taken to equalize in power between to sexes.

Role of the Police and Court Should be Effective: In many cases, the police have refused to take any action against dowry related problems.

When the police is informed that a young woman's life is in danger, they refuse to intervene in 'family affairs'. Police apathy is manifested itself in several ways. The police is appeared unconcerned, hesitated or refused to register a case. The police register a case only after intense pressure from either the family of the deceased and/or members of women's organizations. If a case is registered, the police refuse to take any action after registration. Police indifference is primarily a function of the light view they and society take of dowry offence. This seriously deters a woman and her family to report violence in the home.⁹ Therefore, the police and the other law enforcing agencies should be very active about dowry cases and they should behave responsibly.

Dowry Should be Included in Education Curriculum: Inclusion of dowry related courses in the secondary and higher secondary syllabus may be an effective step to fight against the dowry system.¹⁰ In rural Bangladesh, people are mostly less conscious about dowry and dowry related problems although they are suffering a lot in every moment of their lives for dowry. To make people conscious about it is necessary to make them able to realize the subject matter in-depth. In this respect, including dowry related lessons at the secondary school level as well as the higher

secondary level education will help the students (both male and female) to know about dowry and dowry related problems. Students can know about the punishment due to dowry from the very early stage of their lives.

Role of Mass Media: Media can play a significant role in protesting dowry and dowry related violence. Now-a-day, a number of television channels including Bangladesh Television are operating their activities even in the rural areas of Bangladesh. Bangladesh Radio and other dailies also can play roles in this respect; because access to media obviously makes people conscious. Entertainment is the most powerful function of mass media. The media serve as teacher, helping us understand our social and political environment; as watcher, altering us to important events in that environment; and as a forum allowing alternative views on issues to be heard and discussed. Therefore, media can circulate intensively the bad effects of dowry as well as it can make public opinion against this evil practice.

Effectiveness of Existing Dowry Prohibition Laws: The giving and taking of dowry is an offence under the Dowry Prohibition Act, 1980. The Bangladesh act provides that payment or demand for payment of dowry by

any one is punishable with imprisonment for up to five years or a fine or with both. The law enacted in 1983, 1995, and 2000 to prevent cruelty to women and children provide for a sentence of death or life imprisonment and financial penalty to a husband or any of his relatives who cause or attempt to cause death or grievous injury to a wife on account of dowry.¹¹ But the existing law is not effectively used in favor of the victim. Faulty investigation and medical reports, lack of adequate evidence etc. make clues for the culprits to be guarded against punishment. Therefore, the existing dowry prohibition laws should be more effective and favorable for victims.

Role of NGOs: NGOs can play a significant role in prohibiting dowry in the rural areas of Bangladesh. A number of NGOs like BRAC, Proshika, Asha, Baste Shekha etc. are operating their activities in the remote areas of Bangladesh. So, they can take 'dowry issue' in their highest concern. It is also true that they have taken programs for performing drama on dowry as well as some seminars on it. But those seminars, symposiums are not available in the remote area of Bangladesh like their micro credit system. Therefore, NGOs can pay attention in promoting various social activities as well as social problems like dowry. They can make people conscious not to

take and give dowry at their daughter's or son's marriage. The amiable manner of NGO activists towards the rural people and their leadership capacity may help to cure the society from dowry curse.

Role of the Social Welfare Ministry: Ministry of Social Welfare can play effective roles in their vast activities in the rural areas of Bangladesh. They can take step to circulate the negative effects of dowry through seminars, meetings, symposium, advertisement or other discussion programs to the mass people. In addition, various stage drama as well as photography on dowry violence will attract the people to help to stand against giving or taking dowry.

Role of Ministry of Religion and Culture: The Ministry of Religion and Culture can take step to protest the negative effects of dowry system. The ministry can take initiatives to make awareness building among the people by arranging meetings, discussions, seminars in the village, thana and Upazila levels. Apart from this, it can arrange training for the religious leader of the remote area on the ill practice of dowry and its consequences so that they (religious leader) can circulate this in *Jumma* of every Friday.¹² Hindu religious leaders also can do the same for their community. If such

step to stop dowry continues all over the country, then very soon this ill practice will be abolished from the society.

To Solve Unemployment Problem: Unemployment is the most important crisis of Bangladesh. Unemployed people are mostly needy and dependent on others. Most of the grooms who are unemployed mostly take dowry from the bride party. But taking dowry from others is not the ultimate solution of their life time necessities. Therefore, necessary measure should be taken to create employment opportunities for the youth so that they can become self-reliant, self-confident and their senses of self-respect arise in them.¹³

Consciousness of Both Parties: The main actors of marriage are bride and groom and dowry disease is surrounded by this two actors. So, consciousness of both about this ill practice is essential to stop it. Groom and his family has to stop the demand of dowry to the bride consciously and they have to think that giving dowry is a burden for the opposition party and it is very inhuman. On the other hand, bride fathers should have to oppose strictly the demand marriage.¹⁴ If all fathers of the brides agree with as well as maintain this stance that they will not give their daughters

marriage in exchange of dowry money, then it will be more effective to solve the present crisis.

Expansion of Female Education: In Bangladesh, since the birth of a female child the parents feel fear thinking about their child's future marriage. Though it is a matter of big concern to them how they will collect the money of their daughter's marriage, but they have to collect it by their heart and soul effort. But if the parents of the girls spend this money for their education then it will help them a lot for getting job as well as self-dependency. In this respect, Begum Rokeya Shakhawat Hossain said, "I beg to state to my brothers that the money that you will use in undesirable affair of decorating yours daughters by gold-diamond ornaments in their marriage, please try to use that money in decorating them by giving education and knowledge. Use the money of ornaments in arranging/establishing genana school."¹⁵ So, women education is a must for their development as well as their self-dependency. To say the effectiveness of women education, Begum Rokeya said, "If we (women) cannot enter ourselves royal work place as government officers, then we can enter agriculture. Why are we crying due to the scarcity of groom in

India? Leave the daughters in work place by giving them better education, let them free to collect their food and clothes.”¹⁶

6.3: Sum Up

Dowry system has recently been a widely expanded social curse in the rural society of Bangladesh. It has been the most significant cause of women's rights violation. At the same times, dowry system is a main source of other violence against women. Due to this system, a huge number of women of all walks of life are suffering and leading inhuman lives. Particularly, the women of economically backward section are the main victims of this social disease. Even they have to sacrifice their lives due to dowry. Of course, a numbers of organizations and individuals are working to protesting dowry system. The government has taken a number of special measures for this purpose. The voices of the people especially of women both within the country and around the world are raising against dowry violence. But excepted results in this respect are not coming out. Despite such realities, coordinated efforts from all walks of the society should be initiated and strengthened to root out dowry system from Bangladesh.

END NOTES

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6. Susan Wasley, "Women and Hindu Tradition," in Rehana Ghadially (edited), *Women in Indian Society*, Sage Publications, New Delhi, 1988. p. 34.
7. Rosemarie Tong, *Feminist Thought: A Comprehensive Introduction*, Routledge, 1995. P. 187.
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11. *BANGLAPEDIA: National Encyclopedia of Bangladesh*, vol-3, Dhaka, 2003, p. 381.
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13. *Ibid*. p. 185.

14. Maleka Begum, *Joutuk* (Dowry), Pact Bangladesh, Dhaka, 1994, p. 83.

15. Begum Rokey Shakhawat Hossain has been quoted in Maleka Begum, *Ibid*, p. 83.

16. *Ibid*. p. 183.

Appendices

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Appendix I

Questionnaire

Marriage Case:

Groom's Name:

Age:

Education:

Occupation:

Income:

Religion:

Bride's Name:

Age:

Education:

Occupation:

Income:

Religion:

Year of the Marriage:

Dowry given to the groom:

a)

b)

c)

d)

e)

f)

g)

h) others:

Dowry given to the bride:

Dowry given to the bride by groom's party:

a)

b)

c)

d)

e)

f)

g)

h) others:

Dowry given to the bride by bride's party-

- a)
- b)
- c)
- d)
- e)
- f)
- g)
- h) others:

When dowry money is paid?

- a) marriage time
- b) after marriage
- c) partially paid
- d) not paid

How dowry is collected?

a)

b)

c)

d)

e)

f)

g)

h) others:

How collected dowry-money is used?

a)

b)

c)

d)

e)

f)

g)

h) others:

Does any party demand anything more after marriage?

- a) Yes
- b) No
- c) No response/DNK

If yes, what:

- a)
- b)
- c)
- d)
- e)

Why one party gives dowry?

- a)
- b)
- c)
- d)

Why another party takes dowry?

a)

b)

c)

d)

Have you faced any violence for dowry?

a) Yes

b) No

c) No reply/DNK

If yes, what forms:

a)

b)

c)

d)

e)

Have you heard about any dowry violence?

a) Yes

b) No

c) No reply/DNK

If yes, what forms:

a)

b)

c)

d)

e)

f)

Thank You.

Appendix II

THE DOWRY PROHIBITION ACT, 1980

ACT NO. XXXV OF 1980

[26th December, 1980]

An Act to prohibit the taking or giving of dowry in marriages.

WHEREAS it is expedient to make provision to prohibit the taking or giving of dowry in marriages;

It is hereby enacted as follows:-

(1) This act may be called the dowry prohibition act, 1980.

(2) It shall come into force on such date as the Government may, by notification in the *official Gazette*, appoint.

2. In this act, unless there is anything repugnant in the subject or context, “dowry” means 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 the time of marriage or at any time] before or after the marriage as consideration for the marriage of the said parties, but does not include dower or *mehr* in the case of persons to whom the Muslim Personal Law (*Shariat*) applies.

Explanation I.- For the removal of doubts, it is hereby declared that any presents made at the time of a marriage by any person other than a party to the marriage to either party to the marriage in the form of any articles the value of which does not exceed five hundred taka, shall not be deemed to be dowry within the meaning of this section, unless they are made as consideration for the marriage of the said party.

Explanation II:- The expression “valuable security” has the same meaning as the section 30 of the penal Code (Act XLV of 1860).

3. If any person, after the commencement of this Act, gives or takes or abets the giving or taking of dowry, he shall be punishable with imprisonment which may extend to [five years and shall not be less than one year, or with fine, or with both].

4. If any person, after the commencement of this Act, demands, directly or indirectly, from the parents or guardian of a bride or

bridegroom, as the case may be, any dowry, he shall be punishable with imprisonment which may extend to [five years and shall not be less than one year, or with fine, or with both].

5. Any agreement for the giving or taking of dowry shall be void.

6. [Dowry for the benefit of the wife or her heirs -. Omitted by section 3 of The Dowry Prohibition (Amendment) Ordinance, 1984 (Ordinance No. XLIV of 1984).]

7. Notwithstanding anything contained in the code of Criminal Procedure, 1898 (Act V of 1898),-

(a) no Court inferior to that of a magistrate of the first class shall try any offence under this Act;

(b) no Court shall take cognizance of any such offence except on a complaint made within one year from the date of the offence;

(c) it shall be lawful for a magistrate of the class to pass any sentence authorized by this Act on any person convicted of an offence under this Act.

[8. Every offence under this section shall be non-cognizable, non-available and compoundable]

9. (1) The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall, as soon as may be after it is made, be laid before Parliament and if Parliament before the expiry of the session in which it is laid, agree in making any modification in the rule or agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, subject that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Appendix III

Oppression of Women and Children (Special Enactment) Act, 1995

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Act No.18 of 1995

An Act made to make special provisions for certain abominable offences connected with the women and children

Whereas it is expedient to make a special provisions for certain abominable offences connected with women and children;

Now therefore, it is enacted as follows:-

1. Short title.- This Act may be called the oppression of women and Children (Special Provisions) Act, 1995.

2. Definitions.- Unless there is anything repugnant in the subject or context, in this Act,-

(a) “offence” means any offence punishable under this Act;

(b) “court” means any special court established under this Act;

(c) “rape” shall have the same meaning as in section 375 of the Penal Code (Act XLV of 1860);

Provided that, for carrying out the purposes of this Act, for the word “fourteen” in the fifth sub-paragraph, and for the word “thirteen” in the sub-paragraph with the subscription “Exception” of the said section 375, shall, in both cases, be substituted the word “sixteen”;

(d) “women” includes women every age;

(f) “dowry” means “dowry” as defined in section 2 of the Dowry Prohibition Act, 1980 (XXXV of 1980);

(g) “child” means “child” as defined in section 2 (f) of the Children Act, 1974 (XXXIX of 1974);

(h) “High Court Division” means High Court Division of the Supreme Court of Bangladesh.

3. Act to override others laws.- The provisions of this Act shall have effect notwithstanding anything contained in any law for the time being in force.

4. Penalty for causing death by means of explosive, poisonous or corrosive substances.- Whoever causes the death of any child or woman

by means of any explosive, poisonous or corrosive substance shall be punishable with death.

5. Penalty for causing grievous hurt means of explosive, poisonous or corrosive substances.- Whoever hurts any child or woman by means of any explosive, poisonous or corrosive substance in such way as to result in-

- (a) the privation of the light or sight of the eyes,
- (b) the disfiguration of the head or face,
- (c) the privation of the hearing of the ears,
- (d) the destruction of any member or joint, or
- (e) the destruction of any other member of the body,

of such child or women shall,-

- (i) in the case of permanent privation of the light or sight of one eye through a hurt as stated above in (a), be punishable with a term of rigorous imprisonment which may extend to 14 years but shall not be less than 7 years, and shall also be liable to fine;
- (ii) in the case of permanent privation of the light or sight of both eyes through a hurt as stated above in (a), be punishable with death or lifelong imprisonment, and shall also be liable to a fine;

(iii) in the case of permanent partial destruction or disfiguration of the head or face through a hurt as stated above in (b), be punishable with a term of rigorous imprisonment which may extend to 14 years but shall not be less than 7 years, and shall also be liable to a fine;

(iv) in the case of permanent complete destruction or disfiguration of the head or face through a hurt as stated above (b), be punishable with death or lifelong imprisonment, and shall also be liable to a fine.

(v) in the case of permanent privation of the hearing of one ear through a hurt as stated above in (c), be punishable with a term of rigorous imprisonment which may extend to 14 years but shall not be less than 7 years, and shall also be liable to a fine.

(vi) in the case of privation of the permanent privation of the hearing of both ears through a hurt as stated above in (c), be punishable with lifelong imprisonment, and shall also be liable to a fine;

(vii) in the case of permanent destruction of any member or joint of the body through a hurt as stated above in (d), be punishable with lifelong imprisonment or a term of rigorous imprisonment which may extend to 14 years but shall not be less than 7 years, and shall also be liable to a fine;

(viii) in the case of permanent destruction of any member of the body as stated above in (e), be punishable with lifelong imprisonment or a term of rigorous imprisonment which may extend to 14 years but shall not be less than 7 years, and shall also be liable to fine;

(ix) in the case of destruction or disfiguration through a hurt as stated above in (a) to (e) not being permanent, be punishable with a term of rigorous imprisonment which may extend to 14 years but shall not be less than 7 years, and shall also be liable to fine.”

6. Penalty for rape.-

(i) Whoever rapes any child or women shall be punishable with death or lifelong imprisonment.

(ii) Whoever causes the death of any child or women in or after committing rape shall be punishable with death.

(3) Where more than one person rape any child or women, each of them shall be punishable with death or lifelong imprisonment.

(4) Where more than one person jointly causes the death of any child or women in or after committing rape, each of them shall be punishable with death.

7. Penalty for attempts to cause death or causing hurt in or committing rape.- Whoever, in committing rape, attempts to cause death or to cause hurt to any child or women shall be punishable with death or lifelong imprisonment.

8. Penalty for trafficking etc. in women.-

(1) Whoever imports, exports, buy or sells or lets to hire or otherwise disposes of any woman with intent that such woman shall be employed for the purpose of prostitution or illicit intercourse or unlawful and immoral activities, shall be punishable with lifelong imprisonment, and shall also be to liable to fine.

Explanation 1.- When a women is sold, let for hire, or otherwise disposed of to a prostitute or any person keeping or managing a brothel, the person so disposing of such women shall, until the contrary is proved, be presumed to have dispose of her with the intent that she shall be used for the purpose of prostitution.

Explanation 2.- Any prostitute or person keeping or managing a brothel, who buys, hires or otherwise obtains possession of any women shall, until the contrary is proved, be presumed to have bought or hired or bought into his possession or custody woman with intent that shall be used as a prostitute.

(2) Whoever keeps in his possession, custody or under his guardianship any woman in order to import or export her, hire her out or otherwise dispose of her with intent that she shall be employed for the purpose of prostitution or illegal intercourse or unlawful and immoral activities shall be punishable with a term of rigorous imprisonment which may extend to 14 years, and shall also be liable to fine.

9. Penalty for abducting any woman for using her in unlawful or immoral etc. activities.- Whoever abducts any woman intent that-

(a) she shall be employed or used for the purpose of prostitution or any other unlawful or immoral activity,

(b) she shall be forced to marry against her intentions,

(c) she shall be forced or seduced or allured to sexual intercourse,

Shall be punishable with lifelong imprisonment or a term of rigorous imprisonment which may extend to 10 years and shall not be less than 7 years, and shall also be liable to fine.

10. Punishment for causing death, etc. for dowry.-

(1) Whoever, being a husband, a father, mother, guardian, relation of a husband or any other person on the part of a husband of any woman,

attempts to cause death to such woman for dowry shall be punishable with death.

(2) Whoever, being a husband, a father, mother, guardian, relation of a husband or any other person on the part of a husband of any woman, causes grievous hurt to such woman shall be punishable with lifelong imprisonment or a term of rigorous imprisonment which may extend to 14 years and shall not be less than 5 years, and shall also be liable to fine.

12. Penalty for trafficking in children.- If any person unlawfully imports, exports or sells children, or brings into his possession any child for the purpose of importing, exporting or selling such child, or if a child (destined) for such purpose is found with any person, such person shall be punishable with death or lifelong imprisonment.

13. Penalty for extorting ransom money.- Whoever kidnaps or confines any child for the purpose of extorting ransom money shall be punishable with lifelong imprisonment.-

14. Penalty for abetment of offences.- Whoever abets any offence punishable under this act shall, if such offence is committed in consequence of the abetment, be punishable with the punishment provided for the offence.

15. Trial of offences.- Offences under this Act shall be tri able exclusively by a Special Court established under section 16.

16. Special Courts.- (1) There shall be one Special Court at each Zila Headquarters for the trial of offences under this Act, which may be called Suppression of Oppression of Women and Children Special Court.

(2) The Government may, if necessary, established Special Court also at other place and shall, in such case, determine, by notification in the official Gazette, the area of such Special Courts.

(3) A Special Court shall consist of one Zila and Sessions Judge and the Government shall appoint the judge of a Special Court from amongst the Zila and Sessions Judges.

(4) The Government may, if necessary, appoint a Zila and Sessions Judge, in addition to his duties, as a judge of a Special Court.

Explanation.- In this section, the meaning of Zila and Sessions Judge include also Additional Zila and Sessions Judge.

17. Jurisdiction of the Special Court.- No Special Court shall take cognizance of an offence without a report in writing form a police officer not below the rank of a Sub-Inspector, or a person authorized, generally or in particular, in this behalf by the Government:

Provided that any Court may, if it is satisfied that the complainant has requested a person authorized under this sub-section in vain to submit a report of an offence, take cognizance of a complainant directly.

(2) The report of taking cognizance of an offence shall be submitted to, and the trial of an offence shall be conducted at, the Court within the jurisdiction of which the offence, or a part of it, has been committed, or the Court within the jurisdiction of which the accused person or, in the case of there being more than one accused persons, any of the accused persons has been traced.

18. Investigation of offence.-

(1) The investigation of an offence under this Act shall be concluded within 60 days after the report of the commission of the offence has been received or the order to investigate the offence has been issued by the Magistrate:

Provided that the Court may, if the investigating officer is able, by showing special reasons, to satisfy the Court that it is, in the interest of a fair trial, expedient to extend the period of investigation, extend the fixed period of investigation by 30 days.

(2) Where, after the expiry of the fixed and extend under sub-section (1), the Court, in view of an application or for any other reason, is satisfied to

the effect that it is expedient and necessary to conduct further investigations on any offence, it may, subject to such orders as it may have issued with regard to the bail of the accused person or any other matters, give order to conduct the investigations for an additional period.

(3) No bail for an accused person shall be approved during the period of investigation fixed in sub-section (1).

(4) Where an investigation is not concluded after the expire of the extended period fixed in sub-section (1), the Court may release the accused person on bill and shall, if it does not grant, put down its reasons to writing.

19. Power to impose punishments.- The Court may impose the punishments prescribed for the offence it is trying.

20. Procedure of trials.-

(1) The Court shall, when trying and deciding a case, follow the procedures prescribed in the Code of Criminal Procedures (Chapter XX) for the trial and decision of cases.

(2) The Court shall conclude the trial of a case within 90 working days after the date on which the case has been received for trial.

(3) Where for any reasons the Court fails to conclude the trial of a case within the prescribe period, it shall, after putting its reasons down to writing, conclude the trial of the case within 30 days following the expiry to the prescribed period.

(4) Where the Judge of a Court has been transferred, the Judge succeeding him in office shall, if his predecessor has left the trial of any case, continue such trial from the stage at which it had been left, and, if his predecessor has taken the testimony of a witness, such witness shall not be required to give his testimony again:

Provided that the Judge may, if he thinks it, in the interest of a fair trial, unavoidable to take again the testimony of a witness, summon, and take again the testimony of, a witness.

(5) If a Court has sufficient reason to believe that-

(a) an accused person has absconded or is concealing himself in order to avoid being arrested or committed for trial, or

(b) if there is no possibility for his imminent arrest,

it may, by an order published in at least one Bengali daily Newspaper, order the accused person to appear before the Court within the period specified in the order, which shall not exceed 30 days, and may, if the

accused persons fails to appear before the Court within such period, conduct the trial in his absence.

(6) The provision of sub-section (5) shall not be applied in the case of an accused person who absconds or fails to appear before a Court after appearing before a Court, or being produce before a Court, or being released on bail by a Court, and a court may, after recording its reasons, conduct the trial against the accused person in the letter's absence.

(7) The Court may, during the trial of any case, direct, on its own motion or in view of an application, any police officer to make further investigations on any offence and to produce the report thereof within such period as it may specify, but not being more than 30 days.

21. Power of a Magistrate to take depositions at any place.-

(1) Where a police officer or any other person investigating an offence under this Act is of the opinion that it is necessary, in the interest of a prompt trial of the offence, to have, without any delay, a Magistrate take down in writing the disposition of a person who is well-informed about the occurrence, he may request in writing a Chief Metropolitan Magistrate or, as the case may be, a Zila Magistrate or any first class Magistrate authorized in this behalf by the Government to take down in writing the deposition of such person.

(2) A Chief Metropolitan or a Zila Magistrate shall, on receipt of a request under sub-section (1), without any delay, direct a Metropolitan Magistrate or, as the case may be, a first class Magistrate to take the deposition of such person.

(3) The Magistrate who has received a direction under sub-section (2) or the Magistrate who has been authorized by the Government as mentioned in sub-section (1) shall, without any delay, take the disposition of such person.

(4) If, during the Trial at a Court of a person accused of an offence referred to in sub-section (1), it turns out that it is necessary to take a testimony of a person who made a deposition under sub-section (3), but such person has died, or is unable to give his testimony, or does not, in spite of being summoned, appear at the Court, or can not be traced, or can not be produced before the Court without making efforts which involve such delays, expenditures or inconveniences to make it undesirable under the circumstances so to do, the Court may accept his deposition as a testimony in the trial.

22. Chemical examiner, blood examiner etc.- Where, during any proceeding in accordance with the Code of Criminal Procedures, a chemical examiner appointed by the Government, public chemical examiner, blood examiner, handwriting expert, finger-print expert or

expert of fire weapons has been told to make an examination or analysis on any matter and to submit a report thereof, he shall not be summoned before the Court and the document said to be his report shall be taken as his testimony.

23. Application of the Code of Criminal Procedures.-

(1) The provisions of the Code of Criminal Procedures shall, so far as there is nothing to the contrary contained in this Act, apply in the case of investigating, trying and deciding any case and a Court shall be deemed to be a Sessions Court.

(2) the person conducting a case before a Court on the part of the complainant shall be deemed to be a Public Prosecutor.

24. Submission of appeal.- The party affected by any order issued, judgment pronounced, or punishment period, by a Court may, within thirty days from the date on which the order has been issued, appeal against order, judgment or punishment to the Higher Court Division.

25. Approval of death Sentence.- A Court which has passed a death sentence shall, in accordance with the provision of section 374 of the Code of Criminal Procedures, send without any delay the records of the case concerned to the High Court Division, and no death sentence be executed without any conformation by such Division.

26. Taking cognizance etc. –

(1) All offence punishable under this Act shall be cognizable.

(2) Subject to the other provision of this Act, no person accused or punishable shall be released on bail if-

(a) the complainant party has not been given opportunity for a hearing in respect of the application for his release, and

(b) the Court is satisfied that there reasonable grounds for believing that he is guilty of the accusation brought against him.

27. Power to make rules.- The Government may, by notification in the official Gazette, make rules for carrying out the purpose of this Act.

28. Amendment of Act XIV of 1974.- Paragraph 4B and Paragraph 4C of the Schedule of the Special Power Act, 1974 (XIV of 1974) shall be omitted.

29. Repeal and saving of Ordinance LX of 1983.- The Cruelty to women (deterrent Punishment) Ordinance, 1983 (LX of 1983) stands herewith repealed.

(2) All cases of offence under the said Ordinance which are under trial immediately before such repeal and all appeals against any order issued, judgment pronounced or punishment imposed in such case shall be

conducted and decided upon as if the said Ordinance had not been repealed and Paragraph 4B and 4C of the Schedule of the Special Power Act, 1974 (XIV of 1974) had not been omitted.

(3) All cases for an offence under the said Ordinance the depositions and charge sheet in view of which have been made shall also be deemed to be cases under trial sub-section (2)

Appendix IV

NARI O SHISHU NIRJATAN DAMAN AIN, 2000

(Act No. VII of 2000)

Dated: 14 Feb, 2000/2 Falgun, 1406

An Act to prevent offences rigidly relating to women and children

WHEREAS it is expedient to frame laws for the prevention of offences rigidly relating to women and children:

Hence, therefore, the laws are enacted as below:-

SEC.-1: SHORT TITLE.- This law shall have the title, Nari O Shishu Nirjatan Daman Ain, 2000.

SEC.-2.: DEFINATIONS.- Unless there is anything repugnant in the subject or context-

- a) **'offence'** means an offence punishable under this Act;
- b) **'kidnapping or Abduction'** means to compel a person to go from one place to another place by applying force or upon inducement or enticement or by deceitful means or by intimidation;

- c) **‘Confinement’** means to detain any person in one place against his will;
- d) **‘Tribunal’** means tribunal constitute under this Act;
- e) **‘Rape’** means subject to section 9, according to the definition given in section 375, Penal Code, 1860 (Act XLV of 1860);
- f) **‘New born baby’** means any baby up to forty days;
- g) **‘Woman’** means woman of any age;
- h) **‘Ransom’** means monetary benefit or any other benefit;
- i) **‘Criminal Procedure’** means Code of Criminal Procedure, 1898 (Act V of 1898);
- j) **“Dowry”** means-
 - (a) Any type of money, goods or another property as demanded by the bridegroom of any marriage or the father of a bridegroom or the mother of the bridegroom or any other person who is directly related to marriage in favor of the bridegroom a consideration for the marriage on the condition to perpetuate the marriage during the period the marriage to be held or in the earlier period or in the time of the continuation of marriage; or
 - (b) any money, goods or property that is payable or likely to be paid up by the bridegroom or the father or mother (of the bridegroom) other person directly to the marriage of the bridegroom to the party of the bride to on the condition to perpetuate the marriage,

as the consideration of the marriage, in the period of the marriage to be held or in any earlier period or during the time to continuation marriage;

(k) **'Child'** means any person not more than sixteen years of age;

(l) **'High Court'** means High Court Division of the Supreme Court of Bangladesh.

SEC.-3. SURIMACY OF LAW.- Notwithstanding contained anything in any other law for the time being in force, the provisions of this Act shall be enforced.

SEC.-4: PUNISHMENT FOR THE OFFENCES COMMITTED BY COMBUSTIBLE AND LIKE OTHER SUBSTANCES.-

1) If any person causes the death of any child or women or attempts to cause a death by combustible erosive or poisonous substance shall be convicted to death sentence or for rigorous life imprisonment and in addition shall be fined up to taka one lakh.

2) If any person wounds any child or woman by combustible, erosive or poisons substance in such that such child or woman losses eye sight or auditory system is lost or part of the body, limb, joint is distorted or any part of the body is wounded then after such child or women-

- a) in case of eyesight or auditory system distortion or facial, breast and sex organ distortion or spoliation such person shall be convicted to death up to take one lakh.
 - b) In case of distortion or spoliation of any organ, joint or part thereof of the body or for any wound in the body that person shall be convicted up to fourteen years but not less than seven years rigorous imprisonment and in addition be fined up to taka fifty thousand,
- 3) If any person throw any combustible, erosive or poisonous substance or attempts tow throw upon any child or woman and although there is no mischief of such child or woman physically or mentally or in any other way she be subjected up to seven years and not less than three years rigorous imprisonment and in addition shall be fined up to taka fifty thousand.
- 4) Under this section the fines shall be recovered according to prevailing laws form the convicted person or form his existing wealth or in a case of his death from the wealth he leaves at the time of his death and on such recovery it will be paid to the heirs of the deceased who died for such offence and in case to him how has been injured physically and mentally and in case of his death, to his heirs.

SEC.-5: PUNISHMENT FOR WOMEN TRAFFICKING ETC.-

1) If any persons imports any purpose of prostitution of illegal or for employing in immoral activities or transports or send to foreign countries or purchases or sells or transfers any woman for heir or in other way transfers for torture or for the aforesaid purpose keeps in his own possession or surely or custody in that case she shall be convicted to death sentence or rigorous life punishment or up to twenty years but not less than ten years rigorous imprisonment and in addition shall be fined.

2) In any woman is sold or hired or any other way transferred to a prostitute or a brothel keeper or manager of the brothel then the person who has transferred such woman if otherwise it is not proved, then it shall be presumed that such woman has been sold or transferred for the purpose of prostitution and he shall be punished as mentioned in such section (1).

3) If any person as brothel keeper or engaged in the management of the brothel purchases any woman or hired or in any other way takes possession of any woman keeps in custody, if it is not proved otherwise, than it shall be presumed that such woman has been purchased or hired or kept in possession or custody for the purpose and use of prostitution.

SEC.-6: PUNISHMENT FOR CHILDREN TRAFFICKING ETC.-

- 1) If any person imports any child illegally and immorally from foreign country or exports or sends to foreign country or purchases or sells or for such purposes keeps any child in his own possession or custody or surety then such person shall be convicted for death sentence or shall be convicted for rigorous imprisonment for life and in addition shall be fined.
- 2) If any person steals a newborn baby from hospital, maternity nursing home, clinic etc. or from the possession of the guardian then such person shall be convicted as mentioned in sub section (1)

SEC.-7: PUNISHMENT FOR KIDNAPPING AND ABDUCTION OF

WOMAN AND CHILDREN.- If any person kidnaps or abducts any child or woman except for the purpose of the offence mentioned in section 5 then the person shall be convicted for the life term imprisonment or up to fourteen years rigorous imprisonment and in addition shall be fined.

SEC.-8: PUNISHMENT FOR RANSOM.- If any person for realizing

ransom detains or confines any woman or child then such person shall be convicted for death sentence or lifetime rigorous imprisonment and in addition shall be fined.

SEC.-9: PUNISHMENT FOR RAPE AND DEATH FOR RAPE ETC.-

If any person rapes a woman or a child he shall be convicted for lifetime rigorous imprisonment and in addition shall be fined.

Explanation.- If any male person, except in marriage tie, without the consent of the woman or by intimidation or by deceitful means cohabits with a woman aged above the age [sixteen years] or with a woman of below the age [sixteen years] with consent or with consent cohabits then it shall be presumed the he has raped her.

2) If for the act of rape and for activities of the rapist after raping any woman or child dies then that person be convicted for death sentence or rigorous imprisonment for life term and in addition shall be fined up to taka one lakh.

3) If more than one person collectively commit the offence or rape to any woman or child and after rape the woman or the child dies or injured then every one of the groups shall be convicted for death sentence or rigorous imprisonment for life term and in addition shall be fined.

4) If any person to any woman or to any child-

a) attempts to cause death or injure after rape then that person shall be convicted for rigorous life-term imprisonment and shall be fined.

b) If attempts to rape, then that person shall be convicted for up to ten years but not less than five years rigorous imprisonment and in addition shall be fined.

5) If any woman is raped while in police custody then that person or those persons who were directly responsible for the safe custody of the woman, unless otherwise proved, for failure of proper custody he or they shall be convicted up to ten years and not less than taka ten thousand.

SEC.-9A: PUNISHMENT FOR PROVOKING SUICIDE OF WOMEN ETC.-If any woman convicted suicide by the direct result of any willful act of any person that causes her dis-reputation then that person shall be liable to provoke that woman to commit suicide such act and for such offence he shall be sentenced to not more than ten years but not less than five years period and above this pecuniary punishment may also be imposed upon him.

SEC.-10: PUNISHMENT FOR SEXUAL HARASSMENT, ETC.- If any person shall, to fulfill his sexual desire, touch upon the sexual organ or any other organ of any child or woman with his any organ or any object or cause a woman to be indecent then this act of that person shall be sexual harassment and for this offence shall be punished with imprisonment not more than ten years but not less than three years and above this monetary penalty may also be imposed upon him.

SEC.-11: PUNISHMENT FOR CAUSING DEATH FOR DOWRY

ETC.- If any husband of a women or father of the husband or his mother, guardian, relatives or any person or behalf of the husband causes the death of the women for dowry or attempts to cause the death, [or make such women to be grievously hurt, or simple hurt] then the said husband, husbands father, mother, guardian, relatives or person-

- a) for causing death the conviction of death and for attempting to cause death life-term imprisonment and for both there shall be fined.
- b) shall be punished with life imprisonment or not more than twelve years but not less than five years and above this monetary penalty may also be imposed for causing grievous hurt.
- c) Shall be punished for not more than a years but not less than one year and above this monetary penalty may also be imposed.

SEC.-12: PUNISHMENT FOR MALMING OR MUTILATION OF

THE CHILDREN FOR BEGGING.- If any person begging or for the purpose of selling limbs mutilates or cripples hand or eye or any other way distorts or disfigures any child then convicted shall be death sentence or rigorous imprisonment for life-term and in addition there shall be fined.

SEC.-13: PROVISION RELATING TO THE CHILDREN AS

OUTCOME OF RAPE.- 1) Notwithstanding any other provision of any law, if any offspring is born out as the result of rape-

- a) that son/offspring may be kept in his mother or any other material relative;
- b) that son shall be entitled to get acknowledgement by his father or mother or of both of them;
- c) the state shall bear the maintenance of that son;
- d) that son be entitled to get maintenance up to attainment of the age of twenty one years, but in the case of daughter up to her marriage and in case of disabled child up to his gaining ability to maintain himself.

2) The Government shall, with the producer determine by the sub-rule, determine the amount of money payable as maintenance to the son.

3) The Government may recover the amount of money payable as maintenance of the son from the existing property of the person committed rape and if it is not possible to recover the amount of money from the person who raped, it may shall be recoverable from the upcoming property of that person for which he shall be owner.

SEC.-14: PROVISION ABOUT THE PUBLICATION OF THE IDENTITY OF THE RAPED WOMAN AND CHILD BIRTH NEWS MEDIA.-

1) Victims of the offences under this act woman and children and news about the legal actions, information, names and addresses about them may be punishable through news paper or news media in such a manner that there are not disclosed identities.

2) infringement of the provisions of sub-section (12), person or persons each shall be liable for two years conviction and fine of take up to one lakh or imprisonment and fine.

SEC.-15: REALIZATION OF FROM FUTURE PROPERTY.- From section 4 to 14, the offences for which fine imposed by the tribunal, such fine may be treated as compensation for the victims and if it is not possible to realize the for the existing wealth of the convicts, the fine shall be receivable form the future wealth to which the convict will be owner and in such cases realization of fine will have priority than that of other claims.

SEC.-16: PROCEDURE FOR REALIZING FINE AND COMPENSATION.- If any fine is imposed the tribunal may direct the collector to realize the fine through prescribed procedure and in the absence of procedure tribunal may enunciate procedure that movable and immovable properties of the convict be enlisted and attached and sold out by way of bid or Nilam or without attachment directly be sold out by bid of Nilam and also be directly that the sale money be deposit to the tribunal and such money be given to the victims by the tribunal.

**SEC.-17: PUNISHMENT FOR FILING FALSE CASE, COMPLAINT
ETC.-**

- 1) If any person with the motive of causing loss to any other person knowing that there is no cause of accusation under this act even causes to file the case shall be liable for conviction up to seven years rigorous imprisonment and also be liable for fine.
- 2) The tribunal will accept any offence under sub-section (1) upon complaint by any person.

SEC.-18: INQUIRY OF OFFENCE.-

- 1) Notwithstanding anything contained in the provisions of criminal procedure any inquiry of any offence-
 - a) to be conducted within the fifteen working days after his arrest or be placed to the police custody if the accused person is caught by the police in hand while committing the offence or by caught by any other person; or
 - b) if the accused person is not caught in hand while committing the offence then the inquiry shall be conducted within sixty working day after the receipt of the primary information about his committing offence or where applicable after

receipt of inquiry order from the concerned officer or any other officer authorized by his or the tribunal.

2) If due to any reasonable cause inquiry is not completed within the period as referred in sub-rule (1), referring the reason, conduct the inquiry of offence within the succeeding thirty working days, and shall acknowledge the superior officer of the tribunal which gives order to inquiry referring the reasons.

3) If the inquiry is not conducted within the period as referred in sub-rule (2) the concerned inquiry officer shall, within twenty four hours of expiry of that period, acknowledge his superior officer or the tribunal who gives order about the not be inquiry

4) The superior officer or where applicable, the tribunal who gives order to inquiry shall, after being acknowledge about the inquiry not to be conducted, transfer to any other and any authorized inquiry officer who has been entrusted with the power to inquiry-

a) shall conduct the inquiry activity within the period of seven working days if the accused person has been caught in hand by the police while committing the offence or the caused person be sent to the police being caught by any being caught by any other person; or

b) in any other case the inquiry must be conducted within the succeeding thirty working days.

5) If the inquiry is not possible to be conducted within the period as referred in sub-section (4) the concerned inquiry officer shall, within the period of twenty four hours inform his superior officer or, where applicable, tribunals which gives order to inquiry about the reasons not to conduct inquiry.

6) If the superior officer or where applicable, the tribunal which gives the order to inquiry shall, after review of the report of not conducting the inquiry within the period as stated in sub-rule (2) or (4), decide this way that the concerned officer is liable not to conduct the inquiry within specific period of time then it shall be considered as inefficiency and misconduct to the liable person and such efficiency and misconduct shall be referred in his annual confidential report and action may also be taken against him in according to the provisions of his service rules.

7) If the tribunal is satisfied after reviewing the report submitted that any person referred as accused in the inquiring report should be reasonable to make witness then the tribunal shall give order to make that person as witness instead of accused one.

8) If the tribunal is satisfied after taking evidence for the case that any inquiry officer has make such person witness instead of accused one for the purpose of exempting him from the liability of the case or collecting or considering no applicable information then direct the superior officer of that inquiry officer, referring such activities or negligence as ineffective or negligence or where applicable misconduct, to take action.

9) The Tribunal may, in response to any application or any other information direct the concerned authority to appoint any other inquiry officer.

SEC.-19: COGNIZANCE OF OFFENCE ETC.-

1) all offences trainable under this Act shall be cognized.

2) In accordance with the provision of sub-section (3), no accused person who is concerned primarily or indirectly to the committing of any offence punishable under this Act shall be granted to leave on bail, if-

a) the petitioner has not been given a chance to be heard on the application make by him; and

b) the tribunal is satisfied that there is reasonable cause to believe that he is to be convicted as referred in the charge sheet bought against him.

3) If any person is a women or child or physical sick or inform as stated is sub-rule (2), then that person may be granted bail on the satisfaction of the tribunal that administration of justice shall not be hampered.

4) If the tribunal is satisfied that it will be justifiable to grant bail to a person of her wise as stated in sub-rule (2), then the tribunal may, referring the reasons concerned, grant bail to the concerned person.

SEC.-20: PROCEDURE FOR TRIAL.-

1) The trial of offence under this Act shall be the tribunal constituted under section 25, prevention of cruelty to woman and children tribunal.

2) When the trial begins in the tribunal the trial shall continue on every working day consecutively.

3) The tribunal will complete the trial within 180 days from the date of receipt of the case record.

4) Under sub-section (3) if the trial is not complete within time the tribunal may grant bail to the accused and if bail is not granted to accused for that reason be given.

5) If the judge of the tribunal is transferred before completion of the trial then the new Judge shall try the case from the stage where his predecessor left and evidences recorded from the witnesses they need not be recalled:

Provided that for ends of justice if the Judge deems it indispensable that the witness whose deposition has been recorded be recalled, then such witness may be recalled and reexamined.

6) The tribunal may, due to any application of any person or self ascertain it is deemed to be fit to the tribunal, conduct the trial in camera under the provisions of section 9 of this Act.

7) If any child is accused for any offence under this Act or in an witness then as far as practicable the provision of Child, 1974 (XXXIX of 1974) is followed.

8) The tribunal shall, in case of giving direction to keep any women or child in safe custody take his opinion and consideration for the protection of welfare and interest of such women or child.

SEC.-21: IN ABSENTIAL TRIAL.-

1) If the tribunal has reasonable belief that-

- a) accused person avoids arrest and absconding or hiding;
- b) there is no probability of immediate arrest then the tribunal will at least in two Daily News papers order publication of the appearance of the accused before the tribunal within thirty days from the date of publication and in-default trial will be held in absentia;

2) If any accused persons absconds after appearance or brought before the trial of after granting bail then provision of sub-section (1) shall not applicable and the tribunal after recording reasons trial will be held in absentia.

**SEC.-22: POWER OF MAGISTRATE TO RECORD STATEMENT
IN ANY PLACE-**

1) Under this act any police investigation officer or any other investigation officer or in the place of occurrence while arresting any accused if the police investigation officer thinks that any person has been the occurrence with his own eyes or is aware of the occurrence and statement of such person be recorded in writing then he may request any Magistrate of the first class for recording his statement.

2) Magistrate mentioned in sub-section (1) will record the statement in place of occurrence or any other proper place of the said person and statement recorded as such as be filed with investigation report and sent to the tribunal.

3) If the trial begins in the tribunal against any accused person which is mentioned in sub-section (1) and it appears that the statement recorded under sub-section (2) and the presence of the said person is necessary as a witness but he is dead or is failed to depose or his whereabouts is unknown

any the attempts to case his appearance before the tribunal will be delayed or costly or disadvantageous which is not desirable then the statement made by him may be used as evidence:

Provided that only upon such statement the accused shall be punished.

SEC.-23; DEPOSITIONS OF CHEMICAL EXAMINER, BLOOD EXAMINER, ETC.-

1) Physician, Chemical Examiner, Assistant Chemical Examiner, Blood Examiner, Ballistic Expert approved by the government after examination or analysis has been on and at the time of trial his evidence necessary but he is dead or is unable to depose or it is not possible to find out or it will be delayed the attempts to bring before the tribunal expensive, disadvantages and according to the circumstances it is not desirable then the report bearing his signature may be used as evidence regarding trial of offences under this Act:

Provided that only depending on the report the tribunal cannot pass punishment that accused person.

SEC.-24: PRESENCE OF WITNESS.-

1) The summons of witness or warrant for the trial of the cases under this Act to be sent to the officer in-charge of the police station under which the

last address of the witness is situated and the responsibility of presenting the witness to the tribunal shall be with such officer.

2) In spite of the Rule under section (1) a copy of the summons's be given to the concerned superintendent of police and if require to the commissioner of the police by Registered post with A/D.

3) Under this section if there is actual avoidance of enforcement of the service of summons or warrant by the police officer then the tribunal will identify it as inefficiency and report it to the Controlling Authority for necessary action.

**SEC-25: APPLICATION OF CODE OF CRIMINAL PROCEDURE
ETC.-**

1) Unless there is anything otherwise in this Act the provisions of the Code of Criminal Procedures will be applicable for the purpose of filing complaint, investigation, trial and judgment.

2) Suit leader as deemed Public Prosecutor in favor of complainant in Tribunal.

SEC.-26: PREVENTION OF CRUELTY TO WOMEN AND CHILDREN TRIBUNAL.-

- 1) In every District Headquarters there shall be a tribunal for the trial of offences under this Act and of necessity the government may establish more than one court in the District and such Tribunal will be known as Naro O Shisu Nirzaton Daman Ain Tribunal.
- 2) One Judge shall constitute tribunal and government will appoint judges from among of the district and sessions judges.
- 3) The government of necessity, may appoint District and Sessions judges as judge of the tribunal in addition to his own responsibility.
- 4) In this section District and Sessions Judge will included “Additional District and Session Judge.”

SEC.-27: JURISDICTION OF TRIBUNAL.-

- 1) The tribunal shall not take any offence into cognizance without any written report of any police officer not below the rank of sub-inspector or any other person authorized by the Government with any ordinary or special order.

1a) If any appellant has failed to make his allegation to any police officer or any authorized person and filed a petition with an affidavit of such failure to the tribunal then verifying the appellant-

- a) being satisfied the tribunal shall direct any magistrate or any other person to inquire into the allegation and the person so directed to inquiry shall submit the report to the tribunal within the period of seven working days;
- b) being not satisfied the tribunal should dismiss the petition at once.

1b) If any tribunal is after receipt of report, satisfied that-

- a) the petitioner has failed to make any police officer or any authorized officer to make the petition and there are evidences in support of the petition, then the tribunal shall take the offence for adjudication on the basis of such report and allegation;
- b) the tribunal shall dismiss the petition on the disproof of that the petitioner has failed to make the police officer to take the allegation, or there is any evidence in support of such allegation.

1c) The tribunal may despite being not available of any allegation or recommendation in regard to it take proceeding, take any offence for trial, if considers appropriate and for the greater interest of justice.

SEC.-28: APPEAL.-

1) The aggrieved party may appeal to the High court within sixty days against the judgment, order and inflicted sentence of the tribunal.

SEC.-29: CONFIRMATION OF THE DEATH SENTENCE.-

1) If any tribunal under this Act awards death sentence then the records of the case shall be sent to the High Court Division as per section 374 of the Criminal Procedure Code at once and without the conformation of the High Court Division on death sentence can be executed.

SEC.-30: PUNISHMENT FOR ANEBTMENT OF PROVOCATION

IN OFFENCES.- If any person abets or provokes in any offence under this Act and or that abatement and provocation the offence is committed or attempts for committing the offence or any person aids the commission of any offence under this Act then the abettor or one who aids and one who provides shall be punished as one who commits the offence and as one who attempts to commit the offence.

SEC.-31: JUDICIAL OR SAFE CUSTODY.-

Under this Act during the course of trial of any offence if the tribunal deem fit and proper that any women or child be kept in safe custody then the tribunal may order that such woman or the child be kept outside the prison and in a place approval

by the government and under the Authority of government for same the custody to any person organization.

SEC.-31A: ACCOUNTABILITY OF THE TRIBUNAL ETC.-

1) In case of any suit to be unsettled within the period as referred in sub-section (3) the tribunal shall have to submit a report stating the reasons to the Supreme Court within the period of thirty days, the copy of which is also to be sent to the government.

2) In such case the public prosecutor and the concerned police officer shall have also to submit a report stating such reasons to the government within the period of thirty days one copy of which is to be sent to the Supreme Court.

3) The appropriate authority shall, after reviving the report submitted to under the provision of sub-section (1) or (2), take appropriate action against the liable person for not disposal to the case.

SEC.-32: MEDICAL TEST OF THE PERSON VICTIMIZED WITH OFFENCE.-

1) Medical test of any person victimized with offence, under this Act, may be conducted in any Public Hospital or in any other Private Hospital authorized by the government.

2) Under sub-section (1), if any person victimized with the offence is sent for treatment to any hospital, then the doctors on duty of such hospital shall immediately conduct medical test of that person and shall provide a certificate of such medical test to the concerned persons and shall inform to the local police station about the occurrence of such offence.

3) In case of not conducting medical test within the reasonable period of time, the superior officer/controlling officer, or where applicable, the authority has given direction for medical test or any other officer authorized frame him, magistrate, tribunal or any other concerned authority after reviving of report such undue delay to conduct the medical test consider that the concerned doctor is liable not conduct the medical test within the reasonable period of time, then it shall be considered as inefficiency and misconduct of that persons and then inefficiency and misconduct shall be referred to his annual confidential report and in appropriate case action may be taken against him in accordance with the provisions of service rules and the authority who appoints that doctor or where applicable, the appropriate authority may be directed by the tribunal to make action against that doctor.

SEC.-33: POWERS OF MAKING RULES.- The Government for the fulfillment of aims and objects of this law make Rules and published in the official gazette.

SEC.-34: REPEAL OF STATUTE NO. 18 OF 1995 AND SAVING THEREOF.-

1) Cruelty to women and Children Act, 1995 (Special Law) (Act No, XVIII of 1995) is hereby repealed.

2) Immediately before the repeal of the said law pending case and appeals and orders, judgment or conviction made in the said pending cases shall be decided in such a manner that the said law is not repelled.

3) Under the said law the reports or complaints made and in that perspective chare-sheets submitted or the cases under investigation, those case according to sub-section (2) will be deemed to be sub-Judaic in the said court.

4) The Court constitute under the said law as special court of prevention of cruelty to women and children shall be deemed to be tribunals under this Act and according to sub-section (2) the said cases may adjudicated.

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