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“Adjust” or Leave? Dowry, Silence and Violence Against Women in Kerala

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<https://orcid.org/0009-0005-7235-9543>**ABSTRACT**

This essay focuses on the persistence of dowry system in India, more specifically Kerala, despite it being illegal since 1961. With examples of the most recent deaths and cases of violence related to dowry, such as cases of Vismaya, Athulya, Fazila, Dr. Shahana and Mofia Parveen, it is clear that the tradition of violence continues even amongst educated and economically independent women in a very progressive state. Firstly, this essay will look into the laws against dowry, such as Dowry Prohibition Act, 1961, Indian Penal Code – Sections 304B and 498A and Indian Evidence Act – Section 113B. Secondly, it will give a brief history of the tradition of dowry in Kerala, as the practice changed from voluntary to commercial due to alterations of the job market and migration to the Gulf states. Finally, it will examine that there is no way for the law to stop dowry practice in Kerala, as dowry is kept alive through caste endogamy, weak women's property rights, family prestige, honour and the necessity for a daughter to adjust instead of getting divorced.

Keywords: Dowry, Kerala, Dowry deaths, Domestic violence, Dowry Prohibition Act, Patriarchy, Divorce stigma, Gender and culture

INTRODUCTION

Dowry practices though its banned but it is still practising in many parts of India. Although laws prohibiting dowry demands and payments have existed for decades, the practice continues to be widespread, with the number of cases reporting dowry harassment and dowry-related deaths increasing in recent years, including in some relatively more progressive states such as Kerala. This essay will examine how dowry operates in society and how societal expectations, media discourse and family pressure normalise dowry exchanges, often leading to violence and death.

A divorced daughter is better than a dead daughter. These are the lines shared by Malayalis on social media after hearing the news that a young woman named *Uthara* was killed by her husband by biting her with a cobra snake. This sentence was all over social media when Vismaya committed suicide due to harassment. It continues even now. After the predecessors who lost their lives due to gas

The Voice of Creative Research

Vol. 8 & Issue 3 (July 2026)

explosions and cooker explosions, girls are losing their lives again because of the decrease in dowry, because of the increase in beauty, because of the decrease in beauty, and because of the obligation to protect the family's honour. All of them ended in death, and the female family members who counted the deeds of the husband's family. Until they reach the decision to lose their lives, the question of why girls continue in those places. The society which is in the middle of the action, will come up with a long list of solutions. For girls in a civilized society with a high education, a good job, and a progressive outlook, the only solution is to end their lives. Why is it not possible for them to get out? Why do parents have to tell them to stay there even when they are subjected to severe torture by their husbands? Why is divorce still seen as a sin and a shame? Why are girls unable to make the right decisions in their own lives? Why do they still not have the freedom to do so?

The young women from Kerala in their 20s they were filled with hopes and dreams but their lives were tragically cut short they were all victims of dowry harassment and violence. Hindu, Muslim, or Christian, dowry is all pervasive in Kerala despite it being illegal for over 60 years. Kerala has paid the highest average dowry in the country. Kerala also recorded the highest dowry inflation. Cases like Vismaya shocked people, but the fact is that very few dowry harassment cases actually lead to deaths. In terms of dowry deaths in Kerala, there were 3 cases in 2024, 8 in 2023, 11 in 2022 and 9 in 2021, but these statistics hide the reality of dowry violence that many women in Kerala have to face every single day. There were 4515 cases in 2024, 4710 in 2023, 4998 in 2022 and 4997 in 2021 reported in Kerala under cruelty by husband/relatives in Crime against women.

According to Britannica, Dowry the money, goods, or estate that a woman brings to her husband or his family in marriage. One of the basic functions of a dowry has been to serve as a form of protection for the wife against the very real possibility of ill treatment by her husband and his family. A dowry used in this way is actually a conditional gift that is supposed to be restored to the wife or her family if the husband divorces, abuses, or commits other grave offenses against her (Britannica, n.d.).

In ancient India, during the Vedic period, the ritual of Kanyādāna was performed where the bride's parents would voluntarily give gifts, known as vāradakṣiṇa, to the bridegroom as a token of goodwill and affection and this was a voluntary practice without any coercion or expectation of return (Agrawal, 2025). But this gift became demand, and if the demand is not met, it's accompanied with harassment and violence.

The Dowry Prohibition Act was enacted in 1961 and came in force on May 1, 1961. Before that, there were two acts, The Bihar Dowry Restraint Act, 1950 and The Andhra Pradesh Dowry Prohibition Act, 1958. These laws were ineffective due to poor enforcement. The Dowry Prohibition Act, 1961 was a landmark legislation in India aimed at preventing the practice of dowry, which has caused much suffering and inequality. The section 2 of dowry prohibition act, 1961 defines dowry as; Any property or valuable security given or agreed to be given either directly or indirectly by one party or by the parents or relatives of either party, at or before the marriage or any time after the marriage, in connection with the marriage but doesn't include dower or mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies. The act criminalises the giving, taking or demanding of dowry. The section 3 of this act deals with giving and taking dowry; it is an offence to give or take dowry or abet the giving or taking of dowry. The punishment of this offence is imprisonment of not less than five years and a fine of not less than Rs. 15000 or the amount of the value of the dowry, whichever is higher. Section 4 of this act dealt with demanding dowry; anyone who directly or indirectly demands dowry from the bride's or bridegroom's family is punishable. The punishment ranges from six months to two years imprisonment and a fine which may extend to Rs.10000. The section 4A deals with advertisement for dowry and, section 7 and 8 cognizance and trial. In addition to the Dowry Prohibition Act, the Indian

The Voice of Creative Research

Vol. 8 & Issue 3 (July 2026)

Penal Code (IPC) contains specific provisions dealing with dowry-related cruelty and death. Section 304B of IPC says that, if a woman dies due to burns or bodily injury or under unnatural circumstances within seven years of marriage, and it is shown that before her death she was subjected to cruelty or harassment by her husband or his relatives in connection with any demand for dowry, it called dowry death. The punishment is imprisonment for not less than seven years, which may extend to life imprisonment. The Section 498A of IPC deals with cruelty by husband or relatives; if the husband or his relatives subject a woman to cruelty either wilful conduct that may drive the woman to commit suicide or cause grave injury or harassment in connection with dowry demand, they can be punished. The punishment may extend to three years imprisonment and a fine. The Section 113B of the Indian Evidence Act provides for a legal presumption in cases of dowry death. If it is shown that the woman was subjected to cruelty or harassment in connection with dowry demands, the court shall presume that the accused caused the death unless proven otherwise.

Until the early 20th century, the custom of dowry was practiced only in two communities in Kerala: The Nambudiri Brahmins and the Syrian Christians. These were patrilineal communities. Most of the communities in Kerala, which were matrilineal, did not practice dowry until the 1930s. One of the reasons behind it was, Dowry became commercial towards the end of the 19th century and the early 20th century when jobs outside of agriculture started coming in, like barristers or clerks in courts. Researchers say that the competition for these jobs between the Syrian Christians and the Nair community was fierce and the result: young men who got these jobs were seen as desirable grooms with families willing to pay steep dowries for them. Soon the custom of dowries spread to other communities. The second reason was; when Malayalis started migrating to the oil-rich Middle East. In the 1960s it further entrenched the dowry system in Kerala. The reason the dowry is more rampant in Kerala than in many other states in India may perhaps have to do with its relative prosperity.

Now, contrary to popular belief, dowry is practiced across the state and it isn't limited to just Southern Kerala. The only difference between North and South Kerala is that the South is more upfront and explicit about dowry. In fact, in the northern districts like Kannur, for example, where the tradition of dowry isn't practiced, there is a custom of the bride's family giving gifts, especially in the form of gold. Dowry of course comes in various forms these days. It may be expensive gifts like cars, jewellery, or land, but it may also be in the form of transactions like giving cash to the groom's family to bear the wedding expenses or paying for the groom's education.

There are reasons, why do the families of women continue to pay dowry despite prohibited since 1961. Firstly, it's a matter of prestige both for the groom's family and the brides. Dowry is associated with prosperity and a man's worth is assessed in the marriage market. Dowry is still seen as payment for the woman's maintenance. In several cases, the woman is seen as an economic burden because she may not be working or may have a disability. If the woman is over age or isn't considered beautiful by society's rigid standards, then dowry is the norm. The brokers and the smaller marriage bureaus in the town entertained proposals that involved demands for dowry in cash. They insisted however that these cases were rare, usually involving men who needed cash for a specific purpose and women who were 'age over' (Kodoth, 2006).

Now although the punishment for giving or taking dowry is no less than five years imprisonment, the fact is that the law can only do so much to end the practice of dowry. We must strike at the root of the problem. Dowry exists because of caste. Marriages in India are endogamous. Only five percent of marriages in the country are inter-caste. As B. R. Ambedkar said, the real remedy of breaking caste and therefore dowry are inter-caste marriages. Families control women's fornication to maintain estate

The Voice of Creative Research

Vol. 8 & Issue 3 (July 2026)

purity. As Chakravarti noted, this involves both material and ideological mechanisms, such as dowry, arranged marriages, and community surveillance (Verma, 2025).

Women's property rights remain limited or ineffectively enforced in many parts of India, including Kerala. Women lack secure inheritance rights, dowry often functions as a de facto transfer of wealth or security for the bride, compensating for their exclusion from family property and economic independence (Roy, 2015). Kerala legislated equal inheritance for women in 1976, earlier than the other states Andhra Pradesh, Karnataka, Tamil Nadu and Maharashtra yet dowry remains prevalent, signalling that legal rights alone are insufficient without societal change (Makino, 2022). Dowry not only reflects but exacerbates gender inequality: it is linked with preferential treatment of sons and negative biases against daughters, contributing to female infanticide, sex-selective abortion, and neglect (Samuel Stroope, 2020). The economic costs of dowry can lead to financial strain on daughters' and sons are viewed as economic assets who do not require dowry and will provide support in old age.

The following are some of the recent dowry death cases in Kerala: -

Vismaya, a 23-year-old BMM student who was studying for ayurveda and was in her final year, she had been mentally and physically tortured for one to two years just for dowry. The woman's family has alleged that she was being brutally tortured and assaulted by her husband over dowry demands. The family claims they had already given 100 sovereigns of gold, phone and half acre of land and a Toyota Yaris car in dowry. And yet, due to differences in opinion regarding the amount that had been given, the family of Kiran Kumar, the motor vehicle inspector, harassed the girl mentally and physically. A lot of video pictures and WhatsApp messages which Vismaya had sent to her brother just a week before her death has been recorded.

Athulya, 29-year-old woman from Kollam Kerala has been found dead under suspicious circumstances in the UAE and Athulya's family has called it a case of dowry harassment and murder. Athulya Shekhar had been living in Sharjah with her husband Satish. According to her mother Athulya was subjected to repeated violence between July 18 and 19. She was allegedly choked, kicked in the stomach and even hit on the head with a plate. A video Athulya had reportedly recorded her husband's violent behaviour clear evidence of the torture she was enduring. Her family alleges that Satish had been harassing her over dowry since their marriage; they say they gave him over 40 sovereigns of gold and a bike but the demands never stopped.

Twenty-three-year-old *Fazila*, from Kerala's Thrissur district, was pregnant with her second child when she died by suicide on July 29th at her husband's home. Hours before her death, she sent a series of distressing WhatsApp messages to her mother, accusing her husband kicking her in the stomach, breaking her hands, and physically abusing her despite knowing that she was pregnant. In one of her final messages, she wrote, "I'm going to die, or they will kill me." Fazila also accused her mother-in-law, Ramla, of constant verbal abuse, which added to her suffering. Her family revealed that they learned about her second pregnancy only a day before her death. They also admitted that although Fazila had repeatedly spoken about the violence she faced, they had advised her to "adjust," believing that such issues were common in marriage.

Dr. Shahana, a 26-year-old promising young doctor from Kerala, ended her life allegedly due to dowry-related pressure. Shahana was found dead in her rented apartment, just days after her partner, whom she was soon to marry called off their wedding. According to reports, the relationship ended after her family failed to meet his dowry demands, which allegedly included gold sovereigns, land, and a BMW luxury car.

21 years old, *Mofia Parveen*, third year LLB student took her life in Aluva, Kochi, accusing her husband Muhammad Sohail and his parents of dowry harassment and domestic violence.

The Voice of Creative Research

Vol. 8 & Issue 3 (July 2026)

No matter if it is Vismaya, Athulya, Fazila, Dr. Shahana, or Mofia; every news tells of a woman stuck between the violence of her intimate partner and silence. The particulars differ, but the pattern is painfully similar: dowry demands masked as "gifts," emotional and physical abuse which become part of daily life, and families telling daughters to adjust for the good of the family and/or their reputation. The continued occurrence of dowry violence despite being educated and financially independent means that this is not exclusively an economic issue; it is also a deeply cultural one. It is cultural because it is based on patriarchal definitions of honour that allow a woman's suffering to be accepted as a price her family pays as members of a community to maintain or gain social status. This violence forces us to acknowledge that education and advancement have not eradicated the notion that a woman's "worth" remains measurable in terms of gold, land, or cars.

What makes every woman even more heartbreaking is that her family, despite knowing the violence she was facing, could not bring themselves to call her back home. They feared the whispers of society, the questions, the blame, the shame that still follow a woman who leaves her marriage. In the name of family prestige, they asked her to endure, to "adjust," hoping things would change. But silence, shaped by fear and social pressure, became another weapon against her. These tragedies remind us that dowry violence is never just about an abusive husband; it is also about the families and communities that let a woman suffer in the name of respectability.

CONCLUSION

Families are places where the feudal system continues, untouched by democracy. There, the survival of the family is important, not the individual. Individuals are forced to make any compromise for that. All the girls who take their own lives are victims of that family concept. Marriage is an event for Malayalis, not just finding a partner to walk hand in hand on the journey of life, but also an event where financial transactions take place between two families. A wedding is a financial aid for many reasons, such as guiding a young man on the right path, paying off debts, getting his sister married off, etc.

The reason behind all this is the insistence on living according to the general sense of society. Despite having a higher education, she puts aside all those dreams and tries to be the best bride on the wedding stage, dressed in gold all the time. This is only a reflection of that fear of society. The insecurity that one has to face if one has to live alone is due to the fear of facing certain questions and certain looks. Raising children on one's own is the only way forward. Changes have begun in Kerala society. A generation is growing up who say loudly and firmly that they cannot tolerate anything. That is why news is being reported that divorces are increasing in Kerala, both legally and illegally. Social observers say that this increase in divorce cases is the beginning of social transformation. But the deaths of Vipanchika and Athulya remind us that it is not happening quickly enough. The movie *Thappad*, which was released during the lockdown, had started a big discussion. Amrita, played by Tapasya Pannu, felt the need to walk away from her married life after being slapped. Amrita is telling us what life is all about. It is better to walk away from it than to remain in a marriage that you don't like and can't adapt to. Sometimes you may have to turn your back on society and family, and you may have to wear the details that you find disgusting, but there is a big world ahead. There are opportunities for a better life. Divorce is not the end of life. The change should begin with individuals and families. It's equally important that we normalize walking out of abusive marriages. It isn't the shame and stigma that come out of leaving these relationships.

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The Voice of Creative Research

Vol. 8 & Issue 3 (July 2026)

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