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Marriage, development, and the status of women in Kerala, India

Elizabeth Chacko

This article explores the linkages between women's status and marriage in the southern Indian state of Kerala. Widely known as a progressive region, with high levels of social development despite poor economic growth, Kerala also fares exceptionally well in terms of standard indicators of female position. However, closer scrutiny of prevailing cultural mores, particularly in relation to marriage practices and family structure, reveals a less promising picture of entrenched inequality in relationships between women and men. Discriminatory inheritance rights, the widespread practice of dowry, and increasing violence against women all undermine women's status in Kerala.

In development literature and university courses on development, the state of Kerala in southern India is commonly presented as a model of social development in the absence of a strong economic base. Kerala leads India on gender-specific development indicators, including female life expectancy, fertility reduction, and education (Jeffrey 1992). These indicators are often quoted as evidence of the high status of Kerala's women, and this is widely held to be a symptom of, and a reason for, the region's remarkable advances. However, the indicators that are quoted to support the idea that Kerala's women have an advantaged position do not reveal the whole truth.

This article presents a more nuanced analysis of the status of women in Kerala. First, it provides an overview of women's position, using standard indicators, and then examines the connection between marriage and female status. It describes some of the causes and consequences of changes in the structure of families, and practices associated with marriage among the three major

religious groups (Hindus, Christians, and Muslims), evaluating their implications for gender relations. The article also assesses the efforts of women's organisations, activist groups, and the state to address the issue of discrimination against women as reflected in marriage practices and domestic violence.

Indicators associated with high female status

In 1997, the United Nations Development Programme (UNDP) listed Kerala as having both the highest position on the Human Development Index (HDI),¹ and the highest position on the Gender-related Development Index (GDI),² among Indian states. Basic demographic indicators in the state, such as life expectancy, are almost on par with those of the developed world.

Life expectancy and literacy

Life expectancies for both men and women have more than doubled since the 1951 census, with advances in female life

expectancy surpassing those for males. In 1991, female life expectancy was over 72 years, compared with 67 years for males (GOK 2003).

Kerala also boasts high literacy rates, especially when compared with the national average. Approximately 88 per cent of its female population was literate in 2001, and more than 90 per cent of girls aged 6–17 years attended school, making Kerala one of the top-ranking Indian states for female educational achievement (Census 2001; IIPS and ORC Macro 2000).

Women have played a significant role in Kerala's push towards high literacy levels. A 1990 campaign to eliminate illiteracy was successful in part due to the massive mobilisation of educated but unemployed women, who made up two-thirds of the volunteer teachers involved in the literacy drive. The literacy gap between males and females, which is highest in northern Indian states, is least pronounced in Kerala, where female literacy lags behind that of males by only 6 per cent (Census 2001). Improved educational facilities, and the fact that there are better prospects for educated women acquiring a job, have led many women to stay in school for a longer period of time, postponing marriage. Especially among middle- and upper-class families, the acquisition of a bachelor's degree by young women is seen as an essential step in acquiring a husband who is an educated professional.

Marriage and fertility

Female education is an important predictor of women's age at first marriage and first birth. Higher educational levels result in delayed age for marriage and first birth, and in a woman having a lower number of children. Social scientists and feminists consider early and child marriage to be emblematic of low female status, while marriage at later ages is associated with greater female autonomy and considered indicative of society placing a higher value on women. Throughout the twentieth

century, the average age of women at first marriage in Kerala has been much higher than the national average in India. Today, on average, women marry when they are a little over 20 years of age, in contrast to the median age at marriage of 16 years in India (IIPS and ORC Macro 2000). However, the overall high age at marriage in Kerala is not found uniformly across the state. A recent state-wide study found that child marriage was on the increase in four of the state's northern districts, where more than one third of the brides were under the legal age of 18 years (*Deshabhimani* 2002a).

Since 1988, the total fertility rate³ in Kerala has been below 2.1 children per woman, the number required to maintain population size. The figure has dropped further, from 1.78 children per woman in 1993, to 1.51 in 1999. In all of India, the state also has the highest median interval (38 months) between the most recent birth and the one preceding it. The ages at which women start and stop childbearing are indicators of how many children they bear in total; these ages are also considered indicative of the ability of women to control their period of childbearing and rearing. Childbearing in Kerala is concentrated during a median period of seven years. A short period of childbearing, coupled with small family size and an ideal average time between births of at least three years, bodes well for the reproductive health of women in the state (IIPS and ORC Macro 2000).

Sex ratios

A striking and often-quoted statistic for Kerala is its sex ratio. Although the sex ratio (proportion of males to females in a population) at birth favours females, this advantage is neutralised and even reversed in some countries, including India, by the age of 20 years. According to the 2001 Census, India has an overall ratio of 107 males per 100 females (GOK 2003). Kerala is a prominent exception within the country: each census since 1881 has shown that it has more females than males in the population.

The state's sex ratio currently stands at 94.5 males for every 100 females, compared with a ratio of 96.5 males to every 100 females in the last decade. However, there is evidence that this increasing 'feminisation' of Kerala's population is due to its ageing population, and the relative rise in the proportion of women over 50 years of age (GOK 2003).

Kerala's sex ratio is seen by some as an indicator that women enjoy good physical health in the region. However, this is questioned by researchers who focus on levels of morbidity (sickness) instead of mortality. Critics also identify increases in mental-health problems as evidence of poor health status among the state's women. Kerala's suicide rate, three times the national average, is one of the highest in India. The state's rate of completed suicides is greater for men, although women are more likely to attempt to kill themselves. Suicide is also more prevalent among the unemployed and less well-educated (Eapen 2002). Paradoxically, the region's achievements in literacy and educational attainment may contribute to its high incidence of suicides. The labour-force participation rate among Kerala's women is less than half that of men, while female unemployment rates are high, particularly among educated women in rural areas, where economic opportunities are few. Halliburton (1998) posits that the gap between the career aspirations of an educated population, and the means to fulfil these expectations, could be a precipitating factor in suicide. This resonates strongly for women in Kerala, who not only have one of the lowest labour-force participation rates in India, but are also poorly represented in the political leadership of the state at all levels (Eapen and Kodoth 2002).

Marriage and its links to women's status in Kerala

Examining women's experience of marriage is a critical step in assessing gender relations and women's equality in Kerala. Marriage is

considered *de rigueur* for both sexes in India, and the state of Kerala is no exception. Most nuptials are arranged by family members, who carefully match attributes such as religion, caste, age, education and socio-economic standing in their quest for good partners for their relatives. Although Hindus are in the majority in the state, at 57 per cent of the population, Muslims and Christians form substantial minority populations at 23 per cent and 19 per cent respectively. Each religious group, and its various denominations and sub-groups, has traditionally had distinct family structures and different marriage customs. Personal law related to marriage, divorce, and inheritance also varies according to religious affiliation in India.

Succession and inheritance

Kerala has a long tradition of matriarchy among more than half its Hindu population. The matrilineal system is widely credited for the high social position that women supposedly enjoy in Kerala. Early census reports underscore the importance given to the girl child in matrilineal societies. The Travancore Census Report of 1875 goes as far as to say that '...a female child is prized more highly than a male one' (cited in Jeffrey, 1989). Although absent among high-caste Brahmins, matriarchy was present in other numerically strong Hindu caste groups, such as the Nairs and the Ezhavas. However, since the 1920s, the matrilineal system has gradually declined throughout the state. The Travancore Nayar Regulation Act of 1925, initiated by the British, began the transition from a matrilineal joint family system, in which property was inherited collectively through the female line, to a system of inheritance by individuals. 'Classical' Hindu customs, which are patrilineal and patriarchal in nature, also were increasingly adopted by all caste groups. As the matrilineal joint system fragmented, women's rights to property were considerably reduced.

In contrast, the Christian succession laws of the early twentieth century in Kerala were blatantly biased against women. These laws gave a widow a right to maintenance from her late husband's estate only if her husband died without making a will. Her claim also ended if she remarried. Unmarried daughters could claim only between a third and a quarter of each son's share of paternal property, or 5,000 rupees, whichever was less, if the father died intestate. In all other instances, a daughter's right to her father's property and wealth was restricted to the *sthreedhanam* or dowry, paid at the time of her marriage. These laws were not challenged until 1983, when Mary Roy, a Syrian Christian woman who had married outside the community and had therefore not received a dowry, demanded her share of the family property. After a three-year-long battle, which was carried to the Supreme Court of India, Mary Roy won her case. However, the new succession law, which now reflects the right of daughters to their fathers' property, is effective only when the male head of the household dies intestate. Willing the property to sons still prevents daughters from laying claims to it (Roy 1999).

Muslim women in Kerala are governed by Islamic law, which, with a few exceptions, is uniform all over the country. These laws permit a man legally to marry four wives, and also give the husband the right to divorce his wife unilaterally, without consultation or agreement. Increasingly, the Muslim practice of the groom giving the bride a *mehr* (similar to a bride price) at marriage is being replaced or supplemented by transfers of wealth from her natal to her conjugal household in the form of dowry. The Mappilas, a Muslim community with a high concentration in northern Kerala, used to have a matrilineal system. But, as in the case of Hindu matrilineal communities, matriarchy has all but disappeared among the Mappilas.

The practice of dowry

The giving of dowry is an ancient custom in India, most often associated with the higher castes in Hindu society. Traditionally, it denoted a woman's share of the family wealth, transferred to her at the time of marriage. The practice was both socially and religiously sanctioned. A properly dowered daughter reflected well on her father and his social standing. In modern India, the practice of giving and taking dowry is no longer confined to the upper castes. Since India achieved independence, the dowry system was increasingly embraced by all religious and ethnic groups through a process called Sanskritisation – that is, the adoption of the cultural values of upper castes by groups from the lower echelons of the caste hierarchy. With socio-economic class supplanting caste as the touchstone of status, dowry is one of the ways in which families that were upwardly mobile could display their affluence (Srinivas 1983).

A Dowry Prohibition Act has existed in India since 1961. With the institution of the Act, taking or giving dowry became a crime punishable by fines and possible imprisonment. In 1984, the Act was amended to increase its effectiveness by raising the upper limits of the fine, as well as the period of imprisonment. However, the Dowry Prohibition Act has had little impact in quelling the system. Only a minuscule proportion of Indian society refuses to be associated with dowry in any of its manifestations. A 2002 survey on the prevalence of dowry, conducted by the All India Democratic Women's Association (AIDWA) in 18 states in India, demonstrated clearly that, far from diminishing in strength, this marriage transaction was rampant in every segment of Indian society. The system cuts across lines of caste, class, and religion. It is widespread in even the more literate states, such as Kerala, and among populations that have no long-standing tradition of dowry (AIDWA 2002).

Until the early twentieth century, only patrilineal Brahmin communities and Syrian Christians, who were allegedly converted from the upper castes, followed the custom of dowry in Kerala. Among Syrian Christians, before the 1961 ban, a mandated portion of the dowry was given to the Church. This contribution, known as *pasaram*, varied from 4 to 10 per cent of the dowry. The Church still expects a large donation at the time of marriage. Denominations suggest amounts or percentages based on family income, or the amount of the 'unofficial' dowry. Today, all religious and caste groups engage in dowry-giving. Even in the Muslim-dominated northern districts of Kerala, clergy have been demanding a percentage of the dowry as payment for conducting wedding ceremonies, following traditional practice in Christian communities.

Communities which traditionally engaged in dowry-giving rationalise the practice as the appropriate transfer to a woman of her share of family wealth. But there is evidence that the money does not remain with the bride. In many cases, the *sthreedhanam* is appropriated by the husband or his family and used to pay off loans, start a new business, or even help pay the dowries of unmarried women in the groom's immediate family. Thus, instead of empowering women by providing them with assets that would assure a measure of financial independence, the giving of the *sthreedhanam* can further disenfranchise women.

Dowry payments have soared in Kerala in recent years. Even young men with uncertain incomes and limited prospects command dowries of several thousand rupees. Rates for professionals, such as doctors, lawyers, engineers, and officers in the prestigious Indian Administrative Services, are usually hundreds of thousands of rupees. The escalation in dowry payments has been fuelled in part by Kerala's rapid incorporation into the global economy, through its international migrant workers.

Remittances by these expatriates from the oil-rich countries of the Middle East accounted for almost a quarter of the state's revenues during the 1990s (Kannan and Hari 2002). Migrant workers of all skill levels also report that the need to save enough money to properly dower their daughters is a reason for migration to find work in Middle Eastern countries.

As income disparities in Kerala increase, many families find it impossible to meet expectations of high dowries. Some face economic insolvency due to the large sums of money they have to transfer to the groom's family. Among young women, the economic burden that they represent to their parents at marriage can cause high levels of anxiety. An extreme outcome of such stress is suicide. In a highly publicised case in the mid-1990s, three sisters in Kerala hanged themselves to spare their parents the ignominy of not having sufficient funds for dowries and wedding expenses. Even after marriage, disputes over dowry can precipitate suicides. While the percentage of female suicides in Kerala that can be attributed to dowry disputes is still relatively small, between 1994 and 2000 the number tripled (GOK 2003).

Gender-based violence in the family

Widespread violence against women in Kerala also contradicts claims of high social development, gender equality, and high female status. Unequal power relationships between men and women lay the foundation for violence against women. Domestic and sexual violence are among the most common and universal forms of abuse of women. Violence in the domestic realm is particularly insidious, as it is more likely to be hidden from public view and thus invites less outside intervention.

Malayalam, the language of Kerala, has no definition of domestic violence, and no term for this form of abuse. Although data on domestic violence are not collected systematically, there is evidence that

domestic violence is prevalent in the state and possibly is on the increase. Incidences of reported physical crimes against women quadrupled between 1991 and 1997 in the state (Jacob 2002).

As in many societies, domestic violence in Kerala is seen as a personal and private matter. The latest National Family Health Survey (NFHS-2) reports that Kerala has one of the lowest reported incidences of beatings or physical mistreatment of married, divorced, and widowed women (IIPS and ORC Macro 2000). But this finding is challenged. In a community-based study conducted in five cities in India, 69 per cent of women sampled in Trivandrum, Kerala's capital, reported that they had been subjected to some form of violence. According to the study, Trivandrum had the highest overall prevalence of violence against women among the five cities (Sakhi/UNIFEM 2002). Even NFHS-2 data, which at first glance appear to support low prevalence of violence, show that Kerala is similar to other regions in India, in that a large share of the abuse (greater than 75 per cent) is perpetrated by husbands on their wives (IIPS and ORC Macro 2000).

Domestic violence and financial transactions related to marriage are intimately linked. Physical violence, emotional trauma among women, and even death can be often traced to disputes over monetary transfers related to the now entrenched tradition of dowry, discussed in detail earlier. Dowry deaths are allegedly triggered by unsatisfied demands for the transfer of cash or goods to the husband and his family. These murders are often the culmination of abuse of young married women in the marital household. Although not as prevalent as in the northern Indian states, dowry-related deaths in Kerala are on the increase. It is a telling fact that the deaths of women within seven years of marriage which were attributed to dowry problems more than doubled between 1990 and 1999 (Sakhi/UNIFEM 2002). The prosecution of persons responsible for dowry murders is a long and arduous

process. In 2001, the Kerala High Court had 35 pending cases of dowry death, and the state's subordinate courts had 152 pending cases.

The declining value of girls and women in the state is linked to violence against them both before and after birth. A key indicator of this is the increasing number of males in the sex ratio of children aged less than six years. In this age category, the last two censuses indicate that there were 104 boys for every 100 girls (GOK 2003). A survey conducted by the state's Social Welfare Department estimated that approximately 100,000 abortions take place in Kerala, most of them in response to the discovery that the foetus is female. The districts of Aluva and Trivandrum are said to be on par with northern Indian states noted for sex-selective abortions (*Deshabhimani* 2002b).

Support services promoting change

Few, if any, organisations in Kerala work to eliminate the root causes of unequal gender relations, especially with regard to marriage and dowry transactions. Although a number of groups provide legal assistance and counselling to women on a one-to-one basis, little is being done to *prevent* such abuse. The lack of organised campaigning by women in Kerala to end the dowry system and its concomitants may seem incongruous, given the high levels of education of the state's female population. But most women seeking legal help and support in the case of disputes over dowry or domestic abuse consider it a personal problem, and wish to remain anonymous to avoid bringing shame on the natal family.

In 1996, the Kerala Women's Commission (KWC) was created by an act of the Kerala Legislative Assembly. The Commission's activities include raising awareness of women's rights, facilitating the social and economic empowerment of women through policies and programmes, and documenting and investigating atrocities against women.

From its inception until 2001, over 31,000 cases were registered with the Commission, more than 75 per cent of which related to sexual and family violence. Although the KWC provides a forum for women to enable them to call public attention to issues such as violence in the home and in the workplace, and to initiate action on these, it does not have the authority to prosecute the perpetrators of the crimes.

Kerala Sthreevedi, a network of women's organisations, engages in sustained campaigns against all forms of violence against women. Every district in Kerala has a Sthreevedi unit, administered by a convener. The coalition organises political action against perpetrators of violence, provides legal support to women who wish to take their complaints to court, makes available support services such as counselling, and also helps abused women to find shelter (Sakhi/UNIFEM 2002). Most cases taken up by Kerala Sthreevedi deal with issues of sexual assault and sexual harassment, rather than dowry disputes. However, local level anti-dowry movements have been initiated by organisations including the Muslim Service Society (MSS). A campaign by the Youth Wing of the MSS called on Kerala's Muslims to renounce dowry and ostentatious weddings, and urged students to declare their abhorrence of the practice by signing anti-dowry oath cards.

Conclusions

Superior physical health indicators, and high levels of education, among Kerala's women are not accompanied by commensurately high levels of social development in other areas. The persistence of social practices such as dowry – indeed, its diffusion and escalation in recent years – have been accompanied by decreasing property rights and employment opportunities for women. The concomitant increase in abuses associated with inheritance systems are most keenly felt within marriage, where

women's lack of empowerment works against their physical, psychological, and financial well-being. If women are to be incorporated in development on equal terms with men, it is important that the structural and cultural barriers that prevent this are removed. Greater attention needs to be given to providing women with easily accessible and affordable support services, to help them to deal with issues such as domestic violence and abuses related to dowry, and to raise public awareness of the toll taken by such atrocities.

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Notes

- 1 The HDI is a composite index which incorporates life expectancy, educational attainment, and standard of living.
- 2 The GDI uses the same indicators as the HDI, adjusted to capture inequalities between males and females.
- 3 The average number of children that a woman is expected to have during her childbearing years.

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