

Community Sustainment: Nagarathar Marriages and Women Inheritance

FANS

(The Foundation for Advancement of Nagarathars)

A CRISIS Exists

I will have to give a dowry to my daughter because I cannot sacrifice her happiness and her life – in my community, she cannot get married without a dowry –
A Very Senior Supreme Court Judge

19 women were killed for dowry every day in 2020: NCRB



The root causes of the phenomenon of the dowry system lie much deeper than is generally realised. The law cannot put an end to human avarice, snobbery and desire to make a show of wealth.

Indian dowry payments remarkably stable, study says

“Dowry is the sati of the twentieth century.”
-M. N. Srinivas, in Some reflections on Dowry, 1984.

Nagarathars abroad come to India to hold their children’s weddings and are “littering” our community with long-gone and useless practices to showcase their wealth.
- A highly-educated Chennaite Nagarathar Woman

A CRISIS Exists: A Sustainment Guide from the US Military

- **Anticipation : What's the risk in continuing with status quo?**
 - Alliances outside the community, Undesirable in-law and marital relationships, Festering unhealthy comparisons
- **Continuity of meaningful traditions: Ensures confidence in sustainment**
 - Avoidance of rebellious behaviors
- **Respond to changing environment**
 - Community can only be sustained by being progressive and not sticking to anachronous traditions
- **Integration and cooperation among Nagarathars worldwide**
 - Cannot do in the USA alone – but we can start the “zero” dowry movement
- **Simplicity is the “signature” of Nagarathars**
 - Do not be pressured by pomp and extravagance
- **Improvisation – don't bend over backwards to stick to meaningless traditions - Adapt**
 - Look outside the community to see how some have handled this successfully
- **Survivability of the community should be the focus**
 - Abolition of dowry within the community and respecting women's Inheritance are extremely important

Laws are there for a Reason

1. **The Dowry Prohibition Act of India (1961) makes it illegal to give, take or facilitate pre-negotiated dowry.**
2. **Criminal Statutes:**
 - i. **Indian Penal Code (Sections 302, 304B, 406, 498A), specify prison terms for dowry-related crimes.**
 - ii. **Criminal Procedure Code (1973), specifies involvement of police on receiving dowry complaints**
 - iii. **Evidence Act (Sections 113A/B) convicting those who escaped legal loop-holes in the 1961 act.**
3. **Dowry Prohibition (Amendment) Act (1984) – made even the “act” of demanding dowry is punishable**
4. **Dowry Prohibition Rules, 1985 (Maintenance of Lists of Presents to the Bride and Groom)**
5. **Dowry Prohibition (Amendment) Act (1986) – Enforcing a five-year imprisonment**
6. **Protection of Women from Domestic Violence (2005) - encompasses all forms of physical, verbal, emotional, economic and sexual abuse resulting from the unlawful demand of dowry**

Changing with the Times: Inheritance Laws

1. The Hindu Succession Act of India (1956) provides for equal rights for daughters and sons to inherit all self-acquired parental property equally.
2. The Hindu Succession (Amendment) Act (2005) makes daughters and sons coparceners, sharing equal rights in assets and liabilities.
3. Further amendments over the next decade also stipulated that daughters and sons can inherit *ancestral* property acquired by their parents as the parties are all alive.
4. The Hindu Succession (Amendment) Act (2018) ruled that a daughter can inherit her deceased father's property, irrespective of whether the father was alive on this date or not.

What is the Current Situation?

- **Why do we still follow a system that, at the end of the day, makes everyone feel victimized and under pressure?**
- **A practice that was originally designed to protect women, has now become a grievance. The only reason it has survived all these centuries, is because it is still practiced, and worse – celebrated.**
- **Over 90% of Nagarathar marriages have a “net dowry” – meaning the bride’s parents’ expenses are greater than the groom’s parents at the time of marriage.**
- **Nearly 100% of Nagarathar ancestral property (and most often, acquired property as well) are passed onto sons and not daughters - with daughters emotionally forced to sign the necessary papers.**
- **Nagarathar business shares, and more specifically operational control of businesses, are still being passed onto sons and not daughters. If there are no sons, Nagarathars choose to adopt one just to pass on the wealth (to “preserve the family name”)!**
- **Gender Gap Index is still high in India (112/153); USA not far behind: 53/153; Rwanda 9; Namibia 12.**

What Can WE Do?

- We will consider it to be our moral responsibility to shun pre-negotiated material transactions, including dowry (seethanam) and inheritance, in connection with a marriage. (DON'T DEMAND)
- We will not participate in the ostentatious display of material wealth as part of a wedding ceremony. (DON'T DISPLAY)
- We will refrain from sharing any information on reciprocal and voluntary wedding gifts with anyone outside our nuclear family. (DON'T ASK / DON'T TELL)
- We will not blindly follow tradition when it is no longer relevant.
- Always ask yourself if what you are expected to do is ethically and legally right.
- Question your elders, speak out; maybe they just never thought about it that way.
- “Just remember: the society is a living organism composed of people like you and me. If we can change one person, over time, the entire being can be cured, wrongs can be righted, and balance restored” – Tina Dawson
- “Sisters, Don't be emotionally blackmailed by your brothers – don't permit dowries, demand your inheritance; Brothers, Husbands and Fathers: Make sure your daughters get a legitimate share of your acquired and inherited wealth.” – Judge Leila Seth

Vision

Have a positive impact on the world through betterment of Nagarathar community.

Mission

- Help Nagarathar youth enhance their self-confidence through education and economic independence.
- Promote awareness and elimination of outdated and unhealthy Nagarathar customs and practices.
- Foster growth of Nagarathar organizations and charities that promote FANS' objectives.

