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## Wives show their clause

Men's groups claim laws designed to protect women are being used against innocent husbands

### ■ BEHIND THE NEWS

Amrit Dhillon  
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Think of India and you'll probably think of its heritage, its mysticism and tradition. Ponder its people and you'll quite likely think of a tradition-bound society shaped by hierarchy, by caste and by religion - and a society in which men have long played a dominant role.

It's not an inaccurate picture. And to many people, it's not an appealing one.

The patriarchal position of Indian men has given them a reputation as sexist, authoritarian and overbearing towards their wives and daughters. But in recent decades an economic boom, rapid modernisation and the women's equality movement has brought rapid change. The position of women has improved markedly and a range of laws now protect them against domestic violence and harassment over dowries.

But as women have improved their lot, a new struggle between the sexes has begun, with a growing

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backlash among Indian men's groups, who claim they are being persecuted by the country's many laws designed to protect women.

Protesters have in recent months taken to the streets under banners bearing slogans such as "Stop legal terrorism!", referring to how some Indian women abuse anti-dowry laws by falsely accusing their husbands and families of vindictiveness, and "Stop husband suicides!", seeking to draw attention to the innocent men who have taken their lives after being thrown into jail on such charges.

Spearheading the movement against the anti-dowry law is the Save Indian Family Foundation, set up in the capital two years ago. Its members number about 10,000 in nine cities and it has called for the establishment of a "men's ministry" to protect the interests of India's men.

Dowries were outlawed in India in 1961, but are still given by brides' families to grooms and their parents to ensure the bride will be comfortable in her new home. But many husbands, even after their weddings, continue to demand more, often torturing women if they refuse to comply.

The anti-dowry law was intended to punish such abusive men, but in recent years some women have seriously misused it.

When a woman accuses her husband of violating the law, he can end up rotting in jail for years. Bail is available only at the judge's discretion, and trials can take years to reach a conclusion, by which time the reputation and the finances of the accused are in tatters.

The Supreme Court has said the anti-dowry laws are being used as a "weapon" by women rather than as protection. Last year, a judge described the abuse as "legal terrorism".

Justice J.D. Kapoor said that when women made false complaints, they often dragged in their husbands' parents, siblings and even children of the husbands' siblings.

"There is a growing tendency among women to rope in each and every relative, including minors and even schoolchildren of distant relatives. Whole families are arrested," Justice Kapoor said.

Mahesh Tiwari, a New Delhi lawyer who works for the Save Indian Family Foundation, said: "The law is hell for husbands. Our helpline gets calls every day from innocent and frightened men. Our support meetings are full of distraught men being given the runaround by wives who have made up stories of dowry harassment to settle scores."

According to figures from the Ministry of Home Affairs obtained by the foundation, 18 per cent of the 58,000 dowry cases registered in 2005 were dropped after authorities considered them frivolous. Anecdotal evidence from lawyers also suggests misuse of the law is a significant problem.

"When a marriage sours, for whatever reason, the first fear of the husband is that the wife will



register a false dowry case to get at him. Even the rich are scared. They know it's hard to prove your innocence," said Alisha Bains, a women's activist who concedes women are abusing the regulations. Ms Bains has also heard from men complaining about the 2005 Domestic Violence Act.

The foundation argues that the act allows women to define virtually any domestic squabble as an act of cruelty by the husband.

If a woman reports her husband to the police under the act (which classifies verbal and emotional abuse as "violence"), she can win the right to stay in the marital home. In most cases, the home will have been built or purchased with the husband's money or that of his parents.

"Men are being blackmailed by unscrupulous women," Swarup Sarkar, a member of the foundation, said. "Women are using the law to get their way, to harass their husbands and make them toe the line. If a husband wants to have his elderly parents live with him, the wife threatens to report him."

The foundation said most male victims were affluent professionals.

Mr Sarkar said: "Rickshaw wallahs or taxi drivers don't face these cases. Their wives know they won't get any money out of them. It's successful husbands - your software engineers and executives - who are hounded."

Sceptics say it is an exaggeration to argue that women's rights have made men victims. They point to a 2005 UN Population Fund report that concluded 70 per cent of married women in India are victims of beatings, rape or forced sex. The National Crime Records Bureau registers a case of cruelty by husbands and their relatives every nine minutes.

But men who attend the foundation's weekly support group meetings outside the Patiala courthouse in New Delhi tell a different story. Engineer Avinash Datta, 32, said his wife tried to throw him, his mother and his sister - who had never even lived with them - into jail over a false dowry case.

"She used to be hysterical, screaming and threatening to commit suicide. I was so scared the police would arrest me that I went into hiding with friends. Luckily, I got bail but it's shattered my mother. She was frightened I'd have a heart attack," said Mr Datta, who was married three years ago and forced to return to his mother's tiny flat last June.

Mr Datta comes to the meetings for moral support and legal advice, even though it is a long trek from his home in north Delhi. His wife lives in the matrimonial home.

"I never asked her for more dowry. I'd never dream of it. It's something I've always despised. All I wanted from her was peace, not money," he said.

The foundation points to the fact that, in 2005, male suicides outnumbered female suicides by nearly

two to one to argue that men are being driven to despair.

"I have known women to use the dowry laws to get custody of the children or the house," lawyer Sadhana Ramachandran said. "I've seen husbands destroyed mentally, turned into wrecks and their elderly parents heartbroken. You have no idea what a nightmare it is to be dragged through the courts in India."

Another group in New Delhi that represents men and their families is named 498a.org, after Section 498a of the penal code on dowries. Its members are campaigning against the fact that men can be arrested without a warrant and without an investigation the moment a woman registers a complaint under the dowry or domestic violence law.

Graphic artist Jagdish Atwal, a member of 498a.org, said he was sick of men being demonised. "It's inhuman," he said. "We're not saying scrap the laws. They are there for a good reason. But the laws need to be fair to women and men."

At the foundation's weekly meeting, meanwhile, there were more tales of woe. Accountant Bhagat Singh said his entire family was ruined after his wife's false dowry accusation. "I lost my job and my honour, even though I did not do anything wrong," said Mr Singh, who eventually won his case.

His marriage to schoolteacher Saroj lasted only 10 months, but he has spent the past seven years trying to prove that he did not take any dowry. Eventually, he convinced the judge that his wife had not been earning enough to be able to afford the dowry she claimed to have given.

But that was only after he had been forced to resort to India's new right to information law to obtain the figures he needed from the Income Tax Department about his wife's financial position.

Mr Singh, asked if he would remarry, raised his arms and touched both ears, an Indian gesture meaning "never again".

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