



RESEARCH PAPER

**Modern Dowry Payment in Punjab: A Phenomenological Analysis**

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**ABSTRACT**

The dowry commonly perceived as the money, assets or goods given by a bride's family to in-laws at the time of marriage is a centuries-old social practice deeply rooted in various patriarchal cultural settings, especially in South Asia. This vicious custom is a brutal trap and a significant threat to females by the systematic patriarchal structures of oppression. It is associated with several risk factors for females like murder, violation, female feticide, suicide, son preference etc. Although dowry is a cause of heavy economic burden to middle and low income families, it is propagating rapidly in modern age under social pressures. Therefore, the present study, using qualitative research with a phenomenological approach, was trying to explore the socio-cultural causes of modern dowry payments, the repercussions of modern dowry payments on family structure, and the effect of legislation on modern dowry payments in Punjab. After analysis, it is found that the state should reform existing anti-dowry laws or formulate new legislation and strict implementation, policies to empower gender, improve education, and awareness campaigns through media and work to change orthodox patriarchal mind set responsible for the dowry.

**Keywords:** Anti-dowry Laws, Dowry, Gender, Pre-mortem Inheritance, Punjab

**Introduction**

Dowry (alternative terms "Jahez" and "Daaj" in Urdu and Punjabi languages respectively) as a custom has been a very strong social element of marriage institution in various patriarchal cultural settings for centuries. It is commonly perceived as the money, assets or goods (household articles, jewelry, clothing etc.) brought by a bride for her husband or his family at the time of marriage. Traditional definition of dowry revolves around the cultural custom that involves the provision of large sum of money, property and other valuable commodities given to the groom and his family by bride's parents (Muzaffar, et al. 2018); Dasog, 2021). This vicious custom is a brutal trap for females belong to low income families. In South Asia, dowry is significant social threat to females but commonly practiced in the societies having strong patriarchal structures of oppression.

In South Asia, dowry has its roots in medieval times when some gifts, mostly in form of cash or gold, were given to a bride by her family to maintain her limited economic freedom after marriage but during the colonial period, it became the mandatory legal way and sole inheritance of female due to gender biased colonial inheritance laws (Rew, Gangoli, & Gill, 2013). In contemporary, the custom of dowry transforms into economic burden for low income families (Makino, 2019). It has been documented as a symbol of patriarchal strength and associated with several risk factors for females like murder, violation, female feticide, suicide, son preference etc., (Gill, 2013). Various countries of South Asia including Pakistan, have anti-dowry laws but the custom is outspreading rapidly.

Pakistan as a multicultural country has a big population but inadequate resources along with wide inequalities (Evason, Memon, & Saeed, 2016). These inequalities and

poverty levels has been more widen during Pandemic19, the low-income families are more vulnerable and oppressed in comparison of the past but surprisingly, no declining effect observed on the practices of dowry.

Dowry is not just a discourse rather it is a product of multiple factors and leads towards certain repercussions; hence contributes as a source of contemporary social problems. Amongst the documented multiple factors, greed, illiteracy, urge to show off, lower status of women and cultural norms are prominent ones. Now a days the normative structure of the dowry custom has been changed as it is not dependent on the parental affordability rather dowry payments ruin the bride's family but also became the potential life threat to married and unmarried females. Many of the parents have debts at inflated rate of interest for the dowry payments and spend rest of their lives in paying back consequently their poverty level increases. Parent's perception revolves around the fact that without dowry they cannot find a proper match for their daughters. This reveals the fact that marriage is a business for grooms' family and exploitation of the brides' parents. Even the well-educated parents are not exceptional to pay dowry in cash and commodities.

Similarly, in high income families dowry is given to the daughter as a compensation money against with drawl from property rights. In a patriarchal society like Pakistan, women are excluded from the parental inheritance and hence dowry serves as pre-mortem inheritance. Under such practices, women surrender their own property right in favor of their brothers. However, this compensation money often very small in comparison of the value of inheritance assets.

In contrast to high income, middle income families do not afford heavy dowry payments but there is instalment market of dowry items which serves as a tempting and compelling factor for society. Under such alarming circumstances, certain socio-economic problems are persistently surrounding the family structure in the country. Such situations generates issues: 1) what are the reasons behind the modern dowry payments? 2) What are the repercussions of modern dowry payments on family structure? 3) Why it is still increasing despite anti-dowry legislation? To answer these, the present study will explore 1) the socio-cultural causes of modern dowry payments, 2) the repercussions of modern dowry payments on family structure, and 3) the effect of legislation on modern dowry payments in Punjab

## **Literature Review**

Dowries have a long history in South Asia, Africa, Europe, and other parts of the world, and they are especially common in patrilineal cultures where women are predictable to live with or near their groom's parents. Hundreds of women in the United Kingdom have been burnt, scalped, and imprisoned in their houses as a result of "dowry violence" disputes with their in-laws. After evidence was discovered by the Independent, police have launched their first-ever inquiry into this type of violence. Dowry is a centuries-old ritual in which a woman's family pays the family of her new husband. It still exists in parts of South Asia, the Middle East, Africa, and some communities in the United Kingdom (Grossbard, 2017).

The dowry system in different culture have different values like in India consider as goods, money, and real or movable property that the bride's parents gives to the husband's parents. Dowry has been connected to a number of crimes against women, including emotional abuse, physical assault, and even death. The Dowry Prohibition Act of 1961 made dowry illegal in India to avoid such crime (Chiplunkar, & Weaver, 2021).

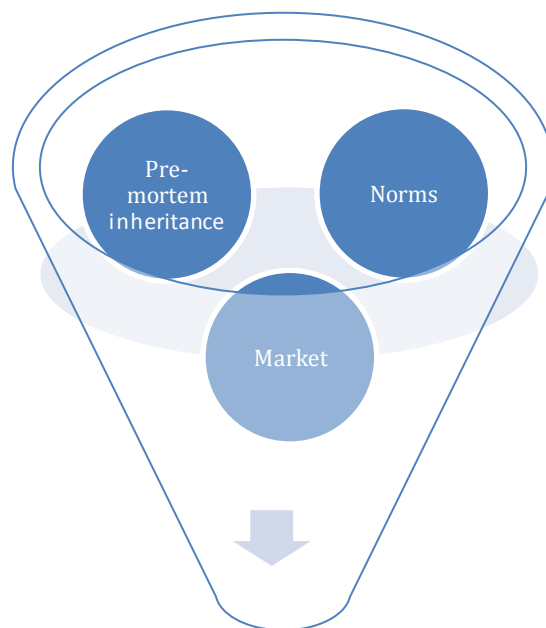
In customary China, whatever property held by a family was only kept for equitable distribution. So, they think that dowry is way to transfer assets to their daughter. It contained both permanent and mobile items, such as jewelry and expensive apparel. Chinese marriage tradition in whereby the husband family provides an amount of money to the bride's family as a symbol of respect. This is traditionally presented at the time of a Chinese

betrothal. To build good-will between the in-laws, a dowry is provided (Brown, P. H. 2009). The dowry system refers to the practices of female’s father at the time of marriage by giving amount, assets, or other special presents to the husband's family (Fuller, 2020).

Dowry system and inheritance practices are inextricably linked. In Sri Lanka, property and inheritance laws have generally favored women, even though the Sinhalese, Northern Tamil, and Muslim customs differ due to specific customary rules. At present there is no law in Sri Lanka, although women’s rights activists have been struggling for a ban. The typical stereotype thinking such as ‘the wedding should be held in a magnificent banquet hall’, ‘the daughter should get significant amount of gold’ are giving unlimited powers to make demands. The dowry system, which is a culturally authorized and socially suitable type of ferocity, has ravaged our civilization (Jayatilaka & Amirthalingam, 2015).

This is a very common ritual in South Asian countries. It is unethical behavior, yet common in Pakistan, where even the elites and educated people take advantage of it. At present, marriages have devolved into a dowry-hunting game consequently females have become financial burden to their families. The dowry system, which is a culturally sanctioned and socially acceptable type of violence, has ravaged our civilization (Alfano, 2017).

Relying on above explanations for the contemporary practice of dowry and review of literature, a conceptual framework of current research is presented below:



**Modern Dowry Payments**

### **Material and Methods**

The focus of this research was to investigate and explore the repercussions of modern dowry payments on family structure of the Punjab, Pakistan. For the said objective, the research followed the qualitative research methods and used phenomenological approach.

A group discussion in a natural setting about the causes and repercussions of modern dowry payment was conducted as described by the Uwe flick (2009). A heterogeneous group was developed which was based on three members; one was a social scientist, and other two were the parents who recently manage the dowry for their daughters. This primary group discussion was based on the following questions like what is your general view point about the dowry, how much the family unit is responsible for

modern dowry payment in Pakistan, what is the role of market in modern dowry payments, and how much state policies are effective against dowry payments. This discussion helped in the formation of a loosely structured interview guide for further group discussions.

Multi-level random sampling was used in current research. The concept of multi-level random sampling technique is similar to multi-level cluster sampling. At first level, three districts of Punjab (Sargodha, Faisalabad and Joharabad) were selected. Then twenty social scientists were contacted and requested to be a part of group discussion, only sixteen of them agreed to join the activity. Then the formation of sixteen groups have been made for discussion. In order to form a group, all the social scientists were requested to bring a few friends or relatives in the group discussion to follow the purpose of snowball and piggyback sampling in this research. Snowball sampling was found as the most appropriate sampling technique for the selection of participants of focus group discussion as it is simple, cost-efficient, requires simple planning and fewer workforces in contrast to other sampling techniques. The criteria for these group members were those parents who have arranged dowry for their daughters within last two years. In this way heterogeneous groups were formed to serve the research purpose. The data for the present research was collected through sixteen group discussions and the location for the data collection was selected as per the convenience of the group participants. Nine group discussions were carried out in the offices of the social scientists and seven were carried out in the houses of the group members who were selected as parents. The data through the group discussions was collected till the saturation was achieved and total sixteen groups were interviewed through group discussions. Each group was composed of 3 to 4 members. The interview method is often employed by researchers conducting qualitative research. Information through interviews was gathered by using filing notes, transcripts, and tape recordings.

All the interviews were audio-recorded with the permission of participants. Later on, interviews were manually transcribed from the audio files. The overall procedure of data analysis was adopted as explained by Seidman (2006), recording interviews, transcription of audio files, reducing and analyzing the text, developing profiles and themes, making and analyzing thematic connections and interpreting the material.

## **Data Analysis**

Thematic analysis is a subjective information examination strategy that filters through different information to recognize, break down, and report repeating designs. This is an information portrayal technique, however it likewise includes understanding during the time spent code determination and subject structure. An unmistakable component of topical examination is its adaptability to be utilized inside various hypothetical and epistemological structures and to be applied to various inquiries, plans and test sizes. Topical examination has a place with the area of ethnography or fits very well with phenomenology. Topical examination is a suitable and strong procedure while attempting to grasp a bunch of encounters, considerations, or ways of behaving in a given informational collection (Braun & Clarke, 2012).

## **Theme 1: Dowry phenomenon**

Modern dowry payment is social evil of our society but practice in our society very proudly. Day by day the concept of modern dowry payment is increasing in our society and there are no strict policies exist at governmental level, while the old policies are needed to reform according to modern era. The objective of this theme is to explore the perception of dowry phenomenon. The most of the participants interviewed and data reveal that dowry is an established practice and every family accept this norm as a part of marriage. The groom's family only consider those family proposals who are financially able to give heavy dowry. According to participants, family perception of modern dowry is also link with our culture and tradition because now it is a part of our culture. Some participants have perception that dowry custom varies from class to class in Pakistan. Upper class have different scenario

while middle and lower class has different norms, but main thing is that all three classes involve in practice of dowry, just amount and impact varies.

### **Sub-theme 1.1: Causes of dowry**

In patriarchal society of the Punjab there are various social factors hindering the gender and create hurdles in the life of female. Among the most prominent factors, one is the dowry – a great threat for female. The exclusion of dowry from the set of Punjabi cultural norms is impossible because marriage institute is a strong pillar of patriarchal structure of the Punjab and dowry provides the orthodox foundation to marriage institute, in case of removal the whole structure will become weak. So, one of the main cause behind this evil is to strengthen the systematic structure of gender oppression. Other causes are social pressure, matter of prestige and show off.

The major elements contributing to this centuries long tradition of the dowry in the Punjabi weddings are the matter of family prestige and up-holding their social status. The party that demands dowry does so on the basis of societal norms regardless of whether this tradition is morally right or wrong. This perception that providing dowry to the groom side will boost the social image of the respective family further increases the phenomena of dowry giving. The respondents' perception on the matter of dowry in the Punjabi society and why this tradition is still not dying down are:

*"The practice of dowry has now become a part of our cultural norms and people never ignore their practice of cultural norms on the wedding occasions. Although the norm has become evil but not easy to eliminate from society because people believe the system is concerned with that, one more effective cause is social pressure which compels the parents to give dowry."*

Another respondent indicated:

*"Our society based on class structures and perception of dowry varies class to class, however all classes are responsible for practicing this vicious custom of dowry. The elite class gives dowry to up-hold their status while the middle class promotes dowry in the sense of their expectations."*

Another clarified

*"Both the bride and groom's family think if they will give dowry in marriage, it will increase their goodwill in society and people will be impressed. In simple words, dowry is given for show-off as well as under peer pressure."*

Further explained that

*"The important cause of dowry is a fear of the bride's family against the social protection of their daughter as they believe that the groom's family warmly welcomes their daughter with handsome dowry."*

Most of the respondents stated that the main reason of dowry is peoples' adherence to socio-cultural norms in agrarian society of the Punjab (urban community or rural community). The dowry is considered a necessary component to marriage. The other important cause of the dowry is the social prestige. Dowry is also given under community and social pressure. Similarly, protection of daughter against in-laws and concept of compensation money against the parental inheritance are also significant causes under feudal mindset of the Punjab.

### **Sub-theme 1.2: Dowry as compensation**

In patriarchal society of the Punjab parents perceive female child as an economic burden, so under the idea of return on investment, they do not invest much on the education, health and other life facilities for female children. However, at the time of marriage they give dowry in the form of cash, gold, or little property to grooms' family as a compensation because they are shifting the economic burden in the form of bride to grooms family. According to one participant:

*"The perception of people about the dowry is a compensation money for shifting daughter as an economic burden to groom family. After marriage the parents are free, now it is a turn of in-laws to bear the expense."*

Another, Respondent stated:

*"In most of the marriages, the dowry is given as compensation money but at the cost of withdrawal from the right of inheritance."*

Similarly another one stated:

*"The bride's family thought that they are increasing the economic burden to grooms' family by shifting their daughter, so they provide the dowry along with daughter as compensation."*

Almost all respondents agreed that the dowry is nothing, just a compensation money; parents think that marriage is a shift of burden, so it is their duty to compensate effected family of groom.

### **Sub-theme 1.3: The dowry and pre-mortem inheritance**

The dowry and pre-mortem inheritance have deeply rooted in the Punjab through the laws governing property in the colonial period. The colonial government of the Punjab selectively sanctified in law in favor of the patriarchal oriented customary practices which denied all rights to females and safeguarded the land and property in the patrilineal line of descent (Emerging Patterns: Property Rights of Women in Colonial and Post-Colonial South-East Punjab). Women completely excluded from inheritance rights in the colonial Punjab. In modern days, although the complete reversal has been effected through new post-colonial laws but the traditions and customs to restricted inheritance to male line still prevailing in the rural areas of the post-colonial Punjab. Contemporary patriarchal structures of the Punjab represent the dowry as an alternative settlement of females' claims or right to inheritance property. The Punjabi society has a strong opinion that females have already received their share from parental property in the form of cash, gold, household goods etc. at the time of marriage, so they have no more right in parental property. According to respondent

*"The practices of modern dowry have increased in the Muslim community to safeguard the property to male line. However, in some cases, at the time of the division of property, the value of the property is less than dowry but society follow the trend and mindset which support dowry practices."*

Respondent stated that

*"The family unit is responsible for making dowry customs as a pre-mortem inheritance. People do not give inheritance, but give dowry because they thought if they give inheritance, it will be transfer to another family."*

Another respondent endorsed by the words:

*“In maximum cases the cause behind the dowry is the thinking of Punjabi families that land is like a mother so its transfer to another family of in-laws is prohibited and the matter of honor. Therefore, they give the dowry to daughter despite land.”*

## **Theme 2: Repercussion of modern dowry payment on family**

Modern dowry payment directly effects the bridal family and bride it-self. Dowry relates with family, family responsible for dowry payments under social pressure of the society. Family is one of the main cause to promote dowry, because dowry is indication of prestige and honor linked with community pressures and cultural norms. The repercussion of the dowry has to face by the bride's family and bride. The bride's family has to bear heavy economic burden and bride faces consequence by exclusion from inheritance right. The dowry is also a threat for female to face domestic violence by in-law's family. Respondents also mention this fact that the female without the dowry or with less items (not fully loaded or as per demand) faces torture by in-laws throughout her life and the result is psychological disturbance. It inferred from responses that there are two types of major effects on bride's family – economic and social.

### **Sub-theme 2.1: Economic repercussion of modern dowry payment**

The dowry payments force parents to save money for daughter at the cost of her education, health and other basic facilities despite they face heavy economic burden at the time of marriage. Most of the families get loan and borrows from bank or relatives at the time of marriage to arrange the dowry and the rest of the life is nothing but struggle for the adjustment of that loans. According to the participant:

*“The bride's family has been saving money for the birth of the female child for the arrangement of her dowry despite this practice, in most cases parents could not save enough money for dowry due to inflation. Therefore, many parents arrange money through a committee system, loans along with their life time saving for the preparation of dowry as per demand of the in-laws and face heavy economic burdens.”*

Another respondent endorse the same:

*“Most of the families manage the economic burden due to modern dowry payment by lifetime savings, advance money through a committee system, loans from banks or close relatives, selling their assets, purchasing the dowry items through instalments.”*

Another respondent explained:

*“The main victims of the dowry curse are middle and lower classes. In these classes to manage the economic burden, mothers often use a committee system and also formulate a saving plan with the birth of a daughter. Some families opened saving accounts in banks and deposited money on monthly basis, various insurance companies also offer Jahez or Shadi packages.”*

### **Sub-theme 2.2: Social repercussion of modern dowry payment**

The dowry is not for one time exploitation, many in-laws families demanded not only at the time of marriage but also post-marriage demands are there for grabbing more and if the bride's family unable to fulfill that demand then the result is in the form of domestic violence, separation or divorce. Most of the females without or having less dowry face domestic violence and mentally torture by in-laws. In the Punjabi society, there is a thinking prevailed socially that the amount of the dowry linked with the age of female. Early marriages are the bitter consequence of this wrong thinking. Under this fear most of the parents marriages their daughters before eighteen years, in so early age female is not enough mature to face the consequences of marriage. Due to such early marriages, females

cannot complete their education and also face side effects of child birth in premature ages. According to the respondent:

*“Modern dowry payments are just like a trap for poor people. Poor families often get loans at high-interest rate, sell their assets, purchase dowry items in installments, and other scenarios that can result in increased debt.”*

Another respondent explains

*“Dowries lead to infanticide because women are perceived as a financial burden on the family; many parents abort female fetuses or reduce chances to survive by providing the poor early neonatal care to female baby. In later life this leads to subordinate status of women and gender inequalities on a large scale.”*

Further explained that

*“Dowry leads to abuse those females who are unable to pay the expected dowry, or who are unable to make additional payments in the future, are often the target of harassment and abuse. In some cases, females faced acid burning and stove burning by the in-laws.”*

Similarly another respondent explains that:

*“Social repercussion of modern dowry payment disturbs the economic condition of the bride’s family. Maximum families are unable to give dowry but they have to give at the cost of their daughters’ peace and life.”*

### **Theme 3: State and modern dowry payment**

Dowry is an item or payment that is given by the bride family to the groom family and in some cases it is forced by the groom family. In a simple way it may be said that demand is also a key point related to dowry. Dowry is considered a social evil or social problem in society but has penetrated deeply within social structures. In such a situation, it is the responsibility of the state to eliminate it. For the elimination of social problems, the state formulates some policies and laws to control or eliminate vicious practices. The state plays a vital role to control these types of social evils in society through the very strict implementation of anti-dowry laws. Campaigns on various media platforms may also be helpful to educate people in this regard.

#### **Sub-theme 3.1 State initiative**

It is the responsibility of the state to seek to eliminate vicious social practices within society and take necessary action on it to give relief to the people. The government has formulated some laws and policies to control the dowry problem without proper implementation. Various types of laws exist but the check and balance system is weak, so there is a need for reforms accordingly. To eliminate the dowry problem from society, an instant strong action is required; otherwise bridging the gender gap is impossible. According to the participant:

*“The state should introduce the dowry and bridal gifts (restriction) act 1976, under this act different dowry angles are discussed, but the government should reform this act according to the current situation.”*

Further explains:

*“The state is not only responsible for formulating law against dowry but also responsible for the strict implementation and follow-up, which is vital for control at the local government level; otherwise laws just on books are useless.”*

Another respondent stated:



*“There is dire need to reforms in legislation, Government should revisit the previous old act to handle the current situation and accountability.”*

### **Sub-theme 3.2 Effect of state policies on dowry**

Effective social policies are needed to eliminate the problem of dowry. There is need to an effective policy to address the issue at state level. The desired effect may only be gain by effective implementation otherwise policies are just the part of law book. Second important thing is that the formulated policy should be up-to-dated according to the current situation of social problem. According to the participants:

*“Policies and laws exist but are not effective on custom dowry payment.”*

Participant further explains:

*“The effectiveness of the policy depends on strict implementation but unfortunately there is no effective mechanism for implementation at local government level.”*

Other participant endorsed the fact:

*“Policies are existing but the implementation is poor, never observed the action against dowry.”*

According to another participant:

*“The effective policy may control the dowry system in our society, but unfortunately there is no implementation by state. Most of the policies are outdated and need to reforms.”*

### **Sub-theme 3.3 Suggestion by the respondent**

State formulates different laws and policies on the dowry for control but the effectiveness of polices are not good as should be. So Participants gave various suggestions to control or eliminate the dowry. Some of these are; to educate the people, awareness campaigns, gender social empowerment etc. According to the participants

*“Dire need to improve/reform the dowry law. The dowry should be claimed as a crime. Through government institutes, we can improve the law. With existing infrastructure government may apply the law strictly to remove the custom of dowry.”*

Respondent explain further:

*Existing law are outdated to address the problem of the dowry, so for improvement in the situation modern reforms are vital and strict implementation also necessary.”*

Other Respondent endorsed:

*“The state should formulate legislation and strict follow-up against the dowry, policies to empower gender, improve education, and awareness campaigns through media and work to change orthodox patriarchal mindset responsible for the dowry.”*

Majority of the respondents agree that reforms and strong implementation are vital to address the issue of the dowry at local government level is the best strategy to eradicate the vicious social practices of the dowry.

### **Conclusion**

The dowry is a very serious social issue practiced in the Punjab. It may be found in a form of payment, property and goods by the bride's family on demand of groom family or under social pressure. One of the main causes of the dowry practices is the class system, middle and upper classes are responsible to promote dowry in Pakistan. In most of the cases,

the groom's family demands dowry, which is completely illegal. Modern dowry payments which are observed in the Punjabi society are a product of norms, market and pre-mortem inheritance. All these are the most influential factors that established the situation. Dowry has deep rooted patriarchal norm and culture of the society. Cultural stability and belief system has been playing vital role to promote such vicious practices for centuries. These norms have been practiced very strictly in the society, as daughter born family started to collect dowry items. The early norm of dowry was very simple but with the passage of time it has taken the complex form of modern dowry payments and instalment business played a key role to promote this phenomenon.

Industrial development also promoted such practices as a long range of products are available in market on instalments. Before industrialization dowry articles list was not too much extended in comparison of the modern times. The phenomenon of increased list of items in the dowry is directly connected the availability of household articles on installments. Due to this option people easily manage at the time of marriage but it increases the economic burden on the bride's family in future. Due to same market situation, the demands of dowry also increased by the groom's family.

Pre-mortem inheritance is also a factor that promoted dowry system within the society. Concept of pre-mortem inheritance generate when people have mindset that we give dowry in the compensation of inheritance. In the economic affordable families, daughters are not given their due share in property, rather dowry with all articles is given. Instead of giving their property share of heavy amount, the dowry of low amount is given in compensation.

With the passage of time, many anti-dowry laws have been formulated but the main issue is implementation of law which is very poor in Pakistan so these anti-dowry laws are in-effective to stop such practices.

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