

A Study on Public Opinion About Dowry Death and Its Impact on the Society

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ABSTRACT

The main aim of this research is to know about evidence in case of dowry deaths. Dowry Death has been one of the most barbaric forms of cruelty inflicted on young brides in the matrimonial home. Over the years, it assumed dangerous proportions calling for immediate legislative changes. The Supreme Court judgement dated 11th Oct 2006 held that the demand for dowry or money from the parents of the bride has shown a phenomenal increase in the last few years. Cases are frequently coming before the Courts, where the husband or in-laws have gone to the extent of killing the bride if the demand is not met. These crimes are generally committed in complete secrecy inside the house and it becomes very difficult for the prosecution to lead evidence. The Dowry Prohibition Act, 1961 consolidated the anti-dowry laws which had been passed in certain states. This legislation provides for a penalty in section 3 if any person gives, takes or abets giving or receiving of dowry. Forensic medical evidence has proved to be a crucial area in establishing the fact of 'unnatural' death before the Indian courts. An evaluation of cases indicates that proper scientific evidence has assisted the courts to establish the cause of deaths, while the absence of it has created a dilemma, leading to the acquittal of the accused. Empirical research is used for the purpose of the study. Convenient sampling method is used to collect the samples. 201 samples are collected based on the ease of access or availability. The sample size of this paper is 201. Statistics used in the research are clustered bar graphs. The information was collected from secondary sources like journals, articles, books and so on.

Keywords : Dowry Death, Forensic evidence, medical evidence, legislative changes, matrimonial home.

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INTRODUCTION :

One of the foremost barbaric and cruel sorts of cruelty inflicted on young brides within the matrimonial house is the Dowry death. For the past few years it's been assumed with alarming dangerous proportions to involve immediate changes in legislation for ladies safety. The Hon'ble Supreme Court held that the demand for dowry or material or money from the bride's family or brides has been increased in recent years. The act of demanding dowry or the act of abandoning dowry is an offensive act consistent with the law. Nowadays the frequency of the cases that were coming before courts, where the husband and their in-laws have gone to the extent of killing the bride when the demand for dowry isn't satisfied or not met. the gathering of evidence just in case of dowry deaths for the aim of prosecution becomes very difficult because these crimes are generally committed in complete secrecy inside the house. Forensic medical evidence has proved to be an important area in establishing the very fact of 'unnatural' death before the Indian courts. An evaluation of cases indicates that proper scientific evidence has assisted the courts to determine the explanation for deaths, while the absence of it's created a dilemma, resulting in the acquittal of the accused. This research emphasises on the importance and indispensability of Forensic Medical evidence for the aim of prosecuting an accused for the offence. The government initiative to scale back the dowry deaths is the introduction of the dowry prohibition act whereas the foremost number of the dowry deaths are most prevalent within the northern states of India. The Indian National Crime Records Bureau's found that there are 8331 dowry deaths cases registered. so as to make sure women safety within the society the Indian government has introduced the Dowry Prohibition Act of 1961, violence Act, section 304B and 498A and 113B of Indian legal code and section 174 and 176 of the Code of Criminal Procedure and 113B of the Indian Evidence Act and various Non-Governmental Organisations involved within the protection of girls against the violation and discrimination within the society. India still maintains the tradition of having a bride or her family pay a dowry to the groom. In association with this tradition, India has experienced an increasing number of "dowry deaths" where the wife is killed or driven to suicide after the dowry has been paid so that the husband is free to pursue another dowry. Given this growing problem and the difficulty of proving guilt under a burden of proof that presumes innocence until guilt is proven beyond a reasonable doubt, the Indian Penal Code has been changed to allow for the presumption of guilt under suspicious circumstances. The law states that "When the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within 7 years of her marriage and it is shown that seen before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for dowry, such death shall be called "dowry death" and such husband or relative shall be deemed to have caused her death." Although such evidence of cruelty or harassment toward the victim prior to her death may not be sufficient to prove guilt beyond a reasonable doubt, this law mandates that guilt be presumed under such circumstances. This change in the burden of proof is necessary to counter the growing problem of dowry deaths, even though it may mean a greater risk that the innocent will be convicted.

In the case of Trimukh Maroti Kirkan v. State of Maharashtra 2006, the apex court observed that the demand

for money or dowry from the bride and her parents has shown a tremendous increase in the past few years. The husband and his family members go to the extent of killing the wife if their demands are not met. The act of killing is done so secretly within the four walls of the house that it becomes extremely difficult for the prosecution to prove that it is a case of dowry death. Not only that, but the family members who are the witness of the crime are also reluctant to depose against the perpetrators. The family members of the victim, being away from the scene of the crime are not equipped with the evidence that could incriminate the perpetrator apart from the evidence of demand for dowry. But this shall not result in injustice towards the victim. This is when medical evidence proves to be fruitful. The medical reports play a crucial role in establishing that death has been caused due to 'unnatural' circumstances which are an essential element of dowry death. This article focuses on the importance of medical evidence for the purpose of prosecuting the offenders of dowry death. Before the enactment of Section 304-B, the cases of dowry death were dealt with under Section 302 (murder) and Section 306 (abetment of suicide) of the Indian Penal Code, 1860. However, with the increasing number of cases of dowry death, the Parliament felt a need for a separate law to deal with the menace. Therefore, Section 304B was inserted by the Dowry Prohibition (Amendment) Act, 1986 in order to combat the increasing menace of dowry death.

Section 304B of the Indian Penal Code, 1860 defines dowry death as, "If the death of a woman has been caused due to burns or any bodily injury or otherwise than under natural circumstances within the period of 7 years of her marriage and it is shown that prior to her death she was subjected to harassment by her husband or any of his relative for or in connection with the demand for dowry, then such death shall be called 'Dowry Death' and such husband and his relatives shall be deemed to have caused the death".

As per the Section, the offenders shall be punished with imprisonment of a minimum of 7 years which could be extended to life imprisonment. There are many initiatives taken by the government to curb the situation of dowry deaths in our country like the dowry prohibition act of 1961 according to which any property or valuable security should not be given to the in-laws for a valid marriage proposal. Giving and taking of dowry are both considered offenses. The major action taken by the central government in section 304 B which gives sufficient punishment also there must be more stringent laws brought for the case of dowry death.

The main aim of the research is to find the importance of finding and collecting evidence in case of dowry deaths as to make sure the death does not take place other than the pressure of dowry and the husband be punished genuinely without being some other reason for the cause of death. Dowry deaths are found predominantly in India, Pakistan, Bangladesh, and Iran. It can be said that in Mizoram, Nagaland and Meghalaya, there is hardly any concept of dowry system. UP and Bihar together accounted for nearly half (48 per cent) of the total dowry deaths in the country. As many as 5,354 women are killed for dowry in Bihar with above 1,000 deaths every year during 2017-2021. Uttar Pradesh's average death count is 2,375 per year

OBJECTIVES :

- To determine the rate of dowry deaths before and after the implications of the dowry prohibition

act.

- To compare the incidence of dowry deaths between rural areas and urban areas.
- To know that the medical evidence plays a crucial role in determining the punishment for dowry deaths.
- To analyse the major cause for the reasons of dowry deaths in India.

REVIEW OF LITERATURE :

Sen dowry deaths are the most barbaric and cruel form of crime that are being happening to the brides in her matrimonial homes. The Supreme Court is demanding immediate legislative changes to ensure women 's safety. classification of the dowry deaths has various causes. The causes of the deaths create epidemiological reputation, the policies and practises (**Sharma**) of dowry causes the death of the women. Medical evidence is helpful in determining the dowry deaths. The police investigation in the crime scene or the place where the crime has been committed shows the gathering of the (**Sharma; Diwan**) evidence which are used to charge the accused. The evidence to charge that perpetrators and unfolded investigation in women's death the coronial data makes changes in the legislations where the autopsy results helps in the decision making in coronial autopsy orders (**McCoid**) with the invasiveness of an autopsy data The epidemiological pattern and the pattern of the burns in the different parts of the world creates the preventive measures in the (**Oldenburg**) patterns of the injury and desirable burn victims. the scope and the limits of the legal measures and curb of domestic violence. Several laws that address the issues with the (**Wyatt**) comprehensive laws in many urban victims. The forensic pathologist made the classification of suicidal deaths and the forensics files in the undetermined manner of the deaths (**Pereira and Gaspar**) with suicidal communication and circumstantial evidence. The postmodern investigators have the benefits of the evidence that impugn the death investigators with the accurate judgement and (**Thomas et al.**) professionalism with scientific expertise judgement that are subject to scrutiny with the professional death investigators. Dowry or Kanyadanam is an important part of Hindu marital rites. Kanya means daughter and danna means gift. The custom of Kanyadaan (**Kuskoff et al.**) (giving daughter in marriage) followed by Varadakshina (gift to the bridegroom at the time of marriage) may have given an increase to dowry. Traditionally women are subjected to the whims and caprices of man, particularly when it relates to the relationship of husband and wife it becomes worse. Woman in a family or a relationship with her husband sometimes becomes (**Macleod and Reynolds**) intolerable and miserable which drags the woman towards suicide. Section 498-A of IPC comes into play in such a situation. Traditionally women are subjected to the whims and caprices of man, particularly when it relates to the relationship of husband and (**Habito et al.**) wife it becomes worse. Woman in a family or a relationship with her husband sometimes becomes intolerable and miserable which drags the woman towards suicide. Section 498-A of IPC comes into play in such a situation. The groom's family voluntarily asks for dowry by (**Wilson et al.**) giving reasons that their son is placed in a good job and they have a lot of reputation etc. In underdeveloped areas, the literacy rate is very less

and people are unaware of the laws relating to dowry, which led to the (Graham et al.) increased demand for dowry by the others. Though dowry is also practised by the literates in an underdeveloped area, it becomes a bit more difficult to make them (Sinko et al.) understand the laws. Gradually the torture on her increased so much that the mother-in-law hit her with a sharp blade on her forehead (Javed and Chattu) causing a deep cut over there. Most dowry deaths occur when the young woman, unable to bear the harassment and torture, commits (Ontiri et al.) suicide by hanging herself or consuming poison. Sometimes, due to their abetment to commit suicide, the bride may end up setting herself on fire Dowry deaths can also include sex (Ontiri et al.; Murewanhema) selective abortions and female foeticide by parents who do not want to pay for their daughter's dowry when she comes of age. Domestic violence includes a broad spectrum of abusive and threatening behaviour which includes physical, emotional, (Irfan et al.) economic and sexual violence as well as intimidation, isolation and coercion. Dowry is considered a major contributor towards observed violence against women in India. Some of these offences (Pineda et al.) include physical violence, emotional abuses, and even murder of brides and young girls prior to marriage. Dowries continue to be expected in many parts of the world and are sometimes used as a condition of the (Envuladu et al.) contract that if not accepted then the wedlock came to an end, particularly in parts of Asia and North Africa. (Wilson Lucy) examine patterns of other crimes to investigate whether an increase in general unrest during economic downturns explains the results but do not find supportive evidence. Women's political representation in the national parliament has no apparent mitigating effect on dowry deaths. (Wyatt, Robin.) This paper appraises the public health burden of mortality in India caused by the practice of dowry and examines the association of some demographic and socio-economic factors with dowry deaths and dowry-related suicides.

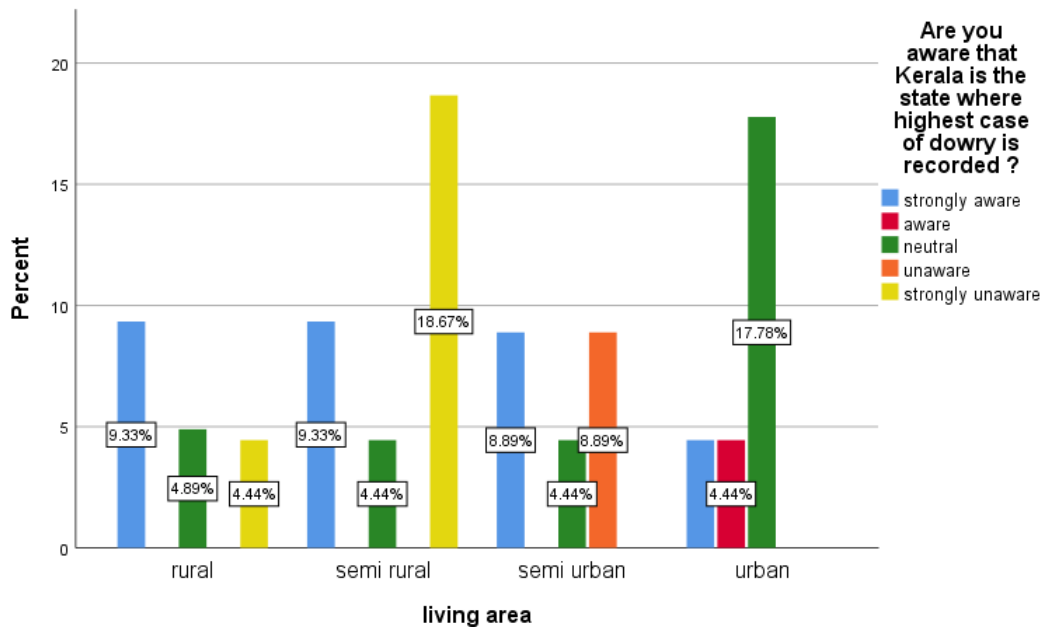
METHODOLOGY:

The research method followed here is **empirical Research**. A total of **201 samples** have been taken out of which is taken through **convenient sampling**. The sample frame taken by the research through ofeline method. The independent variable taken here is age, gender, education, occupation. The dependent variables are: Do you agree that dowry is essentials one in Indian marriages? Does medical evidence play a major role in determining dowry death punishments? The statistical tool used here in this research is graph (mean) scaling and tests conducted.

ANALYSIS :

Figure 1

Clustered Bar Percent of living area by Are you aware that Kerala is the state where highest case of dowry is recorded ?

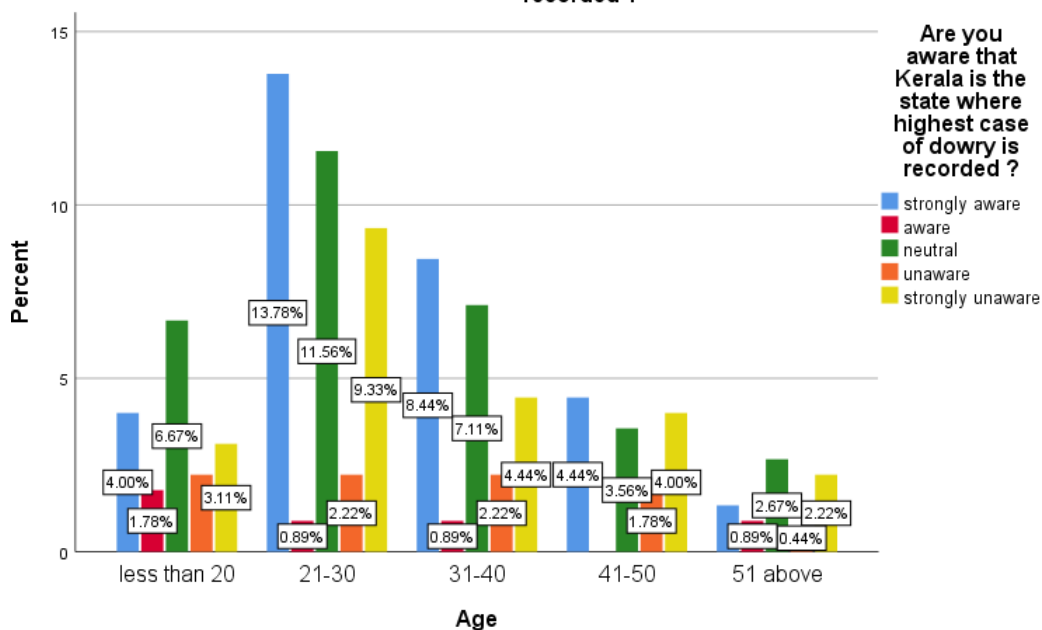


Legend

Figure one represents the percentage analysis of the quality of t sample population's opinion regarding whether they agree that Kerala state where the highest case of dowry is recorded and living area.

Figure 2

Clustered Bar Percent of Age by Are you aware that Kerala is the state where highest case of dowry is recorded ?

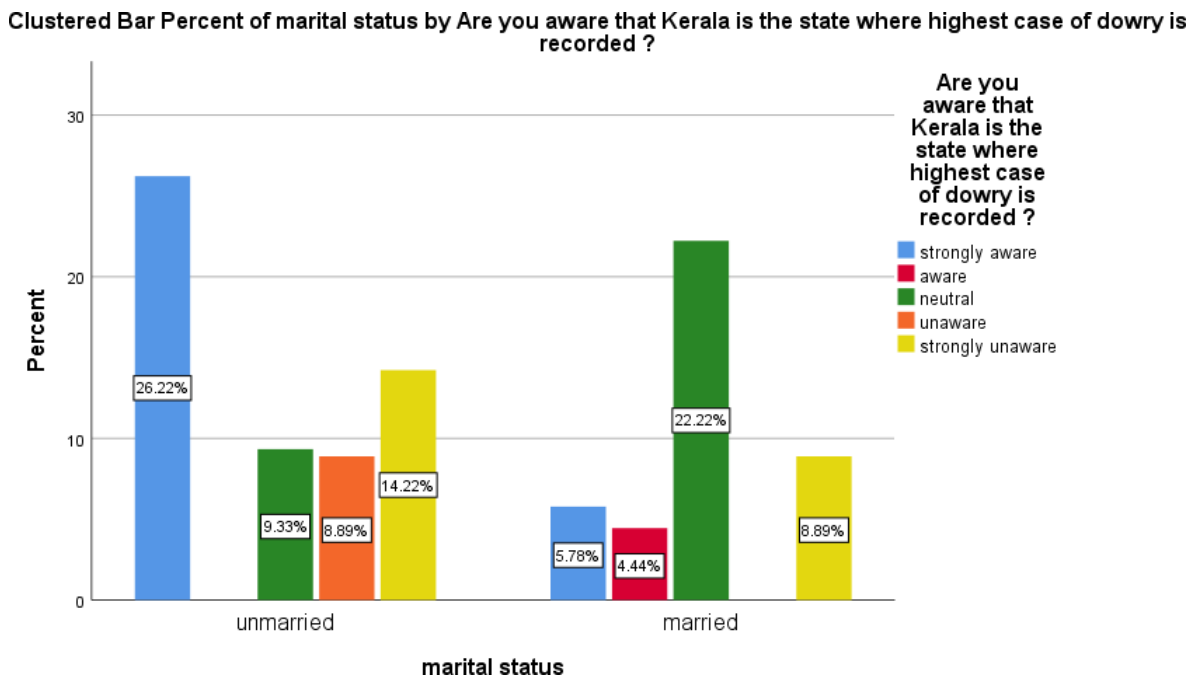


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Figure 2 represents the percentage analysis of the sample population's opinion regarding The awareness on

whether kerala is the state where the highest case of dowry is recorded and age group.

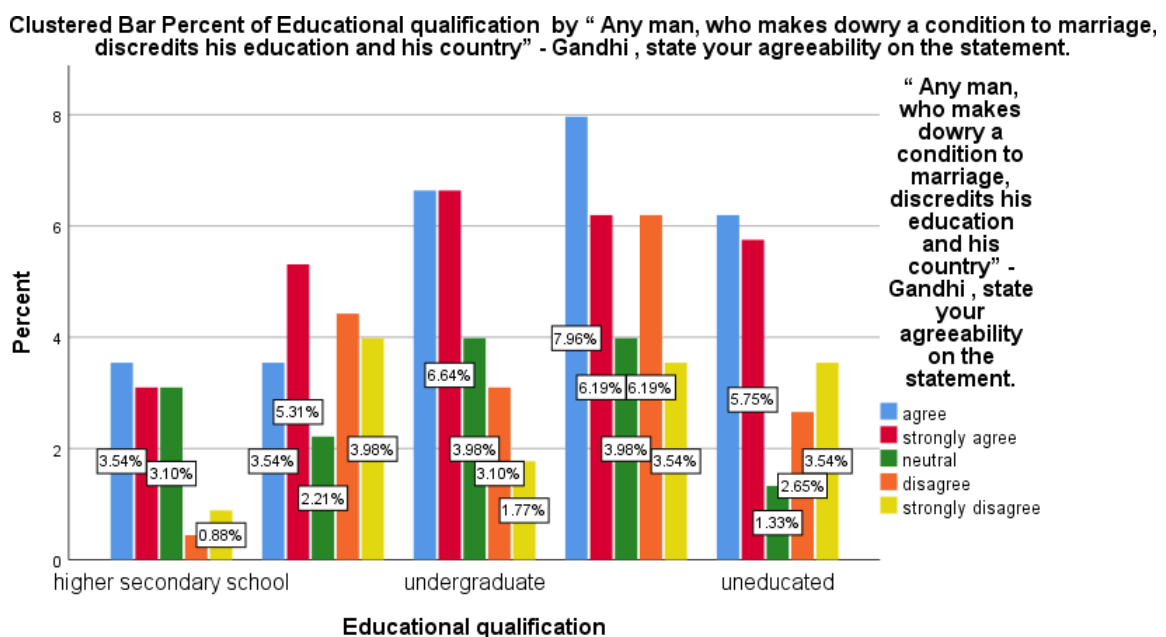
Figure 3



Legend

Figure 3 represents the percentage analysis of the sample populations opinion regarding whether you are aware that kerala is the state were highest case of dowry is recorded and marital status.

Figure 4

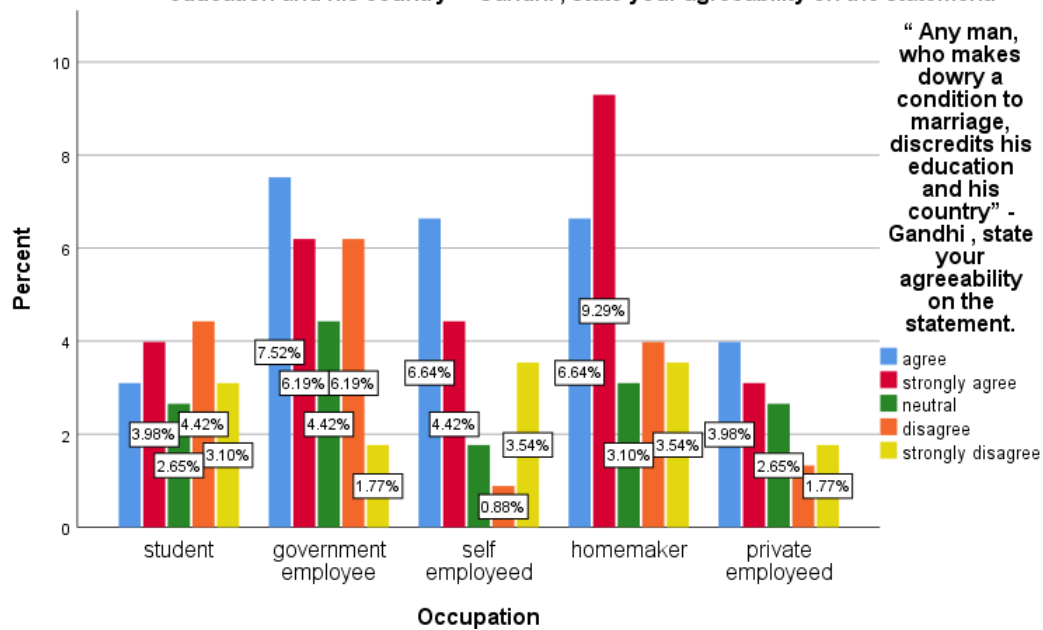


Legend

Figure 4 represents the percentage analysis of the sample populations Agreeability of the statement Any man who makes dowry a condition to marriage is discredits his education and his country and educational qualification.

Figure 5

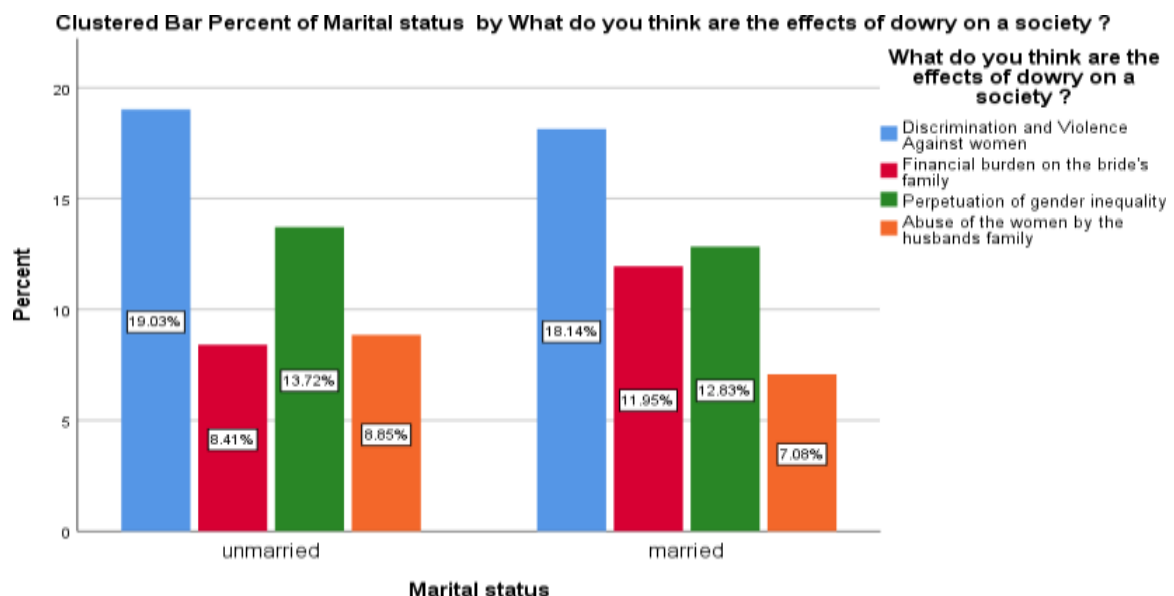
Clustered Bar Percent of Occupation by "Any man, who makes dowry a condition to marriage, discredits his education and his country" - Gandhi, state your agreeability on the statement.



Legend

Figure 5 represents the percentage analysis of the sample populations Agreeability of the statement Any man who makes dowry a condition to marriage is discredits his education and his country and occupation.

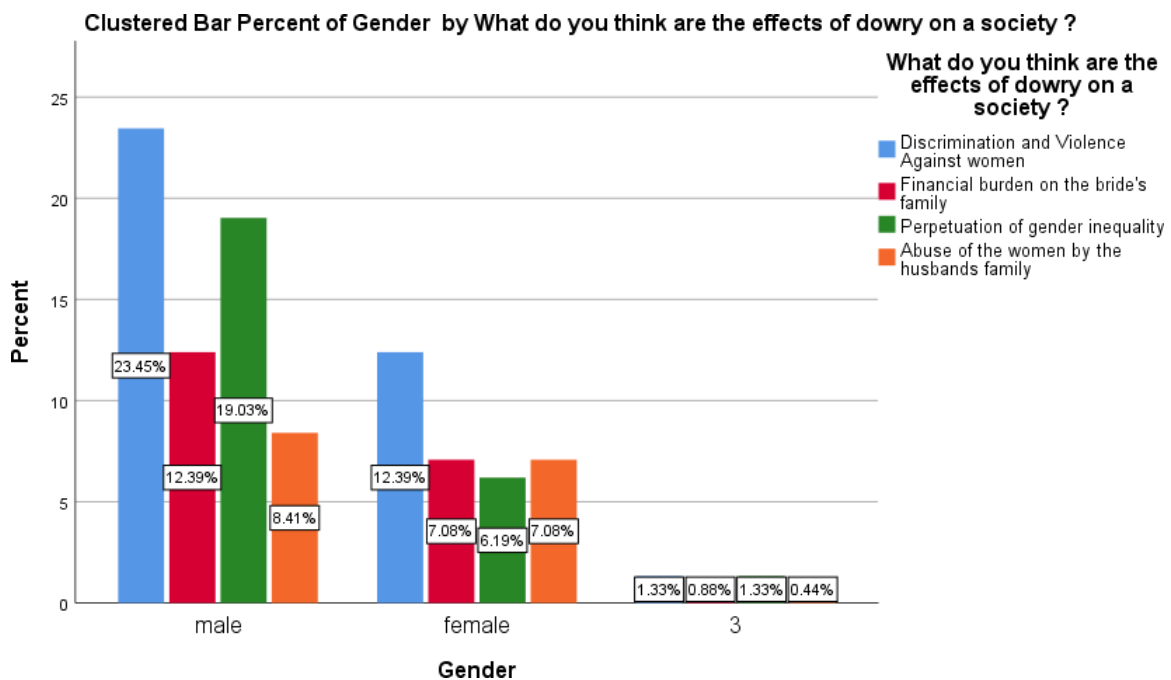
Figure 6



Legend

Figure 6 Represents the percentage analysis of the sample population between the opinion on how they think dowry affects the society and marital status.

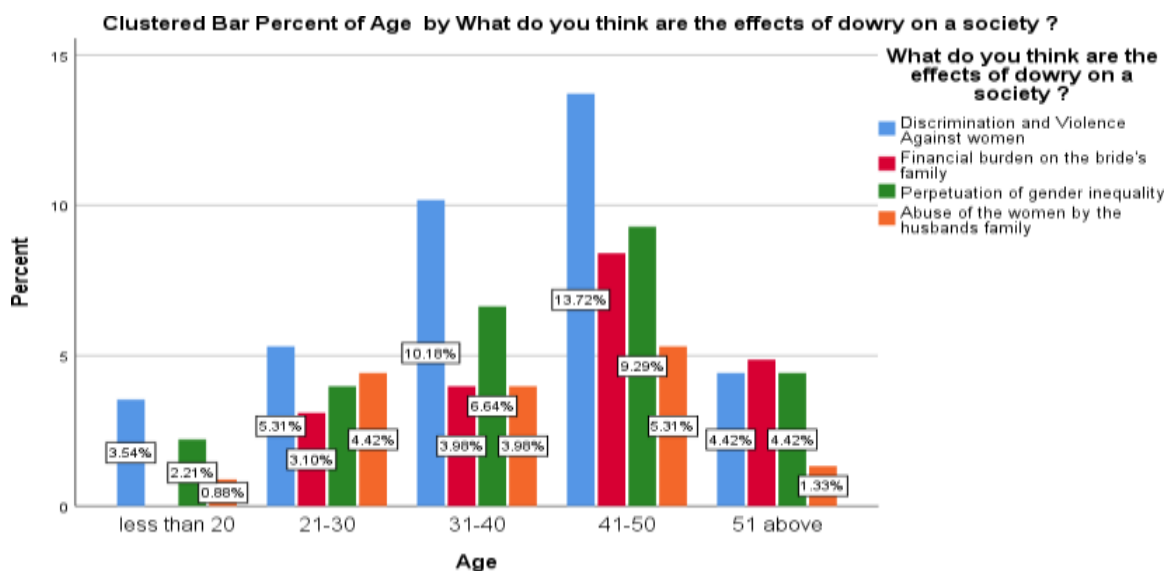
Figure 7



Legend

Figure 7 represents the percentage analysis of the sample populations between the opinion on What do they think are the effects of dowry on society and gender.

Figure 8

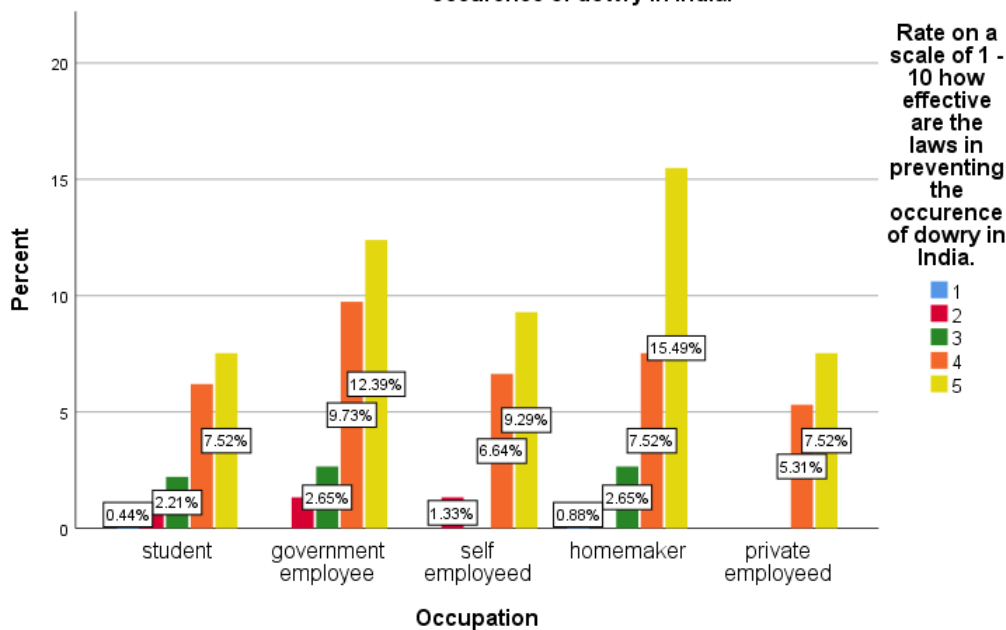


Legend

Figure 8 represents the percentage analysis of the sample populations between the opinion on What do they think are the effects of dowry on society and age .

Figure 9

Clustered Bar Percent of Occupation by Rate on a scale of 1 - 10 how effective are the laws in preventing the occurrence of dowry in India.

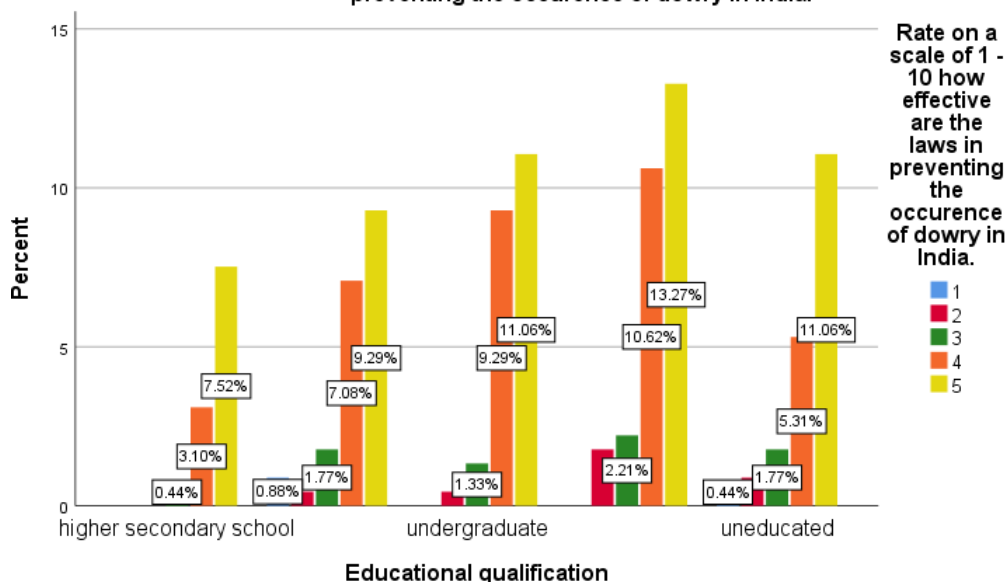


Legend

Figure 9 represents the percentage analysis of the sample population between the opinions on Rating on a scale of 1 to 10, how effective are the laws preventing the occurrence of dowry in India and occupation.

Figure 10

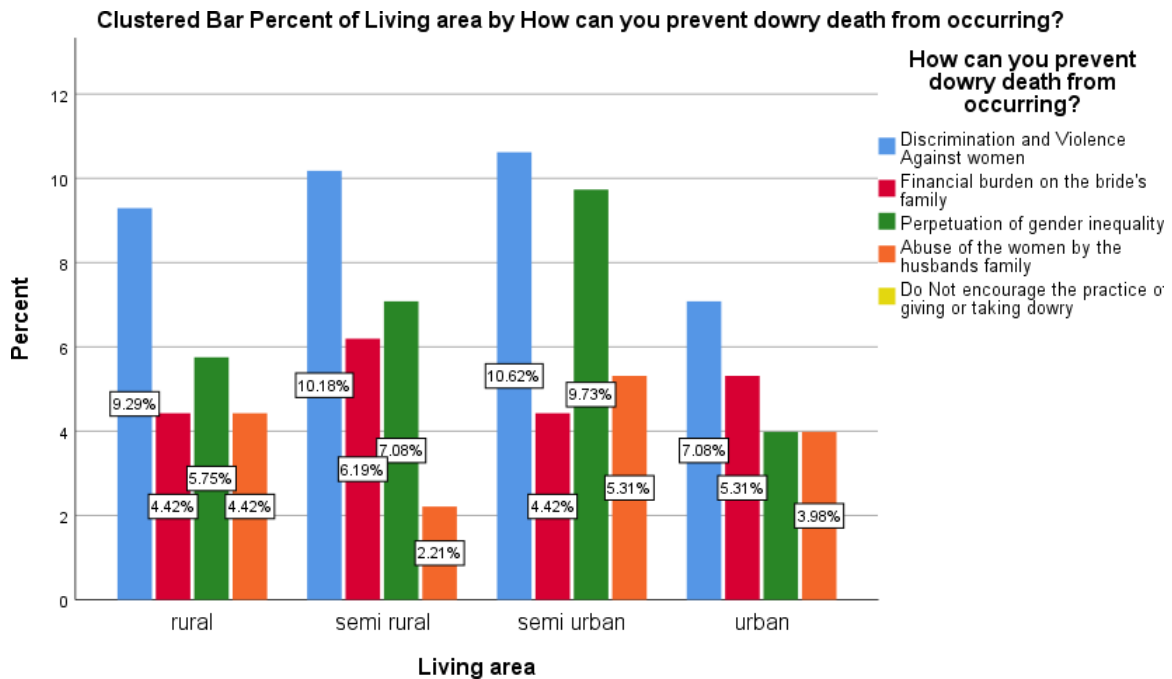
Clustered Bar Percent of Educational qualification by Rate on a scale of 1 - 10 how effective are the laws in preventing the occurrence of dowry in India.



Legend

Figure 10 represents the percentage analysis of the sample population between the opinion on rating in a Scale of 1 to 10 on our effective are the laws in preventing the occurrence of dowry in India and educational qualification.

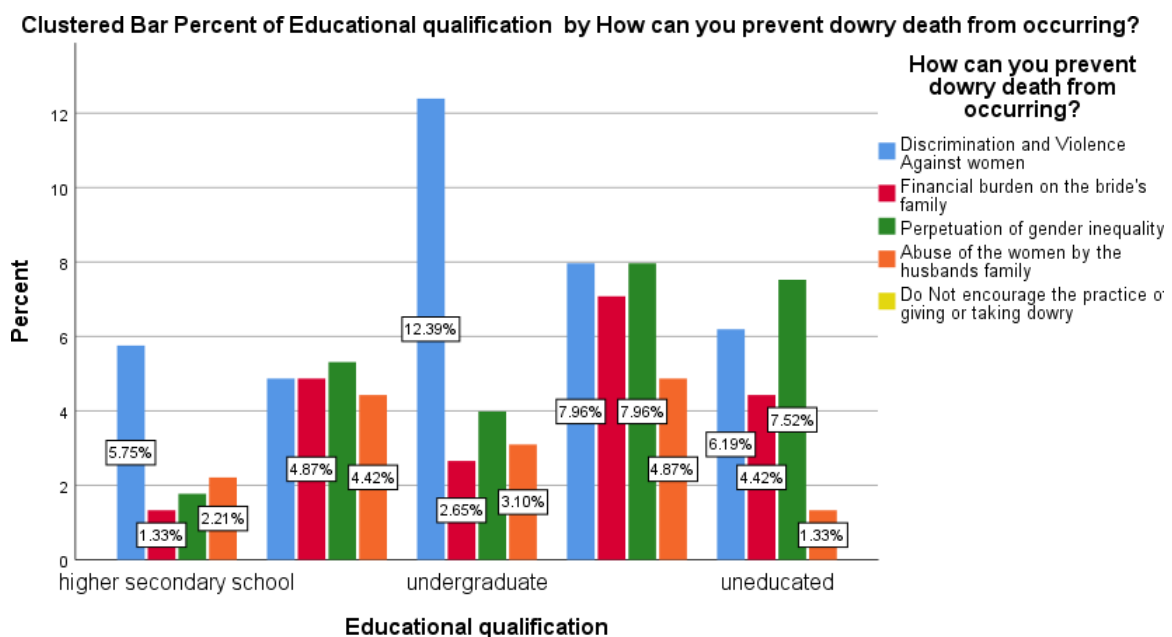
Figure 11



Legend

Figure 11 Represents the percentage analysis of the sample populations opinion regarding on how can they prevent the death from occurring and living area

Figure 12



Legend

Figure 12 Represents the percentage analysis of the sample population's opinion regarding how they can prevent the dowry death from occurring and educational qualification.

Table 1

Chi- Square Tests

	Value	df	Asymptotic Significance (2- sided)
Pearson Chi-Square	118.798 ^a	16	.000
Likelihood Ratio	97.380	16	.000
Linear-by-Linear Association	3.363	1	.067
N of Valid Cases	225		

a. 8 cells (32.0%) have expected count less than 5. The minimum expected count is .98.

Legend

Table 1 represents the chi square test based on the sample population of the survey on how they can prevent the dowry death from occurring and educational qualification.

Tables 2

Correlations

Spearman's rho	4. AGE	Correlation Coefficient	1.000	.032
		Sig. (2-tailed)	.	.633
		N	225	225

What do they think are the effects of dowry on society?	Correlation	.032	1.000
	Coefficient		
	Sig. (2-tailed)	.633	.
	N	225	225

Legend

Table 2 shows the Correlation result from the sample populations opinion regarding what do they think are the effects of dowry on society and age .

Table 3

Anova

Sum of squares	Df	Mean square	F	Sig.
Between groups	3	3.130	3.262	.022
Within groups	221	.959		
Total	224			

Legend

Table 3 shows the ANOVA result from the sample populations opinion regarding Agreeability of the statement that Any man who makes dowry a condition to marriage is discredits his education and his country and occupation.

Table 4

Independent Samples Test

Levene's Test for Equality	t-test for Equality of Means
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of
Variances

			Sig.		df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
			t						Lower	Upper
Gender.	Equal variances assumed	1.863	.175	-2.440	130	.016	-.708	.290	-1.283	-.134
	Equal variances not assumed			-2.378	90.508	.020	-.708	.298	-1.300	-.117

Legend

Table 4 represents the independent sample T test for the sample population's opinion on whether you are aware that kerala is the state were highest case of dowry is recorded and marital status.

RESULTS:

In Figure 1 around 818.69% of people living in semi rural areas are unaware that Kerala is the highest state where dowry is recorded.**In Figure 2**, around 13.70% of people from the age group of 21 to 30 are strongly advised Kerala state while highest case of dowry is recorded. **In Figure 3**, around 22.2% of married people are aware that Kerala is a state where the highest case of dowry is recorded. **In Figure 4** around 7.96%. The people who are postgraduates agree that any man who makes the area condition to marriage discourages his education and his country.**In Figure 5**, around 6.64% of people who are self-employed agree with the same statement. **In figure 6** around 18.14% of married people think. That discrimination and violence against women affects the

society. **In figure 7** around 6.1% of females think that perpetuation of gender inequality is one of the main effects of dowry on society. **In Figure 8**, around 13.72% of people from the age group of 4150 believe that discrimination violence is one of the main effects of dowry on society. **In Figure 9** around 15.4 and percent of people who are self-employed rate 5 on how effective are the laws in preventing? The occurrence of dowry in India. **In Figure 10** around 9.29% of people who are undergraduates. rated 5 for the same statement. **In figure 11** around 10.62% of people from semi urban state the discrimination and violence against women helps in preventing dowry death from occurring. **In figure 12** around 12.39% of the percentage of undergraduates state that discrimination and violence against women is one of the main ways to prevent dowry. **In table 1** when the chi square value is 0.00, that alternative hypothesis is accepted. **In Table 2**, the chi square value is .633 There's a null hypothesis accepted. **In table three**, the ANOVA value is. 0.22 thus alternate hypothesis accepted. **In table 4** sig value is point 0.166 plus alternate hypothesis

DISCUSSIONS:

In figure 1 Most of the people living in urban areas are aware about this fact that Kerala is the highest state where dowries are recorded because they are aware about current affairs and people as we start ageing. They become highly aware of the current affairs that Kerala has the highest case of dowries recorded. **In Figure 3**. Married people tend to have more knowledge with regards to dowry when compared to unmarried people. **In figure 4** people, as they start getting educated, they are more aware of how cruel dowry is and how it discredits the society and education system. **In Figure 5**, as people start getting the occupation, they realise the value of money and how it is exploited through York dowry. **In figure 6** married people will know the effects of the urban environment compared to unmarried people. **In figure 7**, females think that. Discrimination and violence against women is one of the main factors that

affects the dowry system. **In Figure 8** As they age, they start becoming aware of the effects of dowry in our society. **In Figure 9** homemakers are actually rating 5 because they're well aware of the effects of dowry. **In Figure 10** People as they start studying. PPG and other higher education. They know how effective the laws are there in our country to prevent dowry cases. **In Figure 11** People from rural areas, you know how dowry can be prevented from occurring. **In Figure 12** people as they get educated, they know how to prevent the occurrence of dowry. **In table 1** we can see that there is no significant association. As people start getting educated, they start realising the value of preventing dowry. **In Table 2** Adulterated hypothesis is accepted because as people start ageing, they know the effects of dowry. **In Table 3** As people get into more professionalised operations, they start realising that any man who gets dowry brings discredit to the society. **In Table 4** As we can see that kerala has stayed the highest case of ground is recorded and married people are more aware of it.

LIMITATIONS:

The Major limitation of the study is the sample frame. The restrictive area of sample size is yet another drawback of the research. Collection of data via online platforms is limiting the researcher to collect data from

the field. Since the data is collected on online platform and the survey conducted wherein the respondent is not known, the original opinion of the respondent it is not found, The researcher could only come to a approximate conclusion of what the respondent is feeling to convey in the survey.

SUGGESTIONS:

The dying declaration which is a substantial piece of evidence always contradicts with a statement of connected persons. Forensic evidence is also generally helpful it would be better if experts are brought to the victim at sight of occurrence. Inordinate delay in medical reports. They should Educate their daughters. They should Encourage them to have their own career. Most importantly they should teach them to be independent and responsible. Many young women can be saved from cruelty, harassment and unnatural deaths if they are insulated from the source of violence in proper time. Such recourse cannot be done or not possible due to traditional constraints. Despite the ill-treatment, some parents advise their daughters to keep staying with their husband and his relatives which sometimes result in avoidable tragedy.

CONCLUSION :

From the survey and analysis, I conclude my research that the dowry deaths have increased in the past few years after the implementations of a few governmental initiatives in order to ensure and maintain women safety in the society. Any forensic analysis and medical results evidence can be easily fabricated by inducing the medical experts and professionals. So in order to ensure the proper evidence the court should carry out the medical evidence procedures in a very private and more confidential way. Dowry death is a social curse which is a burning issue in Indian society. Organised approach by women welfare organisations , police, public servants and judiciary by applying deterrent punishment for dowry deaths culprit. It can be observed that the government of India along with Indian judiciary makes co-operative and supportive laws to safeguard the life interest and dignity of women and provide further justice to the victim of harassment or cruelty by husband and his relatives. Change in education system led to an improvement in the education status of females and door to door employment service will lesser down dowry deaths. Still, certain corrective measures need to be adopted to eradicate or at least curb this social menace of dowry death, but most importantly it needs a public will and commitment to shun away materialistic greed of dowry demands. Change in education system led to an improvement in the education status of female and door to door employment service will lesser down dowry deaths. Still, certain corrective measures need to adopt to eradicate or at least curb this social menace of dowry death, but most importantly it needs a public will and commitment to shun away materialistic greed of dowry demands. In cases to curb the rate of dowry deaths, harassment or cruelty more female police personnel should be inducted so available in a situation relating to unnatural deaths of women. In the interest of proper investigation and justice, the investigation cannot be done below the rank of assistant commissioner. Punishment for abetment of suicide must be raised to up to seven years. A rational and practical approach to the above-mentioned matter will certainly be helpful.

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