
DOWRY: A SOCIAL EVIL ROOTED IN SOCIETY

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ABSTRACT

The practice of dowry is illegal in the Indian subcontinent. From a tradition to a tragedy, there is a huge transformation in the context of dowry. Many manuscripts accept women as a prestigious creation. But as time goes on, there is an increase in male dominance. The parents themselves won't allow girl children to stand economically or financially independent. If the girl child is born, then the family thinks it is a symbol of a curse, they establish child marriage under 18 by stopping the girl children education. Some people even abort the female child.

This dowry system oppressed women in daily life. And this should be eradicated from the society. India has a very strong legal framework to eradicate dowry, but it was not sufficiently effective. When a law becomes effective, the society automatically gets fear of law, and authorities must follow the law strictly before the social evil is rooted deeply in society. It also suggests various ways to eradicate dowry from society to make India an anti-dowry society.

Keywords: Dowry system, social evil, Gender inequality, Women's rights, Dowry prohibition, financial burden, Dowry death, Cultural practice, Anti-dowry society.

INTRODUCTION

Dowry is one of the social cultures followed from ancient times; now it has become a social evil in society. Traditionally, a dowry is a voluntary gift, but now it has changed into a demand that affects the bride's family. The dowry practice devalues women and treats them like a liability rather than an asset. Dowry is considered a token of love for the bride from her family to support her new life. Even though India has made significant progress in law and awareness of dowry, the society has not changed because of old beliefs that they follow. The dowry is deeply rooted in society; the problem is not just a legal issue; it reflects a large attitude towards women in marriage and equality. Therefore, it is important to study the right against dowry and how it affects society. Understanding this concept helps to end dowry in society.

HISTORICAL OVERVIEW

Many ancient manuscripts discuss women in India. The majority of gods were women, and brides have the right to select their groom through Swayamvar. When we talk about the Ramayana, Rama lifted a Shiva Dhanush to prove that he is eligible to marry Sita. Our society gives various rights, like political rights and business rights, but our culture insists that women depend on men. In today's world, we see groom families asking for dowry as a demand, which has led to gender discrimination and suicide. But originally, dowry was not a brutal practice. Around 3500 BCE, the concept of dowry was established in ancient civilizations, including Mesopotamia, Greece, Rome, and parts of South Asia, including India. In Mesopotamia, the practice of dowry originated around 5,500 years ago.

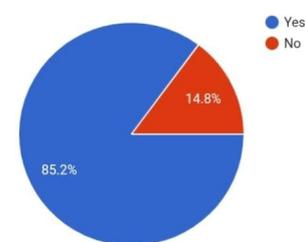
During the Vedic age, dowry was generally a Sridhana for a woman's financial security, according to the Manusmriti, known as a woman's wealth. Dowry is generally managed by women; for women during an emergency situation, a widow can use her dowry as her security. But in the Medieval period, it was demanded by the groom's family, and it was also considered a symbol of prestige. According to the colonial period, many changes were held in the dowry system, which strengthened and worsened the dowry system. The British introduced many laws and rights that favoured the male heirs. Dowry became financially negotiable in the colonial period; educated men in government jobs were seen as highly valuable, so brides' families offered gold, land, furniture, and cattle to find a good match. In the post-independence era, to protect women from dowry practices, the government of India introduced the Dowry Prohibition Act of 1961.

HOW DID DOWRY START IN INDIA?

When there was a natural calamity that happened in a place, the people migrated to another place. In 1793 Lord Cornwallis introduced the permanent settlement of Bengal, which enabled the privatization of land. This system enables men to become landlords. The British prohibited women from owning land and suppressed their property rights. Thus, zamindari landowners demand larger dowries to get their daughters into wealthy families. Families with bad financial conditions even disagree with the idea of dowry, but considering their daughters' life, they abide by dowry. So, dowry was only introduced as a gift; later, it became a demand due to historical changes, cultural changes, economic changes, and becoming a social evil in India.

AWARENESS OF LEGAL PROVISION

According to the survey, 14.8% of people are unaware of what legal provision eradicates dowry and what remedies a woman can claim when she is affected by dowry. Let's dive into the legal world to know our rights against dowry.



Dowry Prohibition Act, 1961

"According to the Cambridge English dictionary, the dowry is an amount of money or property that a woman's parents give to the man she marries". Dowry is illegal in India. It is a cognizable offense when a man demands dowry from the bride; the authority can directly arrest even without a warrant, and also it is a non-bailable offense; the one who demands dowry has no right to bail. Under section 4, demanding dowry is a punishable offense. According to Section 3 of the Dowry Prohibition Act, the man who demands a dowry will be punished with imprisonment for 5 years and also levied 15000. Any agreement insisting on agreement for dowry is void and unenforceable under section 5.

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Nowadays dowry has been normalized. If such violence is hidden and dismissed from society and considered a private matter, dowry death has occurred. Those deaths were entitled under Section 304 B of IPC and Section 80 of BNS. If a woman died by burns, injury, or suspicious circumstances within 7 years of marriage, then the husband will be punishable for about 7 years and more. According to the National Crime Records Bureau (NCRB), in the years 1960-2008,

in rural areas, around 40,000 marriages were registered, and 95% were dowry-paid marriages. In the years 2017 and 2022, 6100 murders happened with the main motive of dowry. Under Section 498A of the IPC and Section 85 of the BNS, entitled "The Cruelty of Husband and His Relatives," this is punishable with 3 years' imprisonment along with a fine. The cruelty includes wilful conduct, physical harm, emotional harm, or harassment with unlawful demands.

Indian Evidence Act, 1872

According to Sec 113 B of the Indian Evidence Act, entitled "Presumption of Death," *"According to the Cambridge Dictionary, the presumption is the legal term for the fact of believing something as being true."*

Constitutional Perspective

The birthplace of dowry is gender stereotypes. Women are weak, and men are strong. Women should cook, and men should earn. These myths make women even weaker. So, they are dependent on men for everything. This creates gender discrimination. But our constitution of India prohibits gender discrimination under Article 15, prohibition of discrimination based on sex, place of birth, religion, race, or caste. Though our constitution promotes an anti-dowry system in the Indian subcontinent through Article 14, which states that everyone has the right to equality, and Article 21, which insists on the right to life and personal liberty.

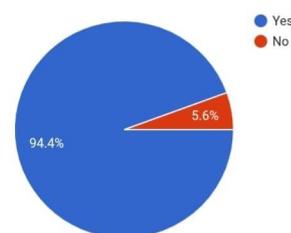
SOCIAL IMPACT OF DOWRY

The dowry system applies directly towards the women, which itself reveals the gender inequality. The dowry system strengthens the idea that women are financial hardships; it may cause people to think daughters are liabilities and sons are assets. Which causes the mindset that sons are more valuable than daughters, which leads to gender discrimination. Thinking of daughters as a financial burden leads to female foeticide and infanticide; it leads to sex-selective abortion, female infanticide, and skewed sex ratios in many regions. It increases child trafficking and child marriage due to a shortage of women.

The dowry system causes financial burden towards brides' families; they feel forced to give gold, money, vehicles, or expensive gifts during marriage. Many of the families were in severe debt due to the concept of dowry. The brides' families were emotional and under psychological

stress if they could not afford the dowry. Demand of the dowry often continues after the marriage, which causes the women to face emotional abuse and physical violence; in extreme stages, it may also lead to dowry death, women being harmed if they fail to meet the dowry demand. The marriages were considered emotional unions; due to the dowry system, they changed into financial deals. Nowadays, marriages have become material transactions; the bride's family judges the groom's family by their market value, and the groom's family judges the bride's family by the dowry.

Communities often pressured the bride's family to give more dowry to maintain the good status and reputations. The bride's families considered the dowry a symbol of social prestige and their social status. Dowry became social pressure and prestige competition. According to our Google Form report, 94.4% of



people only have knowledge about dowry, and around 5.6% are unaware of dowry and its effect, majorly in rural areas. *“Awareness of dowry is crucial to breaking the cycle of abuse, harassment, and inequality that the practice perpetuates in societies where it is prevalent.”* Without the awareness of dowry, they still continue this as tradition and custom. *“Key message for awareness campaigns: Dowry is a form of gender-based violence. No woman should be treated as a commodity in exchange for money or a gift. Dowry causes financial instability for the bride’s family.”*

CHALLENGES FACED BY WOMEN IN THE CONTEXT OF DOWRY

The dowry system leads to many problems for women before marriage, during marriage, and even after marriage. If the dowry given by the bride’s family is less or not even given, the bride faces different difficulties in marriage. Dowry is prevalently considered as social prestige by many grooms and their relatives. Though they forced the bride’s families to pay the dowry compulsorily, or else they harassed the women to pay off the dowry. Women are generally harassed through various forms like mental or emotional harassment, physical harassment, or even to the extent that they have been murdered by the groom. One of the major myths among families is that when they pay a larger amount of dowry, the status of the bride will be increased. Before the 2005 amendment of the Hindu Succession Act, only males had property rights, and women were prevalently under male guardianship.

The major challenge faced by women is lack of freedom. Women can’t speak up for themselves

because the society may blame them rather than supporting them. Women face “social stigma”; if she breaks the marriage, she may be called problematic by the society, so women fear asking for help or speaking up for themselves. Due to the dowry system, the bride’s family suffers financially, so the bride feels pressure before the marriage; she feels she is responsible for the burden on her family.

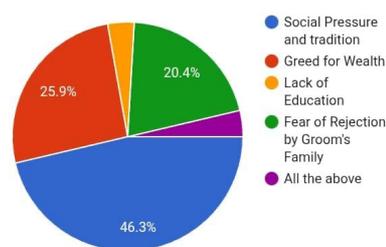
Let us see an example of a hospital advertisement; they stated, *"Better Rs.500 now (for female fetus abortion) is easier than Rs.500,000 later (in dowry)."* This existing dowry system creates fear of their girl child's life. This leads to the eradication of school education, the urge for early childhood marriage, and also economic dependence. The Sati system was abolished in 1829 due to inhumane activities and for moral reasons. Compared to the dowry system, it is also an act of oppression that happened to women. Though stricter legal enforcement on dowry demanders may save many innocent lives. **DR. B. R. AMBEDKAR**, in his speech, “strongly criticized dowry, calling it a practice that destroys women’s dignity. He said dowry takes away women’s freedom, forces marriage, and creates financial pressure on families.”

SUGGESTION

BUILDING AN ANTI-DOWRY SOCIETY

Let's Build a better society and hold our hands for dowry free society. Initially dowry is a stridhan for cultural heritage. But now it was demanding in a larger amount and exists due to the supply factor. Let us see an example of a two man, one man is unemployed with no financial background, who is waiting for the correct bride to get married who has a better financial background and well-settled family. Another man is from IIT or IIM who has the best financial background and well-settled family, and hundreds of women families approach him to get married. He chooses based on the amount of dowry they pay for their daughter.

According to our survey, around 46.3% of people feel that the parents are paying dowry due to societal pressure and tradition, 25.9% voted that dowry is due to greed for wealth, and 20.4% feel that dowry is payable by parents due to fear of rejection by the groom's family.



To eradicate dowry from society and to build an anti-dowry society, every parent should

educate their girl child and raise their boy child as a man. Parents should not select the groom based on income but should be based on moral values and ethical standards. The government and authorities should take extra care of dowry-related cases and strictly enforce the law. Finally, every human being, especially men, should change their mindset and consider women as an equal part of society, family, and life.

CONCLUSION

The dowry system, even though it started in ancient customs, has been transformed into a deep-rooted social evil in society, which affects women in today's generation. Dowry started as a voluntary gift from the bride's family to help newly married couples; later it turned into a demand. This practice often decided the women's dignity, future, and safety. Even though the law has a strong legal provision like the Dowry Prohibition Act, 1961. The practice is still surveyed because of the social pressure, gender discrimination, and the woman's value being tied to the dowry they give. The social impact of dowry causes financial burden to the bride's family, encouraging domestic violence. Even though dowry causes death, women face many problems like physical, mental, and emotional challenges. If the dowry demand is not fulfilled, they are often blamed, harassed, or abandoned. This violates basic rights.

For truly, eliminating the dowry in the society, legal provision is not enough; society must change its mindset, and society must promote gender equality, strengthening women financially and encouraging marriage rather than treating it like a material exchange. The problem against dowry is not a legal battle; it must be a social responsibility. Marriage must be based on mutual love, respect, and equality—"free from the shadow of dowry and the sufferings it brings."