



ISSN: 0975-833X

RESEARCH ARTICLE

DOWRY AS AN EVIL IN SOCIETY

***Dr. Ravi Dalawai**

Department of Sociology, Rani Chennamma University, Belgaum, Karnataka

ARTICLE INFO

Article History:

Received 24th September, 2013
Received in revised form
31st October, 2013
Accepted 02nd November, 2013
Published online 25th December, 2013

Key words:

Officially speaking,
Baneful grip,
Demand dowry.

ABSTRACT

Dowry is a good custom and practice for those who can afford it. But for the poor, it is a curse. The government has enacted many laws to check its misuse. Officially speaking, no parent or family can demand dowry. But still it continues to cast its baneful grip on society

Copyright © Dr. Ravi Dalawai. This is an open access article distributed under the Creative Commons Attribution License, which permits unrestricted use, distribution, and reproduction in any medium, provided the original work is properly cited.

INTRODUCTION

It is indeed a paradox of life that as the society achieves a higher level of material advancement, its moral values often take a plunge downwards. Hence we find such spectacular phenomena as the industrial revolution and hi tech development, existing sided by side with such maladies as terrorism, drug abuse and violation of human rights in a world poised for still greater material achievements in the 21st century Amongst the widespread moral aberrations which have blighted the modern society, is the rising crime against women, worldwide. In India violation of human rights of women take place in the form of rapes, molestations harassment and bride burnings, the last one being an appendage to the hated dowry system, one would have expected, that the imbuing of liberal, humanist and rational ideas via the modern education would have served to eliminate the gender bias found in our society since long. Obviously this has not happened and its most glaring example is the continuance and wide prevalence in the society of the dowry system an institution which has been bequeathed to us by the yester years mired in ignorance superstition and fatalism.

Objectives

Dowry system has been prevalent in almost all section of Indian society. Dowry system has eaten into the bones of our society. The birth of a daughter is no occasion of joy for the parents. A girl when become young is a burden on her parents. They have to face great difficulties in finding out a suitable match for their daughter. It is a problem to get her married in a

rich and respectable family without a decent dowry. Daughter of poor parents however beautiful and well education cannot be married to a rich men's son. Many girls commit suicide to save their parents from the evil of dowry.

The chief aims and objectives of this paper are

- Dowry is a evil in Indian society
- It is seen in all sections of society.
- There is no solution unless women mind to get rid of this situation
- Status of women must be improved to eradicate this evil
- Law can find some solace

MATERIALS AND METERIALS

The study surrounds the evil of dowry system. Its rampant nature to victimize women when she is given in marriage to an alien and the stranger treats this woman as piece meal for price and exploits as to bring money or kind. Since ancient times, the parents of the bride have indulged willingly in the practice of giving money and gifts at her wedding as a token. The serious form of so-called dowry system in India had developed into a full-fledged bargaining today and become the main issue of a girl's marriage whereas all other considerations of much more real value and importance like girl's family background qualifications, merits, etc. are altogether set aside. Due to the varying reasons such as status of boy's family, qualifications, merits, etc., the increasing demands made by the boy's parents are proving to be of a great burden to girl's parents, resulting into very late marriage, suicides by the bride or deaths due to bride-burning. Strong legislation, laws and women's movements, every attempt to resist it has been thwarted by the wide social sanction accorded to this illegal practice

Concept of the problem

Dowry is referred to the money, goods, or estate that a woman brings to her husband in marriage. The opposite direction, property given to the bride by the groom, is called dower or mahr. Normally the bride would be entitled to her dowry in event of her widowhood, prior to the evolution of her dower rights; so common was this that the terms "dowry" and "dower" are sometimes confused. As per the Dowry Prohibition Act (originally passed in 1961 and amended twice in the 1980s), dowry is defined as 'any property or valuable security given or agreed to be given either directly or indirectly by one party to a marriage to the other party to the marriage or by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person at or before [or any other time after the marriage] in connection with the marriage of the said parties' The dowry should not be confused with a bride price, money or goods paid by the prospective groom to the bride's parents in exchange for her hand in marriage. It should also be distinguished from dowry, which is the money obtained by a wife by filing false dowry case against the husband and his relatives.

Conceptualization

The dowry system is necessarily a social evil. It is prevalent in all parts of India and almost in all the countries of the world. Though many of the traditional customs have been given up, the custom of dowry has not merely continued, but also flourished over the years. The old age the dowry system was used as means for striking a good match. In due course dowry has become an integral part of the marriage institution and is generally accepted by the society as inevitable evil. It is the system of giving dowry to girls in marriage. It is in fact that portion of the parents wealth which they wish to give to the daughter. This helps the girls in question and the groom to start a home of their own. However, it is very sad that this custom has been vitiated in our times, and the system has become a menace, a social evil in our society. Even though a girl is educated. Let her be a doctor, a professor or even an I.A.S. Officer. Her parents have to arrange for dowries so that their daughters may get respect from their in laws. These who cannot do this must suffer their daughter to remain unmarried. On other hand, wealthy parents manage to buy suitable bridegrooms for their daughter. All this call for stringent steps to a enforce the ban of dowry. It is true that both the giving and receiving of dowry are illegal but these law is honored more in preach man observance. Perhaps dowry system is spreading fast like Cancer

Forms of demand of dowry

In fact, quite often, the greedy groom or his parents do demand gift in cash or kind such as a motor car, video, etc. which the girl's parents may not be able to fulfill. Then they are caught between the devil and the deep sea. Breaking off the wedding at the last minute brings infamy to the girl. Very often false, malicious stories are spread about her so that re-engagement and marriage becomes difficult. Often girls are driven to suicidal lengths because of the tension created by such a situation. Another technique adopted by the boys family is not to make unreasonable demands before the wedding, but harass

the girl after the wedding to induce her to request her parents to give the gifts they ask for. The girl is taunted at every step and her life is made a virtual hell until she can fulfill the unreasonable demands of her husband and in laws. Another ploy used by such uncouth people is to pack the bride off to her parents house and tell her to come back only if she can induce her parents to give more dowry.

Effects

- (1) Brides harassed so that they may bring more dowry from their parents.
- (2) Young girls commit suicide owing to it.
- (3) Young girls burnt by their in laws.
- (4) Sometimes unmarried girls commit suicide when they see parents worried.

Remedial measure to combat situation

Statutory measures

Section 498A of Indian Penal Code (IPC)

498A. Husband or relative of husband of a woman subjecting her to cruelty.—Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.

For the purpose of this section, "cruelty" means—

- (a) Any willful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or
- (b) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.

Cognizable offence

Two amendments enacted in 1984 and 1986 made dowry giving and receiving a cognizable offence. This means, a court can initiate proceedings upon its own knowledge or on the basis of a police report, even if the aggrieved person has lodged no such complaint. Gifts allowed : As per this law 'dowry' is forbidden but 'gifts' are allowed. The anti-dowry law cannot be invoked against the giving of presents at the time of marriage to the bride without any demand having been made 'provided that such presents are entered in a list maintained in accordance with the rules' as defined under the Anti- Dowry Act. Prescribed punishment: A person found guilty of taking or abetting the giving or taking of dowry, invites imprisonment for a term not less than five years and with a fine which shall not be less than Rs 15000 or the amount of the value of such dowry, whichever is more.

Other remedies

- 1.The important thing to be done here is to mobilize public opinion against it. Young men should refuse to take dowry.

2. every girl to be professionally educated so that she has the ability to earn before she is married. If she is working before marriage it would be even better, for being financially independent would make her self-confident. It would be easy for her to refuse greedy young men.

3. Teachers should have a classroom discussion, debate, speeches on campuses and schools about dowry

4. Finally, the real solution can only come if public opinion is strongly mobilized against the giving and taking of dowry. Till each individual regards it as an evil it would be difficult to root it out.

Conclusion

The young men and young women should rise to face this malady and root it completely. Mere laws cannot wipe out this slur on fair name of mother India where the women occupy a place of pride. Education has already weakened its vicious hold. More and voluntary organizations should come forward to better the lot of women in India. And the removal of dowry system should be the top on the agenda of social reform both in cities and in villages.

REFERENCES

1. Ludwik Sternbach, Hindu Woman's Right To Property (Past And Present), Review Author[S]: Journal Of The American Oriental Society, 1962, P.94 American Oriental Society
2. "Section 4- The Dowry Prohibition Act, 1961". Vakilno1.Com. Retrieved 2013-02-18.
3. "Section 3- The Dowry Prohibition Act, 1961". Vakilno1.Com. 1986-11-19. Retrieved 2013-02-18.
4. "Sushil Kumar Sharma Vs Union Of India And Ors On 19 July, 2005".
5. Venkatesan, J. (July 22, 2005). "Dowry Law Is A Shield, Not An Assassin's Weapon: Court", The Hindu.
6. "THE CODE OF CRIMINAL PROCEDURE, 1973". The publication division, New Delhi
7. "The Dowry Prohibition Act". Wcd.Nic.In. Retrieved 2013-02-18.
8. Madonna Rose Maidment Doing Time On The Outside: Deconstructing The Benevolent, Cambridge University Press 2011
9. Andrea Smith Native Americans And The Christian Right: The Gendered Cambridge University Press 2011
10. Shelley Pacholok - Into The Fire: Disaster And The Remaking Of Gender Cambridge University Press 2005
11. Victoria L. Bromley Feminisms Matter: Debates, Theories, Activism Cambridge University Press 2009
12. Charlotte Perkins Gilman The Yellow Wallpaper: And Other Stories Cambridge University Press 2008
13. Lisa Smyth the Demands Of Motherhood: Agents, Roles And Recognitions Cambridge University Press 2001
14. Susan Broomhall Women's Medical Work In Early Modern France Cambridge University Press 2003
