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Dowry Death: A Plague

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ABSTRACT

Dowry death, a societal sickness that has tormented Indian society, is the payoff of a wedded woman by her hubby or his cousins for failing to give a dowry. According to the National Crime Records Bureau, 7,634 dowry deaths passed in India in 2020 alone, despite the fact that the government has constantly enforced programs to guard women and their families.

In this study composition, we will dissect the causes and pretensions for reducing dowry deaths. The primary thing of this exploration study is to examine the origins of dowry and the laws governing dowry death.

This sickness is deeply hardwired in society's ideals and conventions. The causes of dowry death are ignorance, artistic pressure, men dominating society, and a lack of legal mindfulness. likewise, lax legislation and enforcement mechanisms allow the wrong to continue, with culprits getting down with it.

To reduce and help dowry deaths, one must address the root causes of dowry demand and importunity. This would number administering harsher laws and enforcement mechanisms, furnishing relief and protection to victims and their families, and raising mindfulness about felonious exertion. Eventually, a concentrated trouble is demanded to overcome the social morals and stations that motivate people to do similar heinous acts.

KEYWORDS: Dowry Death, Dowry System, Domestic Violence, Gender Inequality, Society, Societal pressure, Cultural norms, Economic factors, Education and awareness, Patriarchal value

INTRODUCTION

Dowry deaths are the murders or self-murders of wedded women as a result of dowry controversies. Dowry losses are current in India. This composition will concentrate on the dowry system, which is believed to be the primary cause of these deaths.

The dowry system, which is rooted in literal traditions and intended to cover a woman's fiscal well-being, entails the bridegroom's family giving considerable presents or riches to the bachelor's family throughout the marriage. The system constantly leads to exploitation, buttressing the belief that a woman's worth is determined by her riches, and it can indeed affect in abuse or violence when prospects are n't met.

The dowry system is appertained to as Jahez in Urdu and Dahej in Hindi¹. It requests that the bridegroom's family shoot precious means, similar as plutocrat or property, to the bachelor's family as dowry for the marriage. This tradition has placed a significant fiscal cargo and strain on the bridegroom's family, performing in a variety of enterprises similar as emotional abuse and indeed the murder of women.

The Indian dowry system, while historically anchored in artistic customs, has evolved into a complex socioeconomic issue with serious ramifications for women and families.

HISTORICAL BACKGROUND

Dowry has its origins in ancient societies and was firstly intended to secure a bridegroom's future and well-being. It was particularly popular in pastoral communities because it handed profitable security.

Bridewealth and dowry are distinguished in ancient literature similar as the law of Manu, with dowry valued more and associated with upper gentries, whilst bridewealth is associated with lower gentries.

During the Vedic time, women had property rights, and dowries were intended to guard misters from abuse by their misters.

¹ Waheed, Abdul (February 2009). "Dowry among Indian muslims: ideals and practices". Indian Journal of Gender Studies. 16 (1): 47–75. doi:10.1177/097152150801600103. S2CID 142943653

The Stridhan idea, or a woman's property, evolved, allowing women to maintain power of gifts attained upon marriage. Dowry has its roots in Hindu literature similar as the Vedas, where it was first substantiated as a form of homage or gift.

The British social period deeply told the system of dowry. The programs of Lord Cornwallis in 1793 privatized land, denying women power. During the 19th century, British colonialism increased the practice of dowry indeed more.

The British came up with legislation that conceded women's rights to inherit property and criminalized the act of misters appropriating their wife's property without her agreement.

But these laws also created the belief that women's property rights had to be repaid with dowry payments. The dowry system further increased in significance during the 20th century, and in many cases, it came a primary cause of conflict between families.

Firstly perceived as a means of protection for misters, dowry has evolved into a social norm that generally subjects the bridegroom's family to extreme pressure.

Dowry demands have risen over the times and have been giving rise to numerous social problems, including women's violence and lesser fiscal pressures on families.

WHAT ARE THE CAUSES THAT LED TO DOWRY SYSTEM?

The dowry system in India arises as a result of a number of societal immoralities that are forcefully ingrained in tradition and culture. Beginning with the patriarchal nature of Indian society, in which women are perceived as burdens and men as breadwinners, dowry is viewed as recompense for giving away daughters.

1. Dowry demands reflect society's collaborative rapacity. highway robbery in the sake of social status, payment for the bachelor's council costs, and fiscal security are all part of Indian marriages. Demands are made openly and should be met with silence. pitfalls of withdrawing from the offer hang over the bridegroom's family's heads at the threat of losing face. However, the marriage ends poorly for the women If their demands are n't met .
2. the patriarchal character of the Indian society in which men are superior to women in physical and internal capacities, In the background of such a structure of society, women are viewed as alternate- class citizens, able of embracing only tamed places. These comprehensions are cause of women being treated as a burden in profitable terms first by the father and also by the hubby. These causes led to violence and abuse towards women.
3. additional to the same religious backgrounds, restraints are placed on the basis of caste system and social status. Desired matches must be of the same caste, different clan and same or higher social levels. These restrictions again drastically reduce the pool of marriageable men resulting in the same effects for insisting on dowry. This leaves women dependent upon their husbands and in-laws, who keep the dowry when she marries.²
4. the lower social status of women in Indian society is so hardwired in the country's psyche, that this exploitation of them as goods is taken for granted, not just by the family but also by the women themselves. When marriage is considered the ultimate success for women, similar ill practices like dowry find roots deeper in the society.
5. Lack of formal education contributes to the frequency of dowry systems. One of the primary reasons for the common dowry system is the bridegroom's and her family's ignorance or lack of knowledge about the current laws proscribing dowry. numerous women are designedly barred from attending academy, either due to superstitions or because people sweat that girls' education will lose them of their eventuality as good women.
6. All of them are ignorant of their rights and laws because they warrant farther education and hence follow whatever their grandparents leave before. Indians have a deep respect for traditions and do not question customs. They blindly follow conventions and pay dowries because it is a generational habit. Women are forced to adhere to these conventions, even if they are uncomfortable with them. Dowry is, in most circumstances, a means of demonstrating social rank in our country. One's social status is typically determined by how much money one spends on their daughter's wedding or how much gold one gives them. This viewpoint strongly justifies the practice of dowry demands.
7. Many people are unaware of anti-dowry legislation. The Constitution has enacted various measures to safeguard women from such an unjust system. Laws like the *Dowry Prohibition Act of 1961* and the *Protection of Women from Domestic Violence Act of 2005* have been around for a long time. These rules are not successfully implemented due to widespread participation of people in the name of ignorance.

IMPACT OF DOWRY SYSTEM

The above widespread causes are enough to cause extensive and irreversible effects. Some of the **effects of dowry system** are mentioned below.

² Majumdar, Maya (2005). *Encyclopaedia of Gender Equality Through Women Empowerment*. Sarup & Sons. p. 74. [ISBN 9788176255486](https://doi.org/10.1007/978-81-7625-548-6).

Injustice towards girl child –The dowry increases with the girl's age, encouraging the practice. Dowry throws a significant fiscal strain on the bridegroom's family. As a result, a girl child is considered as a possible drain on the family's fiscal coffers, and therefore a burden. This mindset manifests itself in enormous proportions in the form of infanticides and feticides against womanish children. Infanticide among ladies has been related to the purposeful murder of baby girls by parents or close family members as a trouble to pay dowry upon her marriage, as well as misters hanging to murder their girl if they failed to pay dowry.

Girls are barred from areas of training where boys in the ménage are given precedence. They're subordinated to a variety of restrictions in order to save family honour, and they're unfit to leave their house. Child marriages continue to dominate because age is used as a criterion of purity. It also occurs because youngish girls are allowed to be more fluently molded into ménage places than aged girls.

Violence against women – The husband's family makes incessant demands and view the girl's family as an endless money tree. Unwillingness by the girl's family sometimes results in word abuse, violence in the domestic sphere and deaths. Repetitive physical and mental torture drives women to fall into depression and take their own lives.³ 2016 statistics show that in India, 20 women lose their lives Every day due of dowry. According to NCRB data, dowry fatalities rose from almost 19 per day in 2001 to 21 per day in 2016.

As of 2019, more than 7.1 thousand dowry fatalities had been reported in India. According to National Crime Records Bureau (NCRB) 2019 IPC case data, a woman becomes a dowry death victim in roughly.

Inequality – The conception of paying a dowry to marry a girl reinforces gender inequality, inferring that men are superior to women. youthful ladies are denied training, although their sisters are given it. They're perceived as unable of handling jobs other than ménage chores, and they're frequently discouraged from pursuing employment. According to the data, from 2013 to 2017, roughly 460,000 girls in India were missing at birth each time.

In places like Haryana and Rajasthan, where similar practices are most current, the CSR is 830 ladies for every 1000 boys.

This leads to uncommon actions similar as polyandry and increased violence against women.

India's child coitus rate and coitus rate at birth have remained significantly lower than optimal situations, owing incompletely to a preference for manly children in numerous places.

In 2015 and 2016, Haryana's coitus rate was 833 ladies to 1,000 males. States like Uttarakhand also fare worse on the measures of coitus rate.

Loss of tone- regard in women – It's extremely delicate for women to maintain a high degree of tone- regard in a nation that has endured decades of demarcation against them. Women are, of course, constrained by the notion that they're unfit to make any benefactions to society. Their tone- regard plummets, and they come more and more tyrannized by injustice. Women generally have lower tone- regard than men of the same age because they witness demarcation so beforehand in life. They've been mingled to believe that they're monstrous because they're a burden to their families. They generally have a lower status.

LEGAL PROVISIONS REGARDING DOWRY

Dowry Prohibition Act was enacted on 20th May, 1961 with a purpose to root out the evil practice from the society. The act not only pronounces the practice of receiving dowry illegal but also imposes penalizing giving of the same.

Dowry Prohibition Act, 1961

On May 1, 1961, Indian law was passed with the intention of outlawing the giving or receiving of dowries.

Any property or valued security that is provided or agreed to be given, either directly or indirectly, is referred to as dower in this act.

The inability to meet dowry expectations was still used as the reason for some forms of violence against women. Gifts given to a bride or groom on the occasion of a wedding are allowed, according to an amendment made in 1984.

To protect female victims of dowry-related violence, the act and relevant parts of the Indian Penal Code, 1860 were further revised.

According to the law, a record of every present, its worth, the identity of the giver, and their connection to either spouse must be maintained. In 1983, the IPC was further modified to include specific offenses such as abetment of suicide, dowry-related cruelty, and dowry death. These laws penalized violence committed by spouses or family members against women by their husbands or relatives wherever there was proof of dowry demands or harassment.

In 2005, the Protection of Women from Domestic Violence Act was passed, adding yet more protection.

According to Section 3 of Dowry Prohibition Act, 1961⁴, The penalty for defying the anti-dowry law is up to 5 years of imprisonment and a Rs. 15,000 or dowry-value fine, whichever is higher.

³ Ghosh, Biswajit (1 July 2013). "How Does the Legal Framework Protect Victims of Dowry and Domestic Violence in India? A Critical Review". *Aggression and Violent Behavior*. **18** (4): 409–16. doi:10.1016/j.avb.2013.04.002.

⁴ "The Dowry Prohibition Act, 1961". Archived from the original on 15 May 2015.

Provisions of Dowry Death under IPC and IEA

Indian Penal Code, 1860

Section 304 B:

Where the death of the woman is caused by any burn or fleshly injury or else than under normal circumstances within seven times from the date of her marriage and it's proved that soon before her death she was subordinated to torture or importunity by her hubby or any relative of her hubby for, or in connection with, any demand for dowry, similar death shall be considered as 'dowry death' and similar hubby or cousins shall be supposed to have abetted her death.

Whoever causes dowry death shall be penalized with imprisonment for a term which shall not be lower than seven times, but which may extend to imprisonment for life.

Husband or relative of hubby subjugating women to atrocity(*section 498- A*)

Any person being the hubby or the cousins of the hubby of a woman subjugating similar woman to atrocity shall be punishable with imprisonment for a term which may extend to three times and shall also be subject to fine.

Indian Evidence Act, 1872

Section 113B deals with the presumption as to dowry death. It states that if a woman dies concerning any demand for dowry and it was shown that soon before her death she was subjected to harassment or cruelty by any person. Then the court will assume such a person responsible for her death.

STATISTICS OF DOWRY DEATH

Dowry deaths are deaths of wedded women who are boggled or driven to self-murder because of dowry issues. Dowry deaths are common in India, Pakistan, Bangladesh, and Iran. womanish dowry deaths constitute 40 to 50 percent of all womanish homicides reported every time in India, and it's a patient trend for the period from 1999 through 2016. Pakistan has an estimated rate of about 2000 dowry deaths per time. In environment, dowry are the palpable gift that the misters offer to the party of the bachelor at the marriage. India has the loftiest total number of dowry deaths with 8,391 dowry deaths in 2010, which is original to 1.4 deaths per 100,000 women.

The dowry system in India involves payments in the form of capital, durable goods, property among others, paid to the bride by the family of the bridegroom as a demand for marriage. In 2022, India had reported dowry death cases totaling close to 6.4 thousand. This was a slow decline from the 2014, where this figure was close to 8.5 thousand.

Kamesh Panjiyar vs State of Bihar, 2005,

Rajinder Singh vs State of Punjab, 2015,

Kerala dowry death case are famed case laws of dowry deaths and yet numerous further are passing.

WHAT ARE PREVENTIVE MEASURES?

Neither accept nor offer dowry under any condition. According to Indian law, both the giver and receiver of dowries are inversely punishable by forfeitures and imprisonment. Desist from tutoring your daughters that silence will insure her marriage is a success. Organize mindfulness in your position against dowry. Be attentive to any new or suspicious injury,

bruises, or illness in a girl once she gets wedded. Don't overlook any hints of physical and emotional abuse. Be apprehensive of implicit red flags, particularly in case your son keeps demanding an enormous sum of plutocrat formerly married.

Please be watchful and watch out for warning signs of a new bridegroom/ girl tortured in your neighbourhood. Take immediate action by waking the family or the original authority before it's too late. Make your son independent and confident rather of viewing her as a burden. Invest in her studies, not in her marriage.

CONCLUSION

Dowry death is a serious and longstanding social wrong which continues to fuel gender violence and demarcation against women in India. In malignancy of the vacuity of laws and programs to abolish the practice, dowry deaths keep passing at a shocking rate.

In order to forestall dowry deaths, there's a need to enhance laws and enforcement, produce mindfulness and education on the illegality and discipline of dowry, and help and cover victims and their families. In addition, grueling and transubstantiating societal morals and values that support gender inequality is vital. The causative factors behind dowry death similar as societal pressures, profitable requirements, and patriarchal mind- sets have to be dealt with through an integrative and multi-dimensional strategy. In addition, diving the profitable and social causes of dowry demand is critical.

This may include encouraging education and job openings for women and fighting the patriarchal beliefs that support the dowry system. Eventually, barring dowry death involves a combined trouble from citizens, society, and the state to accept the natural value and worth of women's lives and to strive for the creation of a just, indifferent, and violence-free society. Eventually, ending dowry death is a collaborative trouble by the people, society, and the government to value and admire the essential worth and quality of women's lives and to strive towards a just, indifferent, and violence-free society.

Together, we can make a better future for Indian women and help any farther loss of life to this avoidable and senseless act of violence.