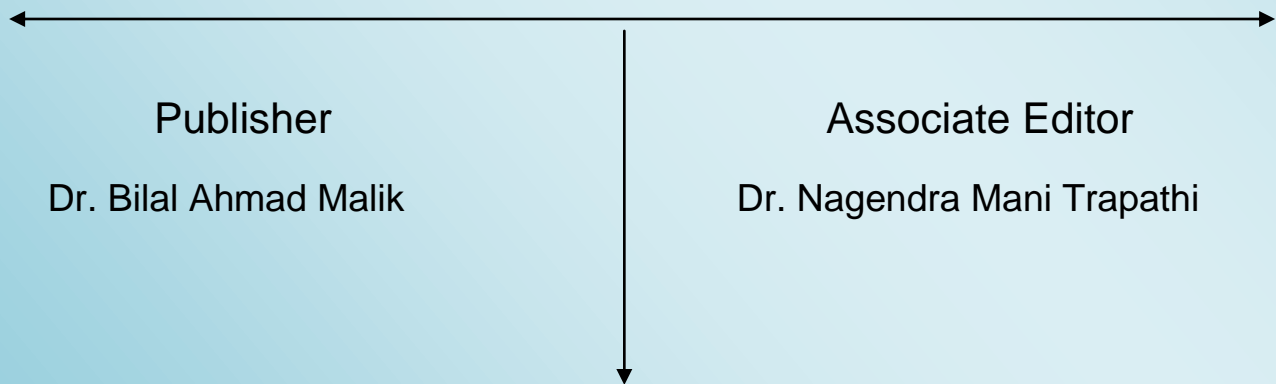


North Asian International Research Journal Consortium

*North Asian International Research Journal of
Social Science & Humanities*

Chief Editor

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NAIRJC JOURNAL PUBLICATION

North Asian
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ISSN NO: 2454 - 9827

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DOWRY SYSTEM IS PROBLEMS OF WOMEN IN SOUTH INDIA

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INTRODUCTION

India is a country where women have been worshipped and crucified at the same time. The gender bias surrounds them all through their lives, making them virtually lesser human species and second-class citizens. Bulk of our women is denied basic human rights just because they happen to be women.

Much has been said about the condition of women in free India. Statesman, politicians and women who spend their time in social service and women's organizations have been talking day in and day out about the appalling state of women in our country. While comparing with the foreign country is the position of women in our country is still in a very lower level. Women are subjected to many evil practices.ⁱ

Almost every day the newspapers give depressing reading and shock the conscience of the readers by the news of the barbarities committed on the brides by their husbands and in-laws. Invariably the lack of dowry is the root cause behind these heir raising actions.

Several explanations are given for the prevalence of the dowry system. Some trace it to the custom followed by many kings of the past and princely chieftains when they gave away their daughters in marriage. It was felt that the life of the daughters should start on a convenient and happy note. So when they were sent to their father-in-law's house they were given large gifts.ⁱⁱ The kings or prince or the aristocratic classes wished to give their daughters a gift that would be consistent with their own dignity and status. The motive behind giving dowry to girls was to ensure the happiness to them in their new homes. This settlement was a revelation of a natural affection of a father towards his daughter. But in later times the practice took a new turn.

Every father has to run about in search of suitable match for his daughter. He has to arrange to pay huge sum of money as dowry to an eligible young man who agrees to accept his daughter in marriage. Of late two factors have entered the matrimonial market. The first is the competition in social status and prestiges of the girl's

parents. The other is the greed avarice so common among the prospective boys and their parents. Had it remained limited to the wealthy society which would have not been much affected. But the infection has spread to the rich and the poor alike in almost all communities.

Greed for money and wealth thus perpetuates as evil. To a certain extent the girls themselves are responsible for this. The admirable qualities of obedience, tolerance and patience prove to be disadvantages to them under these conditions. They dare not oppose these under practices and refuse to yield to the demands. In the case of the boys would have protested to their father and even fought their liberty in matters like getting a scooter and other things.

To-day, the dowry system has become a social evil. Avaricious vultures ill treat their daughter-in-law in many ways. There are a number of what have come to be known as dowry deaths. Girls are tortured, sent back to their parents, and are refused readmission into their father-in-law's house if they come back with the demands unfulfilled. Newspapers report cases of many young girls being burnt at the later of dowry, at a time when they should begin their life in happiness. Tortures and deaths connected with this system have become common place. Several years ago legislation was brought to prevent the demand for dowry or giving of dowry. Again, new changes were made in the law and it was said that deterrent punishments would be given to such people who demand or give dowry.ⁱⁱⁱ

The Sudha case in Erode in 1983 in which the learned sessions. Judge gave death penalty to Laxman, the husband and his mother for killing Sudha for not bringing substantial dowry with her did not open the eyes to the dowry hunters as they were released by High Court. But when the Supreme Court reversed the High Court judgment sending the two behind the bars for life Laxman was already married. One more girl was left in the lurch to lead a widow's life for the long period when her husband would remain behind the bars. It is not an uncommon thing in India that Laxman and his mother managed to remain out of the bars even after the Supreme Court judgment. Thus neither law nor the highest seat of justice in the country could stop the tyranny. The bids in the marriage auction went on unabated. The average of one dowry death a day was maintained in the capital territory of the country even after this deterrent punishment.

Section 8(b) of the Dowry Prohibition Act, 1961, amended by Act 63 of 1984 recommends the appointment of the Dowry Prohibition Officer by the state Government with certain powers and functions and with an ultimate

aim of preventing the problem of Dowry. In addition, this Act makes provision for appointing an Advisory Board consisting of not more than 5 social welfare workers out of whom at least two shall be women.^{iv}

The legislations against this practice are bypassed in many ways by many people. The law seems to be helpless in mending alters. Some parents have modified their techniques. They do not demand a dowry, that is, a cash payment. But they say that the girl's father should give certain things that would make the life of the young couple happy saying so, they give a list of bare necessities which, if given would be more than the actual dowry that might have been demanded and given happily. To-day the term dowry does not seem to be confined to the cash that is paid by the girl's father.^v

Legislation may lay down rules and regulations and laws to stamp out dowry system. But it is helpless and found wanting when the question of the implementation of the law comes in.

In a case in Coimbatore Meera (25), wife of Ashok Kumar was murdered in 1874. It took 18 years, ultimately to punish him, his father and sister^{vi}. The wait was prolonged by the legal procrastination at every step from the lower court to the Supreme Court. It shook a number of women organizations. As usual avoiding consultation with them a national commission on women was setup which gave its report within two months an immature report of the elites pushing their ideas holding its settings in luxurious setting. The suggestion that the 1961 Dowry Prohibition Act be scraped as it is a toothless tiger and an umbrella law is passed by the parliament clubbing Sati Prevention Act and law for checking immoral trafficking in women with dowry act. This type of centralization would hardly have any effect.^{vii}

Even one present of culprits are not punished. Presiding over the National Human Rights Day celebrations organized by the Coimbatore District Advocate's Human Rights Cell, Second Additional District Judge Shanmugam said that, today, violence against women in the country has largely been underreported due to poor infrastructure. Only one third of the violence against women is being reported.^{viii}

1. The burden of proof and evidence is so deceptive and the law courts work in such an easy going aristocratic way that the cases themselves rot in the drains of time.
2. Hence what is needed is not legislation, but a change of heart. People must realize how the lives of young people are spoiled and destroyed even in their prime.

3. Even if the older generation persists in perpetuating this evil system, the younger generation should stand against such perpetuation.
4. Young men should refuse to demand any dowry. They must have the courage to stand against their parents in the matter, however much they are obedient in other things.
5. Girls should also not agree to marry anyone who demands dowry. This may be a risk. A girl may have little chances of getting married. But such risk has to be taken by at least some. As there have been pioneers in every human achievement, here too some must come forward. In course of time the “risk would be no risk at all” when people find dowry cannot be easily secured.
6. When the girl and the boy to be married remain steadfast against dowry, others can do nothing. But this requires great moral strength for the young people.
7. The remedy, therefore, lies more in the hands of the younger generation.
8. A well planned social approach to solve this problem will go a long way in eradicating this evil practice.
9. There should be a very strong organized campaign to acquaint women of their rights. Women’s organization can do much work in this regard in their respective localities.
10. A strong public opinion should be built through press and media for a social boycott of those who indulge in taking or giving a dowry.
11. All prominent people in every walk of life should refuse to participate in marriage where dowry is given or taken.
12. Government can notify that all those who give or take dowry will be disqualified for holding public offices and for contesting elections to democratic institutions.
13. Women’s education and Economic independence of women will help in reducing the incidence of this evil.
14. Equality important is a well-organized campaign to educate the young men in our society and to make them resolve to resist the temptation of dowry.

Dowry is a deep rooted social evil and legislation alone cannot eradicate it and safe guard women from this acute problem. Legislation can only help the social movement for the eradication of dowry. The Dowry Prohibition Acts should not bark, but should be able to bite. It is hearting to note the dowry prohibition law does not appear as a biting law. Thus a comprehensive approach alone can succeed in eradicating its evil practice. The ways may be difficult, but the evil must be driven away from life.

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