



A STUDY OF DOWRY SYSTEM IN JAMMU AND KASHMIR

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ABSTRACT

The practice of paying dowry is widespread throughout Jammu & Kashmir, especially in the district of Jammu. Daughters became a curse and a liability for their parents, which resulted in severe repercussions. In India, the practice is banned or limited by the Dowry Prohibition Act, 1961, which was extended to the Union territory of Jammu and Kashmir after the abrogation of Article 370. Even though the law protects it, the tradition has grown. Dowry appears to be increasing as a result of changes in lifestyle and social trends. To find out what men and women think about dowry, how it affects people, why it's important, and how it affects women's rights and, in the long run, their freedom. A qualitative study was carried out. Men and women, including social activists, economists, and married couples, were asked about wedding costs, demands, social pressure, men's support, and how they felt about dowry, especially in terms of women's rights in unstructured interviews. The study found that a large dowry, especially in the form of furniture, electronics, kitchenware, a car, a fully furnished house, and cash, was strongly linked to women's growth and rights. The widespread belief among individuals is that the practice of paying a dowry is no longer considered to be a custom or tradition. It's just a trend, but many are following it as a sign of respect for women and mothers in particular.

KEYWORDS: - dowry, women, society, Jammu

INTRODUCTION: -The tradition of paying a dowry (dahej) is very old in India. The dowry system is a social evil widespread throughout India and, to a lesser extent, the rest of the world. Many old traditions have died out in India, but dowry has survived and thrived. No one has a unified or consistent opinion about the dowry system's continued prevalence today's society. Many educated people in society may oppose the practice in principle, but they may still support it because they believe it serves a larger social or cultural purpose. The practice of dowry before marriage has grown into a dangerous epidemic in modern times. The unequal treatment of the sexes begins from birth when a male child is regarded as more valuable and educated accordingly according to the societal image of "males as assets." In contrast, a girl child is viewed as a liability due to dowry. Gender inequality begins at birth. This has the potential to produce a significant power imbalance between the sexes, which will mostly have a negative impact on women. In present-day India, women who have received an education now play crucial roles in their homes, both economically and socially. These responsibilities help families strive for excellence and optimism, which in turn helps eliminate poverty and other domestic concerns. Issues such as violence against women, divorces, separations, suicides, and murders due to dowry point to multiple causes, such as poverty, a lower level of education among males, ways of thinking, ignorance of the law, the implementation of protection laws, moral values, traditions.



OBJECTIVES OF THE STUDY

- 1) To study the present scenario of dowry system in Jammu.
- 2) To identify the reasons of dowry system in Jammu.

Methodology of the Study

The methodology of this whole work is based on secondary sources and primary sources. Secondary sources like books, journals, newspapers, research papers, thesis, some case references, website, and already existing customs. Primary sources from few female victims who have faced dowry harassment.

DOWRY IN JAMMU: - the wedding vows are exchanged, the dowry is determined within the two families, which helps to ensure the relationship's permanence. It can include anything from cash to jewellery, electronic devices, clothing, household appliances, automobiles etc. Dowry in Jammu is not limited to a particular form or dimension; rather, it can take the form of anything with a monetary value. It is not to say that it is not rejected in certain segments of society; however, in general, it has permeated society gradually. It is commonly done under the guise of giving gifts. Even weddings have become an ordeal in Jammu in recent years. Simply put, it has been reduced to a parade of ostentatious displays of wealth and lavishness of desire. In Jammu, the despicable trend of serving more than twenty different dishes at a single meal, the extravagant wedding ceremonies, the exchange of freebies, and the unusual tapestries all fuel the fire. It strengthened the dowry custom and made women more susceptible to being mistreated by their in-laws, a common occurrence in this culture. The dowry system in Jammu is unbelievably perverse. It is a symbol of the oppression of single women, whose value is placed on the monetary value of their assets. In Jammu context, dowry is classified as a commodity in form of money, goods, in addition to movable property that is given as a condition of marriage by bride's family to groom's family. This tradition has continued for numerous decades. The concept of dowry is not limited to the arrangement or demand payment before and during the marriage, but also includes post-marriage arguments. Any valuable material granted or decided to be offered in assembly with marriage should, however, be word 'dowry'. In field of dowry, customary expenditures in assembly with birth of a child or other formalities are not included. The roots of settlement can be traced back to



the custom of offering gifts in form of jewellery, electrical appliances, bedding, furniture, utensils, crockery, or household ingredients needed for again married couples to begin married life. However, there are numerous remarks by authors concerning the existence of dowry philosophy in ancient in addition to mediaeval time that conflict with each other and are unable to produce any clear fact.

Causes of Dowry System

However, some possible factors are motivating the common masses to accept the dowry even now. We are listing some of the **causes of the dowry system** below.

Lack of Education- Lack of awareness or education among the bride and their families regarding the existing laws that ban dowry is one of the major causes of the prevalent dowry system. Most of them are ignored of their rights and laws due to lack of higher education thus accept whatever their grandparents pass on to them.

Greed- Dowry is exchanged to compensate for the groom's education, career, and wealth. In this way, he does not need to earn bread during his lifetime as he will get the money in the form of dowry for the lifetime.

Weak implementation of Dowry Laws- Constitution has granted several laws to protect women from such an evil system. Laws such as the Dowry Prohibition Act of 1961 and the Protection of women from domestic violence act 2005 have been there for quite a long time now. Implementation of these laws is ineffective due to the mass participation of people under the veil of ignorance.

Patriarchal Society- Patriarchy is another social system in which man holds superior status and is allowed to create an atmosphere of predominance within their homes as well as in society. Since time immemorial men have been granted superior status not only in India but worldwide where women were not allowed even to cast their votes or give their opinion within a family. This gives the right to men to ask for unnecessary demands such as dowry in return for marriage because there is no way that women deny that. In this way, males satisfy their status as a superior role in society.

Illiteracy –lack of formal education is another cause for the prevalence of the dowry system. A large number of women are deliberately kept from schools either due to certain superstitions or from the belief that educating girls will take away from their eligibility as good wives.

Urge to Show Off – dowry is often a means for showing off social stature in our country. One's worth in society is often measured by how much one spends in daughter's wedding or how much gold one gives to them. This perspective heavily justifies the practice of dowry demands. The boy's family in turns gains new heights of social standings based of the amount of dowry their new bride brings in which is indicator of how desirable their boy was in the marriage market.

Effects of Dowry System

Injustice towards girls –dowry bears a huge financial obligation for the bride's family. As a consequence, a girl child is viewed a possible source of drain on the family's finances, ultimately an onus. This view evolves into gigantic proportions taking the shape of infanticides and feticides of girl child. Girls are often marginalized in the areas of education where boys of the family are given preference. They are thrust towards domestic chores from a very early age. A host of restrictions are imposed on them in the name of family honour and they are made to stay indoors. Child marriages are still practiced because age is counted as an index of purity. It also stems from the belief that young girls can be better molded into the household roles than older girls. The amount of dowry increases according to the girl's age, fuelling the practice.

Violence against women – contrary to hopeful parents, dowry is often not a one-time pay up. Demands are continuously made by the husband's family who consider the girl's family as a never-ending source of finance. Inability by the girl's family often leads to verbal abuse, domestic violence and even deaths. Brides being burned by the in-laws are hardly a novelty in this country.

Continuous physical and mental torture instigates women to go into depression and commit suicide. 2016 figures indicate that in India, 20 women die every day due to dowry related issues.

Economic burden –getting a girl married is associated with a hefty amount of money by Indian parents due to direct or subtle demands for dowry by the groom's family. Families often borrow heavily, mortgage properties leading to major decline in economic health.

Gender inequality –the idea of paying dowry to get a girl married generates an increased sense of inequality among the genders, placing men superior to women. Young girls are kept from schools while their brothers are given access to education. They are regarded incompetent for roles other than housework and are often discouraged from taking up jobs. Their opinions are suppressed, not valued, or ignored more often than not. Physical and behavioural restrictions are imposed on girls that are completely natural for boys.

Loss of self-esteem in women –in a country which has experienced centuries of inferior attitude towards women, it is very hard to maintain a high level of self-regard if you are a woman. Naturally, women themselves are bound in the shackles of an idea that they are incapable of any contributions to the society. Their sense of self-worth hits rock bottom and they are increasingly subjugated to injustice.

Status of women –practices like dowry are social evils and a huge deterrent towards improvement of social status of women in India. Inferiority of women has been impressed upon the minds of the nation time and again by the demands of dowry.

Solutions to Dowry System

Law –several laws have been enacted to prohibit the practice of dowry and the injustice against women stemming from it. The Dowry Prohibition Act was passed on 20th May, 1961 with an aim to eradicate the evil practice from the society. The act declares not only the practice of accepting dowry unlawful, but also penalizes giving of the same. It includes property, valuable security like cash and jewellery exchanging hand during the marriage. Making demands of dowry is punishable by a minimum imprisonment of 5 years and a minimum fine of 15,000 rupees. Incidences of cruelty by the husband or his family against the wife have been addressed in the Section 498A of the Indian Penal Code and Section 198A in the Criminal Procedure Code. Section 113A added in the Indian Evidence Act further provides the family of the bride to charge the husband's family of abetting suicide of their daughter within 7 years from the date of marriage.

Enforcement –it is never enough to just introduce acts and amend sections to fight against a social evil. This requires strict and ruthless enforcement of such laws. That aspect still leaves a lot to be desired. Although such allegations are taken very seriously by the authorities, lack of proper investigative procedures often leads to the accused going free. The government needs to ensure a zero-tolerance policy for such offenders and ensure enforcement of the law through systemic changes.

Social Awareness – creating a widespread awareness against the evils of the dowry system is key first step towards eradicating the practice. Campaigns should be designed to reach the deepest strata of the society and aim to spread knowledge about the legal provisions against dowry. There also is the need to promote the need for educating the girl children.

Education and self-dependence of women –education is not just required to find your vocation in life, it is essential to gain eyes and ears to a world beyond the one you can immediately see. It is important for all of us to emphasize on educating the girls in order to fight widespread social evils like dowry. Knowledge of their rights will enable them to speak up against practice of dowry and ongoing marginalization. They will also be able to strive for self-dependence and not view marriage as their only salvation.

Overhaul of mindsets –India as a country requires major overhaul of its existing mindsets in order to push back against the iniquitous custom of dowry. They need to realise the fact that in today's society women are perfectly capable of doing anything that men can. Women themselves need to



come out of the belief that they are inferior to men and they need to depend on men to provide for them.

CONCLUSION: -The Dowry system is a sin that jammu faces even today even after years of modernization and development have taken place. There are many **effects of dowry system** that women face even today. This has already taken many innocent lives and has caused other destruction as well. Hence it is important to take every necessary step even at the individual level to stop such harassment on women. Spreading awareness among people who are unaware of their rights at the individual level will also help.

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