
DOWRY: IN THE GUISE OF “STREEDHAN”

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ABSTRACT

The practice of dowry puts women's lives in danger. Share is a deeply ingrained custom in Indian society that suggests giving property or important security to another group as a proposal for marriage. When the custom of dowry first emerged, it was primarily the responsibility of the life partner's family or no one else with the intention of supporting the spouse. The mediaeval era is when this gifting habit first emerged. Women received prosperity and jewellery as wedding gifts from their families, and this served as a valuable tool for the woman's financial independence even after the wedding. The main motivation behind virtually all assaults committed against a married woman is this risk. Generally speaking, the subject of blessing will come up after marriage. The companion's life in the prosperous man's home will become depressing if she is unable to provide everything that her life partner and in-law guardians require. She will experience rigorous management, and occasionally, she risked dying. This paper deals with the various factors that led to the practice of dowry.

Keywords: Dowry, demand, greed, endowments.

Introduction

As a source of joy and celebration as well as fresh starts, marriage is an essential part of society. In any case, the Dowry System in Indian society is one of the most pervasive catastrophes relating to marriage from a woman's perspective. Although there has been much said and done to oppose the tradition, it has persisted in the 21st Century in both subtle and obvious ways. The jewellery and money that a powerful woman takes with her from her parents' house is frequently referred to as "Streedhan" and is, in essence, the child's property; yet, in reality, the genuine family always treats it as their legitimate inheritance. In order to appease the boy's family, they must act appropriately and present lavish "endowments". Many Indians have this ideal so ingrained in their minds that they will essentially wreck their finances in order to pay the appropriate price for the groom they have chosen. This exploitative system, which has turned the practise of sending well wishes and blessings into a requirement in exchange for money, respect, and servitude, is one of the main factors impeding the advancement of Indian society, where being a woman is still viewed as a burden. Streedhan is something which a girl carries with herself to the groom's house, it can be anything, be it ornaments, furniture, electronic appliances, whatsoever of her choice. But what contradicts here is, the boy's family demands such things and then name it later as "Streedhan" and flaunts in front of others stating as the girl's father himself wanted to gift these things to his daughter. The Supreme Court ruled in the case of **Prem Kumar v. State of Rajasthan**¹ that it is not always necessary for there to be a dowry agreement because Section 3 forbids the demand, acceptance, or payment of dowry as a condition of marriage. Dowry is defined as a gift that is required as a prerequisite for marriage. The taking or giving of dowry is penalized by a six-month minimum sentence, a fine of up to 15,000 rupees or the amount of dowry, whichever is greater, or a five-year minimum sentence. However, in accordance with Section 3 of the Act, punishment is sought for both the provider and the recipient. Section 4 of the Dowry Prohibition Act makes demand for dowry a crime as well.

The bride's family has a substantial financial commitment while paying dowry. As a result, a girl kid is perceived as potentially draining the family's money and eventually putting the family on the hook. This viewpoint grows to enormous dimensions, manifesting in infanticides and feticides of young girls. In fields of education where boys of the family are given primacy, girls are frequently marginalized. They are forced to perform household duties at a young age.

¹ AIR 2009 SCC 1242

They are subjected to a number of limitations and forced to remain indoors in the pretext of maintaining family honor. Age is still seen as a measure of purity, which leads to the continued practice of child marriages. It also has its roots in the idea that younger females might be more effectively moulded into domestic responsibilities than older ones. The practice is supported by the fact that the amount of dowry rises with the girl's age. Contrary to what many parents believe, dowry is typically not a one-time payment. The spouse's family, who views the young lady's family as an inexhaustible source of funds, continually makes requests. Failure on the part of the young lady's family usually results in offensive attacks, domestic abuse, and even passings. The practice of in-laws beating up on women is not very interesting right now. Constant physical and psychological suffering drives women to commit suicide.

Issues

1. What are the causes of the rise in the use of dowry that is presented as “Streedhan”?
2. Whether or not the bridegroom's family will use the dowry to cover the boy's educational costs?

1. What are the causes of the rise in the use of dowry that is presented as “Streedhan”?

There are various factors which led to the practice of dowry so common and it has been in practice since ages. Though the parliament has come up with various legislation in order to eradicate its root-cause yet it is of no use. This dowry practice is something which is done in closed rooms and only because of this it doesn't come in public domain. Few of the factors are discussed below:-

1. Society Structure - The Dowry system is mostly a manifestation of the man-centered structure of Indian society, in which males are valued more highly than women in terms of their physical and intellectual prowess. Due of the socioeconomic environment, women are generally seen as second-class citizens who should only take tame employment. Such decisions are typically explained by the fact that they were considered as a financial burden first by the father and then by the spouse. The endowment framework, which supports the belief that a young girl child is a possible basis for the channeling of family finances, furthers this tendency.
2. The factor of greed - The frequency of dowry requests is a good indicator of how voracious the general populace is collectively. Relationships in India are heavily reliant

on coercion for the sake of social status, compensation for the cost of the lucky man's teaching, and his financial prowess. It is expected that requests would be answered quietly despite being made in an incorrect manner. Segments of the agreed-upon aggregate are commonly sought prior to the actual function since there is a risk of the lady of the hour's family withdrawing the proposal at the risk of losing face in the network.

3. Social Status of Women - The status of women as second-class citizens in Indian society has been so deeply ingrained in the nation's consciousness that both the family and the women themselves are without a doubt aware of this. The public's understanding of dishonest practices like endowment becomes more ingrained at a time when marriage is viewed as a woman's ultimate success.
4. The desire to flaunt - Dowry is frequently used as a means of displaying financial success in public. The amount of money spent on a young girl's wedding or the quantity of gold one offer for them is frequently used to gauge one's social standing. This viewpoint vehemently supports the act of endowment requests. Based on the level of wealth that the boy's family's new lady of the hour acquires—a measure of how enticing their boy was in the marriage advertisement—they in turn rise to new social statuses.

2. Whether or not the bridegroom's family will use the dowry to cover the boy's educational costs?

Yes, because the same youngster was given varying amounts of money by different families, the groom's family reimburses the costs associated with the boy's education. The quantity of dowry is only one factor that might indicate where the groom's family wants the lad to be wed.

When a family demands money, the boy has no voice in the matter; instead, the family steps forward and makes the request; if the bride's family declines to pay the dowry, the groom's family simply rejects the engagement.

The dowry's size is determined by the boy's social position and occupation rather than by any defined guidelines. The market value of a guy possessing the educational credentials and how much he will be paid for it are basically at issue.

In essence, it's a form of bidding, with the winning family having a better chance of getting their daughter married to the boy if they pay more money for him.

In the current situation, both the boy and the girl are intelligent enough to stand on their own. The girl's family educates their daughter so she won't need anybody, but instead of appreciating the characteristics of that girl, the groom's family just considers their son and requests money. As a result, it is the boy and girl's duty to speak out, refuse the dowry, and value one another's virtues.

Conclusion

The custom of dowry is a complicated topic that has long been present in several cultures and communities. When a couple gets married, the bride's family would give the groom's family some property or money as dowry. The groom's family frequently uses it as a way to make money, despite the fact that it is frequently rationalized as a type of "Streedhan" or a gift from the bride's family to the bride. A variety of detrimental effects, including financial strain, interpersonal violence, and even dowry deaths, have been linked to the practice of dowry. Despite efforts to criminalize the practice, it is still widely used, particularly in underdeveloped nations. It is crucial to understand that dowry is not a straightforward problem that can be solved in a generalized way. Instead, efforts must be made to address the social and economic issues that contribute to the practice's persistence as well as the underlying reasons of dowry. The practice of dowry must ultimately be abolished, and this needs a concerted effort on the part of society as a whole. In order to prevent women from being seen as a commodity to be bought and sold, we must struggle to create a culture that values and respects women. Together, we can make a society where women are empowered and dowries are no longer required.

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