

# Cultural Legitimization of Gendered Violence by Dadhicha Ritual: Modern Form of Prostitution

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**Abstract-** Dadhicha Pratha, a socio-cultural practice in certain areas of Madhya Pradesh, This practice is the "renting" of women for short-term relationships. This may raise intricate ethical, legal, and human rights issues. In this study researcher tried to understand the historical background and development of the practice. This study investigates how socio-economic frameworks and systemic injustices contribute to the continuation of the practice. It also looks at the legal provisions and human rights issues of Dadhicha Pratha, where gaps in protection and enforcement are identified. The study delves into possible policy interventions and strategic initiatives to combat the problem, hoping to generate actionable social reform and justice recommendations.

**Index Terms-** Dadhicha ritual, gendered violence, cultural legitimization, exploitation, legal interventions, patriarchy

## I. INTRODUCTION

"As long as women are oppressed, society cannot be called civilised," the quote of Dr. B.R. Ambedkar means that society cannot be good and advanced if women are treated unfairly. He believed women should have equal rights, education, and freedom to help society grow. When women are strong and independent, the whole society becomes better. The cultural practices have played a crucial role in the shaping of societies throughout history. While many of them have evolved, some of them have persisted even if they are exploitative and oppressive. One of the practices that show the extent of the exploitation and oppression of some of the practices is Dadhicha Pratha. This is a hidden tradition that is deeply rooted in some parts of Shivpuri, Madhya Pradesh, where women are rented out under informal agreements and are often disguised as social norms (Patel, 2020). Cultural legitimization of gendered violence is the process by which societies justify or normalize violence against women and other marginalized genders through traditions, customs, religious beliefs, and social norms. This

phenomenon allows harmful practices to continue by situating them within cultural, historical, or religious frameworks, making them seem acceptable, inevitable, or even honourable.

Dadhicha Pratha is a practice of temporary sale of women, sometimes an agreement made on stamp paper which have no legal validity (Singh, 2019). These agreements allow men to "rent" women for a fixed period, treating them as commodities rather than individuals with rights and dignity (Verma & Gupta, 2022). This practice is mostly done to marginalized and economically disadvantaged women, due to poverty, illiteracy, and societal pressures (Kumar, 2018). The Dadhicha ritual raises critical concerns about the intersection of tradition, gender, and violence. It is a lesser-known cultural practice in parts of Madhya Pradesh. The ritual is rooted in historical and religious narratives. It has evolved into a system that commodifies women. This often legitimizes the exploitation of women under the guise of customary practices. Gendered violence is not only normalized but also perpetuated in such sociocultural frameworks. This happens through the mechanisms of ritualistic sanction and communal acceptance.

The study delves into the importance of cultural legitimization in perpetuating gendered violence in the Dadhicha ritual. By reviewing secondary literature, such as historical accounts, socio-legal analyses, and contemporary discourses. This study seeks to unveil the patriarchal roots of the practice. The commodification of women in ritualistic settings mirrors the broader structures of oppression, where traditional customs are used as tools of control and reinforce rigid gender hierarchies.

To understand the Dadhicha ritual from the perspective of gendered violence, it is necessary to consider how cultural narratives construct social norms, thereby perpetuating exploitation under the guise of tradition and spirituality. This paper

critically discusses the socio-economic, legal, and cultural aspects of the practice. It questions the significance of cultural preservation when it is at the expense of the autonomy and dignity of women. The research examines the interaction between tradition and oppression. Therefore, this study contributes to the ongoing discussion about the necessity of socio-legal interventions and cultural reform in relation to gendered practices in India.

## II. REVIEW OF LITERATURE

**Singh (2012)** explores "**Women Exploitation in Indian Modern Society**," the ongoing challenges for women in India, notwithstanding the progress that the country is making toward achieving status as an emerging world power. He identified that women from different classes, castes, and education levels still faced issues of dignity and security. Singh discussed the diverse kinds of exploitation women went through, such as physical and mental mistreatment, financial inequity, and societal stigma. He pointed out that these problems were embedded in historical and cultural factors, and hence were resistant to alteration. The essay also touched on the shortcomings in the enforcement of laws aimed at safeguarding women, as legal provisions hardly found expression in practical protection and equality **Gupta (2018)**, in "**Nata Pratha - Modern in Outlook but Exploitative in Reality**," critically examined the traditional practice, which apparently bestowed women with flexibility in marriage decisions, but was deeply exploitative. Adopting a qualitative method, namely literature review and case studies, the article revealed that economic marginalization and patriarchal culture frequently coerced women into the practice, robbing them of genuine autonomy. The results indicated that although Nata Pratha was regarded as progressive, it perpetuated gender inequalities and socio-economic exploitation. The research concluded that there was a need for systemic changes and policy interventions to safeguard women's rights under such socio-cultural settings.

**Kumar's (2019)** paper "**Changing Face of Women Exploitation in India**" The study examined the various types of exploitation faced by women in Indian society. It pointed out problems like physical violence, economic disparity, and gender bias, noting that these issues remained prevalent despite legal safeguards. The research investigated different stages of a woman's life, from birth through old age,

demonstrating how exploitation changed over the years. Dr. Bag also referred to shortcomings between constitutional rights and their enforcement. The article recommended legal reforms, societal transformation, and active engagement by men and women to fight discrimination and support women's empowerment.

**Singh (2022)** in "**Women and Human Rights in India: A Research Perspective**," examined the history of patriarchal norms and cultural practices that led to the oppression of women, both the successes and setbacks in the quest for women's human rights. The researcher pointed out that there was enhanced political participation of women and their achievements in many fields, but still there were persisting problems, such as violence against women, non-implementation of protective laws, and societal perceptions that hamper progress.

**Shwetapunia (2023)** in the article "**Renting a Wife: Dadhicha Pratha in India**," examined the exploitative tradition of Dadhicha Pratha, where the researcher found that women were hired out as wives in certain regions of Madhya Pradesh, specifically in Shivpuri district. The researcher explains how families rent out their daughters or wives annually in the market, with the deals made on affidavit. Younger girls, particularly between 8 and 15 years of age, are in demand, with prices between ₹15,000 and ₹25,000. Researcher blames the causes of Dadhicha Pratha on poverty, gender disparity, and the dowry system, which render long-term marriages impossible for most men. The practice exposes women to physical violence, psychological trauma, and serious health hazards like HIV/AIDS. Despite its prevalence, legal action were still lacking because of the lack of formal complaints. The researcher recommended that there should be tighter enforcement of laws and awareness campaigns to shield women from such exploitation.

**Walter (2023)**, in a paper "**Nata Pratha: Women's Selection or Women's Exploitation**," examined the customary practice of Nata Pratha in Rajasthan, specifically among the Gurjar community in Udaipur district. The study revealed the impact of Nata Pratha practice on the status of women and their children. Researchers found that there was a positive and empowering element, as widows and abandoned women receive social recognition, as well as exploitation and societal difficulties. The paper concluded that Nata Pratha had some social advantages, it also reinforced gender disparities.

**Imam (2025)** in the article "**Dadhicha Pratha: A Patriarchal Legacy of Exploitation**," analysed the Dadhicha Pratha, a practice in Madhya Pradesh. Researcher revealed that women were rented as wives for a sometime were young girls, particularly aged between 8 to 15, and usually between ₹15,000 to ₹25,000. Researchers reported that patriarchal norms, poverty, and uneven sex ratios lead to the commodification of women. It exposes them to abuse, health hazards, and mental agony. Despite awareness, enforcement is still inadequate, and calls for reform arise.

### III. RESEARCH OBJECTIVES

1. Examine the historical origins and evolution of Dadhicha Pratha
2. Analyse the socio-economic factors contributing to the persistence of Dadhicha Pratha
3. Explore the legal and human rights dimensions of Dadhicha Pratha
5. Identify possible policy recommendations and intervention strategies

### IV. RESEARCH METHODOLOGIES

This qualitative study analyses the cultural legitimization of gendered violence through the Dadhicha ritual using secondary sources. Data is collected from academic literature, historical texts, legal documents, NGO reports, and media articles. The study does not include primary data collection, and ethical considerations focus on responsible sourcing and objectivity.

### V. ANALYSIS AND DISCUSSION OF THE RESULT

#### **Origins and Historical Context**

Historically, Dadhicha Pratha, rooted in the agrarian and feudal systems of Madhya Pradesh, among some castes and tribes, in which poverty resulted in the commodification of women. The scholars have noted that this practice is not only in Madhya Pradesh and has parallels with bride price and debt-bondage systems found across different regions of India (Chakravarty, 2008). In areas where land ownership was concentrated among a few dominant castes, poor families had to sell their daughters, usually under the guise of marriage or service.

In the colonial period, it is observed that there is a sharpening of socio-economic divides, promoting an upsurge in exploitative measures such as Dadhicha Pratha. The revenue policies of the British administration widened rural misery, with greater reliance on landlords and moneylenders, which

further pushed lower-caste and tribal groups towards engaging in otherwise socially humiliating practices (Ghosh, 2011). Most scholars have indicated that this practice was not necessarily always openly about "selling" but rather usually involved arranged sales camouflaged as traditional marital exchanges. The women's agency, though, was still heavily curtailed, and their economic autonomy was almost non-existent in such deals. While independent India introduced legal reforms to abolish discriminatory practices, social customs like Dadhicha Pratha persisted in marginalized regions due to weak enforcement, caste hierarchies, and economic backwardness.

Therefore, it is concluded that Dadhicha Pratha emerged from agrarian poverty and feudal caste dominance, leading to the commodification of women. Colonial policies worsened rural distress, making such practices more prevalent among marginalized groups. Though disguised as marital customs, these arrangements often involved the covert sale of women. Women's agency and economic autonomy were severely restricted within these exploitative systems. Despite legal reforms post-independence, the practice persists due to weak enforcement and entrenched inequalities.

#### **Socio-Economic Factors Contributing to the Persistence of Dadhicha Pratha**

Severe poverty, particularly among the lower castes and tribal communities, is one of the key reasons for the persistence of Dadhicha Pratha. Madhya Pradesh, which has a huge rural population, has been facing landlessness, unemployment, and agrarian distress (Ghosh, 2019). Parents in economic distress sell their daughters to sustain themselves, considering them as economic liabilities and not as human beings with rights. Studies have established that in regions of high unemployment and agrarian distress, the commodification of women is a desperate survival tactic (Patel, 2020).

The rural Madhya Pradesh caste system has traditionally perpetuated gender and class hierarchies, with lower-caste women usually being the victims of socio-economic exploitation. Some dominant groups have continued to exploit marginalized groups by upholding practices that make women susceptible to trafficking and forced marriages under customary justifications (Chakravarty, 2018). The absence of access to land, financial credit, and legal protection for lower-caste

families makes them vulnerable to such exploitative customs.

Patriarchal values run very deep in the social culture of Madhya Pradesh, with women's lives being mostly limited to domestic chores and childbearing. In most instances, families, particularly in rural communities, continue to hold the view that daughters are a burden and must be married off or traded for financial gain. The absence of awareness and resistance among women themselves continues to fuel the system (Kumar, 2022). Ladies with limited or no schooling and who lack economic independence tend to accept such traditions as immutable societal norms, which restrict their capacity to dispute them.

While laws like the Hindu Marriage Act (1955) and the Prohibition of Child Marriage Act (2006) directly criminalize child exploitation and forced marriages, the enforcement in distant rural pockets is feeble. Institutionalized corruption in local bodies, police complacency, and the ineffectiveness of implementing welfare programs are the drivers for the existence of Dadhicha Pratha (Sen, 2020). Studies have shown that most cases remain unreported because of fear of social exclusion, and police authorities do not take action against the perpetrators because of caste and political pressures. Illiteracy and ignorance among the women and their families are equally important factors that help Dadhicha Pratha perpetuate itself. Female literacy levels in many of the hit areas continue to lag behind the national average, denying women opportunities for economic and legal redress (Roy, 2021). Education deficit begets another vicious cycle with little girls married off or auctioned before reaching adulthood. Attempts to boost vocational training and school enrolment have been made, but socio-cultural constraints tend to stop girls from pursuing their education.

Based on the above observation, it can be concluded that key contributing factors include illiteracy, poverty, landlessness, unemployment, agrarian distress, and limited access to financial credit. Additionally, deep-rooted perceptions of women as economic liabilities and daughters as burdens, coupled with ignorance and the ineffectiveness of welfare programs, perpetuate the practice.

#### **Societal Norms and Patriarchal Structures Sustaining Dadhicha Pratha**

The persistence of Dadhicha Pratha is deeply rooted in patriarchal traditions and rigid societal norms that continue to subordinate women. In many rural and

tribal communities of Madhya Pradesh, women are still viewed as economic liabilities, and their exchange through marriage or sale is justified as a customary obligation (Ghosh, 2020). Male dominance over property and decision-making reinforces this practice, leaving women with little agency over their lives (Roy, 2021).

Moreover, the societal expectations of honour-based norms force families to follow them. They fear the consequences of not doing so, such as social ostracism (Patel, 2022). The transmission of these norms from one generation to another contributes to the practice. As a result, legal interventions are less effective (Sen, 2021). To change this, there is a need for community awareness, gender education, and economic empowerment to challenge the patriarchal structures (Kumar, 2022).

It can be concluded that the direct social norms and the pre-operative structure has contributed to the normalization of practice such as the sale of women, exchange through marriage, become customary obligation. This indicates that a deeply entrenched cultural and social framework plays an important role in perpetuating such practices.

#### **Legal and Human Rights Dimensions of Dadhicha Pratha**

Dadhicha Pratha, a custom of selling or exchanging women under socio-economic conditions, is in clear violation of Indian legal provisions and international human rights standards. Despite the presence of strong laws, weak enforcement, and deep-rooted patriarchal customs allow the practice persists in parts of Madhya Pradesh. From a human rights perspective, Dadhicha Pratha violates women's fundamental rights to dignity, autonomy, and freedom from exploitation, which are protected under the Indian Constitution and global human rights treaties (Sharma, 2021).

#### **National Legal Frameworks Addressing Dadhicha Partha:**

Several Indian laws explicitly or indirectly criminalize Dadhicha Pratha, targeting forced marriages, trafficking, and the exploitation of women.

The Constitution of India (1950) is the cornerstone of gender equality and protection against exploitation. Article 14 provides for equality before the law, which means that women cannot be discriminated against because of their sex (Government of India, 1950). Moreover, Article 15(3) empowers the state to take affirmative action for the welfare of women and children (Government

of India, 1950). Last but not least, Article 23 prohibits human trafficking and forced labor, both of which are closely related to the sale of women under Dadhicha Pratha (Government of India, 1950).

The Indian Penal Code (IPC) 1860 has provisions that criminalize elements of Dadhicha Pratha. Section 366 criminalizes the abduction or forced marriage of women (Ministry of Law and Justice, 1860). Section 370 defines and prohibits human trafficking, including any form of sexual or labour exploitation (Ministry of Law and Justice, 1860). Section 498A penalizes cruelty within marriage, which is often applicable in cases where women are subjected to forced unions under Dadhicha Pratha (Ministry of Law and Justice, 1860).

The Prohibition of Child Marriage Act (2006) is more relevant, as many of the victims of Dadhicha Pratha are minors. This law punishes child marriages and gives the courts the authority to declare such marriages void, thereby giving legal relief to the affected people (Ministry of Women and Child Development, 2006).

The Dowry Prohibition Act of 1961 was initially aimed at eradicating the dowry system, but it is also used in cases where women are treated as chattels in financial transactions associated with marriage (Ministry of Law and Justice, 1961).

It is concluded that Dadhicha Pratha clearly violates Indian laws and international human rights standards. Despite legal protections, weak enforcement and strong patriarchal beliefs allow the practice to continue. Laws like the IPC, Child Marriage Act, Dowry Act, and constitutional rights provide a strong framework to fight this custom. However, legal action must be combined with social awareness and community change to fully eliminate the practice.

### **International Human Rights Violations and India's Commitments**

India is a signatory to multiple human rights treaties that explicitly prohibit practices like Dadhicha Pratha, reinforcing its obligation to prevent such exploitative traditions.

The Universal Declaration of Human Rights (UDHR, 1948) sets forth basic human rights principles. Article 4 specifically states, "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms" (United Nations, 1948). In addition, Article 16 ensures free and full consent in marriage, which is violated when women are forced or sold into marriages (United Nations, 1948).

CEDAW (1979) is the Convention on the Elimination of All Forms of Discrimination Against Women. It mandates strong legal measures against the trafficking and exploitation of women. Article 6 requires states to take all necessary actions to eliminate trafficking and exploitation (United Nations, 1979). India ratified CEDAW in 1993. The persistence of Dadhicha Pratha highlights the gap between policy and implementation (Patel, 2022).

The United Nations Sustainable Development Goals (SDGs, 2015) also seek to eliminate harmful practices against women. Goal 5 aims to end gender-based violence, including forced marriages and human trafficking (United Nations, 2015). Similarly, Goal 10 seeks to reduce inequalities by addressing structural injustices that perpetuate exploitative traditions (United Nations, 2015). Despite India's ratification of these treaties, localized resistance, caste politics, and weak governance structures continue to obstruct the realization of these rights (Roy, 2021).

It is concluded that although India has ratified key international treaties like UDHR, CEDAW, and the SDGs, which prohibit practices such as Dadhicha Pratha, and other exploitative traditions. But there was a significant gap between commitment and implementation that remains significant. The practice continues due to local resistance, caste dynamics, and weak governance, undermining global human rights standards. To fulfil its international obligations, India must strengthen enforcement, promote community engagement, and address the structural causes of gender-based exploitation

### **Challenges in Legal Implementation**

Several challenges hinder the effective enforcement of laws against Dadhicha Pratha despite the presence of a strong legal framework. One of the primary issues is the lack of legal awareness among affected women, as many remain unaware of their rights and the legal protections available to them (Sen, 2021). Additionally, corruption and bureaucratic inaction further weaken enforcement, with law enforcement agencies often failing to take necessary action due to caste politics and bribery (Roy, 2021). Social stigma and fear of retaliation also prevent survivors from reporting cases, as they fear being ostracized by their communities (Kumar, 2022). Furthermore, judicial delays discourage victims from seeking justice, as lengthy court proceedings make the legal process exhausting and inaccessible for many (Sharma, 2021). These challenges collectively contribute to

the continued prevalence of Dadhicha Pratha despite existing legal prohibitions.

### **Policy Recommendations and Intervention Strategies to Address Dadhicha Pratha**

Addressing Dadhicha Pratha effectively requires an approach that includes legal, economic, and social interventions. One of the priorities is to strengthen the legal framework. To do so, it is necessary to make amendments to the legislation that will allow for the explicit criminalization of the practice of renting women. This can be achieved by enforcing stricter penalties for those who are found guilty of this crime. Moreover, it is also important to establish fast-track courts that will allow for the speedy delivery of justice. To ensure that the legislation is effectively enforced, it is important to provide specialized training to law enforcement agencies. This will allow them to identify and dismantle the illegal practices. In addition, it is also important to establish anonymous

Socio-economic interventions are as important as legal measures in reducing the financial vulnerabilities that pressurize families into this practice. Introducing vocational training programs, microfinance schemes, and self-employment initiatives will give women alternative ways of earning a living. Direct cash transfers, free education, and scholarship programs can help break the cycle of exploitation by reducing the economic dependency of families on such practices. Public awareness and behavioural change campaigns are also important in changing societal perceptions.

Grassroots initiatives such as community engagement programs, street plays, and school-based gender sensitivity workshops should be promoted to challenge patriarchal norms. The media, religious leaders, and influencers must also be mobilized to amplify advocacy efforts. For survivors, rehabilitation and support systems should include shelters, psychological counselling, medical assistance, and alternative housing programs to ensure their safety and reintegration into society.

Women's self-help groups (SHGs) and youth-focused interventions can also be seen as long-term solutions, as they can foster financial independence and empower future generations. A collaborative approach involving government agencies, NGOs, corporate partnerships, and local leaders is necessary to implement sustainable policies. By addressing the root causes—poverty, gender inequality, and lack of education— and enforcing stringent laws, these strategies can work collectively

to eradicate Dadhicha Pratha and protect the dignity and rights of women in affected regions.

It can be concluded that public awareness campaigns and behaviour change initiatives, such as community engagement programs, street plays, and gender workshops, should be started in schools. There should be counselling, medical assistance, alternative housing programs, women's self-help groups, and youth-focused interventions that can serve the purpose. By providing financial independence and empowerment for future generations, three strategies can collectively work towards eradicating the Dadhicha Pratha and safeguarding the dignity and rights of women in affected regions.

## VI. CONCLUSION

Dadhicha Pratha, though often hidden behind cultural and traditional narratives, is a deeply rooted practice that reflects the long-standing marginalization of women. Through this study, it became clear that what may appear as a ritual is, in reality, a system that rents women's bodies under social and economic pressure. Its survival is tied to poverty, caste-based discrimination, and the absence of real opportunities for women. While laws exist, they often fail the very women they are meant to protect, due to weak enforcement and prevailing social silence. The human cost—lost autonomy, dignity, and freedom—cannot be ignored. Meaningful change demands more than legal reform; it calls for education, grassroots engagement, and policies that empower women to reclaim their voices and choices. Only then can we begin to undo the harm and move towards a more just and humane society

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