

“Who Can Stop A Man?”

Despite the popular prejudice that polygamy is prevalent only amongst Muslims, since Hindu marriage laws have outlawed it, a survey in a Maharashtra village finds polygamy widely prevalent amongst Hindus and almost nonexistent amongst Muslims of that village

On October 25, 1987, Pamabai, resident of Jhansi village in Man taluk, Satara district, Maharashtra, was murdered by her husband against whom she had filed a suit for maintenance.

Pamabai had two daughters. The desire for a son prompted her husband to marry again. Pamabai was willing to live with him and the second wife. However, his habit of constantly beating her up drove her to file a case against him. The court decided in her favour and instructed him to pay her Rs 150 a. month. Since the case had been pending for seven years, the court ordered him to pay her a lump sum of Rs 7,000.

On the twentieth day after the order was passed, Pamabai was found murdered. This was reported in the letters column of Manushi No. 44. The incident became a topic of discussion among the people of Jhansi village and the surrounding villages, particularly among women who had filed maintenance petitions. Some women marched to the police station to demand that the husband be punished. He is at present in Dhule jail.

The Shetkari Sanghatana is working among the people of Man taluk. The biggest market in the taluk is at Maheswad village. It is not unusual for people who visit the village on market day to drop in at the Sanghatana office for a chat. On the market day following Pamabai's death, many women dropped in at the office and were freely airing their views on the matter.

All the women present were of the opinion that if Pamabai's husband had not beaten her, she would not have gone to court. They said she was prepared to put up with the husband's second marriage but not with his violence. They stressed

that Pamabai's and their problem was domestic violence and not the husband's bigamy. That most of the women seemed to accept polygamy in a matter of fact way, surprised me.

When I first came to this area and observed a high incidence of bigamous marriages, I had thought of raising the issue of the first wife's rights. Among the women sitting in the office, I could identify five whose husbands had remarried. This was a good opportunity, I thought, to raise the issue.

Polygamy here seems to be linked to the hunger for land. A reason frequently cited for a man's second marriage is the failure of the first marriage to produce a son. Only a son can inherit the landed

property and carry on the lineage. Therefore, if after five or six years of marriage, no son is born, the man begins to talk of remarrying. This is so common in these villages that people think nothing of approaching a man with marriage proposals, telling him : “How long will you remain without an heir?” Men take for granted that the wife is responsible for nonproduction of a son, and that this entitles them to remarry.

The second marriage is termed a *gandharva* marriage. Such weddings are celebrated without much pomp and show. There is no elaborate feast or dowry, not even an exchange of gifts. Generally, a poor woman, whose family cannot afford a dowry, is taken as a second wife. Her



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parents solace themselves with the thought that although she is a second wife and there may be a large disparity between her and her husband's ages, her son will be the heir.

A second wife is not accorded the position generally given to a wife or daughter-in-law. It is commonly said: what can a wife acquired in a *gandharva* marriage expect but insults?

However, there are cases of the second wife bringing a dowry. In such cases, greed for dowry is often an additional motive for remarriage. Formerly, men who remarried would support both wives. But now, men often discard the first wife. The most effective way to do this is to beat her mercilessly till she is forced to leave.

Hema is 28. Married at the age of 17, she did not conceive for three years. Her husband used to beat her up severely with a belt, and threatened to remarry. She reported the matter to the local police station but her husband hushed up the case by bribing the police. Unable to take the battering, she returned to her parents. Hema says she would have preferred to stay with her husband and his second wife than to be a burden on her brother. But her husband was not willing to keep her, as the second wife's parents would not have paid dowry if the first wife had been living with him.

A wife who returns to her parents is rarely able to remarry. If she has a daughter to support, remarriage is impossible. Even for a childless woman to find a second husband, her parents would have to pay double the usual dowry. So, most such women are forced to live with their brothers who see them as a burden, and treat them more like domestic servants.

We conducted an informal study of bigamy in Maheswad village. We held meetings in each of the different quarters of the village, as each community lives in a separate quarter. At the meetings, we talked to the women. We also visited all the households where two wives were living together, and spoke to them and their neighbours.

Maheswad village has a population of 14,737 according to the census. But this figure has not been changed for 15 years.

The population must be nearly three times this figure now. There are 13,000 voters on the list from the village.

Except for Dalits, we found polygamy practised among all the other Hindu communities. All peasant castes except Marathas are designated "other backward classes" by government. All of these castes are agriculturists and land is important to them. Except for a few who have other means of support, all families have some land. Amongst Dalits, all Mahars have land, but only about 30 per cent of Matang and Dhor families have land. Brahman families were excluded from the survey, as there are only 20 Brahman families in the village, and no conclusion can be reached on the basis of so small a sample.

Our findings can be summed up as follows; the figures are approximations:

Community	Incidence of bigamy
Maratha	20 percent
Mukh	20 percent
Madi	30 percent
Kosharya (Vinkar)	10 percent
Shimpi	20 percent
Shangar	30 percent
Dalit	1 percent
Muslim	0 percent

There are 300 Muslim families in Maheswad and there is no case of a bigamous marriage. Although Indian law sanctions up to four wives for a Muslim man, we did not find even one man with two wives. The number of discarded wives amongst the Muslims was also small. All the Muslim families are landed. Although women are entitled to a share in land, they do not get it in practice. In one family where there was no grandson, two acres of land had been registered in the granddaughter's name.

Organisations which are apt to accuse Muslims of freely indulging in polygamy and divorce should first study the actual situation. Before demanding abolition of Muslim personal law, they should protest against the Hindu law which does not give daughters rights in ancestral property including land.

We found that polygamy is non-existent amongst Dalits too. One

reason could be that most Dalits do not have land. Another could be that women are economically independent and the family structure is not so rigid as amongst so called higher castes. It is easier for a woman to remarry than it is among men of her castes. If a man threatens to remarry, his wife is likely to walk out on him. However, the custom of dowry has been introduced amongst Dalits and is growing. Greed for dowry is inducing Dalit men to leave the first wife and marry again. But they are not found living with two wives



Parvatibai—says her husband's re-marriage has not adversely affected her status

at the same time.

The condition of the first wife among communities which practise polygamy is well illustrated by the case of Parvatibai, aged 45. She was married at the age of 15. She gave birth to two daughters and then did not conceive for four years. Her husband then remarried. I asked her: "Why didn't he wait another couple of years? You might have had a son." She replied: "He waited four years. How long could he wait—till I was old?"

When I asked if her status declined after the second wife gave birth to a son, Parvatibai replied: "My husband married mainly to obtain an heir, not because he disliked me or because he was dissatisfied with the dowry my parents gave. Why should my worth have decreased? I am

still the mistress of the house. At any religious ceremony when husband and wife have to sit together, it is I who sit with him as his wife. In fact, our son (born to the second wife) was married to my sister's daughter." Marriage to the maternal aunt's or uncle's child is prevalent in the region.

From one point of view, it seems as if Parvatibai has all the rights of a wife. She does not think of going to court to claim further rights. Perhaps society does not allow women to think that other rights should be available to them. In fact, it seems that neither wife really has any rights ; it is the son who has all the rights. With some hesitation, I asked Parvatibai if she had no objection to her husband living with another woman. She replied : "Who

can stop a man from living with any woman he pleases ? Don't men live with other women, even without going through a second marriage ?"

Let us now look at the situation of the second wife. Shalinibai is 25 years old. She was married at the age of 16 to a man of 35. Her parents were poor and could not afford a dowry so they arranged this *gandharva* marriage. Within a year of marriage, she had a son, and this improved her status in the house. Yet, she was not given the full status of a wife. She knows that at her son's wedding, all the rites to be performed by the groom's mother will be performed by the first wife, not by her. Although she does not receive the respect due to a wife,, her husband does not beat her up. When

asked whether she would like to live separately from her husband, if the court gave her custody of her son, Shalinibai said : "Where can a woman live, if not at her husband's house ? Her brother will not keep her in his house. It is better to live in the husband's house than to be a slave in the brother's house."

It seems that giving women equal rights in inheritance of parental property, particularly landed property, is crucial to changing their position as wives and daughters. Instead of giving a dowry, parents should put a house or a fixed deposit in their daughter's name so that she can resist illtreatment and disrespect, and can have an alternative place to stay, apart from her husband's house.