

FROM SATI TO SEPARATION

Changing Attitudes of Indian Women on Divorce

by

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A MASTER'S REPORT

submitted in partial fulfillment of the  
requirements for the degree of  
MASTER OF ARTS

Department of Sociology, Anthropology,  
and Social Work

KANSAS STATE UNIVERSITY

Manhattan, Kansas

1984

Approved

  
Major Advisor

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## ACKNOWLEDGEMENT

I would like to express my sincere gratitude to my major advisor and guide, Dr. Lelah Dushkin, who has helped through this project with constant encouragement and persistent guidance. My thanks are also due to Prof. Jan J. Flora for his valuable suggestions and discussions and Prof. Cornelia B. Flora for her support and understanding.

I also thank all my colleagues, friends and faculty for their encouragement and the Department of Sociology, for their financial assistantship.



## CHAPTER I

### INTRODUCTION

Socially, one of the most fundamental and remarkable changes brought about since India's independence has been the comparative emancipation of women-their emergence from the exclusive seclusion of the home into the activities of the world (Kapur, 1974:3). Traditionally, a married women's world was her home. She was primarily required to look after the welfare of her husband, her children, and other members of the family, while her husband's task was to assume full responsibility of making adequate arrangements for the provision and protection of the family. Such deeply laid patterns of behaviour do not respond easily to change.

Yet, changed socio-economic conditions, particularly after independence, have widened opportunities for women's education and employment and have provided them with new avenues to press for equality. This, along with newly granted political and legal privileges, affect their feelings and thoughts and ways of looking at such vital issues of life as marriage and separation.

#### The Topic

The purpose of this study is to analyze the processes of change affecting upper caste educated women who are economically middle class and living in urban areas. The significance of dealing with these upper caste middle class women is that they were the major upholders of and vehicles for the traditional high status Sanskritic values and customs, yet they have also been subject to the greatest amount of change during the past century. Today, these are the women who are most likely to be educated and have the option of using this education to get a job at some time in their life. They still believe and retain their traditional customs and values; but also have acquired aspirations and opportunities associated with modernization and

industrialization. For example, De Souza reports that young women "advanced" in certain things like going to a co-educational college, still want parents to arrange their marriage. "Many want new opportunities, old securities, new freedom, and old protection" (De Souza, 1975:13).

A particularly sensitive indicator of how these contradictory feelings, and the normative systems they presuppose, are being handled is the incidence of divorce. Although the divorce rate in this class is still very low, the fact that suing for divorce to escape an intolerable marriage is being considered at all by such women and their supportive male relatives is itself an enormous change. The very thought that they could "resort to divorce or separation makes them more sure of themselves and gives them confidence that they could partially shape their own destiny" (Lipowsky, 1975:162).

The attitudes of middle class educated women, particularly educated working women, have changed considerably and have been more equalitarian. The attitudes of men also have been affected by the changing socio-economic situation. At least for their sisters, if not yet for their wives, they are more ready to accept equality of rights between men and women. Generally speaking, it is very difficult for women to go through a divorce alone without any male support from brothers or father. Today, men who are educated do not reject divorce, although the degree of acceptance, of course, varies (Lipowsky, 1975:160).

### The Format

In order to study the views of urban educated middle class upper caste women on divorce, we will begin in Chapter II with the traditional high caste norms and Sanskritic values which they all have been brought up to respect. In Chapter III, we discuss the process of social change that has provided a competing set of norms and expectations: first, we deal with how women

previously kept in the seclusion of the family were exposed to education. Second, we discuss how the national independence movement under Gandhi led to their political participation outside the home. Third, we indicate the factors encouraging their employment in the professions and clerical work. In Chapter IV, we discuss available case studies of actual divorce suits, with an interest in both the "traditional" and "modern" reasons for marital breakup and the evidence that divorce is now emerging as a solution to such problems in this social stratum.

#### The Data

It should be noted at the outset that the data available to conduct this study are woefully incomplete and uneven in quality. For example, the historical and demographical data needed for Chapter III consist of a few figures from the Indian Census and demographic yearbooks, an official report on the status of women, and other generalizations cited in secondary sources. The demographic data deal with the entire society, whereas this study is focussed on only a small stratum of it. Therefore, even if we could get detailed census data, it would not tell us much about the people we are interested in in this study. Moreover, even in the country as a whole, we have no accurate data on the number of marriages or divorces because these have been governed by custom among large numbers of middle and lower ranking castes and often do not appear in legal records. By tradition, their personal lives were governed by caste ethics and mores, and if these permitted divorce, they were free to seek it and also to remarry.

The main source of data on Indian marriage and divorce available in Kansas, apart from some general secondary sources, are some case studies of high caste middle class marriages. One such is Aileen D. Ross' Hindu Family in its Urban Setting (1961). Ross' work is based on her non-random sample of 157

interviews in Bangalore, South India. Statistical controls were not maintained, yet in this accidental way, Ross drew a "sample" of just the kind of people we are discussing in this study, i.e. middle class, high caste, and urban educated women. The caste distribution of her respondents was 70% Brahmin (110/159) with the remaining 30% divided among a number of relatively high castes including Vokkaliga, Naidu, Kshatriya, Coorgi, Reddy, Mudaliar, and Lingayat. In Mysore state, of which Bangalore was the capital, the Brahmin percentage of population was 4%, yet in the urban areas and particularly Bangalore, they were much more numerous. By income and occupation, Ross' sample was mostly of the middle level range of clerks and school teachers. Many were college students. Coming from a similar background myself, I feel from my own personal experience that what her respondents said was accurate for this category, though I cannot prove this statistically.

Another source is Doreen Jacobson and Susan S. Wadley's Women in India (1977). Both are anthropologists. Jacobson's work is based on the data obtained during ethnographic field work which centered on rural women in central India. She discusses women's status, marriages, traditional and new occupations and impact of the national independence movement. If this movement could make an impact on rural women, it definitely should have made an enormous impact on urban educated women. Additional materials are drawn from Alfred De Souza's (ed) Women in Contemporary India, Manohar Book Service, New Delhi, 1975; Alemenas Lipowsky's The Position Of Indian Women in the Light of Legal Reform, Wiesbaden, Germany, 1975; M.N. Srinivas, Caste in Modern India, Asia Publishing House, Bombay, 1962; Beatrice Lamb's India-A World in Transition, 4th edition, Praegar Publisher, New York, 1975; Ester Boserup's Women's Role in Economic Development, St.Martin Press, N.Y. 1970;

Devaki Jain's (ed) Indian Women Publication Division, Ministry of Information and Broadcasting, Govt. of India, 1975.

The case studies of divorces in Chapter IV are taken from three main sources. (1) P.B. Mathur's dissertation on "Emergent Patterns of Divorces and Remarriage in North India" Michigan State University, 1977; (2) R. Mehta's book on Divorced Hindu Women, Vikas, Delhi, 1975; (3) P.Kapur's book on Marriage and the Working Women in India, Vikas, Delhi, 1970. Their methods and data will be discussed in Chapter IV.

To begin with, we will discuss the traditional Sanskritic Codes which this category of women were brought up to respect and the forces of change (especially education, national movement, legal reforms and economic independence) which challenged these traditional codes. The title of this report "Sati to Separation" refers to the enormous change that has taken place from the past, when a widow even volunteered to burn herself on her husband's funeral pyre (Sati) so that she would not be separated from him even in death, to today, when a wife might consider separation or divorce as the way out of an unsuccessful marriage.

We turn now to how the Hindu high caste woman is supposed to behave according to Sanskritic Codes (Chapter II).

## CHAPTER II

### TRADITIONAL SANSKRITIC CODES

Sanskritic Codes are so called because they are prescribed in sacred texts and exemplified in the traditional customs of Brahmins. Until recently, upper caste women were kept in a subordinate position to the point of physical destruction. A widow conferred a coveted mark of distinction on her family by turning "Sati" and furthered her own future interests, since the Brahmins asserted that "She who voluntarily burns herself with her deceased husband will reside in Swarag (heaven) for thousands of years" (Das, 1979:51).

Marriage was, in theory, indissoluble and a widow, even if she be a child widow, was required to shave her head, shed all jewelry and wear very simple cloths. She was (and still is to some extent) regarded as inauspicious. Women who predeceased their husbands were considered lucky as well as good, while widowhood was attributed to sins committed in a previous incarnation. Sex life or the slightest hint of it was denied to a widow. Also widows were supposed to have a very simple diet, for instance they were not given coffee or tea in the early morning. They usually got only one meal a day i.e. around noon after all the household members including the women had eaten. Again, unlike other members of the household, they neither used to get afternoon coffee or snacks nor night dinner. The reason for literal starvation was, so that they would not get excited sexually and would give up worldly concerns and become more religious and pious. This information I gathered from my grandmother's sister, who became a widow at the age of 20. "Among Hindus generally, there was preference for virginity in brides, chastity in wives and continence in widows and this was specially marked among the high castes". (Srinivas, M.N. 1962:42). This is true even today to a great extent.

Upper caste parents used to marry their girls off before puberty, and

parents who had not succeeded in finding husbands for daughters past the age of puberty were regarded as guilty of a great sin. There were hard and fast rules for the guidance of the female sex which were never to transgress the limits. A young woman was expected to observe seclusion lest she should "go astray". She was allowed no choice in the selection of her husband. For that matter, neither did the husband have any say in the selection of his wife.

The Sanskritic code of upper caste conjugal relations required the wife to treat her husband as master, thinking only of his welfare. She must reach heaven only through service to her husband. "She was never to falter in her allegiance to him, to attain the highest virtue only through implicit obedience to his wishes or commands-be they good or evil" (Das, 1970:28).

As one of Ross' (1961) respondents says:

"When I was growing up, we believed in religion and that our husband was a lord whom we must love and worship. Our lives were completely dedicated to his service and we were amply satisfied when we were paid back with affection and love. We were so devoted to our husband that there was no place in our heart for anyone else. Whatever we did, we did for him. Our jewelry our decorations, our dresses and our beauty were all dedicated to him for his pleasure". (p.159)

It was and still is very unusual for a wife to take meals before the husband has his. According to traditional Sanskritic codes, the wife must eat only after having served her husband. In orthodox families the wife still eats on the dining leaf on which her husband has eaten, food left by him was "prasad", bread of God, which clearly indicates her subordinate position to her husband. Usually, the women who removed the dining leaf purifies the spot where her husband's leaf had rested with a solution of cowdung since cowdung was considered as a purifier. There was no pollution, however, in eating on the leaf on which her husband had eaten. (Srinivas, 1962:42-62).

There were several other factors inherent in traditional Sanskritic society, which emphasized the low status of females. Sons were given greater



importance than daughters. The birth of a son even today, is hailed with particular joy. In a patrilocal, patrilineal extended system, it was a man's social and ritual obligation to extend his lineage. To do so, he must have a son or sons. Daughters were born to extend the patrilineages of others. Thus, among Hindi-speakers, "meri beti ke ma" (mother of my daughter) had no kin meaning. With the birth of a son, a wife becomes a full member of the patrikin and a consanguine of her husband, someone whose rights couldn't be denied. (Mathur, 1981:22). Also the theory of the transmigration of the soul, formulated in post vedic days, contributed greatly to the special rejoicing over the birth of a son. Only a son had the right and power to perform funeral sacrifices and later propitiatory rites which were considered absolutely essential to the welfare of the departed soul (Das, 1979:52-53). We will see the importance of sons in divorce cases in Chapter IV.

The most important feature of the traditional joint family was that it conditioned the behaviour of the resident members of the household who organized their activities and defined their attitudes toward one another in ways that satisfied the requirements of inter-generational familial living. When extended families of three generations, including married brothers and their children all lived under the same roof or within the closest possible group, such joint living imposed a need for discipline with great stress on respect for all members of the household. "Since all males born into the patrilineage had an economic claim upon the household, it was necessary for the elders of the household to control the incoming bride". (Mathur, 1975:39). Property ownership was given from birth for male children. Not only the son maintained his pre-marital economic claim on the parental household, but his wife was supposed to join him as dependent. Thus we will see from our divorce data, which we will be discussing in Chapter IV, that the



more important feature of divorces in joint family household are the persistence of authoritarian patriarchy and the prolonged adolescence and dependency of married males. In this mode of living, marriage is not an intimate, sharing and companionate relationship. Inter-spousal intimacy requires that each spouse understands the other's needs and feelings and can readily extend empathy. For this there was neither occasion nor scope in joint family household. "Even the husbands's sexual access to wife was often controlled by his mother though not to the extent of antagonizing him in the normal marital situation" (Mathur, 1977:72). The bride becomes the integral part of her new patrilocal resident group as it regulates and controls her relationships. These pre-established instrumental relationships allowed not only the couple but also the kin group to adjust to each other and prevent disintegration of joint family household.

Today, though many of these sanskritic codes are discarded or not given that much attention, still some of the aspects of sanskritization which are not at the expense of women like religious and dietary practices are not being discarded. Upper caste people were supposed to be strict vegetarians which they do practice even now. Even today Brahmin women perform number of Vratas or religious vows, the sole aim of which is to secure a long life for the husband. A woman's hope is to predecease her husband and thus avoid becoming a widow. The wife who shows utter devotion to her husband is still viewed as an ideal.

In our next Chapter, we see how women were brought out of this seclusion through education, national movement, legal reform and employment.

## CHAPTER III

### FORCES OF CHANGE

The major kind of changes that have affected the status and opportunities of women are the expansion of formal education, their participation in the nationalist movement and new employment opportunities outside the home. These have all interacted with each other with changing legislation. We will discuss each in turn.

#### Education

There are many events that took place in the later 19th century and early 20th century that influenced high caste middle class educated women's willingness to accept traditional marriage relationships.

Modern western education had a profound impact on relations between men and women. Previously, Brahmin males had the exclusive right to study the Sanskrit sacred texts. For females of all castes and for lower caste males, there was no education at all. The British brought their own secular, English medium educational system in 1814, in order to educate some of the high caste Indians to staff the governmental services. Christian missions played a large part in initiating education for girls and popularizing it in the towns and cities. Through the English language, students were introduced to new ideas in western books, magazines and newspapers. (Lamb, 1975:119-124)

These ideas challenged many basic Indian assumptions and led to increasing censure of some of the Sanskrit codes. The new schools and colleges started by the government and missionaries were sufficient to educate only a tiny minority of the population. This minority responded to the ideological challenge in a variety of ways including efforts at social reform (Lamb, 1975:Chapter V). Some of the reformers came to feel ashamed of the way some Hindu women were treated as a result of the Sanskrit codes. The plight

of their own sisters and daughters who had become widowed at an early age, with no education and support, drove these men to do something to better their position.<sup>1</sup>

Ram Mohan Roy (1771-1833) is regarded as the first pioneer in social reform. At a very early age, he reacted against the popular Hinduism around him. His unorthodox views led to a breach with his father. Largely as a result of his guiding, the East India Company passed a law in 1829 declaring Sati illegal and providing severe punishment for anyone associated in any way with the custom. Ram Mohan Roy also founded a reform organization, the Brahmo Samaj, opposed polygamy and advocated the remarriage of widows, trial by jury and other innovations (Lamb, 1975:119-124).

Other social reformers like D.K. Karve, and institutions like the Satyashodak Samaj of Mahatma Phule, not only focussed their attention on widow remarriage, but also strongly pledged to work for the education of both daughters and sons. For bringing these reforms, social reformers were forced to pay a very heavy price. They were ostracized from the community and socially boycotted from the caste kin group. Men, who married widows, like D.K. Karve, were shunned or even persecuted by their castes.<sup>2</sup>

"Only slowly and with much personal sacrifice on the part of the reformers, did widow remarriage gain some measure of acceptance" (Lamb, 1975:162) The men and women who fought these campaigns were also founders of schools for girls, including young widows.

The education of women also moved slowly in the face of strong prejudice

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<sup>1</sup> For example, the Maharashtrian reformer, D. K. Karve. See his autobiography and those of several others in D. K. Karve, ed. The New Brahmins Berkeley: Univ. of California Press, 1965.

<sup>2</sup> D. K. Karve, ed, op.cit

in many parts of the country. Schools for girls were constructed during the 19th century and a few women began graduating from the universities<sup>1</sup> at about the turn of the century. A Women's Association was formed around 1917 and by 1929, The All India Women's Conference was established as a nationalist social organization (Omvedt, 1973:11). It first concentrated on Women's education and social welfare, but later moved into the fields of social legislation, the legal status of women and economic opportunities for women. Today, it has vigorous branches in many cities (Lamb, 1975:162).

The amount of formal education thought suitable for girls changed gradually since the early schools. Whereas in 1823, girls were only taught to read and write and do simple accounts, by 1930, 1700 women were enrolled in college degree programs (Ross, 1961:211).

It was around 1930, that giving daughters some schooling began to become as desirable as educating sons, not only among the people we are studying, but in society at large. This shows up in the data in female literacy during the 20th century. (Table 1) The rapid changes since the 1920's in both the rate of female literacy and the ratio to male literates are evident even from these crude figures.

The Sarda Act of 1920, which raised the legal age of marriage for girls to 15, had a vital effect on women's education for they had more time before marriage and could stay longer at school. There were also a change in the Hindu inheritance law (1956), whereby daughters and widows could inherit and

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<sup>1</sup> The colleges were sex segregated then, and many still are now. They are all affiliated to universities, which are examining bodies. These are, of course, co-ed.

Table 1. Male &amp; Female Literacy in India: 1909-1981.

Year	Percent Literate Persons	Male	Female	Literate Males Per 100 Literate Females
1901	5.35	9.83	0.60	1466
1911	5.92	10.56	1.05	1043
1921	7.16	12.21	1.81	1208
1931	9.50	15.59	2.93	560
1941	16.10	24.90	7.30	NA (Not Available)
1951	16.67	24.95	7.93	332
1961	24.01	34.44	12.95	283
1971	29.45	39.45	18.69	227
1981	36.17	46.74	24.88	201

Source: Census of India 1981, Vol I, Provisional Population Totals. p. 43-statement 11 and p. 49-statement 14  
Percentages refer to the entire population, including infants.

claim the family wealth if there are no male heirs (Almenas-Lipowsky, 1975:47). These legislative changes had effect only gradually, of course. Census data covering 1951-1971 show that the population of single women in both decades increased by over 33% while the total female population increased by 22.6% and 24% respectively, as shown in Table 2.

This increase in "single women" is associated with the increase in women's education, as shown in the subsequent Tables 3-5, covering the period 1950-1976. The percentage of girl's enrollment had increased almost 5 times from 1950 to 1975. Also, the ratio in the proportion of enrollment between boys and girls was reduced from the year 1950-51 when it was 2.75 to 1.12 in 1975-76.

In the Middle School, the enrollment of boys between 1950 and 1976 increased eight fold, whereas that of girls shot up 12 times. The ratio of boys and girls enrolled was reduced from 2.3 to 1.5 during this period.

In the classes VIII and IX (equivalent to junior high) and X - XI (equivalent to senior high) the enrollment of boys and girls dropped considerably compared to primary and middle stages. But, again the enrollment of the girls from 1950-51 to 1975-76, increased approximately 9 and 10 times respectively (Table 4). The women's enrollment in University Education also doubled from 1950-51 to 1970-71 (Table 5).

All these census data clearly indicate that women's education is gaining attention. There is increasing awareness among the parents of the importance of education for their daughters. For instance, one of Ross' (1961) respondents said "Mother kept up our expensive education after father died with great financial difficulty. Mother sold all her jewels to finance the family education" (Ross, 1961:223). Another woman respondent said, "My parents were so interested in our education that mother actually moved to a

Table 2. Female Population by Marital Status in India, 1951-71

Year	Total	Single	Married	Widowed	Divorced/ Separated	Unknown
1951	173,508,101	67,266,636	84,038,290	22,203,375 (widowed and divorced together)		
1961	212,790,817	90,083,311	98,483,482	23,024,884	1,086,137	108,003
Percent Growth (1961-71)	22.6%	33.9%	17.2%		8.6%	
1971	264,013,200	119,974,700	119,795,300	23,266,100	869,500	107,600
Percent Growth (1961-71)	24.1%	33.1%	21.5%	1.4%	-19.9%	

Source: United Nations Department of International Economic and Social Affairs Statistical Office. Demographic Year Book, Special Issue: Historical Supplement.  
New York: United Nations Publications, 1979. Table 12, p. 1022

Table 3. Enrollment in Primary Education as Percent of Relevant Age Groups, 1950/51--1975/76

Year	Primary School (I - IV classes)			Middle School (V - VII classes)		
	Boys	Girls	Total	Boys	Girls	Total
1950-51	55.0	20.1	37.8	10.8	4.6	13.0
1955-56	59.5	25.0	42.6	25.6	6.9	16.5
1960-61	74.0	35.0	54.8	35.5	12.5	24.3
1965-66	90.2	47.6	69.2	49.4	20.7	35.6
1970-71	109.8*	68.6	89.7	66.7	33.0	50.7
1975-76	109.7*	97.2	106.4*	81.9	55.7	69.2

Source: Government of India, Ministry of Education, Report of the National Committee on the Status of Women, p. 147, New Delhi, Allied Publisher, Pvt Ltd, 1974.

\* Footnote: In primary school the figures for boys sometimes show more than 100% because some pupils are older than the age group considered.



Table 4. Enrollment in Secondary School as Percent of Age Group,  
1950/51--1975/76

Year	Classes VIII and IX			Classes X and XI		
	Boys	Girls	Total	Boys	Girls	Total
1950-51	10.9	1.8	6.5	3.3	0.5	1.9
1955-56	14.9	3.3	9.3	5.2	0.9	3.1
1960-61	20.8	5.4	13.1	8.0	1.6	4.9
1965-66	28.7	9.1	19.1	11.5	2.3	7.0
1970-71	34.2	12.2	23.4	14.6	3.5	9.2
1975-76	40.8	16.9	29.1	17.0	4.8	11.0

Source: Government of India, Ministry of Education, Report of the National Committee on the Status of Women in India, p. 148, New Delhi, Allied Publisher, Pvt Ltd, 1974.

Table 5. Women Enrolled in University Education. 1950/51-1970/71

Year	Enrollment	Women Enrollment Number	Percent of total enrollment	Women Per 100 men
1950-51	396,745	43,126	10.9	12.2
1960-61	1,049,864	170,455	16.2	19.4
1970-71	3,001,292	655,822	21.9	27.96
				(computed)

Source: Government of India, Ministry of Education, Report of the National Committee on the Status of Women in India, p. 149, New Delhi, Allied Publisher, Pvt Ltd, 1974.

city so that we could get a good education. They gave us the opportunities and conveniences and proper atmosphere for studying well. There was no forcing. It was the same with my brothers". (Ross, 1971:225). My own personal experience bears out this emphasis on education, since my parents gave greater importance to our education than anything else.

Also today, women's education is given further importance by the growing desire of men to marry educated brides. Matrimonial advertisements typically stress beauty and education in a prospective bride and education and earning capacity in a groom. Regional and caste affiliations are usually mentioned.

"Matrimonial correspondence invited from, young, beautiful, educated, cultured, smart-Gujarati girls for settled, Gujarati Vaihnav Vanik youth of 27 years, earning Rs 3,000/-. Girl main consideration. (Dowry not important). Advertisement for wider choice only. Please reply to Box 45380. The Times of India". (Jacobson, 1977:48).

Husbands also take quite a bit of interest in their wife's education. As one of Ross's respondents put it

"When my parents found a suitable match for me, they stopped my education and I was married. After I went to live with my husband, he wanted me to finish at least up to Matriculation; so he coached me particularly for exams. He was also very fond of music and encouraged me to sing and play the veena [Popular musical instrument like guitar]". (Ross, 1961:222)

Coming from this stratum of society myself and knowing my brother's view as well as his friends and my husband's, I can say, educated high castemen prefer to have an educated wife.

#### Nationalist Movement and Public Participation

In addition to education and social reform movements, the movement for National Independence (1885-1947) played a major role in increasing the participation of middle class upper caste women in outside activities.

Mahatma Gandhi, who returned in 1915 to India from 20 years in South Africa and entered Indian politics in 1919, played a major role. His teachings not only encouraged women's education but also made it socially

acceptable for respectable middle class women to come out of their homes. He appealed to their sense of patriotism to awaken their national consciousness and social responsibility (Menon, Jain, ed., 1975).

Gandhi advocated women's rights and insisted that it was their duty to work for the independence of the country. He insisted that women should take part in the struggle along with the men. They were given a sense of importance and promptly acted as picketing agents on foreign goods, prepared and distributed nationalist literature and news prohibited by law. They carried the messages verbally back and forth between nationalist leaders, when other means of contact were prevented by the police and even served as underground leaders. Women demonstrated and marched by the thousands and were jailed for their anti-British activities. As a result of their participation in Gandhi's salt march in 1930, 17,000 women were imprisoned (Lamb, 1975:161-165). What the class composition of the jailed women was, we do not know but they appear to have been from all classes, particularly those who were educated.

Jawaharlal Nehru in his autobiography (1963) writes with amazement about his wife Kamala's participation in the freedom movement. "When I heard that my aged mother and of course, my sisters used to stand under the hot sun picketing before foreign clothshop, I was greatly moved. Kamala did so also, but she did something more. She threw herself into the movement in Allahabad city and district with an energy and determination that amazed me, who thought that I had known her so well for so many years". (Nehru, 1963:160-161)

Jacobson's (1977) study based on data obtained during ethnographic fieldwork in Central India, tells us that then participation in the struggle gave great prestige to the participants and from that experience women started taking an active interest in the national politics and work outside home. If

this national movement could make such an impact on rural women in some remote villages in Central India, it definitely must have made an impact on their urban educated counterparts.

#### Employment Outside the Home

With the advent of industrialization and urbanization, the nature and scope of work for women have substantially changed. Thousands of women have taken jobs outside the home in various offices and other places of work. In large cities, many of the middle class families have to live in small, expensive apartments. This gives both wives and daughters more leisure time, because of decreasing household labor demands, for jobs outside the home and also puts more pressure on them to add to the family income. After World War II, the middle classes were economically hard hit and women of these classes also started coming out of their homes to learn to supplement the family income (Kapur in Gupta (ed), 1976). My own father who did not even entertain the idea of my eldest sister going for a job (i.e. 20 years back), today does not mind us seeking a job. Indeed "The main reason that so many married Hindu middle class women work without reproach is because everyone understands the economic problems of the middle class and that a wife's income is often essential to the family's standard of living" (Ross, 1961:198).

The movement of the middle and upper class women from the home into the labor force began with "safe" female stereotyped jobs such as nursing and teaching and, for a few of the more highly skilled women, the professions of medicine and law. Even with the traditional seclusion for women, there is always a demand for professional women, simply because custom requires that a girl be educated by female teachers in special schools for girls and that females be treated by women doctors. Table 6 shows the steady increase in the employment of women teachers from 1950-74 in primary, middle as well as

Table 6. Number and Percent of Women Teachers employed at different stages, 1950-1974.

Year	Primary School		Middle School		Secondary School	
	Number	Percent	Number	Percent	Number	Percent
1950-51	82,281	18	12,857	18	19,982	19
1955-56	117,067	20	23,844	19	35,082	23
1960-61	126,788	21	83,532	32	62,347	22
1965-66	180,315	24	138,539	36	110,703	30
1968-68	209,504	26	153,034	36	120,678	30
1973-74	250,000	26	199,000	37	150,000	30

Source: Government of India, Ministry of Education, Report of the National Committee on the Status of Women in India, p. 158, New Delhi, Allied Publisher, Pvt Ltd, 1974.

secondary school. Also, it is thought that decency requires women to be taken care of by female health personnel, female social workers, etc. Women would feel more free and easy to talk about their problems to female doctors than what they could with a male counterpart. This demand for professional women does not violate the rules of seclusion, but indeed is a necessary result of these rules. In 1971, 9.5% of all physicians were females, 0.7% of lawyers were females and 3.9% of dentists were females (Ross in Gupta ed, 1971:111).

Formerly, and to a certain extent even today, a woman's job was primarily seen as serving other women. But now they have come to a wider circle serving both men and women. Today women's presence is felt in engineering and technology departments as well as in law and agricultural schools, not to mention the enormous increase in Arts and Science and in medicine from 1950-1970 (Table 7).

Their position is improving even in administrative jobs, though at a very slow pace. Now, working in offices as clerks, private secretaries, telephone operators, receptionists, etc., has become common for middle class women (Kapur, Gupta, ed., 1971). The rise in the cost of living has made many middle class Indian families feel that they must have two salaries per family. These new economic needs are doubtless heightened by an increase in the number and variety of consumer goods which have stimulated the desire for more comforts and possessions (Ross in Gupta, ed., 1971:178). Also the heavy expenses of weddings and religious functions, lavish hospitality and costly dowries and an increased pressure to spend money on education forces many parents to send their daughters to work to increase their family income.

In 1963, 14.8% of working females were employed as clerks and in 1966 it rose to 17%. This figure includes all women workers and figures are still

Table 7. Number and Percent of Women Teachers in Colleges and Universities, 1950/51--1970/71. *Percentages in parenthesis.*

Faculty	1950-51	1960-61	1970-71
Arts	1,091 (11.4)	5,624 (14.9)	10,136 (19.7)
Science	379 (6.3)	Included in Arts	5,381 (13.6)
Commerce	4 (0.4)	57 (2.1)	227 (3.2)
Education	130 (24.3)	448 (22.8)	924 (23.9)
Eng./Technology	1	12 (0.3)	92 (1.2)
Medicine	173 (9.8)	431 (12.8)	2,236 (19.2)
Agriculture	1 (0.2)	21 (1.4)	49 (1.5)
Veterinary Science	12 (8.2)	11 (1.7)	18 (1.6)
Law	N.L	9 (1.2)	173 (10.8)
Others	24 (16.1)	10 (4.2)	154 (15.7)
All Faculties	1,815 (8.5)	6,923 (12.5)	19,390 (15.0)

Source: Government of India, Ministry of Education, Report of the National Committee on the Status of Women in India, p. 159, New Delhi, Allied Publisher, Pvt Ltd, 1974.



rising (Ross in Gupta, ed., 1971:115). Growing numbers of women are also qualifying themselves as engineers/architects and accountants as shown in Table 8. University enrollment in non traditional vocational subjects has increased markedly as shown in Table 9. No profession or service is barred to women and more and more women are taking advantage of these opportunities. Employment of women in Public and Private sector has increased quite a bit over a period of time, as given in Table 10.

The very fact of women entering into these various occupations and professions, even though their number is still small, provides evidence of a break-through in proving their talents and capabilities and of achieving a place in the prestigious occupational spheres which have been traditionally the preserves of men. Not only in Arts subjects but even in General Science, medicine, architecture etc. - fields they wouldn't have dreamt of entering before (Table 7-8). More and more women are entering into politics (Table 11-12), and are pursuing their interests outside the home. Tables 11 and 12 clearly indicate increasing women's participation in national politics. Unfortunately, we do not have data on the elections of 1977 and 1980 which followed the emergency period (1975-76) under Mrs. Gandhi. My own belief is that the number of women contesting must be definitely increasing today. All these changes indicate a vital change in the perception of the women with regard to their own capacities and capabilities and their place and status in the family and society. We will see, in our next chapter in the case studies of divorce, that with the possibility of self support, educated wives are disinclined to accept that husbands continue their old premarital habits of gambling, spending evenings with male friends, drinking, etc. All these indicate that there is a growing demand among women to be treated as an equal individual.

Table 8. Number of Women Employed in Different Occupations, 1966 and 1970

	1966	1970
Architects	489	744
Jurist	53	138
Accountants	357	1,085
Science/Engineering	1,585	2,560
Administrative/Executive Officers of Government	3,500	3,920
Managers	260	720

Source: Kapur, The Changing Status of Working Women in India, p. 80,  
New Delhi, Vikas, 1974

Table 9. Enrollment of Women in University Education, 1950/51 - 1970/71

Course of Study	Year 1950/51				Year 1960/61				Year 1970/71			
	Total Enrollment	Women Enrolled		Percent	Total Enrollment	Women Enrolled		Percent	Total Enrollment	Women Enrolled		Percent
		Number	Percent			Number	Percent			Number	Percent	
Arts	182,005	29,262	16.01		486,228	119,687	24.60		1,329,606	421,850	31.70	
Science	127,168	9,046	7.10		302,700	31,696	10.50		948,009	168,540	17.80	
Commerce	34,067	189	0.55		90,214	831	0.90		344,108	12,675	3.70	
Education	4,135	1,339	32.40		19,005	6,230	32.80		56,922	20,799	36.50	
Eng/Tech	12,094	19	0.16		45,389	403	0.89		90,034	910	1.00	
Medicine	15,260	2,493	16.30		35,215	7,714	21.90		97,601	22,296	22.80	
Agriculture	4,744	8	0.17		27,584	124	0.45		43,352	169	0.40	
Veterinary Science	1,101	5	0.45		5,385	38	0.71		6,222	44	0.70	
Law	13,649	290	2.01		27,251	815	3.00		70,618	2,626	3.70	
Others	2,522	475	18.80		10,893	2,917	26.80		14,800	5,913	40.00	
All Faculties	396,745	43,126	10.90		1,049,864	170,455	16.20		3,001,292	655,822	21.90	

Source: Government of India, Ministry of Education, Report of National Committee on the Status of Women, p.149, New Delhi, Allied Publisher Pvt Ltd, 1974

Table 10. Distribution of Women Employees in the Organized Sector  
Public and Private, 1962-1973

Year	Total ( '000)	Public ( '000)	Private ( '000)
1962	1,370	480	890
1963	1,490	550	940
1964	1,520	580	940
1965	1,680	640	1,040
1966	1,740	720	1,030
1967	1,820	750	1,100
1968	1,830	750	1,080
1969	1,840	770	1,070
1970	1,890	810	1,080
1971	1,930	860	1,070
1972	2,030	920	1,110
1973	2,140	1,010	1,130

Source: Government of India, Ministry of Education, Report of National Committee on the Status of Women in India, p. 165, New Delhi, Allied Publisher, Pvt Ltd, 1974.

Table 11 Turnout of Women Voters -Parliamentary Elections,  
1962-1971

	Percentage Turnout of Total Male Voters	Percentage Turnout of Female Voters	Difference Between Percentage Turnout of Male and Female Voters
1962	54.76	46.63	14.42
1967	61.33	55.48	11.25
1971	55.35	49.15	11.85

Source: Government of India, Ministry of Education, The Report of the National Committee on the Status of Women, p. 170, New Delhi, Allied Publisher, Pvt Ltd, 1974.

Table 12. Number of Female Contestants in Lok Sabha  
(Parliament) Elections, 1962-1971

Year	Total
1962	65
1967	66
1971	86

Source: Government of India, Ministry of Education, The Report of the National Committee on the Status of Women, p. 170, New Delhi, Allied Publisher, Pvt Ltd, 1974.

## CHAPTER IV

### CASE STUDIES OF DIVORCE

Today we confront a situation where middle class upper caste families, wives and husbands alike, still believe in some of the traditional values and customs, like keeping fasting for husband's safety and long life; wearing "mangal sutra" (sacred jewelry given at the time of wedding), putting a mark on her forehead which indicates that her husband is alive, that she is a happily married wife, etc., etc. On the other hand "increasing opportunities for education, emergence of new and equal legal and political status for women are responsible for [a] change in the attitude of educated women" (Kapur, 1970:402). In addition to the presence of two sets of marital norms, traditional and modern, is a new possibility of economic independence for the working wife. Our case studies will show that each of these factors plays a role in the incidence of divorce. We begin by noting the available sources of divorce cases and then discuss the cases according to the reasons given for filing for divorce.

The case studies are taken from three main sources. The first source is Pradyumna B Mathur's Ph.D dissertation on "Emergent Patterns of Divorce and Remarriage in North India". Dr. Mathur presents 28 divorce cases of which 10 are discussed here as representative of different reasons for divorce. Originally data were collected on 100 cases of the 300 divorce cases on record in the courts of Lucknow and Jaipur during the period from 1956-1971 following the Hindu Marriage Act of 1956.

The second source on divorce cases is Rama Mehta's (1975) Divorced Hindu Women. Here she discusses 8 case histories of family friction. She conducted an indepth interview with 50 women - 25 from the middle class and 25 from the upper class - to analyse the various phases of life in their homes that

contributes to domestic friction. Out of the four cases of family friction in the middle class presented, two resulted in divorce.

The third main source is Promilla Kapur's Marriage and Working Women in India (1970). She presents 72 cases of maritally extremely well adjusted and maladjusted couples. This study was conducted in Delhi. She took a sample of 300 working women from the three major occupational categories, namely teachers, office workers and doctors, each category consisting of 100 women. A sub sample of 72 informants was selected from the main sample. The main objective was to discover the factors that led to marital adjustment or maladjustment. None of the husbands were interviewed. She only gives us the wife's point of view. For our analysis, I selected the only 8 cases where the wife sought divorce or separation.

Of the 38 cases discussed in these three sources, one sued for adultery and all the others obtained a judicial separation on grounds of marital and physical cruelty (Table 13). Under the Hindu Marriage Act 1955, a divorce is granted two years after such a separation.\*

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\* The Hindu Marriage Act of 1955 enumerates 9 grounds on which either party to a marriage can make a petition to the court for a divorce dissolving the marriage. These are Adultery, Conversion (i.e. either party has ceased to be a "Hindu" by conversion to another religion); Insanity; Leprosy; Veneral disease; Renouncing the world; Not heard of-i.e., other party has not heard of as being alive for a period of at least seven years, by persons who would naturally have heard of him, had he been alive; Decree of judicial separation; Failure to observe a decree of Restitution of Conjugal Rights. Two other grounds of divorce are available to the wife only (1) Bigamy (2) Rape, sodomy or bestiality. This act lays down four grounds on which a marriage shall be voidable (i) Impotency (ii) Idiocy or lunacy (iii) Consent obtained by fraud or force (iv) Pregnancy of the Respondents before Marriage. (The Hindu Marriage Act-1955 Lucknow, Eastern Book Company, 1981). This act governs the whole of India.

Section 10 of the Hindu Marriage Act provides six grounds on which either party can present a petition for the decree of judicial separation. (a) Desertion, (b) Cruelty (Physical and mental), (c) Leprosy, (d) Venereal disease, (e) Insanity, (f) Adultery.



Table 13. Primary Reasons for Mental and Physical Cruelty  
Presented in Three Sources of Case Studies

Primary Reasons given for mental & physical cruelty	Mathur	Mehta	Kapur
Status Incompatibility (educ., occupational, caste)	9	1	2
Sexual Incompatibility	4		3
Conflicting Expectation of Wife's Role	3	1	1
Conflict With In-laws and Dowry Inadequate	5		1
Parental Disapproval of Marriage	2		
Residence	1		
Husband's Infidelity	4	2	1
TOTAL	28	2	8

In twelve of the thirty eight cases, the wife's educational, occupational or caste status was higher than the husband's. The higher status may have existed for "modern" reasons but was incompatible with "traditional" norms of superior status for the husband. This illustrates the mixture of old and new reasons for divorce. As the following cases indicate, the reasons for the breakdown of the marriage were frequently mixed.

In-Law Conflict - including residence, dowry, parental disapproval.

As we noted in Chapter II, the traditional pattern of the joint family involves some tension and requires a lot of adjustment. Nowadays, all these factors serve as a legitimate cause for divorce.

In the case of Indira v/s Iswar, he was employed by a State Agricultural Department in a small town 50 miles away from his parental home at the time of his marriage. After the marriage, his wife lived with his parents and he visited his parental home on weekends. The room he rented in the town where he worked was too small, and financially he could not afford to start a family afresh. "The college educated young woman found herself the weekend wife of the youngest son in the family and full time maid to her senior affines" (Mathur, 1977:20). Being an urban raised cosmopolitan girl, Indira refused to put up with this arrangement and when she went to her natal place, she got a regular job for her husband too. When her husband refused to leave his family, she left her marital home. There were no children. Later her husband sued for divorce on the grounds of desertion (Mathur, 1977:39-45).

Similarly, in the case of Hemlata v/s Hari, status incompatibility as well as husband's refusal to set up neolocal residence led to divorce. Here the wife was a medical doctor and her husband was a compounder (pharmacist assistant). The difference in their occupational status created the tension between the spouses. They were living with his joint family. Since her

position was higher than his occupational status, he started taking revenge by bossing over her at home. The wife refused to stay unless he established a neolocal residence. When there was no remote possibility of this happening, she left her husband and refused to come back. Her professional education and job security gave her the courage to stand against the traditional demands of husband and in-laws. She even refused to listen to her parents, who tried to convince her to stay with her husband and listen to in-laws (Mathur, 1977:85).

Another source of conflict with in-laws is shown by the case of Mrs. V.A. She was a lady doctor who made a love marriage to her doctor colleague. Since it was not arranged, her mother-in-law resented her from the beginning for not bringing any dowry. In spite of her working the whole day in the hospital and contributing to the family's income, she was asked to do household work also. Even her husband started behaving rudely to her. She could not tolerate the situation and got a separation (Kapur, 1970:282).

Dowry is still very much prevalent in Indian marriages, however much both the brides and grooms are educated. In the case of Lila v/s Lachman, she was a pretty woman of 20, had passed her B.A. coming from a very high caste family. After marriage, the bride was constantly ridiculed by the in-laws for her meager dowry and was ordered to bring more. She did not get protection from her husband. She had the option of either submitting to the continuing mistreatments or returning to her natal home. She opted for the latter and started legal proceeding filing for divorce on the ground of gross cruelty. Here it is evident that the education of the bride played a significant role in her decision to leave her husband, who gave her no protection. She maintained her position that it was not worth putting up with such wretched parents-in-law in order to keep up marriage with a man as useless as Lachman (Mathur, 1977:39-50).

### Incompatible Occupation and Social Status

We have classified 33% of our cases under this heading and give four examples out of the total twelve instances.

In the case of Omlata v/s Onkar, she was a MBBS medical doctor and had to put up with a jealous mother-in-law and sister-in-law. Her husband, who was an air force pilot, was posted for some time on a nonfamily station and had a name for himself as a "woman chaser". Onkar felt annoyed because whenever he returned home from different air force bases, he found his wife busy in her professional obligations at odd and inconvenient times. He claimed that professional commitments took priority over the conjugal demands of her husband. This widened the rift and brought about mutual accusations of adultery. She sued for separation on the grounds of extreme physical and mental cruelty and subsequently got her divorce. She later completed her M.D. and was reported to be happily married today to a military officer (Mathur, 1977:60-62).

In Urmilla v/s Anand, after her marriage, Urmilla finished her M.A. and took a job. Though her husband did not have any objection to her studying, he was against her taking a job. She refused to leave her job as a lecturer. This resulted in frequent quarrels. After the birth of their first daughter, her husband asked her to leave the job and once again his wife refused. After the second baby (again a daughter) was born, tension increased and she took a job in another town. Her husband sued for divorce to which she readily agreed (Mehta, 1975:79-81).

In another case, both husband and wife were doctors belonging to different castes. Tensions started building when the wife became well-known in her professional circle, whereas her husband was little known professionally. Her husband started preventing her from attending conferences

and seminars where he was not invited. She could not tolerate this and in spite of his resentment, she resumed attending conferences. Being well educated and having a good established career, she refused to put up with her husband's attitude toward her achievements and to his coming in her way of professional advancement and sued for divorce (Kapur, 1970:366-370).

In Ram v/s Rupa, the wife distinguished herself in the legal profession, outdoing her husband in socio-economic achievements. She started a law school after her marriage with the consent of her husband. They had two daughters. After finishing her school, she did extremely well in her career, whereas her husband's career seemed to have reached its peak in a dead end job. The pressure on Rupa's time by her professional work started to cause marital stress. Her new social relationships among her professional peers further strained her marriage. The husband entered into sexual relationships with other women and beat his wife. Rupa left her conjugal home with her two daughters and filed for divorce. She met her second husband before the divorce was finalized. She maintained her law practice and it is reported to be very happy in both professional and marital life (Mathur, 1977:106).

In the case of Triveni v/s Tikam, they belonged to different castes and had fallen in love and got married against the wishes of his parents, under the Special Marriage Act of 1927. This statute permits easy divorce only for those who were married under its provisions. After their marriage, the couple lived neolocally. A year after the birth of their daughter, Triveni went to England on a University Scholarship for a year taking the child with her with the consent of her husband. Unfortunately, she was forced to extend her stay. While she was gone Tikam divorced her and got married to a girl of his own caste with the blessings of his parents. Triveni came to know about it only after returning to India. "Having a career of her own, she did not view

the development as the end of the world for herself". (Mathur, 1977:119).

Later she met a professionally well placed person whom she married. (Mathur, 1977:118-119).

Once again, education and economic independence gave her the confidence to face the future as a divorced woman.

#### Wife's Role Strain

Another cause for frequent marital tension that could result in divorce is the incompatibility between the spouses because of their different expectations and attitudes. In these cases the husband wanted an educated and sociable wife outside the home, but also a very obedient and traditional minded wife inside the home. The educated wife had a more "modern" expectation of what their relationship should be.

In Shankar v/s Shanti, the couple established a neolocal home for themselves. After marriage, the husband continued his close relations with his male friends, who impinged upon his time most of the evening. The young educated wife refused to put up with the situation and threatened to leave him unless he changed his ways. When the husband refused to comply with her request, she left him. He wrote long letters of repentance for being rude to her. When he did not get any response from Shanti, he wrote to her brothers that they should counsel Shanti to obtain a divorce which would leave him free, too. Later she sued him for divorce and got married to another man within the caste. The husband also got married to a girl from lower socio-economic status than him (Mathur, 1977:80-82).

Bringing male friends home unannounced and expecting their wives to cook for them was not a serious demand in the olden days, when the wives' primary duty was to fulfill her husband's wishes. Today, education, along with western influence, encourages women to expect a more compassionate and

egalitarian marriage.

In the Tarun v/s Tara case, both were very well educated but with a different class background. Tarun, being brought up in a very conservative family, expected his wife to cope with the extended family situation, to follow wherever he led her but never to outdo him, to be a gracious hostess when the occasion demanded, and otherwise to stay in the background. He maintained a very traditional attitude toward his wife and her place at home. Tara had been brought up in an upper class city-bred modern environment. She was infuriated by this attitude. After the birth of a second daughter, Tarun's neglect of his family responsibility increased and the wife's dependence on a neighbour's help also increased. Subsequently, Tarun started making half hearted accusations of adultery. She filed for judicial separation on the grounds of mental cruelty and after due process of law obtained her divorce (Mathur, 1977:84-86).

In the case of Hema v/s Dinesh, Hema who was a B.A., got married to a man from a lower subcaste grouping, but richer than her parents. His family was eager to improve their social status and was happy to get a girl from a family with a higher social status, especially one that was also educated. After marriage, she was required to observe "purda" (seclusion) and was not allowed to go out even to known families. Being brought up in a fairly free atmosphere, she found it very difficult to observe these restrictions, and wanted to continue her studies. Her in-laws were against this idea. Immediately after the transfer of her husband to another town, she set up a neolocal residence and enrolled in an M.A. course. The in-laws were strongly opposed to her attending a co-educational college. At their instigation, Dinesh became very suspicious of her activities and even asked the servants to spy on her. This resulted in frequent quarrels. Also under the influence of

liquor, he started beating her. Hema who had the support of her brother after her father's death, left her marital home. She was not prepared to accept his terms of living with him. The husband instituted proceedings of divorce which she did not dispute because of the solid support from her brother (Mehta, 1975:87-89).

In Rohan v/s Rohini, he was an M.A., L.L.B. working as a senior officer and she was a college professor. Here the close relationship of the husband to a child of the first marriage prevented the development of emotional dependence and companionship between the spouses. Here again, the wife was well educated and well placed in life and thus able to opt for divorce (Mathur, 1977:99-101).

#### Sexual Incompatibility and Husband's Infidelity

Another important reason for marital friction leading to divorce is the sexual incompatibility and husband's infidelity.

In case of Bina v/s Bimod, the husband did not consummate the marriage for three years and the wife filed for divorce (Mathur, 1975).

In Mrs. D. D's case, she was 20 years old when she got married. Very soon after the marriage, "she was disappointed to find that her husband had bad habits which he had developed mainly on account of his having abundant inherited wealth and practically no work to do" (Kapur, 1970:257). In addition to spending his time drinking, he also started indulging himself sexually with other women to the extent of making love to other women in his wife's presence. She could not tolerate this situation and left to her parent's place. While she was awaiting her divorce her parents provided her with further education. She obtained a postgraduate degree in medicine and got a good job to support herself (Kapur, 1970:257).

Mrs. A. C. also could not bear her husband's intimate relations with



other women. But she had to get a M.A. while staying with her husband. Once she did so and got a good job, she filed for a separation from her husband (Kapur, 1970:258). Economic security is very important in both these cases.

Mrs. A. E. was a school teacher with an M.A. degree. She started studying only after meeting with frustration in her married life. Marital friction started when her husband became deeply attached to his younger brother's wife and started flirting with other girl friends. In order to get out of this situation, she started studying against the wishes of her husband and applied for a job without his knowledge. As soon as she got the job, she took the children and left him. Here again, husband's infidelity became the serious source of marital conflict but economic independence made it possible for the wife to leave him. (Kapur, 1970:260).

The importance of economic security is revealed very clearly in Yogin v/s Yogesh case in which the divorce suit was withdrawn. Though she was educated, Yogin had married an older man, who was well placed in life, for economic reasons. After the birth of their son, who was the third child, the husband took to heavy drinking and wife beating and also never resumed sexual relations with his wife. In spite of all this ill-treatment, she was forced to reconcile with her husband. The future of the divorced woman with three children without a job would be too bleak for her to cope with, especially as the children grow older. (Mathur, 1977:94).

As mentioned in Chapter II, the importance of a son is quite evident from our case studies. It is our contention that one important perhaps even the crucial variable in the stability of the legal bond of marriage, is the birth of a son. Kapur (1970) presents a total of seven cases involving a son(s) of which six were separations but no divorce. (ibid: cases # 182, 131, 192, 139, 45 and 268). The seventh case (# 102) involved a husband and wife who

lived patrilocally in a wealthy extended family. Despite flagrant promiscuity on the part of the husband, the wife continued the marriage for eight years for the sake of the son. Also our case study on Tarun v/s Tara (discussed in this chapter) the birth of the second daughter increased Tarun's neglect of his family responsibility. Similarly, it could be possible in the case of Urmilla v/s Anand (case discussed in this chapter), the husband probably would not have sued for divorce, if they had had sons instead of daughters. The birth of a daughter doesn't cool antagonism as does the birth of a son. In spite of serious marital conflicts, men under the influence of traditional values, do not want to divorce "the mother of their son", but seem willing to accept divorce from the mother of their daughter.

The logic of modern ideas is selectively accepted by men to the detriment of women, i.e. though most of the husbands prefer educated and employed women, still the wife shouldn't be over qualified to undermine his position and status. The women, on the other hand, being educated, and earning, their environment are getting less traditional. They no longer want to treat their husbands as God or someone superior to themselves. They, therefore, are entering marriage with a greater sense of their rights. This comes in conflict with the male attitude on the wife's role and their own standards of feminine behaviour. If the women do not comply with these standards, they are in difficulty and yet to comply with them is no longer easy.

## CHAPTER V

### CONCLUSION

By way of conclusion, let us look first at the reasons given by the plaintiffs for suing for divorce or separation. Just as these marriages were governed by both "traditional" and "modern" norms so there can be both traditional and modern reasons for their dissolution.

Some of the causes of marital tensions which were always there, even in traditional society, are residency, in-law conflicts, dowry, wife beating, personal incompatibility, infidelity and husbands not providing for the family financially. There is nothing new about these, although they may increase intensity as a result of the wife's new education and occupational activity. Modern sources of tensions which directly result from upper caste women's occupational activity and education are (1) achieved status incompatibility (education, occupation), (2) wife's occupational demands, (3) wife's occupational prestige and (4) emphasis on male friends and (5) job and housework conflict.

As we look closely at the case studies we find it difficult to sort out these two sets of factors. More often than not, the cases reflect a mixture of reasons for marital breakup. There is a change in values, but there is also a change in structural opportunities. Taking the values first, the educated women in our cases are increasingly aware of the equality created by social change and by the widening opportunities for women for having education and becoming economically independent. And their attitudes and values are increasingly becoming colored by the egalitarian ethos (Kapur, 1974:35). Attitudes have changed from viewing marriage as a sacrament solemnized primarily for the fulfillment of one's social duties to believing that marriage is a social contract which is entered primarily for the good of

individuals and for their personal happiness and satisfaction (Cases of Tarun and Tara; Shankar and Shanti). Moreover, the wife now often has more authority both in society and in the marriage, as one of Ross' (1961) respondent put it.

We working wives have no time to show our reverence to our husbands. My husband is a head master, but I am also a head mistress and I have a lot of work to get through before school. So in the morning all I have time to do, stand at the bottom of his bed and say "utah utah" (up you get) and after that, I am far too busy cooking, to have any time to waste in worshipping him". (Ross, 1961:204)

The attitudes of middle class educated working women have changed considerably and have become more modern and equalitarian. The attitudes of men of the same class, though changed considerably when it comes to their sisters, have by and large remained more or less traditional, and authoritarian towards their wives, with a definite predominance of male superior and female inferior ethos (Kapur, 1974:35-36). This contrast also led to divorce in some of our cases. The strength of the traditional norms on the wife's part, coupled with limited potential for self support, is seen in some cases where the suit for divorce was withdrawn.

In two of Mathur's case studies, the suit was withdrawn because of the birth of a son.

Again, out of the case studies on divorces, twelve out of thirty-eight divorce cases were due to status incompatibility; where the wife's education or occupation was superior than her husband's. This goes against the traditional codes where the husband should be in a higher position than his wife. Educated and employed young wives, who think they are mature and knowledgeable enough to decide for themselves what is right and wrong, do not like to be dominated by tradition minded husbands and in-laws.

In all these case studies, educated and employed women seem to

acknowledge tension. But as far as seeking divorce or separation, more than education, economic security seems to be the deciding factor. In all our divorce cases, the wife had some sort of financial security, either her occupation or male economic support. The importance of economic independence is revealed very clearly in Yogin v/s Yogesh case. Had she had the financial security, she would have had sufficient confidence to go against conventional demands and seek divorce.

Also, in the case of Mrs. D. D. her parents made sure, she had enough education to support herself before going for divorce and Mrs. A. C. put up with her husband's adulterous nature till she got enough education and also a job.

Out of the thirty eight divorce cases - eight cases had wives as doctors and two wives as lawyers. Out of the eight doctors who divorced their husbands, four of them got remarried. The professional security not only gives them the confidence to face the future alone, but also to stand against the social barrier to remarriage. In Mehta's study, two cases out of four opted for separation instead of divorce. Since they were not interested in remarriage, they did not want their husbands to marry either.

We can summarize the whole changing processes looking from the time when daughters were born and lived in traditional families and were married off before puberty, they were raised in the expectation that their natal kindred experience was transitory, and that they were destined to be married into another patrilineage to which their loyalties must be transferred. The increase of nuclear families in the urban areas and the delayed marriage with increased education as well as economic opportunities of women has created problems in shifting the more strongly developed affectional ties to natal kin to affinal kin, even though female children in nuclear families continue to be

told that their natal kin experiences are transitional. Moreover, women of twenty or older are less maleable, more strongly developed personalities from their own experiences from the outside world, have greater difficulties adjusting to old values and customs especially when it comes to treating their husbands as superiors. All of this causes difficulties in that educated wives to meet the role model expectation of husbands from more traditional or different social and economic backgrounds. For this reason, even with the birth of a son, though more easily with daughters, educated wives may seek divorce. Thus, the whole changing processes of behaviours among the middle class upper caste women, can be seen as a product of both attitudinal and structural changes in Indian Society.

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FROM SATI TO SEPARATION  
Changing Attitudes of Indian Women on Divorce

by

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AN ABSTRACT OF A MASTER'S REPORT  
submitted in partial fulfillment of the  
requirements for the degree of  
MASTER OF ARTS

Department of Sociology, Anthropology,  
and Social Work

KANSAS STATE UNIVERSITY

Manhattan, Kansas

1984

### Abstract

Divorce is a totally new concept in the traditional Hindu family system. Tensions in marriage have always existed, springing from almost the same reasons as today. The difference is that whereas in the past marital difficulties whatever their magnitude, were contained within the family fold. The new attitude of women towards domestic harmony is part of the overall change in the awareness of their new emerging rights in society.

This study analyses the process of change affecting the upper caste educated women who are economically middle class and living in urban areas. Case studies on divorce are presented to assess the changing attitudes and opportunities of this category of women. The study shows that education and economic independence play an important role in the incidence of divorce.