Transforming lives of Women within a Plural Marriage: An Attempt to Restrict Polygamy in India and critical analysis of Gender-neutral Laws

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Abstract-
The call for a more gender-sensitive legal framework arises from the pressing need to address the complex realities faced by women affected by polygamy in India and other societies where such practices persist. While existing legal mechanisms—such as personal laws and judicial pronouncements have sought to regulate or restrict polygamy, they often fall short of addressing the deeper structural inequalities and gender-based vulnerabilities it perpetuates. Merely restricting or criminalizing polygamy without providing adequate social, economic, and psychological support to women already in such marriages can result in further marginalization and hardship. Therefore, legal reform must move beyond prohibition toward a comprehensive approach that ensures protection, empowerment, and rehabilitation of affected women.
A gender-sensitive framework must encompass not only legislative intervention but also administrative and policy measures aimed at restoring women's autonomy and dignity. This includes access to property and maintenance rights, rehabilitation schemes, legal aid, and awareness programs that inform women of their rights and available remedies. Furthermore, judicial interpretations must evolve to reflect the principles of substantive equality rather than formal neutrality, ensuring that the law responds to the lived experiences of women rather than abstract notions of fairness.
Comparative legal studies from countries that have successfully restricted or reformed polygamous practices—such as Tunisia, Turkey, and Indonesia can provide valuable insights into crafting contextually relevant solutions in India. The goal should not only be to eliminate the practice but also to create social conditions that empower women economically and psychologically to resist or leave polygamous arrangements without fear of destitution or stigma. Ultimately, the envisioned reform should be holistic and inclusive, integrating gender justice with social welfare. By centering women's dignity, autonomy, and human rights, the law can become an instrument of genuine empowerment rather than mere regulation.
Keywords: *Gender Equality, Personal Laws, Polygamy Regulation, Uniform Civil Code (UCC), Marital Rights*

INTRODUCTION

The principle of equality before the law is a cornerstone of justice systems worldwide, yet its application often reveals inherent societal biases. In India, while the laws governing has made significant strides in addressing gender-based disparities, it remains tethered to deep-rooted patriarchal traditions.
Gender laws, created to protect marginalised groups, have become restrictive over time, limiting their scope to predefined norms of victimhood and culpability. The evolving societal dynamics demand a shift toward **gender-neutral laws** a progressive legal framework ensuring equality for all, irrespective of gender identity.

Gender neutrality refers to the elimination of gender-based distinctions in language, policies, and legal provisions. Unlike the concept of biological sex, which categorises individuals as male, female, or intersex based on physical attributes, gender is a social construct that encompasses a spectrum of identities, including transgender, non-binary, and gender-fluid individuals.
For example, while traditional laws often use terms like "man" and "woman," gender-neutral frameworks replace these with inclusive terms such as "person" or "individual." This linguistic shift is not merely symbolic; it acknowledges diverse identities and aims to dismantle stereotypes that restrict access to justice.
Women in plural marriages often face emotional, economic, and legal disadvantages that are inadequately addressed by current legal structures. Gender-neutral laws, while rooted in equality, often fail to account for the entrenched patriarchal norms that disproportionately harm women.
India is a country of immense diversity in terms of religion, culture, and personal laws. Among these personal laws, marriage laws vary significantly. While polygamy is prohibited under the Hindu Marriage Act, 1955, it remains legally permissible

under Muslim personal law, which allows a Muslim man to marry up to four wives simultaneously. This legal pluralism creates disparities in the protection offered to women, depending on their religious affiliation.

Polygamy, though legal under certain personal laws, poses significant challenges to the principles of gender equality and human rights. This paper aims to explore the lived realities of women in plural marriages and critique the effectiveness of gender-neutral laws in addressing their plight. The broader objective is to propose a rights-based and gender-sensitive approach to legal reform.

MEANING OF POLYGAMY

The Word Polygamy comes from two words: "poly," which means "many," and "gamos," which means "marriage." As a result, polygamy **relates to marriages that are several.** Thus, polygamy is marriage in which **a spouse of either sex may have more than one mate** at the same time.

The critics of polygamy laws argue that the practice results in gender inequality and hinder women's rights. It is contended that plural marriage often result in the exploitation and subordination of women, who may face economic dependence, marital discord, and emotional distress.[1] polygamy can further lead to social instability, family breakdown, and inter-spousal conflicts which ensures jealousy, thereby posing challenges to societal cohesion and harmony. On the other hand, there are some proponents of legalizing polygamy who argue that it is a matter of religious freedom and personal choice[2]. They contend that individuals should have the right to enter into polygamous marriages if it aligns with their religious beliefs and cultural practices. Legalizing polygamy, they argue, would also provide legal recognition and protection to individuals in polygamous unions, ensuring their rights and entitlements, including inheritance and property rights[3].

HISTORICAL AND CULTURAL CONTEXT OF POLYGAMY

Historically, polygamy in India has been practiced across various communities, often justified on the grounds of religion, lineage preservation, or social status. Hindu kings and nobility, for instance, practiced polygamy to form political alliances. However, with the advent of colonial rule, social reformers like Raja Ram Mohan Roy and Ishwar Chandra Vidyasagar advocated for monogamy as a moral and social imperative.

The Hindu Marriage Act, 1955, made monogamy a legal requirement for Hindus, punishing bigamy under Section 494 of the Indian Penal Code, 1860. In contrast, the Muslim Personal Law (Shariat) Application Act, 1937, permits Muslim men to practice polygamy without any legal sanction or regulation, highlighting a significant inconsistency in personal laws.

Marriage is one of the most important aspects of Human life. Marriage is a sacred institution and a complex legal entity governed by various personal laws in different cultures and religions. In Muslim law, marriage, or "Sunnat," is considered a civil contract between a man and a woman. Polygamy in Islam is one the favourite topic for the critics of Islam. It is a complicated aspect of marriage in Islam in which the welfare of the community supersedes the desires of the individual (women).

Marriage and divorce have had a disproportionate share in public debate among all matters of family law. Marriage is frequently theorised as the foundation of a family, and family the foundation of society. The glorification of marriage sometimes also means that there are arguments made for non-interference in personal matters, however, discrimination and even violence in intimate relationships cannot be overlooked on pretext of privacy.

There are significantly different attitudes towards how a union between two people is imagined. While in Hindu law, marriage is a sacrament, in Christian law, divorce continues to be stigmatised; in Muslim law, marriage is a contract and Parsi law registration of marriage is central to the ritual of marriage. It is important that these different attitudes are respected and not placed in hierarchy, pitting one religious attitude against another. At the same time marriage cannot be defined in religious terms alone, and religiously inspired gender roles and stereotypes cannot be allowed to come in the way of women's rights.

IMPACT OF POLYGAMY ON WOMEN

Polygamy has a disproportionate impact on women, leading to emotional trauma, economic dependency, neglect, and social ostracization. Women in plural marriages often face competition, insecurity, and lack of autonomy. They are frequently subjected to unequal treatment and denied rights to property, maintenance, and custody. Judicial pronouncements such as *Javed v. State of Haryana*[4] have recognized the adverse effects of polygamy on women's rights. In this case, the Supreme Court upheld a law disqualifying individuals with more than two children from contesting local elections, indirectly affecting those practicing polygamy. The Court noted that polygamy is injurious to the health and dignity of women.

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[1] Noreen, M. and Asif, M., 2023. Muslim Women's Agency and South Asian Literature: A Postcolonial Feminist Analysis of Purdah and Polygamy: Life in an Indian Muslim Household by Iqbalunnisa Hussain. Pakistan Languages and Humanities Review, 7(2), pp.68-77.

[2] Suleman, M., 2023. Muslim Personal Law, Yes and No: Religious Leader's Views on its Legalization. Journal for the Study of Religion, 36(1), pp.1-34.

[3] Goldfarb, S.F., 2020. Legal recognition of plural unions: Is a nonmarital relationship status the answer to the dilemma? Family Court Review, 58(1), pp.157-173.

[4] [(2003) 8 SCC 369]

POLYGAMY IN INDIA

In the Words of Justice V.R. Krishna Iyer, a distinguished former judge of the Supreme Court of India who was well known for his progressive views on various legal and social issues, including polygamy firmly believed that polygamy was incompatible and absolutely inconsistent with the principles of justice and equality enshrined in the Indian Constitution. In several judgments and writings, Justice Iyer expressed his stance against polygamy, arguing that it violated the fundamental rights of individuals, in particular women. He emphasized the need to uphold the principles of equality and dignity within marital relationships, irrespective of religious or cultural beliefs[5]

Although polygamy is permitted within Islam but with stringent conditions, it is a rare practice among Indian Muslims, on the other hand it is frequently misused by persons of other religions who convert as Muslims solely for the purpose of solemnising another marriage rather than Muslim themselves. Comparative law suggests that only few Muslim countries have continued to protect the right to polygamy but with strict measures of control.

In India it has been statistically proved that more Hindus practice polygamy than Muslims. Hindus are not legally allowed polygamy, while Muslims are allowed as per their Personal law. Muslims are economically poorer than Hindus are. They cannot afford the luxury of maintaining second wife and their children. Polygamy was practiced prior to the enactment of the which completely abolished its practice.

- **Hinduism:**
    - Polygamy was practiced **prior to the enactment of the Hindu Marriage Act, 1955 (HMA) which completely abolished its practice.**
    - The HMA is applicable to any person who is Hindu by religion in any of its
    - form or development or to any person who is a **Buddhist, Jaina or Sikh by religion.**
    - **Section 11 of HMA** states that bigamous marriages are **null and void,** i.e., they don't hold any value under the Indian Laws.
    - **Section 17 of HMA** states that if any individual indulges in polygamy after the introduction of this Act, he could be punished under **Section 494 of the Indian Penal Code, 1860 (IPC) for the offence of bigamy.**
        - **Section 494 of the IPC - Marrying again during lifetime of husband or wife. —**
        - Whoever, **having a husband or wife living**, marries in any case in which such **marriage is void** by reason of its taking place during the life of such husband or wife, shall be **punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.**
        - Exception.—This section does not extend to any person whose marriage with such husband or wife has been declared void by a Court of competent jurisdiction, nor to any person who contracts a marriage during the life of a former husband or wife, if such husband or wife, at the time of the subsequent marriage, shall have been continually absent from such person for the space of seven years, and shall not have been heard of by such person as being alive within that time provided the person contracting such subsequent marriage shall, before such marriage takes place, inform the person with whom such marriage is contracted of the real state of facts so far as the same are within his or her knowledge.
- **Christianity:**
    - Under the New Testament (the second part of the Christian Bible, written originally in Greek, recording the life and teachings of Christ and his earliest followers), it was stated that the church leaders should only **practice monogamy and should not have multiple wives.**
    - Apart from that, Paul, the Apostle had clearly indicated that widows should be allowed to remarry even the already married men as this would provide them with a means of sustenance.
    - In modern times, the **Christian Marriage Act, 1872**, applies to regulate the matters
    - of marriage among Christians in different parts of the country and **it prohibits bigamy.**
- **Muslim Law:**
    - Polygamy **is legalized among Muslim men**, i.e., Muslim men can marry multiple wives at the same time, but this should not exceed four at a given time.
    - In the modern period, Indian Muslims are required to follow the legal provisions stated under the Muslim Personal Law Application Act, 1937 **which doesn't prohibit polygamy in any form.**

The following data is provided by the **NFHS[6]-5 for the period between 2019-2021**.

- **1.4 % of married Indian women** said their husbands had another wife or wives.

[5] Ahmed, H., Mishra, R.K. and Jehangir, K.N. eds., 2022. Rethinking Muslim Personal Law: Issues, Debates and Reforms. Taylor & Francis

[6] National Family Heath Survey

- A higher rate of polygamy **exists among the Scheduled Tribes** (2.4 %) and marginally among the Scheduled Castes (1.5 %).
- At 1.6 %, **Meghalaya** reported the **highest figure for polygamy**, while **Goa was at the bottom** of this list with a figure of 0.2 %.
- The rate of polygamy among various religions is as follows:
  - **2.5 %** in the case of other religions or castes.
  - **2.1 %** among Christians
  - **1.9 %** among Muslims
  - **1.3 %** among Hindus and Buddhists
  - **0.5 %** among Sikhs

Polygamy can have many consequences, including mental health issues for women and children, as well as adverse child health outcomes

AN INDIAN LEGAL PERSPECTIVE OF POLYGAMY AND CONSTITUTION

Article 14: Article 14 of the Indian Constitution guarantees the right to equality before the law and equal protection of the laws to all citizens. Polygamy violates the principles enshrined in Article 14 which include gender discrimination, denial of equal rights within marriage and social and economic inequalities. Recent case laws further illustrate how polygamy violates the constitutional right to equality[7].

In *Shayara Bano v. Union of India (2017)*[8], the Supreme Court declared the practice of triple talaq (instant divorce) among Muslims unconstitutional, citing its arbitrary and discriminatory nature. The court emphasized the importance of upholding the principles of equality and dignity within marital relationships, reaffirming the rights of individuals, particularly women, under Article 14 of the Constitution[9]

Article 15: The practice of polygamy is allowed only in Muslims which is clearly in contravention with Article 15 which prohibits discrimination based on religion. The Supreme Court in the case of *State of Karnataka v. Appa Balu Ingale & Ors* ruled that

"The Judges should adopt a purposive interpretation of the dynamic concepts under the Constitution and the act with its interpretive armoury to articulate the felt necessities of the time. The existing social inequalities or imbalances are required to be removed readjusting the social order through rule of law."

Article 15(1) prohibits state discrimination based on religion, race, sex, caste, or place of birth, extending the right to citizens to be free from discrimination in their rights, privileges, and immunities.[10]

The case of *Charu Khurana v. Union of India (2015*) sets a precedent for viewing polygamy as unconstitutional and oppressive under Articles 14 and 15 of the Indian Constitution.25 It was deemed contrary to gender justice as it perpetuates discrimination based on gender.

Article 21: The right to life, as enshrined in Article 21 of the Indian Constitution, encompasses a broad range of liberties and entitlements, including the right to live with dignity and security. Polygamy, by its very nature, undermines these rights for women, leading to emotional distress, economic hardship, and social marginalization. It is recognized that the practice of polygamy constitutes a breach of Article 21 of the Constitution, as a woman's right to human dignity, social esteem, and self-worth are integral components of her Right to life under Article 21. The Supreme Court, through a series of judgments, has affirmed that the right to life extends beyond mere existence and encompasses the right to live with human dignity[11].

K.S. Puttaswamy v. Union of India (2017)[12] and underscored the necessity for the provision to reflect women's status as equal participants in the institution of marriage, entitled to constitutional protections of privacy and dignity. He emphasized that a life of dignity entails safeguarding the "inner recesses of the human personality" from unwanted intrusion. His ruling placed significant emphasis on the importance of sexual autonomy as a fundamental aspect of life and personal liberty under Article 21.

Article 25: In **Khursheed Ahmad Khan versus State of UP in 2018**, the Supreme Court held that "though the personal law of Muslims permitted having as many as four wives it could not be said that having more than one wife is a part of religion. Neither is it made obligatory by religion nor is it a matter of freedom of conscience**."** Furthermore, The Supreme Court held that the Conduct Rules do not violate Article 25, as polygamy is not integral to Islam, and therefore does not constitute a religious practice.

[7] Sri Srinivasa Theatre v. Govt. of Tamil Nadu, (1992) 2 S.C.C. 643
[8] Shayara Bano v. Union of India and Others (2016), AIR 2017 SUPREME COURT 4609
[9] Mohd. Haroon v. Union of India, (2014) 5 S.C.C. 705.
[10] Nain Sukh Das and Ors. v. State of U.P. and Ors., A.I.R. 1953 S.C. 384
[11] Vishaka v. State of Rajasthan, (1997) 6 S.C.C. 241.
[12] K.S. Puttaswamy v. Union of India (2017), 2017 10 SCC 1

In PK Mukmuthu Sha v. PS Mohammed Afrin Banu (2023) ▪ The Madras High Court observed that although Islamic Law allowed a husband to have polygamous marriages, he was obligated to treat all the wives equally

Javed v. State of Haryana (2003) ▪ It may be permissible for Muslims to enter into four marriages but no religion dictates or mandates an obligation to enter into polygamy

INTERNATIONAL INSTRUMENTS RESTRICTING POLYGAMY AND PROMOTING GENDER-NEUTRAL LAWS

International Human Rights Instruments Restricting or Discouraging Polygamy

Many international conventions and human rights instruments either directly or indirectly discourage polygamy due to its conflict with principles of gender equality, non-discrimination, and human dignity.

1. **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979**
   - Article 5 & 16: Urges states to eliminate discrimination against women in matters relating to marriage and family relations.
   - General Recommendation No. 21 (1994) by CEDAW Committee explicitly states:

"Polygamous marriage contravenes a woman's right to equality with men and can have serious emotional and financial consequences for her."

2. **International Covenant on Civil and Political Rights (ICCPR), 1966**
   - Article 23(4): Protects equal rights of spouses in marriage.
   - Human Rights Committee's View: Polygamy violates the dignity of women and is inconsistent with the principle of equality of treatment.
3. **Universal Declaration of Human Rights (UDHR), 1948**
   - Article 16(1): Men and women are entitled to equal rights in marriage.
   - The emphasis on *equality and consent* has been interpreted as discouraging polygamous marriages.
4. **African Charter on Human and Peoples' Rights (ACHPR), 1981**
   - Protocol on the Rights of Women in Africa (Maputo Protocol): Although not explicitly banning polygamy, it requires state parties to "eliminate harmful practices," which includes polygamy in some interpretations.

GENDER-NEUTRAL LAWS: INTERPRETATION AND LIMITATIONS

Gender-neutral laws treat all individuals the same regardless of gender. However, in matters like polygamy—where gender imbalance is often systemic—gender-neutrality can fall short of gender equity.

Critical Point: Gender neutrality doesn't mean gender justice. If men historically benefit from a practice (e.g., polygyny), a "neutral" law that allows it for both genders may still disproportionately harm women.

Modernist interpretations of the conditions framing polygamy in Islam have led to a complete ban in Tunisia[13] while Turkey's embrace of secularism saw polygamy criminalized there in 1926[14]. Countries like Egypt, Pakistan, and Iran have introduced strict requirements based on the need for material justice 26 amongst wives[15]. Similarly, Iraq and some Malaysian states require permission from the court before the husband is allowed to enter into another marriage[16]. There are exceptions to this general trend, embodied in the permissive polygamy laws of Saudi Arabia; however, the recent increase in international scrutiny of the Kingdom and it's restrictive laws for women may translate into stricter rules around polygamy and other controversial practices[17]. The Goa Civil Code prohibits plural marriages and allowed polygamy only in special circumstances.

LAW COMMISSION REPORT ON POLYGAMY

- **Law Commission in its 227 report[18]says**— Since time immemorial it was believed – rightly or wrongly – that Hindu religious law allowed an unrestricted polygamy and imposed no specific conditions on the polygamist husband. The Muslim rulers of India had left the Hindu law on polygamy – whatever it was untouched and did not impose on any non-Muslim the rules of Islamic law tolerating limited polygamy in a well-defined discipline of

[13] Elizabeth H. White, "Legal Reform as an Indicator of Women"s Status in Muslim Nations", in Women in the Muslim World 52, 58 (Lois Beck and Nikki Keddie eds., 1978)

[14] Turkish Penal Code, Article 230, online: .

[15] Afaf Lutfi al-Sayyid Marsot, "The Revolutionary Gentlewomen in Egypt", in Women in the Muslim World 261, 263 (Lois Beck and Nikki Keddie eds., 1978)

[16] Noel Coulson & Doreen Hinchecliff, "Women and Law Reform in Contemporary Islam", in Women in the Muslim World 37, 40 (Lois Beck and Nikki Keddie eds., 1978)

[17] The Kingdom bowing to pressure from the international community on entering female athletes at the 2012 London Olympics, and the increased attention being brought to the ban on driving for women are good indictors of the gradually changing gender landscape in Saudi Arabia.

[18] http://lawcommissionofindia.nic.in/reports/report227.pdf (as accessed on 10.2.25)

equal justice to co-wives. The British rulers, who did reform many other aspects of Hindu law, also did not abolish the rules on polygamy under the traditional Hindu law and custom. Only the Brahmo samaj is had managed to legally adopt monogamy under a special law enacted for them in the erstwhile Bengal province in 1872. After the advent of independence anti-bigamy laws were enacted for the Hindus by provincial legislatures in Bombay, Madras, Saurashtra and Central Provinces. Finally, in 1955 Parliament enacted the Hindu Marriage Act putting a blanket ban on bigamy for the Hindus. Buddhists, Jains and Sikhs, declaring bigamous marriages on their part in future to be void and penal.

- **The Law Commission of India in 227th Report**[19]– A Proposal for giving Statutory Effect to Supreme Court Rulings' (2009), discusses how the section 494 applies to persons under various personal laws and also to Muslim women: As regards the Muslims, the IPC provisions relating to bigamy apply to women – since Muslim law treats a second bigamous marriage by a married woman as void – but not to men as under a general reading of the traditional Muslim law men are supposed to be free to contract plural marriages. The veracity of this belief, of course, needs a careful scrutiny. 2.97. The Sachar committee report of 2004 was also a significant step in this direction, which took stock of the status of Muslims in India. It also referred to problems of health and education.80 2.98. Under the India Administrative Service (cadre) Rules, 1954, the Central Civil Services (Conduct) Rules 1964 bigamy attracts penalties. These conduct rules provide that a person who has contracted a bigamous marriage or has married a person having a spouse living shall not be eligible for appointment to such services – Rule 21. The All India Services (Conduct) Rules 1968 also place restrictions on members of any such service – Rule 19. The 227th report states: Both the Rules, however, empower the government to exempt a person from the application of these restrictions if the personal law applicable permits the desired marriage and ―there are other grounds for so doing.‖ These provisions of Service Rules apply to the Muslims and their constitutional validity has been upheld by the Central Administrative Tribunal and the courts.

THE DEBATE ON UNIFORM CIVIL CODE (UCC)

Article 44 of the Indian Constitution encourages the State to secure for its citizens a Uniform Civil Code. Proponents argue that a UCC would ensure equality and end discriminatory practices such as polygamy. However, opponents view it as an infringement on religious freedom and cultural identity. A gender-sensitive UCC could standardize marriage laws across communities, ensuring protection for all women regardless of religion. However, its implementation must be preceded by extensive dialogue with stakeholders, particularly women from minority communities, to avoid imposing a majoritarian viewpoint.

- **Recent Legislative Developments: Uttarakhand's Uniform Civil Code**

In a significant move, the state of Uttarakhand passed the Uniform Civil Code (UCC) Act in 2024, becoming the first Indian state to implement such legislation. The UCC aims to standardize personal laws across all religions, addressing marriage, divorce, inheritance, and adoption. Notably, it prohibits polygamy, mandates the registration of marriages and live-in relationships, and ensures equal inheritance rights for sons and daughters.

While proponents argue that the UCC promotes gender equality and social justice, critics contend that it may infringe upon religious freedoms and target specific communities. The implementation of the UCC in Uttarakhand serves as a test case, with potential implications for other states considering similar reforms.

CONCLUSION AND RECOMMENDATION

Polygamy, as practiced under the guise of personal laws, continues to undermine the constitutional promise of equality and dignity for women in India. While gender-neutral laws may appear to promote fairness, they often fail to address the power imbalances entrenched in patriarchal traditions. A shift towards gender-sensitive legal frameworks, informed by lived experiences and grounded in constitutional values, is imperative. By restricting polygamy and reforming personal laws, India can take a significant step toward transforming the lives of women caught in unequal marital arrangements.

The discourse on **gender-neutral laws and polygamy** is deeply rooted in the evolving principles of **equality, justice, and non-discrimination**. While polygamy continues to be practiced in various cultures and religious communities around the world, its implications—particularly for women—have raised critical questions about the **fairness and uniformity** of personal laws. In societies that value **constitutional morality and human rights**, the existence of polygamous practices without parallel legal safeguards for all genders often perpetuates **inequality and gender bias**.

A **gender-neutral legal framework** seeks to ensure that rights and responsibilities are not assigned based on gender but are **equal and fair to all individuals**, irrespective of their sex or identity. When applied to marital laws, such a framework

[19]Preventing Bigamy via Conversion to Islam – A Proposal for giving Statutory Effect to Supreme Court Rulings 2009 (REPORT NO. 227)

challenges the **patriarchal underpinnings** of polygamy, which historically has favoured men and often left women vulnerable—economically, emotionally, and socially.

To effectively transform the lives of women in plural marriages, legal reforms must be:

- **Gender-sensitive**: Recognize the unique vulnerabilities of women in polygamous relationships.
- **Protective**: Provide for financial support, property rights, and legal recourse.
- **Rehabilitative**: Offer counselling, shelter, and rehabilitation programs.
- **Participatory**: Involve women in law-making processes to ensure their voices are heard.

Amending personal laws to restrict polygamy, coupled with community education and awareness campaigns, can significantly improve the socio-legal status of women.

REFERENCES

- **Books**
  - Syed, H., R.K. Mishra & K.N. Jehangir, eds., *Rethinking Muslim Personal Law: Issues, Debates and Reforms* (Taylor & Francis 2022).
  - Lois Beck & Nikki Keddie, eds., *Women in the Muslim World* (Harvard Univ. Press 1978).
- **Chapters in Edited Volumes**
  - Elizabeth H. White, *Legal Reform as an Indicator of Women's Status in Muslim Nations*, in *Women in the Muslim World* 52, 58 (Lois Beck & Nikki Keddie eds., 1978).
  - Afaf Lutfi al-Sayyid Marsot, *The Revolutionary Gentlewomen in Egypt*, in *Women in the Muslim World* 261, 263 (Lois Beck & Nikki Keddie eds., 1978).
  - Noel Coulson & Doreen Hinchecliff, *Women and Law Reform in Contemporary Islam*, in *Women in the Muslim World* 37, 40 (Lois Beck & Nikki Keddie eds., 1978).
- **Journal Articles**
  - M. Noreen & M. Asif, *Muslim Women's Agency and South Asian Literature: A Postcolonial Feminist Analysis of Purdah and Polygamy: Life in an Indian Muslim Household by Iqbalunnisa Hussain*, 7 **Pak. Langs. & Human. Rev.** 68 (2023).
  - M. Suleman, *Muslim Personal Law, Yes and No: Religious Leader's Views on its Legalization*, 36 **J. Study Relig.** 1 (2023).
  - S.F. Goldfarb, *Legal Recognition of Plural Unions: Is a Nonmarital Relationship Status the Answer to the Dilemma?*, 58 **Fam. Ct. Rev.** 157 (2020).
- **Cases**
  - Sri Srinivasa Theatre v. State of Tamil Nadu, (1992) 2 S.C.C. 643 (India).
  - Shayara Bano v. Union of India, A.I.R. 2017 S.C. 4609 (India).
  - Mohd. Haroon v. Union of India, (2014) 5 S.C.C. 705 (India).
  - Nain Sukh Das v. State of U.P., A.I.R. 1953 S.C. 384 (India).
  - Vishaka v. State of Rajasthan, (1997) 6 S.C.C. 241 (India).
  - K.S. Puttaswamy v. Union of India, (2017) 10 S.C.C. 1 (India