

Daily Mains Practice Answer 21-08-2026

Q. Polygamy is not merely a question of personal law but also one of gender justice, dignity and social equality. Discuss. (10 marks, 150 words)

Directions: Intro----Not merely a personal law, but also gender justice, dignity & social equality----Conclusion.

Introduction:

Briefly describe polygamy.

Main Body

Why is polygamy not merely a question of gender justice, but also dignity and social equality?

- Gender asymmetry - Creates an unequal marital relationship and reinforces patriarchal structures (principal concern).
- Unequal burden on women - Creates unequal emotional, economic and social consequences for women.
- Economic vulnerability - May dilute household resources, affecting women & children's access to education, healthcare and inheritance.
- Security within marriage - It may create insecurity to first wife regarding her marital relationship, residence and economic future.
- Dignity and autonomy - Reducing women to unequal or replaceable partners can undermine their dignity and autonomy.
- Article 21 has been interpreted broadly to include the right to live with dignity and personal autonomy.
- Social Equality - Articles 14 and 15 embody the constitutional commitment to equality and non-discrimination.
- So, the regulation of marriage cannot be examined solely through the lens of religious or personal law when a practice has significant consequences for equality and dignity.

Way forward

- Gender-sensitive legal reform.
- Ensure equal rights in maintenance, inheritance, property and child welfare.
- Awareness of women's legal rights.
- Encourage community consultation rather than imposing reform without dialogue.
- Apply the principle of constitutional morality.

Conclusion:

Give a balanced conclusion.

Polygamy cannot be treated merely as a dispute over personal law.

The constitutional balance - The issue involves a delicate balance between Articles 14, 15 and 21 and Article 25.

Therefore, the approach should not be to target a particular community but to examine whether a practice is consistent with constitutional equality and individual dignity.

