

MARITAL VIOLENCE, PATRIARCHAL LAW, AND THE DIVORCED WOMAN IN NAYANTARA SAHGAL'S THE DAY IN SHADOW

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ABSTRACT

Nayantara Sahgal's *The Day in Shadow* (1971) offers one of the most incisive fictional examinations in Indian English literature of the legal, financial, and social mechanisms through which patriarchal power persists beyond the formal dissolution of marriage. This paper argues that the novel operates on two simultaneous registers: as a personal narrative of one woman's experience of divorce and its aftermath, and as a systematic critique of the institutional structures that ensure the divorced woman remains a site of male control even after the legal tie has been severed. The central instrument of Sahgal's critique is the consent terms that Som imposes on Simrit as the condition of their divorce, a financial arrangement that transfers the tax burden of a six-lakh trust to Simrit while denying her access to its benefits, effectively converting the divorce settlement into a continuation of the marriage's power asymmetry by other means. This paper examines how Sahgal connects this specific legal mechanism to broader structures of patriarchal power, including the judiciary's complicity in Simrit's exploitation, the social stigma of divorce that isolates and disempowers the divorced woman, and the cultural ideology that frames the economically dependent wife as the normative ideal of Indian womanhood. The paper further examines how the novel's treatment of metaphorical violence, including the parallel drawn between Som's financial coercion and the physical violence of partition-era wife murder, connects the domestic and political dimensions of patriarchal power. Drawing on the novel's characterization of the judiciary, the legal profession, and the wider social community as institutions that either actively enable or passively condone the exploitation of divorced women, the paper argues that Sahgal's feminism in this novel is not merely personal but structural in its analysis and transformative in its intent.

Keywords: *patriarchal law, marital violence, divorce, feminist fiction, Nayantara Sahgal, The Day in Shadow, post-independence India, legal exploitation, women's rights*

INTRODUCTION

The legal emancipation of Indian women in the post-independence period produced a significant gap between formal rights and social reality. The Hindu Code Bill provided women with the right to divorce, but the cultural, financial, and institutional conditions surrounding that right were shaped by values so deeply patriarchal that the exercise of legal freedom frequently resulted in a new and more insidious form of dependency. Nayantara Sahgal's *The Day in Shadow* is one of the most important Indian English fictional examinations of this gap. The novel does not merely describe the suffering of a divorced woman; it anatomizes, with considerable precision, the specific legal, financial, and social mechanisms through which a patriarchal system continues to exercise control over a woman who has formally freed herself from her husband. The consent terms that Som imposes on Simrit are Sahgal's central metaphor for this continuing control: they are not simply an act of personal vindictiveness but a demonstration of how the legal infrastructure of marriage and divorce can be deployed as an instrument of gender oppression. This paper reads the novel as a structural critique of patriarchal law, examining how Sahgal uses Simrit's

experience to expose the systemic dimensions of a problem that the surrounding society consistently misreads as personal.

The critical literature on Sahgal's novels consistently acknowledges *The Day in Shadow* as her most autobiographically intimate work and her most searching examination of women's oppression. Jasbir Jain's description of the novel as an emotional autobiography, cited across the scholarship, establishes the connection between Sahgal's personal experience of financial exploitation through her divorce settlement and the fictional narrative of Simrit's struggle. R. Bhavitha's dissertation on the voice of freedom in Sahgal's novels provides a comparative framework for understanding the specific character of *The Day in Shadow*'s feminist argument within the larger arc of the author's fiction. Bhuvaneswaran's study of marital discord in *Storm in Chandigarh* and *The Day in Shadow* identifies the institutional dimensions of women's oppression as a consistent theme in Sahgal's writing. Naresh K. Jain, in *Women in Indo-Anglian Fiction* (1998), situates Sahgal's examination of women's suffering within the tradition of Indian English writing that uses fiction to make visible the social realities that official

narratives prefer to suppress. Shyam Asnani and Ramesh Chadha's analysis of the female quest for identity in Sahgal's novels emphasizes the role of societal norms and legal structures in constraining women's self-assertion. Uma Banerjee's study of the political dimensions of Sahgal's female characters provides context for understanding how the domestic and political are consistently intertwined in her fiction. T.S. Anand's analysis of *Storm in Chandigarh* as a novel that voices protest against injustice meted out to women and the denial of equality extends naturally to *The Day in Shadow*, which makes the same protest in a more intimate register.

THE CONSENT TERMS AS AN INSTRUMENT OF PATRIARCHAL CONTROL

The central legal instrument of Simrit's oppression is the consent terms that Som drafts as the condition of their divorce. The terms transfer shares worth six lakhs to Simrit's name ostensibly for the benefit of their son Brij, but the arrangement is structured so that Simrit bears the full tax burden while being entirely unable to access the capital. Sahgal frames this arrangement with considerable clarity: it is, as Raj Garg observes, the ultimate in outrage inflicted on an unresisting, unsuspecting victim, a financial

trap that uses the legal form of a protective settlement to perpetuate the economic coercion that characterized the marriage. The comparison Raj draws is direct and devastating: even a life sentence ends after fourteen years, but Simrit's financial bondage under the consent terms is designed to last until she dies. What is most significant about Sahgal's treatment of this legal mechanism is her insistence on its systemic rather than merely personal character. The consent terms are drawn up by a lawyer, Moolchand, who is personally disapproving of an Indian wife divorcing and seeking to lead an independent existence. They are approved by a court that functions as a silent spectator to the injustice. They are defended by Shah, a friend of Raj, who considers them a prudent financial arrangement and regards divorce as inconsistent with Indian tradition. The complicity of these institutional actors reveals that the consent terms are not an individual act of cruelty but the expression of a legal culture organized around the assumption that women's financial dependence on their husbands, even ex-husbands, is the natural order of things.

JUDICIAL COMPLICITY AND THE LIMITS OF LEGAL PROTECTION

Sahgal's critique of the judiciary in *The Day in Shadow* is rendered with satirical precision.

Ram Krishnan, the owner and editor of a weekly paper who becomes one of Simrit's advocates, articulates the novel's most explicit indictment of the legal system when he observes that in any other country the consent terms would be indefensible and outrageous. This statement frames Simrit's exploitation not merely as a local injustice but as a symptom of a specifically Indian legal culture's failure to protect the rights of divorced women. The judiciary's passivity in the face of Simrit's situation reflects what Sahgal identifies as a deeper cultural failure: the inability or unwillingness of legal institutions to recognize the forms of violence that leave no visible mark. Som's exploitation of Simrit is described in the novel as a form of beating where blood and bruise do not show, a formulation that captures precisely the challenge that patriarchal domestic violence poses to legal systems designed to address only its most visible manifestations. The laws of the land nominally guarantee protection and support to a single mother, but men like Som find the loopholes in the law to persecute a woman simply because she expresses her discontentment in her husband's attitude toward her. This gap between nominal legal protection and actual legal reality is one of Sahgal's most important and enduring observations.

SOCIAL STIGMA AS A MECHANISM OF PATRIARCHAL DISCIPLINE

The legal mechanisms of Simrit's exploitation are reinforced and extended by the social stigma that surrounds divorce in the India Sahgal depicts. The stigma functions as a disciplinary mechanism that deters women from exercising their legal right to divorce by making clear that the exercise of that right will be treated as a form of deviance requiring social correction. Simrit experiences this stigma in multiple registers. She is looked upon curiously by others as if divorce were a disease, an infectious condition that marks the divorced woman as dangerous to the social fabric. She finds herself isolated in a husband-centred world where women have no recognition apart from their husbands. The most painful dimension of this social condemnation is its indifference to the circumstances that produced the divorce: the society around Simrit regards her as the creator of her own misfortune without any consideration of the emotional and financial violence that led her to seek divorce in the first place. Nobody sympathizes with her because they regard the divorce as a self-inflicted injury, a framing that reproduces the logic of victim-blaming that patriarchal culture consistently deploys against women who

refuse to accept their oppression in silence. Sahgal underscores the coercive function of this stigma by showing how it operates across class lines: Pixie, the minor character who must weigh her decision to leave Sumer Singh against her need for a job and accommodation, is particularly vulnerable to the power that men hold precisely because the social stigma of her situation would deprive her of the economic support she needs to survive. The stigma is thus not merely a cultural phenomenon but a material one, functioning to make the cost of women's resistance prohibitively high.

METAPHORICAL VIOLENCE: THE PARTITION PARALLEL

One of the novel's most structurally significant gestures is the parallel Sahgal draws between Som's financial violence against Simrit and the physical violence of Lalli's murder of his wife during the partition period. The juxtaposition is deliberate and disturbing: Simrit's former marriage to Som is explicitly compared to the partition, and the murder of Lalli's wife is described as a murder of the physical self while Simrit's experience is framed as a murder of emotion. By drawing this parallel, Sahgal makes two interconnected arguments. The first is that the violence done to Simrit is genuinely violence, even though it leaves no

physical mark and attracts no legal sanction. The second is that domestic patriarchal violence and the public violence of communal conflict share a common root in the culture of male domination and the treatment of women as property. The partition comparison also functions to contextualize Som's psychology: his spiralling mania for affluence and his need to possess and control others are understood as consequences of the loss and displacement he suffered during partition, which stripped him of the material security around which his identity was organized. This psychological contextualization does not excuse Som's behaviour, but it locates it within a specific historical trauma, suggesting that the patriarchal violence of domestic life is not a natural or inevitable condition but a socially and historically produced one that can, in principle, be transformed.

WOMEN AS PROPERTY: MARRIAGE, DIVORCE, AND THE IDEOLOGY OF POSSESSION

Running throughout *The Day in Shadow* is a critique of the ideology that treats women as property rather than persons, an ideology that Sahgal identifies as the foundational premise of patriarchal marriage and the ultimate explanation for the specific form that Som's post-divorce exploitation takes. Som treats

Simrit as a trophy won in a conquest while the marriage lasts and as a piece of property to be encumbered when it ends. His refusal to allow her to make even the most trivial domestic decisions, his retention of the cook against her explicit wishes, his veto over chair covers and curtains, are not simply expressions of individual arrogance but reflections of a cultural understanding of the wife's legal and social status as subordinate to her husband's will. The consent terms that he imposes on Simrit after the divorce are the logical extension of this understanding into the post-marital period: even after the legal tie has been severed, he finds a mechanism to ensure that she remains economically subject to his decisions. The novel's most devastating observation about this ideology of possession is that it is not merely held by individual men like Som but is embedded in the legal and institutional structures that surround him. The lawyer who drafts the consent terms, the judge who approves them, the friend who defends them as prudent are all expressions of a legal culture that has not yet fully accepted the premise that women are persons rather than property.

CONCLUSION

The Day in Shadow is, in its deepest register, a novel about the persistence of patriarchal

power through institutional means. Sahgal's achievement is to demonstrate that the formal granting of legal rights to women is insufficient as a mechanism of emancipation when the institutions through which those rights must be exercised remain organized around patriarchal values. Simrit's experience of the consent terms, the judiciary, and the social condemnation of divorce reveals a system in which the liberation offered by the law is systematically undercut by the culture that administers it. The novel's enduring significance lies in its insistence that this contradiction must be named and examined, and in Sahgal's remarkable capacity to render the structural through the personal, to show how one woman's experience of financial exploitation after divorce is simultaneously the experience of every Indian woman who seeks to exercise her legal rights in a society not yet ready to honour them.

REFERENCES

- Anand, T.S. "The Flight from the Virtuous Stereotype: A Study of Storm in Chandigarh." *Indian Women Novelists*, edited by R.K. Dhawan, vol. 4, Prestige, 1993.
- Asnani, Shyam M., and Ramesh Chadha. "Female Quest for Identity in Nayantara Sahgal's Novels." *Quest for*

- Identity in Indian English Writing Part I: Fiction*, edited by R.S. Pathak, Bahri, 1992.
- Banerjee, Uma. "Devi: The Political Gatecrasher in A Situation in New Delhi." *Indian Women Novelists*, edited by R.K. Dhawan, vol. 4, Prestige Books, 1993, pp. 195–201.
- Bhavitha, R. "The Voice of Freedom in Nayantara Sahgal's Rich Like Us, Storm in Chandigarh and The Day in Shadow." Dissertation, Bharathiar University, 1992.
- Bhuvaneswaran, V. "The Theme of Marital Discord in Nayantara Sahgal's Novels Storm in Chandigarh and The Day in Shadow." Dissertation, Bharathiar University, 2002.
- Iyengar, K.R. Srinivasa. *Indian Writing in English*. Sterling, 1984.
- Jain, Naresh K. *Women in Indo-Anglian Fiction: Tradition and Modernity*. Manohar, 1998.
- Sahgal, Nayantara. *The Day in Shadow*. Penguin Books, 1977.