



THE CONTEXT

Quarterly journal of Arts & Humanities

International, Indexed & Peer Reviewed / Refereed Journal

Publication details and instructions for authors:

www.thecontext.in

This is an Open Access Journal#

***Waaris* : Feminine Voice Against Right to Property and Patriarchy**

Dr. Meenakshi V. Wasnik

Assistant Professor, Dept. of English, Mahoharrao Kamdi Mahavidyalaya, Nagpur

Abstract

This study aims to explore the voice of women for property rights in a patriarchal society in the film *Waaris* directed by Ravindra Peepat in the year 1988. Wars waged for *Jar, Joru aur Zameem* i.e. Wealth, Wife and Property or Estate is a century old phenomenon which transcends all natural, ethnic and class boundaries. We see the same condition in the film *Waaris* where a woman is not only ill-treated by her family members but also refrained from her legal rights to property. It spotlights on the socially restrained condition of a woman and how the woman struggles to change her destiny by breaking the traditional marriage system as a weapon to voice against her right to property. It is therefore very difficult for women to create her individual space and identity in such adverse situations. The paper discusses the major aspects of hegemonic masculinity, exceptional marriage in a civil society and feminine voice against Right to Property in the light of the review of Harmangrewal (2015). The paper examines the aspect of Patriarchy as major hindrances in the advancement and development of women.

Keywords: *Waaris, Right to property, societal perception*

Waaris: Feminine Voice Against Right to Property and Patriarchy

Dr. Meenakshi V. Wasnik

“It tells us that no one underestimate pride of a woman, who has the power to fight for her rights and turntables with her conviction and hard work. But jealousy and greed are nearby to destroy all that is good. But all fight and dedication pays off when perpetrators die their death.” (Harmangrewal: 2015)

The ideals that engage feminism find changes with the ground realities of life. The challenge in this spectrum is no longer the subjugation of domestic space or political and economic rights; it has moved on to more comprehensive social issues and human rights. The film *Waaris* is Based on the theme of property issues which is an important aspect of human rights. At the same time, it is equally important to understand property rights before going through the discussions and analysis. Property rights belong to human rights, but to make it more advanced, we need to announce them as moral and just.

This can be explicated from the Tim Wilson’s remarks:

The simple answer is Article 17 of the Universal Declaration of Human Rights, which states that ‘everyone has the right to own property alone as well as in association with others [and] no one shall be arbitrarily deprived of his property’. But in truth you can’t actually understand human rights unless you support the sanctity of property rights. (Tim Wilson: 2015)

Bollywood films have witnessed several tremendous developments. Several new voices have emerged on the feminist voice with their sensibilities, arresting the attention of the world. They share their vision and mission, their emotions and their aspirations through their directions. There is a long list of Bollywood films based on feminist stories. Among them Film *Waaris* deserves our special attention for its unique concept of feminist voice of twenty first century film industry. Speaking on “Violence against women” at Observer Research Foundation on May 7, 2013, the renowned writer Javed Akhtar remarks “Societal perception of women has to change first, and then it would be reflected in films and advertisements which are like mirrors of the society.” (Javed Akhtar)

We find a sea change in the concept of patriarchal society in the film emerging from 1980s. This transformation can be observed in Asma Ayob remarks:

in the films of the 1970s women characters were portrayed as docile and submissive, unable to articulate their needs even in the face of oppression, or as independent but cruel or hard-hearted; more Specifically, women



characters were portrayed as preservers of tradition. The 1980's began to witness a shift in the psyche of women characters, who displayed a need to break free of their environments, thereby rising above what is traditionally expected of Indian women, namely to show tolerance toward society and men, even when unjustly treated. In the early 1980s, women characters were portrayed as fending more for themselves and also making independent choices regarding their marital partners and work. (Ayob 2008)

Waaris (transl. Heir) is a Bollywood Indian Hindi-language movie filmed in the year 1988 directed by Raveendra Peepat, a serious, sensible, sincere and highly prolific director of humane thoughts and sensibility with a keen insight into the contemporary realities of the world. The famous actress starring Smita Patil who won the Best Actress, Raj Babbar, Amrita Singh, and Raj Kiran are in leading roles. The film was a modified version taken from the famous Punjabi novel, by Sohan Singh Hans. The cultural background portrayed in the film *Waaris* appears parallel to the concept of Batool's observation who remarks "Historically, in most cultures the institution of family has been patriarchal and male dominated. Male control and husband's power of chastisement of their wives is usually sanctioned by religious and cultural norms (Batool: 2002)

In the film, there is an attempt of breaking of this patriarchal system when Paro takes initiative to challenge the need of legal heir for property right. Unless media industries attempt to project such kind of unusual stories that truly occur in daily life, we as a society learn to keep our mouths shut. By doing so, we are aiding and assisting all kinds of oppressions towards women in the male dominated society. Lack of discussion on these crucial topics and deny in bringing such sensitive matters to the forefront of national attention, we are also accepting the status quo.

Review of literature on films based on property disputes

In the genre of Bollywood films, there are stories based on various legal remedies that are presented to restore property abuse. Many films based on property issues disclose the domestic violence, criminal mischief, unlawful mischief that truly mirrors the real-life experiences in the society and social environment. An attempt has been made to review the literature based on property disputes in Bollywood film.

A brilliant comedy film *Gulabo Sitabo* (2020) directed by Shoojit Sircar starring Amitabh Bacchan and Ayushmann Khurrana is a film based on property records. The focus on the issue of land ownership, tenancy, confusion between land authorities and landlessness as a main theme that is developed around the looks of Amitabh Bacchan and the on-screen appearance of the bickering duo, an elderly landlord Mirza (Bacchan) and one of his young tenants Baankey (Khurrana).

Do Bhiga Zamin (1953) a classic and very critically acclaimed movie revolves around the story of a life of very honest and humble villager, Shambu Mahato (Balraj Sahni) and his family. The story attempts to fend off a local landlord from ceasing their land to build a mill.



The famous modern film *Khosla ka Ghosla* (2006) declared a hit in box office and eventually became buzzing talk among the viewers and critics upon its release. The theme of the film is grounded on the exploitation of Kamal Khosla (Anupam Kher) and his family, who find their dream house through the land, bought with Kamal's hard-earned money, that happen to be encroached upon by the corrupt Kishan Khurana (Boman Irani), the main leader of a local property-usurping criminal gang in Delhi. The story mainly deals with the family's struggle to buy and own property, dealing with the threats of land mafia and legal disputes over property ownership. Among the films that are directed exclusively on the online streaming platform, Netflix, a very sensational film, *Love Per Square Foot* (2018) directed by Anand Tiwari oscillates on the central idea of many challenges surrounded by real estate in Mumbai. The story of the film focuses on the two millennials, Sanjay (Vicky Kaushal) and Karina (Angira Dhar), who belong to lower-middle class families in Mumbai dreaming of owning their own apartment.

Discussions and analysis

The films discussed above analyse the disputes raised due to property issues like metropolis struggle for land, encroachments of land by mafia, ceasing of land issues as a cause of property disputes as a main theme of the film. If we study the themes of the different films based on property rights, we find that the film *Waaris* has a very exceptional theme. What makes it very unique and different about the theme of this film *Waaris* from other films is that there is a voice of women. Also, the aspect of voice against right to property is one of the striking features in regards to change in the system that deprives women from liberty. The unconventional marriage of Paro's younger sister with Paro's father in law appears very obstinate and surreal, but in the light of deep structure idea, the film tries to show the anguish of a woman who have challenged the norms of traditional Indian marriage system without regretting her decisions to voice against the oppressions. The film embraces the risk of property issues and the livelihoods of families of countless people in our country who own no land, or have insecure access to land and housing and still prevail as a vulnerable reality in rural India.

Plot of the film *Waaris*

Film *Waaris* is based on a story of property disputes. A Multi-millionaire widower, Kishan Singh (Pradeep Kumar) prepares a will which states that his ancestral property is equally divided among his two sons, Gajjan (Kulbhushan Kharbanda) and Dulla (Amrith Puri), while the son of Gajjan, Shravan shall inherit the farm land. However, he leaves his vast amount of land to Gajjan as he is unhappy with his other son, Dulla, who takes revenge by attacking his father and eventually killing him. This crime leads Dulla to imprisonment, leaving his sons to be raised by Gajjan. With the passage of time, Shravan meets with a poor young woman, Paramjit alias Paro and both fall in love leading to marriage. Eventually, Dulla after completing his sentence from jail joins the family once again; He makes a plan with goons to kill Shravan. Paro's Husband is brutally murdered by his greedy cousins in an attempt to usurp his



land. Paro comes up with an unconventional plan that requires her younger sister's support and supreme sacrifice.

Due to the theoretical models of intra-household inequality, it is noticed that the allocation of land resource within the household depends on the conditions that regulate the functioning of the marriage market. In the pioneer model of Becker (1981), "spouses negotiate upfront the distribution of expected gains from marriage." Becker's idea appears to resonate with Paro's pre-planned idea that focus on the surrealist fact that Seebo (Amrita Singh), her younger sister should get married to her father in law and later give birth to boy child who then would be declared as a legal heir (Waaris). Dulla wished that one of his sons should marry Paro, so that the new heir born from his son's blood would help him to get back the property. But Paro refuses and teach a lesson to Dulla a by getting her father-in-law re-married to her younger sister Seebo .

A widow woman is looked upon as a social anomaly as she is a challenge to the institution of marriage. Therefore, an odd marriage was arranged by Paro, to turn the tables of her conviction and self-esteem to acquire the right to property. Seebo's mother and her lover, Binder (Raj Babbar) oppose this odd marriage. But Seebo manages to win another battle; she sacrifices her love and gets married to Gajjan, the father in law of Paro. When Seebo becomes pregnant, Paro prays that the offspring should be a son. When Seebo delivers a boy, Paro's joy knew no bounds, and she becomes successful in raising her feminist voice for proclaiming the property rights in whichever way she planned to win. Paro's determination to evolve the heir (*waaris*) of the land despite of her incapability to give another birth due to her widowhood really shows the depth of women's thought who can cross all the limits to attain her goal even if it could cause much pain, sorrow and bloodshed as rightly quoted by Michelle Obama that "There is no limit to what we as a women can accomplish." (Michelle Obama).

The objective and agenda of feminist theology observed in this film broadly, includes breaking the patriarchal Indian system through an odd attempt of marriage knot to claim property rights. It is interesting to note that Seebo's psyche to marry a fatherly aged person is something that does not fit into the structure of Indian patriarchal marriage. But to give justice to her elder sister Paro, Seebo takes this initiative. This action somewhere coheres with Linda Hogan's assumption of Feminist theology as

" a theology based on women's experience and praxis must of necessity acknowledge and learn to value difference....A theology based on an understanding of women's experience and praxis, which is sensitive to racial, class and sexual differences among women, must recognize women's 'different primary emergencies' (Hogan, 167).

Therefore, Hogan's statement is applicable to the actions of both Paro and Seebo. Paro's decision for property right which is "a primary emergency" as per Hogan and Seebo's attempt of marriage is based on "an understanding of women's experience

and praxis, which is sensitive to racial, class and sexual differences” as quoted by Hogan. This film reflects the voice of women against the evils of patriarchy that exhibits in the so-called property distributions. There has been a very interesting struggle towards the protagonist Paro’s fight for property rights which display her conscious struggle for resisting the false standards of male dominated society. The film questions various institutions of property rights, the artefacts of culture and presents an authentic standpoint towards casting a re-look on the socio-cultural trajectories of life. The film *Waaris* explore the concept of property ownership for security against violence on woman that prevails in the society in various forms. It gives the message that a land ownership evidently indicates the strength of women’s fall-back position and her tangible exit option, and can thus act as a deterrent to violence. Paro achieve her aim to attain the ownership of property in whatever way she adopts to succeed, as she knows that Property right enhances women’s livelihood options, sense of empowerment, reducing her risk of violence by increasing her economic security and lowering her tolerance to violence.

Concept of Patriarchy

A woman bounded in with Patriarchy is one of the major hindrances in the advancement and development of women. This concept of patriarchy among rural women even causes double oppression, one due to lack of her education awareness and other due to rigid patriarchy. Walby defines “patriarchy as a system of social structures and practices in which men dominate, oppress and exploit women. (Walby 1990:20). She explains patriarchy

as a system because this helps us to reject the notion of biological determinism (which says that men and women are naturally Patriarchy and Women’s Subordination: A Theoretical Analysis 3 different because of their biology or bodies and, are, therefore assigned different roles) or “the notion that every individual man is always in a dominant position and every woman in a subordinate one” (Walby 1990:20).

There are different levels of domination seen to be applied on the rural women under the same principle of patriarchy that gives absolute priority to men and to some extent limits women’s human rights also. In the clutches of patriarchy, we find various levels of domination against women although the broad principles remain the same, where men are treated as regulators. The nature of regulation may differ according to different situations of life. *Waaris* film focuses on the regulation of man on women by abstaining her from her legal rights to property. Therefore, it is very important to understand and change the system that keeps women particularly rural women dominated and subjugated. It is equally important to unravel these critical conditions in order to make a voice for women’s development. Media left no stone unturned to unknot its workings on these critical conditions in order to make a voice for women’s development.

Patriarchy in this sense is highlighted by feminists to centre figure the power relationship between men and women as well as to find out the main cause of women’s

subordination. The film *Waaris* gives deep insight on women's role in breaking the patriarchy to fight for her rights in a theoretical perspective.

Conclusion

The Director very meticulously presents the surrealistic relationship in the film. But portraying a surrealistic relationship did not necessarily mean weakness. The film becomes more sensitive from Seebo's marriage attempt. If Paro would have given the privilege of owner of the property, then marriage of Seebo with Paro's father-in-law could not be held and no girl like Seebo would be sacrificed to get the rights and privileges that she truly deserves. Therefore, the policies of right to property should be in favour of women to give her legal rights. This movie has certain shortcomings, like there is lack of awareness of legal property rights for women as described in the Central Government act under section 1(1) in the Hindu Women's Rights to Property Act, 1937 that declare right to property for women. The film should have projected the Hindu Women's Rights to Property Act to voice against the oppression, rather than the dealing with surrealist marriage attempt of Seebo.

The script of the story was sensitively based for sensitive viewers that make a dent in the stereotypical presentations and interpretations. Though the climax of the film was a hard nut to crack for the viewers, but focussed from feminist point of view, it is the fight for right that is the central idea which makes the woman discover her identity. The crux of the film *Waaris* focus that whatever be the situation, the sustenance of sacrifice has to fall on the shoulder of a woman and with the support of review of Harmangrewal, where he states that "no one underestimate pride of women, who has the power to fight for her rights and turntables with her conviction and hard work." The film *Waaris* leaves the message that there should be a change in family value system and property distribution to bring balance and equality in the system which is very essential to establish equal rights between men and women in all spheres of life. The rights and responsibilities of women should be based on equality. Where there are practices of democracy, equality and mutual exchange of respect within the family, there lays a real democracies and egalitarian societies

Works Cited

- Becker, G. S., 1981. A Treatise on the Family. National Bureau of Economic Research, Inc.
- Walby, S. 1990. Theorizing Patriarchy. Blackwell Publishers Ltd.: Oxford, UK and Cambridge USA.
- Wilson Tim, Property Rights Are Human Rights, *IPA TODAY*, PUBLICATIONS, 10 May 2015. <https://ipa.org.au/ipa-review-articles/property-rights-human-rights>.
- Harmangrewal-71530, Surreal and witty movie, 11th October 2015.
<https://www.imdb.com/title/tt0367214/reviews>
- Ayob, A. (2008). "The changing construction of women characters in popular Hindi language cinema from 1970 to 2007." MA thesis, University of Witwatersrand, Johannesburg. Retrieved on February 10, 2019,
<http://wiredspace.wits.ac.za/bitstream/handle/10539/7064/Report?sequence=2>
- Batool, A, Tanveer, F and Zafer, I. M, 2002. "Socio Religious Determinants of Women Status: A Case Study in Rural Areas of District Fsd". M.sc. Thesis. Dept. Of Rural Sociology, University of Agriculture Faisalabad.
- Akhtar, Javed. "Observer Research Foundation." 7th May 2013. <https://www.orfonline.org/research/we-are-living-in-industrial-society-with-feudal-mindset-says-javed-akhtar/>
- Hogan, Linda. "From Women's Experience to Feminist Theology." Sheffield: Sheffield Academic Press. 1995.
- Obama, Michelle. Observer Research Foundation, May 7, 2013.
<https://www.pinterest.se/pin/370772981824349833/>
- The Hindu Women's Right to Property Act 1937,
<https://indiankanoon.org/doc/80896406/>

#Copyright permissions and liabilities are the sole responsibility of the author(s). Association, Journal and all Editorial members are NOT responsible for any copyright infringement.