3.1 IMPORTANCE OF THE STUDY OF THE STATUS OF WIDOWS

For a writer of social history, there is no gainsaying the importance of the study and critical examination of the status of widows in a society, as the treatment meted out to her is a good yardstick to judge its overall attitude towards women, and indeed the inherent resilience, sophistication and refinement of any culture. This is so because even if a society adopts a not so benign and benevolent attitude towards its women, its attitude is normally not harsh towards the mother, the daughter and the wife who are generally loved and looked after well, apparently because of certain natural instincts, by their protectors in the family. As for the wife, she is ever useful, for on her depends the progeny and hence future happiness and continuity of the family’s chain of succession. On the other hand, the case of widow is altogether different. After the demise of her husband, a widow has to depend upon her husband’s family in a patriarchal form of society, even when her parents are alive. Very often, her children are either too young or not in a position to come to her succour. Sometimes she has no children of her own to fall back upon in her state of distress and misery. Thus, a widow is left to the care of those who have no natural love or compassionate inclination towards her. On the contrary, sometimes these guardians have their own vested interests to serve against that of the hapless widow. The widow being so handicapped and ill fated, the treatment meted out to her is a good criterion by which to judge the level of cultural superiority of a civilization and its attitude towards women in general. As such, it becomes important and necessary to understand the life, condition and status of the widows.

The recent controversy over the shooting of the film Water in Varanasi has once again focused attention on that ‘pitiable’ object of Indian society, regarded as such from the early 19th century onwards; the Hindu widow (regarded as the dark half of womanhood in tradition, the structural counterpart of the sumangali, the auspicious married woman). It is somewhat anomalous that at the beginning of the 21st century Hindu men are still trying to deal with the emotions of guilt, fear and embarrassment evoked by the figure of the young widow. Why else should a film on Hindu widows,
located in the 1920s, lead to such strong reaction on the part of street goons, speaking as self-appointed spokesmen of ‘offended’ Hindu sensibilities? Why else should their actions prevent the making of such a film where only one segment was to dwell on a young widow who is sexually used/abused by powerful men in Varanasi? A long history of writing, in various genres and languages by men and women from the beginning of the 19th century shows that such incidents were routine in the lives of young widows and were acknowledged as such. Why then did Water evoke the kind of reaction that it did? There were many who were deeply embarrassed at the resurrection of the Hindu widow and her return to public consciousness. Since real widows, eking out a miserable existence in Varanasi, Mathura or Vrindavan or in innumerable homes across the country, discriminated against and often subjected to violence, are a continuing presence in society, they are a reminder of the degradations women experience.

However much one tries to erase the figure of the widow, she is very much there especially in the social memory, as well as in the individual memories of most households- an aunt, a sister, a grandmother; or a distant relative who came to live with the family and provided most of the labour in the kitchen, or even a servant woman who was no kin at all and whom you now might be reminded of. Was she oppressed? Was she exploited by us? Did she feel marginalized? Or there are those others- hundreds of them whom one stumbles upon as we do the pilgrim round- dead faces, sitting in a row as you walk hurriedly through the narrow galis leading to the Kashi Vishvanath temple in Varanasi lest their hopeless eyes leave their imprint on your mind; or those who scurry past you as you go from temple to temple in Vrindavan or Mathura. Or, if you do not go on the pilgrim track, there is the odd documentary film or the odd article - including in the New York Times - which keeps widows alive in the public consciousness. Clearly the oppressed widow has not really gone away. Indeed, far from forcibly silencing the issue of the Hindu widow fallout of the Water controversy has been that she has forced herself back into our consciousness.
3.2 CONDITION OF WIDOWS THROUGH THE AGES

It thus becomes imperative to look into the condition of widows starting from ancient India. It is pertinent to note in this regard that even though widowhood was a great misfortune for the widow, her plight was somewhat better up to circa 300 BC as compared to the subsequent period. Although the characterization of the Vedic age between 1700 and 500 B.C. as a "golden age for women" is not without pitfalls, the condition of the widows in that period was, in several respects, far better than what we come across as regards in the subsequent period. For instance, the practice of *sati* was not in vogue among the Vedic Aryans. This abominable custom gradually became more prevalent in the period after circa 300 BC. Moreover, in the Vedic period, the widow does not appear to have been regarded as inauspicious and she was also not prevented from taking part in the religious ceremonies. She was not looked down upon as inauspicious and, therefore, not debarred from taking part in ceremonial festivities. She was allowed to live a normal life like any other woman in the family. No stigma was attached to her. Further, the concept of tonsure was not known in the Vedic age. The widow could also take recourse to the practice of *niyoga* and she also had the option of remarriage in the Vedic and post-Vedic periods. Even in the later Vedic period, the condition of the widow was not as miserable as it became later on. Neither the practice of tonsure nor the custom of burning the widows alive with their dead husbands appears to be known to Manu, who, however, required them to lead a chaste life.

However, the decline in their status and overall condition in the centuries after the Vedic period is hardly a matter of dispute as we find the setting in of a distinct trend indicating a progressive deterioration of the position of women. Especially, from around 300 BC, the position of the widow is conspicuously marked by a worsening of their status and overall condition, and the imposition of increasingly perceptible restrictions and control over women's lives become evident from around this period. In fact, by 300 B.C., women were increasingly assigned the same low status as *sudras*, forbidden to wear the sacred thread, and excluded from the performance of sacrifice either as priests or as partners with their husband. It is apparent that with time, Hindu society gradually became more and more elaborately structured in such a way as to assign an increasingly inferior status to women, and the lives of women, in general, and especially that of widows became repressively constrained in more than one way.
3.3 **WIDOWHOOD A GREAT CALAMITY**

Widowhood was a great misfortune for the woman. The widow was called *vidhava*, literally, “the one whose husband is gone i.e., dead”. The *vidhava* was considered to be unfortunate, even inauspicious, *asubha*. It was said that the lines of misfortune were written on her forehead because it no longer had the red dot (*tilaka*). A widowed woman was an ill-fated creature and an object of pity and compassion. She had to face numerous hardships. She had to spend her life with her head shaven and arms bared; she was an outcaste on festive occasions, a bad omen, her very sight being regarded as most inauspicious. She bemoaned the loss of her husband constantly and reflected on her culpability in this regard. Indeed, all the utterances of widows are full of self-pity. The widow was held on some level to be responsible for her husband’s death. As a widow the woman was regarded as ‘the most inauspicious of all inauspicious things’, ‘an ogress that ate her husband with her karmic jaws’. Most Hindu widows dreaded widowhood not just because of the associated shock and grief, but also because of the associated guilt and blame.

In both the *Ramayana* and the *Mahabharata*, we find widows giving full expression to their grief and sorrow of the profoundest kind. However, we also find that in the Great Epics, a widow’s sorrow has sometimes been compared to the sorrow of a person who has lost his son and such statement has also followed an enumeration of eight other types of sorrow. In fact, we sometimes come across instances when a woman who lost her child is consoled much more than one who has lost her husband. The consolation given to Subhadra by Krishna and Kunti on her bereavement is much greater than that given to Uttara. Uttara in turn bewails much more for the still born-child.

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1. *Sanskrit*: सत्तबो विद्वा स्वादंशुला ।


4. *Mahabharata*, XI. 12. 10; 24. 6; 26.4; *Ramayana*, II. 76. 21; 65. 24; VI. 32. 3; 49. 9; 110.5

5. *Mahabharata*, II. 68. 81-83

6. *Mahabharata*, VII. 77.9; *Mahabharata*, XIV. 61.4

The state of widowhood was undoubtedly a great calamity. Women were generally characterized as ‘abates’ i.e. those without power; hence, they depended upon their protectors. And since there was no greater protector than the husband, his death was naturally a great calamity for her. Thus, Mandodari thinks that it was a great blow to her when her son died but after Ravana’s death she felt as if she herself had been slain. It has been frequently stated, in both the Ramayana and the Mahabharata, that even if a widow had many sons, she was an object of pity for herself and her relatives. It has been observed that a widow’s hopes and happiness are shattered for ever even if she has a hundred sons. The dread of widowhood has been clearly shown in the utterances of a widow or women envisaging the prospect of becoming a widow. Anybody could feel emboldened to approach her, for the Brahmani in the Adi Parva in the Mahabharata says that as birds seek with avidity a piece of flesh that is thrown on the ground, so do men solicit with impunity a woman who has lost her husband.

Moreover, in those days when sanguinary warfare was a very common phenomenon, there was real danger of conquerors not treating the widows of the conquered well. Even Krishna’s widows, who followed the robbers voluntarily, drowned themselves in the Saraswati later. It is obvious that they were not happy, for such abductors, as robbers, could not have respect for women. The group suicide of Kaurava widows might also have been due to the insignificant and miserable existence they were possibly dragging on after the death of their husbands. Their places were taken away and they might have been forced to lower their standard of living. But economic difficulty was not all. To this was added the sense of social insignificance facing the widow of the conquered as a stark reality.
All the similes used to denote her condition also amplify and highlight her pitiable and unprotected plight. She has often been compared to a creeper on a huge tree after its destruction\textsuperscript{18}, like a plantain tree cut asunder.\textsuperscript{19} Kaushalya feels like one who, without a caravan, has lost the way. A widow feels uprooted and her honour destroyed.\textsuperscript{20} She has been compared to a Vina without strings and a cart without wheels, thereby meaning that everything that provides the urge and purpose for life are lost to her.\textsuperscript{21} These similes are vivid and stark and through them we can envisage the utterly desperate, helpless and forlorn state of the widow.\textsuperscript{22}

In such a society, where the life of a widow was insecure, it became the duty of the king, who was the protector of the weak, to protect kinless widows and to give them financial support.\textsuperscript{23} He was especially expected to do so in the case of widows of those persons who had sacrificed their lives for him.\textsuperscript{24} The interests of the widows were also safeguarded by showing the fear of hell to those who cheat widows.\textsuperscript{25} The good and ideal kings like Yudhisthira, Parikhsita, Rama and Kaikeya always performed the duty of looking after widows, which indicates their exemplary behaviour.\textsuperscript{26} It is said in the \textit{Ramayana} that widows were not distressed in the reign of Rama.\textsuperscript{27}

3.4 REMARRIAGE FOR WIDOWS

Upto circa 300 BC, a widow could take recourse to the practice of \textit{niyoga} or she even had the option of remarriage. The practice of widow-remarriage existed in the Vedic and post-Vedic periods. It was only from about 300 B.C. that the emphasis shifted to strict celibacy for widows.

\textsuperscript{18} \textit{Ramayana}, IV. 22. 30
\textsuperscript{19} \textit{Ramayana}, VI. 32.6; \textit{Mahabharata}, XI. 17. 1
\textsuperscript{20} \textit{Ramayana}, VI. 110. 20; \textit{Ramayana}, IV. 23. 9
\textsuperscript{21} \textit{Ramayana}, II. 66. 4
\textsuperscript{22} \textit{Ramayana}, II. 39. 29
\textsuperscript{23} \textit{Mahabharata}, XII. 86. 23, Narada S. XIII. 28-29
\textsuperscript{24} \textit{Mahabharata}, II. 5. 54
\textsuperscript{25} \textit{Mahabharata}, XIII. 23. 64
\textsuperscript{26} \textit{Mahabharata}, XII. 42. 10-11; \textit{Ramayana}, VI. 128. 98; \textit{Mahabharata}, XII. 77.18
\textsuperscript{27} \textit{Ramayana}, VI. 128. 98
There are certain verses in the *Rigveda* which are interpreted by some as referring to the custom of the widow-remarriage. But there is much controversy over this point and the scholars have widely differed. In any case, there is no doubt that the custom of widow-remarriage did not come much into vogue in Rigvedic times. This may be because the practice of the child marriage was not in vogue; as girls were usually married when they reached the stage of youth, hence the number of girl-widows was probably very small. Moreover, those who became widows in their young age could live, under the custom of *Nyoga*, with their husband's younger brother for producing progeny. As the custom had social sanction, hence there was no need for remarrying widows.

However, even though there are few references to a widow's life in the Vedas, the Vedic texts contain some references which show that a widow was allowed to remarry if she so desired. The *Atharvaveda* refers to a woman marrying a second time, and lays down a ritual to secure the union of the new couple in heaven. It is stated in the *Atharva Veda* that - "When a woman has had one husband before and gets another; if they present the *panchaudana* offering, they shall not be separated after the death. A second husband dwells in the same world with his re-wedded wife, if he offers *ajapanchaudana*." It is therefore obvious that the practice of the widow-remarriage was not regarded as disreputable. *Taittiriya Samhita* refers to a widow's son (*daidhishauva*), suggesting the existence of the widow marriage. However, references to remarriage of widows in Vedic literature are not numerous, probably because *Nyoga* was then more popular than remarriage. During this period, a widow could get as many as three sons by *Nyoga*; so the *Nyoga* relationship practically amounted to remarriage and was more popular than remarriage. As a result, the actual instances of widow remarriages in the Vedic age that can be clearly distinguished from the *niyoga* are relatively few.

Nonetheless, the instances of widow remarriages must not have been infrequent, for the *Dharmasutras* (circa 400 B.C. to circa 100 A.D.) allow remarriage even when the death of the husband was only presumed and not proved. Vasistha observes that even a Brahmin lady with living children need wait only for five years, if her husband, gone out on a journey, does not return. Vasistha says that in such a situation and, if she is unwilling

28. *Rigveda*. X. 18. 8
29. *Atharvaveda*, IX. 5. 27-28, V. 17. 8-9
30. *Atharvaveda*. IX. 5. 27- 28
31. *Taittiriya Samhita*. II. 2. 4. 4
to go to him, she should marry a near relative, and should not wed outside the family, if there is an eligible person within it. Many of the earlier writers of the Dharmasutras also adopt a sympathetic and compassionate attitude towards the child widow. Thus Vasistha observes that if merely the marriage ritual is performed and the marriage itself is not consummated, the girl should be married again. Laghu Satapata holds that such a girl is actually a virgin, and should marry again.

We find that the practice of remarriage receives legal sanction in many of the principal Smritis and other texts. Gautama permits remarriage. Narada, Parasara and Agnipurana provide that in five calamities a woman can remarry, viz., “when the husband is lost, or dead, becomes an ascetic, is impotent or patita.” Thus Narada says “When her husband is lost or dead, when he has become a religious ascetic, when he is impotent and when he has been expelled from caste, these are the five causes of a legal necessity in which a woman may be justified in re-marrying another man”. Parashara also echoes almost the same dictum by saying, “When the husband of a woman has disappeared, is dead, has turned a recluse, is impotent or has been ex-communicated, under these five calamities, another husband is permitted to a woman.” Parashara, however, under the irresistible influence of Manu prescribes also the alternative course of life-long asceticism for a widow - “That woman, who, when the husband is dead, performs the vow of chastity (Brahmacharyam) attains to heaven after her death, like the Brahmacharins.”

There are indications of the existence of the practice of widow remarriage in the Buddhist literature also. In Uchchanga Jataka, a lady, when given an option of choosing between a husband, a son, and a brother, chooses the brother, observing that she can easily get another husband or son, but not another brother. In the Nanda Jataka (no. 390), we come across the story of a husband shuddering at the prospect of his youthful

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32. Vasishtha Dharmasutra. XVII. 67
33. Vasishtha Dharmasutra. XVII. 66
34. Laghu Satapata. V. 44
35. Gautama. XVIII. 4. 6. 7
36. Narada (Stripumsa, V. 97)
37. Parasara. IV. 30
38. Agnipurana. 154. 5-6.
39. Narada. XII. 97. 101
40. Parashara. V
41. Parashara. V. 31
wife marrying again after his death, and not giving any share of his property to his son. In the *Vessantara Jataka*, there is a reference to a dying man urging his wife to remarry and not to waste away her youth.43

Among the Aryan widows, however, examples of remarriage are not found in the *Ramayana* and the *Mahabharata*. Thus even though, widow marriage was prevalent among lower castes and the non-Aryans, the aristocratic class and the high castes considered that remarriage was a sin44. It is stated in the *Mahabharata* that the daughter could be given away only once.45 It has been observed one who gives away his daughter in marriage twice is born a worm in the next life46, and Arjuna's oath47 as well as Duryodhana's utterances48 point to the same. Thus when urged to make peace on the last day of the war, Duryodhana says that he is disinclined to marry a widow. Hence, even if some stray cases of widow marriage are mentioned in the *Mahabharata*, the idea of widow marriage was highly unpopular and was considered an offence and transgression. The later opinion in the *Mahabharata* is so much against widow marriage that Bhishma thinks it is preferable for even a virgin widow, whose marriage is not consummated, to perform penance throughout life.49 In the list of those who polluted the row of participants while partaking of the *Sraddha* food were not only those who married women who had earlier been married but also those born of such marriage, even though a *Paunarbhava* was considered a 'Dwija'. These regulations were definitely meant to discourage widow-marriage. The importance of chastity, as a necessary qualification for marriage, and the *pativrata* ideals; further discouraged widow marriage. There is no doubt that widow marriage, though occasionally mentioned in the *Mahabharata*, was slowly dying. However, among the non-Aryans widow-marriage was very much practiced. The words 'Punarbhru', 'Parapurva', 'Anyapurva' in the *Mahabharata*50, used even by some *Smritis* indeed prove that widows married. In recognizing 'Paunarbhava' son, the *Mahabharata* recognizes widow marriage. It was, however, allowed for widows whose marriage was not consummated, although it was declining and was discouraged. There

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43. *Vessantara Jataka*. IX. 31. 45  
44. *Mahabharata*, III. 76. 30 ff.  
45. *Mahabharata*, III. 294. 26  
46. *Mahabharata*, XIII. 111. 83  
47. *Mahabharata*, VII. 73. 27  
48. *Mahabharata*, VIII. 44. 25-33  
49. *Mahabharata*, IX. 31. 45  
50. *Mahabharata*, I. 120. 33, V. 175. 5
are also instances, though very rare, of non-Aryan widows marrying Aryans. In the *Shanti Parva* in *Mahabharata*, there is a story of a *brahmana* Gautama who marries a *sudra* widow\(^{51}\). Ulipi was also a non-Aryan widow who married Arjuna.\(^{52}\)

In the *Ramayana*, the custom of marrying the elder brother's widow prevailed among the non-Aryans. Rama had no objection to Sugriva's marriage to Tara, the widow of Vali. Indeed, Tara had her importance in Sugriva's harem.\(^{53}\) However, the Aryans did not practice such custom among themselves, which was looked at with disfavour and contempt.\(^{54}\) In fact, even non-Aryans were, due to their contact with Aryans, abandoning this custom. Thus even though the custom of widow marriage existed, it was becoming unpopular.

The *Arthasastra* states that in the case of death of a man, two alternatives were open for his widow; she might decide to lead a "virtuous" life and remain as his widow, or she might take recourse to the practice of *vedana* or *nivesa* or *gamana*, which may, owing to uncertain connotation of these terms, be translated as 'remarry'/'settle down'/'go' to another person. Kautilya noted that if the husband had been away for a long time, had become an ascetic or had died, the wife should wait for seven *tirthas* (one *tirtha* being equated to one menstrual period); if she gave birth to a child, then one year. After that, she was permitted to 'go' to the uterine brothers of her husband.

However, there again, her selection was restricted within a particular group, and she was advised to observe the preferential order amongst them. If there were more than one, she should 'go' to the nearest one, or to a 'virtuous' one who was capable of maintaining her, or to the youngest one who had no wife. Failing all of them, she could 'go' to a non-uterine brother or to one belonging to the same *pinda*/*kula* group. In this large group, she should 'go' to the nearest one. Such was the order. For violating the order of priority and 'remarrying' or maintaining an 'intimate relation' with anyone other than those specified above, the woman and all other persons concerned would be guilty of

\(^{51}\) *Mahabharata*, VI. 90. 8-10  
\(^{52}\) *Mahabharata*, VI. 90. 8-10  
\(^{53}\) *Ramayana*, IV. 33. 31  
\(^{54}\) *Ramayana*, III. 45. 6
In case of the remarriage of a widow, without the approval and consent of the father-in-law, the loss of valuable proprietary rights for her was envisaged by Kautilya.

Thus we notice that vedana and nivesa/gamana were applicable to the subsequent union of women whose husbands were socially or physically dead. Both of these customs were in the nature of permanent unions and sometimes no restriction was imposed on the woman. When virgin brides and poor widows or deserted women married again, there was no condition attached to the marriage. They could marry any one they liked and could even explore the possibility of going out of their former husband’s families which was not, however, often encouraged. In connection with the custom of nivesa/gamana, several restrictions have been mentioned by Kautilya. This custom, meant primarily for young widows and deserted women, bore a close resemblance to that of levirate, where the woman moved on to the brother of her late husband, preferably to one who was unmarried and younger, and thus remained within the same family with her property and children. In both these cases, the children born subsequently probably belonged to the second husband of the woman and were known as paunarbhava sons. It was also possible for a widow to contract several marriages probably in succession and get sons by different husbands (vahupurusaprajananam putram yathapitriddattam). Therigatha narrates the life-story of a thrice-married woman, although the former husbands were alive.

Like most Smriti-writers, Kautilya mentions an inferior type of son viz. paunarbhava, whom he describes as the son of a remarried woman (punarbhutayah). The son of a woman who remaries after being left by the husband or being a widow or out of her own desire (svayecchaya) and begets the son is called paunarbhava. Vatsayana includes a punarbhuh in the list of nayikas or lady-loves. He describes punarbhuh as a widow, who, prompted by the frailty of the organ of senses, resorts to an accomplished and voluptuous man. However, according to other authorities cited by Vatsayana, a punarbhuh is not confined to widows only. In Vatsayana’s view, “sexual connection with a
widow is neither approved nor disapproved but is meant for pleasure only." 61 He observes that "she should be devoted to social gatherings, drinking parties, garden parties and other entertainments."62 From his descriptions of the life of a punarbhuh, it appears that she is treated as a subsidiary wife only, not enjoying the status of a wife proper. But the punarbhuh fully participates in the social and cultural life. In spite of his strong disapproval of the remarriage of a woman, Manu is also constrained to recognize punarbhuh as a wife.63 Narada, Yajnavalkya and other Smriti writers give different classifications of a punarbhuh.

From the aforesaid discussion, it is not at all difficult to infer that except in the case of virgin brides and poor women, Kautilya's vagueness about the remarriage of widows, as also the streak of overall disfavour to such practice are quite obvious and apparent. His permission to the remarriage of a widow was subject to many constraints and restrictions. He had stipulated various specific measures to discourage a widow from forming a permanent union with another man. Factors like the father-in-law's approval, the time-limit and the choice of persons for the remarriage, hindered her almost at every step. She did not have much freedom of choosing a second husband as per her own free will and liking (yathestam). In the case of a widow, as also for the wife of a man who has long gone abroad or taken to, the choice of the second husband is strictly confined to the husband's full brother and, in his absence his half brother, sapinda or other relations (kulyam or tulyam) in that order. In other words, her choice of a second husband for marriage is confined to the circle of her first husband's family. But the wife, whose husband is alive but has left her for a short while (hrasvapravasinah), can, in some cases, marry according to her own choice (yathestam).64 Further, even when a widow's remarriage is allowed, a part of her proprietary right depends on the approval of the father-in-law. If she remarries against his consent (svasura-pratilomyena), she forfeits the gifts made by him and her husband.65 With regard to sons by many wives, the rules of succession prefer the son of a virgin wife to that of a remarried woman.66 Moreover, Kautilya's moral disapprobation against the remarriage of widows is clearly seen in his observation that a widow who desires a progeny (kutumbakama) does not obviously fall

61. Kamasutra. I. 5. 3
62. Kamasutra. IV. 2. 59
63. Manusmriti. IX. 175-76
64. Arthasastra. III. 4
65. Arthashastra. III. 2
66. Arthashastra. III. 6
within the category of pious (dharmakama) widow. In contrast with this, the widow ‘who is faithful to the bed of her deceased husband’ earned the honour of being called a dharmakama67, who was given the fullest benefit of the property she owned and possessed. Therefore, it was obviously the best choice for a woman, at least for a rich woman, not to marry again, as in that case she could enjoy and exercise her property rights fully.

Thus in view of strong obstacles, restrictions and disincentive to a widow’s remarriage, we may conclude that Kautiya indirectly disapproves of the remarriage by the widow but allows it to take place within well-defined limits. In any case, Kautilya overall takes up a liberal attitude towards the widow. He does not prescribe the practice of self-immolation. Although he mentions the pious life led by some widows, he is not hostile to those who live independently (chandavasini). He allows the widow to own property and earn her living. He even somewhat grudgingly permits her to remarry, albeit subject to some restrictions on her right of remarriage. However, he strictly prohibits any licentiousness on her part.

But while the practice of the widow’s remarriage not only existed in the society and was recognized too by many writers of the Dharmasutras and Smritis, there were also numerous legal authorities who held the view that a wife once united with a man is united for good and there can be no separation from him even if he be dead. According to their conception of marriage, a union between man and woman before the nuptial fire was held to be the most unbreakable and subsisting even after the death. Thus a woman, if her husband died, was not free to marry again, but to lead a life of piety and absolute self denial.

_Apastamba Dharma Samhita_ considers remarriage a sin.68 Yajnavalkya also observes that a maiden’s marriage can take place only once.69 He believes that there is every danger of the social structure being corrupted, if women are allowed to reunite themselves with men after their husband’s death. Vishnu also recommends celibacy to the widows. However, it is the _Manu Samhita_ which is most emphatic in firmly opposing the

67. Arthasastra. III. 2. 14, 15
68. Apastamba Dharma Samhita. II. 6. 13. 4
69. Yajnavalkya. I. 52
marriage of widows. Manu avers that in the procedure of marriage, there is no declaration about the remarriage of the widows. He thus states that a girl/maiden can be given in marriage only once, and further asserts that the Vedic mantras used in the Panigrahana Samskara are applicable to the maidens only. He further emphasizes that nowhere is a second husband prescribed for a virtuous woman. These statements clearly show that Manu does not permit the widow to remarry on any account. Thus he says that the widows should on no account remarry in the event of their husbands' death or disappearance. This attitude of Manu was quite in keeping with the ideals of marriage and the duties of husbands and wives discussed in the Manusmriti. The Manu Samhita lays down that a wife may emaciate her body by living on pure flowers, roots and fruits, but she must never mention the name of another man, after her husband has died. Manu asserts that a widow must lead a 'celibate' life, never insult the memory of her dead husband, and undergo all forms of austerities. He says: “Till her death she should be forbearing, observe vows, should be celibate and should hanker after that most exalted duty which is prescribed for wives who have one husband only.” These ascetic rigidities are prescribed also by Baudhayana, Vasistha and Apastamba. Manu states that by leading such a life, she was guaranteed an immortal fame in this world, a place in heaven and a happy life there together with her husband. On the other hand, should she go to another person after her husband’s death, she was threatened with a terrible fate in her next birth. Manu thus observes, “A woman who from a desire to have offspring violates her duty towards her deceased husbands, brings upon herself disgrace in this world and loses her place with her husband in heaven.” To emphasize and highlight his disapproval of the marriage of a widow, Manu places the son born of a remarried widow very low in the list of sons. He treats him as a mere kinsman to his father and not as an heir.

70 Manusmriti. IX. 65
71 Manusmriti. IX. 47
72. धनिष्ठां यज्ञाभिर्हतः केक्य्येक्या श्रीभ्र धर्मवीर्यः ।
73. न धनिष्ठां यज्ञाभिर्हतः केक्य्येक्या श्रीभ्र धर्मवीर्यः ।
74. Manusmriti. IX. 8. 26-28, 46, 95-96
75. Manusmriti. V. 226
76. Manusmriti. VIII. 226
77. Manusmriti. IX. 8. 26-28, 46, 95-96
78. Manusmriti. V. 162
79. Manusmriti. V. 158
80. Manusmriti. V. 161
81. Manusmriti. IX. 160
an heir nor as a kinsman of the widow's dead husband. He observes, "The son of the remarried woman cannot inherit the property. The adopted son and the rest are entitled to inherit the property only in the absence of the legitimate son while the son of the remarried woman is not entitled to do so even in the absence of the legitimate son. He is to get only food and clothing, irrespective of whether there is any legitimate son or not."\(^78\) However, in spite of his strong disapproval of the remarriage of a woman, Manu is constrained to recognize *punarbhū* as a wife.\(^79\)

There is no doubt that owing to the growing influence of the ascetic ideals and the dominance and upper hand of the writers and jurists opposing the idea of widow remarriage, this practice gradually came into disrepute during the period 300 BC to 200 AD. However, there are evidences which indicate that at least some women preferred to marry again despite strong disapproval of it by Manu and other writers and jurists of his ilk. Otherwise, the mention of and the tirade against widow marriage in that text become hardly necessary. It therefore appears that though widow marriages were getting unpopular especially among the *brahmanas*, they were still practiced among many classes of the society. Thus we find that the Gupta king Chandragupta Vikramaditya, who was probably a *Vaisya* by caste, had married his elder brother's wife after the death of her husband. Kumaragupta, a son of this union, later became an heir to the Gupta Empire.

However, from about 600 AD the prejudice against the widow remarriage began to become more pronounced and virulent as the *Smriti* writers from this period onwards began to condemn this practice more vehemently. References in earlier works permitting the widow remarriage began to be explained away as referring to a bygone era. The *Adityapurana* avers that widow remarriage is not to be performed in the Kali age.\(^80\) Madhava, while commenting upon Parasara's famous text permitting remarriage, proclaims that it is no longer valid in the Kali age. It was asserted that a widow's son could not be invited for a *Sraddha* ceremony. It was declared that in the list of those who polluted the row of participants while partaking of the *Sraddha* food were not only those who married women who had earlier been married but also those born of such marriage, even though a *Paunarbhava* was considered a 'Dwija'. Referring to the permission given

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\(^{78}\) On Manu. IX. 160  
\(^{79}\) *Mansamriti*. IX. 175-76  
\(^{80}\) *Adityapurana*, XXI. 14
by earlier texts to the sacred initiation of a widow's son, Laghu-Asvalayana declares that it may have been a valid custom in a former age, but it can no longer be followed in the present times.\(^8\) These regulations were stressed to discourage and discredit the widow-marriage. As a result of constant opposition to the practice of the widow remarriage and under unrelenting vitriolic tirade against it, widow remarriages disappeared almost completely from the society around 1100 AD. The unsympathetic attitude of the patriarchal society towards widow-remarriage threw women into further constraints and degradation. Due to the constant and relentless emphasis on the ascetic ideals, the practice of \textit{Niyoga} had long back become repugnant and non-existent.

3.5 \textbf{WIDOWHOOD AS SOCIAL DEATH}

In the Brahminical patriarchy, the wife had no social existence outside of her husband. Since a woman became a social entity only when as a wife, united with her husband, she acquired personhood, the death of her husband represented the cessation of her social existence and the end of her personhood. Moreover, once the husband died, the wife’s sexuality, which in marriage served familial and social goals, was of no use to the community. The widow’s sexual death therefore stems from her alienation from reproduction and sexuality, following the loss of her husband. And since the upper caste woman in Brahminical patriarchy is primarily a vehicle for reproduction, the sexual death of a woman is simultaneously a social death. This implied that widowhood in India among the upper castes marked a state of social as well as sexual death. The death of the husband thus marked a remarkable and fundamental shift in the perception of the community towards the widow.

However, even though the widow was considered to be socially dead, the dilemma before the Brahminical patriarchy was how to incorporate or place the widows, as they still remained an element in society, within the framework of the Brahminical social fabric. The solution resorted to was to retain her in society but place her on its margin and then institutionalize her marginality. This entailed that while she was physically alive, she was nevertheless assigned the state of someone who was, for all practical purposes,

\(^8\) Laghu- XXI. 14
socially dead. The widow’s marginal state meant that she was, in a manner of speaking, functionally incorporated into the household while being considered an outsider, one who had been expelled from normal participation in the community and in the sense shared the sense of being an outcaste. Following the assumption of the new status, the widow was relocated within the household of her dead husband. In other words, a widow was regarded as a marginal entity in society as she was thought to have reached the final and lowest stage of her life, a stage sometimes termed as “cold sati”. Thus, the widow’s institutional marginality resulted in the deprivation of the widow of her sexuality as well as of her personhood.

3.6 EMPHASIS ON CONTROL OVER WIDOW'S SEXUALITY

Behind the patriarchal society's emphasis on ensuring control over the widow's sexuality and its eagerness to label the tag of sexual death to widows was also its the contempt and consternation for widows; such apparent disdain for them was caused by the enormity of the problems that they were perceived to be posing for the maintenance of the male control and the preservation of the Brahminical social order. Control over female sexuality was almost obsessively applied among high caste women because the danger to the structure of Brahminical patriarchy was seen to be greater in their case. The reproduction of the hierarchical caste order with its horror of miscegenation subverting the entire edifice necessitated such stringent control. Unlike the lower caste woman, the high caste woman did not labour outside the home or participate in primary production. She was regarded solely as a respectable channel through which reproduction could take place. The death of the husband of the high caste woman and the consequent cessation of her reproductive potential created a dangerous situation. The anxiety about monitoring her sexuality doubled: while the wife’s sexuality had to be merely channelized, the widow’s sexuality had to be abruptly terminated.

In various Hindu texts, a demoniac and innately promiscuous and lustful nature is ascribed as the women’s lot due to the supposedly previous bad karma (action) that produces female birth. As per such perception, there is no more destructive urge for women than sex and even old women are considered to be consumed by passion. Especially, a young and potentially sexually active widow was a considerable threat to the
lineage’s purity. It was believed that the woman’s wild and unruly sexual proclivities were potentially uncontrollable in the absence of husband. This fed the belief that an unattached woman without her husband constituted a grave danger to her community because of the supposedly irrepressible sexual powers she possessed, and the consequent risk of unwanted sexual entanglements arose in the case of a young widow. She was, therefore, a doubly condemnable creature, feared and hated. Not surprisingly, therefore, the upper caste patriarchal Hindu society felt unnerved at the supposedly profound danger represented by the sexuality of the widow, who continued to exist after the death of her husband, and thus represented an awesome threat to the community. While the rules regulate minutely the widow’s conduct, it is clear from the references that the lawgivers could not effectively restrain men from violating the injunctions regarding strict celibacy for widows. Taken together, the supposedly inherent sinfulness and lustfulness of women, as well as the predatory character of men required the segregation, isolation, and marking of the widow, and the concomitant emphasis on controlling and repressing her sexuality.

As such, the jurists exhort that her virtue must be protected, for if her virtue is lost the woman falls down into hell. More important, the loss of her virtue causes her husband to fall down from heaven into hell. Accordingly, the hazard of the sexually active widow forced into celibacy was ever present in the texts. Visnu Smriti laid down that there were only two alternatives open to a widow - strict celibacy or self-immolation. As the widow of the dead husband is the object of real moral panic, it was emphasized in various texts that she must, therefore, be completely unsexed. To enable others to have proof of her virtue, she must occupy the darkest recess of the house and submit herself to the constant surveillance mounted upon her through the patriarchal gaze. The prescriptive texts lay down stringent codes of behaviour in order to ensure that the widow’s sexuality is repressed, mastered or forcibly contained. These prescriptions are outlined in all major texts beginning with Manu until such time the texts had recognized the possibility of redeploying the sexuality of the widow after a specified period of celibacy and mourning. Manu condemned the practice of Niyoga and upheld the norm of a celibate and perpetual widowhood. Following Manu, the emergence of the norm of celibacy is the basis for all the individual prescriptions thereafter. Thus a widow was enjoined to stringently monitor her sexuality and master the promiscuity that supposedly inheres in all women. And because this is not easy to achieve, the widow must be represented as the most repugnant and despicable of characters.
3.7 SYMBOLIC IDEAS TO EMPHASIZE SOCIAL DEATH

Symbolic and representative ideas of a cultural system are very often given expression through social practices and ritualized patterns. The social death of the widow is thus given expression through the social code, special ceremonies and the rituals related to widowhood, which involve the imposition of some visible and clearly discernible marks to define and highlight a woman's degraded and marginal status, and which symbolically signify and underline the widow's social marginalization and sexual death, involving denial and deprivation of her sexuality.

Thus the rites associated with the widowhood reflect the dramatic transition from one stage to another, from a controlled and channelized sexual life and social personhood to sexual death and social obliteration. Indeed, the theme that dominates the ceremonies and rituals of widowhood, marking conceptualization of widowhood, and her relegation to a state of social marginalization and sexual death, where the widow continues to exist but is sexually a non-being. This becomes clear on comparison of the marriage rites with the rituals related to widowhood. The rituals at the time of marriage explicitly recognize the crucial place of procreation. This is evident in the Brahminical texts and anthropological analyses of the Hindu marriage ceremony which repeat the centrality of reproduction in the rituals so evident in the Brahminical texts. For example, in the haldi (turmeric) ceremony which precedes the actual marriage rites, the bride is smeared with turmeric. Haldi is believed to create sexual energy, whose source is located unambiguously in women in the sense they are perceived as active agents in the process of reproduction. Thus, because of haldi's strong relationship with fertility, widows could not be allowed to use it. Further the colour most often associated with brides is red; red is the colour of vitality because of its connotation of blood. The colour of the kumkuma (red mark on the forehead) and the sindoora (red powder applied by married women in certain parts of India) symbolizes the sexual activity or sexually potent female. These symbols and rites and the red colour appropriately symbolizes something life-giving which is about to take place, and represent female creative power and specifically the capacity to bear children/reproductive/procreative power of female. Thus, the marriage rituals mark the woman’s entry into legitimate sexual activity.
On the other hand, unlike the marriage rituals, which are elaborate and which symbolically represent women as a source of sexual energy and fertility, the rites and customs associated with the transition of a woman from the position of a wife to that of a widow are simple and sombre, and characteristically, acutely humiliating and traumatic, as also, in general, marking the renunciation of the widow’s sexuality. These rites and customs associated with widowhood were prevalent in different degrees in the case of most widows but were highly concentrated in the person of the high caste Hindu widow. The early sacred texts indicate that soon after the death of the husband, the appearance of the widow was distinctly marked off from other women, as she had to give up all forms of adornment as well as those customs or symbols that were associated with the marriage of a woman. These include the kumkuma, the red mark on the forehead, the sindoora applied in the parting of the hair in certain parts of India, and the use of haldi, among other banned items. As stated above, these items are associated with sexuality and reproduction.

Other customs not generally mentioned in the texts are also widely prevalent in the context of widowhood, such as the breaking of the glass bangles and the breaking of the mangalsutra, the sign of a married woman in many parts of India. These acts are performed with a degree of violence which adds to the humiliation that the widow must undergo for the rest of her life and which she begins to experience immediately after the death of her husband. White or ochre garments, often recommended for widows, the tonsured head, which is prescribed for the high caste widows in southern and western India, and the use of vibhuti or ash, which is associated with the funeral pyre, by the widows - together signify their association and identification with chastity/chasteness, renunciation, asceticism, asexuality and social death. Forced to wear a distinctive garment and shave her head to symbolize her degraded status, she is publicly defeminized. She was thus not allowed to wear the insignia of her active married state. Moreover, as part of the redefinition of her status as a widow, she also could no longer participate in the domestic ceremonies, social gatherings and religious rites.

The most dramatic and visible of the rituals associated with widowhood was the tonsure, or the shaving of the head. The system of tonsure is a reiteration by the patriarchal community of their power to assert its authority upon the widow and to control
the widow's sexuality. Meyer Fortes and R. Firth have suggested that symbols, private and public, constitute a major instrument of power when used directly or indirectly. This is true of the tonsure which was deeply resented by the widows and perceived by them to be an indication of their utter powerlessness in the hands of a cruel system, insisted upon by the brahman men. Here the tonsure represents the social aspect of symbolic behaviour referring to ritual process by means of which symbolic ideas are acted out in terms of real human interaction. That such actions are always highly formalized and ceremonial is evident in the removal of the hair of widows.

The ritual of the tonsure marks a more extreme resolution of the asexuality of the widow. However, it is significant that there are no references to the tonsure of widows in the early prescriptive texts. On the other hand, these texts rule that the widow should not adorn her hair with flowers and must keep it bound. Unbound hair appears frequently as the sign of widowhood in the Mahabharata. So it is obvious that tonsure was not prescribed initially. As a custom, the tonsured head appears to have taken over from a very early practice among the Tamils. The Puranuru, a second century A.D. text, portrays widows as subject to many restraints: they did not wear ornaments, slept on beds of stone, and caked their shaved heads with mud.82 The custom, however, is mentioned in the Sanskrit text for the first time in the Madanapariyata, a commentary on the Skanda Purana written in the 14th century.83

The notion that sin and pollution both lodge in the hair is a ubiquitously held belief among the Hindus. It is for this reason that funeral rites require that on the last day the hair is shaved off, thus ensuring the removal of the pollution. In the case of widows, however, the requirement of tonsure and periodic shaving off of the head must necessarily have other connotations other than mere death pollution. Anthropological evidence provides us with some clues to the relationship between hair, pollution and sex. Paul Hershman's field study of hair grooming practice indicates such correlation, particularly in the case of women.84 A similar notion of pollution is prevalent even where tonsure is practiced. Hair is thus a major marker of the state of pollution or purity and

82. Hart (1973), p. 241
83. Kane (1941), p. 587
84. Hershman (1974), pp. 274-98; according to him, there are certain times, when pollution occurs for women: these are at the death of the husband, during menstruation, and following intercourse. The end of the pollution stage/period is marked by a ritual bath when it is crucial that the hair is washed, groomed and bound in the proper fashion.
auspiciousness. Abundant hair is a sign of vital and vigorous sexual energy, idealized as
the essence of feminine beauty but indicative also of wantonness in the case of women. In
the context of symbolism regarding hair, it is pertinent to note that hair symbolizes
strength in many myths and cultures. It is also a sign of vital sexual energy and held to
have fertilizing powers as evident from the Greek myths. The grooming or exhibition of
hair has a pronounced erotic element in Melanesia. Thus while abundant hair is a symbol
of life power, a shorn head is conversely symbolic of the loss of power, of freedom, and
even of fascination. Scholars Leach85 and Obeyesekere86 have explored the symbolic
structure of hair and its relationship to sexuality in the context of renunciation, asceticism
and sexual restraint. On the basis of anthropological evidence from South Asia, they
argue that the individual and social behaviour related to hair embraces a widely
understood set of conscious sexual symbolizations. They have held the unconscious
meaning of removal of hair as symbolic castration. In the symbolic system of
Brahminism, the tuft means sexual restraint, the matted hair means total detachment from
sexual passions, and the shaven head means celibacy. Leach has thus concluded that at
least in South Asia, 'sex behaviour' and 'hair behaviour' are consciously associated from
the start.87 Obeyesekere concludes that the primary psychogenetic meaning of the shaven
head is castration, its further cultural meaning is chastity, and its extended interpersonal
meaning is renunciation. While all three meanings are contained within the act of tonsure
for widows, the most important level of meaning is that of castration.88

The tonsure of the widow with its attended meaning of castration, chastity and
social death, was at the same time a visible marker of the widow's entry into a state of
social death. For upper caste widows, sexual death was social death as there was no real
role assigned to her apart from reproduction. Such an ideology entailed the enforcement
of grim conditions upon the widow's existence. Symbols and rituals of marriage and
widowhood, along with material arrangements affecting widows, were linked together to
form a structure that governed the lives of upper caste widows. This structure had a
counter but complementary set of relations which applied to lower caste widows.

85. E. R. Leach (1958), 'Magical Hair', Journal of the Anthropological Institute of Great Britain and
Ireland, vol. LXXXVIII, pp. 147-64
86. Gananath Obeyesekere (1981), Medusa's Hair: An Essay in Personal Symbols and Religious
Experience, Chicago: The University of Chicago Press, pp. 45-50
87. Leach (1958), p. 156
88. Obeyesekere (1981), pp. 33-34; 45-50
3.8 THE SOCIAL CODE OF BEHAVIOUR FOR THE WIDOW

With the emphasis on highlighting the widow’s marginalization in the society as well as her sexual death, and with concomitant deterioration in the position and condition of women from around 300 BC, restrictions were imposed on the widow’s food and dress, behaviour and disposition. Thus upon her husband’s death, a widow had to perforce adopt and follow the harsh model of behaviour as laid down by the society, which deprived her of any opportunity for social privileges, religious rites, economic well being and, of course, entertainment or pleasure (bhoga) of any sort.

Being regarded as a marginal entity in society, the widow was socially differentiated by a prescribed behaviour which she has at all costs to follow. She was treated by the family and the rest of the society as inauspicious, unclean and polluting, and her marginality was enforced by all kinds of taboos. These degrading and demeaning restrictions were imposed on the hapless widows in the guise of upholding the ideal of dharma and renunciation. As stated above, she was not allowed to wear the insignia of her active married state, including the clothes and her jewellery which she could wear in her married state. In some cases, her hair was shorn. Her tonsured head or flowing hair unadorned with flowers bespeaks her miserable status. No jewels adorn her nose and ears, no chains her neck, no bangles her wrists, no rings her toes. Clad simply in a cotton sari of prescribed colour, often without a blouse, she as a rule goes about barefoot. She was not permitted to partake in family meals, could only sleep on the ground and in all ways was kept separate from the active social world of the living. She is denied any opportunity for pleasure and enjoyments, including participation in social gatherings, festivals, and the partaking of rich food.

Sad and sorrowful as the widow’s plight generally was, it was natural that some superstitions and concepts were built round it. Thus, the theory of ‘Karma’ and rebirth was harped upon. Widows were made to believe that it was due to the bad deeds done by them in their previous births that they had to suffer widowhood.89 According to the ideology of Brahminical Patriarchy, if one is actually widowed the wife has certainly not been a pativrata, nor vanquished her innate weakness and sinfulness, which her birth as a

89. Mahabharata, I. 121. 29
female entails, nor has she availed of her last chance of redemption through satihood; in short, she is an outcaste. Thus, to compound her pitiful existence, the society made her regret for her karmic crime of “causing her husband’s death” which entailed spiritual misfortune. It was constantly emphasized that the lack of dharma or satitva in her was responsible for her husband’s death, and that she must, therefore, undergo religious expiation for her purification; it was impressed upon her that this could be done by her by immolating herself with her dead husband and thus become a sati, a virtuous woman absolutely devoted to her husband, or through her single-pointed devotion and acts of austerity (tapas) for her departed husband in order to ensure her reunion with her husband in her next birth. It was thus stressed upon that the widow must henceforth atone for her sins, for bringing widowhood upon herself: through bodily mortification and steadfast devotion to her departed lord, she must stringently monitor her sexuality and master the promiscuity that inheres in all women. Thus, she had to lead an ascetic and austere life, which was regulated by a strict and often harsh code of conduct and social behaviour. She was expected to devote the rest of her life to asceticism and worship of the gods, especially Siva, and her dead husband. To enable others to have proof of her virtue, she must occupy the darkest recess of the house and submit herself to the constant surveillance mounted upon her through the patriarchal gaze.

Harping on the theme of celibacy in the context of the widows, the prescriptive texts provide that the widow must give up all ornaments, observe fasts, emaciate the body, and remain steadfastly loyal to her dead husband. Manu states: “A woman, whose husband dies, should better waste her body by living upon pure flowers, roots and fruits, but she must not take even the name of another man. Till her death she must be patient, self-controlled celibate and desire to follow the great code of devotion to one husband. Many thousand unmarried brahmin brahmacharins have gone to Heaven without perpetuating the family (akritva kulasantatim). On the death of her husband, the widow should stick to celibacy and, like those brahmacharins, go to Heaven, although she is without a son.” Manu thus sets up an ideal for a widow to practice. The Vriddha Harita, a text written roughly between A.D. 600 and A.D. 900, cited by Kane in his “History of the Dharmasastras”, is quite explicit about the marked nature of the widow’s appearance and behaviour:

90. Manusmriti. V. 157-60
"She should give up chewing betel nut, wearing perfumes, flowers, ornaments and dyed clothes, taking food from a vessel of bronze, taking two meals a day, applying collyrium to the eyes; she should wear only a white garment, curb her senses and anger, and sleep on the ground."91

The rewards for good behaviour are both material and spiritual. The ascetic widow gains heaven for herself and her husband. Only the chaste widow is entitled to maintenance, or the enjoyment of property, during her lifetime. According to the Katayana Smriti, a Brahminical text, dated to the period A.D. 400-A.D. 600: "A sonless widow, preserving the bed of her husband unsullied and being self-controlled, should enjoy her husband's property till her death."92 They were made to believe that they attained the deliverance and earned the "virtue" of in gaining long-term spiritual rewards for themselves and their families by closing out their lives as the "symbolically dead", a role to which they were consigned.

But in practice the ideal of chastity might not always be maintained by the widow. Even love affairs with widows were not rare. However, some of the scholars categorically enjoins upon her the observance of sexual continence, his advice and guidelines as regards her other duties seem to be, at least to an extent, optional, as he was aware of the impracticality of the adherence by all widows. Thus, Kautilya speaks of different types of widows.93 Some are devoted to piety (dharma) and maintain the purity of the husband's bed (patisayanam palayanti). They correspond to Manu's ideal of widowhood. But Kautilya also mentions others who hanker after progeny (kutumbakama). Manu disapproves of this class of widows. But Kautilya sought to penalize the unapproved sexual relations (jarakarma) with widows as also with other married women even with their consent. Whereas such connections were not allowed by the law, the women, her paramour and the abettor were all charged with a criminal offence (strisamgraha). Kautilya also speaks of the rich widow (adhyaavidhava). But she is in a somewhat precarious position with regard to her wealth. A prince in emergency is

92. Kane (1941), p. 586
93. Arthashastra. III. 2
advised to rob her of her properties.\footnote{Arthashastra. I. 18} However, barring this exceptional case, the widow's proprietary right is protected by law. She is even allowed to enforce her rights of ownership before proper authorities. A mother, daughter and widowed sister are required to be maintained by every able man, provided they, other than the mother, are not outcasts (\textit{patita}).

Avoiding extreme views, Kautilya appears to take a liberal attitude with regard to the duties and status of the widow. Subject to certain well-defined limitations, Kautilya recognizes a widow's right to property and marriage. Kautilya also permits some degree of freedom to the widow. He allows her to lead an independent life, obviously free from the control of her husband's family. Thus, we read of a widow living a life of her own (\textit{chandavasini}). A special provision is made in the \textit{Arthasastra} for the protection of such a widow. Any one forcibly violating her chastity (\textit{prasahyadhicaratah}) is fined 100 \textit{panas}.\footnote{Arthashastra. III. 20.} Her honour is prized more than that of an ascetic woman for a man violating a female ascetic is fined 24 \textit{panas} only. A widow can have independent means of livelihood, for she may be employed as a spy of the itinerant type (\textit{sancara}). She may even be employed by the state in the state textile factory. The widow is allowed to have a direct approach to the governmental authorities for agitating her claims to inheritance or deposits.

\section*{3.9 MODEL OF ASCETIC WIDOW (WIDOW AS YOGINI)}

Thus, the Brahminical tradition after circa A.D. 700 outlines only two models of widowhood: that of the \textit{sati} who mounts the pyre, rejects widowhood, and proves herself to be the best follower of \textit{stridharma}, and that of the living \textit{sati} who becomes the ascetic within the home, remaining a celibate, steadfastly devoted to the husband till she dies. The two models – of the \textit{sati} who mounts the pyre and the ascetic widow who mortifies the body- are repeated throughout the centuries in all the later texts of the Brahminical tradition. When her husband died, a Hindu woman had theoretically two options. She could opt to remain a widow or she could perform \textit{sati}. There is no third model, at least in the Brahminical prescriptive texts.
The prescriptive texts provide only one model for the widow who continues to live after her husband and, that is, the model of ascetic widow. This model closely corresponds to two other categories of males in the Brahminical texts who too, like the widow, must transcend or renounce their sexuality: the Brahmachari and the Sanyasi. The first is a male who has not yet entered an active sexual phase and the second is a male who has renounced sexual life after completing his duties as a householder and begotten sons, and is, therefore, free to pursue his salvation goals. But there is a crucial difference, because the widow can not leave home as a true ascetic. According to Tryambakajavan, the author of Stridharmapaddhati, a widow who forsakes sons, brothers, and other male relatives after her husband’s death and lives independently incurs great condemnation.96 Unlike the true pravrajya (one who has renounced all and left home), she has no individual salvation goals apart from that of her dead husband. The widow’s asceticism, bearing no personal results equivalent to that of the male ascetic is nevertheless necessary as in order to ensure peace and happiness of her dead lord and as representing the widow’s unswerving devotion and dedication to her deceased husband. Devotion and loyalty to her husband remain the key point of a widow’s life and require celibacy; which is thus negative, not positive. Her stridharma continues in widowhood and requires her to master her sexuality. Celibacy will ensure her husband’s salvation; otherwise he will descend to hell.97 For this reason, the widow’s celibacy is no transient phase; it must last as long as she lives. Thus although there is a certain similarity in the asceticism of the widow and that of the sanyasi, the goals of the two are so distinct; the widow is not an ascetic: the transformative space available woman within the ascetic tradition is denied to the widow. Widow is different from an ascetic: the forced tonsure of widows represented the coerced celibate status of the widow (as embodied in her forced tonsure) as different from the voluntary acceptance of the renunciate status by an ascetic. For a renunciant, who give up the worldly life, the voluntary shaving of the head represented an initiatory rite, which may be considered as a ‘rightful religious act’, as distinct and different from the compulsory shaving of the head of the widow against her volition. Volition, therefore, was the crucial difference between a true renunciate existence and a simulated renunciate existence of the widow based on coercion exerted by others. Emphasizing the said

97. Ibid., p. 299 (Julia Leslie)
difference between an ascetic and a widow, Parvatibai Athavale, a widow writing about widowhood in 1929, has observed that the renunciate within the home was a contradiction in terms.

The special dharma \((stridharma)\) for a woman and the whole and sole goal of her life was to ensure the well being and prosperity of her husband and to please him, who was the \textit{sine qua non} of her life. A widow felt guilty that she had failed in her \textit{dharma}, sacrifice, yoga, and \textit{bhakti} to ensure the husband’s prosperity and longevity. In brief, she failed as a woman in her religious acts and goal. Given the presupposition of rebirth, however, even a widow had something to look forward to: union with her husband in the next life. To purify herself of her and \textit{karma}, which caused her husband’s death, a widow practiced austerities \((tapas)\) in the time intervening between her husband’s death and her own. Thus the gradual recovery of \textit{satitva} was the goal of a Hindu widow, for attaining which she was expected to practice austerities, which would purify her and thus become like a \textit{tapasvini}, an ascetic woman. With her god departed, she truly became \textit{vidhava}, the one without fortune. She thus interpreted the event as indicative of her own karmic failure. Shock, grief and guilt, therefore, characterized her response to his death. As she felt that the lack of \textit{dharmic} quality or \textit{satitva} in her was responsible for her husband’s death, her immediate act was to undergo religious expiation, whether voluntary or socially imposed, through her acts of austerity and single-pointed devotion to her departed husband in order to ensure her reunion with her husband in her next birth or for seven lives to come.

The widow was expected to become a \textit{tapasvini}, an ascetic woman in order to regenerate her \textit{satitva}, womanly goodness. She was to practice austerities \((tapas)\), which would purify her. It was as though she were undertaking a \textit{sadhana}, a yogic discipline, in order to emerge like a \textit{yogini} with single-pointed concentration on her husband and on her discipline directed towards reunion with him in his next birth. It may be said that the widow’s discipline is best understood as akin to the discipline of yoga and her goal as similar to that of yoga (in that she too desired union, albeit in this case union with the husband). According to Patanjali’s \textit{Yogasutras} the definition of yoga as a discipline is the ‘restraint of mental activities’. The yogi gradually overcame all temptations and doubts and was able to focus on god.
We could coin the term *patiyoga* to characterize the yoga exercised by the widow. According to popular view a true yogi is one whose goal is *moksa* and yogis are almost always men, a widow may be viewed as a *yogini*. There is however one significant difference— a woman generally overlooked the ultimacy of *moksa* and concentrated instead on reunion with her husband as her ultimate goal. With her spiritual intent to reunite with her husband for the next seven lives she was rebirth-oriented in contradistinction to the yogi’s *moksa*-orientation.

Thus, the gradual recovery of *satitya* was the goal of a Hindu woman, for attaining which she was expected to practice austerities (*tapas*), which would purify her, and thus become like a *tapasvini*, an ascetic woman. Like a yogi, a widow’s disciplines involved ascetic practices (*nyama*) which includes mental discipline to eliminate desires and overcome all doubts and temptations, and restraints (*yama*), such as on possession (*aparigraha*), and sexual continence (*brahmacharya*). Her concentration on a single point (*ekagrata*), which ensured insensitivity to all distracting stimuli, manifested in her unswerving devotion to her departed husband. She thus became serene as she eradicated all desires and went beyond such polarities (*dvandvas*) as comfort or discomfort, pleasure and sorrow, honour and dishonour.

We can now assert that underlying the surface image of the widow as a deprived person is the image of the widow as a *yogini*. These two images of the widow are not antithetical but structurally similar.98

It seems that widowhood was viewed as the inauspicious hiatus between two states of auspicious union.

<table>
<thead>
<tr>
<th>Present life</th>
<th>Future life</th>
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<tbody>
<tr>
<td>auspicious</td>
<td>inauspicious</td>
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<tr>
<td>(Union/ marriage)</td>
<td>(Widowhood)</td>
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<td>reunion</td>
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The widow gradually overcame the opposition between the auspiciousness of married life and the inauspiciousness of widowhood through the fourfold *tapas* and lived like a *yogini*. Her own death heralded reunion with her husband. Thus the hiatus of

98. Ibid., p. 80.
widowhood was not a meaningless vacuum. It was temporally given and karmically productive. Accordingly a Hindu widow utilized the intervening period to excel in patiyogic sadhana (discipline). Thus an analysis of the deep structure of the proleptic models of the Hindu widow and sati, however, revealed a hidden dimension: yoga.

We thus often find that the Epic widows, when she did not remarry or commit suicide, or Sati was living in the forest and performed austerities. After the death of Krishna, Satyabhama and some of his other queens took to penance and performed hard austerities. Ambika, Ambalika and Kunti initially stayed at home to rear children. Later when their children got settled, they too went to the forest to perform hard penance and austerities. However, many widows like Dasaratha’s wives lived at home. A widowed mother had a respectable position at home. Thus even though a widow’s life was mainly of penance and austerities in the period of the Epics, these were not imposed by the society to the same extent as was the case later when the writers and commentators prescribe their dharma in detail. For instance, when Bhima saw Kunti lying on the ground after the lac-house incident, his regrets show that at Hastinapura she might have slept on costly beds.

3.10 WIDOWHOOD DIFFERS ACCORDING TO CASTE

A close look at the discourse on the ‘status’ of the widow shows that the focus of writing remained limited to the upper caste widow’s individualised miseries. Consequently, the solutions suggested to end the miseries of widowhood too were individualized, paternalistic ones rather than an attack at the roots of the system which spawned the degrading practices. It is only in the last quarter of the 20th century- with the emergence of the women’s movement, the questions raised by it, and the conceptualizations provided by it- that the terms of analysis have changed. It is feminist scholarship that has drawn attention to the relationship between material structures and

99. Mahabharata, XVI. 7. 74
100. Mahabharata, I. 151. 26
ideological and cultural practices and to the specific dimensions of widowhood according to caste, community, religion and region.

It is notable that the structure of ideas with regard to widowhood among brahmanas grows out of the material and social position of widows in high caste society. In marked contrast, in non-Brahmin lower castes, widowhood is not pitiable, nor are widows regarded as particularly dangerous among the different categories of women. Widowhood is not marked by the kind of dramatic break in the life of woman as in high caste society; it is a different state but the structural opposition between the wife and the widow does not exist in non-brahminical society. Determined in large measures by the economic factors, widowhood is organizable in the case of the non-brahmin castes, along the axis of production and reproduction, rather than reproduction alone. Widows from these castes are thus incorporated in the social and economic order. Unlike the upper caste widows, the low-caste widow did not face the sexual and social death after the death of her husband.

It is pertinent to note that the position of women vis a vis men, both in terms of status and of autonomy, improves as one descends lower in the social hierarchy. The higher castes, especially the brahmins, guarded by their dominant ideology of maintenance of purity of caste, felt obliged to subject their women to extreme forms of control. On the other hand, as the lower caste women, unlike their high caste counterparts, actively participated in the primary production and also because their sexuality did not pose any major threat as a potentially significant medium to breach the brahminical hierarchical social order, neither the lower caste men nor the higher caste brahminical ideologues felt it desirable to curb absolutely their autonomy, freedom and sexuality.

The manner in which material and and social factors differently organize conceptions of widowhood among the high caste Hindu and the low-caste labouring groups has been examined and analyzed by Pauline Kolenda in the context of a north Indian village. Drawing from other anthropological works, especially in relation to south India, she observes that the status of women including widow in the high castes is related, among other things to control over property inherited by men, which may foster the degradation of women in order to exclude them from a share in inheritance.
The material and social factors differently organize conceptions of widowhood among the high caste Hindu and the low-caste labouring groups. Ideologically, this is portrayed, however, as women being 'assimilated' to their husbands and becoming one flesh with them. In contrast, the lower caste women are not 'assimilated' to their husbands but in marriage remain equal and opposite to them. The large degree of equality between the men and women of low castes comes from their separate, distinct and more or less equal status as wage earners. The economic role of the lower caste women accounts for her more equal rights, both in her marital and natal homes.

Thus the difference between high caste women and low caste women is caused by differences in relation to production. Accordingly, the brahminical codes proceeded to lay down definite and distinctive reproductive practices and sexual codes for different sets/categories of women. While they prescribed ascetic widowhood, defeminization and the sexual death of the upper caste widow - and thereby raised the status of the entire caste in relation to others - they characterized widow-mating, conceptualized in the practice of niyoga, as fit only for cattle and sudras. Thus the sexuality and the reproductive power of low caste women were valued for their reproductive and productive contributions. It then became a crucial index of caste status in a deeply hierarchical order as different sets of codes and practices for women of high castes and women of low castes were meant to provide an ideological basis for ensuring a higher status for upper castes and to reinforce the closely guarded upper caste privileges. It was in this context that the so called degrading reproductive practices and patterns of social behaviour that were associated with women of low castes, and the purity of women of high castes was emphasized and sought to be maintained in order to elevate the status of the men folk of high castes, rather than that of high caste women. This would in turn elevate the social status of the high-caste men in the hierarchical order based on caste. The reproductive practices of the labouring castes were simultaneously castigated and utilized as this was consistent with the brahminical order which was willing to utilize the productive and reproductive powers of the low caste women but at the same time emphasized the so called degrading and inferior reproductive practices and behaviour of these women and juxtaposing the same with the maintenance of purity of the high caste women in order to elevate their own social status. (The child-bearing low caste widows were expected to remate. This was not a recognition of the sexual needs of these widows,
but an arrangement to utilize the productive and reproductive powers of the widows. While maintaining land structures intact as among agricultural castes, such an arrangement would ensure the full productive potential of low caste women to ensure maximal replenishing of the labouring and servicing castes. Thus while **enforced widowhood** was the rule among the high castes, **enforced cohabitation** may be said to the rule for widows of the low castes. Such an arrangement was also meant to ensure the full productive potential of low caste women to ensure maximal replenishing of the labouring and servicing castes. Applying this parameter in the present day context, the defacing of widows is particularly marked among the upper castes, such as the Havik Brahmins in Karnataka, where women have no socially valued role other than their reproductive role. Among the lower castes, such as the Chuhras in Uttar Pradesh, where women are valued for their productive as well as their reproductive role, widows are allowed to remarry and remain incorporated in the social and economic order. The patriarchal formulations of appropriate behaviour for widows of high castes and widows of low castes reflected, and were structurally integrated into, the ideology and material relations of the caste system: a system in which the upper castes could restrict their own reproduction in order to reduce pressure on the physical resources under their control while encouraging the lower castes to reproduce ( albeit while castigating the sexual mores of the lower castes ) in order to increase the human resources under their control.

Because of their poverty, low-caste women work outside the home. A low-caste widow could thus support herself and her children as long as she could continue to work for a living. There was no dramatic change in her lifestyle or standard of living. The higher caste widow, on the other hand, was stripped of jewels and remained in her dead husband’s family contingent upon her ‘good’ behaviour, and was forbidden to marry again. Only one sexual partner was envisaged for her during her life-time and that was her husband. On the other hand, a low-caste widow could remarry. In the structure of ideas, widow remarriage was one of the key defining practices that constituted the impurity of low castes. At the same time, the enforced widowhood for the high caste widow enabled the higher caste men folk to reinforce their privileges and higher ritual status. It was also a means by which the upper castes manipulated and controlled the demographic structure of all castes – high and low. Patriarchal formulations were closely tied to caste and class formation.
The stringent control of female sexuality among non-labouring high castes, wherein permanent enforced widowhood is accorded the highest respect, becomes the index for ascribing higher status within the caste system. Conversely, the range of marriage patterns practiced in the case of widows among the lower castes, which the higher castes may often impose upon them, becomes the ideological rationale for ranking these castes as low. This serves a double purpose: it establishes distinctions among castes and legitimizes the hierarchy of caste while at the same time establishing a firm demographic basis for production relations.

The Hindu woman is, therefore, in the unfortunate position of either experiencing a degree of autonomy and freedom, but at the cost of lowly position on the prestigious caste hierarchy, or high caste status but at the cost of submission to rigorous male control and subordination to man.

3.11 PRESENT SITUATION

If we now analyse the condition of widows in the present context, we find that their condition has not improved for the better. Even in contemporary times little has changed by way of actual experience in the lives of most widows especially in rural areas. The model of the 'chaste and prayerful widow' still dominates the public imagination resulting in the denial of any form of pleasure to the widow. The grief that many third world widows experience is not just the sadness of bereavement but the realization of the loss of their position in the family that, in many cases, results in their utter abandonment, destitution, and dishonor.

There are an unusually large number of widows in India – 34 million according to the 2001 Census. The proportion of widows in the total female population is about eight percent. In terms of prevalence of widowhood, India ranks among the highest in the world. In India, among women over 50, the proportion of widows is as high as 50 percent. In spite of these numbers, relatively little is known about the actual living conditions of widows in India. Widows are rarely mentioned in the literature on poverty, in public debates on social policy, or even by women's movement. While there is a general public anxiety about elderly widows and while we hear the occasional public outcry when the treatment of widows takes a sensational form, such as that of sati, there is a striking lack of public concern for the quiet deprivations experienced by millions of widows on a daily
basis. They continue to live in conditions of social, economic and cultural deprivation as most of them are unable to live independently and earn their livelihood owing to the traditional Indian customs. Their condition is more pathetic in rural India due to poverty, lack of education and bias against women where they are living a life devoid of dignity and honour. Widowhood confers a peculiar new struggle on women, rife with contradictions: they are expected to conform to an enormous burden of restrictive customs that marginalize them from their community and family. Widowhood is but an extension of ritualistic, social, economic and physical oppression experienced by women and girls in our society—be they from any religion or sect in India. Society looks upon widows— as inauspicious, as a burden, as having no legal rights (as a wife or daughter-in-law), as a commodity who can be sold and passed over to other men, as a source of unpaid family labour and most disturbingly as a sexual being who is a threat to the family honour (and social order) on the one hand and easy prey on the other. As we go up the caste and economic hierarchy, the ritual status worsens and dependence/exploitation increases. In working class and poor middle class families women are left to fend for themselves and this does, in subtle ways, improve their social status.

The well-being of widows is not just a question of economic security, but also one of dignity, self-respect and participation in society. The predicaments faced by widows are—limited freedom to remarry, insecure property rights, social restrictions on living arrangements, restricted employment opportunities, and lack of social support. The social marginalization of widows often takes the form of enforced dress and behaviour codes (e.g., not wearing the symbols of marriage), social ostracism, psychological abuse or emotional distress or even physical violence (could be sexual harassment in the case of young widow or property-related violence). Patrilocality and patrilineal inheritance patterns are also responsible for the marginal status accorded to women, as they too frequently have little leverage to negotiate and bargain for their often extremely limited rights to property, land and other types of inheritance in both their natal and marital homes. The status of widows in India is defined by complex and diverse religion-based-personal codes, regional, jati, kin-based customs and government laws.

Of course, not all widows face these types of mistreatment. Many older widows live with their sons (and their families) enjoy their respect and love. Some older widows
are happily integrated in their daughter’s households. It is the young widows who are most vulnerable to mistreatment, unless they have the support of their parents or brothers.

Despite a mass of anecdotal and narrative information, public policies have not developed to protect widows’ rights. Despite the poverty that widows and their children experience, organizations such as the World Bank have not yet focused on this hidden section in populations. In India, many laws to protect women have been passed since independence. But it is the personal laws of each religious community that govern property rights and widowhood practices. The world knows of the practice of widow-burning (sati), but little of the horrors widows suffer within the confines of their relatives’ homes, how they are treated by their communities, or their fate when abandoned to the temple towns to survive by begging and chanting prayers. There are approximately 20,000 widows in Vrindavan, the holy city. Widows make their way to the ashrams of Vrindavan, Mathura and Varanasi, in the hope that in the holy cities, god will not allow anyone to starve. Fifty per cent of them depend on the doles at the bhajanashrams and on begging. There is no other way to make a living. No wonder they turn to prostitution. The National Commission for Women Study stated that women are paid Rs. 2 plus 250 grams of rice and 50 grams of dal for singing bhajans eight hours a day. Scams in various institutions ensure that sometimes they don’t get even that. Young widows are still being brought in by sex- traffickers and sold into prostitution. The sevadasi system, in which the ‘service’ done to rich and powerful pilgrims is seen as an act of piety is still prevalent. Sexual exploitation still exists at the bhajanashrams.

It is striking that, having failed to implement a protective regime for a widow’s basic survival rights, the state has also failed to provide adequate welfare coverage for them, although a number of mostly token social security schemes have been designed towards that end. Thanks to an apathetic, corrupt and ineffectual bureaucracy, poor women are often kept ignorant about even these limited welfare programmes which hold some potential for addressing their needs.

A frightening indication that this combination of handicaps often proves deadly is the finding that widow mortality rates are 85 per cent higher compared to married women in the same age group- which is a confirmation that widows in India experience particularly high rates of deprivation. However, a sign of hope is offered by a number of voluntary organizations, like the Self-Employed Women’s Association (SEWA) has
pioneered an insurance scheme (Karya Suraksha) where, for an annual payment of Rs. 45 or a lifetime premium of Rs. 550, female members receive financial compensation for hospitalization, damage to homes and tools required for work, maternity expenses, and death of their spouse. Thus, widows have some recourse to insurance coverage in times of need.

Over the last few years, advocacy efforts have reached some widows. The Guild of Service, a volunteer organization founded in 1972 that helps widows claim their pensions, organizes classes to teach trades such as spinning and weaving so that widows can support themselves and provides free literacy programs and medical treatment. In 1998 the guild set up Amar Bari, an ashram for 100 widows in Vrindavan as an alternative to the overcrowded, dilapidated buildings most widows live in. In 2002, the government of India opened a series of similar shelters for widows and other destitute women around the country as part of its Swadhar initiative. But whatever progress has been achieved is only a drop in the ocean.

Given their large number and widespread vulnerabilities, widows surely deserve an important place in the study of public policy and economic development in India. The need of the hour is to take concrete steps to stop the flow of women to Vrindavan and simultaneously carry out rehabilitation programmes whereby the overall plight of these women can be improved.

Widows in India may no longer be required to shave their hair off. But the mindset that sees a woman's identity only vis-à-vis the males around her has not really changed. By and large the whole socialisation process for girls still insists on the value of the marital bliss. The traditional Hindu blessing for a married woman is Sadaa Sowbhagyawati Bhavaa, thereby implying that marriage is the only desirable state for a woman. No wonder the widow is marginalized and reduced to a social non-entity.

It is worth noting that the society reveres the mother as a demi-goddess. But she cannot be a goddess unless she sports sindoor and bangles. There is an absolute dichotomy in the attitudes to the woman as pativrata and as widow.