CONCLUSION

The present study on the situation of widows and widowhood in the context of the colonial Punjab highlights the fact that this tract of the country was rather different from the rest of India in the attitudes towards widowhood. Most significant is the fact that compulsory widowhood, which was a specific feature in the subcontinent under Brahmanic influence, was followed to a much lesser degree in the Punjab, where compulsory remarriage was observed among most of the population under the pressure of customs. As a result, the proportion of widows in the region was consistently lower than that of the country. In 1881, the percentage of widows in India as a whole was 18.7, while in the Punjab region it was only 14.5. The proportions in both instances gradually declined over time to 15.5 percent in India and 11.7 percent for the Punjab, following thus a similar path. The gap between the two had however, narrowed down as the overall decline in India was around 3.2%, while in Punjab it was 2.8%, between the years 1881 and 1931.

The Census figures indicate that in India, the highest proportion of widows was found among Jains and Hindus due to the tradition which did not permit remarriages, while among Muslims, Christians and Tribals, widows formed a smaller proportion. The proportion of widows was largely determined by variations in custom and sanction by religion, and therefore varied considerable in the different religious communities. The Punjab also followed the same pattern as the proportion of widows was highest among the Jains followed by Hindus, then Sikhs at a slightly higher degree than Muslims and lastly Christians in region. However, the proportion of widows in each community was less in the Punjab than India among all religions. In the context of India, the proportion of widows among Hindus was 19.7 to 16.7 between 1881 and 1931, but in the Punjab, it remained between the years 16.8 to 14.3 percent. In India, among the Muslims, the proportion of widows ranged from 17 to 12.9, where as in the Punjab, it ranged from 12.9 to 10.4 percent. The same variations were true in the case of other religions as well. The Christians, whose proportion of widows was from 15.2 to 10.9 in India, in Punjab was
from 8.9 to 6.6 percent only. The Punjabi society had a lesser proportion of widows as the general Brahmanic disapproval of the remarriage of widows, which had some effect on the proportion of widows in the other regions, was less pronounced here. Moreover, urban high castes showed an aversion to widow’s remarriage, as indicated by a larger number of widows among Jains and Hindus. In 1881, in the case of Jains, one out of every 5 women was a widow. This disproportion in the context of widows was clearly indicated in each division of the Punjab, as the proportion of widows was between 19.2 to 15.6 in towns, but 16.9 to 11.8 percent in the villages. There was thus an obvious rural-urban divide on this point. In this region, the reason behind this disproportion was the custom of remarriage, which was generally prevalent in the rural areas of the Punjab and as a result, a small proportion of widows was seen in the rural areas compared to the urban. By the mid 20th century however, the urban Hindus had started to allow widow remarriage as is evident from the Code of Customary law of Amritsar for 1947. Changed attitude towards widowhood was thus clearly evident as those social groups which had previously not permitted. Such practices had adapted to them, as did the majority.

The proportion of widows in India was not equal or uniform in every region. Mysore had the highest proportion, where one fourth of the women were widows. Then next highest proportion was in Bengal and Madras, where one fifth of women were widows in the nineteenth century. In the twentieth century also, these three states had a higher proportion of widows. Other areas, which had a large proportion of widows, were Ajmer and Rajputana, where their number ranged from 21 to 16%. Some States had a smaller proportion of widows such as Kashmir State, Travancore, Delhi and Punjab, where the proportion was less than 14.5 in 1881. The Punjab had the lowest number of widows in comparison to the other provinces of India.

At the intra regional level, the Punjab however, presented a varying picture. Within the region, the highest number of widows was in the Kangra district at 20.4% because of the larger Rajput population, which inhabited the district and followed Brahmanic practices. It was followed by the eastern districts like Gurgaon, Karnal, Ambula and Hisar with the proportion of near about 17% due to the largely Hindu population. The areas of the central Punjab like Hoshiarpur and Gurdaspur had an average of around 16%. The proportion of widows was below 16% in Rohtak, Jalandhar,
Amritsar, Ferozepur, Gujrat, Sialkot, Jhelum, Rawalpindi, Multan and Attock. The western districts of Rawalpindi and Jhelum showed a high proportion of widows due to a higher recruitment in the army. Some districts had a low proportion of widows due to the practice of remarriage as in Muzaffargarh, Gujranwala, Montgomery, Dera Ghazi Khan, Shahpur, Jhang, Mianwali and Sheikhupura districts. They had a rather low proportions of widow at below 13 percent. The reason attributed to this situation was the tribal rules and customs rather than religious. The canal colonies, such as Lyallpur district, showed the lowest proportion of widows in comparison to the other areas of the region. The data of this district, which was available from 1911, reflects that the proportion of widows was less than 8.5 percent, whereas in Punjab, the average proportion of widows was 14.5 percent. The Lyallpur district, witnessed a weak Brahmanic tradition due to the pattern of migration and economic considerations. The result was a lower proportion of widows in this area. In other words, locality also influenced the proportion of the widows to an extent, along with customs. To some extent British policy too had effect on this proportion since the State’s stand on recruitment to the army had far reaching impact on the number of widows in a given area.

Widowhood impacted not only adults, but also children. In the Punjab unlike, other regions the number of the child widows up to the age of 5 years was rather negligible. In the age group above 5 years, however, the proportion of the child widows increased. So far as the number of child widows were concerned, it was almost double or more, than the proportion of child widowers. In India, this proportion was higher at 2 ½ to 4 times more. In 1931, the proportion of Punjabi child widows remained half of that in 1881. A steady decline began in the twentieth century in the number of child widows in the Punjab. The proportion of widows was also linked with the customs of the locality as in western Punjab, there was no practice of juvenile betrothals, which prevailed mostly in the east and central parts of the Punjab. In these areas, Muslims also followed the practice of their neighbors and vice-versa in the west. The custom of child marriage was not linked with caste, but of local example in the Punjab, whereas in India, there was the universal custom of early marriage. Moreover, in the Punjab, early marriage was not the norm and there was the tendency to defer consummation of marriage till the age of...
puberty was reached through muklawa; the result was a lesser number of child widows in the region.

From the available data, it appears that a large number of widows were elderly widows, at about 80 to 85 percent in India. The highest proportion among them was of the Hindus with 86% in 1891. It never fell below 82% in any of the censuses. The Hindus were followed by Muslims, Christians and Tribals, but their proportion never declined below 70%. There is no doubt that the proportion of elderly widow was high due to the higher mortality rate in this age group. The Punjab also displayed the same trend, as the highest proportion of widows was among the elderly Jains and Hindus, followed by Muslims and Sikhs at almost same levels and in the last place was the Christians. Widow remarriage particularly in this age group was generally not practiced; therefore the higher proportion of widows in all religions was that of the elderly widows. The proportion of widows was also high in the age group of 20-40 rather than the age group, 15-20. Very few women remained unmarried by 20 years, 92 % of girls were married and widowed in the eastern parts, whereas in the west, this percentage was 70 in the province.

No doubt, the pattern of widowhood in the Punjab continued on more or less similar lines to that in India, at the same time we find differences in the two. For instance, caste had a less important role in the social life of the Punjabi people in comparison to India. Of course, among the widows of high caste Hindus, the worst position was of Brahman, Rajput, Agarwal, Khatri and Arora due to the custom of early marriage in Punjab. The lower caste Hindus as Nai, Kumhar and Lohar were also not lagging behind and adapted to higher caste norms. This tendency was more apparent in the eastern Punjab than the western areas. Even the proportion of widows in the same caste professing different faiths displayed a variation. Generally, in the Punjab, the bonds of caste were weak in the western Punjab and their social unit was the tribe.

One more peculiar feature of the Punjabi society was the absence in the observance of the law of celibacy by widows especially in rural areas, which was predominantly insisted upon in India. Of course, Randapa (Widowhood) was observed by some high caste Hindus widows. Cases of immorality, elopement and illegal intimacy were observed not only in the higher castes, but also in the lower castes. The menial classes did not take a serious note of adultery of the widows due to their economic utility
The ideology of ‘Pativarta’ was also not observed, especially among cultivating communities due to its dependence on the labour of widows in the agricultural economy. The economic perspective thus changed the social status of the Punjabi widows vis-à-vis her counterparts in India as a whole.

The norm of levirate marriages was characteristic to the majority of the population and as the Punjabi society ‘forced’ the widow to accept these practices. Nobody was concerned with the free will of the widows, whether she wanted to accept her *Devar* as husband or not. The property was at stake if the widow was not forced into levirate marriage by the family of the deceased husband. This norm was upheld in most social categories even by the State.

From 1849, when the British annexed the Punjab, we can trace some shifts in the society and State in their attitudes towards the widows. In some cases, the rights of the widows were enlarged, while in some cases, it was curtailed. In the case of levirate marriages, for instance, which were practiced by all clans of Jats in this area, this social rule was enforced strictly, seemingly allowing the widow the right to remarry. The limitation of this rule was that the widow was permitted remarriage only with the brother of the deceased husband. Whenever, the deceased husband had no brother, even then the in-laws or husband’s family did not like to make any exception for the widow and she was married to a cousin or nephew or other relative of her deceased husband. This particular form of widow remarriage known as the levirate marriage had social acceptance. These levirate marriages were prevalent under the name of *Karewa, Chadar-Andazi, Karao, Chaddar-Pana* and *Jhanjarara* etc. In some instances, the devar had a wife and also remarried the widow- technically creating a polygamous practice.

The majority of the population of the Punjab practiced these levirate marriages. There is an instance, which depicts the strictness of the society to implement it forcefully. In 1852, nine persons were murdered due to this social law, which allowed the nearest male relative of the deceased husband to marry with a widow in Rawalpindi district. The widow had chosen to remarry outside the family. Her whole family was punished for this act. The widows were thus bound to marry their deceased husband’s brother among certain castes. In these marriages, there was no absolute rule in any caste to prohibit *Karewa* with the elder brother, though this was more common practice to
consider younger brother as the most suitable. In the 1880s, Kumhar, Bagri, Chamar, Bawariya and Heri in Sirsa district and Ahir among Rohtak and Gurgaon and Nai in Hisar always preferred for younger brother. The Bagri Jats, Sikhs Jats and most Muslim Jats and Rajputs of Sirsa district accepted that if there was no younger brother, then she might marry her Jeth (Elder Brother of husband), but was not allowed to marry a stranger or outsider. It was considered customary for a widow to marry the deceased husband’s younger brother first, though the marriage with the elder was not unknown. The sphere of the levirate marriage was thus enlarged due to social necessity.

There are many instances of Karewa with agnates. As in 1879, a Hindu Jat lived for 15 years with a widow of collateral without any ceremony of Chadar andazi. Even then, it was considered a presumption of marriage. In the 1880’s, a widow was fully treated as a common property. In the absence of a brother, a widow had to marry with husband’s agnates, as in case of Bagri and Sikhs Jats in Sirsa. In the sub-montane district of Ambala also, the sister-in law was not only remarried to her husband’s brother, but also to his first cousins. It means restriction in remarriage was expanded on widows by society. By the turn of the century however, Karewa had been extended among the different tracts of the Punjab, as to permit of a man to marry a widow of another caste. This practice seemed to be not so common. However, the widow should not be of higher caste than the man. In 1900, there is an example of a higher caste Brahmin widow, who followed the custom of Karewa with a lower caste Jat. This was a major shift of society’s perspective towards this custom. It does not mean that all tribes were accepting the widows of other castes. They had extended the limitation that Karewa marriage should be inside the clan. As Awan, observer of Muslim law and Muslim Gujar recorded that one could only follow Karewa with a widow of his own religion, as prevalent in the Ludhiana district. The Jats of Sirsa district recorded that if a man followed Karewa with any woman except the widow of his brother or agnate cousin, was treated as the void without support of custom.

Despite the universality of the custom, different practices were observed by people. In the 1890’s, the Hindu Jats followed practices of Chadar Dalna, where as Muslim Jats thought it degrading. There is no doubt that many high castes had also started to accept Karewa in limit. A marriage of a Brahmin and a widow called dharel
wife had not been granted acceptance or recognized fully. As in 1885, we have an instance of Ludhiana district, where the Rajputs had commenced the practice to some extent. In 1893, the marriage of a Khatri Kuka Sikh with a lower caste widow like a Tarkhan or Jat widow was considered an appropriate step. In 1896, we have a few instances of Karewa from a Khatri or Arora widow in the Shahpur district. In 1898, some Muslim tribes of Dera Ghazi Khan were also practicing Karewa form of marriage. In the beginning of the twentieth century, the acceptance of the society towards Karewa had increased. Many Rajputs ceased to be Rajput due to their adoption of Karewa, as the Delhi Chauhans, who had once ruled in India. The Rathi Rajputs of Kangra was also accepting this practice with a widow of another caste such as Jat or Jhinwar. However, they generally followed the practice of Rakhewa to inherit his deceased elder brother's wife or compensation. The lower castes, now also did think it unusual, whether a widow might marry younger or elder as Tarkhans, Lohars, Chamars, Chuhras, Wattus and Rains. This ideology had also been imbibed by the Mahton Rajputs, Sikhs in Hoshiarpur.

The lower castes were quite lax in observing the customs of the Karewa. In 1907, there is one instance, where a Saini married a widow, a Mali of the same got in Karewa form. However, some Hindu Rajputs limited the Karewa in inside the clan in Gurdaspur district in 1915. If a widow had come from inferior caste, even then the society is treating her equal with other widows as in Rawalpindi district in 1915. Further in 1920s, Jats were accepting in Karewa, the lower caste widow such as Kori or Koli (a sweeper or a chamar), the society had shown their acceptance fully. It is admitted fact that in Karewa, the family of the deceased husband considered their right on the widow.

It is interesting to point out that in the east and central parts of the Punjab, or east of the Chenab, the custom of remarriage was universal among all in 1881. It is curious to find out in 1880’s; Brahmans had started to adhere the Jat custom in the Muzaffargarh district. Moreover, the agricultural population was not less than ten millions in 1880. In 1885, Lalotras (Brahmans) of Kangra with whom all widow remarriages were denied, they were accepting Karewa. This was the major change in context of the widow remarriage among Brahmans. In 1880’s, there was instances of acceptance of Karewa by Brahmans in Ferozepur district. In 1900, a remarriage was recorded between a Jat and a Brahman widow by Chadar –Andazi practices. In other words, the society was not laying
down strict Hindu laws. In 1901, in certain localities, Brahmans and lower grade Khatri practiced it freely. In other instance of 1906, a Brahmin widow remarried a Khatri. In 1911, it could be concluded that many Brahmans were observing customary law in Ludhiana district. It was argued that many Brahmans had given up their priestly functions. Moreover, the members of non-agricultural tribe followed customs due to influence of the locality. In other words, Karewa marriages were popular among the majority of the population of the Punjab. The Brahmans also inclined to show interest in these remarriages. This was noticed in the highest percentage of remarriage of Brahman widows in comparison with other castes in 1914 and 1918. We have instance of Brahmans of Rupar district, who were accepting Karewa in 1920’s. In 1940’s, there were instances that Brahmans of Amritsar district also had accepted remarriages for widows. Thus, widening the scope of widow remarriage and the possibly the widow’s choice.

On the other hand in the Punjab, an entirely different situation was also clearly registered in the society. To put restraint on the widow’s will, sexuality and property, she was however, forced to accept even her father-in-law as husband. In 1920, a Karewa was performed by a man with his nephew’s widow. Again in 1934 and 1936, these cases were witnessed in some lower castes. All these cases reflect the laxity of the rules of Karewa favored by the society and the change in the practice over time.

In case of remarriages with a person other than the agnates of the deceased husband, she was divested of her rights and had to face punishment. In 1880’s there are many examples in which a seducer had to return back a widow to her family due to the pressure of the society through tribal Panchayat, as is evident in Sirsa district. Moreover, he had to pay a compensation for his act. This practice continued in the 20th century also. As in 1911, the lower castes, such as Nai and Chamar were paying a fine of Rs.15 to 20 to her lawful guardians with Rs.1 to the Chaudhari in the Gurgaon district, whereas in the western Punjab, the seducer had to pay a price for the widow, after that he married her under Karewa. The practice of Karewa thus on the one hand was reinforced by extending it to elder brothers, cousins and father-in-law; while on the other hand, it allowed and gradually accepted remarriage with an outsider or an intercaste union. Society therefore reflected a deep contradiction in the control of widow remarriage.
A similar ambiguity was seen in the widow’s rights over children and property which was restricted further through social pressures, as society restricted the widow’s rights by divesting her rights as the guardian of her children, if she refused to marry one of the collaterals. The rights of the widow as guardian were subject to the consent of collaterals. However, in some cases, the custody of a son was provided to a widow till the age of his 7 years and in case of daughter till the age of puberty as prevalent in Ludhiana district in 1883. Generally the guardianship of her children was taken away from her. Even if, she took the children to her new home, they could not succeed to any share in the estate of their step father as witnessed in the Shahpur district in 1890s. It may be further said that upon such a marriage, the widows, generally had no rights in the family of her deceased husband. The society placed restrictions on the widow due to the material assets such as land, which was transferred to others. To protect property for the family and continue with economic activity, society preserved the orthodox attitude of forced remarriage despite the acceptance of some liberal ideas with the passage of time. Even though it may seen that widows were remarrying outside their own caste groups and ‘non-Karewa’ practicing groups had come to accept this idea, in actual fact ‘control’ over the widow increased through new mechanisms within patriarchy. Karewa was widened to cover a large extended family and even father in law much in contrast to tradition to retain agricultural holdings. At the same time, the widow’s right to shares, partition of land was being recognized in some areas. In some cases, the widow’s son was given a share in the step father’s property- pichlag- presenting thus, a duality in social attitudes and a reflection of changing times.

The notion of compulsory widowhood was not completely absent in the Punjab. The Hindu law was observed among certain castes as a matter of family pride more than religion. There was a general understanding that the family was entitled to take a higher position in the social scale by prohibition of widow remarriage. Some tribes, among whom, there had previously been no restriction on widow marriage, started to deny the custom in an attempt to portray a ‘higher’ social position, as J. Wilson noticed in some areas of Sirsa in the 1880’s. The district officers from several parts of the region also remarked in census of 1881 that among the higher classes of Muslims also, remarriage was now less common due to an imitating of the ‘higher caste Hindus’. This continued in
the twentieth century as well. As in the census of 1911, we find instances, where Sayads, Sheikhs and Rajputs were still averse to the tradition of widow remarriage, though Muslim law permitted it. On the one hand, society showed some signs of letting up on the orthodox social rules by allowing widow remarriages in the higher castes by the end of the nineteenth century, on the other hand, heated discussions and caste restrictions also continued over remarriage among other castes. For instance, the Sunar community held a public meeting on 17 April, 1896 at Delhi on this issue. Two parallel yet opposing trends were thus, emerging in society, creating a new complexity with change.

Despite this opposition, the changing perspective of society is evident by the introduction of widow remarriage in higher castes by the last two decades of the nineteenth century. From 1890, these marriages were attended by huge gatherings of the people. In 1896, 15 remarriages in higher castes were witnessed. In 1900, there was a major shift in the attitude of society towards widows with the appearance of advertisements in the newspaper for the remarriage of widows. Despite this openness, the hesitation towards widow remarriage remained elsewhere. Changes were also reflected sometimes in the rites of remarriage. The general opinion was that there is no restriction of widow remarriage among Muslims, but among Hindus, phera could not be performed twice. Labanas in Ludhiana followed alternate ceremonies, on the girl’s wedding by phera like Hindus and on widow’s wedding by Nikah like Muslims in 1900’s. We can not deny that from 1896, there was change in the introduction of ceremonies of widow-remarriage, which were now performed by Arya or Brahmo rites. Many rituals like Karah, Pices, Talwar, and Mukut were also used. As a corollary of this, there was constantly signs of weakening in the feeling against remarriage in the twentieth century. In 1901, we have instances of such remarriage of child widows, for example, Sumrita Devi with Dr. Gurudutt. Some Khatris, Bedis and Sodhis favored such remarriages in Gurdaspur district in the 1910 also. On the other side, some Hindus generally took remarriage as concubine. A Muslim Jat, Rajput, Sheikh of Arabian descent or a Moghul in eastern Punjab could not think of marrying a widow. However, by the 1920’s, Muslim Manj Rajputs, originally Hindus of the Jagraon tahsil, district Ludhiana, still showed opposition to the custom of remarriage. According to the Census of 1931, many Muslim Jats, Rajputs, Sayads and Pathans did not permit their widows to remarry due to their
long association with Hindus in Muzaffargarh. The Hindu law, which forbade the remarriage of widow, was observed only among certain castes and small communities of upper class not throughout the masses.

By the end of the nineteenth century, some caste societies such as Khatri Conference showed courage and started to favor remarriage, as in 1895. Society verbally supported these Caste Conference, as one can witness in the beginning of the twentieth century. Two conferences were held by Mohyal Community in 1905 and 1910 at Lahore, but did not take any step towards remarriage of widows due to disapproval from within. The Mohyal community tolerated this new practice among others. The Shewetambar Sthanakwari Jain Conference openly showed disapproval for widow remarriages. The same approach was exhibited by the Brahman Sabha who came into force in the 1910’s. Their active agenda was to discourage early marriage, not to encourage widow remarriage. These Sabhas became somewhat active after 1920.

The change was visible in the context of the ‘New women’ which came before the cause of the widow after 1890’s. This new alternative to remarriage was the education of widows and training them as teacher and dharampracharak. In 1894, Pandita Savitri Devi, a child widow was brought from Muzaffargarh to Kanya Mahavidyalya, Jalandhar for this purpose. In 1899, “Bhagwati Widows Relief Fund” was started. Actually, Mai Bhagwati was the first to propose the opening of a fund for the relief of the widows a few years ago. The early nineties witnessed the increase of the activities of the women for the widows. Many widows were asserting their own choices to opt for asceticism or to remarriage. Some chose the third option of being independent. In 1929, 25 widows were working in the Arbitration Societies in the Attock district. Moreover, Widow Remarriage Conferences was not confined to the patriarchy alone, as women were more active in these conferences. In 1937, all the members of the committee of 11th Annual Widow Remarriage Conference, Jullundur were ladies, exhibited the changing scene in the perspective of the society by more women’s participation and resulting in the remarriage of hundreds of widows.

Widows were assigned new jobs as teacher, nurse, updeshika and donator in social and political activities. Facing the challenge, widows were accepting the new occupations. Society was forced to accept these new ideas, though they still considered
the ideology of asceticism was good for widow in 1930s. As Darling points out that there was still the advice of Jallan for widows that fatigue was the best guardian of widow. However, no doubt, the proportion of widows was started to decline due to the shifting perspective of the society in the twentieth century. The society now started to accept the participation of widows in social life though reacting differently in relation to caste, community and location.

Many indigenous voluntary movements emerged to take up the issue of widows and widowhood in the colonial period. The Punjabi interaction with the British was introduced in the third decade of the nineteenth century. The Punjabi patriarchy raised its voice for widow remarriage comparatively late than India. The nucleus of all these activities was mainly Lahore as the Brahmo Samaj, Singh Sabha and Arya Samaj became active here in 1870s. The new anglicized Punjabi elite emerged in the 1880s, ousting the Bengalis from the scene. This decade also witnessed new movements such as Dev Dharam and Sanathan Dharma. It is true that intellectual ferment was witnessed in the Punjabi society by the individual critics, such as Munshi Kanhya Lal Alakhdari and Shraddha Ram Phillauri in 1870’s. Munshi Kanhya, a product of the Delhi renaissance, raised a voice against the atrocities on widows till his death in 1882, while Shraddha Ram Phillauri, tried to favor remarriage of widows through his writings in late 1870’s. These activities could be seen as experiments which prompted other Punjabi to form new platforms. The duality in the attitude towards widows was obvious in the agenda of these early reform societies, which was to encourage late marriage more than to favor widow remarriages. The Arya Samajists also favored niyoga, not widow remarriage, leading to an endless debate in society. However, some leaders showed scepticism to the Dayanand’s vision on niyoga, as Pandit Lekharam till 1893 was not certain about his views on this issue. Later, he favored widow remarriage by making propaganda for it by divulging the number of the remarriages of widows.

The propaganda of the Arya Samaj was more organized than the other sects due to acceptance of the means of advertisement and formation of Widhwa Vivah Sabha. In 1883, the Arya Samaj carried requests for an Arya remarriage through the advertisements in Samaj publications. By 1884, this technique was used more and more. The result was that widow remarriages increased in 1886 at Kohat and Amritsar under the influence of
By the 1880’s, the nucleus of the activities of the Arya Samaj, shifted to the Doaba region, mainly in Jalandharm with the efforts of Lala Devraj and Lala Munshi, later Shradhanand as well. The Jalandhar Arya Samaj proposed to stem the tide of the Christian missionaries by taking a conscious attempt to resolve this problem by setting up a framework of self reliance by providing education to the widow’s. From 1890s, this movement gained momentum in other areas of the region. In 1892, Arya Samaj founded ‘Widow Pathshala’ in RanaBari in Srinagar. Scholarships were also provided by them. It is consistent with the fact that the missionaries was running a school with over 200 widows, each getting a stipend of Rs 1 to Rs. 2 in 1895. In the end of the nineteenth century, many widow ashrams were established to provide shelter to widows. In 1891, Stri Samaj maintained the widow Ashram in Ludhiana and before 1893; there were 2-3 other ashrams in North India. In 1906, Kanya Mahavidyalaya, Jalandhar founded ‘Widow Bhavan’ with 6 widows, though Kanya Ashram was laid down in 1893. Taking Jalandhar Widow Ashram as a role model, many Ashrams were opened in different parts of the region after 1914 such as the Vanita Vishram Ashram, Hoshiarpur. In many ashrams, boarding and lodging were also provided free. Jalandhar Arya Samaj was already providing funds through the Bhagwati Widows Relief Fund in 1899. The motive behind all this was to prepare widows as teachers and pracharikas, the new ‘alternative widow’ with social relevance and position.

Simultaneously, many others favored widow’s remarriages. For example, the Widhwa Vivah Sabha, in Ludhiana became active in 1889 with the help of Lala Devi Chand of Jalandhar. In 1894, the Lahore Arya Samaj remarried a widow, who had a child. At this juncture, the reformers were generally supporting the marriage of only child widows. The central Punjab, especially Lahore became the centre of the widow remarriage movement. Many Sabhas and Societies made practical efforts for widows by organizing Sabha as Adhikari Vidhwa Sahayak Sabha in 1895, which registered the name of the interested applicant for marriage. The other society, Hindu Child Widow Matrimonial Society shifted this issue to the society by making advertisement in the Tribune, publicly from 7 March, 1896. The effect of the reformers can be calculated by
this fact that initiates started by these were taken favored by the society in the next
century by advertising the widows of their families. This was a revolutionary step
towards solving the problems faced by widows. Moreover, some Arya Samajists came
forward to marry widows themselves, as attested by the advertisements in the Tribune.
There was more widow remarriages due to the new trends. In 1912, Sanatanist got 300
widows remarried and 4000 men registered themselves to find widows with the idea to
get remarriage of those widows. Besides this, widow remarriage conferences were
organized by these reformers. In the first quarter of the twentieth century, some
conferences were organized with no results, as by Mohylas in 1905 and 1911 at Lahore.
The change was however, started to be visible by many conferences as in Peshawar in
1933 and Kartarpur in 1937. The result was evident in the increased number of widow
remarriage in different castes, professing different faiths by the 1930’s.

The public arena for the cause of widows can be visualized through the printing
material of this period. In 1881, Dyal Singh Majithia founded the Tribune, an English
newspaper, at Lahore. This newspaper covered several issues of widowhood resulting in
the propagation of new ideas to the society. To voice their opinions, the Arya Samaj
published the Arya and Sandhurb Parchark in 1880’s. The Singh Sabha gave practical
shape to its ideology through the ‘Khalsa Akhbar’ and ‘Khalsa Samachar’ in 1886 and
1899 respectively. The newspapers published widow’s voices and their critique of social
ideals with the coming of the Wazir Hind Press and the Sikh Tract Society, the diagnosis
of the problem of the widow had been done very effectively. The Jalandhar Arya Samaj
issued the school magazine as Panchal Pandita in 1898 in Hindi. In the third decade of
the twentieth century, ‘Jalvid Sakha’, a monthly magazine was issued for Kanya
Mahavidyalaya. Many women were entered in the field of writing as Savitri Devi, Gargi,
Kumari Satyavati and Kumari Shakuntala Devi, all associated with Kanya
Mahavidyalaya. The other monthly school Journal Punjabi Bhain was published from the
Ferozepur Sikh Kanya Mahavidyalaya from 1908 to 1930. The reformers sensitized
society to the issue of widowhood had through all these print materials. The changing
perspective of the society can be visualized through the literature of this period.
In 1877, Pandit Shraddha Ram wrote a Hindi novel ‘Bhagyawati’. His purpose in writing this novel was to depict the importance of women education. He was tempted to write on the widow-remarriages. However, the first Punjabi novel Sundari was written by Bhai Vir Singh, (1872-1957), a Singh Sabha reformer. He took inspiration from the novels of the Christian missionaries. The Mission Press had published one novel, Jyotirudrya in 1882. The heroine of this novel was a Hindu widow, who after accepting Christianity got remarried. Sundari (1898) was a reaction of the above approach. The heroine of the novel Sundari decided to remain single and was the ‘Model of the Reformers’. Sundari, with the background of the eighteenth century tried to present the heroine as a ‘Devi’. Sundari was essentially a counter attack of the ideology, as propounded by Jyotirudrya. On this issue, much literature was contributed by various writers. Some women also made contributions, Dalip Kaur Tiwana wrote a novel Langh Gaya Dariya. The first part of the novel represented the social and economic situation during Jagirdari period through the family of Bakshish Singh. Bakshish Singh got remarried in order to get a son. This act was justified by the Kul, but women had no right of remarriage. This notion was portrayed through the character of Devki Bua, who lived as a domestic servant with no social role. The dominant images of the women that had

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1 In novel ‘Bhagyawati’, the main powerful character Bhagyawati embodies the contemporary perspective of the reformers about women education. Bhagyawati got appreciation due to her knowledge. His father Pandit Umadutt was also against the early marriages of his son, Lala Mani and daughter Bhagyawati, before 18 and 11 years respectively. He quoted example from the society, how the widows committed adultery. So, the subject was revolutionary in the 19th century. (Source-Shraddha Ram Phillauri, ‘Bhagyawati’ In Pandit Shraddha Ram Granthawali (ed.) by Harmahindra Singh Bedi, Volume III, Nirmal Publications, Delhi, 2008.)

2 The British Government initially wished to introduce this book for the promotion of women education, without the context of widow remarriage. Pandit Shradha Ram did not accept the proposal. However, after his death, the book had been published in 1912 by his widow Pandita Mehtab Kaur after altering the same context. This incident was narrated by Tulsi Dev, the follower of Shraddha in his book ‘Shraddha Prakash’ (Source- Harmahindra Singh Bedi, Pandit).

3 In 1835, Ludhiana Mission had started a Gurmukhi Press in Ludhiana. The first novel was published by this Mission Press was ‘The Christ Musafir ki yatra’ and other was the ‘Jyotirudrya’ written by anonymous person.

4 Later on, Charan Singh Shaheed wrote Novel ‘Shahid De Do Wahutiya’ (1911). In this novel, he criticized the practice of polygamy. Nanak Singh wrote novel ‘Mitha Mahura’ (1926). In it, second marriage was presented as Mitha Mahura. Some novelists as Amar Singh took the cause of the education of the women in his novel, as ‘Sulakhi Ma’ (n.d.) ‘Suchajji Dhi’ (n.d.) and ‘Suchajji Nuh’ (n.d) etc. He linked the problems of the family with the lack of education. His approach was that only educated women could lead the family further. (Source- Kesar Singh, Parkah, Research Bulletin of Punjabi Language And Literature, Department of Punjabi, Punjab University, Chandigarh, 1999, 16-20)

5 The second part of the novel is set after the time of Independence.
survived through history were that of chaste women. All this literature provided the impetus to the cause of women.

The ‘Harbinger of a new movement’ could be seen in a play *Subhadra* by Ishwar Chander Nanda (1862-1967), a contemporary of Bhai Vir Singh. Nanda was the first writer, whose characters were performing widow remarriages and love marriages. A personal observation in Nanda’s life served as the genesis of his *Subhadra* in 1920. His friend got remarried to a widow and this real life episode gave Nanda his plot. In this play, widow *Subhadra* accepted remarriage with a friend of her brother. The character *Subhadra* represented the assertiveness by the widows for their rights. Of course, in the end of the nineteenth century, some pioneer women raised voices for widows. In the twentieth century, the cause of the widows was passed into the hands of educated women.

In addition to Punjabi society, the colonial rulers also brought about social transformation among the Punjabis. In the control of widows, however, colonial rule in the Punjab showed no consistent approach regarding widows. In some cases, they were upholding the rights of the widows and in some, it were curtailed. There was constant variation in the decision of the British courts towards Punjabi widows reflecting again a dual attitude towards the widow, as seen in society as well.

The scope of widow’s right was constrained through many acts and judicial decisions. First of all, by section 2, Act XV of 1856; a Hindu widow had no right in her deceased husband’s property upon her remarriage. The British had consistently held that the property should be kept by the patriarchy to the exclusion of widows. By section 3 of this Act, the relatives of her deceased husband could also demand the guardianship of her children. The implication of the Act was that now the widow came under the legal preview of British Law, rather than customary law. On the other side, the British favored the prevalent Karewa custom in the Punjab by recognizing some issues as legitimate. The court held that the Act of 1856 did not override that custom, under which a widow did not forfeit her right by marrying her deceased husband’s brother in the Karewa form as in a case in 1905. Some Muslim tribes also followed this custom, as is evident from the

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practices among Sayads and Pathans of Kharkhodah, where a widow retained her right in the estate of deceased husband, if she did not leave home even after her remarriage. It was the discretion of the government therefore to interpret the law, to support their contentions.

In the 19th century, there were many instances, in which the British were forcing the widow to follow Karewa for economic reasons. Campbell also hinted about it, when he remarked in 1893 that in the court room, widows were forced into Karewa. The British’s intention became very clear with the implementation of The Punjab Laws Act, 1872, in which custom was the first rule of decision in matters of succession. Till the 19th century, the British were fully supporting the levirate marriage as in Kangra through law or other means. This approach can be witnessed through a number of judicial decisions, where they recognized Karewa without any proper ceremonies. In 1900, the validity of Karewa was more enlarged, when a Brahman widow, who married a Jat, was recognized by British courts. In the 20th century, widows from Rajputs, Khatris and Brahmans castes, who were started to follow the footsteps of Jats. There is no doubt that by the twentieth century, the State had lessened its enforcement on Karewa for the widow, but the British continued to restrict her rights for guardianship and inheritance as had been situation traditionally. First of all, the State had accepted Karewa with Devar. Later on, they started to support remarriages with agnates in absence of brothers of the deceased husband or even father-in-law, thereby widening the perspective of the custom of Karewa. By the 20th century they not only approved of Karewa outside caste, but also accepted the ‘purchase’ of widows. In other words, on the one side, there was the increasing value of widow, on the others side, widows were treated as a commodity. The motive behind this perspective was the agricultural economy, when widows of the agriculture castes were a necessity.

There are signs of resistance on the part of widows against the prevailing customs. From the 1860’s, the grip was tightened to control the widows by refusing alienation of religious donation, gift, necessity or to full proprietorship in most of the cases. Under the British rule, the changing economic situation had affected on the social situation of the widow. However, there was no definite rules regarding upholding and curtailing the right of the widow. As both support and control was working simultaneously as endorsed by a
number of decisions. In some cases, widows were receiving share alike as among Jats except Grewal as in Ludhiana in 1867. There are references, where the court accepted the share of the widow in case of Khojas of Kasur, Lahore district for the entire property to the sonless widow and in the full proprietorship in 1868. In case of Hindu Jats, the widow succeeded even in joint property as in Ambala, Gujranwala in 1870 and 1872 respectively. It is to be noted that the Hindu agriculturist in matters of inheritance, partition and adoption followed the tribal customs in the Punjab.

In some cases, they talked only the maintenance for widows as in the case of Chima Jats of Sialkot, succession only in cases of separate property in 1880’s. In another case, a sonless widow was succeeded in joint property in Sirsa district in the same decade. This was not accepted by the Bagri Jat, Banya, Rora, Brahman, Suthar in Sirsa district. In the last decade of the nineteenth century, there were many instances, in which, claim for partition was considered a matter of right as in 1893, a Sikh Jat widow claimed as a third sharer with her husband’s estate along her son and grandson. In 1894, the Maharajkian Siddhus allowed only the sonless widow to inherit. In 1898, Biloches in the Dera Ghazi district were allowed to provide a widow her share namely one eight with son, and one fourth to sonless widow.

This favoritism of the State was denied in other cases. There were many restrictions put on a widow by a legal stamp. In one case, a Sikh widow in Ambala was refused as a third sharer in her husband’s estate held jointly by her son and grandson in 1869. The same judgment was given to a widow of Muslim Mandal family for inheriting in Kurnal in 1875. In most of the cases, the British law wanted to support the sons of a widow due to their apprehensions about the management of land by widows. The British always patronized the pagvand system in place of chundavand. In case of chundavand, the petitioner had to establish it. They were generally provided maintenance in place of share.

In some cases, if the property was entitled to widows that were only for the life – time, further reverted back to the agnates. This contention was supported by a series of cases. In 1879, a Muslim widow, who was entitled the entire estate, but with the restricted power of disposing of the estate, particularly not more right than Hindu widow, which had to bind the estate in the hands of the agnates as in the Sirsa district, the
property reverted back to her agnates in 1883. In another instance, a widow was not
titled to succeed, if her father-in-law was alive as in Gujrat district in 1888. There was
thus, no major breakthrough policy in the attitude of British regarding widows. Of course,
théoretically, they were accepting the rights of the widow, who legally demanded
partition in 1880s, but practically British were showing apprehension for the ‘wastage of
the property’ in the hands of widow. The British courts showed faith for the widows from
1912 that they will not waste the material assets. Now the onus was upon the party, who
challenged the widow’s right. It is noticeable that the British were concerned only with
the widows of the better cultivating classes. The State too, had a dual attitude to widows.

In general, the widows were denied to exercise their right to transfer the land as
gift, donation or mortgage for necessity. We have an instance of a childless widow of
Amritsar district in 1866, who was denied to build a Thakurdwara and sink a well. The
Court favored her brother-in-law. In another instance, a Biloch widow was allowed
alienation for charity of the only moveable property in 1893. The British were not
concerned to extend rights to widows. On the contrary, there are numerous cases, where
gifts to daughters was held legal as by Brahmins widows in Sialkot in 1873, Kakezai in
Parur tehsil, Sialkot in 1892. Afghans, Rajputs and Arains allowed sonless widow to
give to daughter or her children only one third share in 1907. Generally, the British upheld
the right of the widow to gift to daughters as invalid till the existence of 5 degrees of
kindred; this decision was given in case in 1867, Later on, it was implemented in many
cases of Muslim Rajputs, Dogras and Arains of Lahore in the twentieth century. This
highlights the fact that as a rule, daughters and their sons were excluded by male
collaterals among all tribes. If a daughter succeeded, it was only for her life interest. To
control her material assets, if she sometimes, tried to adopt a daughter’s son, but was
denied permission on the pretext of ‘husband consent.’ All these restrictions were put on
the widows to deny her full proprietorship of land. Equally significant is the fact that the
widows, who had rights of alienation against necessities such as land revenue, husband’s
debt, daughter’s marriage and maintenance, in pre colonial times faced serious
curtailment of her rights with the different interpretation of ‘necessity’ by the British
courts. In 1877, a Hindu widow had a right of alienation only for legal necessities. In
another instance, a Muslim widow of Jhang district had no right of disposing the estate in

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1879. In 1885, the court ruled that for her maintenance, a widow could not think of her future necessities. In 1894, a widow had no power except for special necessity in Ludhiana district. If sometimes she was given a right, it was purely temporary transfer as in the Sialkot district in 1896.

As a general rule, a widow could alienated her husband’s property for necessities to some extent before 1913. In 1922, the British courts further defined that the ancestral property, which was in the hands of the widow gave her no right for alienation. Before British rule, it had been recognized that the widow could take a limited estate for her maintenance, but in colonial times this was denied very clearly. In 1915, the court ruled that the widow’s income will be the determining factor to decide the case of necessity for alienation. In 1926, a widow’s debt was not considered valid to have her husband’s land alienated. All these different judgments were given with a single motive to put restraint on the widow’s right on land and property. The State’s attitude was clearly ambiguous, where widows were concerned and largely upheld tradition. In some instances, the State put further restrictions of the widow’s rights to property.

One of the significant issues in the 19th century with regard to women, especially widows, was that of chastity. Even though there were no definite rules regarding unchastity, it generally did not involve forfeiture unless it was a notorious case of unchastity. As in 1868–69 in an instance a widow was entitled to hold her land despite her proved unchastity in contrary to the custom. Then in series of cases of 1880’s it was held that a widow could not forfeit her right on ground of unchastity. However, if she left home with any stranger then she was liable to give up land, house and moveable of all kinds on account of her proved unchastity as in Sirsa district in 1883. By favoring this, State was not thinking about the widow’s rights and customs, but that, which impinged on their economic interests. Cases were interpreted by the courts according to their own motives and constantly changed with the passage of time. In 1903, the courts ruled that continued unchastity prior to husband’s death involved forfeiture of right to a life estate as in case of an agriculturist of Ferozepur. This was further defined that forfeiture will be in cases of open unchastity as in Kaithal and Ambala in 1907. Further, the law defined that the forfeiture will be from the date of unchastity as in a case of 1908 and all subsequent alienations by the widows will be void. On the whole, the British had its own
perspective for agricultural and non-agricultural castes. As in one case, British showed lenient attitude towards the issue of unchastity that an unchaste widow did not cease to be a member of her husband’s family and only forfeited the right of maintenance by her husband’s family. This approach was not consistent in the agriculture castes as all Rajput widows of Hoshiarpur district, whether Unchastity as before or after actual succession, involved forfeiture in 1913, where as Hindu agriculturist of Hoshiarpur did not involve forfeiture in the absence of contrary customs. As a general rule, in the case either of her unchastity or her remarriage, whether with her deceased husband’s brother the widow did not forfeit her claims to property but in case of elopement or remarriage with stranger, in which situation, a widow had left to reside in her deceased husband’s house, she forfeited all her claims. It is no denying the fact that kinship did great impact in regulating property. She was somewhat dependent on collaterals, tribal council and government.

The foregoing study brings out that there were four different approaches to widowhood as a result of the wave of change of the British rule. One was the traditional patriarchal approach for the high caste widows, which preferred chastity of the widows and forced celibacy. The second approach was of the western educated Punjabi intelligentsia, who tried to control the widow’s sexuality and upheld celibacy but gave alternative social roles to widows as teachers and preachers. They talked about the asceticism of widows through the mask of progressive concerns. Third, was the colonial approach that was shaped through their policies, influenced by their economic motives and unintended by brought about some limited change in their position. Lastly, the fourth approach came from the widows themselves, who after benefiting from the new educational ideas took up the cause of the widows. Some preached ‘Indridaman’, while others showed solution by the option of remarriage. The widows started to show signs of resistance to forced remarriage in the twentieth century.

An entirely different situation was witnessed in the Punjab, where the colonial government supported the custom of the agricultural people. The result was that everybody, whether it was family, kin, tribal council, society or government showed an indifferent attitude to the widows on the name of the custom. There remained only two frameworks for the widows, Karewa or asceticism. In the case of middle and higher caste
widows, their sexuality was restrained by the framework of the asceticism. The non agricultural tribes had clearly followed the norms of the agricultural castes regarding widows in the twentieth century. So, in the majority of the cases, she was compelled by all to accept the web of Karewa to save the material assets of everybody. The Punjabi widows were forced to remarry under the name of custom, and the will of the widow was not to be considered in any case. In Punjab, there was sometimes even unmatched marriage of a widow with young boy, through brother of the deceased husband further between father-in-law and daughter-in-Law.7 This trend disturbed the social fabric of the twentieth century. Concern for widows was voiced by groups and individuals, but practically nothing was done for the widows. The British depicted themselves as supporters of the widows through a series of court decisions. All these changes were reflecting the British impact on the social situation of the Punjabi widows, who were treated as an economic commodity rather than an individual, or even a person. Statistically, the Punjabi widow may seen to be better off than her counterparts in other regions but at the social level, her situation was no better. The widow remained under the control of her married family, governed by custom and checked by tradition. The changing scenario under colonial rule and the policy of the State upheld this position but at the same time allowed for some change and adaptation albeit within the patriarchal framework. The widow gained a little more space within the traditional framework as a result of the changing structure of society in the colonial times.

7 Although there was no direct prohibition of a marriage between the father-in-Law and widowed daughter-in-Law among the lower castes, such a marriage was considered repugnant to good morals and therefore was not valid, as in case of Jagnahar Singh V Sadhu Ram, AIR, 1934, Lah. 283; but in case of Jaginder Singh V Kartar, AIR 1936, Lah. 551, was valid. The former case belonged to Ambala and the later of Garshankar tahsil. In both cases, parties were Jats. (Source-Paras Diwan, Customary Law, 76.)