

Indian Feminisms Concepts and Issues
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Lecture-11
Social Reformation–Part 2

Hello everyone. In the previous video lecture, we learned about the Sati Abolition Act in 1829. The term sati literally means a woman who is virtuous and truthful and as an extension of the term, a woman who is chaste and totally devoted to her husband. Therefore, at the root of the word there is a sense of self-sacrifice for the benefit of the family and the husband. The anti-sati movement marked the beginning of women's reformation in the modern Indian time.

The social reformation centered on women and their oppression to show that, India is capable of getting rid of its abysmal practices and rules itself. The social reformers aim to promote a new India, which was superior in the spiritual realm. In order to promote such supremacy women were made central to the discourse. The nationalists wanted to show India's past as glorious.

And more importantly the modern nation-state's ability to retain the good traditions while discarding the bad ones. As evident from the long debate between Raja Ram Mohan Roy and the pandits on sati or widow immolation. Roy provided extensive evidence from the Vedas about the futility of such system and discarded the pandit's arguments. Interestingly, however the law had flaws within it. It only banned coerced or forced Sati.

Voluntary Sati was in fact re-introduced and incorporated in Indian Penal Code 1860 to accommodate the British non-interference policy. The repercussions of Sati lasted for a very long time. In 1987, in a village in Rajasthan Roop Kanwar's immolation sparked of new debates regarding the rights and wrongs of Hindu women but questions of religious identity and also communal autonomy and the role of the law and the state in a society as complex and diverse as India remained unquestioned.

Mandakranta Bose in her book *Faces of the Feminine in ancient, medieval and modern India* writes that Roop Kanwar's smiling face. In the photograph was actually a fake one. She was

drugged and forced onto the pyre. The material consequences of the event of her death were significant.

Her parents were not informed of her death and apparently her in-laws were found to be earning enormous sums from worshipers at a shrine erected to Roop on their property, where they had held the funeral, instead of at the designated public cremation site. There were two clearly distinct reactions to this event, one by the anti-sati groups, which focused on the cruelty of burning someone alive and also the institutionalized subjugation of women.

Roop Kanwar's death showed the wide spread impact of Sati, even after a century of the anti-sati law. Sati in fact was not an uncommon event. Radha Kumar narrates that 4 months before Roop Kanwar's death the police had prevented a woman called Banwari from committing Sati and had to disperse 20,000 people who had gathered to watch the immolation. In 1985, the police had to take similar measures to prevent another incident of Sati in Jaipur.

What is interesting to note is that all these events saw mass support people gathered in huge numbers to experience this moment? Such tenancy attached a certain level of sacrosanctity to the event. Lata Mani points out this contradiction very effectively. She challenges the popular claim that it was tradition, which was getting revised and women were the subjects of that change.

In her article Contentious Traditions, she mentions tradition was not the ground on which the status of women was being contested. Rather, the reverse was true. Women in fact became the site on which tradition was debated and reformulated. What was at stake was not women but tradition? In other words, women were used to just promote an agenda of the social reformers.

Now in this lecture we will learn about another matter that ran parallel to the Sati abolition. It is the Widow Remarriage Act. Now we need to remember that both sati and widow remarriage were seen as internal matters to be decided within the community. You may wonder why this emphasis on the internal matter. Well, the answer is simple, if you remember I had mentioned in an earlier lecture that the British rulers proved their supremacy in the material sphere.

The transformations in the economy completely reoriented and realigned the social structure in India. From joint families there were now nuclear families. This new class was very much

influenced by the British Victorian ideals. Janaki Nair, in her book *Women and Law in Colonial India: A social history* writes the ideal of companionate marriage, for example, took root amongst those classes of Indians who received a colonial education and began to staff the imperial machine, the emerging Indian intelligentsia.

This new intelligentsia aimed at two things. Take the best of west that is the material sphere and prove the supremacy of India. Especially, in the spiritual sphere to show that they are capable of self-rule. It is for this reason that early liberal intellectuals, such as Ram Mohan Roy and Ishwar Chandra Vidyasagar sought to bring changes in the society with the help of the British rulers.

For both sati abolition and widow remarriage direct reference was made from the Vedas and the shastras to prove that these traditions were not common. This was done to show that India's past was inherently glorious. The social reformation therefore began with the women. Women were considered part of the domestic or the private sphere and reforms began within the domestic.

And it is for this reason that matters such as Sati, Widow Remarriage and Child marriage were considered to be internal issues. We will discuss the spiritual material binary in detail in the next lecture. Ashwini Tambe writes that, at first glance, the sheer volume of social reform centering on women in the 19th century India leads one to assume that the British colonial state encouraged female emancipation.

Conventional history narrates an incremental process of social enlightenment: Widow immolation was banned in 1829, Widow Remarriage became legal in 1856, female infanticides was prohibited in 1870. The age of consent for conservation of marriage was days from 8 to 12 years in 1892 and so on. Progressive thinking on the status of women introduced by British rule appeared to have triumphed over Indian orthodoxy.

Careful feminist scrutiny over the past decade, however presents a muddier picture: One of collusion between British and Indian patriarchal forces, particularly when it came to women's sexual lives. As I have mentioned earlier in the writings by British officials and missionaries, the barbarism of Hindu culture especially with respect to women was made very much prominent in their writings.

Sir William Hey Magneon writes in 1862, Second marriages, after the death of the husband first espoused are wholly unknown to the Hindu law; though in practice, among the inferior caste, nothing is so common. Widows had to go through imposed isolation, complete discarding of material aspects and other such deprivations. The matter of Widow Remarriage took shape through the campaign inaugurated by Ishwar Chandra Vidyasagar who lived from 1820 to 91.

He collaborated with the Bengal Brahma Sabha and the Tattvabodhini Sabha to initiate several written please for the reform of the institution of marriage, including the abolition of Kulin polygamy. In his book marriage of Hindu widows Vidyasagar argued a total disregard for the shastras and a careful observance of mere usages and external form is the source of the irresistible stream of wives, which overflows the country.

He saw Widow Remarriage as a proper alternative to Sati and enforce seclusion. He heavily depended on the shastras to prove his point. The opposition questioned Vidyasagar's authority over the Vedas and his moral ground. The 784 petitioners of U.P. and Calcutta had said that legalizing Widow Remarriage would bring back the same state of affairs as under the Nawab. Namely, whosoever may wish will run away with anyone's wife?

It is interesting to note, how the degradation of moral codes is linked with the Islamic rule in India. In this way we can say that the Hindu morality and rituals were presented as exact binary to the degrading Islamic laws. In Bengal, more than 50,000 signed petitions were submitted against Widow Remarriage, as opposed to 5000 in support of it. The core of the Widow Remarriage debate was morality Vidyasagar saw it as depraved morality while, others saw it as upholding of traditions.

Janaki Nair argues that the Hindu Widow's Remarriage Act 15 of 1856 was largely useless, the number of marriages performed were absolutely negligible. Now one of the biggest flaws of this law was the clause on the right to maintenance or inheritance. Earlier, according to the Hindu Women's Right to Property Act 18 of 1937 and the Hindu Succession Act 30 of 1956, under the Dayabhaga and Mitakshara law the Widow only succeeded to her husband's estate in the absence of a son, son's son's son's son of the deceased and the estate which she took by succession to her husband was an estate which she held only for her lifetime.

These provisions were often used ambiguously. In Punjab, where Widow Remarriage was not common, widows often use this customary law to inherit property in the absence of male lineal descendants and used it for her own maintenance daughter's marriage etcetera. In other words, it became a form of self-assertion for women. This was alarming for both British officials as well as Indian patriarchy.

Thus, the Widow Remarriage Act clearly mentioned that Rights of Widow in deceased husband's property to cease on her marriage. All rights and interests which any Widow may have in her deceased husband's property by way of maintenance or by inheritance to her husband or to his lineal successes or by virtue of any will or testamentary disposition confirming upon her without express permission to remarry.

Only a limited interest in such property, with no power alienating the same, shall upon her remarriage cease and determine as if she had then died; and the next heirs of her deceased husband or other persons entitled to the property on her death, shall thereupon succeed to the same. The important phrase here is that as if she died. As Prem Chowdhry notes, this act served to reinforce customs such as Karewa a custom of widow remarriage that was practiced among jats and deprived widows of material rights.

In other words, the law ensured patriarchal control over the property and women's sexuality. Now let us summarize today's lesson. We saw that Sati and widow remarriage were made two intrinsic aspects of social reform. However, both in case of Sati and widow remarriage similar fate was awaiting instead of benefiting women it often deprived them of their rights and freedom. Moreover, these laws did not have a prolonged impact.

As we see in case of Roop Kanwar Sati had been practiced even in the late 20th century. With respect to the widow remarriage, we saw that it homogenized women as a single category. It did not address the differences among women. In fact, it completely removed the relative agency women used to enjoy during the earlier loss. This reinforces the idea that women need to be recognized as different.

And that social reformation was primarily based on the interests of upper class, upper caste women. We will discuss this aspect more in the next lessons. Now, in the next lecture we will

talk about the education and the construction of the new woman in the 19th century. Thank you.

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