Problems Of Widow Remarriage In India: A Study

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INTRODUCTION
The position of women which consists nearly half of population of the country is not so good and the position of widow is even worse. In order to save the plight of women who suffered an account of the death of their husbands the Brahmo Samaj launched a campaign advocating widow remarriage. Despite Iswar Chandra Vidyasagar’s campaign that led to the legislation of widow remarriage (1856) in India, Hindu society had many reservations on this issue. The Brahmos campaigned against such prejudices. To reinforce their commitment to this many young men of the Brahmo movement made a positive point of marrying widows. Besides championing the cause of widows the Brahmo Samaj also came to the aid of unmarried women as well. It was not just the lower castes who suffered in the caste system. Despite their caste status, the girls from the upper caste families suffered because of their position. If a suitable bridegroom could not be found for such a girl in their caste, their options were limited, as marriage to lower caste men was not permitted. These girls often found themselves being married off to very old men who were already married several times over. Or worse still, sometimes these girls would be poisoned to death. Again the Brahmos campaigned against such unjust practices and saved the lives of many such girls.

Widows were considered inauspicious and were not permitted to attend festive occasions, despite many of them being young girls whose marriage had not even been consummated. It was very common for the mother-in-law to taunt her as being responsible for her son’s death. The death of the husband was only the beginning of a young woman’s problems. She was either expected to commit sati or return to her parents. If she stayed with her husband’s family, she had to do all the menial work, was ill treated and not allowed to eat properly. Her head was shaved, her glass bangles broken and she was confined to white clothes; never being allowed to look attractive since she was considered a sexual threat to society. She could only eat vegetarian food. Widow re-marriage was not permitted among Hindus, except in certain tribal communities.

Meaning
A woman who has lost her husband by death and has not remarried is called a widow. Widows are considered to be a marginalized group in India because they occupy a very low social status in society. Consequently they have to face severe social, economic and cultural deprivations. Widowhood necessitates establishment of new relations within the family, with the kin group and with the community. If such new relationships appear difficult to emerge, widows often have to take refuge in charitable houses or ashrams and stay away from their families.1 The historically bore out perceptions of widows is that they are “inauspicious dependents” on society, despite their rights in law, which are rarely exercised in practice.

So, widow remarriage is considered a taboo in India. Widow remarriage among the Hindus is not common. People marrying widows are considered to be of inferior status. Despite best efforts made by the Arya Samaj in the field there has no perceptible progress. Among the Scheduled Castes widow remarriage is performed not according to custom but as an economic necessity. Amongst the Sikh Jats widows are remarried to their dewar or jeth. Namadharis also preach widow remarriage. Widow remarriage among Jains is also not popular. Christians and Muslims, however, remarry widows.

There has never been a total ban on widow remarriage in India as often assumed. Anthropological studies have given ample evidence that in all non-brahmins, i.e. lower caste groups, widow remarriages are quite prevalent. It is said that young virgin

1 Alka Ranjan, Determinates of Well Being Widows, Economic and Political Weekly, 27.10.2011.
widows and child widows are allowed to remarry provided it is within their caste groups.

“Two stereotypes persist about widow remarriage in India. The first, very widespread until recently is that widow remarriage is ‘prohibited’ in Hindu society. The second, currently most influential in the scientific literature, is that widow remarriage is widely practiced. The reality lies somewhere in between: while most castes (except the higher ranked ones) do not prohibit widow remarriage, actual remarriage only takes place in special circumstances.”

As said by Manu, “a father protects her in childhood, her husband protects her in youth, her sons protect her in old age: a woman does not deserve independence”.

**Society in which it is permissible**

Widow remarriage was, and remains, prevalent among tribal communities though it was not permitted among higher caste groups. In fact, in tribal communities, levirate marriages were common: a widow remarrying her husband’s unmarried younger brother. This entitled the widow to retain her right over both her children and her late husband’s property. In certain communities, for example the Bhumij tribals in West Bengal, if a widow decided to marry someone other than her deceased husband’s younger brother, she forfeited her right to her husband’s property and also lost her children; as she had to leave them with her husband’s family.

Widows of all communities carried the stigma of inauspiciousness and were not permitted to participate in religious or auspicious social functions like marriages or other celebrations. A widow was not even allowed to perform the ritual ceremony to welcome her own daughter-in-law. Reformers like Raja Ram Mohan Roy, Iswar Chandra Vidyasagar and other fought for doing away with the evil of Sati and tried to encourage the practice of widow remarriage. To understand the manner in which the taboo against widow remarriage was introduced we will have to examine the historical aspect of this general prohibition and the position of women since ancient times.

**Historical Perspective on the Position of Woman Vedic Age**

In the Vedic age the position of women was fairly satisfactory. Ordinarily girls were less welcome than boys, but there also some parents who performed special religious rituals for the good luck of getting learned and capable daughters. Girls used to be educated like boys and their marriages would take place at fairly advanced age, the normal time being the age of 16 or 17. If a wife had the misfortune to be widowed, she had not to ascend her husband’s funeral pyre. The sati custom was not in vogue at all; the widow could, if she liked, contract another marriage, either regularly or under the custom of nyogas. The main disabilities, from which women suffered in this age, were proprietary ones. They could neither hold nor inherit property.

**From 1000 BC to 500 BC**

The age of the later Samhitas, Brahmanas and Upanishads (1500 BC to 500 BC) saw gradual changes taking place in the position of women. There was gradual decline in female education as the period advanced. The marriage age of the bride continued to be about 16. Divorce was permitted to the wife, though the permission was not exclusively availed of. The sati custom was altogether unknown, and the widow had the option of remarriage either with her brother-in-law or with an outsider. There was no tonsure of widows. The relatively more satisfactory position of women in the two epochs was partly due to political and partly religious causes. Women were useful members of the society who were well educated and took part in various religious rituals and ceremonies next to their male counterparts and in some cases they performed sacrifices by themselves. Hence they could not be treated with an air of patronage or contempt. The exigencies of the political situation in the Vedic period were responsible for the abolition

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of sati and the sanctioning of niyoga and remarriage.
The bottom line was that the wife should not suffer for the activities of her husband. It will thus be seen that down to about 500 BC the custom of sati and child marriage did not exist to embitter the lot of the woman, how she was properly educated and given the same religious privileges as man and she occupied an honoured position in the family and society.

**From 500 BC to 500 A.D.**
The position of women deteriorated considerably in the age of the Sutras, Epics and early Smritis (500 BC to 500 A.D.). Women were declared ineligible for education and they were prevented from performing sacrifices. The marriageable age for girls and boys came to be lowered and as a result the upanayana and education of girls were discouraged. The age of nine or ten years was considered as the ideal age for marriage of girls and towards the end of this period (500 A.D.) parents could not usually keep their daughters unmarried after the age of twelve. During the first half of this period, widow marriage and niyoga continued to be permitted, but the volume of public opinion against these customs were increasing and they came to be eventually interdicted at about 500 A.D.

In this period was the revival of the sati custom. In the beginning, it was confined to the warrior class. It, however, began to spread wider in society in course of time, as the action of sati came to be regarded in which the position of women improved in this period was in the sphere of proprietary rights. Society had begun to discourage widow remarriages. As a consequences, there began to arise a class of childless young widows. When widow remarriages were prohibited, society had to device an honourable means to enable the widow to maintain herself. She could, of course, live in the joint family and receive maintenance along with others. It is clear that in uncultured families some of the male relations like the bother-in-law would force an unwilling widow to submit to their vicious wishes under the specious plea of niyoga. The childless widow could be saved from this calamity by sanctioning her a life estate in her husband’s share, and by permitting her to stay separately. It thus came to happen that the proprietary rights, which were not recognized in the Vedic age when women were better educated and enjoyed greater freedom, came gradually to be recognized during this period.

**From 500 to 1800 A.D.**
In the age of later Smritis, Commentators and Digest Writers (500 A.D. to 1800 A.D.) the only sphere in which the position of women improved was the one of proprietary rights; otherwise she continued to lose all her rights all along. The right of the widow to inherit the share of her husband came to be eventually recognized all over the country by 1200 A.D. In Bengal, the position was further improved by conceding her right even when her husband had not separated from the joint family at the time of his death. The scope of the *stridhana* was further extended by the Mitaksara school by including in it the property acquired even by inheritance and partition. The window’s estate continued to be a limited one, but in some parts of South India she was allowed to gift it away for religious purposes without the consent of the reversioners. Other than the sphere of proprietary rights, in all other spheres the position of women deteriorated. The marriageable age was lowered further and girls were married at the age of 8, just before the time they attained puberty. Widow marriages were prohibited and sati became a common practice. Early marriage was naturally followed by early maternity, which increased the mortality among women between the ages of 14 and 22. Child brides got married to men twice their age, which died early due to disease or warfare leaving these brides as child widows who were not permitted to remarry. They had to lead a chaste life and could not look at another man their entire life. They had to remain faithful to their husband, alive or dead, all their lives for the purpose of attaining mukti. This rule, however, did not apply to widowers who were permitted to marry immediately lest the sacrificial fires remain unlit. Manu had said – “Until her death let her be patient of hardships, self controlled and chaste. At her pleasure let her emaciate her body by living on pure flours, roots and fruits; but she must never mention the name of another man after her husband died”. No widow from a respectable family could remarry, whatever her age might have been.
at the time of her husband’s death. In the beginning, only widows in the higher Section of society suffered from this disability, but in course of time, it came to be extended to the widows of those lower classes as well, which were anxious to be considered respectable. The prohibition of widow remarriage came to be regarded as the most important criterion of the respectability of a class down to the beginning of the present century.

**Propagation of Sati**

The custom of sati started gaining ground. This custom which was restricted to the ksatriyas earlier came to be followed by the Brahmans as well as they did not like to be excelled by the ksatriyas in the pursuit of ascetic practices. Widows now had a dismal prospect before them. They could not remarry. Some of them, who were very young and in some cases whose marriages were not even consummated must have found it difficult to remain chaste all their lives. They were also easy targets of unwanted sexual advances of their male relatives including their brother-in-law and in some cases their, father-in-law. The sexuality of the widow was sought to be harnessed by subjecting her to a strict daily regime of prayer and household drudgery. At the same time, however, her sexuality was seen as a constant threat, she was more likely to be seen as an aggressor, tempting and “corrupting” men by her “evil arts”. They had to lead a life of penury and dependence and were ridiculed and abused by their husband’s relatives including the servants of their house. They were held to be the cause of the death of their husbands and were tormented by their mothers-in-law. Though they were taken care of in joint families but this curtailed their freedoms to a great extent and their daily activities including the food consumed by them was regulated. They had no economic security and there were many social inhibitions attached to them. Even for religious purposes, the presence of widows was a taboo and was not accepted. All this caused a stigma to be attached to these widows. As a result of this, widows very often preferred the terrible ordeal of sati to the tiresome life of the widow. Another cruel aspect of this custom was that the widow’s son himself had to light the funeral pyre of his dead father and his mother who would be burnt alive. Most of he widows who ascended the funeral pyres of their husbands did so quite voluntarily. There have been instances in which the widows climbed the funeral pyre while being highly intoxicated.

**Female Infanticide on Rise**

All this had indirectly increased the number of female infanticides occurring in those days. The parents of a daughter of a daughter had to undergo the hardship of seeing her married of even before she attained her puberty. In many cases, their daughters were married to men who were twice their age or old enough to be their grandfathers. If a cruel fate inflicted widowhood upon the daughter, the calamity would break the parent’s heart. Remarriage being no longer possible, parents had to bear the heart rending pain of seeing their daughter wasting herself in interminable widowhood . . . parents had often to pass through the terrible ordeal of seeing their daughters burning themselves alive on the funeral pyre of their husbands. To become a parent of a daughter thus became a source of endless misery and worry.

5 Uma Chakravati, *Beyond the Altekarian Paradigm: Towards a New Understanding of Gender Relations in Early Indian History.*


**The Social Reform Movement**

All these problems faced by windows and women in general called for reform and many forward thinkers of the nineteenth century strived to make a difference. The history of the women’s movement in the
India can be traced back to the social reform movement which happened in this century that attempted to ameliorate the conditions and status of women, particularly those from the higher caste. Social reformers were the first to challenge the traditional subordination of Hindu women. They fought to give women some degree of dignity and status, but within the framework of Hindu revivalism. These social reformers included the Arya Samaj, the Brahmo Samaj, people like Jyotiba Phule, Raja Ram Mohan Roy, Pandit Iswar Chandra Vidyasager, Lala Lajpat Rai, etc. Progressive thinkers, such as Jyotiba Phule and Iswar Chandra Vidyasagar, perceived oppression of women as a traditional instrument for maintaining social inequality and dominance of high castes in Indian society. The first mahila mandals (women’s groups) organized by the Hindu revivalist and reformist organizations Arya Samaj and the Brahmo Samaj created space for women for socializing and for education.  

Contribution of Brahmo Samaj
At the time when Brahmo Samaj was born the whole country was steeped in a debasing form of idolatry and the grossest superstitions had taken hold of the national mind. As a result, revolting practices like the sati, or the throwing of children into the Ganges by their mothers, etc. were glorified. As many as 309 widows were burnt alive under the jurisdiction of Calcutta in 1828.

Abolition of Sati
Ram Mohan Roy embarked on a massive mission of social reform. His first action was to wage a tireless crusade against the Act of sati. He gave petitions to the English government and published tracts championing the cause for women. Due to his efforts the Lord William Bentinck abolished the act of sati on 4\textsuperscript{th} December 1829, in spite of which this act was continued by most of the Hindus.

Introduction of Widow’s Remarriage

In the mid-nineteenth century, Pandit Iswar Chandra Vidyasager – an eminent scholar and erudite, who received the degree Vidyasagar (ocean of learning), a much harder achievement than in Ph.D. in Sanskrit, at the age of 21 – started the movement of legalizing widow remarriage. Under his leadership the movement succeeded and the British government passed a law on 26\textsuperscript{th} July 1856 legalising widow remarriage. His only son elected to marry a widow and the father presided at his son’s wedding. His opponents’ arguments were threefold. One, the practice was an age old tradition practiced for centuries and must not be stopped. Two, if widows were allowed to remarry, then a woman would take multiple husbands at different times in her life and the family, especially the children, would suffer, because women are by nature deceitful, untrustworthy and prone to adultery. What a glowing tribute to women! Three, changing these practices would desecrate Hinduism and the religion would be destined for failure.

Solution to the Problem Panacea
The problems of widows can be addressed in two ways:
1. by marrying again; and
2. by guaranteeing to them proprietary rights.

Due to the untiring efforts of various progressive thinkers of the nineteenth century various enactment were passed by the British with a view of improving the conditions of women in India. We will not examine the enactments passed and their effectiveness in achieving its purpose.

Legislative Will
Legislative Enactments and Their Effect
With a view to improving the lot of widows, the Hindu Widow Remarriage Act (Act XV) was passed on 26 July 1856. The Act, however, failed to serve its purpose and the attempt to encourage the remarriage of Hindu widows did not make substantial progress. The remarriage of widows was legalized by the Hindus Widows Act, 1856 but not many widow marriages were celebrated and the Act was not a big success. But, however, with the passage of time and by the efforts of numerous reformists the condition of widows underwent change. Widow homes were established and they were educated.

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and also taught to be self reliant. Mahatma Gandhi called upon women of all walks of life to take part in the freedom struggle and this in a way improved their lot. Many progressive thinkers encouraged widow remarriage and helped conduct them. The passage of the Child Marriage Restraint Act also acted as a barrier to young girls becoming widows. The mid-twentieth century saw a radical change in the outlook and attitudes of people. Women had access to education and many went in for higher studies. They took up jobs and became self reliant. This also influenced widow to study and support themselves without relying on others for their sustenance.

Legislative History

Section 2 of the Hindu Widow’s Remarriage Act, 1856, provides that on her remarriage, a Hindu widow forfeits her rights and interests in her certain estates specified in the Section, and these estates pass to the next heirs of her deceased husband as if she were dead, and the next heirs of her deceased husband would succeed upon the same. This was one of the major reasons for the failure of the Act of 1856. It was deficient in the sense that it did not guarantee proprietary rights to widows. This was a factor which came in the way of accepting widow remarriages. The effectiveness of this Act was lost by the condition of losing property. The Widow Remarriage Act of 1856 had two serious limitations. First, the widow was heir to the deceased husband’s estate only if there was no son. Second, her right to property was subject to many restrictions. A widow’s right to inheritance was modified by the Act No. XXXIX of 1925. By Section 33A of this Act, when the intestate had left a widow and also his lineal descendants, one third of his property was to belong to his widow and the remaining two thirds to his lineal descendants. Where he had left no lineal descendants, but had left persons who were his kindred, one half of his property was to belong to his widow, and the other half to those who were related to him. If he had left behind no person, either lineal descendant or kindred, the whole property should belong to his widow. This legislation gave greater, though limited, rights to the widow.

Position of Widow under Act of 1937

However, the Hindu Widow’s Right to Property Act, 1937 gave better rights to Hindu women in respect of property, but gave a limited estate, which is held by her only during her lifetime then reverts back to her husband’s heirs.

Position under Act of 1956

The Hindu widow’s right to property was greatly enlarged by Hindu Succession Act, 1956. Section 14 of the Act stated that any property possessed by a female Hindu, whether acquired before or after its commencement, was to be held by her as a full owner and not a limited one. In view of the limited right becoming an absolute right by virtue of the Hindu Succession Act, 1956, however, the question of divesting the property no longer arises. Under Section 14(1) of the Act, the widow’s limited interest is automatically converted into an absolute right. Section 2 of the Widow Remarriage Act, 1956 was immediately repealed by this Act being inconsistent with Section 14 of the Hindu Succession Act, 1956.

It is now judicially settled that once a widow has succeeded to the property and acquired an absolute right under the Hindu Succession Act, 1956, she cannot be divested of this right of remarriage.

In order to understand the law relating to widow’s property rights, we need to consider that inheritance and property rights are governed by the Personal law of religious communities and differ regionally even among communities and castes.

Amongst, there are two kinds of property: (i) self-acquired and (ii) ancestral/joint family. In India, there are two major schools of Hindu law governing ancestral property – the Dayabhaya and the Mitakshara. Dayabhaya prevails in eastern India: Bengal and other adjoining areas, whereas in most of northern and parts of western. India Mitakshara law is prevalent. In other parts of western India, the Mayukha School is prevalent while in parts of southern India the Marumakkatayam, Aliyasantama and Nambudri system prevails.

In Dayabhaya system, persons held property as tenants-in-common. When the father died, the property was divided between the heirs and they could hold it
together if they wanted, but their shares were defined. On the other hand, under the Mitakshara system, a male member of the joint family had an interest by birth in the ancestral property. A man could ask for partition of his ancestral property but if he died without doing so, his interest in the ancestral property was diverted to the other male members of the coparcenary. It went to them by survivorship and not through succession. Women were not coparceners and did not have any interest by birth in the ancestral property. They were only entitled to maintenance, i.e. expenses for food, shelter, clothing, education and remarriage. However, if partition took place between the male members then the mother and wives were entitled to a limited interest, basically for the purposes of maintenance, and on their death the share reverted to the husband or son’s heirs. A woman could not sell, mortgage or will away this property. However, it has been recommended by the 174th Report of the Law Commission that daughters be made coparceners.

The Hindu Succession Act, 1956 brought about certain changes, the most important of which was the giving of equal rights to sons and daughters in their parent’s property and the abolition of limited life estate for widows. But it did not do away with the concept of coparcenary, nor did it give the daughter a right by birth in the ancestral property. However, a Hindu male became entitled to will away his interest in the ancestral property. If he died intestate, his share would be divided among the heirs, the four primary heirs being his sons, daughters, widow and mother.

With respect to self acquire property, a Hindu male was entitled to will it away even before the Hindu Succession Act, 1956. By virtue of Section 14(1) of the Hindu Succession Act, 1956, women became absolute owners of the property they inherited. They could sell it, gift it and so on. After her death, the property would be divided among her heirs. A female’s heirs were different from a male’s heirs. The Supreme Court in Raghubir Singh and others v. Gulab Singh and others, held that the right to maintenance of a Hindu female flows from the social and temporal relationship between the husband and wife and, in the case of widow, this right exists even under shastric Hindu law, prior to the passing of the Hindu Women’s Right to Property Act, 1937 and the Hindu Married Women’s Rights to Separate Residence and Maintenance Act, 1946. These acts only recognized the petition as existed under the shastric Hindu law and gave it a “statutory” backing.

Thus, if a Hindu widow is in possession of the property of her husband, she has a right to maintenance from it, and is entitled to retain the possession of that property in lieu of her right to maintenance.

The Supreme Court followed the earlier case of V. Tulassama v. Sesha Reddy, (in which it was stated that “Hindu joint family widow is entitled to maintenances out of her deceased husband’s estate irrespective of whether that estate may be in hands of male issues or in hands of coparceners. The joint family estate in which deceased husband had a share is liable for maintenance of such widow and for the purpose of maintenance, such widow can follow joint family property into hands of anyone who takes as volunteer or with notice of her having set to claim for maintenance) and also that of Ram Kali v. Choudhri Ajit Shankar, and held that by force of Section 14(1) of the Hindu Succession Act, 1956 the widow’s limited interest gets automatically enlarged into an absolute right notwithstanding any restriction placed under the document or instrument. Whereas Section 14(2) has a field of its own and applies to instruments, decrees, awards, gifts etc. which create an independent or new title in favour of the female heir for the first time. It has no application to cases where the instrument/document either declares or recognizes or confirms her share in property or her “pre-existing right to maintenance” out of that property.

Muslim Law

Under Muslim law, a male can only will away 1/3 of his property. A widow is entitled to 1/8 of her husband’s property if there are children and to 1/4 if there are none. If a man has two widows, they

8 AIR 1998 SC 2401.
9 (1977) 3 SCC 99.
would inherit 1/8th or 1/4th depending on whether or not there are children. A daughter is entitled to half of her father’s property if she has no brother. If she has a brother, she will get half of whatever share the brother gets. The mother is entitled to 1/3rd of her son’s property if there are no children and 1/6th if she has children.

In practice, both among Muslims and Hindus the widow’s place of residence is crucial to the exercise of her right. A widow will get her share of property as long as she lives in her marital home but not if she remarries. This is despite the fact that Islam permits widow remarriage, but somehow it was not considered “respectful” to exercise this option. A Muslim widow clearly had inheritance rights in her parental home but in practice, as among Hindus, daughters were not given anything. If a Muslim woman insisted on taking her share, she would no longer be welcome in her parental home. But she could stay in her parental home as a dependent on becoming a widow, in case she was unable to do so in her marital home.

Position after 2005

Often widows are willing to forfeit their property rights in favour of their adult sons, who they believe will look after them. A widow with a minor son, however, claims the rights in her husband’s property and a widow with daughters, with some difficulty, manages to claim her rights in her husband’s lands. A childless widow, however, finds it very difficult to do so because the community does not perceive it as her social right. Thus, though in principle, the widow has a right and she may be aware of it, in practice, her rights are limited and restricted, either because her father-in-law refuses to grant her a share in the property or her brother in law decides to act tough or her adult sons will not allow her a share.

That is based on the old conception that widows were given property rights to enable them to maintain their sons: she was originally given only limited usufructory rights, to use the property while her son was a minor. But even women who know the present law and know that they have rights are not willing to go to Court thereby relinquishing their rights easily.

A young widow is often viewed as an adversary and the mother-in-law often taunts her as being the one responsible for her son’s death. Her own parents try to provide emotional support and help to ensure that she gets her share of property. They however prefer that she stay on in her marital home. Ideal widows, according to the community, appear to be the ones “who obey all restrictions, observe all prescriptions and wear all symbols of Hindu widow despite the fact that they find it stifling to eke out a living remaining imprisoned within the four walls of their houses. They cannot go and work outside, or eat anything which is nourishing or dress up because it would tempt the males of their husband’s village”. 11

With regard to the perception of widows, it is crucial to note that while unmarried men would not readily marry a widow, a widower can easily find an unmarried young girl as a second or third wife. A childless widow is preferred.

Suggestions

It is necessary to build social awareness and to change the mindset of people towards widow. It is necessary to educate girls encouraging them to be independent and fight for their own rights. Education will gave them a sense of independence and will help them become self reliant. This will change the attitude of people towards widows and they will not be treated as parasites in the society. The social mindset has also to be changed in the sense that widowers should marry widows rather then marrying unmarried girls or only childless widows. None of the reforms contemplated by various legislations enacted for the benefit of widows can achieve success unless and until the mindset of the society is changed.

11 Liela Seth, Former Judge of Delhi High Court, former Chief Justice of Himachal Pradesh, and presently a Member of Law Commission of India, New Delhi.
and they become more receptive to at least thinking of means to reduce the suffering of widows. Without this change in mindset, widow remarriages will not be encouraged or accepted by our society and this problem will only continue to grow unabated. We cannot, however, say that there has been no improvement in the conditions of widows at all. There have been improvements mainly due to the impetus given by the legislations mentioned above, but in addition to this there should be active contribution of the society towards encouraging widow remarriages and taking effective measures to address the problems faced by them. Only then will we be able to say that the State has achieved its welfare purpose as enshrined in the Constitution.

Conclusion
Hence it can be noticed that prohibition of widow remarriage was not something contemplated by the Vedas but was introduced by men so as to maintain caste hierarchy and to suppress women in every walk of life.

In spite of various enactments being made to improve the conditions of widows, it cannot however be said that widows in India are a free and happy lot. This can be seen from the incidence of sati committed by Roop Kanwar in Deorala in Rajasthan in 1987. She was eighteen years old and her husband of eight months died of gastroenteritis. She jumped into the funeral pyre even before her parents could come to the village. But later even her parents and brother accepted it and conducted a huge ceremony on the twelfth day in commemoration of her valour. This shows that the mindset towards widows has not changed much in spite of the country undergoing social and economic change. Lot more is required to be done to remove the stigma attached to widows.

One of the greatest traumas a widow faces after the death of her husband is the entire question of support or shelter; how and where can she live. If she is living with her in laws, she is normally thrown out or life is made so difficult that it becomes impossible for her to remain there. If she is living in accommodation provided by the employer of her husband then that must be vacated. She may or may not be welcome in her parental home, and is at the mercy of relatives and others. It is thus essential that some thought is given to this aspect and some sort of shelter is organized during the lifetime of her husband. If joint family land has been partitioned then it should be registered in the name of the husband and wife: so that after his death she can continue to look after the fields and support herself and her children.

Public pressure must be built up to grant these women due dignity and respect. Non-Government Organizations must take on the role of social reformers and press ahead to make life easier for her. Non Governmental Organizations should take steps to conduct mass marriages of widows which will help their cause to a great extent. Education of widows should be given utmost priority. If possible, training for employment or compensatory job opportunities should be examined; for example where a relative is given a job in lieu of the deceased. Smaller entrepreneurial units should be made available, so that a widow might have some means of livelihood and need not have to take recourse to migrating to Vrindavan or Varanasi or some other equally horrible place as a last resort.

References:
[5] Table of Cases