DISCOURSES ON *SATI* IN NINETEENTH CENTURY COLONIAL INDIA: A CRITICAL ASSESSMENT

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DECLARATION

I declare that the dissertation entitled "**DISCOURSES ON *SATI* IN NINETEENTH CENTURY COLONIAL INDIA: A CRITICAL ASSESSMENT**" submitted by me in partial fulfillment of the requirements for the award of the degree of Master of Philosophy of Jawaharlal Nehru University is my own work. This dissertation has not been submitted for the award of any other degree in this University or any other University. -

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CERTIFICATE

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INTRODUCTION

By the year 1765, the East India Company assumed the role of a de-facto ruler from being traders, in India. At this point of time, one of the areas that the Company had to negotiate with, was the Indian society. According to Sudipta Kaviraj, Indian society, before East India Company's occupation, functioned in terms of various circles of caste and communities (Kaviraj, 1997: 144). According to Kaviraj, these circles functioned independent of any interference from the state (Ibid: 144). According to Kaviraj, Indian society, was not concerned much about the state, as long as the state did not interfere in the internal matter of the society. Thus, the earlier state had a 'marginal' role and was considered as 'rent receiving', 'thin' state (Ibid: 144). Kaviraj further argues that even in the Mughal period, the state performed the role of rent receivers and more or less remained indifferent towards Hindu society (Ibid: 145). The East India Company too, according to Kaviraj, consciously tried to understand and adjust into the 'existing' structure of Indian society (Ibid: 151). Warren Hastings, the first Governor-General of East India Company introduced a Regulating Act on 1772, where it was stated that the Hindu and Muslim communities, would be governed by their personal laws, in matters such as marriage, inheritance, succession etc. Warren Hastings argued that installing an 'alien legal system' might be considered as tyrannical by Indian people (Mani, 1998: 16). In order to avoid any kind of political instability, so that rent extraction continued with out any hindrance, the colonial rulers under the East India Company, followed the policy of non-interference in religious or social matters of the Indians (Ibid: 14).

It can be argued that instead of following policy of non-interference in the literal sense, colonial officials, under Warren Hastings, were actively involved in 'revering'

and 'restoring' Indian culture. For instance, Orientalists such as William Jones, Colebrooke took active part in learning and developing Indian languages, such as Persian, Sanskrit etc. In the context of inhuman condition, meted out to women in Indian society, the colonial rulers not only followed the policy of restraint but actively, got involved in certain practices. For instance, the colonial rulers not only tolerated *sati*, but also formulated a discourse on *sati* and argued that *sati* was enjoined by Hindu religion. The Nizamat Adawlat (Provincial Court) hired Hindu Brahmin Pundits, in order to see various Hindu scriptures and find out whether *sati*, was enjoined by Hindu religion or not. The pundits were asked to provide *vyawasthas* (legal opinion) in conformity to scriptures (Ibid, 19). Moreover, final decisions were taken by the judges of the Nizamat court and not Hindu priests, since the colonial rulers considered Hindu priests as corrupt. After questioning the Brahmin pundits, the Nizamat Adawlat reached to the conclusion that *sati* was a religious practice. Since the colonial rule was following the policy of 'non- interference' in the religious matters of Hindus, the Company decided that *sati* would be allowed only 'in those cases in which it is countenanced by their religion; and [prevented] in others in which it is by the same authority prohibited' (Ibid: 18). Accordingly, the colonial rule, came up with a circular on 1913 wherein notions such as 'legal' and 'illegal' *sati* were introduced, by citing Hindu scriptures. The colonial rulers, decided to allow only 'legal' *sati*. The notion of legal meant that *sati* had to be based on the rules mentioned in scriptures. Thus, by allowing only 'legal' *sati* the colonial rulers, not only justified the claim that they were following the policy of non-interference but also justified the reason behind tolerating the practice. However, as time passed, the number of *sati*

cases increased. From the year 1815 to 1818, the number of *sati*, 'nearly tripled', from 378 to 839 (Mani, 1998: 21). The colonial rulers became anxious with the increase on *sati* cases. However, in the subsequent year, the cases of *sati* showed a decline. Discussions on prohibiting *sati* were going on even before the number of *sati* increased (Ibid: 20). The colonial rulers did not want to generate an atmosphere, wherein, the Indians, were to get the impression that the government actually 'approved' *sati*. According to Lata Mani the question of 'desirability' was not an issue, the colonial officials, were worried only about the 'feasibility' of the prohibition (Ibid: 20). The colonial rulers thought that the prohibition of *sati* would be harmful for the stability of the government, since Hindus would not like any kind of interference in their religious matter (Mani, 1998: 20; Narasimhan, 1990: 61).

Though the colonial rulers argued that *sati* was a religious matter, Mritunjay Vidyalankar, chief pundit of the Sadar Nizamat in a *vyawastha* hold a different view. According to Mritunjay Vidyalankar 'scriptural sanction for *sati* was in fact ambiguous' (Mani, 1998: 23). Later on campaigning against *sati*, Raja Rammohun Roy cited scriptural evidences and argued that *sati* was not enjoined by religion. According to Rammohun Roy, in Medieval times, because of sheer jealousy, the princes tried to 'legitimize' *sati* as religious matter 'by quoting some passages from authorities of evidently inferior weight…as if they were offering female sacrifices in obedience to the dictates of the Shastras and not from the influence of jealousy' (Mani, 1989: 105). Further, Raja Rammohun Roy argued that *sati* was prevalent in places such as Bengal because of the existence of Dayabhaga law, according to which, a widow had a share to her husband's property (Ibid: 105).

Finally on December 4, 1829 according to Regulation XVII, the colonial rule under William Bentinck, legally prohibited *sati* and declared burning or burying alive of widow a culpable homicide (Sharma, 1988: 8). Thus, a major shift in colonial policy regarding the issue of *sati*, can be seen. After refusing to interfere in the matter of *sati*, by arguing that *sati* was a religious matter, for a long time, the colonial rule finally decided to prohibit *sati* on 1829. It can be agued that with the defeat of Marathas on 1818, the colonial rulers thought that they were supreme and could prohibit *sati*, without any danger, from the Indians to the government. Favoring the abolition of *sati*, William Bentinck declared that since the colonial rule was 'now supreme', prohibition of *sati* was most desirable (Singha, 1998: 116). However, William Bentinck was quite cautious in justifying the prohibition of *sati*. Bentinck gave different justifications to different group of people. For instance, addressing to the traditional Hindus, William Bentinck argued that the regulation on *sati*, was not an interference in the religious matters of the Hindus, rather according to Bentinck, the regulation was very much in consonance with authentic Hindu religion. Further, Bentinck argued that widows by practicing enforced widowhood, would actually follow the 'truest precept of religion' (Majumdar, 1949: 112). The other side of William Bentinck's justification, to the prohibition of *sati* was that religion should not be based on 'blood and murder' (Singha, 1995: 85). Thus, it can be seen that on the one hand, authenticity of religion was invoked, in order to justify the prohibition of *sati* and on the other hand notions such as humanity and justice were used. Invoking moral justification, in order to prohibit *sati*, was part of a larger discourse of rational modernity, that the colonial rulers brought. The colonial rulers argued that they were

the bearers of western rational modernity and thus superior to the Indians. The colonial rulers judged and ridiculed Indian society by using modernity as scale for measurement. One of the justifications that the colonial rulers provided for occupying India was that the Indians needed to be 'civilized'. Colonial rulers 'debated' about Hindu women's 'status' and 'rights' in the society, in order to prove the degenerating condition of Indian society (Mani, 1989: 90; Chakravarti, 1989: 34). *Sati* was seen by the colonial rule as an instrument of 'domination' and 'subordination' (Singha, 1998: xi). Further, the colonial rule was seen as necessary in order to 'rescue' Indian women (Mani, 1989: 118; Chakravarti, 1989: 34). Indeed, prohibiting *sati* helped the colonial rulers in justifying their argument of 'civilizing' the Indians.

This study sees how the colonial rulers used modernity, in order to justify colonial occupation of India. This study argues that though the abolition of *sati* appears to be a positive initiative taken by the colonial government, however, in actuality the abolition of *sati* was carried forward, in order to strengthen the hold of colonial state over the subjects and thus speed up the process of state formation (Singha, 1998: viii). Further, the dissertation argues that modern enlightened values, served ideological role, in order to further the colonial state's own political and economic interest. The dissertation also argues that the ideological presence of modernity, led to the emergence certain Indian intellectuals, who were adherents of modernity and its values. They welcomed colonial rule, as they saw tremendous potential in those values, which would, they thought, improve the condition of contemporary degrading nineteenth century India. However, modern ideology was used only in the theoretical level in the initial period by the Company establishment. For instance, *sati* was only

abhorred for quite long period, until finally abolishing on 1829. It can be argued that *sati* was encouraged by colonial Orientalists. This study sees how discourse on *sati* was formulated by the colonial Orientalists, who argued that *sati* was a religious practice prescribed by scriptures (Mani, 1998: 26). This study argues that the discourse on *sati* based on brahmanical scriptures, was formulated in order to justify the colonial rule's decision of not abolishing *sati* till 1829 (Ibid: 90). The social reformers also followed the Orientalists method of referring to scriptures, while dealing with any personal matters of the Hindus (Ibid: 68). This study sees how social reformers such as Raja Rammohun Roy, Iswar Chandra Vidyasagar, Mahadev Govind Ranade, referred to various Brahmanical scriptures while arguing their respective social reform issues. The dissertation argues that though the social reformers were impressed and influenced, by western modern liberal values and got inspired to reform the contemporary nineteenth century Indian society, however, while campaigning for social reforms such as *sati*, widow remarriage, the Age of Consent, the social reformers without any hesitation, took refuge under Brahmanical scriptures. The dissertation argues that the growing dependence of the social reformers on scriptures, was the result of increasing dominance of Orientalist method, of referring to Brahmanical scriptures (Ibid: 68). Further, the dissertation argues that citing religious scriptures, while arguing for a particular social issue, was increasingly considered as more authentic than on usages and customs (Ibid: 70). The Hindu masses, according to Vidyasagar, relied more on scriptures than on usages or customs (Bandyopadhyay, 2007: 155). However, one cannot uncritically rejoice social reform brought about by upper caste male reformers. This study sees how the social

reformers, traditional Hindus and the British discussed and debated Hindu upper caste 'women's question'. The social reformers, traditional Hindus and the British argued for social reform, in order to control Hindu upper caste women in general and widow's sexuality in particular (Chakravarti, 1998: 84, 85). This study argues that all the dominant forces of the period, i.e. the traditional Hindus, the social reformers and the British used women's issues, as an instrument, in order to actualize their own particular interests. The traditional Hindus attempted to stand, as hindrance on the way of social reform, so that they continue to enjoy their social, political and economic benefits, as against the lower castes. The colonial rulers used the question of social reform, as an opportunity to play the role of 'civilizing' Indians. The social reformers saw social reform as necessary, in order to pursue their own interests, in the changing world. Hindu upper caste basically Brahmin women, in this process remained a 'site' in whose name the whole process of social reform was taken forward, contested. Here, it is necessary to emphasize that one cannot rely on the dichotomy between tradition and modernity, in order to understand the social reform phenomenon. For instance, the social reformers did accept to a large extent, the traditional patriarchal understanding of female sexual nature. Thus, there is a certain degree of continuity of patriarchal notion of female nature (Sangari, 1999: 161).

This dissertation contains three chapters. The first chapter asks why the colonial rule formulated a discourse on *sati*. The chapter argues that formulation of a discourse on *sati* in accordance with scriptures helped the colonial rule, in justifying their decision of not interfering in religious matters of the Hindus. However, finally on 1829, *sati* was prohibited legally. In this context it was asked why *sati* was prohibited on 1829?

With the increase in colonial power, the colonial rulers thought that the time had come to consolidate their power, by retaining for themselves the sovereign right of taking life of 'subjects' within the territory of a state. Moreover, the colonial economy in India was changing to a capitalist one. Traditional practices such as *sati* were not in consonance with modern economy. Abolition of *sati* also helped the administration in justifying their claim of being civilized people.

The anti-*sati* campaign started by Rammohun Roy also helped in prohibiting *sati*. Although Rammohun Roy was in favor of modern scientific education and values however, while arguing against the practice of *sati,* Rammohun Roy took the help of scriptures as in the case of Vidyasagar and Ranade. In the second chapter question is raised why was it so? This study argues that the scriptural evidences were increasingly becoming very 'dominant' following the colonial pattern. Further, the Hindus gave more importance than usages and customs. Thus, it is argued that the social reformers followed the Orientalist understanding of India's golden past.

However, while arguing among them, both the traditional Hindus and the social reformers defended their case, for or against social reform, in terms of controlling female sexuality, since according to both groups, women's nature was libidinous. The third chapter sees why the issue of social reform remained such as contentious issue for both the traditional Hindus and the social reformers? For the traditional Hindus their Brahmin identity was invariably intertwined with controlling widow's sexuality. The social reformers middle class identity was at stake (which was to be different from colonial culture and lower class people). The British rule, however, used the question of sexuality of women according to their ideological convenience. By

arguing that Hindu women were libidinous, they tried to protect their rule against any kind of instability, whereas by condemning patriarchy, the colonial rule tried to justify their civilizing mission.

Lastly, although the focus of this dissertation is largely on the discourses on *sati* in nineteenth century India, however, this dissertation would remain incomplete if the contemporary happenings on the issue of *sati* are not taken into account. One can see sporadic occurrences of widow immolation in the contemporary period. It can be argued that in the present day scenario, widow immolation, is primarily taking place as a backlash against the changes, that are taking place in the society, market and the state. According to Ashis Nandy, contemporary occurrences of widow immolation, are reaction against the increasing dominance of market on social relations and exclusive assumption of the role of sole 'arbiter' of 'inter-community relations' by the state (Nandy, 1987). Nandy further argues that, because of the dominance of these forces on people's life, 'traditional life support system' of people get destroyed and people tries to return to traditional in the name of re-practicing customs like widow immolation. Further, in this changing scenario, wherein women are increasingly challenging patriarchal norms, patriarchal practices such as widow immolation becomes, necessary for the patriarchal authority, in order to keep women in control (Sangari, and Sudesh, 1991: 9). Further, the practice of *sati* is economically beneficial, as it generates huge money through funds etc (Nandy, 1987).

Chapter 1

UNDERSTANDING THE BRITISH RESPONSES TO *SATI*

The burning of a Hindu widow, on the pyre of her death husband, was discussed and debated by colonial rulers as well as the Hindu intellectuals, for substantial period of time. Social reformer Rammohun Roy, initiated anti-*sati* campaign in order to get rid of the practice[1]. For a section of Indians, it was a matter of 'shame' that contemporary Indian (Hindu) civilization allowed burning of their women (Mani, 1989: 118). According to them, this was nothing but distancing from earlier glorious 'golden age' of Indian civilization. However, this same practice of *sati* was seen as a 'promise' for the colonial rulers. The colonial rulers, cited the treatment, meted out to the Hindu women in their very society, in order to justify their rule in India. Since the colonial rulers considered themselves as 'bearers' of enlightened modernity, they projected themselves as the saviors of those unfortunate women. It is in this context that the practice of *sati* becomes important.

The colonial rulers, adopted various policies, while dealing with the practice of *sati*. For instance,in the initial period of the Company rule, *sati* was allowed to be practiced in the name of 'tolerance' towards the religious practices of the colonized. Then, finally the *sati* was abolished in 1829, by the colonial rulers, under the leadership of the then Governor General William Bentinck, who argued that *sati* was not enjoined by Hindu religion, Thus, it can be seen that the colonial rulers, shifted from one position to another in terms of dealing with the practice of *sati*. The colonial rulers

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[1] Even before Rammohun Roy, in the ancient and medieval period voices of protest against *sati* were raised. Sanskrit author Bana in 7th century A.D was 'extremely critical of the custom'. 'In the Kadambari Bana expressly refers to the case of Uttara in justification of the conduct of Mahasveta in deciding to survive her lover'. Further, rulers such as Akbar, Jahangir in the medieval period, the Sikh Guru Amardas, the Maratha chief Ahalya Bai, the ruler of Tanjore, the Peshwa Balaji Rao, Albuquerque of Goa did strived to prevent the occurrences of *sati* (Sharma, 1988: 49).

started the debate on *sati,* by arguing that the practice of *sati* was a religious one, whereas while abolishing the practice, the Company 'clarified' the fact that the practice of *sati* was not enjoined by the Hindu religion. In this context, it becomes imperative to ask questions like why the colonial rulers deliberately argued that the practice of *sati* was a religious matter? Why the practice of *sati* was given so much of importance? More importantly, why the practice of *sati* was finally abolished in 1829? Can this be understood in the larger context of imperial policies of the colonial rulers?

Policy of Non Interference

The nascent occupation of India, by the East India Company and later by the British Empire, was result of various strategies followed by the Company and later the British Raj at various point of time. For instance, in the initial period of the rule, the Company realized that since there was a difference between the 'dominant discourse they brought with them and that of the society they were to enter', it was better to fit into the 'existing justificatory discourse' (Kaviraj, 1997: 150,151). The policy of 'pragmatism' thus forced the Company to submerge into the existing structure of the society for the time being. Thus, they 'self-consciously' followed the path of the Mughals, in terms of the cultural and institutional policies. (Ibid: 152). The colonial rule refrained from interfering, in the internal matters of the Indians (Ibid: 152). Thus, East India Company followed the policy of 'non-interference'.

Consequently, in the case of civil law that affected marriage, divorce, inheritance, succession, Warren Hastings 'established the principle of governing Hindus by Hindu law and Muslims by Islamic law' (Mani, 1998: 16). Accordingly, Hastings in 1772 made Brahmanic and Islamic scriptures as the basis of personal law (Mani, 1989: 91). For this, the Hindu laws were codified with the help of Brahmin Pundits.

Orientalist Policy

The colonial rulers went to an extra mile in their policy of 'tolerance', by showing a kind of 'reverence' to Indian culture. Following this policy, the Company showed keen interest in ancient Indian culture, language, tradition etc. The Orientalists in this context were those who 'reconstructed' other civilizations in such a way as to recover the 'lost glory' of that particular civilization. Late eighteenth and early nineteenth century, saw 'reconstruction' of the glorified Indian civilization, of the ancient past (Chakrabarti, 1989: 29). The 'Europeans' engaged themselves in 'giving to Indians the greatest gift of all –a history' (Ibid: 31; Nair, 1996: 20). The Orientalists argued that the 'authentic' Hindu religion was prevalent in the ancient past. Thus, 'traditional texts were codified, cultural artifacts were collected, ancient monuments were preserved, and civilizational sites were reclaimed' (Panikkar, 2007: 10). The Asiatic society was established, in order to carry out the process of 'restoring' the lost authenticity of Hindu religion. Special interest was shown on Sanskrit and Persian. Hastings asked his officials to learn Sanskrit and Persian.

The colonial rulers considered the contemporary practices in India, as distorted one. For instance, in the case of *sati*, Walter Ewer, Superintendent of Police in the Lower provinces, argued that the 'contemporary practice of *sati* bore little resemblance to its scriptural model, which he defined as a voluntary act of devotion carried out for the scriptural benefit of the widow and the deceased. In reality, he argued, widows were coerced and *sati* was performed for the material gain of surviving relatives' (Mani, 1989: 92, 93). Thus, it can be seen that the colonial rulers, in the initial stage of their rule, not only followed the policy of non-interference but they actually engaged themselves actively in 'restoring' 'authentic' Hindu religion.

This understanding of ancient civilization was a 'reconstructed' one because the conception of what constituted Hindu culture was determined by the colonial rule. Only those customs were considered authentic which were mentioned in scriptures. To quote Neeladri Bhattacharya, 'The late eighteenth century Orientalist tradition saw ancient texts as the source of authentic knowledge about immemorial custom and tradition' (Bhattacharya, 1996: 22). For instance, in the case of *sati*, Colebrooke's work on "the duties of the faithful Hindu widow" was based on the textual position (Chakrabarti, 1989: 30).

According to Rudolph's, Warren Hastings and his Asiatic Society understood legal pluralism 'within the framework of eighteenth-century European understandings of world history' (Rudolph and Rudolph, 2001: 39). Further, the Rudolph's argue that in their 'cultural imaginations', Warren Hastings and William Jones, treated Sanskritic and Persian civilizations, as equivalent to those of Greece and Rome (Ibid: 38). They understood Hindu and Islamic traditions from their own 'civilizational eye' (Ibid: 39).

However, this does not mean that the colonial rulers did not have any political reason in their effort to 'restructure' Hindu religion. The policy of showing tolerance towards the religion of the colonized, largely depended upon the circumstances. The 'consideration of stability and security' of the Company rule was the primary concern of the Company at that particular juncture (Datta, 1988: 48). It can be argued that the colonial rulers thought, any program of rapid change would destabilize the company's rule (Chandra, 2009: 118). They believed 'sweeping or hasty innovations would produce violent reaction in the country' (Ibid: 118). For instance, Hastings, was particularly against the removal of 'despotic law' by the British law of institution. In this instance, Hastings intervened and 'lobbied influential members of the Courts of Directors and Parliament to prevent the same' (Cohn, 1996: 66). Hastings argued that the Hindus were in possession of their laws from antiquity and it won't be effective, if one changes these laws. Further, Halhed a young civil servant, made it clear that law was not his primary concern, his main concerns were 'Hindu thought, religion, and customs in relation to establishing a policy of toleration on the part of British towards the conquered Indians' (Cohn, 1997: 67).

Moreover, the colonial rulers desired to justify the occupation of India, by 'helping' the Indians in finding their true religion (Panikkar, 2007:11). The colonial rulers argued that if India had to 'restore' the true spirit of their religion, colonial occupation on India was necessary. For the colonial rulers, true religion prevailed in ancient India. In the contemporary period, the common people, according to the colonial rulers, were ignorant about their religion and the pundits who had monopoly over the knowledge of scriptures were corrupt. So, the colonials, were the one who could save

the innocent Hindus from the corrupt Brahmin pundits. Consequently, the benefit of colonial rule, for the Indians was seen in protecting the 'weak' against the 'artful', 'in restoring the truth of the religions of the colonized' (Mani, 1989: 95). For instance, officials in favor of prohibiting *sati* argued that the prohibition of *sati* was 'inconsistent with the policy of upholding indigenous religious tradition, even that such a policy necessitated intervention' (Mani, 1989: 95). This was 'how the regenerating mission of colonization was conceptualized: not as the imposition of a new Christian moral order but as the recuperation and enforcement of the truths of indigenous tradition' (Ibid, 1989: 95; Panikkar, 2007: 11).

Importance of Liberal Policy

However, along with showing curiosity to the ancient Hindu civilization, the colonial rulers, particularly the Utilitarians and Evangelical, started criticizing the contemporary happenings in Indian society (Chakravarti; 1989: 30, Chandra, 2009: 118; Nandy, 1983: 17). The Utilitarians believed that any action should aim at the greatest happiness of the greatest number. In this context they believed that the various social evils in India were against any kind of pleasure and happiness of human being. The Orientalists also argued that the greatness of Indian civilization lied in the past and not in the present. However, the Utilitarians did not see any difference between Indian past and present. For them, both, Indian past and present were in the state of degradation. This phenomenon of considering Indian society as a degrading one started from 1800 (Chandra, 2009: 118).

In order to condemn the contemporary happenings in Indian society, the Company drew a distinction between the 'golden past' and the 'degrading present'. According to Kaviraj, the British narrative of India, 'in its most charitable forms, showed an early efflorescence followed by a linear decline down to the pre-colonial times of modern darkness' (Kaviraj, 1997: 156). By contrast, the 'European civilization' according to the British, as Kaviraj puts it, 'moved conveniently from ancient Greece and Rome unmindful through the dark ages' into a 'linear connection with the post-Renaissance history of Western Europe'(Ibid:156). 'Particularly central to this view is the essentialist dichotomy between the self and the other. All dichotomies of this type are asymmetric: the self is portrayed as historical, determinate, laden with actual attributes, capable and the other is seen as empty, abstract, a repository of negative characteristics' (Ibid: 155). Thus, the whole 'Indian civilization prior to the coming of the British was condemned as static; it was looked down upon with contempt. Indian customs were considered uncivilized, Indian institutions corrupt and decadent, and Indian thought narrow and unscientific' (Chandra, 2009: 118). For instance, idol worship was seen as a superstitious belief of the Hindus, by the colonial rulers.

In order to prove the decadent character of Hindu civilization, tradition was judged by looking at Hindu women's position in society critically. More importantly, tradition was 'reconstituted' 'largely' by 'debating the rights and status of women in society' (Mani, 1989: 90). 'Low status of women among the subject population' was cited as an instance wherein, the argument of Indians being 'morally inferior was demonstrated' (Chakravarti, 1989: 34). For instance, the debate on *sati* was initiated primarily by colonial officials, in order to prove the low status of women in Hindu

society. The 'circulation' of 'negative perceptions' by the Anglican writers, such as 'barbaric practices pertaining to women' out numbered the writings based on India's 'lost glory' (Ibid: 34). The Orientalists were just writing and publishing mainly in learned Journals, whereas the Anglican writers 'were methodically building up an indictment, also in print, about the hideous state of Indian society' (Ibid: 34). For instance, James Mill dismissed an "entire civilization, with ancient religious moorings, its artistic and cultural production, its complex legal system, its cosmology, and its science' (Mehta, 1999: 90). These were considered as the 'rudest and weakest state of human mind' (Ibid: 90). Further, Mehta argues that 'Mills views regarding India, its past and its present, are so unremittingly dark, often so pathetically foolish in their lack of nuance, that it is hard to believe that even he would have spent over ten years of his life gathering them had he not been motivated by a more serious purpose' (Ibid: 90). Consequently, James Mill through the volumes of *History of British India* 'rebuked' Orientalists like William Jones and others like him who saw positivity in ancient Indian civilization (Ibid: 13). Regarding Hindu women, Mill argued that, "Hindu women were in ' a state of dependence more strict and humiliating than that which is ordained for the weakest sex......Nothing can exceed the habitual contempt which Hindus entertain for their women.....they are held in extreme degradation, excluded from the sacred books, deprived of education and (of a share) in the paternal property ....that remarkable barbarity, the wife held unworthy to eat with her husband, is prevalent in Hindustan'" (Chakravarti, 1989: 35).

A section of Utilitarians, cited the practice of *sati* as an instance, in order to help the Company, to critically negate Hindu civilization. Focus on the practice of *sati*,

religious law on slavery etc were instances wherein the 'colonizers constructed their knowledge of indigenous tradition in ways, which confirmed and extended relation of domination and subordination' (Singha, 1998: xi). According to Lata Mani, 'The *sati* debate was initiated primarily by the colonial officials signifying concern for the status of women that emerges in the nineteenth century' since tradition was judged from the point of view of women's position in the society (Mani, 1989: 88). By considering women, who commit *sati* as victims of tradition, by denying them any agency, the colonials tried to demonstrate the pathetic condition of women in India, basically Hindu society (Mani,1989: 118). This concern emerged from the 'superior' liberal discourse that the Company brought along with them. The very inhuman nature of *sati* practiced by the Hindus was cited in order to differentiate the difference between western civilization and Indian tradition.

The condemnation of Hindu tradition, by the liberals, was a part of imperialist policy of the colonizers (Mehta, 1999: 91). To quote Uma Chakravarti, 'in seeking a psychological advantage over their subjects, Colonial ideology felt compelled to assert the moral superiority of the rulers' (Chakravarti, 1989: 34). The liberals justified their occupation in India, by arguing that the colonials were civilizationally superior to the colonized. The western, enlightened rationality was a profound weapon, in the hands of the Company, to prove the fact that they were superior against the colonized country. The colonial rule was seen as an 'instrument' that would take the Indians towards the 'goal of progress by bestowing the benefits of the modern civilization by a distant and not wholly self interested people' (Panikkar, 1995: 8; Kaviraj, 1997: 155). For instance, the reference of women as victims of

'tradition' was to establish the fact that the colonizers are there to protect them from the Hindu society. To quote Chakravarti, "the degeneration of Hindu civilization and the abject position of Hindu women, requiring 'protection' and 'intervention' of the colonial state, were two aspects of colonial politics" (Chakravarti, 1989: 35). Consequently, Mani argues that "even the most anti-imperialist amongst us has felt forced to acknowledge the 'positive' consequences of colonial rule, for certain aspects of women's lives, if not in terms of actual practice, at least at the level of ideas about 'women's rights'" (Mani, 1989: 88). Thus, it can be argued that the colonial rule, tried to gain legitimacy from the Indians, by ostensively believing that it was in the "civilizational logic of history which developed upon them the moral and ethical duty to emancipate the 'natives' from their cultural degradation, social obscurantism, and intellectual backwardness'" (Panikkar, 2007: 3). For instance, justifying the decision of not prohibiting *sati* in the initial period of company rule, William Bentinck argued that in order to guarantee the safety of the British Empire in India, it was decided by the colonial rule not to abolish *sati*. This safety of the British rule was necessary, according to William Bentinck, if India had to progress. To quote William Bentinck, "if heretofore received opinions are to be considered of any value, to put to hazard, by a contrary course, the very safety of the British Empire in India, and to extinguish at once all hopes of those great improvements affecting the condition not of hundreds and thousands, but of millions which can only be expected from the continuance of our supremacy, is an alternative which, even in the light of the humanity itself, may be considered as a still greater evil. It is upon this first and highest consideration alone, the good of mankind, that the toleration of this inhuman and impious rite can,

in my opinion, be justified on the part of the Government of a civilized nation"
(Bentinck in Mazumdar, 1949: 139). Thus, the 'civilizing mission' 'undertaken' by
the colonial rule 'after the conquest', 'marked the beginning of a new stage in
colonization' where the 'subjects' were 'brought under administrative control,
presumably for improving their moral and mental conditions' (Panikkar, 2007: 3).

Influence on Indian Intellectuals

Consequently, the Indian intellectuals, who were in close contact with western
rationality, believed in the greatness of western values and thus criticized Indians
particularly Hindu society as a degrading one (Panikkar, 1995: 2, 3). The Indian
intellectuals welcomed the colonial presence in India as an 'instrument' with the help
of which a revitalized India based on liberal principles would be realized (Ibid: 24).
Here, one can see the influence of western modernity in the process of understanding.

Various 'social practices and religious beliefs prevalent in the nineteenth century were
seen as an hindrance in the progress' by most of the nineteenth century intellectuals
(Ibid: 7). For instance, polytheism, casteism etc were seen as responsible for the
degrading nature of Hindu society. The Indian intellectuals wanted to get rid of those
negativities, by revitalizing their society. The various cultural and ideological
struggles in colonial India, expressed through a variety of socio-cultural movements
and individual initiatives can be cited as an example of it (Ibid: vii).

From the above mentioned descriptions, it can be argued that the colonial rule followed different strategies, in order to rule over India. Panikkar argues that in 'constructing a system of domination' the 'colonial cultural policy and practice in India adopted both expropriation and appropriation of the indigenous' (Panikkar, 2007: 10). On the one hand, the Orientalists, 'retrieved' and 'commended' the past achievements of Indian civilization' and on the "other taking steps to subject the 'natives' to an ideological- cultural system privileging the Western" (Ibid: 10). Thus, it can be argued that although the colonial rule followed the policy of Orientalist tradition, they always justified their rule with the help of the liberal tradition that they brought along with them. Moreover, 'above all the colonial state was the product of the discourse of enlightenment' (Kaviraj, 1997: 151).

A look at the preparation of the whole discourse on *sati* prepared by the colonials themselves, would give a fair degree of understanding as to how both the Orientalists and the Utilitarians expressed their position on the issue of *sati*.

Formation of the Colonial Discourse on *Sati*

In the early nineteenth century, the colonial rule produced a discourse on *sati*. In the production of the discourse, Brahmanical Scriptures were given primary importance (Mani, 1989: 94). In the very first instance, the Judges of the Nizamat Adawlat made clear that the answers of the Hindu Pundits, should be in conformity with the Scriptures (Mani, 1998: 32). Specific questions were asked, by the Judges of the Nizamat Adawlat, to the Brahmin Pundits regarding the religious validity of the

practice of *sati*. Accordingly, the Pundits would refer to the Scriptures and find out the answers. For instance, a question was asked "whether a woman is enjoined by the *Shaster* voluntarily to burn herself with the body of her husband, or is prohibited; and what are the conditions prescribed by the *Shaster* on the occasion?" (Ibid, 1998: 33). "The Pundit responded : 'Having duly considered the question proposed by the court, I would answer it to the best of my knowledge- every woman of the four castes (Brahmin, Khetry, Bues, and Soodur) is permitted to burn herself with the body of her husband, provided she has no infant children, nor is she pregnant, nor in the state of uncleanness, nor under the age of puberty; or in any of which cases she is not allowed to burn herself with her husband's body'"(Ibid: 33). Thus, it can be seen that the discourse on *sati* was formulated in a very specific manner.

After hearing from the Pundits, the Judges of the Nizamat Adawlat concluded that, " The practice, generally speaking, being thus recognized and *encouraged* by the doctrines of the Hindoo religion, it appears evident that the course which the British government should follow, according to the principle of religious tolerance ......is to allow the practice in those cases in which it is countenance by their religion; and to prevent it in others in which it is by the same authority prohibited"[emphasis original](Ibid, 1998: 33). This very process of asking specific questions, on the parts of the Judges of the Nizamat Adawlat and answering accordingly by the pundits, resulted, according to Mani, a specific discourse on *sati*. Consequently, the determination of whether the practice was religious or not was on Hindu Scriptures.

Mani argues, 'the working of colonial power is nowhere more visible than in this process (Ibid, 1989: 98). It is important to note that despite the involvement of the

pundits, at the end the officials reserved the right to interpret their *Vyawasthas*.
Moreover, it was the Nizamat Adawlat Judges and the Governor-General Council
who determined which *Vyavasthas* were 'essential' and which 'peripheral' (Ibid,
1998: 39). Thus, it can be argued that this very understanding of the practice of *sati*
was very much a colonial understanding (Ibid, 1989: 90).

Following the Brahmanical Scriptural rules, the practice of *sati* was considered as
legal or illegal. Consequently, *sati* was allowed to take place only if rules prescribed
in the scriptures were adhered to. Otherwise, the practice of *sati* was considered as
illegal. For instance, the preface to the instruction of *sati* issued by the government
mentioned that *sati* would be permitted 'in those cases in which it is countenanced by
their religion; and [prevented] in others in which it is by the same authority prevented'
(Ibid, 1986: 36). Now, the question arises why the Colonial rule deliberately wanted
to draw parallel between the practice of *sati* and brahmanical scriptures?

Combination of Strategies

Form the above mentioned description of the formulation of the discourse on *sati*, it
can be argued that the colonials deliberately tried to argue that *sati* was a religious
practice. The whole discourse on *sati* was prepared in such a way as to apparently
have knowledge about the authentic practice of *sati*. This understanding was
connected to 'recuperate the authentic' religious practices of the Hindus. For instance,
Walter Ewer, Superintendent of Police in the Lower Province argued that in the
'scriptural model' *sati* was a 'voluntary act of devotion carried out for the scriptural

benefit of the widow and the deceased' (Mani, 1989: 93). Thus, the case of *sati* was nothing but a part of the larger motive of making an effort to 'recuperate' the authentic religious practices to the Hindus. This argument of 'returning' to the Hindus their authentic religion was used, in order to justify the purpose of colonizing the Indians. Thus, the colonial rule was considered as 'instruments' through which acquiring the knowledge of 'authentic religion' was made possible.

Moreover, since *sati* was practiced by a section of Indians, the Company hesitated to intervene in the matter. The officials were clear that 'tolerance' should be shown to such kind of practices in 'British India' (Mani, 1989: 32). They believed that any kind of interference in the internal matters of the ruled, would invite violent incidents from the Indians (Ibid, 1989: 92). Consideration of *sati* as a religious practice also helped the colonial rulers, in justifying their position of not abolishing the practice of *sati*. The question of *sati* abolition was 'complicated by official's insistence on its scriptural status' (Ibid, 1989: 34). They could argue that *sati* was not abolished because the colonial rulers were following the policy of non-interference in the religious matters of the colonized and not because they were supporting the practice of *sati*. Thus, the consideration of *sati* as a religious practice helped the colonial rulers in justifying their decision of not abolishing the practice.

This justification was necessary from the point of view of the colonial rulers. Being the 'beholders' and 'bearers' of liberal enlightened rationality, the colonial rulers were not supposed to show any support to practices such as *sati*. The colonial rulers were also feeling the anxiety regarding this issue. As Radhika Singha argues, "the Company's tolerance of the rite was supposed to exemplify the freedom it allowed on

religious matters, but Indians were not supposed to conclude that government actually approved of it" (Singha, 1998: 84). However, it was difficult to chart out this course. For instance, although the police officers were given the charge of prosecuting irregular *sati,* however, 'no order or regulation obliging people to inform them of the ceremony, or even to ask permission for it' were given (Ibid: 111). Thus, they made clear that the only reason of not prohibiting the practice of *sati* was that the Company was following the policy of non interference and not that they were supporting *sati.*

Seeing the combination of strategies, it can be argued that the British were addressing different section of Indians. The policy of non-interference was followed, in order to assure to the traditional Hindus, that the colonial rule, would not delve in their private matter. In order to gain the confidence of the traditional Hindus, the Company followed the policy of non interference. The traditional Hindus were very much against any sort of interference in the religious matters of the Hindus. For instance, after the practice of *sati* was abolished, as against the abolition, a petition submitted to the Privy Council at London by the Dharma Sabha of the traditional Hindus. (Mazumdar, 1949: 183). From the point of view of the Company, it was imperative to follow this strategy, since the Company did not want any kind of de-stability in their rule.

On the other hand, the colonizers critiqued various customs, traditions of Indians by using the criteria of reason etc. In this case, the denouncement of the practice of *sati* can be cited as an example, of contempt shown by the colonial rulers. This sense of one's own superiority was primarily addressed to certain section of Indians, who started believing in the superiority of western culture. Thus, the Hindu intellectuals

started to see 'The social practices and religious beliefs of nineteenth century India' as features of 'decadent society characterized by constraint, credulity, status, authority, bigotry and blind fatalism, they were sought to be replaced by freedom, faith, contract, reason, tolerance and a sense of human dignity'(Panikkar, 1995 :8). This sheer desire to progress led certain section of the Indian to actually 'welcome the British rule as divine dispensation'. Rammohun's description of English people as 'blessed with the enjoyment of civil and political liberty' reveals the sense of understanding that the Indians had regarding the colonizers in the early nineteenth century colonial India. (Ibid: 73). This evidence is enough to argue that the power of the ideological dissemination of the colonial rulers was showing the effect.

However, although the liberals were criticizing some of the happenings of contemporary Hindu society, they actually did not intervene in those matters for quite some time. For instance, the practice of *sati* was prohibited only on 1829. However, showing abhorrence to *sati* became a regular feature on the part of the company. For instance, regarding the practice of *sati* the Nizamat Adawlat argued that, 'the court are fully sensible how much it is to be wished that this practice, horrid and revolting even as voluntary one, should be prohibited and entirely abolished' (Mazumdar, 1949: 13). Further, in his *Minute on Suttee,* William Bentinck argued that, 'to consent to the consignment, year after year, of hundreds of innocent victims to a cruel and untimely end, when the power exits to prevent it, is a predicament which no conscience can contemplate without terror' (Bentinck in Majumdar, 1949: 139).

However, till 1829 the liberals refrained from taking any action since they were concerned of their own safety. For instance, the Nizamat Adawlat did not accept the

proposal for the abolition of *sati* through legislative enactment. Further, drafting and preparing the rules, Johan Adam, the vice-president in the council, wrote 'it would be premature to legislate at present on a subject on which it is so extremely desirable to proceed with caution and to guard against the adoption of any principles' (Datta, 1988: 31). The colonial rule did not want to make the traditional Hindus angry by their action in the personal matters of the Hindus (Mani, 1989: 92). This concern was relevant even in the case of William Bentinck who actually abolished the practice of *sati*. Bentinck in his *Minute on Suttee* argues that, 'So far indeed from presuming to condemn the conduct of my predecessors, I am ready to say, that in the same circumstances, I should have acted as they have done' (Bentinck in Majumdar, 1949: 140). Thus, 'desirability' regarding prohibition of *sati* was never an issue, the colonial rulers were concerned about the 'political feasibility' of the prohibition of *sati* (Mani, 1998: 15). In this context, it becomes imperative to ask the question as to why in 1829 the colonial rulers finally prohibited the practice of *sati*. Why the fear of instability of the colonial rule, from the traditional Hindus did not come in the mind of the colonial rulers? What assured William Bentinck regarding the safety of the measure of abolition? What happened to the policy of non interference in the religious matters of the Hindus?

Prohibition of *Sati*

The sheer desire of formation of a strong state demanded, from the colonial rulers a more active role, in terms of relations with the colonized (Singha, 1998: viii; Kaviraj,

2000: 43). The colonials no longer could afford to be indifferent in terms of various personal matters of its 'subjects'. The colonial state had to have control over its 'subjects'. In order words, a marginalized role in terms of communicating with the society was not desirable any more.

By 1818 with the defeat of the Marathas, the East India Company occupied almost the whole of India in terms of territory (Datta, 1988: 84). Now, it was the time for strengthening the process of state formation by having more control over its 'subjects'. However, this control of the Company over its subjects was not supposed to be seen as happened in an arbitrary manner, since the colonials always claimed their rule to be based on rule of law as against the earlier rule of 'Oriental despotism'. Further, one of the measures could be used, to have direct control over it's 'subjects' was to acquire the sovereign right of punishing the 'wrongdoers'. Thus, the Company used legislative measures, in order to acquire the 'sovereign right' of 'using legitimate violence' against those who violate the laws (Singha, 1998: viii). For instance, by making the practice of *sati* illegal, the colonials retained the sovereign right of punishing those who violate the law. Thus, by this measure the state could assert its paramountcy that gave the Ccolonial state the required legitimacy in having more control over the subjects (Kaviraj, 2000: 43).

Moreover, since the colonial state asserted their sovereign right of taking others life, the practice of *sati* was seen as contrary to this right. The colonials believed that in the case of *sati*, other persons were involved. For instance, the Preamble on *sati* argues that, 'the practice of *sati* or of burning or burying alive the widows of Hindoos, is revolting to the feelings of human nature' (Mazumdar, 1949: 153). Thus, by

prohibiting the practice of *sati*, the colonials denied the agency of the widows who committed *sati*. Dream of building a strong state, could not allow any other agent to take life of fellow subjects of the colonials. Radhika Singha argues that 'because *sati* seemed to challenge the state's monopoly over taking life, it could not simply be pushed out to spaces where it did not offend European feelings' (Singha, 1988: 118). Thus, by prohibiting the practice of *sati* the state denied any other group to take life of any other colonial 'subjects'.

Moreover, the process of state formation demanded that the state had a direct relationship with the subjects. The state had to have a direct control over its 'subjects', so that the traditional dominant role of the communities over its subjects could be minimized. Law became an instrument wherein the state could have a direct relationship with its subjects. Thus, the moment the colonials realized they were powerful enough; they decisively went for restructuring the relation between the communities and its members, by abolishing the practice of *sati* (Mani, 1989: 34; Nair, 1996: 56; Kaviraj, 1997: 152).

The colonial state's direct control over 'subjects', automatically was led to the restructuring the relationship between society and its members. This process of limiting the power of communities over its members, for instance, by prohibiting the practice of *sati* was to help the colonial state in placing public authority upon a more transcendent footing. To quote Radhika Singha, 'the decision, not only to prohibit *sati*, but to do so by formal regulation and open proclamation, indicated an effort to place public authority upon a more transcendent footing' (Singha, 1998: 115). Thus, the placement of devices such as 'policing' and 'prosecution' in a formal legal shape,

helped in the 'political elaboration of paramountcy expounded through the rhetoric of authoritarian reform' (Ibid: xv). Thus, it can be argued that though in the initial period of rule, the Company refrained itself from interfering in the internal matter of the Hindus, however, as their power gradually increased, they aspired to elaborate their domination in a larger scale. Kaviraj argues, though in the initial period the Company was following the cultural and institutional legacy of the Mughals, however, the discourse of 'European rationalism' did not allow the state to remain aloof from not entering in the business of cultural and social reproduction (Ibid: 152). Thus, the colonial state started ascertaining its domination over the subjects by initiating various legal measures, such as abolition of *sati*.

The colonial state under William Bentinck realized this gradual increase of power of the Company and thus did not hesitate in initiating measures of intervention in the personal affairs of the colonized. This fact was very much apparent in Bentinck's assertion that:

"Now that we are supreme, my opinion is decidedly in favour of open, avowed and general prohibition ,resting entirely upon the moral goodness of the act, and our power to enforce it"(Singha: 116).

The economy of India was changing. India was merging into the 'capitalist world system' (Mani, 1989: 88). It was felt that the social context of the Company was not conducive to the changing economy (Panikkar, 1995: 72; Nair, 1996: 49). For instance, traditional practices like *sati* were not in consonance with the changing 'modern economy' based on the 'world capitalist system' (Mani, 1989: 88). The

colonial rulers believed that in order to complement the new economic system, 'Indian tradition' had to 'raise' itself up in order to match with the modern economy and society. To quote Lata Mani, " colonial rule with its moral civilizing, is said to have provided the context for a thoroughgoing re-evaluation of Indian 'tradition' along lines more consonant with the 'modern' economy and society believed to have been the consequences of India's incorporation into the capitalist world order" (Ibid: 88). It became imperative for the colonial rule to prohibit the practice of *sati*.

Prohibiting *sati* was primarily to be seen as an initiative of implementing the various liberal values that the colonial rulers brought along with them. The colonials ostensively wanted to lay the foundation of their rule with the help of liberal values. As mentioned earlier, the colonials legitimized their rule by arguing that they would help India, in reaching the path of progress and civilization. Kaviraj argues that the whole enterprise of colonial rule was based on the project of enlightenment (Kaviraj, 1997: 151). By prohibiting the practice of *sati,* the Company tried to build the colonial rule on the basis of 'paramount dictates of justice and humanity' (Preamble to the *sati* regulation in Mazumdar, 1949: 153). Thus, the colonials thought by abolishing the practice of *sati* they could justify being the colonizers.

Moreover, it can be argued that the practice of *sati* was against the very foundation of enlightened rationality (Nair, 1996: 53). Thus, the fact that the colonials were allowing the practice of *sati* to continue, was going against the very foundation of colonial rule. A section of Indian press wanted to see the 'Government to put a stop to this cruel and barbarous rite' (Majumdar, 1949: 126). Moreover, there was pressure on the colonial rulers to play a progressive role against the practice of *sati* by the anti-

sati reform movement led by Rammohun Roy, (Sangari and Sudesh, 1981: 1284; Nair, 1996: 52). Campaign against the practice of *sati* gave the colonials, assurance that the prohibition of *sati* would be welcomed by the 'enlightened' section of the Indians. This action of prohibiting *sati* was seen as it would help the colonial rulers in strengthening the colonial rule in terms of 'civilizing' the colonials.

It is important to note that the will of William Bentinck, also played a decisive role in abolishing the practice of *sati* (Mani, 1989: 34). However, it is also important to mention that Bentinck himself accepted that had he been in the position of his predecessor, he should have forbidden himself from prohibiting *sati*. While referring about the importance of the policy of non interference, Bentinck argued that, 'In venturing to be the first to deviate from this practice, it becomes me to show, that nothing has been yielded to feeling, but that reason, and reason alone, has governed the decision. So far indeed from presuming to condemn the conduct of my predecessors, I am ready to say, that in the same circumstances, I should have acted as they have done' (Mazumdar, 1949: 140). Thus, it can be argued that even for William Bentinck 'feasibility' was the most important aspect.

The 'moral claim of civilization' of the colonials was seen by intellectual Indians, as an end in itself. The colonials were very much aware of this fact. For instance, in the whole colonial discourse on *sati,* the widows were not given any agency. They were essentially considered as 'victims' of society (Mani, 1989: 118). So the prohibition of *sati* was seen as protecting the 'victims' from the cruel society. For the colonials 'rescuing women becomes part of the civilizing mission' (Ibid: 118).). It not only helped the colonials in describing the nature of Indian society but also precisely

because of this, helped the colonizers in establishing their superiority. This sense of superiority helped the colonials in justifying the fact of being colonial rulers. Thus, the construction of women as 'victims' of society came as a 'promise' for the colonizers. (Ibid: 118). Thus, the moment the colonials under William Bentinck realized that they were sufficiently strong enough, they did not hesitate to prohibit *sati.*

Consequently, the prohibition of *sati* was seen as a positive aspect by various sections of the Indians. Particularly the intellectuals, the press welcomed the prohibition of *sati.* For instance, though initially Rammohun Roy was against any direct involvement of the Company in terms of prohibiting *sati,* however, after *sati* was abolished he full heartedly supported it. Rammohun Roy presence in front of the Privy Council in London as a representative of the counter petitioner illustrates the above mentioned point. Thus, on December 4, 1829 finally the East India Company under William Bentinck prohibited *sati* thus criminalizing the act of burning women.

Responses to the Various Sections of Hindus

The colonial rule, however, took care of the safety of the Company with of the prohibition of *sati.* For instance, William Bentinck in his *Minute on Suttee* assured the conservative officials about the safety of the measure of prohibiting *sati* (Singha, 1998: 85). To quote William Bentinck, 'so far from being chargeable with political rashness, as this departure from an established policy might infer, I hope to be able to prove the safety of the measure, as even to render unnecessary any calculation of the

degree of risk, which, for the attainment of so great a benefit, might wisely and justly be incurred" (Bentinck in Majumdar, 1949: 140). Further, Bentinck argued 'so decided is my feeling against any half measure, that were I not convinced of the safety of total abolition, I certainly should have advised the cessation of all interference' (Ibid: 141).

William Bentinck was specifically aware of the effect of the prohibition of *sati* on the Hindu army (Mani, 1998: 24). Going through the views of various army personnel, Bentinck reached to the conclusion that there was no danger from the army in terms of prohibiting *sati*. Bentinck argued those who were 'against an open and direct prohibition, few entertain any fear of immediate danger. They refer to a distant and undefined evil' (Mazumdar, 1949: 146). According to Bentinck distant danger did not make any sense. To quote Bentinck, 'distant danger seems to me altogether groundless, provided that perfect respect continues to be paid to all their innocent rites and ceremonies, and provided also, that a kind and considerate regard continued to their worldly interests and comforts' (Ibid: 146).

William Bentinck was very much cautious, while justifying the decision of prohibiting *sati* to various groups of Hindus. The nature of justifications depended on which section of Hindus he was addressing to. For instance, in his response to the traditional Hindus petition, Bentinck "claimed that the regulation, by enabling ascetic widowhood, only enforced that which was 'commanded above other course [sic] in books usually considered of the highest authority......and stated to be adapted to the better state of society; such as by the Hindoos, is believed to have subsisted in former times'" (Mani, 1989: 112). Further, Bentinck argued, "by practicing ascetic

widowhood, widows could be true both to the laws of government and to 'the purest precepts of religion'" (Ibid: 112). Bentinck also argued that the "widows would provide 'an example to the existing generation of that good conduct which is supposed to have distinguished the earlier and better times of the Hindoo people'" (Ibid: 112). This anxiety of restoring authentic version of Hindu religion was apparent in the preamble on *sati*. The preamble argued that *sati* was "nowhere enjoined by the religion of the Hindoos as an imperative duty; on the contrary, a life of purity and retirement on the part of the widow is more especially and preferably inculcated" (Majumdar, 1949: 153).

Moreover, the Preamble also cited the 'acts of atrocity' that had been illegally 'perpetuated' on the widows in the name of *sati*. The widows were forcefully tied up to bamboos and burnt. Whereas, according to the colonial rulers, the scriptures talked about voluntary *sati*. However, the measures adopted by the colonial administration in order to curtail the discrepancies did not bear any result. Thus, according to the colonial rulers, it became imperative for the colonial administration to abolish the practice of *sati* altogether. (Ibid: 153).

The justification that was given to the traditional Hindus in regard to the abolition of *sati,* was very much in line to 'restoring' the authentic religion to the Hindus. More importantly, the colonial rule argued that *sati* was prohibited not only because it was not enjoined by the religion of the Hindus but also because the abuses that were taking place in the practice of *sati* was not part of 'authentic' Hindu religion. Even before the practice of *sati* was abolished, officials in favor of abolition were arguing that 'such action was in fact consistent with upholding indigenous tradition, even that

a policy of religious tolerance necessitated intervention' (Mani, 1989: 95). Lata Mani argues, 'this was how the regenerating mission of colonization was conceptualized: not as the imposition of a new Christian moral order but as the recuperation and enforcement of the truths of indigenous tradition' (Ibid: 95). Thus, it can be agued that the colonial rulers were still hesitant to ostensively do away with the policy of non interference with the religious matters of the Indians.

On the other hand, directing towards the supporters of prohibition of *sati,* the colonial rulers reiterated their civilizing mission. William Bentinck "invoked an agenda of moral instruction referring to the 'dissociation of religious belief from blood and murder' and their liberation from 'brutalizing excitement'" (Singha, 1995: 85). The Preamble on *sati* also invoked the paramount dictates of justice and humanity in order to justify the prohibition. Thus, it can be seen that William Bentinck was addressing to different section of Indians in different manner. While in the case of the traditional Hindus 'authentic' Hindu religion was given importance where as addressing to other section of Hindus, Bentinck switched over to the rhetoric of 'humanity and justice'. As Kaviraj argues, 'the colonial regime followed a complex combination of the two strategies - to its immediate advantage and with some unintended long term results' (Kaviraj, 1997: 151). These strategies were used by keeping in mind the imperial motives of the colonial rule.

Thus, it can be concluded that the colonial administration mainly followed policies that they thought suited their policy of Imperialism. To quote Panikkar, 'ideological dissemination was inherent in almost every policy pursued by the British in India' (Panikkar, 1995: 71). The issue of *sati* was used in such a way as to support the

Imperial policies of the colonials. For instance, the Orientalists following their policy 'recuperating' authentic religion to the Hindus formulated a discourse on *sati* by keeping in mind the authenticity of the practice of *sati*. Whereas the Utilitarians ridiculed the Hindu society by citing Hindu women's condition. In this case the practice of *sati* was seen as a proof of degrading conditions of the women. The Orientalist stand helped them in arguing that they would not interfere in the religious matter of the Hindus. The liberal claims helped the liberals in proving the fact that the western civilization was superior to the Indian civilization. This superiority earned them legitimacy from the Hindu intellectuals who came under the influence of those ideas. Even in the case of prohibiting *sati,* the colonials tried to justify the prohibition, by putting forward different arguments to different section of Hindus. Thus, it can be argued that the colonial rulers used various strategies, in order to garner legitimacy from a specific section of the Hindus in order to rule over India. Issues such as *sati,* slavery were thus used by the colonial rulers in order to substantiate the various positions that they were holding. However, the colonials always justified their policies by bringing liberal ideas in between. Panikkar argues that the, 'principles on which the state institutions were organized tended to mystify the reality of colonial domination' (Ibid: 71). However, the groups that were addressed were basically the upper class, upper caste Hindus.

Chapter 2

SOCIAL REFORM AND THE RE-READING OF HINDU SCRIPTURES

The affect of the dissemination of western liberal values in India, was that there arose a certain section Indian intelligentsia, who increasingly believed in the superiority of values and ideas like liberty, justice, freedom etc. Social reformers such as Raja Rammohun Roy, Pundits Iswar Chandra Vidyasagar, Mahadev Govind Ranade fell under this category. For instance, Ranade believed that the changes that Indians were to strive for was a shift from 'credulity to faith, from status to contract, from authority to reason, from unorganized to organized life, from bigotry to toleration, from blind fatalism to a sense of human dignity' (Ranade, 1915: 116). Consequently, for them the popular practice of the Hindu form of worship of idolatory and other superstitions became unacceptable. The pathetic condition of women in Hindu society, became a matter of shame for them (Mani, 1998: 79).

In order to regenerate the society, social reformers, 'embark upon a career of reform' (Panikkar, 1995: 4). They wanted to 'create a new life and society' (Ibid: 2). They started encouraging the dissemination of western scientific education among the Indians. However, they also stated that India was not the same, as the present, in earlier times. According to the social reformers, India had a 'golden past' which was destroyed, by certain external forces. In this context it would be interesting to see how the social reformers dealt with the colonial attacks on contemporary Indian society? What were their views on western education? How did they go about the task of social reform? What implications did this have on women's status?

Social Reformers and Contemporary Nineteenth Century Indian Society

It can be argued that the social reformers did agree, with the colonial officials understanding of contemporary nineteenth century Indian society. They believed that the contemporary Indian society was in a degrading state 'characterized by constraint, credulity, status, authority, bigotry and blind fatalism' (Panikkar, 1995: 8). According to Raja Rammohun Roy, 'nineteenth century social practices represented a decline' (Mani, 1989: 112). Vidyasagar expressing sadness stated, 'How miserable is the present state of India'! (Heimsath, 1964: 14). Further, Ranade believed that Indians 'weaker nature' 'imposed constraint' on them (Ranade, 1915: 116). Ranade believed that Indians were 'disorganized and demoralized, stinted and deformed, with the curse of folly and wickedness paralyzing all the healthy activities and vital energies of our social body' (Ibid: 80).

Social Reformers and India's Golden Past

Although the social reformers accepted that the contemporary Indian society was in a degrading condition, they argued that India's past was not the same. According to the social reformers, India had a 'golden past'. According to Lata Mani, Rammohun Roy 'subscribed to the notion' of India being 'great' in earlier times (Mani, 1989: 112). According to Vidyasagar, India was 'once a land of virtue' (Heimsath, 1964: 14). According to the social reformers in ancient times women were treated equally with

men regarding spiritual matters. Although ancient Hindu legislators 'spelt out' the goal for women as *pativrata dharma*, according to the social reformers, women, in the past (in this context) enjoyed equal spiritual rights along with men. For instance, against the practice of *sati*, Raja Rammohun Roy argued that in the ancient past the ultimate goal for both men and women was the same. That is 'self absorption in a divine union'. This was the ultimate road to salvation, and since *sati* was committed by keeping in mind certain fruits after life, *sati* did not pass the criteria of selflessness. To quote Uma Chakravarti, 'Rammohun argued that the ultimate goal of *all* Hindus was self absorption in a divine essence, a union which could not flow from an action like *sati*' (Chakravarti, 1989: 33).

Further, in the ancient past, according to social reformers, women were equally capable of acquiring 'spiritual' knowledge as men were (Chakravarti, 1989: 33). For instance, according to Rammohun Roy, Maitreyi who was the wife of Yajnavalkya, could very well 'comprehend' not only the 'high philosophy' but 'also actually attain divine knowledge'. To quote Chakravarti, 'Rammohun used the Maitreyi episode to state that Yajnavalkya had imparted divine knowledge of the most difficult nature to Maitreyi and that she had not only been able to comprehend the high philosophy but had also actually attained divine knowledge' (Chakravarti, 1989: 33). From the above mentioned account, it becomes apparent that, Raja Rammohun Roy tried to prove that, though the condition of Indian women was a degrading one in the nineteenth century British India, however, in the ancient past it was not so. For in the ancient past women were equal as men not only in terms of attaining the highest spiritual goal but also in terms of attaining the highest spiritual knowledge. According to Uma

Chakravarti, Rammohun Roy used the 'Maitreyi-Yajnavalkya example' 'imaginatively' in order to argue that the '"status' of women in the ancient past had been quite high unlike that of contemporary women"[2] (Chakravarti, 1989: 33). Thus, according to Rammohun Roy, all the unwanted happenings in the nineteenth century were nothing but 'a decline from an earlier greatness, one which his reforms were intended to resuscitate' (Mani, 1998: 72). Further, according to Ranade, all the social evils such as *sati*, prohibition of widow marriage, child marriages etc were not prevalent in the early periods, which, according to Ranade, were the 'best days' of India's history. To quote Ranade, 'The early celebration of child marriages, the forcible disfigurement of widows and absolute prohibition of remarriage in the higher castes, the occasional and local practices of polyandry and polygamy, are all admittedly corruptions of recent growth unknown to the best days of our country's history' (Ranade, 1915: 71, 72). The Aryans, according to Ranade followed the 'earlier *smritis*', wherein 'marriage was optional for both men and women' (Ibid: 74). Further, widow marriage was not prohibited in the ancient past, rather its 'prohibition forms part of Kali Nisheda, or prohibitions intended for the Kali Yug' (Ibid: 72). Further, according to Ranade, 'the writings of Manu and Yajnavalkya show, what the

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[2] Rammohun Roy's understanding of glorious past and degrading present can also be seen in terms of his search for an alternative to superstitious and ritualized Hinduism in the present. This alternative was nothing but belief in monotheism as found in the Vedas, which was for Rammohun Roy the authentic version of Hindu religion. Rammohun Roy, to quote R.C Majumdar, 'tried to show that the belief in multiplicity of divinities and worship of images, which formed the essence of the current and popular Hindu religion, was opposed to the teaching of the Vedas' (Majumdar, 1965: 92). Not only Rammohun Roy other social reformers such as Debendranath Tagore, Akshay Kumar Dutt, all believed in the 'monotheistic faith' of Hindu religion (Mukhopadhyay, 1987: 10). To quote Akshay Kumar Dutt, 'pure rationalism is our teacher' (Panikkar, 1995: 27).

Itihasas and Purans confirm, that Monogamy is the natural condition of Aryan life, and that both Polygamy and polyandry are disreputable excrescences' (Ibid: 72).

Rammohun Roy believed that India's downfall was the result of subsequent 'distortion' of the *Shastras* by the 'wicked pundits' (Chakravarti, 1989: 33). In the case of *sati*, it was the princes who introduced the practice of *sati* so that their wives did not go 'astray'. For instance, Rammohun Roy argued that *sastras* did not enjoin *sati*. Rammohun Roy quotes Manu for this purpose and argued that Manu prescribed ascetic widowhood for widows. To quote Raja Rammohun Roy, 'Manu in plain terms enjoins a widow to *continue till death* forgiving all injuries, performing austere duties, avoiding sensual pleasure, and cheerfully practicing the incomparable rules of virtue which have been followed by such women as devoted to only one husband' (emphasis in original) (Mani, 1998: 49). Further, Raja Rammohun Roy argued that because of the jealousy of Hindu princes, in order to prevent their wives going 'astray' that the Hindu Princes 'introduced the practice of *sati*'. These princes, according to Rammohun Roy 'availed themselves of their arbitrary power, and under the cloak of religion, introduced the practice of burning widows alive' (Ibid: 58). Thus, it can be seen that by arguing that *sati* was not prescribed by *sastras* Rammohun Roy sought to argue that Hindu religion, was free from practices such as *sati*. More importantly, this argument helped Rammohun Roy in arguing that *sati* was not practiced in the ancient past rather it was a recent phenomenon, introduced by certain section of people in order to pursue their own interest.

According to Ranade, all the degradation of nineteenth century Indian society was the result of settling down of 'down-trodden races' who though had been 'driven to the

hills' but because of the internal fighting among the Aryans themselves (among the Brahmins and the kshatriyas), these races came back 'and fell upon the demoralized and disunited Aryan kingdom on all sides' (Ranade, 1915: 74). Further, according to Ranade, 'new race of invaders' reached the Aryan land and occupied and 'established their power and colonies in the Panjab, in Sind, in Rajputana, and Central India'. These races according to Ranade, brought changes in the 'institutions and usages of modern India' (Ibid: 75). To quote Ranade, 'This process of the upheaval of non-Aryan races, and the invasion and settlement of barbarian Scythian conquerors, was in active development for many centuries, and these ethnic and political forces have profoundly modified the institutions and usages of modern India. They brought to the surface races of men with a lower civilization, more patriarchal, and therefore less chivalrous, ideals of life' (Ibid: 75). These people, according to Ranade brought along with them the practices of the *asuras* and thus contaminated the Aryan society. Thus, it can be seen that the social reformers like Rammohun Roy and Ranade countered the colonial attack on 'degenerating' nineteenth century Indian society by going back to the 'golden past' wherein, according to the reformers, India was a great civilization.

By doing so the social reformers not only countered the colonials but also 'denied the pretended supremacy of colonial culture' (Panikkar, 1995: 80). To quote Panikkar, "the attempt to 'return to the sources', which was not a return to tradition *per se* but an attempt to challenge and deny the pretended supremacy of the culture of the colonizers as well as to reassert the cultural identity of the colonized" (Ibid: 80).

Nature of India's Golden Past

The argument of India having a golden past, was very much a colonial Orientalist creation. To quote Uma Chakravarti, "this intelligentsia could regard itself as a product of an 'exhausted' culture but, through the work of the Orientalists, could simultaneously feel optimistic that despite the present circumstances they were representatives of a culture which had been 'organically disrupted by historical circumstance but was capable of revitalisation'" (Chakravarti, 1989: 8). The idea of 'golden past' was developed to large extent by Orientalists such as William Jones. According to Uma Chakravarti, the Orientalists such as William Jones, H.T Collebrooke contributed 'substantially' to the notion of 'golden age'" (Ibid: 30). The Orientalists argued that India was great, however, only in past and not in present. Moreover, this greatness of India was only limited to spiritual matter. A whole 'official' 'moral discourse' on India was formulated, wherein India's 'greatness' was 'acknowledge' 'in terms of its scriptural past' (Mani, 1998: 68).

It can be argued that this above mentioned understanding of the ancient past of the Hindus, by the social reformers was essentially a very modern one. According to Panikkar, 'Colonial cultural hegemonization, of which acculturation was an inevitable component, tended to be denigrative of indigenous culture. Therefore, the subject increasingly took to the denigrative of indigenous culture. Resurrection of the past, identification of modernity in tradition' 'were the chief characteristics of this response' (Panikkar, 1995: 101). For instance, the emphasis given on equality of

women with men in terms of acquiring spiritual knowledge was a very modern, liberal understanding.

Change as a Necessity for the Social Reformers

The social reformers did believe that the social condition of nineteenth century India had to be changed. The social reformers, believed the 'social practices and religious beliefs' was acting as hindrance to 'progress' (Panikkar, 1995: 8). Regarding the question of women, they argued that no country can progress if its 'females were sunk in ignorance' (Ibid: 9). Ranade believed that the change that Indians should strive for was a shift from 'credulity to faith, from status to contract, from authority to reason, from unorganized to organized life, from bigotry to toleration, from blind fatalism to a sense of human dignity' (Ranade, 1915: 116). This change, according to Ranade, would come through social reform. Reform, according to Ranade, was nothing but infusing 'new ideas' by replacing the 'old ideas'. To quote Ranade, 'Reform in the matter of infant marriage and enforced widowhood, in the matter of temperance and purity, inter-marriage between castes, the elevation of the low castes, and the re-admission of converts, and the regulation of our endowments and charities, are reforms only so far and no further, as they check the influence of the old ideas and promote the growth of the new tendencies' (Ranade, 1915: 196). Further, this reform according to Ranade, was essentially a 'work of *Liberation, - liberation* from the restraints imposed upon an essentially superior religion, law and polity, institutions

and customs by our surrender to the pressure of mere brute force for selfish advancement' (Ibid: 208).

Modern Education as a Means to Change

Dissemination of scientific knowledge, was also seen as a way of bringing change in the society, by the social reformers (Panikkar, 1995: 9). According to Panikkar, 'This emphasis on scientific education was the result of a growing realization that scientific knowledge was crucial for progress of the country and to the development of modern thought and culture. The intellectuals recognized the importance of disseminating the existing scientific knowledge for a rational approach to social problems' (Ibid: 12). According to Raja Rammohun Roy, imparting the knowledge of subjects like Chemistry, Natural Philosophy, Mathematics was much more superior than learning the 'grammatical niceties' of Sanskrit language. For instance, expressing his dissatisfaction towards the decision of the colonial government regarding the establishment of a Sanskrit College, Raja Rammohun Roy in his *Letter on Education* argued that

'This seminary (similar in character to those which existed in Europe before the time of Lord Bacon) can only be expected to load the minds of youth with grammatical niceties and metaphysical distinctions of little or no practical use to the possessors or to society'. Further, Raja Rammohun Roy writes, 'when this seminary of learning was proposed, we understood that the Government in England had ordered a considerable sum of money to be annually devoted to the instruction of its Indian subjects. we were filled with the sanguine hopes that this sum would be laid out in employing European gentlemen of talent and education to instruct the natives of India in Mathematics, Natural

philosophy, Chemistry, Anatomy and other useful sciences, which the natives of Europe have carried to a degree of perfection that has raised them above the inhabitants of other parts of the world' (Ghose, 1982: 472).

This emphasis on scientific education can also be seen in Vidyasagar. 'The importance of a scientific outlook and the acquisition of scientific knowledge were equally emphasized by Vidyasagar, Mahadev Govind Ranade' (Panikkar, 1995: 11). 'Vidyasagar ridiculed those who believed that the *Shastras* contained all scientific truth' (Ibid: 10). Here, it is also important to emphasize that the social reformers believed, thie dissemination of knowledge should reach to the masses. For instance, Vidyasagar argued that 'the extension of education to the mass of the people' was the immediate need of the country (Panikkar, 1995:14).

Improving the social condition of women was seen as a necessity by the social reformers. The status of women was seen as a matter of 'shame' by the social reformers (Mani, 1998: 79). Thus, social reformers such as Raja Rammohun Roy, Vidyasagar and Ranade campaigned for social reforms such as the prohibition of the practice of *sati*, lifting the prohibition on widow marriage, and increasing the age of marriage.

Method used for Social Reform by the Reformers

Though the social reformers, influenced by liberal ideas, wanted to improve the lot of Hindu women especially widows, however, they argued their case for social reform

by citing the sanctions of brahmanical scriptures.[3] For instance, in an attempt to justify the decision of the colonial government regarding the decision of abolishing *sati*, citing Manu, Raja Rammohun Roy argued that Manu did not want widows to commit *sati* rather Menu 'prescribed' 'duties of widows'. To quote Raja Rammohun Roy,

"This great legislator, in prescribing the duties of widows, thus ordains: 'Let her (the widow) CONTINUE TILL DEATH, forgiving all injuries, performing harsh duties, avoiding every sensual pleasure, and cheerfully practicing the incomparable rules of virtue, which have been followed by such women, as were devoted to one only husband' ; 'and like those abstemious men, a virtuous wife ascends to heaven though she have no child if after the decease of her lord, she devote herself to pious austerity'" (Roy, 1941: 189).

Interpreting the above mentioned phrases, Rammohun Roy argued that 'Let her continue till death', 'imperatively commands the widows to live a life of virtue, piety and austerity, discountenances her marrying again, and does not admit the idea of any such alternative as that of burning with the corpse of her husband' (Ibid: 189). Further, referring to Vedas, Rammohun Roy argued that since the Vedas itself stated that it's the Menu that is superior, thus according to Rammohun Roy, Vedas also did not justify the practice. To quote Raja Rammohun Roy, "It cannot be alleged that the Ved may have justified the practice and superseded the authority of Menu ; since the Ved itself declared that 'whatever Menu pronounced was a medicine for the soul'" (Ibid: 189). Further, Raja Rammohun Roy argued that though Ungira and other

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[3] Rammohun Roy led the team who filed a counter-petition and argued in favor the Company's decision of prohibiting sati by citing scriptural justification, against the Hindu Sabha's petition to the Privy Council, however, initially Rammohun Roy was not in favor of legal prohibition of sati. For instance, when William Bentinck asked about Rammohun Roy opinion on the question of prohibition of sati, Rammohun Roy argued that instead of legal prohibition, silent suppression of the practice was more desirable (Sharma, 1988: 45)

legislators prescribed widow marriage, however since Manu had supreme authority and since Manu did not enjoin the practice of *sati,* the prescriptions of these legislators would not be considered valid. To prove this Rammohun Roy cited Vrihaspati's declaration, 'that Menu held the first rank amongst legislators ; because he had expressed in his code the whole sense of the Vedas ; that no code was approved which contradicted Menu' (Ibid: 189). This was how Raja Rammohun Roy 'vindicated' the decision of abolishing *sati.*

Further, this trend of citing Brahmanical scriptures in favor of social reform can also be seen in Vidyasagar's writings on lifting of prohibition of widow remarriage. According to Vidyasagar, Parasar prescribed three rules for widows. 'Marriage, the observance of the Brahmacharyya, and burning with the deceased husband'. Among these since *sati* was abolished by colonial government and since in the *kali yuga,* becoming a Brahmacharya was difficult for a widow, thus according to Vidyasagar Parasarar prescribed widow marriage.

'Among these, the custom of concremation has been abolished by order of the ruling authorities; only two ways, therefore, have now been left for the widows, they have the option of marrying or observing the Brahmacharya. But in the Kali Yuga, it has become extremely difficult for widows to pass their lives in the observance of the Brahmacharya; and it is for this reason, that the philanthropic Parasar has, in the first instance, prescribed marriage. Be that as it may, what I wish to be clearly understood is – that as Parasar plainly prescribed marriage as one of the five enumerated calamities, the marriage of widows in the *kali yuga* under any one of the five above enumerated calamities, the marriage of widows in the Kali yuga is consonant with the Shastras (Mitra, 1975: 264).

According to Vidyasagar, it was the ignorance of the people regarding *Sastras* that they did not understand the 'merits of the case in the true *Sastric* point of view' (Ibid: 109).

Further, in terms of methods to be used for social reform, Ranade repeatedly argued that social reform would be realized, by the Indians themselves, by venerating the past and the state would just sanction reform legally. While referring about social reform, Ranade argued 'The initiation is to be our own, and based chiefly upon the example of our venerated past, and dictated by the sense of the most representative and enlightened men in the community, and all that is sought at the hands of the foreigners is to give to this responsible sense, as embodied in the practices and usages of the respectable classes, the force and the sanction of law' (Ranade, 1915: 80). Further, Ranade argued that those who seek reform in the social conference, 'they seek their inspiration in the best traditions of our own past, and adjust the relations of the past with the present in a spirit of mutual forbearance' (Ibid: 118).

It can be argued that Ranade gave importance to scriptures, in order to justify social reform. For instance, defending the action of British government of increasing the Age of Consent from ten to twelve years, Ranade cited *Smritis* in order to argue that Hindu scriptures prescribed the same. Ranade argued that the 'majority' of the *Smriti* texts favored the 'age of twelve or the age of puberty as the marriageable age for girls' (Ranade, 1902: 49). '*Baudhayana*, for instance, prescribes that a girl must be both a *Nagnika* and a *Brahmacharini,* words obviously used in the sense of the Sutras, that is, as a girl fit for sexual connection, but who has had no such intercourse before. *Ashwalayana*, Shankhalikhita, and Paithinasi also use the same words *Nagnika* and

Kanya, but obviously use words in a sense different form the Sutras. Katyayana similarly uses the word Kuma'ri' (Ibid: 42). Further, Ranade argued that though some *Smritis* and Manu prescribed that age of marriage as eight, however, their number was less than those who prescribed twelve as the age of marriage.

Taking a connected view of the whole subject, it will be seen that the authorities for the marriage of girls before eight years are obviously later addition and are limited to two obscure Smritis, of which full texts have not been preserved, and the Manu text quoted is evidently not the point. The authorities who support the marriage at ten are similarly of no great weight, being based on a device by which the word Kanya has been distorted from its correct sense to mean a girl of ten years. These authorities are eight in number. The largest preponderance of authorities is for twelve years as a limit (Ibid: 48, 49).

Thus, it can be seen that though the social reformers, were believers in modern liberal ideas, however, while justifying any particular reform they relied upon the brahmanical scriptures. However, as social reformers they strived for social reform in terms of 'transforming' 'individual lives in the direction of rational and humane standards of belief and behaviour, as opposed to community attachment to customary rules whose moral content supposedly derived from transcendental sanctions' (Heimsath, 1975: 151). Moreover, the social reformers, also had a humanistic side. For instance, supporting the abolition of *sati* Rammohun Roy stated that 'We should not omit the present opportunity of offering up thanks to Heaven, whose protecting arm has rescued our weaker sex from cruel murder, under the cloak of religion' (Roy, 2007: 285). Further, as Vidyasagar is generally considered as a very compassionate person, its being argued that he was very much concerned to see a 'child widow of his own age having to fast on *ekadoshi* and hearing about another forced into infanticide by parental command' (Sarkar, 2007: 187).

However, what is important here is to see that whenever the social reformers argued for social reform, they relied upon scriptures. Here, it becomes imperative to ask why they did so. Because as a social reformers and thus believers in liberal, enlightened ideas they were expected to argue their point from a more liberal, rational point of view.

Explanations for Using a Particular Method for Social Reform

It can be argued that social reformers, such as Raja Rammohun Roy, argued for social reform, by citing scriptural evidence, because at that particular period relying on Brahmanical scriptures, was assuming greater dominance, because of the prevalence of the Orientalist policy of relying upon scriptures, in order to establish authenticity of particular phenomenon. To quote Lata Mani, 'the move from a trenchant critique of religion derived from Islamic rationalism to a strategy arguing for social reform in terms of brahmanical scripture was' 'related to the emerging dominance of an official Western discourse on India, a discourse of moral superiority that acknowledged India's greatness, but only in terms of its scriptural past' (Mani, 1998: 68). According to Lata Mani, "Rammohun quotes approvingly Sir William Jones description of *Manusmriti* as a 'system of duties, religious and civil, and of law, in all its branches, which the Hindoos firmly believe to have promulgated in the beginning of time by Menu,... a system so comprehensive and so minutely exact, that it may be considered as the institutes of Hindoo law'" (Ibid: 69).

Further, it was the scriptural evidence that was given more importance than usage or customs during the early period of colonial rule. To quote Mani, 'scriptural evidence was consistently treated as superior to evidence based on custom or usage' (Ibid: 70). 'This privileging of the more ancient texts was tied to another discursive feature: the belief that Hindu society had fallen from a prior Golden Age' (Ibid: 70). As mentioned above Rammohun Roy 'subscribed' to this notion and thus argued against the practice of *sati* because Rammohun Roy believed that in the ancient past (known from ancient texts) *sati was not practiced.* To quote Mani, 'Rammohun also subscribed to the notion that nineteenth-century Indian society represented a decline from an earlier greatness, one which his reforms were intended to resuscitate. Indeed, Rammohun considered himself a restorer rather than a reformer' (Ibid: 70). Thus, it can be argued that Rammohun Roy defended the act of *sati* abolition, by citing Hindu scriptures, because Rammohun Roy believed that in the ancient past (known with the help of scriptures) this practice was not performed and it was imperative for India to 'restore' the practices of this period, if India had to return to the 'golden past'.

This dependence on scriptures, in terms of nineteenth century Hindu social matters continued during the period when the debate on widow remarriage was going on. To quote Sekhar Bandyopadhyay, 'The educated Bengalis' infatuation with the shastras' 'attached supreme importance to scriptures for understanding Indian society' (Bandyopadhyay, 2007: 153). According to Sekhar Bandyopadhyay, Vidyasagar as 'an inheritor of this tradition' 'recognized the power of shastras, from which he believed all social behavioural codes derived their legitimacy' (Ibid: 154). To quote Vidyasagar, 'in this country people behaved in accordance with the dicta of the

shastra and only the *shastra'* (Ibid: 154). Thus, it can be argued that Vidyasagar relied upon scriptures in order to justify the lifting of prohibition on widow marriage because people increasingly understood Indian society in reference to scriptures.

The Age of Consent campaign was started in Maharashtra by social reformer Malabari. However, it was given shape by Dayaram Gidumal, who argued that by rising the Age of Consent for girls from ten to twelve years, the government would only amend the already existing Penal Code. To quote Charles Heimsath, 'Gidumal proposed simply that there be enacted an amendment to the Penal Code raising the age of consent to twelve, for married and unmarried girls' (Heimsath, 1975: 161). This particular proposal later became the Age of Consent Bill (Ibid: 161). There was 'fierce' opposition from those who opposed the proposal of increasing the Age of Consent of girls. The opposition argued that, 'Government interference' 'would cause great spiritual suffering, possible misuse of police investigating powers, and a breakdown in the moral fibre of Hindu women' (Ibid: 162).

However, the British government, increased the Age of Consent from ten to twelve years. Consequently, again there was a massive protest from those who opposed this particular move of the colonial government in Maharashtra. They were against any kind of interference, by the colonial state in religious matters of the Hindus. For instance, Lokamanya Tilak saw 'in the Age of Consent question a religious issue' (Heimsath, 1975: 163). Tilak 'organized the first of a long series of meetings opposing government interference in marriage customs' (Ibid: 164). Ranade also referred that various objections were raised by those, who opposed the move of increasing the Age of Consent. The first objection was that since issues like Age of

Consent were social issues state did not have the 'duty to regulate' (Ranade, 1915: 77). Against this objection Ranade argued that whenever there is a 'large amount of unredressed evil suffering by people who cannot adopt their own remedy, the state has a function to regulate and minimize the evil, if by so regulating it, the evil can be minimized better than by individual effort and without leading to other worse abuses' (Ibid: 78). According to Heimsath, 'Few social reformers dared to meet Tilak's challenge to the consistency of their nationalist principles'. Ranade according to Heimsath, 'had defined the only convincing answer to Tilak' (Heimsath, 1975: 165).

Ranade argued that reform would be carried out, by the Hindus themselves and that too by relying upon the past and that the British state would just legally sanction the reform. To quote Ranade further, 'The initiation is to be our own, and based chiefly upon the example of our venerated past, and dictated by the sense of the most representative and enlightened men in the community, and all that is sought at the hands of the foreigners is to give to this responsible sense, as embodied in the practices and usages of the respectable classes, the force and the sanction of law' (Ibid: 80). The argument of 'venerating past' can be seen in Ranade's defense of British state's passing of the Age of Consent Bill. As mentioned earlier Ranade cited the *smritis* and argued that most of the *smriti* writers prescribed the marriageable age for girls as twelve (Ranade, 1902: 41).

It can be argued that Ranade cited the scriptures in defense of increasing the Age of Consent for married and unmarried women because there was 'fierce' opposition from those who were against the Act. To quote Janaki Nair, 'State interference in Hindu Law went against the stated proclamations of 1858, and was the key objection

of those opposed to the reforms. In response, Ranade used the well-worn strategy of the nineteenth century reformers, painstakingly refuting doubts by citing the authority of the smritis and srutis' (Nair, 1995: 73). For instance, Tilak in *Mahratta* argued that, 'We are very sensitive and we feel nothing so much as an attack on our national character. That the Age of Consent Act will write in the statute book the character of the Indian nation in the blackest letters is our grievance....' (Ibid: 174). 'Tilak proposed to carry the agitation against the Act to England; 'so long as this certificate of bad character remains on the statute book we can enjoy no rest' (Ibid: 174). Tilak through the *Mahratta* again "called for a 'grand central organization' based on 'self-preservation, self-protection, and self-support' whose main purpose would be to counteract the reformers' propaganda in England" (Ibid: 173).

Further, Ranade's reliance on the past, in order to argue for a particular social reform was because, Ranade was aware of the fact that earlier social reformer too followed the same road in the case of prohibition of *sati* and Infanticide, and in the lifting of prohibition of widow remarriage. To quote Ranade, 'This consideration' (that is the considerations such as initiation to be of the social reformers based on past etc) 'weighed with our leaders in the past when they welcomed this co-operation in the prohibition of *sati* and Infanticide, and in the recognition of the validity of widow marriages' (Ranade, 1915: 80).

Women and Scriptures

Dependence on scriptures by the social reformers, in the context of social reform, had deeper implication on the 'position' of women. In order words, it can be argued that though social reform, was all about women, however, in reality women themselves became 'marginal' in this whole discourse. Lata Mani argues that, though both the colonial officials and social reformers were looking at women's questions, however, their reliance on scriptures or rather their obsessive concern on scriptural validity regarding the issue of *sati*, led to a situation wherein women were relegated to the margin of the discourse. To quote Mani, 'When' 'the project was to state the argument for or against widow burning, it was to the scriptures, or rather various readings of them, that the *bhadralok* turned'. 'Given the parameters of the discourse, it is little wonder that the widow herself is marginal to its central concerns. The structure of the discourse precludes any other outcome. Instead women become sites upon which various versions of scriptures \ tradition \law are elaborated and contested' (Mani, 1998: 72).

Thus, it can be concluded that social reformers such as Raja Rammohun Roy, Pundit Iswarchandra Vidyasagar, and Mahadev Govind Ranade were influenced by liberal values that the colonial rule brought along with them. Being influenced by the liberal ideas, the social reformers judged Indian society from the liberal lens, as a result they saw Indian society as a degrading one, and consequently they wanted to reform Indian society. However, when they argued for social reform, they did so from the point of brahmanical scriptures and not from any liberal point of view. This was because at

that point of time Orientalist discourse was becoming dominant and thus scriptural interpretation was given more importance than anything else. Thus, the social reformers also followed the Orientalist discourse and argued for reform from the point of scriptures. Moreover, this road was also the safest one, since people largely the upper caste were also beginning to accept any understanding of society if only that understanding had a scriptural backing.

Chapter 3

A CRITICAL READING OF THE DISCOURSE ON *SATI*

Social reform, carried out mainly by middle class male reformers, in nineteenth century British India, was seen as a positive sign, for certain section of Hindu women. Lata Mani stated that even the most 'anti-imperialists' were happy, with the colonial rule, since the colonial rule, was instrumental in bringing about major reforms (Mani, 1989: 88). Changes, such as, prohibition of *sati*, widow remarriage, and increase in the Age of Consent of upper caste Hindu women, were seen to be something positive. These changes helped in providing a 'liberal space' for women (Sangari and Sudesh, 1989: 19). However, remaining complacent about these changes, would deny the opportunity to understand the broader dynamics, in which these various reforms were initiated and carried out. Since, changing the condition of upper caste women was not for nothing. For instance, changes in the condition of upper caste women in nineteenth century colonial India was largely seen as a process of national regeneration. Here, it can be seen that improving women's lot was a political matter. In this context it becomes imperative to ask a couple questions, whose tentative answers would give a better understanding of the nature of social reform. Why social reform was such a contentious issue for both the traditional Hindus and the emerging middle class social reformers? How did the colonial British regime deal with Hindu women issues?

Hindu Widow and Her Sexuality

Debate on social reform in nineteenth century, was based on Hindu women's excessive sexuality and the necessity of controlling the same. Both the traditional

Hindus and the social reformers, argued for and against social reform, from the point of controlling Hindu upper caste women's in general and widow's sexuality in particular, since female sexual nature was seen as promiscuous (Chakravarti, 1998: 84). For instance, the traditional Hindus support for *sati* was nothing but controlling the sexuality of upper caste Hindu widows. The traditional Hindus argued that if widows were 'allowed' to live, they would go 'astray' by submitting to their passion (Nandy, 1980: 9). They cited scriptural evidence in order to prove their argument. For instance, they quoted Hareet 'As long as woman shall not burn herself after her husband's death she will be subjected to transmigration in the female form (and) she will fall into vice. This way the husband can rest assured that she will remain virtuous' (Chakravarti, 1998: 83). According to Hindu scriptures, Hindu marriage was sacrament and eternal. Further, a Hindu widow was considered as eternal wife of her husband, even after the death of her husband and thus her sexuality was his 'property'. Thus, *sati* became an important tool through which, widow's sexuality was to be controlled. A widow who committed *sati* was considered as virtuous and chaste women, by the Brahmanical texts. In fact, the very term *'sati'* implies female chastity (Sangari and Sudesh, 1991: 2) According to the prescriptive texts, a *sati* also enjoyed heavenly bliss along with her husband after she committed *sati*. 'all the major texts exhort the wife to accompany her husband in death by performing *'sahagamana'* or *'sahamarana'*. 'the husband is to be followed always: like the body by its shadow, like the moon by moonlight, like a thunder cloud by lightening' (Chakravarti, 1995: 2250). The 18th century Tryambaka argued that *sati* was more desirable than widowhood (Ibid: 2251).

Denying the charge of the traditional Hindus that widows were promiscuous, Rammohun Roy argued that women were not promiscuous. Rammohun Roy cited the case of *sati* and argued that the fact that widow's committed *sati* showed that widow's were not promiscuous and had a 'firm mind' and could live a virtuous life. Thus, Rammohun Roy considered women as having 'firmness of mind, resolution trustworthy and virtue'; they were 'void of duplicity' and capable of 'leading the austere life of an ascetic' (Nandy, 1980: 2). It can be seen that even Rammohun Roy considered sexual purity as an important virtue.

Further, if a widow of upper caste Brahmin family, in case did not become *sati*, it was imperative for her to live a life of *sati* (Chakravarti, 1995: 2250). She had to be sexually death since 'loyalty' towards her husband was her primary duty. In order to ensure that the widow's sexuality is 'repressed, mastered or forcibly contained' religious texts prescribed 'stringent code of behaviour' (Ibid: 2251). For instance, subscribing to a celibate life for widow throughout their life Manu lays down the following codes

Let her emaciate her body by living on pure flower roots and fruits; but she must never even mention the name of another man after her husband died. Until her death let her be patient of hardships, self-controlled and chaste and strive to fulfill that most excellent duty which is prescribed for wives who have only one husband (Ibid: 2251).

Further, according to Tryambaka, if a widow fails to protect her 'virtue' not only she falls from heaven but she also 'causes her husband to fall down from heaven to hell' (Ibid: 2251). Thus, it became imperative for the patriarchal Brahmins, to control the sexuality of widow's of their family. In order to control a widow's sexuality, it was

important for the patriarchal structure, to make her sexually unattractive (Ibid: 2251). She was to live a life of austerity for instance, wearing only white sari and in places such as Maharashtra, a widow was required to tonsure her head so that she look sexually unattractive (Chakravarti, 1998: 83). Religious texts did not prescribe tonsuring of widow's head, however, the texts did mention about making widow's look different, from other women in a family, for instance, wife. A widow would be kept in the darkest corner of her house. She would be kept under constant patriarchal surveillance, in order to ensure that the widow was sexually death (Ibid: 2250). Thus, widow's of upper caste Brahmin community, were considered as sexually death after the death of her husband. By doing so, according to the traditional Hindus, widow helped herself and her husband in attaining salvation. She was considered as an instrument in order to help her husband in attaining salvation (Ibid: 2251).

Moreover, the process of controlling female sexuality, among the Brahmins started during a girl's childhood. The ritual of child marriage, before the girl attained puberty and later *garbhadhan* ceremony, was seen as necessary in order to control female sexuality. (Kosambi, 1996: 267). For instance, after child marriage, the child wife was supposed to stay in her parent's home, after she attained puberty, *garbhadhan* ceremony was to take place i.e. the consummation of marriage and the bride was sent to her husband's home. This ritual was very much in consonance with Manu's prescription, wherein Manu stated that a woman should always be kept on check, since she was promiscuous (Ibid: 267).

The anxiety of controlling female sexuality can be seen also among the social reformers. The only difference that they had with the traditional Hindus was regarding

state's role in controlling Hindu widow's sexuality (Kosambi, 1996: 265). The social reformers argued for widow remarriage, however, their argument was based on channeling female sexuality towards a 'right' direction. The social reformers, in this issue, as against Rammohun Roy, argued that since enforced celibacy was not natural, and women's nature being libidinous there was a possibility of widow's indulging in 'illicit relationship' (Chakravarti, 1998: 84). Further, the social reformers believed that 'illicit relationship' might turn into prostitution, among the widow's (Ibid: 84). Thus, according to them, widow marriage was a necessity, so as to turn women's sexuality in a right direction. For instance, in a petition, submitted to legalize widow remarriage, to the government in Bengal, the reformers argued that there was a possibility of child widows falling into 'illicit relationships' as they become 'full woman'. This would, according to the social reformers, disturb the social order, family of the middle class social reformers and also would have had a bad affect on other women in a middle class family (Ibid: 84). Widow's turning into prostitution was something that social reformers of Arya Samaj in Punjab, were worried about (Kishwar, 2007: 302). According to Arya Samaj, preventing widow's from becoming prostitutes was necessary in order to safeguard family and the society (Ibid: 302, 303). For instance, the Arya Patrika stated that:

In such cases, their situation becomes one of upper helplessness, and the result is, as well it might be, that they generally yield to temptation and many of them become women of abandoned character, and thus swell the ranks of prostitutes, leaving thereby an indelible blot on the honour of those who even claim any relationship whatever with them (Ibid: 302).

Further, Lala Mathura Das in Arya Patrika argued that since widows were ten times more sexually driven than men, it was natural for them to violate *pativrata dharma* (Malhotra, 2002: 91). Thus, it can be seen that both the traditional Hindus and the social reformers, differed in terms of treating women however, both the groups agreed in one point that Hindu upper caste (in this case Brahmin) widow's sexuality had to be controlled. It was by controlling upper caste women's and widow's sexuality that middle class identity, was to be formed and consolidated as against the colonial rule and the lower class identity. Thus, female sexuality determined to a large extent caste and class distinction (Sangari and Sudesh, 1989: 5).

The British government did share the anxiety of the social reformers, regarding controlling upper caste widow's sexuality (Malhotra, 2002: 84). The British government like the social reformers did believe that enforced widowhood would create 'immorality' in the larger society. For instance, J.P Grant British official argued that widow remarriage was required, in order to see that the society did not become immoral because of enforced widowhood (Chakravarti, 1998: 84). Further, in Haryana, the British government, did give importance to Jat widow's sexual purity. In colonial Haryana, where the custom of *karewa* prevailed, a widow was required to marry her brother-in-law. The property that she inherited, from her husband, was supposed to remain in the same family. However, most of the time it was seen that widow's considered this custom as something restraining against any kind of 'sexual autonomy'. Thus, she would have relation with other man but would not get marry, since if she had got married to a person who was not her brother-in-law, she had to forfeit her property. In such a case the British government, sided with the patriarchal

authority and condemned the 'unchastity' of the widows (Chowdhry, 1996: 80). Further, the judiciary would sympathize with the plaintiff, who filed petition against the widow's unchastity. For instance, in the case of Dhan Ram *vs* Musammat Mari in 1889, Dhan Ram petitioned, in order to gain the widow's property as she was unchaste. The judiciary sympathized with Dhan Ram and stated that the judiciary could not get the property back since according to *karewa* a widow had to forfeit her property, if only she got married to a person, who was not her brother-in-law. To quote the judiciary, 'much as my sympathy is with the plaintiff (Dhan Ram) I regret that I can do nothing' (Ibid: 79). Missionaries too shared the anxiety of the traditional Hindus, regarding the question of sexual nature of Hindu women and the need to control the same. For instance, a France Catholic missionary Abbe J.A.Derret argued that Hindu women were 'libidinous' and thus child marriage, was a necessity in order to control Hindu women sexuality (Sangari, 1999: 118).

Subject on all sides to the moral ascendancy of man … the opinion is firmly established throughout the whole of India, that women were only created for the propagation of the species, and to satisfy men's desires. All women are therefore obliged to marry, and marriages are carefully arranged before they arrive at marriageable age. If by that time they have not found a husband, they very rarely keep their innocence much longer. *Experience has taught that young Hindu women do not possess a sufficient firmness, and sufficient regard for their honour, to resist the ardent solicitations of a seducer.* (emphasis original) (Ibid: 118,119).

However, on the other hand J.A.Derret also argued that patriarchy was a prejudice of Hindu men. Thus, in Derret's argument, one can see the dialectic of 'preservation' and 'reform'. According to Sangari, by arguing that Hindu women were libidinous, the missionaries were actually conforming to pre-colonial customs of Hindus, so that

there was no instability or danger to colonial rule. Further, the argument that Hindu patriarchy as prejudice was made, in order to use the card of reform and justify the civilizational role, of the British colonial rule. To quote Sangari, 'patriarchal excesses are reprehensible and will serve as the moral legitimation of the colonial state; yet the field of pre-colonial custom and religion in which excesses are implicated is the solid core of political stability that makes, the Hindu an amenable subject of colonial rule and cannot be tempered with' (Sangari, 1999: 119)

For the traditional Hindus, controlling sexuality of Brahmin widow's was needed in order differentiate or rather hierarchize the caste system between Brahmin caste and other lower castes (Chakravarti, 1998: 92). The Brahmin identity depended upon the sexual purity of Brahmin women in general and widows in particular. Rituals such as enforced widowhood were exclusive to Brahmin caste as against other lower castes (Ibid: 92). During the Peshwa rule, it was the state who took the responsibility of maintaining the sexuality of Brahmin widows. However, in the colonial period, the unquestionable power of the Brahmins was eroding gradually, because of the colonial government policy's of neutrality. For instance, some of the exclusive Brahmanical rituals such as Vedokta (16 major *samskara* according to the Vedic instruction) were gradually being performed by Sonar caste of Maharashtra. In that scenario, widow remarriage for the upper caste Brahmin widows, was seen as another blow on Brahmin identity. Widow remarriage was seen as foregoing the cherished Brahmanical ritual of enforced widowhood which was largely responsible for maintaining and consolidating Brahmin identity (Chakravarti, 1998: 92; Sarkar, 1997: 47). By maintaining purity of Brahmin women and widow's in particular, the

traditional Hindus desired to maintain the caste hierarchy, so that they could enjoy both social and material power over the lower castes. Thus, when the social reformers campaigned for widow remarriage, the traditional Hindus saw it as if their privileges were to disappear (Ibid: 92). 'their violent defense of enforced widowhood was, for the orthodox, the culmination of a long period of disquiet beginning with the British refusal to support Brahmin disciplinary power over other lower castes, as well as their notions about the loss of respect they had suffered in society, the loss of their income and an anxiety about conversion and the cultural uniqueness of their caste' (Ibid: 92). Further, enforced widowhood not only helped in maintaining the sexual purity of Brahmins but also in keeping a check on resources by 'restricting reproduction' within their family (Chakravarti, 1995: 2255).

Hindu Widow and Property

Maintaining different rules of remarriage for upper and lower caste widow's, helped the upper caste Brahmin, in exploiting labor of the lower caste population. Widow remarriage among the lower caste widow's, was a necessity in order to increase the number of laborers for upper caste Brahmins. Thus, patriarchy, caste system actually helped the Brahmins in maintaining and consolidating both the ideological and material power (Chakravarti, 1995: 2255). Patriarchal desire to control property, was one of the reasons' for encouraging the practice of *sati*. According to Romila Thapar *sati* was prevalent in Bengal because of the existence of Dayabhaga System, wherein a widow was entitled to have a 'share of immovable property' of her late husband

(Thapar, 1988: 18). Prevalence of Dayabhaga system was seen by Rammohun Roy, as one of the reasons behind *sati* in Bengal (Mani, 1989: 105). In colonial Haryana, widow remarriage among the Jat community, helped the male members of the widow's in-laws family, in retaining the property that the widow inherited, from her late husband. According to the custom of *karewa*, a widow of a Jat family had to marry her brother-in-law. The property that she inherited from her late husband, had to be transferred to her present husband. The fact that she got married was enough, to pass her property to the male member of her in-laws family. Widow remarriage, among the Jat community in Haryana, according to the *karewa* custom, was popularized, so that property remained in the hands of male members of the family (Chowdhry, 1989: 315). Thus, it can be seen that in a particular caste, widow's were allowed to marry however, neither they had any autonomy to choose their husbands nor any right over their property. Even social reform group such as Arya Samaj accepted the custom of *karewa*. The Arya Samaj cited Brahmanical texts in order to justify the custom (Chowdhry, 1989: 320). Moreover, Arya Samaj remained silent about the issue of women's property rights throughout the reform movement (Kishwar, 1986: 15). Further, even in the issue of widow remarriage, among the upper caste Brahmin widows, the social reformers accepted the provision of widows forfeiting the property. The social reformers remained 'silent' about this whole provision of forfeiting property (Chowdhry, 1989: 321). For instance, Ranade argued that forfeiture of property, once a widow got married was prevalent among the lower caste as well. Indeed, for Ranade, forfeiture of property was a 'universal' practice (Chakravarti, 1998: 132). According to Chakravarti, forfeiture of property was

necessary in order to counter any kind opposition from the traditional upper caste Hindus, who 'resisted' the remarriage of upper-caste widows (Ibid: 132).

The British state played the role of an instrument, in helping the patriarchs, in acquiring and controlling widow's property. For instance, they helped the Jat male of Haryana in retaining property, according to the custom of *karewa*. For instance, in certain cases, when a widow would wish to marry a person of her choice, who was not her brother-in- law, she would write petition to government to allow her marry a person of her choice and be allowed to retain her property. However, the British government would not intervene, in any such matter and would advice the official-in-charge, not to entertain any such request. For instance, "the district officials in Punjab were 'instructed': 'Often a young widow will present a petition to the Deputy Commissioner for sanction to marry a man of her choice, but with such an application he is wish to have nothing to do' (Chowdhry, 1989: 317). Thus, it can be seen that even the British government was comfortable with the fact that male members of a family having control over property. According to Prem Chowdhry, following the custom of *karewa*, was safe for the colonial rule since the whole agricultural community in Haryana-Punjab, followed their customs. Following this custom was necessary from economic, political and military purpose as well. By allowing women to get hold of property the colonial government, did not want to fragment the landholding. This would have affected their revenue collection (Ibid: 318). Further, since largely the Jats comprised of military recruitment in British army, change in landholding system, according to the colonial rulers, would have resulted in creating disillusionment among the recruits (Ibid: 318). Thus, in order to safeguard their

economic and military interests the British government followed the custom of *karewa* in Haryana.

Formation of middle class

The desire to settle the land revenue system, led to a change in certain policies within the colonial administration (Misra, 1961: 129). For instance, in 1789 Cornwallis declared that the proprietor of land i.e. the talukdars, money-landers, inferior Zamindars could hold land for perpetuity, through the provision of Permanent Settlement, provided they continued to pay their revenue to the company (Ibid: 129). Cornwallis intended to create, a new middle class through this provision of permanent settlement, as against the existing Jagirdars and Zamindars. The declaration of permanent settlement gave rise to an interest, among the middle class to purchase land. However, in the case of Bengal, most of those who purchased rural lands or under-tenures were from urban areas (Sangari, 1999: 101). Thus, there arose a situation of absentee landlordism (Misra, 134; Ibid: 101). They were the rent receivers and not agricultural entrepreneurs (Misra, 1961: 134). This section mostly belonged to literary or professional classes or employed in bureaucratic establishment. They were the product of English education policy of the colonial rule initiated by Thomas Macaulay. In Bombay Presidency, with the availability of English education, a section of the society was able to get employed in the newly established system of administration particularly bureaucratic and legal system (Chakravarti, 1998: 57).

Similarly, in Punjab, emergence of urban middle classes, was primarily the result of bureaucratic structures of the colonial rule (Malhotra, 2002: 2, 3).

Since various section of people, were part of this group of middle class, there was no such coherent middle class culture and ideology (Sangari, 1999: 102). In order to have a middle class identity, it was essential to have a new middle class culture, which was to be different from the traditional Hindu culture as well as lower class culture. Emphasis for social reform, among the upper caste Brahmin women, by the emerging middle class social reformers, was part of forming a middle class culture and a middle class identity. Issue of enforced widowhood, among the upper caste, primarily Brahmin women was not in consonance with a liberal middle class ideology. A certain kind of individual rights, in the name of widow remarriage became a necessity for legitimating the image of middle class reformers (Chakravarti, 1998: 88; Malhotra, 2002: 84). Thus, it can be argued that one of the motives of the social reformers, for pursuing social reform such as widow remarriage, was part of the initiative of constructing their own educated middle class 'image' (Sangari and Sudesh, 1989: 9; Chakravarti, 1998: 87; Malhotra, 2002: 92).

Further, restructuring the family and within that the role of wife and womanhood itself, became important, in order to have a distinct middle class culture and thus a middle class identity of the social reformers (Sangari, 1999: 122). A new kind of patriarchy was restructured within the middle class household (Ibid: 122). The new role of a middle class wife, was different from the traditional family. For instance, roles, that new wife was required to perform, was that of a companionate, to her middle class husband, a class socializer, nurturer, as against the traditional roles of

upper caste Brahmin women, wherein a wife was primarily seen as a 'ritual and sexual partner of the husband' (Chakravarti, 1998: 206). For instance, social reformer Dayanand Saraswati, considered women as only wives and mothers (Kishwar, 2007: 299). Since these were distinct female roles a 'special schooling' was thought to be required. A special kind of 'domestic economy' syllabus was introduced (Chakravarti, 1998: 205). For instance, in Kanya Mahavidyalaya (KMV) run by Arya Samaj in Punjab, domestic economy, was considered as appropriate for women (Kishwar, 2007: 318). Women of emerging middle class, were given education on orderliness, thrift, cleanliness, etc (Kishwar, 1986: 11; Chatterjee, 1989: 247; Chakravarti, 1998: 205). Further, nurturing qualities such as medical care, child care etc were taught to women of new middle class (Chakravarti, 1998: 205). Arya Samaj, in Punjab believed that in order to nurture their children, middle class women needed proper education. To quote Kishwar, 'Samajists insisted that an illiterate woman could not be entrusted with the care of the next generation' (Kishwar, 1986: 10).

Special education for women of the emerging middle class, was seen as a necessity to enable them to 'adopt themselves to the new demands made by the educated men' of the family (Ibid: 10). Further, it was seen as a tool for bringing the husband and wife of the emerging middle class, closer to each (Kishwar, 2007: 305). In a 'fast changing world' because of woman's lack of education and husband's relation with the outer world, there arose a difference between the husband and wife. As a result of this, the family as an institution was 'experiencing new stresses'. 'one way of absorbing the stress was to expose women' to a 'feminine' version of education that 'men were receiving' (Ibid: 305). This kind of limited restructuring of patriarchy was, according

to Kishwar, the result of limited understanding of change, among the middle class. The middle class did not want, any structural change, neither in terms of patriarchy nor caste. They strived only for those changes, that were in their own interest. This was true in the case of Arya Samaj. To quote Madhu Kishwar, 'Operating within the parameters of the given social structure, the Arya Samaj sought to reform only those features which they thought acted as obstacle in the way of the economic and social advancement of the educated elite' (Ibid: 299). For instance, the Arya Samaj saw, the middle class women remaining superstitious and ritualistic, as harmful to their own 'progress' (Ibid, 1986: 11). 'Social reformers must by now have realized that it is our women who stand in the way of the reformation and progress and it would be their education and that alone that will smooth the path of social reformers' (Ibid: 11). Thus, certain changes, through education, were desired to remove the obstacles, from the way towards progress of the social reformers.

Further, religious lessons on *strisdharma* were imparted, to wife of a middle class. Since women were considered as libidinous, it became imperative, from the point of the middle class men, that women realize their *strisdharma* as against their *strivabha*. This was needed, in order to 'channelize' upper caste women sexuality in a 'desired' direction, according to the middle class men (Chakravarti, 1998: 201; Malhotra, 2002: 3). In order to inculcate *strisdharma,* in the wife of middle class family, religious education based on Sanskrit text was 'periodically reformulated and restated'. For instance, a Marathi text *stridhamapaddhti,* was taught to women, to inculcate the 'code' of 'perfect wife'. The text "opens its introductory verses with 'Obedient service to one's husband is the primary duty enjoined by the sacred tradition for

women'" (Chakravarti, 1998: 201,202; Sangari, 1999: 160). Thus, it can be seen that, some of the roles of women of emerging middle class were changing, however, patriarchal norms such as, remaining obedient, to husband, remained the same, even among the emerging middle class ideology. New wife of the emerging middle class, had to obey the command, of her husband. For instance, Ranade ensured that his second wife Ramabai Ranade, obey him either 'implicitly' or 'willingly'. Obedience towards Ranade, by his wife was laid down as 'guideline' (Kosambi, 1988: 46). Consequently, Ramabai Ranade internalized the idea that obedience towards husband was the justification of her life (Ibid: 46). Further, Dayanand Saraswati, believed that education for women was needed, so that they 'behave themselves agreeably towards their husbands and relatives, beget children properly, train, nurture and bring them up well, do or see domestic duties done as ought to be done' (Kishwar, 2007: 300). According to Chakravarti, this sort of control on women, was needed from patriarchal point of view since in the changing scenario, it was necessary to 'transform' *strisvabha* to *stridharma* (Chakravarti, 1998: 204). Further, through sexual and spiritual superiority of women, among the middle class, distinction and superiority of the middle class, was to be achieved (Sangari and Sudesh, 1989: 10). Thus, it can be seen that the emerging middle class restructured patriarchy, however, the underlying anxiety of both the traditional and modern patriarchy, was the same and that was to control the sexuality of women of middle class family (Sangari, 1999: 148). Thus, emerging middle class patriarchy, was a process of continuity and change simultaneously (Sangari, 1991: 103).

Further, the new cultured women, were required to make the middle class 'home' a 'cultural unit' (Chakravarti, 1998: 204). The middle class home, was to be the symbol of middle class private sphere, wherein a wife had to imbibe spiritual attributes. They were the embodiments of self-sacrifice, benevolence, devotion religiosity etc (Chatterjee, 1989: 20). Here, she was required to inculcate moral values to her son. In order to accomplish these functions properly, for instance, in Arya Samaj Schools in Punjab women were given 'moral instruction'. They were taught hymns and *bhajans, havens* (purification rituals) (Kishwar, 1986: 15). Through the nurturing of the son, the whole society and the nation were to be regenerated. The culture of the emerging middle class private sphere, was to be the culture of the whole nation, since the middle class was increasingly becoming, dominant social force. Thus, it can be seen that by 'recasting' middle class women, a private sphere was to be carved out, which was to be different from the public sphere i.e. the outer material world. Thus, women of the middle class became a 'vehicle' through which middle class identity, was to be formulated and consolidated. Women were however, allowed to move out of their private sphere since her internalized essentially feminine qualities, were there to protect her from any kind of impurity (Chatterjee, 1987: 20). Through that process, women of the new middle class received a kind of 'liberal space'.

Reconstruction of middle class womanhood was needed in order to homogenize middle class identity (Sangari, 1999: 122). Homogenization of the middle class was essential, in taking the responsibility of leading other castes and negotiating with the British rule (Chakravarti, 1999: 95). In such a scenario, a 'formidable' middle class identity, was required, in order to justify their role as leaders of the society, by

becoming distinct culturally from both the British culture and lower class culture (Sangari and Sudesh, 1989: 9; Mani, 1998: 5). Further, the changes in the role of the middle class women were necessary from the point of view of nationalism *against the British* (Chatterjee, 1987: 5).

Thus, it can be concluded that both the traditional Hindus and the middle class social reformers, believed that Hindu women's sexual nature was essentially libidinous and thus required to be controlled. The traditional Hindus used enforced celibacy in order to control widow's sexuality, whereas the social reformers, used social reform, in order to control sexuality of middle class women in particular and widows in general. In this context, the British rule agreed, to the above mentioned social force's understanding on female sexuality. However, they shifted their views, on Hindu women's sexuality, according to their ideological configuration. It can be argued that women's sexuality was needed to be controlled, if at all the traditional Hindus and the social reformers, wanted to fulfill their own interests. The traditional Hindus, wanted to retain their own socio-political and economic interests, by maintaining the purity of women, in their household. Further, consolidation of socio-political and economic position, of the middle class social reformers, largely dependent on middle class women's sexuality. Thus, it can be seen that patriarchy, was restructured in the modern time, however, the underlying assumption, regarding female nature, was the same among the modern and traditional Indians. Consequently, controlling female nature remained the main concern, of the traditional Hindus and the social reformers.

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