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She Could or She Didn't? A Revisionist Analysis of the Failure of the Widow Remarriage Act of 1856?

by

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Abstract
Under pressure from a progressive social movement, the British government in Bengal passed the (Hindu) Widow Remarriage Act in 1856. Yet few such remarriages subsequently occurred. Standard explanations for this failure rest on demand side arguments – few contemporary men were enlightened enough to wish to marry widows. We question this hypothesis. Using Census data from 1881, we argue that far too many contemporary men were single for it to be plausible. We advance a supply-side hypothesis instead – far too many men wished to marry widows for predatory reasons. This made it rational for widows (or their parents) to withdraw from the marriage market. Thus, the marriage market failed to implement feasible welfare gains from remarriage due to problems of informational asymmetry. We formalize our argument in terms of a simple model of adverse selection.

Keywords: Widow Remarriage, Dowry, Polygamy.

Outline

1. INTRODUCTION

Polygamy (especially among *Kulin* Brahmins) and child marriage were common practices in Bengal in early 19th century. Girls were typically married off at a very early age and often to old men. Consequently, young widows came to constitute a large proportion of the population.[1] These widows were typically condemned to a life of harsh austerity, especially when they belonged to caste Hindu households. As a result, illegitimate births and infanticide had become commonplace. Furthermore, many young widows used to die while attempting abortion.

A number of social reformers tried to address the problem of widows. Rammohan Roy initiated a movement for Widow Remarriage (WR) in the 1820s, as did Derozio and the *Young Bengal* in the 1830s. The Indian Law Commission (1837) considered the issue seriously and came up with the conclusion that infanticide could be curbed only if WR was legalized. The government concluded that, even though such a law was socially highly desirable, passing it would involve going against Hindu strictures and laws of inheritance (*Dayabhaag*) and hence infeasible.[2] There were scattered attempts to legalize WR in the 1840s as well. Ishwar Chandra Vidyasagar (ICV) took up the issue in the 1850s.

On 4th October 1855, ICV sent a petition signed by 987 individuals to the government and organized an extensive campaign. Despite much opposition from conservative sections, the Widow Remarriage Act was passed on 26th July 1856, permitting WR to be performed in the same way as a first marriage. It was a *permission law*: modalities such as the registration procedure were left quite unaddressed. The Act had two main provisions. First, WR would be legally valid and the offspring would be legal. Second, the widow would forfeit all claims to wealth and/or financial support inherited through earlier marriages.[3] The first WR took place on 7th December 1856 in Calcutta. Quite a

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1 Tables 1 and 2 provide an idea about the magnitude of the problem. See also Ghosh (1962 - 66), Ghosh (1973), Gupta (1958), Mitra (1902), Sen (1977) and Sinha (1967). Ghosh (1962 – 66) and Basu (2003) discuss debates on the issue published in contemporary newspapers and periodicals.

2 For details on the Hindu Widow's right of succession, see appendix B.

3 Summary Statement (for details see appendix C).

few WRs occurred in 1857. However, overall, the movement was a failure. Only about 80 widows were remarried in Bengal over a span of 20 years, and only about 500 WRs had taken place by 1889.

Why did the movement launched by ICV, despite its legal success, fail to remarry widows on any significant scale? The standard explanation runs along the following lines: not many men were willing to marry widows because of prevailing social norms. Thus, popular conservatism generated a lack of demand for widows on the marriage market.

The purpose of this paper is to question this received wisdom. We argue, on the basis of demographic evidence, that contemporary society contained too many single men for this to be a plausible (or at least complete) answer. We advance an alternative explanation, which focuses instead on the supply side of the marriage market. We argue that gaps in the WR Act made it impossible to prevent opportunistic men from marrying widows and subsequently deserting them. Widows (or their parents) considered this possibility and were consequently reluctant to remarry. Thus, an adverse selection problem in the marriage market led to very few transactions actually taking place, even though there remained great scope for welfare enhancing remarriages. The market failed to implement any efficient matching outcome.

Section 2 discusses the traditional, demand side, argument. We introduce our alternative explanation in Section 3. Section 4 presents an analytical model to formalize and explicate our argument. We briefly discuss the present day scenario in the WR market in light of our analysis in Section 5. Section 6 concludes. The data are presented in tabular form after section 6. Several appendices present additional relevant material.

2. ‘SHE COULDN’T’: THE DEMAND SIDE STORY

In the standard narrative on the failure of the WR Act, the usual culprit is the potential groom. Apparently, in the face of conservative hostility and large dowry gains from Virgin Marriage (VM), the single Hindu male population of Bengal did not find WR attractive. The argument has the following structure. VM provided high dowries. Hence, given (a) the large cost from subsequent social sanctions, and (b) the forfeiture clause in the WR Act, grooms would have accepted widows only if they were paid even

higher dowries. Parents of widows were reluctant to pay such high dowries. Hence, for WR to occur on an extensive scale, third party individuals were required to incentivize grooms through subsidies. Such third party altruists were however not available in sufficient numbers.

This understanding was common among contemporaries. The Bengali newspaper Somprakash argued in this vein, as did Risley (1891). It led ICV himself to spend about Rs 1500 for each WR (Rs. 85,000 in 60 WRs) over the period 1856 - 1868.[4] Other eminent individuals such as the Maharaja of Bardhaman also decided to provide cash prizes and job offers to men who married widows.

While hardly ever articulated in such terms, the thrust of the traditional argument also appears to de-emphasize any suggestion of a market failure. The opportunity cost to grooms of marrying widows was greater than their parents' willingness to pay. Hence, there did not exist any scope for Pareto-improving transactions in the remarriage market for widows. Remarriage contracts did not arise because such contracts would have been inefficient.

The key element in this line of argumentation is evidently the premise that Hindu grooms found VM both easy and lucrative. Contemporary commentators repeatedly asserted that dowry rates for VM were high, and that such matches were easily available.

Yet demographic evidence appears to belie such claims. Tables 1 and 2 present demographic data from the Census of 1881.

First notice that less than 20% of the Hindu male population of Bengal in 1881 was above 40, while less than 10% was above 50. Thus, the average Hindu male of that period would have been quite lucky to live beyond the age of 40. Given such a short average life span, one would expect contemporary men to have been quite desperate to get married by the age of 30. Yet, the Census data show that about 20% of Hindu males in the 25-29 age group were single, while 40% were in that state in the 20-24 age bracket. This proportion was large even in the 30-39 age bracket, being close to 8%. The

corresponding proportion for the 15-19 age bracket was around 70%. Furthermore, the female to male sex ratio declined with age up to the age group 30 – 39. Among the *Brahmins*, who comprised 6% of the population, females were actually in short supply (the sex ratio was 99.13, significantly below that for the population as a whole). A similar picture is revealed if we look at Calcutta in particular (see table 3) as well as the 1891 (1893) Census of Bengal. *Amritabazar Patrika* in 1889 reported large numbers of applications from men seeking widows for marriage, with Brahmins accounting for the highest proportion of applicants. Thus, the evidence suggests a large excess supply of grooms in the marriage market, especially among Brahmins. Consequently, the argument that men in general could easily find lucrative VM matches in the contemporary marriage market appears quite dubious.

One might argue that cultural norms and conservative sanctions led many young men to prefer staying single to marrying widows. However, in light of the (even stronger) cultural and religious emphasis on marriage and fatherhood, as well the tangible old age economic benefits from having children, such preferences do not appear plausible either.

3. 'SHE DIDN'T': A SUPPLY-SIDE PERSPECTIVE

As mentioned earlier, the WR Act was a permission law – it did not require the marriage to be registered. Registration would have automatically brought WR under the ambit of the Civil Marriage law, which outlawed polygamy. However, the Hindu Personal Law continued to allow polygamy for a century after the passage of the WR Act. Thus, the husband of a widow, having married her under the Hindu Personal Code, was left legally free to engage in polygamy. Of course, even compulsory registration may have been difficult to enforce. Nevertheless, the WR Act did not provide even this minimal deterrent to polygamy.[5] The law was thus open to abuse. Many individuals did indeed use WR as a way to polygamy, and subsequently deserted or ill-treated the widows they had married.

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4 To put this number in perspective, note that a lucrative job in the bureaucracy paid Rs 100-150 per month in 1856 (Tatwabodhini).

5 The *Young Bengal* group, unlike ICV, did have the foresight to suggest a registration clause in the WR law.

This immediately opens up an alternative, supply side explanation for the failure of the WR Act. Consider the situation where the widow (or her parents) cannot distinguish a priori between a polygamous suitor and a monogamous one. All men who marry widows suffer some cost due to social sanctions imposed by conservative elements. However, this cost is lower for polygamous men, since they are going to desert the widow and marry again in the future. Consequently, it is likely that more polygamous men would be willing to marry the widow than monogamous ones. Consequently, on average, the widow is likely to end up marrying a polygamous man, who will subsequently desert her or otherwise ill-treat her, if she does attempt to remarry. Knowing this, widows or their parents might be reluctant to entertain marriage offers. Few widows would thus enter the marriage market, despite the presence of a large number of potential suitors. The market would fail to implement feasible welfare gains from remarriage due to the presence of informational asymmetries.

Seen in this light, the issue acquires the contours of a classic adverse selection problem. We now proceed to clarify this adverse selection aspect in terms of a formal model.

4. THE MODEL

Let there be two types of grooms: monogamous (M) and polygamous (P). P grooms would desert the bride after marriage (or otherwise ill-treat her), whereas M grooms would not. The population of M grooms has measure 1, whereas that of P grooms has measure p. The population of widows is also assumed to have measure 1. All widows are identical; all grooms are observationally identical as well. Parents of a widow put a monetary value of X on her acquiring an M match. Thus, X is also their willingness (and ability) to pay for an M match. Parents receive L if widows marry P grooms, $L < 0$, and 0 if widows remain unmarried. Let d^W, d^V denote, respectively, the dowry rates for WR and VM. Parents are risk-neutral expected utility maximizers. Thus, parents are better off without remarriage if only P grooms are available, but would prefer to remarry their daughters if they can find M grooms.

M grooms receive the monetary equivalent of $\left[-s + d^W\right]$ if they marry a widow, where s is an individual-specific variable, distributed according to the continuous distribution

function $F(s)$ over the interval $[\underline{s},\bar{s}]$, $0<\underline{s}<\bar{s}$, $\bar{s}\le X-d^V$. This idiosyncratic variable *s* measures the total cost suffered by the groom if he marries a widow, whether due to external social sanctions or from having internalized prevalent conservative prejudices. M grooms receive d^V if they opt for VM. Notice that, by assumption, (i) the M groom population is of the same size as the W population, and (ii) parents' willingness to pay a premium over the VM dowry rate $\left(X-d^V\right)$ to marry off a widowed daughter is not less than an M groom's willingness to accept (*s*). Thus, if groom types were common knowledge, all widows would be matched with M grooms. We shall show that asymmetric information leads instead to all widows staying single – an inefficient outcome.

P grooms receive $\left[-s+t+d^W\right]$ if they marry a widow, where s is distributed according to $F(s)$, as before, and t is some constant, $t<\underline{s}$. By deserting the widow soon after marriage (or otherwise ill-treating her), P grooms can reduce their idiosyncratic cost by some magnitude *t*, assumed constant for simplicity.[6] P grooms also receive d^V if they opt for VM. Notice that, due to the idiosyncratic cost being positive, no groom would marry a widow if $d^W\le d^V$. Thus, parents have to pay a higher dowry for remarriages than for first marriages, should they opt to remarry their daughters.

The forfeiture clause in the WR Act increased the cost to parents in case a remarriage failed. Thus, L was likely to be large in magnitude. Given the contemporary social mores, the proportion of P grooms was likely to be large as well. We formalize these observations in terms of the assumption A1 below. We also make the reasonable assumption that no groom would be willing to accept a widow if he has to pay her parents, i.e., if $d^W<0$. Given positive costs from marrying widows for all grooms (i.e. $(\underline{s}-t)>0$), this is obviously ensured if the dowry payment from VM is non-negative. Notice however that, $d^V<0$, i.e. payments from the groom to the parents of the bride in

6 M grooms cannot engage in polygamy and thereby reduce their idiosyncratic costs from marrying a widow because of internalized norms that dictate prohibitive psychic costs of doing so. These grooms are 'progressive' in this sense, though they are not 'progressive' or 'idealistic' enough to completely ignore traditional prejudices against marrying widows. In this sense, they are similar to P grooms. However, unlike M grooms, P grooms have no moral scruples against engaging in polygamy.

case of a first marriage ('bride price') is quite compatible with this assumption (A2 below).

A1. $\left[X + pL\right] < 0$.

A2. $\underline{s} - t + d^V \geq 0$.

Proposition 1. *Given A1-A2, there does not exist any* $d^W \in \Re$ *at which a widow would be remarried.*

Proof: See the Appendix A.

The intuition behind Proposition 1 is simple. If the dowry rate for WR is significantly above that for VM, then some grooms would prefer to marry widows. However, the proportion of polygamous grooms in this class would be significantly greater than that of monogamous ones. This in turn implies that, on average, parents would be worse off by remarrying their daughters. Consequently, no parent would consent to a remarriage at such a dowry rate. If the dowry payment for WR is close to, or less than, that for VM, then (given significant social sanctions against marrying widows) no groom would be willing to accept widows. Thus, regardless of the size of dowry payments for WR, no such remarriage would take place.

In our framework, the traditional, demand-side argument discussed in section 2 would translate into the assumption that the opportunity cost of marrying a widow for M grooms was greater than parental willingness to pay, i.e., that [$d^V + \underline{s} > X$]. Evidently, this presupposes high VM dowry rates. As discussed in section 2, available demographic evidence appears difficult to square with this claim.[7] Recall now that we only assume a negative lower bound for dowry payments in case of a first marriage (A2). In light of the demographic evidence regarding excess supply of grooms discussed in section 2, we should expect d^V to be low, perhaps even negative. Since, by Proposition 1, parents

7 How does one then explain the (often hysterical) anecdotes about allegedly astronomical dowry rates in contemporary discussions? The formal sector job market at that time was suffering from a vast excess supply of educated youth, as noted in the Education Report of 1870. According to an estimate, about 50% of graduates were unemployed in 1881. Income inequality was also large (Hunter (1875-77), Bagchi (1972) and Sen (2003)). This suggests that relatively few financially stable grooms were available. Such grooms therefore commanded a large scarcity premium. Contemporary commentators highlighted the high prices paid for these few 'good' men, but probably only a tiny minority of men overall could in fact command high dowries.

would take their widowed daughters off the marriage market, equilibration would take place through large numbers of 'discouraged' single men dropping out altogether, as is suggested by contemporary census data.

A1 essentially implies that, for parents to agree to a remarriage, it is necessary that they be provided a positive transfer. A2 implies that grooms will agree to marry a widow only if they receive a non-negative payment for doing so. Obviously, both requirements cannot simultaneously be satisfied by any contract between these two parties alone. Equally obviously, a third party altruist can, in principle, enable widows to remarry by making positive transfers to *both* parties.[8] Contemporary third party altruists such as ICV and the Raja of Bardhaman however promised transfers only to one party, the groom. Our analysis suggests that such a strategy would have failed *even* if the requisite funds had been forthcoming (in actual event they were not).

The forfeiture clause in the WR Act has attracted much criticism. Our analysis suggests that the impact of this clause may have been ambiguous. The absence of this clause would mean that a man who married a widow could also access her wealth from her earlier marriage. This would naturally make widows more attractive to monogamous men. Thus, for any given level of dowry payment, more M grooms would be willing to marry widows. The case for polygamous men is more complicated. First suppose the widow controls her own property, and can access it in case she is deserted or otherwise ill-treated. A polygamous husband would then benefit from his wife's wealth only if he mimicked a monogamous one in his behavior towards her. This would however increase his cost from social and internal sanctions. If this additional cost is greater than the additional gain, then the proportion of P men willing to marry widows will remain constant. All such men will desert or ill-treat widows subsequent to marriage, as earlier. However, since widows can now access the wealth inherited from their previous husbands, their parents' cost from a P match effectively falls. If the additional cost of mimicking an M groom is less than the gain, then the proportion of P men willing to marry a widow at some given dowry rate must rise. Furthermore, P men who marry widows will be more likely to treat them well. Hence, in either case, for a given dowry

8 Had such marriages taken place, a significant proportion of the widows would have subsequently suffered desertion. Was remarriage nevertheless better for such widows themselves, ex ante (in the sense of offering higher expected utility)? The answer clearly depends on the extent to which they themselves would have benefited from the transfer made to their parents by third parties.

payment, parents' expected utility from remarrying their widowed daughters must rise, making it likely that more such marriages will actually take place. However, if the widow's property is easy to alienate, more P men will seek to marry widows, divest them of their property, and subsequently desert them. In this case, parents' expected utility from remarriage could move in either direction, depending on the exact specification of property gains and the distribution of types. It follows that the exact contribution of the forfeiture clause to the failure of the WR Act remains unclear.

Why didn't first marriages suffer from this problem of adverse selection? Notice that traditional cultural and religious norms dictated that finding a first husband for one's daughter was a sacred duty, whereas such norms also proscribed remarriage. Parents are likely to have largely internalized such asymmetric norms. Notice further that parental return from leaving a daughter unmarried was higher in case of a widow (assuming she had inherited property or support rights from her first marriage). Both considerations would imply that *net* parental benefit from a successful first marriage was significantly greater than that from a successful remarriage. It is then easy to see that, facing the same distribution of groom types, a parent may accept a first marriage offer, yet decline any remarriage offer that does not provide a large compensatory cash transfer.

It seems reasonable to expect the adverse selection problem discussed above to generate attempts to screen potential grooms. Thus, parents might be able to eliminate some P grooms by investing resources in acquiring background information about the groom. Costs of screening are likely to be low within a tightly knit social group. This explains the relative success of the *Brahmo Samaj* in arranging remarriages in the 1860-1890 period, compared to the general Hindu population. Furthermore, collective sanctions against polygamy, desertion or ill-treatment were probably easier to enforce within a small progressive endogamous community. Consequently, the proportion of P grooms was likely to be lower among the Brahmos (so that, formally, A1 did not hold). The second wave of WRs that occurred in the period 1905 – 1920 coincided with the spread of education and progressive social ideals among the Hindu middle and lower middle classes in Bengal. This can perhaps be similarly ascribed to a reduction in the proportion of opportunistic grooms, as well as reductions in information costs, and thereby, more effective screening by parents of widows.

5. THE CURRENT SCENARIO

More than a hundred years on, even though mitigated by a fair margin, the problem of young widows in India has not vanished.[9] Dreze (1990) finds that the overall incidence of WR is as low as 1 in 5 or 6. Chen (2000) also contends that few widows remarry. Within her sample of 562 widows, she finds that the WR rate is about 9% (see Tables 6-7). Furthermore, a large proportion of WRs are contracted with relatives of the late husband (Levirate). Thus, many remarriages by landed widows may actually reflect their in-laws' interest in retaining control over their land, rather than autonomous choices by the widows themselves. Chen (1998 and 2000) and Chen and Dreze (2002) provide related contemporary evidence for north Indian widows. Their general conclusion is that in some castes - usually lower castes - younger widows are given opportunities to remarry but usually choose not to because of the poor quality of the match. In other castes - usually higher castes - younger widows are not given the opportunity. In all castes, older widows are not seen as eligible for remarriage.

Why are remarriage rates still so low? Adverse selection considerations highlighted in our analysis appear important even today. Forfeiture is still a widespread perception. Another important consideration appears to be how the stepfather would treat children from the first marriage. In terms of the formalization in section 4, L is now reduced for those who can retain the inheritance subsequent to a failed remarriage. In Chen's (2000) study, about half the widows who remarried managed to retain their inheritance (see Table 6). If the expected benefit is still negative, due to the high probability of acquiring a bad match, widows (or their parents/in-laws) would refuse remarriage. For widows with children, L could be larger, making refusal more likely.

6. CONCLUSION

The Widow Remarriage Act of 1856 had only a minimal impact on the incidence of widow remarriage in 19th century Bengal. Typically, this failure has been explained in

terms of the lack of grooms who were willing to marry widows. The central thrust of this traditional explanation appears to de-emphasize the possibility of a failure of the marriage market. However, contemporary demographic evidence appears to question the plausibility of such an argument. This paper advances an alternative, supply side, explanation. We have argued that, given the possibility of polygamy and the presence of a large proportion of predatory grooms, most parents found it rational not to entertain marriage proposals for their widowed daughters. Thus, despite major scope for Pareto-improving remarriages, potential welfare gains failed to actualize due to an adverse selection problem. The marriage market failed to implement any efficient matching outcome due to the presence of informational asymmetries. Whether our analysis can be usefully extended to parts of India other than Bengal, and to periods other than the 19th century, appears to be an open question.

Table 1: Civil Condition and age for Hindus in Bengal (1881)

Age	Male			Female		
	Unmarried	Married	Widower	Unmarried	Married	Widow
0---9	2252762	12399	569	1990670	233460	11928
10---14	857197	63983	2130	149255	551910	37902
15---19	495073	209727	6506	14233	621027	93093
20---24	264626	397499	14236	6155	602867	147100
25---29	161419	627380	29128	4575	602800	229520
30---39	103309	1151346	81128	4666	704361	535793
40---49	31522	769462	101109	2136	306803	568222
50---59	12840	413487	96778	1153	115091	468130
60>	9460	309996	133083	1123	49898	562483
	2032	1960	342	1539	1865	1496
All age	4190313	3957239	465009	2175525	3790082	2655667
Grand Total	8624022			8624022		
	17254120					

Source: Census of Bengal, 1881 (1883)

9 Tables 4 and 5 below provide data from the 1981 Census. See also Agarwala (1962, 67), Bhat and Kanbargi (1984), Dandekar (1962), Dubey (1965), and Singh (1969).

Table 2: Percentage Hindu in Civil Conditions (1881)						
Age	Male			Female		
	Unmarried	Married	Widower	Unmarried	Married	Widow
0---9	99.43	0.55	0.55	89.03	10.44	0.53
10---14	92.84	6.93	6.93	20.20	74.68	5.13
15---19	69.60	29.48	29.48	1.95	85.26	12.78
20---24	39.12	58.77	58.77	0.81	79.73	19.45
25---29	19.74	76.70	76.70	0.55	72.03	27.43
30---39	7.73	86.19	86.19	0.37	56.58	43.04
40---49	3.49	85.30	85.30	0.24	34.98	64.78
50---59	2.45	79.04	79.04	0.20	19.69	80.11
60>	2.09	68.50	68.50	0.18	8.13	91.68
All age	48.65	45.95	45.95	25.23	43.96	30.80

Source: Census of Bengal, 1881 (1883)

Table 3: Civil Condition and age for Hindus in Calcutta (1881)						
Age	Male			Female		
	Unmarried	Married	Widower	Unmarried	Married	Widows
0---9	18144	186	6	16308	843	77
10---14	9830	1096	22	1667	4513	346
15---19	9278	5192	109	129	5759	1100
20---24	7534	15501	455	69	6576	2805
25---29	4488	21747	967	67	5982	4537
30---39	3506	37595	1980	98	8114	10731
40---49	1105	21974	1981	60	8753	10069
50---59	372	9278	1544	27	1315	6796
60>	203	4582	1444	17	571	6378
						2
All age	54477	117199	8408	18454	37383	42841
Grand Total	180084			98678		
	278762					

Source: Census of Bengal, 1881 (1883)
Note: Some of the totals in Tables 1 and 3 do not match exactly. In particular, total number of married females in Table 3 is way off. Mistakes in the original census report.

Table 4: Incidence and Distribution of Widowhood in India by Age Group (1981 Census)

Age Group	Incidence	Distribution
	Widow as % of all Rural Females	% of all Widows
10-14	0.03 [0.03]	0.1
15-19	0.2 [0.1]	0.3
20-24	0.7 [0.5]	0.7
25-29	1.6 [1.0]	1.4
30-34	3.2 [1.6]	2.5
35-39	5.5 [2.3]	3.9
40-44	10.8 [3.8]	6.7
45-49	15.5 [5.01]	8.3
50-54	29.4 [8.0]	13.3
55-59	30.5 [9.8]	9.5
60-64	55.6 [14.9]	19.4
65-69	57.6 [17.8]	10.7
70+	77.2 [27.8]	23.2
All Ages	8.2 [2.7]	

Note: The corresponding figures for males are in brackets.

Source: Derived from Census of India, 1981

Table 5: Widowhood in Rural India: Inter-State Contrasts (1981 Census)

State	Widows as Percentage of Rural Female Population	Female/Male Ratio*	Proportion of Rural Widows Living in the State (Percentage)
Andhra Pradesh	10.5	975	10.5
Tamil Nadu	10.4	977	8.2
Karnataka	9.9	963	6.4
West Bengal	9.5	911	9.1
Maharashtra	9.3	937	9.3
Orissa	9.2	981	5.3
Kerala	8.9	1032	4.6
Madhya Pradesh	8	941	8
Himachal Pradesh	7.7	973	0.8
Bihar	7.5	946	11.1
Rajasthan	7.2	919	4.6
Gujarat	7	942	4
Uttar Pradesh	6.5	885	13.8
Jammu & Kashmir	5.7	892	0.6
Punjab	5.5	879	1.5
Haryana	4.9	870	1.1
All India[b]	8.2	934	100

Notes: a: Number of females per 1000 males (rural and urban areas combined)

b: Excluding Assam, where the 1981 Census was not conducted

Source: Dreze 1990. Derived from Census of India 1981.

Table 6: Widow Inheritance: Regional and Intra-Regional Difference and Rural Female Literacy Rate (percentages)

Region/State	Those who Inherited from Parents	Those who Inherited from Landed Husbands	RFLR (15 yrs and above)
Northern India			
Bihar	3	28	9.4
Rajasthan	4	69	5.2
UttarPradesh(Hills)	2	51	8.7
West Bengal	14	62	23
Sub –Total	7	51	
Southern India			
Andhra Pradesh	15	49	13.2
Tamil Nadu	3	49	23.5
Kerala	27	67	6.9
Sub-Total	15	52	
Total	11	51	
Source: Chen Survey			

Table 7: Widow Remarriage Rate by Region and Caste (Rural)

		Remarried		
	Not Remarried	Currently Widowed	Currently Married	% of Remarried Widows to ever-widowed
Region				
South India	271	12	4	6
North India	239	23	13	13
Total	510	35	17	9
Caste Group				
Upper-Caste[a]	113	4	2	5
Backward Caste				
Higher	144	2	1	2
Lower	158	13	6	12
Scheduled Caste	84	16	8	29
Others	11	0	0	0
Total Sample	510	35	17	9

a: All six cases of widow remarriage in the upper castes are cases of leviratic union among the Rajputs in the UP hills in north India.

Source: Chen Survey.

REFERENCES

Agarwala, S.N. (1962): 'Widow Remarriage Rates in Some Delhi Villages', *Medical Digest 30* (10): 548 – 57.

Agarwala, S.N. (1967): 'Widow Remarriages in Some Rural Areas of Northern India', *Demography* 4(1): 126 – 34.

Bagchi, A. K. (1972): Private Investment in India 1900 - 1939, *Cambridge University Pre*ss.

Bandyopadhyay, S. (1993): Caste Widow Remarriage, in Roy, Bharati (Eds.), *From the Seams of History, Oxford*.

Basu, S. (2003): Sambad - Samayikpatre Unish Shataker Bangalisamaj, Vol. 2, *Pashimbanga Bangla Academy*.

Bhat, P.N. Mari and R. Kanbargi. (1984): 'Estimating the Incidence of Widow and Widower Remarriages in India from Census Data', *Population Studies* 38: 89 – 103.

Carrol, L. (1989): Law, custom, and statutory social reform: the Hindu Widows' Remarriage Act of 1856, in J. Krishnamurty (Eds), *Women in Colonial India: Essays on Survival, work and the State, Delhi*

Census of Bengal, 1881 (1883): *Bengal Secretariat Press*

Census of the lower provinces of Bengal, 1891 (1893): *Bengal Secretariat Press.*

Chen, M. (1998): Widows in India: Social Neglect and Public Action, *Sage Publications: India*

Chen, M. (2000): Perpetual Mourning: Widowhood in Rural India, Delhi, *Oxford University Press.*

Chen, M. and J. Dreze (2002): Widowhood and Well-Being in Rural North India. The Village in India (Oxford in India Readings in Sociology and Social Anthropology*). Oxford University Press.*

Dandekar, K. 1962. 'Widow Remarriage in Rural Communities in Western India', *Medical Digest* 30: 69 – 78.

Dreze, J. P. 1990. "Widows in Rural India'. DEP Paper No. 26. *Development Economics Research Programme, STICERD. London: London School of Economics*

Dubey, B.R. 1965. 'Widow Remarriage in Madhya Pradesh'. *Man in India* 45(1): 50 – 60.

Ghosh, B. (1962 - 66): Samoyik Patre Banglar Samajchitra (6 vols.)

Ghosh, B. (1973): Vidyasagar O Bangali Samaj, *Orient Longman.*

Gupta, A. C. (1958): Studies in the Bengal Renaissance, *National Council of Education, Jadavpur.*

Hamilton, W. (1828): East-India Gazetteer, *W H Allen, London*.

Hunter, W.W.(1875 - 77): Statistical Accounts of Bengal, *Troubner, London*

Mitra, S. C. (1902): Iswar Chandra Vidyasagar, story of his life and work, *Ashish Publishing House, New Delhi.*

Risley, H. H. (1891): The Tribes and Castes of Bengal, Vol. 1, *Calcutta*.

Sen, A. (1977): Iswar Chandra Vidyasagar and his Elusive Milestones, *Riddhi India*.

Sen, A. (2003): *Banglaay Nabajagoroner Sangati Asangatitey Vidyasagar*, Ashin Dasgupta Memorial Lecture, *West Bengal History Council*.

Sinha, N.K. (1967): History of Bengal, 1757 - 1905 (Eds.), *Calcutta University Press*.

Singh, T.R. 1969. 'Widow Remarriage among the Brahmins: A Sociological Study' *Eastern Anthropologist* 22 (1): 75 – 87.

APPENDIX A:

Proof of Proposition 1.

First note that, if $\left(d^W - d^V\right) \leq \underline{s} - t$ then no groom would be available. For $\underline{s} - t < d^W - d^V \leq \underline{s}$, only P grooms would accept widows, thus, parents' expected return would be negative. Hence, parents would not be willing to remarry widows when $0 < \left(d^W - d^V\right) \leq \underline{s}$ unless $d^W < 0$.

Now consider $\underline{s} < \left(d^W - d^V\right) < \bar{s} - t$. Both types of grooms would be willing to accept widows in this case. The measure of P grooms who would be willing to do so is $pF\left(\left(d^W - d^V\right) + t\right)$, whereas that of M grooms is $F\left(d^W - d^V\right)$. Parents' expected gain is:

$$G = \frac{XF\left(d^W - d^V\right) + pF\left(\left(d^W - d^V\right) + t\right)L}{F\left(d^W - d^V\right) + pF\left(\left(d^W - d^V\right) + t\right)} - d^W .$$

Note now that, by A1, $G \geq 0$ only if $d^W < 0$.

Recall that parents' valuation of a remarriage with an M groom is X. Hence, no parent would be willing to pay more than X in dowry for a widow. If $\bar{s} - t \leq \left(d^W - d^V\right) \leq X - d^V$,

$$G = \frac{XF\left(d^W - d^V\right) + pL}{F\left(d^W - d^V\right) + p} - d^W .$$

Again, by A1, $G \geq 0$ only if $d^W < 0$.

Summarizing, then, for remarriages to occur, it is necessary that [$d^W < 0$ *and* $\underline{s} - t \leq \left(d^W - d^V\right) \leq X - d^V$], i.e., [$d^W < 0$ and $\underline{s} - t + d^V \leq d^W$]. In light of A2, we then have a contradiction, which establishes our claim.

◊

APPENDIX B.

The Hindu Widow's Right of Succession (Carrol, 1989)

Before proceeding to a consideration of the Hindu Widow's Remarriage Act, it is necessary to establish a few general propositions concerning the Hindu widow's right of succession prior to the modifications introduced by the Hindu Women's Rights to Property Act (Act XVIII of 1937) and the Hindu Succession Act (Act XXX of 1956).

Prior to 1937, under both the Dayabhaga and the Mitakshara schools of Hindu Law, the widow only succeeded to her husband's estate in the absence of a son, son's son, or son's son's son of the deceased; and the estate which she took by succession to her husband was an estate which she held only for her lifetime; at her death it went not to her own heirs but to the nearest living heir of her deceased husband. According to the Dayabhaga school, the widow (given the absence of a son, son's son, or son's son's son) succeeded to her husband's share whether or not he was a member of an undivided coparcenary: according to the Mitakshara school, she succeeded to his estate only if he were separate and had simply a right to maintenance if he were a joint coparcener.

Under Hindu Law of both schools, it is only the chaste wife who is entitled to succeed to her husband's estate. It is further a rule of Anglo-Hindu Law, as laid down by the Privy Council in 1880, that once a widow has succeeded to her deceased husband's estate, she does not forfeit her right to the enjoyment of that estate until her death by living an unchaste life.

APPENDIX C.

The Hindu Widow's Remarriage Act (Act XV of 1856)

The preamble and section 1,2,5 and 6 of the Hindu Widows' Remarriage Act are as follows:

Whereas it is known that, by the law as administered in the Civil Courts established in the territories in the possession and under the Government of the East India Company, Hindu widows with certain exceptions are held to be, by reason of their having been once married, incapable of contracting a second valid marriage, and the offspring of such widows by any second marriage are held to be illegitimate and incapable of inheriting property; and

Whereas many Hindus believe that this imputed legal incapacity, although it is in accordance with established custom, is not in accordance with a true interpretation of the precepts of their religion, and desire that the civil law administered by the Courts of Justice shall no longer prevent those Hindus who may be so minded from adopting a different custom, in accordance with the dictates of their own conscience; and

Where it is just to relieve all such Hindus from this legal incapacity of which they complain, and the removal of all legal obstacles to the marriage of Hindu widows will tend to the promotion of good morals and to the public welfare;

It is enacted as follows:

1. No marriage contracted between Hindus shall be invalid, and the issue of no such marriage shall be illegitimate, by reason of the woman having been previously married or betrothed to another person who was dead at the time of such marriage, any custom and any interpretation of Hindu Law to the contrary notwithstanding.

2. All rights and interests which any widow may have in her deceased husband's property by way of maintenance, or by inheritance to her husband or to his lineal successors, or by virtue of any will or testamentary disposition conferring upon her, without express permission to remarry, only a limited interest in such property, with no power of alienating the same, shall upon her re-marriage cease and determine as if she had

then died; and the next heirs of her deceased husband or other persons entitled to the property on her death, shall thereupon succeed to the same....……

5. Except as in the three preceding sections is provided, a widow shall not by reason of her re-marriage forfeit any property or any right to which she would otherwise be entitled; and every widow who has re-married shall have the same rights of inheritance as she would have had, had such marriage been her first marriage.

6. Whatever words spoken, ceremonies performed or engagements made on the marriage of a Hindu female who has not been previously married, are sufficient to constitute a valid marriage, shall have the same effect, if spoken, performed or made on the marriage of a Hindu widow; and no marriage shall be declared invalid on the ground that such words, ceremonies or engagements are inapplicable to the case of a widow.

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