

DEMOCRACY AND INDIAN WIDOWS: MYTHS & REALITY

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ABSTRACT

This paper examines the position of widows in Indian democracy by analyzing the gap between constitutional guarantees and their lived realities. While the Constitution of India enshrines the principles of equality, justice, dignity, and non-discrimination, widows continue to face social exclusion, economic insecurity, cultural stigma, and limited political participation. The study adopts a doctrinal and descriptive approach, drawing upon constitutional provisions, legislative reforms, government welfare schemes, and existing scholarly literature to evaluate the democratic inclusion of widows. It reviews key legal measures, including the Hindu Widows' Remarriage Act, 1856, the Hindu Succession Act, 1956 and its 2005 amendment, the Hindu Adoption and Maintenance Act, 1956, the Commission of Sati (Prevention) Act, 1987, and recent legislative initiatives protecting the rights of widows and single women. The paper also assesses welfare interventions such as the Indira Gandhi National Widow Pension Scheme and highlights persistent barriers relating to inheritance, livelihood, education, and access to justice. Special attention is given to the political dimension of widowhood, where participation often remains symbolic through dynastic succession rather than genuine democratic empowerment. The study argues that meaningful inclusion of widows requires stronger enforcement of legal rights, economic self-reliance through skill development and financial support, enhanced political representation, and sustained efforts to eliminate discriminatory social practices. It concludes that the true success of Indian democracy depends not merely on constitutional guarantees but on ensuring substantive equality and active citizenship for widows. Strengthening institutional support and promoting social transformation are essential for realizing the constitutional vision of an inclusive and participatory democracy.

Keywords: Indian Democracy; Widows; Women's Rights; Constitutional Equality; Social Justice; Political Participation; Widow Empowerment; Gender Equality; Legal Reforms; Social Inclusion.

INTRODUCTION:

The spirit of Indian democracy is deeply rooted in the ideals of freedom, equality, justice, and national unity that inspired the Indian freedom movement. The patriotic song *Vande Mataram*, composed by Bankim Chandra Chattopadhyay, became a powerful symbol of the struggle for independence by invoking the nation as the motherland deserving of dignity, sacrifice, and collective responsibility. The Constitution of India further institutionalized these ideals by beginning with the words "*We, the People of India*," affirming that sovereignty belongs to all citizens without distinction. In a democratic society founded on constitutional values, every citizen, including widows and other vulnerable groups, is entitled to equal rights, dignity, social justice and meaningful participation in public life. Examining the status of widows within Indian democracy is therefore essential for assessing the extent to which the constitutional promise of equality and inclusive citizenship has been realized. "Women are the builder and Crafter of nations destiny. Though delicate and soft as a lily, she has a heart, far stronger and bolder than man. She is, no doubt, her commanding personality, nevertheless is grimly solemn" (Pal A., 2009: 162). These beautiful lines are said by the great humanist, painter, patriot, philosopher Shri. Rabindranath Tagore.

Our country is the largest democratic country in the world. (Government of India, 2004: 5). The foundation of democracy in India lies in Principles of Justice, equality and freedom (Government of India, 1994: 63) Political power is divided between the central government and individual states, promoting regional autonomy while maintain national unity (Gilllin J., 1919: 704).

Democracy is a system of government in which power is devolved in the people, either directly or through elected representatives allowing citizens to join in decision-making and select their rulers through free and fair elections (Landman, 2007: 6)

The word 'Democracy' comes from Greek and it is made up with two other words demos people and keratein to govern, to rule. "Democracy" can then be factually translated by the following terms: Government of the people or Government of the mainstream. Democracy, as a stable form is to be eminent from monarchy, aristocracy and dictatorship, you may have already perceived about the most public definition of democracy 'the

government of the people by the people and for the people'. To put it alternative way we can say that a government comes from the people, it is exercised by the people, and for the drive of the people's own interests. This description is only a very broad one, to start with, but the pages that follow with explain to you in a briefer way the different facets of democracy.

Democracy refers to government by the people, characterized by voting rights, active participation ensuring that authority stems from the freely expressed will of the population.

WOMEN PROVISION IN INDIAN CONSTITUTION:

Dr. Bhimrao Ramji Ambedkar, "Who is credited with writing the Indian Constitution, is a well-known figure today. (Sahoo & Pattanaik, 2015: 7-15) The Indian Constitution Contains multiple provisions specifically aimed at ensuring gender equality and protecting the rights of women, These constitutional provisions guarantee women equal rights and opportunities politically, socially and economically while also allowing affirmative action to empower them further. (Baxi, 1967: 324-430)

In India, which is the world's largest democracy equal rights and status for women are enshrined in the constitution adopted in 1950 after freedom was won from the British Colonial powers the constitution reflects the spirit of freedom movement, which is focused on individual rights and non-discrimination on the basis of caste, class and gender. It also incorporates affirmative action practices to overcome discrimination against women in social, cultural and political spaces, women equality is guaranteed under articles 14,15, 15(3), 16, 39(c), 42 and 73rd & 74th constitutional amendments.

These provisions collectively work to eliminate gender discrimination, promote women's empowerment and protect their dignity and rights in Indian society and governance frameworks. The Constitution not only safeguards equality but also allows for positive discrimination to bridge historical disadvantages faced by women (Yijes Leterme, 2016: 11)

Thus, the Indian constitution provides a robust legal framework supporting women's rights, equal opportunities affirmative action and Participation in political and economic life.

Indian Widow:

In accordance to the 1991 census of India there are 33 million widow in India . This accounts for eight percent of the total Population. A women who has lost her husband by death and not married is called a 'widow' (Rajan, 2011) widow hold an important place in society as symbols of resilience and continuity of family and cultural values. In India, the constitution protects widows through fundamental rights and directive principles welfare measures under article 39 promote social justice.

A widow is a women whose husband has passed away. In many cases, wives were held accountable for their husband deaths and subjected to verbal abuse (Mathur, 2023: 117-137). The term carries strong social and cultural significance traditionally, widows in India have faced stigma, marginalization and restrictions on their life style, dress and participation in community life.

In many communities, widows were historically discouraged from remarrying and often associated with mourning and austerity practices. Such as wearing plain white clothing avoiding festivities and living in isolation were common. The cultural stigma and discrimination faced by widows in India have profound psychological consequences contributing to feeling of shame, guilt and worthlessness studies have shown that widows experience higher rates of depression anxiety and psychological distress compared to married women. (Srinivasan and Bedi, 2007: 857-880)

Legal protections and rides for widows: The widow remarriage act 1856

A good marriage is the most rewarding experience the life can offer. It is almost like a haven on earth. But some women is not happening it because her husband by death, society is called widow. Many countries to challenge the abuse of widows and to change the cultural perceptions of widowhood (Young, 2006: 199-209). Widows have very low social status in the Hindu system and their sight considered an ill-woman often blamed unfairly for their husbands deaths and exploited in every way by both relatives and outsider's. The widow will not be allowed to take part in any auspicious ceremony. Widow remarriage has brought a big solution and freedom from the bondage of this custom. Thus, is paved a way for a big transformation and social change in the Indian society. After her marriage she can move around and attend functions like other ordinary women. (Chakravarty, 2003: 125)

The widow remarriage act of 1856 was a landmark social reform in India, introduced by lord Dalhousie and Championed by social reformer Ishwar Chandra Vidyasagar. It legalized the remarriage of Hindu widows, who

previously faced social restriction and stigma.(Mukta Mittal 2010: 76). The act gave widows the right to remarry though they lost claims to their deceased husband's property if they did so. Despite resistance from orthodox sections of society the act marked a progressive step toward women's rights and dignity. It challenged oppressive traditions, encouraged social reform movements and laid the foundation for gender justice in colonial India.

Hindu Succession Law 1956

There is no country in the world where women enjoy equality with men. Women should be empowered to bring equality between women and men. (Agrawal M., 2009: 63) Economic empowerment is one of the primary conditions for improving the social status of women. From this it can be said that the financial condition of windows must improve. The Hindu widow remarriage act allowed windows to remarry, but they lost any claim to the property of their deceased husband after remarriage. Despite resistance from conservative groups, this law was the major step towards social justice and women's empowerment in 19th century in India.

Hindu Succession Law 2005

Law is made in a specific period of time. However, it is necessary to change it according to time and circumstances han-bin says that new ideas need to be brought into administration to achieve national development goals (Dubhashi P., 1986: 12) so that Hindu uteradhikar law was amended in 2005.

The Hindu Adoption and maintenance Act 1956

Abraham maslow's hierarchy of needs is a motivational theory in psychology outlining of five tier model of human needs, often depicted as a pyramid. There is first need, food clothing and shelter. The government has to do a lot of work to provide food clothing and shelter. However, in the 19th century widows were kept away from these widows have no right to their husband's property violence against widow is widespread. (Premata Arrora, 2011:139) The Hindu adoption and maintenance act 1956, which was enacted under the Hindu code bills to reform family laws in India. The law provides rights to window daughters-in-law dependent children and aged parents to claim maintenance. The act specifies that "maintenance" not only include food clothing, residence and education but also extends to medical treatment and other basic necessities of law.

Law is important because it ensures widows social justice, family responsibility and economic security for dependents. By legally binding Hindus to maintain their families, the act plays a crucial role in protecting vulnerable members of society, especially windows, children and the elderly.

The Commission of Sati at 1988

The sati ceremony is heavily inspired by Hindu mythology about self-immolation as a kind of valor. The central story depict the assassination of a goddess called sati. The myth surrounding the ceremony are similar in that they feature women sacrificing themselves for their husbands and the pair of remaining together in the afterlife. Sati ceremony is a custom that includes themes of subordination and murder, the sati rite is divisive

The commission sati (prevention) act 1988, was passed by the Indian parliament to eradicate the cruel practices of sati where windows were forced or socially pressured to sacrifice their lives on their husbands funeral pyre. This law not only made the act of sati illegal but also criminalized any form of glorification, promotion, or abetment of it strict punishments including imprisonment and heavy fines were prescribed for offenders. (Mandal M., 2015: 105)

The protection of rights of windows and single women and abolishment of window hood practices act 2022

Studies have documented instances where windows are forced to live in seclusion, away from mainstream society, as they are pursued as contaminating or impure.(Haque & Dube, 2010: 287-304) Prohibits eviction at window form their residence ensures their right to inherit property from in laws or parents, and protects them from discriminatory social practices like wiping Kumkum, removal of Mangal sutra, Ban of wearing colourful clothes and participation in festivals or ceremonies.

Indira Gandhi National window pension scheme

Pension is a regular financial payment given by government or employer to retired disabled our dependent individuals for livelihood support. (Tyagi A., 2018: 834)Indira Gandhi widow pension Yojana is a social welfare scheme launched by the government of India to provide financial assistance to widow women belonging to poor and vulnerable section of society. Under this scheme, eligible widows receive a monthly pension, which is partly funded by Central Government and partly by the respective state governments. This scheme not only provides economic relief but also empowers windows to meet their basic needs with dignity.

It reflects the government's commitment to social justice and gender equity by addressing vulnerabilities and providing financial security, the scheme helps widows lead a more stable and self-reliant life. Central Government component is 300 Rs. per month and State Maharashtra government add 1200 Rs. per month under Sanjay Gandhi Niradhar Yojana.

Widows in India have strong constitutional and legal safeguards for their inheritance, maintenance and protection from traditional discriminatory practices.

Recent laws and judicial decisions have further strengthened their rights, emphasizing equality and financial security even after remarriage.

POLITICAL PROBLEMS OF WIDOW IN INDIA:

Since independence, women's representation in India's parliament has gradually increased but remains limited. In 1952 only 22 women were elected (about 4.4%) over time numbers have risen, reaching around 14% in the 2019 Lok Sabha. Despite progress, women still face underrepresentation compared to their population share.

The political problem of widows in India are closely linked to social stigma discrimination and systematic barriers that limit their political agency and rights. Widows sometimes enter politics through the "widow's mandate". Where they succeed their deceased husband in political position to retain seats within political parties. However, this form of political participation does not equate to real political power agency, as some widows serve as proxy candidates without genuine political will or independence. Moreover, widows face socio-economic marginalization, property rights challenges lack of enforcement of legal protections, and patriarchal biases that affect their overall political and social empowerment. These issues highlight the limited and often symbolic political role widows may hold amid pervasive gender inequalities in India.

POLITICAL CHALLENGES:

Widows mandate and dynastic politics

Widows are sometimes fielded as political candidates to keep the deceased husband's political legacy and seat within the same party. However, this can reduce them to symbolic or proxy roles rather than empowering them politically.

Limited political agency

Many widows who enter politics are reluctant or compelled to contest elections, lacking full autonomy or political will. Their political role may be temporary or controlled by party interests rather than personal ambition.

Cultural and social stigma

Persistent societal beliefs about widowhood reduce widows' social standing and undermine their political credibility and participation.

Legal and Economic Disempowerment

Widows face systemic challenges in inheriting property and accessing legal protections which hinders their political and economic independence.

Gender Discrimination

Patriarchal attitudes and institutional gender biases often marginalize widows politically both within parties and in the broader electorate. Overall widows in India face political problems in broader social, economic, and legal inequalities characterized by patriarchal norms and limited empowerment opportunities.

Future steps enhance Widows role in Indian democracy

Future steps to enhance widows' role in Indian democracy should focus on economic empowerment, education, skill development, legal protection and social inclusion.

Providing widows with vocational training and skills aligned with market demands can promote their economic self-reliance and increase their political confidence.

Financial support through micro-grants and access to micro-finance can help widows start business or participate in local economic activities, which strengthens their social standing and political voice. Legal reforms and enforcement are necessary to secure widows' property rights and protect them from discrimination and exploitation.

Additionally, political reforms such as ensuring adequate reservation of seats for women, including widows, in local and national bodies can provide institutional support to their political participation. Promoting awareness

campaigns to deconstruct social stigma and cultural biases surrounding widowhood will foster greater acceptance and inclusion of widows in political processes.

Collaboration between Government, NGOs and community organizations to create comprehensive support programs tailored to widows' unique challenges can maximize impact. Engagement with widows through participatory planning and leadership development will empower them to become active leaders rather than symbolic figures in politics.

CONCLUSION

In Conclusion, a multifaceted approach combining economic empowerment, political representation, legal safeguards and cultural change is essential to enhancing widows' role in Indian democracy and ensuring their meaningful participation in governance.

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