

A Revisionist Analysis of the Failure of
the Widow Remarriage Act of 1856

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Abstract

Under pressure from a progressive social movement, the 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 - 19th century men needed exorbitant dowry payments to induce them to marry widows. We question this hypothesis. Using Census data from 1881, we argue that far too many 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, even when dowry demands were moderate. 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.

Key words: Widow Remarriage, Dowry, Polygyny.

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1 Introduction

Polygyny and child marriage were common practices in Bengal in the early decades of the 19th century. Girls were typically married off at a very early age and often to much older men. Consequently, young widows came to constitute a large proportion of the population.³ 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 this issue. Rammohan Roy initiated a movement for widow remarriage (WR) in the 1820s, as did Derozio and the Young Bengal group in the 1830s. The Indian Law Commission (1837) considered the issue seriously and concluded that infanticide could be curbed only if WR was legalized. However, the government took the position that, even though such a law was socially desirable, passing it would involve going against Hindu strictures and laws of inheritance (Dayabhaag) and hence infeasible.⁴ There were scattered attempts to legalize WR in the 1840s as well. Ishwar Chandra Vidyasagar took up the issue in the 1850s.

On 4th October 1855, Vidyasagar sent a petition signed by 987 individuals to the government and subsequently organized an extensive campaign. Despite much opposition from conservative sections, the Hindu 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.⁵ The first WR took place on 7th December 1856 in Calcutta. Quite a few WRs occurred in 1857. However, overall, the movement was a failure. The Bengal Census of 1881 reported about 50,000 Hindu widows in the 0-14 age bracket, about 93,000 in the 15-19 group, and about 3,76,000 in the 20-29 category (see Table 1). Only about 80 widows were remarried in Bengal over a span of 20 years (between the years 1856 and 1876, published in the newspapers of that time), and only about 500 remarriages had taken place by 1889.

Why did the movement launched by Vidyasagar, despite its legal success, fail

³Tables 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 19th century newspapers and periodicals.

⁴For details on the Hindu widow's right of succession, see appendix A.

⁵Summary Statement (see appendix B for details).

to remarry widows on any significant scale? The standard explanation runs along the following lines: due to prevailing social prejudices and large dowry gains from virgin marriages (VM), not many men were willing to marry widows unless they were paid an exorbitant premium. Thus, popular conservatism combined with high prices for grooms in the VM segment to generate a lack of demand for widows.

The purpose of this paper is to question this received wisdom. We argue, on the basis of demographic evidence, that Bengal in the second half of the 19th century contained far too many single Hindu 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 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 make even relatively low payments. Thus, a classic 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. Two appendices present additional relevant material.

2 The Demand Side Story

In the standard narrative on the failure of the Act, the usual culprit is the potential groom. Apparently, in the face of conservative hostility and large dowry gains from 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 found such dowry demands prohibitive. 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 in the second half of the 19th century. The Bengali newspaper *Somprakash* argued in this vein, as did Risley (1891). It led Vidyasagar himself to spend about Rs 1500 for each WR (Rs. 85,000 in 60 WRs)

over the period 1856 - 1868.⁶ 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. Commentators writing in the second half of the 19th century 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 data from the Census of 1881. First notice that only around 20% of the Hindu male population of Bengal in 1881 was above 40, while only about 10% was above 50. Thus, the average Hindu male of that period would have been quite fortunate to cross 40. Given such a short average life span, one would expect men in the later decades of the 19th century 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 had never married, 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%. The proportion of widowers was also quite large, increasing from about 1% in the 15-19 age group to over 6% in the 30-39 age group. The proportion of married men peaked, at about 86%, in the 30-39 age group, fell slightly in the 40-49 class, and fell appreciably thereafter. Thus, at least 14 out of every 100 men were single in every age bracket. More than 20 out of every 100 men were in that state in all age groups outside the 30-49 class. A similar picture is revealed if we look at Calcutta in particular (see Table 3) as well as the 1891 (1893) Census. Over 12% of men were single in every age group in Calcutta. *Amritabazar Patrika* in 1889 reported large numbers of applications from men seeking widows for marriage, with Brahmins accounting for the highest proportion.⁷ Given the presence of a single male population of at least 14% in every age bracket, the argument that men in

⁶To put this number in perspective, note that a lucrative job in the bureaucracy paid Rs 100-150 per month in 1856 (*Tatwabodhini*).

⁷Among the Brahmins, who comprised 6% of the population, the sex ratio was 99.13, significantly below that for the population as a whole. The female to male ratio declined with age up to the 30-39 age group.

general could easily find lucrative VM matches in the late 19th century 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, unless widows provided exorbitant dowries. However, such men had to balance the costs of marrying a widow against those of staying single. In light of the traditional cultural and religious emphasis on marriage and fatherhood, as well the tangible old age economic benefits from having children (especially sons), it seems reasonable to assume that most men would have deemed the costs of staying single to be significant. Thus, it is not self-evident that even large costs of marrying widows would necessarily have made it rational for men to make prohibitive dowry demands, when the alternative to marrying a widow was likely to be no marriage at all.

In sum, the Census data appear difficult to reconcile with the view that, in general, parents of widows faced excessive dowry demands. Instead, the evidence suggests that, for some reason, parents were unwilling to remarry their widowed daughters despite dowry demands being moderate.

3 A Supply-side Perspective

Why would parents be unwilling to meet even moderate dowry demands, from prospective suitors, for their widowed daughters? It is certainly possible that some parents internalized conservative norms against remarriage, or faced significant costs from collective sanctions. However, 19th century newspapers and periodicals suggest that much of the initial public support for the Act came from parents of child widows. Thus, it seems reasonable to assume that a significant number of parents were initially willing, in principle, to contest conservative strictures against remarriage. Is there any reason to expect even such parents to subsequently exhibit a very low willingness to pay?

As mentioned earlier, the 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 polygyny (evidence of polygamy may be added here, see the response file) for a century after the passage of the 1856 Act. Since men who married widows did so under the Hindu Personal Code, they were left legally free to acquire multiple wives. Of course, even compulsory registration may have been difficult to enforce. Nevertheless, the Act did not provide even this minimal deterrent to polygyny.⁸ The law was thus open to abuse. Many men did

⁸The Young Bengal group, unlike Vidyasagar, did have the foresight to suggest a registration

indeed use WR as a way to polygyny, and subsequently deserted or ill-treated the widows they had married.

This immediately opens up an alternative, supply side explanation for the failure of the 1856 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 many polygamous men would be willing to marry the widow. Hence, the widow is quite likely to end up marrying a polygamous man, who will subsequently desert her or otherwise ill-treat her. Knowing this, widows or their parents might be reluctant to entertain marriage offers unless dowry rates were very low. Given the cost from consequent social sanctions, men would find it rational to stay single rather than marry widows at such low dowry rates. Widows (or their parents) would refuse to enter the remarriage market at prices that monogamous men would find acceptable, despite their willingness to pay such prices if, somehow, monogamous grooms could be guaranteed. 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.⁹ We now proceed to clarify this adverse selection aspect in terms of a formal model.

4 The Model

Consider a marriage market with 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 number of M grooms is $n \in \{1, 2, 3, \dots\}$, whereas that of P grooms is pn , $p > 0$. The number of widows is n , while the total number of brides is $(1+p)n$. Whether a bride is a widow is common knowledge, brides are otherwise identical; all grooms are observationally identical.

Parental return in case a daughter does not get married is 0. Parents put a monetary value of $X > 0$ on a daughter acquiring an M match in case of a WR, and a value of $X + \Delta$ on an M match in case of a VM, $\Delta \geq 0$. X is therefore their willingness (and ability) to pay for an M match when the daughter is a widow; parents may be willing to pay an additional amount (a 'VM premium') if the daughter is marrying for the first time. Parents receive L if a widowed daughter

clause in the remarriage law.

⁹Along the lines of Akerlof's (1970) seminal analysis.

acquires a P groom, $L < X$; they receive $L + \Delta$ from such a match in case of a VM. Thus, parents are willing to pay a positive price for an M groom (at most X and $X + \Delta$ for a WR and a VM, respectively). The price they are willing to pay for a P match is however lower (at most L and $L + \Delta$ for a WR and a VM, respectively), and may possibly be negative.¹⁰ Parents are risk-neutral expected utility maximizers. Let d^W , d^V denote, respectively, the dowry rates for WR and VM. Dowry rates are competitively determined.

Grooms' willingness (and ability) to pay for marriage per se is $r \geq 0$; r is thus their gross valuation of the gains from marriage. All grooms receive 0 if they remain single. In calculating the net return from marriage, grooms have to take into account dowry payments as well as the costs consequent on marrying widows. Thus, M grooms receive $[-s + d^W + r]$ if they marry a widow, where $(s - r) < X$. The variable s represents the monetary equivalent of 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; $s > 0$. Notice that we make no assumption regarding the sign of $(s - r)$. M grooms receive $d^V + r$ if they opt for VM. P grooms receive $[-s + t + d^W + r]$ if they marry a widow, where $0 < t < s$. By deserting the widow soon after marriage (or otherwise ill-treating her), P grooms can reduce their cost by some magnitude t .¹¹ P grooms receive $[d^V + r]$ if they opt for VM.

Since all grooms can ensure 0 by staying single, it is rational for any groom to strictly prefer VM to staying single if (and only if), $d^V > -r$. Our first main assumption is the following.

A1. $L > -(\Delta + r)$.

A1 implies that parents are willing to pay more than $-r$ for a P groom in case of a first marriage.

¹⁰Traditional 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. Internalization of this culturally sanctioned asymmetry implies a strictly positive 'VM premium' in our model. Note that $\Delta \geq 0$: we merely permit this possibility, we do not assume it.

¹¹M grooms cannot engage in polygyny and thereby reduce their 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. On this count, they are similar to P grooms. However, unlike M grooms, P grooms have no moral scruples against engaging in polygyny. We are assuming that P grooms can engage in multiple marriages only sequentially, not simultaneously, and conducting a static analysis, so that even P grooms can marry only once in our model. Explicitly modeling polygyny complicates the exposition without adding much insight.

Suppose now that, in a competitive equilibrium, $[d^V + r] < 0$. Then it is irrational for any groom to accept VM. However, in that case, since $d^V < -r$, and since, by A1, parents are willing to pay more than $-r$ for either type of groom in case of a VM, there must be excess demand for grooms in the VM segment, forcing up d^V . Hence, A1 implies that, with competitive determination of dowry rates, $[d^V + r] < 0$ cannot be sustained as an equilibrium outcome. Notice now that, since $(s - t) > 0$ by assumption, it is irrational for any groom to marry a widow in equilibrium if $d^W \leq d^V$. Thus, for remarriages to occur in a competitive equilibrium, it is necessary that parents pay a premium of at least $(s - t)$ over the VM dowry rate for remarriages. Summarizing, we have the following.

Lemma 1. Given A1,

(i) in any competitive marriage market equilibrium, $[d^V \geq -r]$,

and

(ii) in any competitive marriage market equilibrium with remarriage, $[d^W \geq (s - t) + d^V]$.

Since the Hindu Personal Code did not allow divorce, and maintenance or restitution payments were difficult to enforce in case of polygyny or desertion, L was likely to be low. Furthermore, given 19th century social mores, the proportion of P grooms was likely to be large as well. We formalize these observations in terms of the assumption A2 below.

A2. (i) $(-r - \Delta) < L < (s - t - r)$, and (ii) $\frac{(X+pL)}{1+p} < (s - r)$.

The first inequality in A2(i) is simply a restatement of A1, made for convenience of exposition. Since $\Delta \geq 0$, $(s - t) \geq 0$, the interval $((-r - \Delta), (s - t - r))$ must be well defined. A2(i) is simply the assumption that parents' valuation of a P groom in case of remarriage falls in this interval. Though $[X > (s - r)]$ by assumption, given any $L < (s - t - r)$, and given any $(s - r)$, A2(ii) must necessarily hold for sufficiently large values of p.

Proposition 1. Given A2,

(i) there does not exist any competitive marriage market equilibrium at which a widow would be remarried;

(ii) in any competitive marriage market equilibrium, $[d^V = -r \leq 0]$,

and

(iii) all virgin brides must get married in any competitive marriage market equilibrium.

Proof:

(i) If $(d^W - d^V) < s - t$ then no groom would be available. For $s - t \leq d^W - d^V < s$, only P grooms would accept widows, thus, parents' expected return would be L . Hence, parents would not be willing to remarry widows unless $d^W \leq L$, i.e., only if $d^W < \frac{X+pL}{(1+p)}$. Now consider $s \leq (d^W - d^V)$. Both types of grooms would now be willing to accept widows. Parents' expected gain is: $G = \frac{X+pL}{(1+p)} - d^W$. Hence, $G \geq 0$ only if $d^W \leq \frac{X+pL}{(1+p)}$. Summarizing, then, for remarriages to occur in a competitive marriage market equilibrium, it is necessary that $[\frac{X+pL}{(1+p)} \geq d^W \geq d^V + (s - t)]$. Now, if $[d^V + s > d^W \geq [(s - t) + d^V]]$, only P grooms would be willing to marry widows. In that case, parental return would be $L < (s - t - r) \leq (s - t + d^V)$ (by A2(i) and Lemma 1(i)). Hence $[d^V + s > d^W \geq [(s - t) + d^V]]$ cannot hold in any equilibrium with remarriage. Thus, for remarriages to occur in a competitive marriage market equilibrium, it is necessary that $[\frac{X+pL}{(1+p)} \geq d^W \geq d^V + s]$; which, by Lemma 1(i), implies $[\frac{X+pL}{(1+p)} \geq s - r]$. This violates A2(ii).

(ii) It follows from Proposition 1(i) that, in any competitive equilibrium, some men must remain single; thus, $d^V \leq -r$. Proposition 1(ii) follows from Lemma 1(i).

(iii) Proposition 1(iii) follows immediately from Proposition 1(ii) and A2(i). ■

The intuition behind Proposition 1 is simple. Given the additional costs of marrying a widow, grooms would find such marriages rational only if the dowry rate for remarriages is sufficiently higher than that for first marriages. If this were indeed the case, some grooms would prefer to marry widows. However, the proportion of polygamous grooms in this class would be significant. Consequently, on average, remarriage as such would not make the parents of widows much better off, possibly even worse off. No parent would therefore consent to remarriage unless the dowry rate is relatively low, possibly even negative (a 'bride price'). This compensatory payment would however be deemed inadequate by the groom, who would find it rational to stay single or opt for VM. Hence, no remarriage would take place. In equilibrium, the dowry rate for VM would settle at a level low enough ($-r \leq 0$) to make men indifferent between staying single and opting for VM; a total of n grooms must opt out of marriage altogether. At such a low VM dowry rate, parents would be strictly better off by accepting VM offers, regardless of the type of groom (recall A1). Hence, in equilibrium, all virgin brides would achieve a first marriage. The dowry rate for WR would settle at some level where neither parents of widows, nor grooms, would be better off from WR. It is easy to see that this would indeed be the case for every $d^W \in [L, (s - t) - r]$. Any such dowry rate for WR can be sustained in equilibrium.

Notice that asymmetric information per se does not preclude marriage: all

virgin brides do get married in equilibrium. It is evident from A2(i) that adverse selection turns out to militate against remarriage only because the remarriage cost ($s - t$) is positive. Notice further that A2 (and thus, Proposition 1) may hold even if $(s - t)$ is arbitrarily close to zero, and Δ is exactly zero. Thus, absence of remarriage need neither presuppose large remarriage costs, nor a positive VM premium. Indeed, it is evident from A2(i) that even costless remarriage is compatible with the absence of remarriage, provided the VM premium is strictly positive. Thus, so long as at least one of our two key variables, the remarriage cost and the VM premium, is strictly positive, and both are non-negative, parametric configurations that satisfy A2, and thereby entail Proposition 1, will necessarily exist.

In our framework, the traditional, demand-side argument discussed in section 2 would translate into the assumption that VM dowry rates were high enough to make the opportunity cost of marrying a widow for M grooms greater than parental willingness to pay, i.e., to make [$d^V > X - s$]. The demographic evidence regarding the existence of large numbers of single men discussed in section 2 would however intuitively lead us to expect d^V to be low, perhaps even negative. This is exactly what is suggested by our formal analysis (recall Proposition 1(ii)).¹²

Notice now that: (i) by assumption, the M groom population is of the same size as the widow population, and, (ii) in competitive equilibrium, parents' willingness to pay in order to marry off a widowed daughter (X) is greater than an M groom's willingness to accept ($(s - r)$, by Proposition 1(ii)). Thus, despite positive costs of remarriage, there clearly remains scope for efficiency improving transactions. The marriage market however fails to implement such efficiency augmenting contracts due to the adverse selection problem generated by virtue of groom types being private information. If instead groom types were common knowledge, and parents were willing to pay at least a premium s (the groom's cost of remarriage) over the VM dowry rate (i.e., if [$(X - s - d_M^V) > 0$]), all widows would be matched with M grooms in a competitive equilibrium. To see this more clearly, first suppose a P groom is matched with a widow. For a P match to be incentive compatible for W parents, $d_P^W \leq L$. For a W match to be incentive compatible for a P groom, $d_P^W \geq (s - t) - r$. Hence, consistency entails $L \geq (s - t - r)$, which

¹²How does one then explain the (often hysterical) anecdotes about allegedly astronomical dowry rates in late 19th century 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. 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.

violates A2(i). Thus, all P grooms must either be single or acquire V matches in a competitive equilibrium. Now suppose some M grooms do *not* acquire a W match in equilibrium. Then, for this to be simultaneously incentive compatible for W parents as well as M grooms, we must have: $X \leq d_M^W \leq d_M^V + s$, i.e., $(X - s - d_M^V) \leq 0$. It follows that all M grooms must be matched with W brides in a competitive equilibrium when $(X - s - d_M^V) > 0$; hence all widows must be remarried when $(X - s - d_M^V) > 0$, provided the M population is at least as large as the W population. As mentioned earlier, the traditional demand side argument may be translated as the claim that $(X - s - d_M^V) < 0$, so that no M groom acquires a W match. However, in that case, assuming $p < 1$, some M grooms must be single in a competitive equilibrium. Then competition among M grooms must drive down their VM dowry rate to the reservation rate $-r \leq 0$. It follows that, given $[X > (s - r)]$, if $p < 1$, all M grooms must necessarily marry widows in any competitive equilibrium when groom types are common knowledge. Thus, sans adverse selection, all widows would be remarried despite costs suffered by grooms (provided, of course, the M population is at least as large as the W population).

Proposition 1(ii) implies that, in order to draw M grooms into the WR segment of the marriage market, the dowry rate for remarriages must be at least $(s - r)$. The maximum that parents of widows would be willing to pay in that case is however $\frac{X+pL}{(1+p)}$, which is less than this amount (A2(ii)). Evidently, if a third-party altruist commits to provide a subsidy of at least $[(s - r) - \frac{X+pL}{(1+p)}]$ to every groom who marries a widow, universal widow remarriage can be supported as a competitive equilibrium outcome.¹³ Third party altruists such as Vidyasagar and the Raja of Bardhaman did indeed try to subsidize grooms through cash awards and promises of employment. However, the funds available were insufficient to make a significant difference.

An interesting possibility arises when $\frac{X+pL}{(1+p)} < 0$. Parents now require a positive transfer, if they are to accept remarriage offers for their widowed daughters. Suppose that all grooms face a credit constraint, so that their ability to pay is 0, though their valuation of marriage per se, r , is positive. It is then easy to see that, in any competitive equilibrium, the VM dowry rate must be 0, and no remarriage would occur, even when $(s - r) < \frac{X+pL}{(1+p)}$. Evidence of high unemployment and large wealth inequality in our period (recall footnote 10) appears consistent with our conjecture that many grooms did indeed face a credit constraint that

¹³Had such remarriages taken place, a significant proportion of the widows would have subsequently suffered desertion. This did indeed happen with some of the marriages actually subsidized. Was remarriage nevertheless better for the widows themselves, ex ante (in the sense of offering higher expected utility)? The answer depends on the widows' own valuation of the gains from remarriage, which need not correspond to that of their parents.

drove their ability to pay significantly below their willingness. Thus, labor market conditions may have exacerbated the slackness in the remarriage market.

Compulsory registration of WR would have outlawed multiple marriage on part of the groom, and offered some legal protection against desertion or ill treatment of the bride. If effectively enforced, these provisions would have increased parents' expected return from remarrying their widowed daughters, and therefore their willingness to pay. Thus, our analysis supports the view that the absence of a compulsory registration clause in the Act of 1856 did probably contribute to its ineffectiveness.

The forfeiture clause in the 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 (so that, formally, s would fall). 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 may rise. Furthermore, P men who marry widows will be more likely to treat them well. Hence, in either case, for a given dowry payment, parents' expected utility from remarrying their widowed daughters may 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 may 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 Act remains unclear.

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 Brahma 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(ii) 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 predatory 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, though mitigated by a fair margin, the problem of young widows in India has not vanished.¹⁴ 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%. Furthermore, a large proportion of WRs are contracted with relatives of the late husband. 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, 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 higher 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. If the expected benefit is still low, 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 lower, making refusal more likely.

¹⁴Tables 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).

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 explanation appears to de-emphasize the possibility of a failure of the marriage market. However, demographic evidence from the 19th century 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 polygyny and the presence of a large proportion of predatory grooms, most parents found it rational not to entertain marriage proposals for their widowed daughters at dowry rates that grooms would have found acceptable. 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			
	% of total	Unmarried	Married	Widower	% of total	Unmarried	Married	Widow
0—9	26.31	2252762	12399	569	25.94	1990670	233460	11928
10—14	10.72	857197	63983	2130	8.57	149255	551910	37902
15—19	8.26	495073	209727	6506	8.45	14233	621027	93093
20—24	7.85	264626	397499	14236	8.77	6155	602867	147100
25—29	9.50	161419	627380	29128	9.71	4575	602800	229520
30—39	15.51	103309	1151346	81128	14.44	4666	704361	535793
40—49	10.47	31522	769462	101109	10.17	2136	306803	568222
50—59	6.07	12840	413487	96778	6.78	1153	115091	468130
60 >	5.25	9460	309996	133083	7.12	1123	49898	562483
	0.05	2032	1960	342	0.06	1539	1865	1496
All age	100.00	4190313	3957239	465009	100.00	2175525	3790082	2655667
Grand Total		8624022				8630098		
		17254120						

Source: Census of Bengal, 1881 (1883)

Table 2: Percentage Hindu in Civil Conditions (1881)

Age	Male			Female		
	Unmarried	Married	Widower	Unmarried	Married	Widow
0—9	99.43	0.55	0.03	89.03	10.44	0.53
10—14	92.84	6.93	0.23	20.20	74.68	5.13
15—19	69.60	29.48	0.91	1.95	85.26	12.78
20—24	39.12	58.77	2.10	0.81	79.73	19.45
25—29	19.74	76.70	3.56	0.55	72.03	27.43
30—39	7.73	86.19	6.07	0.37	56.58	43.04
40—49	3.49	85.30	11.21	0.24	34.98	64.78
50—59	2.45	79.04	18.50	0.20	19.69	80.11
60 >	2.09	68.50	29.41	0.18	8.13	91.68
All age	48.65	45.95	5.40	25.23	43.96	30.80

Source: Census of Bengal, 1881 (1883)

Table 3: Civil Condition and age for Hindus in Calcutta (1881), in percentage

Age	Male				Female			
	% of total	Unmarried	Married	Widower	% of total	Unmarried	Married	Widow
0—9	10.18	98.95	1.01	0.03	16.61	94.66	4.89	0.45
10—14	6.08	89.79	10.01	0.20	6.29	25.54	69.15	5.30
15—19	8.09	63.64	35.61	0.75	6.74	1.85	82.41	15.74
20—24	13.04	32.07	65.99	1.94	9.11	0.73	69.59	29.68
25—29	15.10	16.50	79.95	3.55	10.21	0.63	56.51	42.86
30—39	23.92	8.14	87.27	4.60	18.27	0.52	42.83	56.65
40—49	13.91	4.41	87.69	7.91	18.21	0.32	46.36	53.33
50—59	6.21	3.32	82.88	13.79	7.85	0.33	16.16	83.51
60 >	3.46	3.26	73.56	23.18	6.72	0.24	8.20	91.56
All age	100.00	30.25	65.08	4.67	100.00	18.70	37.88	43.41
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
	Widows 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]	100

Source: Derived from Census of India, 1981

Note: The corresponding figures for males are in brackets.

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

State	Widows as Percentage of Rural Female Population	Female/Male Ratio ^a	Proportion of Rural Widows Living in the State (%age)
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

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

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

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

Appendix A: 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. The estate which she took by succession to her husband was an estate 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 was separate and had simply a right to maintenance if he was a joint coparcener.

Under Hindu Law of both schools, only the chaste wife 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 B: The Hindu Widow's Remarriage Act (Act XV of 1856)

The preamble and sections 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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