
Cultural Trauma and Welfare for War Widows in India

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Summary

This article explores “connected” and “extended” cultural traumas in order to identify certain issues which dominated pensions of the war widows throughout twentieth century India. Nearly two million Indian men were recruited into the British army during the two World Wars. Despite the fact that notions of race and physical fitness of the Indian men in the war dominated this colonial relationship, about 22,000 Indian widows were receiving a pension by the end of the Second World War. At one level, it was the articulation of the shared cultural trauma by the Indian and British war widows which led the colonial state to adopt a special sense of duty to look after the welfare of the war widows and soldiers’ dependents in India. As opposed to their Western counterparts, Indian widows in general face a wider set of challenges over the years after the husband’s death. The Indian widow was initiated into an extended cultural trauma structured by intersectionality, i.e. religion, customary laws, caste and, most importantly, the question of remarriage. In present day India, widows/dependents of the World Wars are not treated on par with widows/dependents of the soldiers/officers who died fighting the wars in 1962, 1965, 1971 and 1999 with China and Pakistan respectively. This is based on the state-driven parameters of nationhood – that the former are the Empire’s widows and the latter are widows of the Nation. This paper gives several examples of court cases filed by the widows themselves to show evidence of their trauma.

Keywords: Cultural Trauma, War Widows, British Empire, Indian Nation, Remarriage

Introduction

After the two World Wars, the German-Jewish-Marxist philosopher, Theodor W. Adorno wrote that “to write poetry after Auschwitz is barbaric” (Adorno, 1987: 34). The traumatic fact of Nazism challenged the manner in which science dealt

with human memories, particularly those which remained disturbed and unresolved. It was not until the 1990s that trauma was re-examined as an “unusual memory registration”, where *aphoria* or unresolvable paradox was turned on (Caruth, 1996).

In this article I locate the question of war widows in India within the paradigm of cultural trauma studies. War widows have been differentiated in the Indian society from other widows in the sense that a war widow’s husband sacrificed himself for the state/nation and that earns him glory and martyrdom. I will argue that Indian war widows go through three traumatic and emotionally intense levels of experience:

- one is the intense grief at a very personal loss;
- the other is the heightened sense of pride and honour (mostly generated through the images of commemorations and award ceremonies);
- the third is the cultural trauma of everyday life (this includes the struggle with the state pension wings for ensuring timely pension and tension within the household over the share of property and remarriage).

Traumas can be triggered by loss of life and property due to natural disasters, rape, domestic violence, terminal illness or family deaths. Individual trauma gave way to understanding collective traumas after Post-Traumatic Stress Disorder (PTSD) was discovered by the American Psychiatric Association in the 1980s. The collective experience of the concentration camps, the Vietnam War or the Gulf War – all created a “pathological public sphere” (Seltzer, 1997).

This paper looks at the various dimensions of trauma of the war widows in India. Widowhood in India, more so in the rural context, is accompanied by a lowered status of the widow within the family. This includes absence from public life, avoiding colorful clothing and jewelry, and many times even being tonsured (Chakravarti, 1998; Chen, 2000; Atwal, 2016). In terms of numbers, the widows in India comprise 34 million and the overall proportion of widows to the total population of women in India is 6.9 per cent.¹ To begin with, the Indian constitution gives equal rights to men and women, and remarriage is legally permitted, but in practice the widow is governed by the rules of her community and caste. The urban widows exercise some degree of freedom in choosing their partners for remarriage; the rural widows’ remarriage usually takes place according to what is permitted by the widow’s caste. The in-laws usually marry her off to the younger brother of the

¹ *Census of India, 2001, Marital Status by Religion, Community and Sex, Table C3 in National Archives of India, New Delhi, Census of India, 2001. All India Socio Cultural Tables. Available at: <https://data.gov.in/catalog/marital-status-religious-community-and-sex-census-2001-india-and-states> [accessed on 11 December 2016].*

deceased as per the customary law (Chowdhry, 1994). This constituted a legitimate practice, recognized by the Anglo-Indian Courts. Major intervention took place in the lives of the Indian widows in the twentieth century when under British rule, Indian soldiers were recruited into the military, especially during the two World Wars. The enforced entry of India in the wars affected it negatively. Although not a major battlefield, India became a major supply base in the Second World War (Kamtekar, 2002). Two million Indian men joined the Indian Armed Forces and served in Africa, the Middle East, Burma and Europe. Most of them had been peasants, landless labourers or artisans from Punjab (presently an agriculturally rich state in the north west of India). Punjab had itself witnessed colonial violence during and after the First World War. Notoriously, in 1919 at least 379 people attending a peaceful demonstration were killed at Jallianwala Bagh in Amritsar when British troops opened fire without warning. "No event within living memory, probably, has made so deep and painful an impression on the mind of the public in this country as what has become known as the Amritsar Massacre" (Horniman, 1980: 1). The First World War also offered an opportunity to Indian revolutionaries of the Ghadar party, in North America and in India, to launch a nation-wide agitation for Home Rule (Mukherjee, 1989) and to attempt to secure military aid from Britain's enemy Germany. In India, Gandhi launched the "Non Cooperation Movement" to address the phenomenal political unrest, which arose throughout India after the Amritsar massacre.

Revolutionary violence broke out in Ireland within months of the end of the First World War. The war had postponed but had not solved the problem of how to reconcile the demands of the majority of Irish people for self-government with the refusal of a powerful minority to accept any change in their status as British subjects (Horne, 2013: 54-62). What followed in Ireland was a two year armed struggle, which only ended in July 1921. Six months later Britain agreed that most of the island of Ireland should become an independent dominion, but in the north six counties remained in the new province of Northern Ireland. This partition of the island has generated difficulties ever since. India won independence without a revolutionary transfer of power. The nationalist movement aimed at a protracted peaceful struggle to build a "national hegemony"/"state within a state" (Joshi, 1992: XV). It is within this paradigm that Indian political leaders carved out their agenda for freedom through constitutional methods which included passive resistance and imprisonment for upholding the truth (*satyagraha*). Most Indian nationalists supported Britain in both the First and the Second World Wars, as they believed that the British would reward Indians for their loyal service.

In terms of continuity of political discourses, the two World Wars form a distinct component of politico-historical capital of both European and post-colonial

nations. Recent wars in Europe have appropriated the memory of World Wars in several interesting ways. Nebojša Blanuša has looked at the present day Croatian body politic to show that there exists a significant relationship between recent political cleavages, expressed through conspiracy theories, and those dating from the Second World War (Blanuša, 2013). State ceremonies for commemoration and decoration of the veterans have also come to constitute a source for the regeneration of a collective past and demonstrate how both authoritarian and democratic societies with Eastern and Western cultural traditions have dealt with their violent histories (Wolfgang, 2014). Sokol (2015) shows that three main mutually exclusive ethno-national narratives developed during and after the war in Bosnia and Herzegovina (1992–1995) through one of the main instruments of memory politics and “containers of symbolism” (*ibid.*), i.e., monuments, which have been erected in the last twenty years. “Unlike in the other Yugoslav successor states, in post-conflict Bosnia and Herzegovina there is more than one nation-building project, with two being related to the ‘outside motherlands’, Serbia and Croatia, and one to the federal state in which Bosnians are in the majority” (*ibid.*: 105).

In Delhi, India Gate (originally known as All India War Memorial) was constructed during British rule to honour those Indian soldiers who sacrificed their lives during the First World War and other conflicts. All the names of the deceased soldiers are inscribed in a 42 meter high arch designed by Edwin Lutyens, the great architect of imperial memorialisation. A perpetual flame known as the Amar Jawan Jyoti (the flame of the immortal soldier) was added to commemorate the Indian dead of the 1971 Indo-Pakistan war. Notable by its absence is a comparable national memorial to the thousands of Indians who died in the Second World War, whereas historical displays in Delhi’s iconic Red Fort give disproportionate attention to the relatively small and ineffective Indian National Army established by Subhash Chandra Bose to fight alongside the Japanese to free India by force. In an interview in 2012, former Indian defence minister Jaswant Singh attributed this absence to the sheer ineffectiveness of central government, rather than to any political unwillingness to commemorate those who had successfully defended British India and defeated the Japanese (and the INA) in Assam, Nagaland and Burma in 1944-1945.²

While I explore the consequences of the World Wars for India’s war widows and soldiers, I am fully sensitive to the fact that in doing so, I should document the trauma on both sides of the Indo-Pakistan border. Unfortunately, the scope of this paper is limited to India due to several constraints, although I will briefly draw attention to the comparable story of pensions for widows of Irishmen who died fighting for independence between 1916 and 1921, many of whose records are now

² Jaswant Singh, interview with Professor Eunan O’Halpin, 15 December 2012, New Delhi. (Prof Eunan O’Halpin, Trinity College Dublin, kindly shared this interview with me).

available online. These cast considerable light on the attitude of the Irish state towards women, which was under the same colonial power. From 1923 the widows, and from 1953 onwards the adult sisters of dead rebels of 1916, could claim pensions as “dependants”, provided that they had not since married or remarried. Applicants frequently stressed not only the trauma of the loss of a loved one, but that of attempting to obtain support for themselves and their families. For instance, widow Christine Connolly wrote how, when the revolutionary movement split on the question of whether to accept the Anglo-Irish treaty of December 1921, “I instantly took the full brunt and risk of the consequences” in writing to the newspapers “on behalf of those women of Ireland who put patriotism first, to assert their adherence... to the Treaty”.³ Consequently, she said, she ceased to receive financial support from republican aid organizations controlled by opponents of the Treaty. The pensions records for the widows of Indian veterans, unfortunately, are not available to research, and so I have had to rely on court records and press reports for what follows.

This article relates to some aspects of the experience of the war widows’ cultural trauma during the colonial period (as India was merged with the Empire and its wars) and the post-colonial scenario where India fought the 1962, 1965, 1971 and 1999 wars with China and Pakistan respectively. It comprises two sections:

Section I on *Widows of the Empire: War and Connected Cultural Traumas* examines the conceptualization of the welfare of the Indian war widow by British war widows. This maternal imperialism was based on a shared pain, loss and grief. This trajectory of connectedness to the Empire also invoked a special sense of duty for the war widows as large numbers of Indian men were recruited in the British army during the two World Wars. For the Indian widow as such, being widowed initiated a trauma structured by intersectionality, i.e. religion, law, social hierarchies or state bureaucracies. Given India’s diversity, range of cultures and social systems, and widowhood practices, the widows could not unite for a common agenda. For that reason we can claim that the Indian widows experienced a community-based cultural trauma. The upper caste and the lower caste widows differed in their experience as much as did Hindu, Muslim or Christian widows. War widows came to constitute a distinct category of pensioners. This became a main source of forming a discursive continuity of identity formation. Wives of the sepoys and officers suffered from the same insecurity or fear. The provision of pensions led the welfare of the Indian widows to be scaled at an international level. The main issue of whether pensions ought to be extended after the widow has remarried, was resolved in 1935, unlike in Ireland where upon remarriage widows forfeited their pension, although receiving a once-off final gratuity of 133% of their annual widow’s award.

³ <http://mspcsearch.militaryarchives.ie/brief.aspx> [accessed on 12 December 2016].

Section II on *The Pensioned Widow: Reclamation as an Extended Trauma* extends the notion of the event-based trauma to a wider set of challenges which the war widows face over the years after the husband's death. Based on the collective experience of trauma, War Widows Associations and Welfare Boards mushroomed across the country after independence. Nearly 22,000 Indian widows were receiving pensions by the end of the Second World War. The challenge for the war widows lay in battling the traditional structures which put a restraint on their independence as pensioners. This section will take up a selection of court cases filed by war widows for either reclamation of pensions or of land which had belonged to their deceased husbands. What defined the negotiating power of the war widow with the state was her strength of appeal to the state, glorifying the memory of how her dead husband had sacrificed himself for the nation. Widows linked themselves organically to this "glorious" victory each time they filed petitions. But, the Indian widows of the post-1947 wars with China and Pakistan came to be regarded as more deserving beneficiaries compared to widows of soldiers martyred during the World Wars. The World Wars were retrospectively subordinated as Britain's wars, whereas those of 1962, 1965 and 1971 were valorized as India's wars.

Section I

Widows of the Empire: War and Connected Cultural Traumas

The British quit India in 1947, after ruling for almost two hundred years. During colonial rule, recruitment of Indians into the colonial military service had direct implications on the status of Indian women. If an Indian soldier died while on duty away from home, the family was entitled to a special pension/compensation from the colonial government. The struggle for pension (at par with the British widows) was a long drawn-out process and went through various stages. This section explores how the shared or collective trauma of the British and Indian war widows became a discursive site regarding the need for reforms and welfare schemes. This collective trauma was articulated primarily through petitions, pamphlets and articles. The British widows' support for the grant of pensions (under restricted conditions) to the Indian war widows can be seen within the framework of what has been termed in the colonial/gender history as maternal imperialism. Ramusack argues that while some label the Western women who worked for Indian women as cultural imperialists, the term "maternal imperialists" seems more accurate. Through this trajectory the "child-like" Indians were to be prepared for self-government in the future (Ramusack, 1992). We might, however, also note that by 1945 some British women's bodies had moved on from "maternal imperialism" in that they asserted that India was already fully entitled to independence: the British Indian Women's Association issued a petition signed by one hundred prominent British women stating that in-

formation from the All India's Women's Conference "serves to show how intensely the Indian women feel about the present position", and calling for the release of leading Indian politicians so that "consultation can take place between leaders of Indian opinion in their effort to find a solution of the political deadlock" (British Library, 1945).

While the sympathetic discourses successfully secured pension for the Indian war widows by the end of the Second World War, the new challenge of dealing with courts and the legal system emerged. Court cases were filed by war widows to reclaim pensions and property from the colonial state and thereafter the Indian state. Once granted, the pension could be revoked by the state at any given point in time. Legally the most contentious issue for the war widow was remarriage. This became a prime source of reproducing cultural trauma as the courtroom and petitions demanded the narration of how the husband had died in the war. The widow had to produce certain documents as a testimonial to the husband's death. Her case for continuation or reclamation of pensions had to be supported by evidence that she was unable to maintain herself. The commemoration ceremonies for the martyred soldiers also entailed the public replay of memory, which constituted a cultural trauma for the widow. While the security of the pension made the widow independent of the traditional sources of support from the in-law family, it made her victim of a new structure.

In 1919, a British war widow, Eva Mary Bell, began a campaign to enhance the pensions of the Indian war widows. Her pamphlet on *Purdah Wives of Indian Soldiers* written in 1920 (British Library, 1919a) is a vivid account of her own meetings with the Indian war widows and their families. Bell had first arrived in India in 1907 to accompany her husband G. H. Bell, who was posted at the 27th Punjabi as a Lt Colonel.

By the end of the First World War, Indian war widows were recipients of a pension amounting to a meagre sum of 4 annas a month. On this pension, argued Bell, an Indian widow had to support her old widowed mother-in-law, as well as her own children. Amongst many castes (mostly higher) the women were not permitted to go out to work and neither were they allowed to remarry. This meant that no additional support beyond 4 annas (one sixteenth part of a rupee, demonetised in 1957) was available for a large family of the deceased soldier. There was no additional old age pension to maintain the old widowed mother of the deceased. Bell was on a tour as the widow of a British officer of the Indian Army for two months – November and December 1918 – among the widows, bereaved mothers, and wives of the Indian officers and sepoy in the Rawalpindi and Lahore Divisions. On completion of her tour she had represented some facts to the Chairman of the Imperial Indian Relief Fund and ultimately money was sent to both Divisions. Bell pointed out that vil-

lage charity had gone down over the years due to high prices during the war, and continued:

I think I am the only woman who has seen and talked with the women pensioners (widows and mothers) of the Indian army in Punjab and I think I learnt more than any man could do about them and what they really felt and needed (*ibid.*: 4).

Bell mentions that she met some purdah widows who held insufficient land holdings to support themselves, whose husbands had somehow died on military service without securing any pension for them. In England, such women could have worked, remarried or looked to the Poor Law relief, but in India these widows were entirely dependent on the charity of their household and village (British Library, 1919b):

It is within our power to show Indian officers' wives a clearly defined social courtesy, and the prestige they might acquire from it would be a much valued asset; why withhold it? The wives, widows, and mothers of all Indian ranks are like wireless installations receiving and conveying their hopes, fears, loyalties, discontents far and wide in their scattered villages and homes; and we are not at present in a position to inspire or read the message they send forth. There is force in the argument that an unsuitable type of Englishwoman would do harm if in touch with purdah women of military families; but our average standard is high and in the long run it is the average standard that would make the deepest impression.

To maintain that because of certain real difficulties in our path Indian soldiers' wives (and old mothers) must be left – come war, come peace, come pestilence or famine – to their own resources, their own groping initiative, must be content with their small pensions for their great sacrifices, must take the virtues of the British government and sahib–log for granted and be willing to know no more of us than, the “glory and nothing of a Name”, is surely to maintain that such women are less exacting and more grateful than any other class of women within our ken, and is to assume and assert that all is well and will continue to be well. Consider for a moment the position of a purdah widow – a Brahman woman who may neither re marry nor work for hire; does a pension cover all her needs? (British Library, 1919a: 5).

Another example from the same source is a Jat Sikh⁴ home, where the head of the family had been a Subahdar Major of a Sikh regiment for many years. He had been to England for the coronation of King George and treasured in his house many letters from his British officers. When the war broke out in 1914 he was reemployed. He had a daughter and two sons, the elder of whom had been captured by the Turks in Palestine. During the war this son was classified as “missing”. This eld-

⁴ Primarily an agricultural caste in North India.

est son had been educated at Khalsa College, but the second son, who was aged 14, did not attend the village school. Mrs Bell had visited this family in 1918 to procure details of the “missing” son. She described how the Subahdar Major did not speak about the “missing” son. But when Bell met the son’s wife,

she made a brave show of gaiety in her best clothes and ornaments, smiling, excited, beautifully mannered... but before I left a quivering little hand took mine and palpitating anxiety spoke in her hushed voice as she asked me whether I thought her husband was alive. I reassured her and praised her courage and she responded very gratefully (*ibid.*: 6).

On being asked why the surviving 14-year-old son was not attending school the Major replied in terms which acknowledged the particular trauma felt by mothers of lost sons:

I am away in order to get recruits for the war, he does not obey his mother... if I take him away from home and send him as a boarder his mother will weep. If I leave him with her she does not think every hour of my son who is missing. It is war... but the presence knows it is hard for the mother (*ibid.*).

Finally, the young soldier was found, but on his return he died of influenza. His widow was not entitled to any pension, and was childless. As per the tradition, she could only marry the younger brother of her deceased husband, i.e., the 14-year-old boy. The old Subahdar had a pension, but after his death, his old wife would not be entitled to anything. Bell regarded this as a

very simple account of the relation in which one military family stood to the War and in what sense could that girl have been told to be “used to suspense” or “used” to shock of bad news which took all hope from her? It may be asked in what sense are we English women necessary to her? A letter of sympathy from the women of his regiment would have meant much to her (*ibid.*: 5).

Bell suggested that official letters written to the widow at regular intervals through her long widowhood could give her a certain prestige in her family and village and would be a faithful recognition of her husband’s service.

Where soldiers returned home physically or psychologically disabled, the women had to live with a permanent reminder of the trauma of war. Pensions were a strong bond, but an unadaptable relationship. The whole organization of pension and civil Government was male and distant. It was perforce rigid with regulations. There was also a feeling that any scheme which organized an “entente” between British officers’ wives and those of Indian purdah women which so vitally touched the lives of Indian soldiers, might lead to undesirable “interference” by British women in other spheres of colonial administration.

Crucial patterns of Western and Indian women's relationship had emerged as early as the 19th century. Tim Allender has demonstrated how new geographies of female medical care outreach emerged. Roman Catholic teaching orders, whose activism was sponsored by piety, sought out other female colonial peripheries, some of which the state was then forced to accommodate (Allender, 2016). However, gender was a central consideration: on no account were British women to minister to Indian adult males. During the First World War, almost seven hundred British female doctors in India petitioned to be allowed to undertake hospital duties, arguing that this would free male doctors for the army. The authorities were wary, ruling that "in civil male hospitals they should not be employed. To so employ them would be detrimental to the prestige of the European female in India", but "a carefully selected few" might take care of "European troops – in a subordinate capacity and never in command" (British Library, 1917).

Traditional Widowhood Trauma: the Mindset against Property Holding⁵

Hindu widows experienced traumas depending on their class, caste and location. The legislative debate over the rights of the Hindu widow to the deceased husband's property is central to understanding the inability of war widows to secure an adequate pension in respect of their dead husbands. A pension was allocated to the widow, but most were unable to obtain any support from the joint Hindu family property. The term "Hindu" legally included any person who is a Buddhist, Jain or Sikh by religion.

By the early twentieth century the arbitrary nature of the Hindu system of widows' maintenance was addressed by a few men who sought legal redressal of the issue. The foremost reformers who elaborated on the destitute condition of the Hindu widow were Diwan Bahadur Harbilas Sharda and D. V. Deshmukh (All India Women's Conference Papers, 1939). In the 1930s they proposed Bills in the Legislative Assembly to ordain the widows' rightful share in the property of their deceased husbands. The difficulties of the Hindu widow were also a consequence of ambiguity of colonial law. The Hindu Widow's Remarriage Act of 1856 had in fact made it mandatory for the Hindu widow to forfeit on remarriage any right to property or maintenance belonging to the deceased husband (both self-acquired and joint). This Act was used later by many Hindu families to deny the widow such rights on remarriage even when the customary laws had permitted her to retain possession. The Act was also invoked to debar the widow from maintenance in the instances where she had turned "unchaste". This legal ambiguity continued in the case of the

⁵ This section draws from a chapter of my doctoral work on Hindu widows. The thesis is available at http://shodhganga.inflibnet.ac.in/bitstream/10603/121651/8/08_chapter%204.pdf (a government reservoir of Indian theses).

remarried widow, but the single widow (who did not remarry) received some limited “rights” of maintenance and property in conformity with the Hindu Women’s Rights to Property Act 1937. The second round of expansion of such “rights” took place after independence with the passage of the twin Acts: the Hindu Succession Act and the Hindu Marriage Act in 1956 (Agarwal, 1994; Kapur and Cossman, 1996).

The legal language to articulate the “rights” of the Hindu widows in particular and Hindu women in general, evolved in India under several political and societal pressures. Women’s groups and individual male reformers had to frame and defend the notion of the women’s “rights” for almost thirty years (from 1928 to 1956), within and outside the Legislative Assembly. The Acts of 1937 and 1956 were all India Acts and were based on discussions and debates at the provincial levels.

In most of the cases involving a Hindu widow’s maintenance or inheritance the court took into account the economic condition of the deceased husband’s family; the responsibilities of marrying off girls and other duties of the husband’s heirs. This was however highly arbitrary and left the widow at the mercy of the relatives of the husband. The courts rarely punished relatives for defaulting to give monthly allowance to the widow and, sooner or later, the widow was reduced to a death-like existence.

There was a general feeling amongst a group of Hindu lawyers that courts were quite fair towards the widow and the cases should be decided arbitrarily. They were convinced that fixing an amount or share of maintenance for the widow would be against the existing Hindu law which they thought was benevolent. A law member, Sir Bepin Behary Bose, who was addressing the Assembly when the Hindu Widows Right to Maintenance Bill of 1933 in the legislature was introduced, had begun on a pessimistic note. He stated that the orthodox members of the Hindu community’s complaints against, and even curses on, the proposed legislation, were “loud and deep”. The Hindus complained about the fact that the Assembly consisted mainly of non-Hindus and people who the orthodox maintained were Hindus in name only. He spoke about how some members of the Hindu community had written to him saying that the Assembly was mounting a “nibbling process” against Hindu law and in time would swallow it altogether. He clarified that he himself did not belong to the orthodox section of the Hindus, but he “had not cut the cables and drifted apart from the moorings... he also shared the proverbial conservatism of a lawyer” (Legislative Assembly Debates, 1933).

In response, the view of the orthodox Hindu group called *Bharat Dharma Mahamandal* was the sharpest. This Hindu group viewed the HWRM Bill as another attempt to attack the principles of Hindu law as enjoined by the Holy Shastras and to cut the root of the socio-religious order – *Varnashrama* or the Hindu social order.

To the Mahamandal, the Hindu Law of maintenance had been paramount. Manu, the Hindu sage had laid down that the wife must be maintained at every cost. Not to speak of the wife, the entire category of relations, who are entitled to maintenance: father, mother, sons, sister, etc. Not only does the law lay this injunction, but it definitely enjoins the highest penalty for its breach. A breach of this principle is to be punished by the King. The *Varnashrami* Hindus, the entire community which this society represents claims that the Government or the political organisation of the country should not interfere with anything affecting religion, socio-religious order, observances and sacraments of the community or sub-community of the country:

Since more than a quarter of a century we are approaching the Imperial Government with regular prayer submitting that India is the "land of religions" and that the religions and religious sacraments of the inhabitants of India may not be interfered with even indirectly under any circumstances and that the previous Imperial proclamations regarding the observance of religious neutrality and non-interference with religion may be observed with strict code of honour befitting a wise powerful Empire building nation (Proceedings of the Government of the United Provinces in the Judicial (Civil) Department, 1935).

To many others as well, the attitude of the community appeared to be against the introduction of the provision of this Bill in Hindu law. Another Commissioner of Partapgarh was of the opinion that there was no fixed rule as to the amount of maintenance to which widows were entitled but in each case the court, having regard to the status of the family, requirements of the widow and the number of other members of the family who were to be supported from the income of the family property, fixed the amount of the maintenance which became a charge on the family property. He thought that the present law was working smoothly and believed there had been no complaints of hardships to the widows on account of the absence of any legislative enactment fixing the amount of maintenance. He argued that the amount of maintenance proposed by the Bill was unreasonable. The Bill took away from the husband the power of will which was opposed to Hindu law. This was tantamount to encroachment upon Hindu law and he feared that the position of the husband could be reduced to that of a Hindu widow.

The widows of soldiers stood out as they were able to negotiate their status within the household. Although they were not dependent on the Indian reformers or the colonial legislature, a pension was an asset to a family and a widow was the means to perpetuate that. In this context the question of remarriage resurfaced around the 1930s. In 1935 a landmark decision was made regarding the continuance of family pension to widows of Indian soldiers after remarriage (Army Department, 1935). It was recommended that the pension of a widow should not be forfeited when she remarried the brother of her deceased husband. This was made

conditional upon the fact that she should continue to live a communal life with the other eligible heirs. The general basis of this extension of pension to remarried widows was that several communities/castes from which the soldiers were recruited, allowed such a remarriage as it constituted a customary practice. The widow would be able to keep the pension within the family of the deceased and fulfil the purpose of the pension – primarily to support the dependents.

Overall, it is significant to add that there is a lacunae of scholarship in India about war widows. Pioneering work came from Mohini Giri⁶ in terms of opening up educational, skill and training schemes for war widows, their kins and for other destitute women.⁷ Giri has argued against imposing a renunciatory/temptress imagination on widows – “she is neither a candidate for sainthood nor a temptress” (Giri and Khanna, 2002). She has been instrumental in carrying out institution-based support to needy widows (widowed at wartime or otherwise). The collective work of the War Widows Association is testimony to the fact that widowhood has a cultural memory, i.e., a memory of a shared cultural trauma. In the context of memory of slavery amongst Afro Americans, one of the pioneers in cultural trauma studies, Ron Eyerman, has argued that cultural trauma does not require direct experience of the members comprising the collective (Eyerman, 2004: 302). Similarly, Indian widows by their location within the culture and shared trauma form a collective (including war widows, disabled widows, destitute widows, widows of different castes and community). The socio-economic implication of the cultural trauma of widowhood has yet to be gauged in India.

Personal experiences are yet to find a place amongst the academic discourses of India. Erica Kuhlman has compared the ways in which German and American widows experienced their postwar status, and how that played into the cultures of mourning in their two nations: one defeated, the other victorious. Each nation used widows and war dead as symbols to either uphold their victory or disengage from their defeat, but this book, parsing both German and US primary sources, compares

⁶ Mohini Giri along with some members of the group met with Prime Minister, Mrs. Indira Gandhi, who agreed to allot space and give financial aid for the construction of “Shaheed Bhawan”. The War Widows Association then became a registered NGO under the Societies Registration Act in 1971-1972. The following mission became its mandate:

To ensure for widows of war and armed conflict their human rights to live a respectful life even after their loved ones are no more.

This involves a continuous struggle to provide economic and emotional support, guidance and assistance to war widows so that they can be comfortably rehabilitated in society.

WWA works for the welfare of the war affected families, guiding and advising family members to become economically independent.

⁷ I am extremely grateful to Damyanti Tambe, the General Secretary of the War Widows Association at New Delhi, for familiarising me with the work of the institution.

widows' lived experiences to public memory (Kuhlman, 2012). Lomas documented more than a thousand letters of war widows in the First and Second World Wars (Lomas, 1994).

Section II

The Pensioned Widow: Reclamation as an Extended Trauma

India was declared independent on 15 August 1947, as was the new predominantly Muslim state of Pakistan. A violent partition ensued, with millions of Hindus, Muslims, Sikhs and other faiths desperately fleeing from their homes and perhaps one million people dying in inter-communal fighting. Scholars have engaged with the traumatic experience of the separated families across the Indo-Pakistan border. The partition of India was one of the bloodiest events in world history. Women's groups after 1947 turned their attention to the refugee crisis. Most Indian scholarship has focused on the All India Women's Conference's work on refugee relief and the mental reconditioning of evacuee women, enabling their rehabilitation. Another phase of massive relief work and refugee settlement began after the 1962 war with China, and after the 1965 and 1971 wars with Pakistan. Scholars studying India's partition have begun to explore fictional work representing the melancholia of the partition victims (Mahajan, 2000; Prakash, 2008).

For Hindu widows in general, the 1956 Hindu Marriage Act had brought in some relief in terms of procuring a share in the deceased husband's property. But for the war widows the relief and maintenance was to be scaled differently, primarily outside the traditional legal domain of the family inheritances and maintenance shares. The war widow's relief came to be governed by whether or not the war defined nationhood. After the 1962, 1965 and 1971 wars, in addition to the pensions, the dependents of the deceased soldiers/officers were granted some land or cash as a compensation. When the descendants of those who served in the Second World War demanded similar compensation, they were often refused by the state governments. The position of the state was that the martyred soldier "who fought for the Crown for the British India in World War II, did not fight for the Republic of India in the wars of 1962, 1965 or 1971".

Prior to 1927, the grant and audit of pension payments was the responsibility of respective pension sections of various Controllers of Military Accounts. From 1 April 1927, the pension work relating to Northern and Eastern Commands became centralised in the office of the Controller of Military Pension Accounts, Northern and Eastern Commands at Lahore, the Controller of Navy Accounts, Bombay, the Controller of Air Force Accounts, Ambala and the Controller of Army Factory Accounts, Calcutta were retained as separate Pension Sanctioning Authorities with regard to their own establishment and also the establishment employed directly un-

der their Audit Control. The work relating to the grant and audit of pensions of the personnel of the Royal Indian Navy, governed by Civil Service Regulations, was transferred to the Controller of Military Accounts (Pensions), Lahore on 1 November 1938.

Due to the partition of the country in 1947, the office of the Controller of Military Accounts (Pensions), Lahore was also bifurcated and the pension work relating to Indian nationals was transferred to the office of the Controller of Military Accounts (Pensions), Allahabad in September 1947. The office was re-designated as CDA(P), Allahabad in 1951. The pension work relating to personnel of all the three wings of the new Indian armed forces and also the civilian employees serving in Defence establishments, was centralised at one place: Allahabad. This was done to secure uniformity in the application of rules and procedures regarding grants and audits of pensions. With a view to achieving promptness in settlement of pensionary entitlements of Naval and Air Force personnel the work relating to grant of their pension was transferred to CDA (Navy), Mumbai and C.D.A. (Air Force), New Delhi respectively from November 1985. In the 1990s, after undergoing a series of organizational changes, this office was upgraded as the office of the Chief Controller of Defence Accounts (pensions) and subsequently re-designated as the Principal Controller of Defence Accounts (Pensions), Allahabad.

The category of "Family Pension" is interesting as the family pension was not permitted to the second widow whom the deceased soldier had married during the lifetime of the first widow. Other categories of pension were the Ordinary family pension and the Special pension. The Ordinary family pension was payable to the widow and children of the officer who died while in service or after retirement with a retiring/disability/invalid/special pension on account of causes which are neither attributable to nor aggravated by service.

Pension Regulations for the Army, Part-I (2008) came into force with effect from 1 July 2008.⁸ The family has been understood as (i) Wife in the case of male service personnel or husband in the case of female service personnel lawfully married before or after retirement. (ii) A judicially separated wife or husband, such separation not being granted on the ground of adultery and the person surviving was not held guilty of committing adultery. (iii) Unmarried daughters/unmarried sons (including those legally adopted), widowed/divorced daughters. (iv) Parents who were wholly dependent on the service personnel when he was alive.

Special family pension on remarriage of widow was regulated as under: (i) If widow has child(ren) and (a) If she continues to support children after remarriage,

⁸ Pension Regulations for the Army, Defence Services Regulations, <http://cgda.nic.in/audit/Part-I.pdf> [accessed on 15 December 2016].

then she is qualified for the Full Special Family Pension; (b) If she does not support children after remarriage, then she is qualified for Ordinary Family Pension, equal to 30% of emoluments last drawn to the remarried widow and 50% of the special family pension goes to the eligible children. (ii) If widow has no child(ren), then she gets Full Special Family Pension.

Monetary allowance attached to gallantry decorations was to be paid to each recipient for bravery, irrespective of rank and income. The allowance was to be admissible to the recipient of the award and on his death to his widow lawfully married by a valid ceremony. The widow continued to receive the allowance until her remarriage or death. The payment of the allowance however continues to a widow who remarries to the late husband's brother and lives a communal life with the living heirs eligible for family pension. Ordinarily the widow who was first married shall receive the allowance, but with the special sanction of the Government the allowance may be divided equally between the lawful widows of recipients. Payments to all widows shall cease when the allowance to the first widow terminates.

Pension to First and Second World War Veterans

It is important to note that the amount of money which constituted the pension was often inadequate as the circumstances and responsibility of each widow varied. As mentioned earlier, the veterans of the two World Wars were treated differently than those veterans who fought in the wars of an independent India. The World War widows were told that they were not eligible for the awards of 10 acres of land which were allotted to those widows whose husbands died in the 1962, 1965 and 1971 wars. Secondly, they were told that there were no records available in respect of the heirs of soldiers who died in the Second World War. This impacted on Second World War widows who later filed for pensions – either for restoration or for initiation of pensions.

There is an interesting case of a child war widow who petitioned the High Court at Allahabad in north India.⁹ The petitioner claimed herself to be the widow of a Second World War soldier. For decades she received a “*Bal Vidhwa*” (child widow) pension, but in 2012 the Directorate of Sainik Welfare and Rehabilitation, UP, Lucknow decided to stop her pension on the ground that she was not in fact the widow of army signaller Late Kalu Ram. The petitioner argued that this order should be quashed because her case had been properly investigated when she initially applied. The widow also complained that her pension was stopped without any stated reason. After an inquiry indicated that historical voter lists supported the

⁹ Smt. Lokesh vs State Of U.P. & Others, WRIT – A No. – 18503 of 2012, <https://indiankanoon.org/doc/84177938/> [accessed on 1 December 2016].

widow's claims, the court concluded that the decision to withdraw the pension had been based on the unfounded complaints of villagers. It ordered the restoration of her pension as from the date upon which it had been stopped. The court also found that in view of the widow's age and circumstances, an additional inquiry would not serve the interests of justice.

Another relevant case arose in the Kerala High Court in 2011. An eighty-year-old war widow named A. Devoovia filed a case seeking a pension on the basis of her late husband's Second World War service. The issue was that she had been denied a pension because her husband had served less than ten years in the army. The respondents argued that, while soldiers with ten years or more of service, and those invalided in service, received pensions, the state had no obligation to the widows of those who had served less than ten years. The question had been examined by the Committee on problems of Ex-Servicemen (ESM) in 1993.¹⁰ The Committee acknowledged the pitiable financial condition of the Second World War veterans, but concluded it was not possible to grant pension rights to their dependants. Although the court issued a direction to the Ministry of Defence to make an interim payment of at least Rs. 3000 per month to each of the widows of Second World War veterans, it was argued that under the federal constitution *the Centre can only suggest and request* the states to enhance their ex-gratia payments in such cases.

Another war widow, Gurdev Kaur, seems to be a victim of bureaucratic indifference.¹¹ In 2006 the authorities attempted to dispossess her of 80 *kanals*¹² of evacuee land allotted to her on the ground that the area has now been declared a protected forest by the Government of Punjab. This was done although she had been registered as the lawful owner in 1992. The confusion arose as the land had been mistakenly recorded by the local clerk as Forest Department land. The court heard that in 1971, 26570 acres of *Banjar Qadeem* and *Gairmumkin land* (waste land) in the State of Punjab was transferred to the Forest Department by the Rehabilitation Department, but that in 1973 the Government of Punjab exempted 2350 acres of land for allotment to scheduled castes (low castes) and *Rai* Sikhs. The petitioner successfully argued that a war widow should be treated the same as scheduled castes or *Rai* Sikh. She had been allocated this land in recognition of the sacrifice

¹⁰ A case filed by a war widow, A Devoov, Kerala Ex-Servicemen Welfare... vs Union Of India, <https://indiankanoon.org/doc/196211033/> [accessed on 5 December 2016].

¹¹ Gurdev Kaur Vs State of Punjab 4th May 2009 (Petition of 2007), <https://indiankanoon.org/doc/134774495/> [accessed on 12 December 2016].

¹² Under British rule the *marla* and *kanal* were standardized so that the *kanal* equals exactly 605 square yards or 1/8 acre; this is equivalent to 505.857 square meters.

made by her husband for the nation, and should not receive lesser treatment than any other citizens eligible for allotment of such type of land:

this evacuee land was allotted to her on payment being a war widow. Is she now to be divested of this rightful and due allotment? Are we now to forget the sacrifice made by her husband?

She must have barely settled herself after the catastrophic loss she suffered. She can not be asked to undergo another avoidable sufferance. Law and equity both would seem to be combining here to protect the petitioner from the wrath of this notification. This notification has already been tempered and diluted by the State Government.

Thus, a strong case was made out for allowing the widow to retain her land, and it was so decided in May 2009. Certain cases of remarried widows became contentious, as the nature of remarriage was not permissible under Rule 98 of the Pension Regulations for Army 1961, Part-I, on the grant of Special Family Pension. The Rule reads as follows:¹³

Ordinary or Special Family Pension granted to the widow of a deceased officer shall be discontinued under the following circumstances:

- (a) If she proves unworthy of it; or
- (b) if she remarries.

Note: Condition in Clause (b) will not apply to widow in receipt of special family pension who remarries her deceased husband's real brother and continues to live a communal life with and/or contributes to the support of the other dependants of the deceased husband.

Sepoy, Deep Chand, was enrolled in the Kumaon Regiment of the Indian Army on 1 December 1961. He died on 18 November 1962 while fighting in the Indo-China War. The petitioner, who claims to be the widow of the deceased, had been paralyzed and immobilized for life. With no one to look after her and as a handicapped person and by the influence of the various family members, the petitioner got married again to Mahavir Prasad, cousin of her deceased husband, in 1968. The petitioner did not leave the ancestral house of her late husband, remaining there with his mother.

In 2002, the petitioner was informed by the authorities that she would no longer be entitled to a Special Family Pension because of a Government of India Order of 1 February 1972, which forbade the award of a Special Family Pension to a widow on remarriage to a person other than the real brother of the deceased.

¹³ Pension Regulations for the Army, Defence Services Regulations, <http://cgda.nic.in/audit/Part-I.pdf> [accessed on 15 December 2016].

Aggrieved by this, the petitioner issued legal proceedings. Her claim was that she had, in substance, not violated the spirit of Rule 98 in as much as the essence of the provision was that she should continue to live a communal life while supporting other dependants of her deceased soldier husband.

In a counter-affidavit, the respondents challenged the petitioner's claim: it reiterated that the law stipulated that upon marriage to anyone other than her late husband's full brother, a war widow lost entitlement to the Special Family Pension.

The High Court noted that there was no dispute about the fact that the petitioner had made a second marriage to a person not the real brother of her deceased husband: "Once that condition is not satisfied, the action of the respondents in denying Special Family Pension to the petitioner cannot be faulted with". The petitioner did continue to receive her ordinary pension.

Despite the evident difficulties for war widows illustrated by such cases, economists and policy-makers have been unable to frame policies for the employment of widows, nor has there been any study measuring war widows' contributions to the urban life or economy. By contrast, in the United States, Kleinberg explores the experience of Second World War widows in Massachusetts. There, employment was regarded as the solution to widows' poverty. This had caused a reduction in support for war widows' charities. She compares this development with circumstances in Pittsburgh, Pennsylvania, where few jobs were available for women or children – and where jobs for men were in "widow-making" industries such as steel and railroading. Philadelphia's citizens and charities were far more sympathetic to the difficulties experienced by Second World War widows (Kleinberg, 2006).

Conclusion

The *aporia* or the unusual memory registration with which we began needs recognition at the level of academic, feminist activism and policy-making in India. As we have noted by brief reference to Ireland and the United States, the cultural trauma experienced by Indian Hindu war widows was not unique, though it may have been amplified by the fact that they continued to reside with their late husband's family, making it harder to put the memory of their loss behind them. Nor were the economic problems encountered by twentieth century Indian war widows unique. Issues such as the social status of widows, the question of remarriage and its impact upon both the social standing of war widows and their eligibility to continue to receive pensions, and the jealousy within communities which receipt of a state pension may generate, are not particular to India. But the Indian case is distinctive in the following respects: firstly, in the valorization of the widows of men who died fighting for India after independence, as compared with those whose husbands were lost in "Britain's wars"; secondly, in the unique impact of Hindu custom upon the

circumstances of war widows: unlike comparable widows in Ireland, for example, they could retain their pension on remarriage, but only if they married a brother of their late husband; and thirdly, in the cultural assumption that a war widow's pension was perceived primarily as a benefit accruing to her late husband's family, rather than an award to her alone.

This paper has only outlined the complex problem of twentieth century Indian war widowhood. It is a subject crying out for systematic collaborative research by scholars of history, literature, sociology and social psychology.

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