

“Out of sheer love”¹? The Abolition of Widow-Burning in British India

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The 1829 abolition of the Indian practice of suttee,² in which widows would commit ritual suicide by mounting their husbands’ funeral pyre, was lauded by nineteenth century Britons as a humanitarian achievement of the first order. The British decision to abolish suttee, however, came only after a prolonged period of hesitation and debate, in which British colonial administrators oscillated between toleration and regulation of the practice. In this article, I will outline the process by which this “humanitarian achievement” was accomplished, examining the role various parties—including colonial officials, missionaries, and the home population—played in crystallizing British policy and opinion with respect to suttee.³ My main goals are to examine the function suttee came to serve in Indian society as well as gain insight into the role of external pressure, whether from missionary organizations or the British public at-large, in motivating the colonial administration’s decision to prohibit the custom.

Although some historians of humanitarianism have argued that civil society and public opinion were central in effecting social reform in British territories, this is by no

¹ Francisco Pelsaert, excerpt from *Jehangir’s India*, in *Sati: A Historical Anthology*, ed. Andrea Major (New Delhi: Oxford UP, 2007), 43. See p. 11 of this article for the full quote.

² I will employ the anglicized term *suttee* to refer to the general practice of widow-burning, and *sati*—which, in certain contexts in Sanskrit, means “ideal wife”—to refer to the widow who self-immolates.

³ This is not to say that such a thing as a monolithic “British opinion” on the subject ever existed; even if a majority view ultimately emerged, there was never a lack of dissenting voices.

means an incontestable formulation.⁴ It seems, in fact, that internal pressure from colonial officials was considerably more influential in bringing about the colonial administration's move from regulation to prohibition than missionary efforts and public opinion ever were. My central focus, then, is on the motivations of the British colonial administration in abolishing suttee. However, before I can embark on an account of the actions and policies of British officials in India, I must first discuss the specific characteristics widow-burning in India took on. Without having an understanding of suttee itself, we cannot hope to understand European attitudes towards it. And European opinions on the practice varied greatly, in particular during the early modern period: Although many commentators condemned the practice and called for its abolition, others admired it, albeit on its own cultural terms, and recommended non-interference.

Following into death is not unique to India. Various peoples, including the Scythians and Prussians in Europe, the Natchez people of the Lower Mississippi, sub-Saharan Africans, New Zealanders, and East Asians, have incorporated it into their cultures at various times. In some cases, following into death was abolished from within—for example, human beings were killed and buried in the graves of Chinese rulers until the second century BCE, at which point they were replaced with terracotta figures.⁵ In other cases, rule by foreigners played a role in effecting the custom's suppression—in Indonesia and sub-Saharan Africa, European rule brought practices of following into death to a rapid end. In India, however, following into

⁴ For cultural transformation in India during the first half of the nineteenth century, see, e.g., Claude Markovits (ed.), *A History of Modern India: 1480-1950*, trans. Nisha George and Maggy Hendry (London: Anthem Press, 2004), 330-43.

⁵ Armin Selbitschka, "Miniature Tomb Figurines and Models in Pre-Imperial and Early Imperial China: Origins, Development and Significance," *World Archaeology* 47, no. 1 (2015): 20-44.

death was maintained much longer than anywhere else in the world, and would prove difficult to quickly abolish; widow-burnings continued to occur in India even until the later twentieth century.

Jörg Fisch, in *Immolating Women*, provides a useful categorization of different kinds of following into death. By invoking it here, we gain insight into the nature of suttee, and the difficulties (imagined or real) inherent in British efforts at effecting its abolition. Fisch delineates two forms of following into death: the *institutional* and the *individual*.⁶ The institutional form of following into death is practiced after the death of a person of high status. In this form, persons commit ritual suicide or are murdered to provide a dead ruler with a large burial retinue. Such a retinue serves to emphasize and strengthen the politico-social position of the deceased. Since in its institutional form following into death emphasizes the power, and not the personal relationships, of the deceased, coercion is often used to procure the burial retinue. Whether the ruler's wife, for example, loved her husband or wants to accompany him in death is irrelevant to her fate—she dies because he is the ruler, and not because he is her husband. As a result, in the institutional form of following into death, only the powerful few are entitled to be accompanied in the grave by a human retinue. The exclusivist nature and use of coercion inherent in institutional following into death meant that such practices had uneven support from the population at-large, while also contributing to societal acceptance of social stratification.⁷ With that said, when the political authority of those who were entitled to a funerary

⁶ Jörg Fisch, *Immolating Women: A Global History of Widow-Burning from Ancient Times to the Present*, trans. Rekha Kamath Rajan (Frankfurt: Campus Verlag, 1998), 13.

⁷ Quentin Atkinson, Joseph Bulbulia, Russell Gray, Oliver Sheehan, and Joseph Watts, "Ritual Human Sacrifice Promoted and Sustained the Evolution of Stratified Societies," *Nature* 532, issue 7598 (April 2016): 228-31.

retinue was subverted or usurped, the practice of institutional following into death often died too—a good example of this is the almost immediate disappearance of the practice in the west African Kingdom of Dahomey after the establishment of French colonial rule.⁸

Individual following into death, unlike the institutional form, requires a close personal relationship between the deceased and his attendant. As a result, in the individual form, of which suttee is an example, the attendant often dies by committing suicide—i.e. dies voluntarily. Like the institutional form, which serves to reinforce hierarchies and emphasize the power of the dynastic clan of which the deceased is a part, the individual form also serves to propagate inequality. In the case of practices like suttee, however, the overarching function is not the maintenance of a specific political order, but instead the (symbolic and real) domination of the female gender by the male.⁹

Unlike instantiations of the institutional form, suttee became deeply entrenched in the society whence it originated, and efforts at abolishing it were met with resistance. This was despite the fact that most widow-burnings were far removed from the idealized picture that some supporters of the custom painted. Although the ideal called for the sati to be graceful, cheerful, and composed as she descended unto the funeral pyre and unflinchingly burnt to death, the reality was that widow-burnings were rarely, if ever, voluntary.

It is true that most satis expressed a wish to follow their husbands into death. Often, however, some form of coercion (whether direct or indirect) was used in order to ensure that the widow made good on her intentions. For example, satis were commonly tied to their deceased husbands or restrained upon the funeral pyre by large

⁸ Fisch, 14-15.

⁹ Fisch, 14-15.

pieces of wood placed on top of them. And even when such indirect restraints were absent, the spectators to the widow-burning formed a final line of defense. Even in cases where the widow was not physically restrained, this did not mean she was free to escape. Often, widows who left the pyre were pushed back into it again by spectators who wanted to see the ritual fulfilled. In a few exceptional cases, widows who ran away far enough to avoid a return to the flames were killed by other means. It is important to emphasize that direct coercion and murder were the exception, and not the norm. Indirect coercion, however—whether by means of ropes or logs—was indeed the norm, even though no Hindu text recommended it.¹⁰

The widow's original intention was seen as definitive, and attempts at escape were considered not as changes of heart, but moments of weakness. As a result, organizers of widow-burnings saw it as their responsibility to ensure that the sati met her death.¹¹ Given the extent to which coercion was used in the ritual of widow-burning, it is remarkable that the practice went largely unchallenged until the early nineteenth century.

Of course, to follow one's husband into death did offer the widow certain spiritual benefits. Indian society in the seventeenth and eighteenth centuries had deviated greatly from the Vedic ideal, in which women participated in public life, married relatively late (at approximately seventeen years of age), and were able not only to remarry after the death of their husbands, but also initiate divorce.¹²

In a later age, in an India where women were excluded from education and married young to markedly older spouses, and thus made almost completely dependent on their husbands and priests, it is easy to see how sati status—its great price notwithstanding—would have held

¹⁰ Fisch, 314.

¹¹ Fisch, 316-18.

¹² Fisch, 329-30.

an undeniable appeal for widows. For widows in early modern India could not remarry as they had in Vedic times. Instead, they were implicated in the untimely death of their husbands and impelled to live ascetic lives. As a sort of expiation for failing to satisfactorily take care of their husbands, widows were supposed to shave their heads, sleep on the ground, wear only the roughest of clothes, eat one meal a day, and have no social interaction. Their sexual death was also taken for granted.¹³

The alternative to such a miserable existence was self-immolation. The act of suttee allowed a widow to escape the privations of life after marriage, and go to her death in “a single violent display of self-annihilating devotion,” thus ensuring for herself eternal honor and respect.¹⁴ Given that the alternative was a life of isolation and contempt, it should not surprise us that some widows voluntarily chose to burn on their husbands’ pyre. By making such a choice, women could gain in death a status far superior to what was available to them in life. The sati, in many ways, transcended her spouse in spiritual prestige, even though it was on his behalf that she self-immolated.¹⁵ In the end, shrines and temples were erected in her memory, and not in his.¹⁶

¹³ Fisch, 333-34 ; Ian St. John, *India under the East India Company* (Santa Barbara, CA: Praeger, 2012), 139. “Indian reformers like Mohan Roy also condemned the practice [suttee] as a corruption of Hindu teaching, pointing to the *Laws of Manu*, where sati was not endorsed, it being instead prescribed that the Hindu widow should ‘emaciate her body by living voluntarily on pure flowers, roots, and fruits . . . Let her continue till death forgiving all injuries, performing harsh duties, avoiding every sensual pleasure, and cheerfully practicing the incomparable rules of virtue which have been followed by such women as were devoted to one only husband.’”

¹⁴ Major, introduction to *Sati: A Historical Anthology*, xxix.

¹⁵ Fisch, 338.

¹⁶ The last suttee to have occurred in India was that of Roopkuvarba Kanwar, in 1987. Kanwar’s shrine in Deorala, in the State of Rajasthan, continues to receive veneration to this day.

Whatever the spiritual honors widows received upon becoming *satis*, it must be remembered that in this life, *suttee* served as a mechanism by which husbands could retain control over their wives even after their own deaths. Even though widow-burning was seen for much of its history as a religious custom, it was most likely political and social phenomena which prompted its rise to prominence. In other words, widow-burning was made common not because of any evolution in Hindu religious belief or practice, but instead as a result of the same political and social forces (migration, conquest, social stratification, etc.) that caused Indian society to take on a deeply patriarchal character. The Vedic period, from which the oldest Hindu texts date, was ostensibly an era of relative equality between the sexes, in which widow-burning, if at all practiced, was restricted to the warrior caste. In the *Rig-Veda*, which encompasses the oldest Indian texts, the despairing widow is implored to remarry and embrace life. The relevant excerpt reads thus: "Rise up woman, thou art lying by one whose life is gone; come, come to the world of the living away from thy husband, and become the wife of him who grasps thy hand and is willing to marry thee . . ." ¹⁷

The drastic departure of Indian society from the Vedic ideal (at least with respect to relations between the sexes) can perhaps be attributed to the long effects of the Indo-Aryan migrations. The migrations of Indo-Aryan peoples into Northern India were accompanied by violent clashes with local inhabitants, who far outnumbered the entering groups. ¹⁸ Jörg Fisch argues that in such a scenario,

¹⁷ Excerpt from *Rig-Veda*, in *Sati: A Historical Anthology*, ed. Andrea Major (New Delhi: Oxford UP, 2007), 3.

¹⁸ For a thorough presentation of scholarly perspectives related to the Indo-Aryan migrations, see Edwin Bryant, *The Quest for the Origins of Vedic Culture: The Indo-Aryan Migration Debate* (Oxford: Oxford University Press, 2004).

differences among the conquerors—even between the sexes—would endanger their survival. However, as the conquerors consolidated power and increasingly married women from among the local inhabitants, equality between the sexes ceased to be valuable. The conquerors’ subjugation of the local population ensured a sufficient labor force, resulting in a decrease in women’s economic importance. Additionally, local women could not claim a position of equality with their conqueror husbands.¹⁹

In time, the religious and cultural practices of this population were modified to reflect its increasingly patriarchal character. Asceticism, central from the outset to Brahmin identity, was made mandatory for widows, and in this way repurposed to subordinate and control women. The same can be said for *suttee*, which quite possibly originated among the Kshatriyas as a female response to the archetypal death in battle of the male warrior.²⁰ In this case, too, the practice, originally honorific (as well as religious) in nature, was repurposed in order to buttress patriarchy. As an alternative to asceticism, *suttee* proved extremely attractive for dealing with widows. Tragically, motivating widows to end their lives was seen as the best way of ensuring their chastity.

For even the most severe strictures on widow’s behavior were no guarantee of fidelity—an ascetic widowhood, by increasing a woman’s vulnerability and dependence, might even pose a threat to her chastity: it is possible that the dependent widow could face sexual advances from male relatives, and, if not adequately supported, resort to prostitution in order to survive.²¹ The only way to guarantee continued control was to ensure that the widow was immolated with her husband, on his funeral pyre. Whatever their ultimate origin, the spiritual incentives

¹⁹ Fisch, 336.

²⁰ Fisch, 341.

²¹ Fisch, 335-36.

which motivated many widows to become satis came to function as a tradeoff meant to ensure social consensus, and make all-pervading patriarchy more palatable for women. The very structure of Indian society provided an additional safeguard against the erosion of consensus: A Brahmin woman would not unite with a Shudra woman to speak out against suttee, even if both were opposed to the practice. This system of “checks and balances” preventing direct challenges to suttee, although at first glance insubstantial, proved remarkably effective at keeping the practice largely uncontested until the nineteenth century and British rule.

Early Western observers were not unanimously ill-disposed towards widow-burning. Travelers like Duarte Barbosa and Ibn Battuta (and their contemporaries) treated it as a curious, if troubling, characteristic of an alien society, and recorded instances they witnessed in a matter-of-fact manner. Medieval and early modern accounts of suttee rarely include explicit value judgments on the custom. Ibn Battuta, for example, comments only in his account of a suttee that “the place looked like a spot in hell,” and that the widow’s gruesome act almost made him fall off his horse, “if my companions had not quickly brought water to me and laved my face.”²² Duarte Barbosa, writing in 1514, approaches suttee in a similar manner. Unlike Battuta, however, he does not provide remarks on his personal reaction, even though he also describes a gruesome instance of widow-burying, in which the widow is put “standing” into “a grave . . . a little deeper than she is tall,” covered with earth and stones, and left there “alive and covered with earth until she dies.”²³

²² Ibn Battuta, excerpt from *The Travels of Ibn Battuta*, in *Sati: A Historical Anthology*, ed. Andrea Major (New Delhi: Oxford UP, 2007), 22.

²³ Duarte Barbosa, excerpt from *A Description of the Coasts of East Africa and Malabar*, in *Sati: A Historical Anthology*, ed. Andrea Major (New Delhi: Oxford UP, 2007), 25.

Later European accounts, however, go beyond merely reporting suttee as an alien curiosity (akin to cannibals and people with horses' feet), and commonly include the author's opinion on the practice, as well as attempt to explain the widow's motivations for self-immolating. This shift in narrative approaches can be explained by a tightening relationship between Europe and the rest of the world. In the age of exploration and the early stages of European colonization, the world became a much smaller place. India, and the "Orient" more generally, was no longer a place only the brave and well-resourced few could reach. Contact with non-European peoples in remote lands became a possibility for most Europeans, and part of the job description for traders and government officials. Asia was still, in many ways, a mysterious place, but it no longer seemed all that remote. As a result, fictional accounts of cannibals and one-eyed monsters appeared less and less in travelers' accounts. Real curiosities like widow-burning moved to the fore. And as European contact with Eastern societies increased, so also did Europeans' belief that they understood the cultural practices they were witnessing. Thus, travelers' accounts began not only to include descriptions of widow-burnings, but also travelers' opinions on the practice.

The medieval framework of Christian morality saw the nature of woman as encapsulated in the Genesis story—i.e. like Eve, all women were seen as frail and sinful. Women's sexuality was seen as a threat, and, as a result, it was recommended that the widow retire to a convent or château, and live a chaste, quiet life. The European widow did not, of course, face the same isolation and contempt as did the Hindu widow: chastity and silence were, however, recommended for widows in both cultures.²⁴ Given these parallels, it is not surprising that some early modern

²⁴ Andrea Major, *Pious Flames: European Encounters with Sati* (New Delhi: Oxford UP, 2006), 48-51.

accounts of suttee paint the practice in an unabashedly positive light. The seventeenth century trader Francisco Pelsaert, for example, writes that a widow's desire to become a sati emerges from "as great a love as the women of our country bear to their husbands, for the deed [is] done not out of compulsion but out of sheer love."²⁵ A similar account of the sati's motivations was given by both the seventeenth century English traveler John Ovington and the playwright John Dryden, who writes, additionally, that while he "dares not vindicate" the practice, "so neither can . . . [he] wholly condemn it."²⁶ Dryden's view is reflective of the general European ambiguity toward widow-burning in the early modern period. Even though the unnecessary loss of life that suttee caused made the practice incompatible with Christian morality, its patriarchal undertones resonated in a Europe obsessed with female obedience and chastity. Although Europeans could not openly admire widow-burning, they were nonetheless drawn to it.

In the late eighteenth and early nineteenth century, European views on suttee became significantly less ambiguous. The subtle admiration Europeans expressed for the sati in earlier centuries was replaced with her portrayal as a wretched victim, manipulated into death by cruel priests. As Europeans became significantly more invested in Asian societies and governments, suttee—once seen as a custom of an alien society which Europeans could do nothing about—became a direct European concern. Accordingly, the discourse on widow-burning shifted away from the individual motivations of the widow, and to more abstract ideas about the religious and social bases for the practice itself—to matters relevant to formulating a course of action with respect to widow-burning. The scholar and

²⁵ Francisco Pelsaert, excerpt from *Jehangir's India*, in *Sati: A Historical Anthology*, ed. Andrea Major (New Delhi: Oxford UP, 2007), 43.

²⁶ Andrea Major, *Pious Flames*, 43-45.

filmmaker Lata Mani argues that in comparison to earlier European discourse on suttee, accounts from the nineteenth century are problematic for completely ignoring the question of the widow's subjecthood.²⁷ This is an unfortunate aspect of nineteenth-century European accounts of suttee, and might result from the fact that questions of the sati's courage and motivations were secondary to the issue of formulating a political and legal approach for dealing with widow-burning. Even if every woman in the Indian subcontinent had declared her support for the practice, this would not have swayed Britons from their conviction that suttee was cruel and morally wrong. Whether such an outpouring of support would have influenced the colonial government's approach to regulating widow-burning is, of course, another question altogether.

Another explanation for the consolidation of European opinion on suttee in the early nineteenth century might lie in the concurrent shift in European attitudes toward women. In Britain in particular, the rise of evangelicalism among a newly-formed middle class fostered an elevation in women's status. As the middle class moved from agricultural and artisanal production to commercial and industrial enterprise, there arose a uniquely middle class separation between work and home, between the public and private spheres.²⁸ Men worked outside the home, and were absent for most of the day, and women—due to the relative affluence for which middle class status allowed—could devote their time and energy to their homes and children. Needless to say, such a division was impossible for working class families, which often had to

²⁷ Lata Mani, *Contentious Traditions: The Debate on Sati in Colonial India* (Berkeley: University of California Press, 1998), 77.

²⁸ Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780-1850* (Chicago: The University of Chicago Press, 1987), 359.

rely on the labor of wives and children in order to survive.

The middle class separation between work and home also was a separation between male and female spheres. Evangelical theology, which called for a rejection of landed wealth as the source of honor and insisted on the primacy of the inner spirit, lent considerable prestige to the woman's role as godly wife and mother.²⁹ Although women were still considered dependent and vulnerable, their role as mothers, educators, and moral examples was seen as crucial for the spiritual well-being of society. In such a climate, more than ever, violence against women simply could not be tolerated. Coincidentally, the same era which saw the rise of the Evangelical movement also marked the East India Company's assumption of direct rule over parts of the Indian subcontinent.³⁰ Given such a coincidence, it is not surprising that widow-burning would garner such great attention, from colonial officials and the British public alike, in the early decades of the nineteenth century.

In the early stages of the British colonization of Southeast Asia, suttee was not considered as a matter which the British had a right to address. The East India Company was interested in economic extraction, and not social reform. Interference in indigenous custom could provoke unrest, and unrest would inevitably hamper trade. By the 1750s, however, the EIC had become much more than a mere trading body. The British gained control over Bengal, Bihar, and Orissa in 1757, and by the 1790s had taken the administration of these territories into their own hands. Indians were no longer a foreign people, but British subjects, just like Londoners and Edinburghers. Europeans could no longer turn a blind eye toward suttee. For how could people considered British subjects practice a religious ritual in which they burned their widows to death?

²⁹ Davidoff and Hall, *Family Fortunes*, 450.

³⁰ Ian St. John, *India under the East India Company* (Santa Barbara, CA: Praeger, 2012).

In an era of renewed religious fervor that brought elevated respect to society's godly wives and mothers, suttee was seen as pernicious, demonic, and intolerable.

Surprisingly, the East India Company's rigid policy of non-interference in indigenous religion did not erode enough to allow for action with respect to suttee for quite some time. Although by the end of the eighteenth century (when a good portion of the colonial government's administrative reforms were complete) it would have been possible to take measures against widow-burning, the British did nothing of the sort. British administrators in India, at least in the early stages of rule, saw most indigenous behavior as unreflective and dictated by religion, and thought that Hindu religion had its sole basis in Brahmanic texts.³¹ Suttee was therefore seen as a practice almost exclusively religious in character, and one Indians would fervently cling to. To attempt its abolition would be to threaten the stability of British rule.

On the other hand, the practice could only be ignored for so long, especially since the East India Company was increasingly coming under the control of the British government. Following the Bengal famine of 1770, in which up to one-third of the Indian population perished, the Company was in dire economic straits. Some scholars have argued that until this famine, the colonial state in India was a thin, rent-receiving, marginal entity operating through economic extraction, and unable to legally enforce its arrangements.³² The East India Company Act of 1773 sought to change this. In this act, Parliament assumed sovereignty over the Company, established a supreme court in Calcutta, and ordered that British judicial personnel be sent to India to administer the already-existing but limited court system. In the fifty years following the famine, the British turned their once-meager colonial government into

³¹ Mani, 29-30.

³² Mani, 13.

a highly centralized and symmetrical affair.³³ Parliament's reforms of the East India Company following the Regulating Act of 1773 were most likely central to the turnaround.³⁴

As the British government in India underwent administrative and bureaucratic expansion, the number of British officials on the ground greatly increased. Junior officials, unlike administrators in Calcutta or Bombay (within which the practice was banned), were likely to come into contact with widow-burning in the course of their official duties. In the Mughal Empire, and also in other Islamic and Hindu states, widows had to seek official permission in order to perform suttee.³⁵ Many thought that this was still the case under British rule, and so junior officials, to their surprise, found themselves responsible for deciding whether widows should live or die.

Some prohibited the ceremonies from taking place, despite the official though little-known policy of non-interference. Others had no idea how to respond, and asked the opinion of their superiors in the central government. Unfortunately, there was no established protocol for how to deal with widow-burning, and junior officials were told that they did not have the legal authority to interfere, and could only attempt to persuade the widow not to self-immolate. Although the government conceded that the practice was "repugnant to humanity and the first principles of religion,"³⁶ its prohibition was out of the question, constituting as it would a violation of the British colonial administration's policy of non-interference in matters of

³³ Mani, 14.

³⁴ For the Regulating Act of 1773, see Marie Xavier Loubert, SSJ, "The Regulating Act of 1773: Backgrounds and Consequences," (MA Dissertation in History, Fordham University, 1956).

³⁵ Fisch, 368.

³⁶ Government to M.H. Brooke, January 28, 1789, quoted in Fisch, 368.

indigenous religion. Nonetheless, suttee posed for the colonial administration a moral dilemma of the first order. By the nineteenth century, Europeans were united in seeing suttee—and all forms of following into death—as immoral, cruel, and criminal.³⁷ However, since suttee was considered a religious practice to which the Indian people would inevitably cling, its abolition would fly in the face of Britons' idea of themselves as just, benevolent rulers, respectful of indigenous liberty and custom. Interfering with suttee was an act of tyranny, and tyrants were always overthrown.

As noble as such a relativistic view of rule sounded in abstraction, the vagaries of reality called for more concrete action. Requests for advice from district officials were piling up, and the colonial government found itself unprepared to respond in an authoritative manner. A clear protocol had to be established, and quickly. Since the British thought of suttee primarily as a religious practice, and considered Brahmanic texts the ultimate authority on Hindu religion, the first approach of the highest criminal court, the *Sadar Nizamat Adalat*³⁸ (which consisted entirely of British judges despite its Persian name), was to consult with Hindu pundits.³⁹ The British were not yet willing to abolish the practice, but they did want to develop a protocol for regulating it. Since it was a primary priority to regulate suttee without provoking unrest, the courts, in

³⁷ The Judeo-Christian tradition, with its general aversion to human sacrifice—as exemplified in the aborted sacrifice of Isaac—was hugely influential for the modern novel, which saw its apex of influence in the nineteenth century. See, for example, Harold Fisch, *New Stories for Old: Biblical Patterns in the Novel* (London: Palgrave Macmillan, 1998).

³⁸ For a broad discussion of criminal law and procedure in India under British (EIC and direct) rule, see Elizabeth Kolsky, “Codification and the Rule of Colonial Difference: Criminal Procedure in British India,” *Law and History Review* 23, no. 3 (2005), 631-83.

³⁹ Fisch, 371.

formulating an authoritative opinion on the practice, went primarily through indigenous channels. In 1805, indigenous experts were asked to give their opinion on the matter, on the basis of religious law. Such an approach, however, had its problems. Whatever European beliefs might have been, there did not exist a codified legal system which dictated Hindu religious practice. The recommendations of “authoritative” Hindu texts were often vague and contradictory, and many important aspects of the administration of justice—especially among the lower castes—were governed by unwritten custom. Moreover, although by the nineteenth century suttee was firmly-rooted as a religious practice, its history seems to point to a secular origin, related to the relationship between conquering and conquered peoples in Ancient India. Of course, a prerequisite for the custom to develop in the first place was a societal belief in the afterlife. Religion, in other words, was a necessary—but by no means sufficient—condition for the emergence of suttee.

Given the probable origins of suttee, it is unsurprising that the Brahmanic texts the courts relied on could only provide vague and contradictory information. Ultimately, mentions of suttee in religious texts were not foundational to the practice, but instead reactions to it: contradictions and unclear formulations were sure to abound. In the end, however, indigenous experts were able to establish a set of criteria upon which a widow-burning’s legality could be judged. According to the final recommendation, widows of all four main castes were allowed to self-immolate. Performing suttee was not permitted if the widow was pregnant, prepubescent, menstruating, or had small children for whose care she had not arranged.⁴⁰ Most importantly, the widow had to go to her death voluntarily: All forms of coercion, whether direct

⁴⁰ Fisch, 372.

or indirect, were strictly prohibited.⁴¹ The *Nizam Adalat* accepted the legal opinion of its advisors, and suggested to the colonial government that police be ordered to monitor widow-burnings and prevent cases prohibited by Brahmanic law.

For the next seven years, the government took no action. Finally, in 1812, the high court asked the government what became of its suggestions, and received a response communicating the government's intent to accept the legal opinion of its advisors, and distinguish between legal and illegal suttees. In 1813, orders were issued to all police officers to monitor widow-burnings and prevent illegal cases. These orders, however, were only police guidelines, and not laws. Therefore, even though participation in illegal suttees was prohibited, such participation did not constitute a legally-punishable crime. Regardless of this, organizers of illegal widow-burnings were regularly doled out lenient punishments during the period of suttee-regulation (1813-1829). The colonial administration's move to regulate suttee, although half-hearted, succeeded in establishing a protocol for dealing with widow-burning in British India.⁴² Additionally, by consulting native pundits before making its decision to allow widow-burnings permitted by Hindu religious law, the colonial government tried to safeguard itself against potential backlash. In the end, the British were not invoking European legal and moral standards in regulating suttee; they were merely enforcing indigenous ones.

This is not to say that the policy of regulation was successful, or for that matter could have been successful. The ultimate goal of regulation was not to maintain suttee,

⁴¹ Fisch, 372.

⁴² Fisch, 373-374; see also, for documents related to the period of suttee regulation, Vasudha Dalmia-Lüderitz, "'Sati' as a Religious Rite: Parliamentary Papers on Widow Immolation, 1821-30," *Economic and Political Weekly* 27, no. 4 (January 1992): PE58-PE64.

but to motivate its end, albeit in a subtle way. No British administrator was sympathetic to the custom; the only thing preventing abolition was fear of unrest. It was by no means an unsubstantiated fear. The early nineteenth century was a turbulent time for India's British overlords. The Vellore Mutiny of 1806 and the unending Anglo-Maratha wars contrived to make colonial administrators more than a little uneasy about the stability of British rule. It was this uneasiness, and not any sympathy toward widow-burning, which prevented the custom's outright abolition. The policy of regulation was itself an optimistic attempt at abolition. As early as 1789, the colonial government had expressed its desire that "the natives themselves will, in the course of time, discern the fallacy of the principles which have given rise to this practice, and that it will of itself gradually fall into disuse."⁴³ A similar sentiment is expressed in an 1824 letter addressed to the EIC Court of Directors. Fisch paraphrases the government's message thus: "Although 'even the best informed classes of the Hindoo population are not yet sufficiently enlightened to recognize the propriety of abolishing the rite,' yet hopes continued to be placed in the spread of education."⁴⁴ The government's policy of regulation—acting in concert with missionary efforts at education and conversion—was intended to effect an eventual disappearance of widow-burning, and, therefore, amount to the same thing as abolition, albeit without risking unrest. It was an almost ludicrously optimistic plan.

In order to ascertain the effects of regulation on the frequency of widow-burnings, the government ordered police to register every incidence of suttee. Registration began in 1815, two years after the beginning of regulation, and was limited to the territories of the Bengal Presidency.

⁴³ Government to M.H. Brooke, January 28, 1789, quoted in Fisch, 368.

⁴⁴ Fisch, 392.

Police recorded 8132 cases between 1815 and 1829.⁴⁵ It is widely held that the actual figure was higher, if not by much. The frequency of widow-burnings was relatively constant throughout the period of regulation, with the exception of the years 1817-1818, in which there was a marked increase in cases. As a summary of these statistics shows, regulation did nothing to quell widow-burning. If anything, it might have even exacerbated the number of cases. The increase in suttees in 1817-18 provoked doubts in the colonial administration about the effectiveness of its approach to suttee. The *Nizamat Adalat* worried that “the methods publicly adopted, with the humane view of diminishing the number of these sacrifices, . . . have not rather been attended with a contrary effect than the one contemplated.”⁴⁶ The Court of Directors was of like mind, and later issued a statement in which it opined that the government’s allowance of “legal” cases could very well have been considered by Indians as a recommendation to burn widows.⁴⁷

Following the spike in widow-burnings in 1817-1818, the colonial government’s policy of suttee regulation was met with widespread criticism from within the administration, the Court of Directors included. Lata Mani writes that the East India Company contemplated “only those reforms . . . that in no way interrupted the logic of accumulation.”⁴⁸ But the colonial government was by no means a monolithic entity, and there was no lack of voices opposing the policy of suttee regulation. The opinion of the Court of Directors, made known to the colonial government several times between 1823 and 1829, is especially striking. An 1823 communication reads thus: “It is . . . with much

⁴⁵ Fisch, 476.

⁴⁶ *Nizamat Adalat* Proceedings, June 4, 1818, quoted in Fisch, 381.

⁴⁷ Court of Directors to the Privy Council, undated, quoted in Fisch, 383.

⁴⁸ Mani, 41.

reluctance that we can consent to make the British government, by a specific permission of the suttee, an ostensible party to the sacrifice; we are averse also to the practice of making British courts expounders and vindicators of the Hindoo religion, when it leads to acts which, not less as legislators than as Christians, we abominate."⁴⁹ In addition to pressure from the Court of Directors, the colonial government had to deal with dissent and insubordination within its own ranks. *Nizamat Adalat* judge Courtney Smith was among the more vehement dissenters. In November 1826, he mounted an especially sharp attack. It is worth quoting at length, for its eloquence and unashamedly inflammatory tone:

The most decidedly and atrociously cruel rite that anywhere exists . . . upon the face of the globe is carried on by the express sanction of the ruling power . . . The plea, and the only plea, for this is, that prohibition might cause discontent and create disturbance among the natives. Discontent at hundreds of human beings . . . being rescued from the most excruciating and lingering torment! Disturbance, because we showed a disinterested sympathy with human suffering . . . So long as, having the power, we want the will, or having the power and the will, we want the energy to abolish it, it may fairly be doubted whether we are de jure rulers of the country.⁵⁰

Whereas Smith stopped at inflammatory words, others would go as far as outright insubordination. In 1828, William Cracroft, a judge in the Dacca Court of Circuit,

⁴⁹ Court of Directors to Parliament, June 16, 1823, quoted in Fisch, 389.

⁵⁰ Courtney Smith to Government, November 1, 1826, quoted in Fisch, 395.

informed the *Nizam Adalat* that the prohibition of widow-burning for the lower castes in force in his region had not been lifted despite orders from Calcutta. Cracroft added, provocatively, that the orders he received from the high court did not have the weight of law, as they had been signed by only two of the *Nizam Adalat*'s five judges.⁵¹

Smith and Cracroft were not exceptional in their dissatisfaction with suttee regulation. By the end of the 1820s, the view that attempts at regulating widow-burning should give way to the custom's complete abolition had gained the support of most colonial officials. By abolishing the practice in 1829, Lord William Bentinck⁵² was not taking radical action. He was instead doing what everyone in his administration expected him to do, and bringing to its inevitable close a process begun in 1813 with the beginning of suttee regulation. Why could it be said that abolition was inevitable? Because, in the end, even if regulation were to have proven successful in reducing the frequency of widow-burnings, India's British overlords would have still seen it as a failure. Even if some early observers had a sympathetic opinion of widow-burning, suttee had always been irreconcilable with European legal, moral, and religious views. In the early nineteenth century, at the height of the Evangelical movement, European condemnation of widow-burning was stronger than ever, and precluded European support for its indefinite maintenance. It is important to remember that even the policy of suttee regulation was seen as a discrete approach to abolition, to be implemented in tandem with missionary efforts at education and conversion. When it became obvious that regulation could never affect abolition, many colonial officials publicly voiced their dissatisfaction, and

⁵¹ Fisch, 397.

⁵² For Bentinck, see John Rosselli, *Lord William Bentinck: The Making of a Liberal Imperialist, 1774-1839* (Berkeley, CA: University of California Press, 1974).

some even went so far as to blatantly disregard higher orders. “No house divided against itself will stand,” and so Bentinck was compelled to bow to his administration’s demands and abolish suttee.

Many Indian nationalist historians, among them Ajit Kumar Ray,⁵³ have argued that indigenous opposition to widow-burning was central to paving the way for Bentinck’s 1829 abolition of the custom. This, however, does not seem to be the case. An organized indigenous opposition emerged only in 1818, years after the official debate on suttee had begun. Additionally, since the indigenous anti-suttee movement was considerably smaller than the indigenous pro-suttee movement, it is unlikely that the support of Rammohan Roy and his allies played a major role in reassuring the colonial administration of the safety of abolition.⁵⁴ This is not to say, however, that Roy’s influence on indigenous attitudes toward social reform was insubstantial. It was anything but.

Finally, what role did missionaries and the British public play in suttee’s abolition? Missionaries, long considered antithetical to the EIC’s policy of non-interference in indigenous religion and a threat to political stability, were not permitted entry into British India until 1813. British missionaries, however, had been active in India for more than a decade before they were officially granted access, and during this time initiated the public debate on suttee. The general public’s first exposure to suttee came in 1811, when the Baptist missionary William Ward included in his comprehensive work on Hinduism⁵⁵ an analysis of widow-burning, in which he sharply rejected the custom. The following two decades saw an exponential

⁵³ Ajit Kumar Ray, *Widows Are Not For Burning* (New Delhi: ABC Publishing House, 1985).

⁵⁴ Fisch, 408-411.

⁵⁵ William Ward, *A View of the History, Literature, and Religion of the Hindoos*, 2 volumes (Serampore, India: Mission Press, 1815).

rise in British interest in widow-burning: it became a favorite topic for missionary periodicals and mainstream newspapers alike. From about 1818 public discussions about widow-burning increased in extent and intensity, reaching their peak between 1827 and 1829—directly preceding abolition.⁵⁶ Although the goal of missionary periodicals in providing accounts of suttee was not to stimulate political action, but instead exploit the custom’s sensationalism to raise funds for missionary work, it is directly due to the wide readership of these periodicals that by the end of the 1820s, Parliament was swamped with petitions demanding a quick end to widow-burning. Petitions, of course, were not an effective means for the achievement of political ends. But it is not insignificant that Bentinck’s 1829 abolition of the practice came at the height of public furor over it.

For in the end, colonial administrators and officials were just as much a part of the public as everybody else. They did not just pop into existence in the streets of Bombay, or Calcutta, or Cairo, and thereafter resume their official duties. They were raised and educated in the heart of the empire, and, thus, were inevitably molded by the character of their times. The widely promulgated accounts of missionaries like William Ward, which implored readers to take pity on the “seventy-five million of females in Hindoosthan, frowned upon in their birth, denied all education, and exposed to a thousand miseries unknown among females in Christian countries . . .”⁵⁷ doubtless were just as heartrending for colonial officials as they were for middle-class housewives. And unlike a middle-class housewife, who could only support the cause by means of a financial contribution, a colonial official might indeed have the power to “put out” the fires, and “close forever” the

⁵⁶ Fisch, 404.

⁵⁷ William Ward, excerpt from *Farewell Letters*, in *Sati: A Historical Anthology*, ed. Andrea Major (New Delhi: Oxford UP, 2007), 85.

graves.⁵⁸

The abolition of widow-burning was, strictly speaking, an internal affair. Bentinck's decision to abolish the custom was motivated primarily by pressure from an increasingly dissatisfied and insubordinate body of colonial officials. But ultimately, the repugnance toward widow-burning that motivated colonial officials' insubordination had its root in broader societal phenomena. Even though some early European observers were sympathetic toward the custom, and the majority stopped short of outright condemnation, suttee had for long been incompatible with European moral and legal standards. With the rise of middle class evangelicalism, sympathy for the practice, or even its toleration, was no longer possible.⁵⁹ Violence against women, the godly wives and mothers responsible for the spiritual well-being of society, became the most heinous of crimes. It is not surprising, then, that colonial officials (many of which, Bentinck included, were devout Evangelicals) could not stomach suttee, and called for its abolition at all costs.

In the end, the abolition of suttee was not the humanitarian victory it was later made out to be. It is true that following the 1829 declaration, widow-burnings in the Bengal region ceased almost overnight.⁶⁰ The ostensible success of abolition, however, was due to a distressing fact: One still knew how to deal with widows.⁶¹ The end of suttee did not give widows the freedom to remarry, and live full lives. They were still condemned to an ascetic, impoverished existence, in which their sexual and social

⁵⁸ Ward, 85.

⁵⁹ On Evangelical missionaries in the British Empire, see William C. Barnhart, "Evangelicalism, Masculinity, and the Making of Imperial Missionaries in Late Georgian Britain, 1795-1820," *The Historian* 67, no. 4 (Winter 2005): 712-32.

⁶⁰ Fisch, 432.

⁶¹ Fisch, 434.

death was taken for granted. Like all humanitarian causes, suttee was just the tip of the iceberg.