

# CONCEPT OF HINDU MARRIAGE OF INDIA

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## ABSTRACT:

Marriage can be defined as a socially acknowledged and approved sexual union between two adult individuals. Traditionally marriage in most societies is thought to be a sacrament. However, today marriage has taken the form of a contract and is bound by legal rules and regulations. Marriage takes various forms and the most common classification is that of monogamy and polygamy. Marital ideology across the world has been based on the principle of female subservience and male domination. Domestic violence which includes marital violence is a sad reality of the institutions marriage and family and takes various forms. Divorce today is granted in almost all societies by law. However, in India the discourse on women's rights within marriage and family is a complex and contentious matter as it is closely intertwined with religious and other social identity politics (issues).

Marriage is an institution which admits men and women to family life. It is a stable relationship in which a man and a woman are socially permitted to have children implying the right to sexual relations.

Keywords:-concept, characteristic, different patterns, family problem, institution, mate.

## INTRODUCTION:--

Marriage is an important social institution. It is a relationship, which is socially approved. The relationship is defined and sanctioned by custom and law. Children born of marriage are considered the legitimate offspring of the married couple. This legitimacy is important in the matter of inheritance and succession. Thus marriage is not only a means of sexual. It is more or less a universal social institution in India.

No society gives absolute freedom to its members to select their life partners. Endogamy and exogamy are the two main rules that marital choice. Both a man a woman are regarded incomplete without marriage.

## DEFINITION OF MARRIAGE:--

There is no definition which adequately covers all types of human marriage. It has given a number of definitions and explanations among which the following may be noted. Edward westmark in his 'History of Marriage' defines Marriage as "the more or less durable connection between male and female lasting beyond the mere act of propagation till after the birth of offspring". Malinowski says that marriage is a "contract for the production and maintenance of children". According to Robert H. Lowie, "Marriage is a relatively permanent bond between permissible mates". Alfred Mc Clung Lee writes "Marriage is the public joining together, under socially specified regulations of a man and women as husband and wife".

Marriage is one of the most important institutions of human society. "Marriage is a socially sanctioned union of male and female for the purpose of establishing (a) household (b) entering into sex relations (c) procreating and (d) providing care for the offspring.

Marriage is an exclusive union between man and a woman and it implies that they will live with each other in harmony and in mutual confidence. Thus, adultery, cruelty and desertion are destructive of the very foundations of marriage necessitating social as well as legal intervention.

## MARRIAGE IN INDIA:--

Marriage---a sacrament. In India, according to traditional Hindu Law, Marriage is a sacrament and not a civil contract. It is a 'sanskara' or purificatory ceremony for every Hindu. The Hindu religious books have enjoined marriage as a duty because an unmarried man cannot perform some of the most important religious rites. Accordingly, marriage in India is a holy performance of religious duties. The union is sacred and indissoluble in life ad continues even after the death of the husband. The parents are morally obliged to find mates for their children, and the children to accept the parental choice. The marriage is considered a union between two joint families rather than between two joint families rather than between two young people. As such in Hindu marriage there is no room for romantic love as the basis of marital selection. There is no room for courtship, because the young people never see each other before marriage. Romantic love could result from marriage but could not be a cause of it.

**HINDU MARRIAGE: A Sacrament:-**

Marriage being mainly performed for dharma and not for pleasure, it was considered a sacrament among Hindus. Several reasons may be given for considering the Hindu marriage sacred (i) dharma was the highest aim of marriage; (ii) performance of the religious ceremony included certain rites like havan, kanyadan, panigrahana, etc, which, being based on the sacred formula, were considered sacred; (iii) the rites were performed before Agni (the most sacred God) by reciting mantras from Vedas (the most sacred scriptures) by a Brahmin (the most sacred person on earth); (iv) the union was considered indissoluble and irrevocable and husband and wife were bound to each other not only until death but even after the death; (v) though a man performed several sacraments during the course of his life, a woman performed only one sacrament of marriage in her life, hence its greatest importance for her; (vi) emphasis was on chastity of a woman and the faithfulness of a man, and (vii) marriage was considered to be a 'social duty' towards the family and the community and there was little idea of individual interest and aspiration.

Hindu marriage has undergone changes in the last few decades, does it continue to be sacred or it is to be treated as a contract? The highest aim of marriage, according to the Hindu thinkers, was dharma. On marriage the sacred fire was enkindled, and it was the duty of the householder to offer "panchamahajani" daily in the company of his wife. If the wife died the householder must take a second wife for performing obligations. Thus the basic aim of the marriage was dharma, the fulfillment of one's religious duties. The Hindu marriage is therefore called "Sarira Sanskara" which means purification of the body. The individual will have no salvation without marriage.

Man does not live alone in society. From birth till death he is surrounded by a number of people. Some of these people are his relatives, some are friends, and some neighbours while all others are strangers and unknown to him. He is bound to all these people who are related to him either on the basis of blood or marriage. The relations based on blood or marriage may be close or distant.

**IMPORTANCE OF MARRIAGE AS AN INSTITUTION:--**

Marriage is a vital social institution. It is through marriage that relation between man and woman is socially recognized. "The animal mates, but man marries". It means that mating is biological, while marriage is social and culture. Marriage implies a ceremony assumed by those entering their relationship. Every human society in the past and throughout the world has regarded marriage as important for the welfare of the society. The institution of marriage is a basic factor in modern society.

Marriage performs several important social functions. Marriage forges a new social link, and thus added strength. In a marriage two family networks of the marrying couple are linked and thus still more distant networks are also involved. Both family lines have some rank in the stratification system, whose stability depends in part on who marries whom. Marriage by regulating the sexual desire of the members of the society makes the growth of members a certainty, and fixes the responsibility of rearing children. By defining the role obligations of parents to the children, marriage determines the social placement of the child. Today more emphasis is placed on companionship and happiness in marriage.

From the point of view of the individual marriage is also important. For legalized sexual relations give him or her maximum physical satisfaction and mutual peace. The sexual desire is natural and there should be natural and easy means of satisfying this desire. Marriage provides that means. But marriage is not simply a relation between a man and a woman designed to legalize desire. It is also a relation between parents and children designed to preserve and strengthen the community. If it had been a personal instead of a social affair. It would not have been made the first concern of human custom and laws. Marriage is the most fundamental of all social institutions, the one which guards and replenishes the stream of life.

Today, marriage is still considered important and necessary, and only few individuals remain unmarried by choice. Goals of marriage are, however, undergoing changes especially for the urban and educated sections of the population. The older notions regarding large size family are being replaced by preference for small size family. Marriage for self-fulfillment rather than primarily for procreation or societal welfare is also becoming prevalent.

**CHARACTERISTICS OF MARRIAGE:--**

(i). **Universality:** Marriage is more or less a universal institution. It is found among the preliterate as well as literate peoples. It is enforced as a social rule in some of the societies.

(ii). **Relationship between Man and Women:** Marriage is a union of men and women. It indicates relation between one or more men to one or more women.

(iii). **Marriage Bond is enduring:** Marriage indicates a long lasting bond between the husband and wife. Hence it is not coextensive with sexual life. It lasts even after the sexual satisfaction is obtained. The Hindus believe that marriage is a sacred bond between the husband and wife which even the death cannot break.

(iv). **Marriage requires social Approval:** Union between men and women becomes a marital bond only when the society gives its approval.

(v). Marriage creates Mutual Obligation: Marriage imposes certain rights and duties on both the husband and wife. Both are required to support each other and their children.

## FORMS OF MARRIAGE

The main forms of marriage are: Monogamy, Polygyny, Polyandry, and Group Marriage.

Let us discuss one by one:-

### Monogamy:-

Marriage of a man to a woman at a time. It is a form of marriage in which one man marries one woman. It is the most common and acceptable form of marriage. Monogamy is the prevalent form of marriage in all societies for the good reason that the sex ratio is approximately 1:1 and not 1:2. "No man can have two wives, but by preventing somebody else from having one". Monogamy is also permitted in societies where other systems are prevalent. Where a woman becomes not of much economic value to the husband after marriage and the husband is to satisfy wife's all material needs, few men can afford a number of wives.

### Polygyny:-

It is a form of marriage in which one man marries more than one woman at a given time. Marriage of a man or woman to more than one spouse. Marriage of a man to several women at a time. Polygyny is a form of marriage in which a man has more than one wife at a time. It has been the preferred form of marriage in a majority of cultures.

### Polyandry:-

Polyandry is the practice of marriage of one woman in two or more men. The practice is rare but is still found among some preliterate and backward people. Polyandry is a form of marriage in which one woman marries more than one man at a specified time. Polyandry as custom was practically unknown to Hindu Society. It is less common than polygyny.

### Group Marriage:-

Group marriage is the marriage of a number of men to a number of women. Here the husbands are common husbands and wives are common wives. Children are regarded as the children of the entire group as a whole. It may be "the intermarriage of several sisters, own and collateral, with each other's husbands in a group" and "the intermarriage of several brothers, own and collateral, with each other's wives, in a group." This may be described as a combination of polyandry and polygyny. Speculative anthropology at one time held that such marriage preceded marriage between single partners. That is to say, group marriage was regarded as a stage in the evolution of marriage. For group marriage has not been found in the very simplest cultures extant. One may find some instances, in the very simplest, of what is called group marriage.

### STATUS OF MARRIAGE PARTNERS:-

In the choice of marriage partners various considerations are taken into account: age, education, class, castes, race or ethnicity, religion, health, status, attitudes and several other traits. The importance of these factors varies from society to society as well as between groups within the same society.

This produces different patterns of marriage: homogamy, heterogamy, hypergamy and hypogamy.

### Homogamy:-

When people of similar ages, race or ethnic groups, class or caste, education, religion, social status, etc, prefer to marry one another, it is called homogamy.

### Heterogamy:-

The Marriage between partners who differ widely in terms of age, education, religion, class or social status is known as heterogamy.

### Hyper gamy and Hypo gamy:-

When a man marries a woman belonging to a comparatively lower social stratum, the marriage is known as hypergamy. Hyper gamy means "marrying up" and hence is practiced in the society hierarchically arranged. The practice of hyper gamy has produced "groom price" and has affected the position of women, which was already low in the Hindu

social ideal, and gave rise to many problem; exploitation of the woman and her parents economically, ill-treatment, humiliations and abuse.

#### MATE CHOICE:-

Marriage is a very important social institution. That is why no society allows a couple quietly to pair off and start living as husband and wife. Marriage is too important for such casual arrangements. Marriage brings a number of obligations and privileges affecting a good many people. Every society has therefore; develop a pattern for guiding marriages. Before marriage is solemnized, the first and most important task is the choice of mates. Though no standards of choice are laid down by the community as the selection of partners is entirely an individual affair little concerning the community, yet from time to time certain rules have been made to regulate the selection of mates.

#### Exogamy:-

All people prohibit marriage between individuals sharing certain degrees of blood or affinal relationships. This is known as exogamy i.e., marriage outside the group. A man must not only seek a wife out of his own clan but also must avoid the clans of all the grand-parents. Then there are certain relations whom are not to be married, but the degree of nearness differs from community to community. The marriage of parents with their children is universally prohibited.

#### Endogamy:-

Sometimes restrictions are imposed that the other partner is to be selected from the caste or class to which the first partner belongs. Marriage within the class is known as endogamy. Hence marriages with out-group members are prohibited. Even today inter-caste marriages are not encouraged. However, today endogamous attitudes have somewhat relaxed and softened and we sometimes hear of an intercaste marriage but that is not common as yet. It may also be remembered endogamy and exogamy are no antithetical processes, but where both exist, they supplement each other.

#### MARRIAGE AND FAMILY PROBLEMS IN INDIA:-

Present lower status of women, in considering the marriage and family problems in India we have first to consider the status of women in Hindu family. Critics of the Indian family system say that Indian women do not enjoy equal rights with en in the social, political, religious and economic fields: that they are ill treated and that they cannot claim any share in the family property. Before marriage a woman depends on her father, after marriage on her husband and in old age on her sons. She never has an independent living according to her own likes and dislikes, but is made to live as her patrons direct her to live. She from the cradle to the grave has to bear degradation and insult silently and if the husband dies leaving her still young, she is forced to live a widowed life and is not allowed to remarry.

Dowry system, another problem that is to be considered regarding marriage problems in India is the commercial aspect of the marriage-by it we mean the dowry system. It needs no mention with what evils the system if fraught. The father of the girl commits suicide because he has not been able to manage for the dowry demanded by the parents of the boy. Sometimes the girl herself commits suicide on that account. Due to dowry system the parents are sometimes compelled to marry the girl to a man who is almost fit to be her father. The parents often commit theft, forgery or misappropriation, to arrange for dowry. The Government of India having realized the evils of the system has brought a Dowry Prohibition Act on the statute book. But the Act by itself would not be able to achieve its purpose unless public opinion is aroused against the system.

#### THE CHILD MARRIAGE RESTRAINT ACT, 1929:-

It came into force on April 1; 1930. It restrains the marriage of a child, though the marriage itself is not declared void. Accordingly, contacting, performing and facilitating the marriage of boys under eighteen and girls under fourteen years of age was an offence. The age of girls was later on raised to fifteen years. The amendment made in 1978 further raised the age for boys twenty-one years and for girls to eighteen years. The violation of the Act prescribes penalty but the marriage itself remains valid. The offence under the Act is non-cognizable and provides punishment for the bridegroom, parent, guardian, and the priest which is three months of simple imprisonment and a fine. No woman is, however, punishable with imprisonment under this Act. The Act also provides for the issue of injunction order prohibiting the child marriage. But no action can be taken for the offence if a period of more than one year has expired from the date of the alleged marriage.

**CONCLUSION:-**

Marriage is considered to be an institution in India. It is a 'sanskara' or purificatory ceremony obligatory for every Hindu. The Hindu religions books have enjoined marriage as a duty because an unmarried man cannot perform some of the most important religious ceremonies. There are various types of marriages that are followed in our country monogamy being followed at large.

As the society has advanced the Hindu marriage has gone through various changes. Even values attached to it have changed tremendously. Individuals now are selecting their mates according to their own requirements. Many are not getting into matrimonial alliances due to some problems. The marriages in Indian are governed by Hindu Marriage Act and Special Marriage Act which regulates the marriage. Thus, as believed Hindu marriage is no more indissoluble.

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