



LESSON 25 INSTITUTION OF MARRIAGE

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25. INSTITUTION OF MARRIAGE

25.0 Objectives

By the end of this lesson, you will be able to understand and learn about:

- Concept of Marriage
- Forms of Marriage
- Functions and Importance of Marriage
- Changing Trends in Marriage and Family

25.1 Introduction to Marriage

Human beings like all mammals, mate, copulate and have children. Like other creatures too, they rear families which survive until the young become independent. However, humans, unlike animals, mate and procreate in some 'orderly way' to which they have given the name 'marriage'. Marriage is the basis of human society. Marriage forms society as our social forms are reinforced by marriage. It is a basic institution found in all human societies because no other union of men and women meets all the requirements of mating, home-making, love and personality development at the level of biological, psychological, social, ethical and spiritual evolution. Casual intercourse suffices for sexual satisfaction up to a point, but it does not and cannot create marital or family life. Man and woman constitute two parts of a complete whole—the one complementary to the other with corresponding distinctions and relations. To regard marriage as mere means of sexual satisfaction is to reduce it to a sub-rational level of instinctive mating. Moreover, sexual relations between a man and woman do not constitute marriage in some parts of the world, such as Australia. The institution of marriage makes human beings subjects of rights and duties, which finds expression in the man-woman relationship. As a legal institution, marriage



confers various rights on those who enter into it, for example, to be regarded as next-of-kin to one's partner. There is a bit difference of point of view between anthropologists and sociologists about marriage. Anthropologists like Lowie, Murdock and Westermarck emphasized on social sanction in the union and how it is accomplished by different rituals and ceremonies; sociologists like Bowman, Baber and Burgess, on the other hand, view it as a system of roles and as involving primary relationships.

25.2 Meaning and Definition of Marriage

Marriage is one of the universal social institutions. It is established by the human society to control and regulate the sex life of man. It is closely connected with the institution of family. In fact, family and marriage are complementary to each other. **As Gillin and Gillin** have said, "Marriage is a socially approved way of establishing a family of procreation". As Westermarck has remarked, "Marriage is rooted in the family rather than the family in the marriage". Marriage is an institution of society which can have very different implications in different cultures. Its purposes, functions and forms may differ from society to society, but it is present everywhere as an institution. In almost all societies, marriage is understood as a legally and socially recognized sexual relationship, always between a man and woman (or more than one woman or one man) and usually with other restrictions of race, ethnicity, religion, caste, etc., implicitly specified. Depending on the society, marriage may require religious or civil sanction (or both), although some couples may be considered married simply by living together for a prescribed period.

Definitions

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 Westermarck in his "History of Human 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".
- The Concise Oxford Dictionary of Sociology.' (1994) defines it as, 'Marriage is traditionally conceived to be legally recognized relationship, between an adult male and female, that carries certain rights and obligations.'
- Giddens states, 'Marriage can be defined as a socially recognized relationship and approved sexual union between an adult male and female that carries certain rights and obligations.'



- Broadly speaking, however, marriage may be defined as "a socially sanctioned sex relationship involving two or more people of the opposite sex, whose relationship is expected to endure beyond the time required for gestation and the birth of Mitchell's "A dictionary of Sociology".
- Alfred McClung Lee writes, "Marriage is the public joining together, under socially specified regulations of a man and woman as husband and wife.

25.3 Characteristics of Marriage

The Characteristics of marriage can be classified as follows:

i) **Universality**

Marriage is more or less a universal institution. It is found among the pre literate as well as literate people. It is enforced as social rules in some of the societies. Example in Japan, celibacy is publicly condemned. In Korea, unmarried individuals are called 'half' persons. Among the Hindus marriage is a sacrament which is regarded as more or less obligatory, The Todas of Nilagiri refuse to perform funeral rites for a girl if she dies before her marriage, But they do perform it after completing some sort of marriage ceremony for the corpse. According to the Chinese philosopher Confucius, an individual who remains unmarried throughout his life commits a great crime. AS Levi-Strauss has observed that the unmarried primitives of Central Brazil are made to lead a miserable life.

ii) **Relationship Between Man and Woman**

Marriage is a union of man and woman. It indicates relationship between one or more men to one or more women. Who should marry whom? One should marry how many?—are the questions which represent social rules regarding marriage which differ significantly.

iii) **Marriage Bond is Enduring**

Marriage indicates a long lasting bond between the husband and wife. Hence it is not coextensive with sex life. It excludes relationships with prostitutes or any other sexual relationship which is viewed as casual and not sanctioned by custom, law or church. Marital relationship between man and woman lasts even after the sexual satisfaction is obtained. The Hindus, for example, believe that marriage is a sacred bond between the husband and wife which even the death cannot break.

iv) **Marriage Requires Social Approval**

A union of man and woman becomes a marital bond only when the society gives its approval. When marriage is given the hallmark of social approval, it becomes a legal contract.



v) Marriage is Associated with Some Civil or Religious Ceremony

Marriage gets its social recognition through some ceremony. This ceremony may have its own rites, rituals, customs, formalities, etc. It means marriage has to be concluded in a public and solemn manner. Sometimes it receives as a sacrament the blessings of religion. Marriage among the Hindus, for example, is regarded as a sacrament. It is connected with rituals such as — Homa, Saptapadi, Panigrahana, Mangalya Dharana, etc.

vi) Marriage Creates Mutual Obligations

Marriage imposes certain rights and duties on both the husband and wife. Both are required to support each other and their children.

25.4 Functions and Importance of Marriage

The importance of marriage consists in the functions that it performs. The main functions of marriage are as follows:

- **Regulation of Sex Life**

Marriage is the powerful instrument of regulating the sex life of man. Sexual impulse is powerful in man. He is exposed to its influence throughout his life. It is an urgent and an irresistible need of man. It has to be controlled and regulated in a proper manner to avoid chaos and confusion in society. Marriage has come to be such a regulative means. Hence marriage is often called the licence for sex life.

- **Marriage regulates sex relations also**

It prohibits sex relations between the closest relatives, that is, between father and daughter, mother and son, brother and sister, etc. Such a kind of prohibition is called "incest taboo". Marriage also puts restrictions on the premarital and extra-marital sex relations.

- **Marriage leads to the Establishment of the Family**

Sexual satisfaction offered by marriage results in self-perpetuation. It means marriage insists on the couple to establish a family of procreation. It is here the children are born and bred up. It is the marriage which determines the descent of the new born individual. Inheritance and succession follow the rule of descent.

- **Provides for Economic Cooperation**

Marriage makes of labour possible on the basis of sex. Partners of marriage distribute and divide work among them and perform them. In some of the



primitive tribes we find a clear-cut division of work between the husband and wife. Even in the modern industrial societies, we find husband and wife working outside the family to get more income to elevate their economic status.

- **Marriage Contributes to Emotional and Intellectual support of the Partners**

Marriage brings life-partners together and helps them to develop intense love and affection towards each other. It deepens the emotions and strengthens the companionship between the two. It also helps them to develop intellectual cooperation between them.

- **Marriage aims at Social Solidarity**

Marriage not only brings two individuals of the opposite sex together but also their respective families, groups and kindreds. Friendship between groups is reinforced through marriage. It is often suggested that by encouraging marriage between different groups, castes, races, and classes, religious, linguistic and other communities, it is possible to minimise the social distance between groups and strengthen their solidarity.

25.5 Forms of Marriage

Every society has certain forms of pairing arrangements to which we call marriage but remaining single or pairing without marriage (living together) is fast emerging as an acceptable form of lifestyle in the modern world. The trend towards maintaining an unmarried lifestyle is related to the growing economic independence of young people. Singleness is an attractive option for those who do not want to limit their sexual intimacy to one lifetime partner or have the burden of over the past 50 years, living alone has become one of the most rapidly increasing social trends. The single life—for both men and women—is not viewed as a social taboo anymore, Eric Klinenberg, professor of sociology at New York University, in his recently published book *Going Solo* (2012) revealed that there is a fascinating rise in the numbers of 'singletons' (people who live alone). Such people regard solitary living as a sign of accomplishment. This is appealing to millions of people around the world. India, along with China and Brazil, has recorded the fastest growth of single-person households. This change has affected families, communities, cities and personal lives.

The main forms of marriage are:

- I. **Monogamy:** It is a form of marriage in which one man is married to one woman at a time. It allows one wife to have one husband till death and only divorce separates them apart. This form of marriage is the only universally recognized form and is the predominant even in societies where other forms exist. In Western countries and the United States, an increasing number of married people end their relationship with one spouse (leading to subsequent divorce) and remarry another. This pattern of marrying is called serial monogamy. It means a person is allowed to have several spouses in his or her life at a time.



- II. **Polygamy:** Some cultures allow an individual to have more than one spouse at the same time. Having more than one marriage partner at a time is known as polygamy. It was practised in most of the societies of the world but now the trend is towards monogamy. However, as anthropologist George Murdock (1959) found, 80 per cent of societies had some type of polygamy. There are three basic forms of polygamy:
- a) **Polygyny:** It refers to plurality of wives or having more than one wife at the same time. In many societies, having several wives is a mark of prestige, distinction and status. It is very common among Muslims in Africa and in Middle East and Asia.
 - b) **Polyandry:** It is a type of marriage in which a woman can have several husbands (plurality of husbands) or two or more husbands simultaneously. It is very rare form of marriage. Wherever it is practised, the co-husbands are usually brothers, either blood brothers or clan brothers and are of the same generation. It is known as adelphic or fractural polyandry, The Todas (South India) and Khasa (North India) are the famous examples of polyandry. One motive in this case would be the maintenance of land and property within one family.
 - c) **Group Marriage:** It is one more type of polygamy, in which several or many men marry to several or many Women. It is practised in some indigenous societies.

25.6 Norms of Mate Selection

All human societies have explicit or implicit social rules which specify certain categories of persons who are regarded as eligible marriage partners. These norms can be distinguished into two categories as under:

- i) Exogamy is a rule of marriage which compels a person to marry outside the immediate group, usually one's own family or certain kinsfolk. It requires that marriage partners should be from a different group. In Hindus, for example, the rule of gotra or pravar or spinda exogamy is practised, i.e., one has to choose a mate outside one's gotra or pravare. Many societies forbid marriage within the clan, the village or sometimes even the tribe. Certain exogamous norms are almost universal. The incest taboo, a social norm common to virtual all societies, leaving aside stray examples of Egyptian and Inca royalty, prohibits sexual relationship between certain culturally specified relatives, such as one's mother, father, brother, sister, son or daughter.
- ii) Endogamy is a rule which specifies the zone of marriage or a rule which permits or prescribes marriage within a specified group. This group can be a clan, caste, class, village, and tribe or based on religion, race or ethnicity. According to this rule, a Hindu is expected to marry within his own caste. Endogamy is intended to reinforce the cohesiveness of the group.

Every society practices both exogamy and endogamy, as it specifies the limits of group closeness (exogamy) and the limits of group distance (endogamy) within which mates must be selected. Both exogamy and endogamy, therefore, restrict



the eligibility of available marriage partners for both the sexes. In Indian society, thus rules are still followed but with some changes. Following rules of exogamy, now, four or six gotras are not avoided strictly as was done a few years back. Similarly, the rule of caste endogamy is bit loosened but largely followed. In reality, this is the only attribute which is still keeping alive the caste system in India though in its modified form.

Emerging Pattern of Marriage and Family

Family and marriage patterns are becoming more and more varied in contemporary societies. When we look at the trends in family patterns, we find it has gone from joint families (extended) to nuclear (conjugal) ones, from nuclear to live-in-relationship and what more live-in-relationship to just lovers. All over the world, monogamy still remains the only legally permitted form of marriage, but many other forms of associational living have dramatically emerged during the last few decades, especially in Europe and the US. There is tremendous increase in couples who choose to live together without marriage.

The virus of this trend has also entered the Indian metropolitan cities as reported by two popular magazines—India Today (2006) and Outlook (2007). From their accounts, it was observed that the popularity of marriage had begun to plummet down as that of 'cohabitation' increased. This phenomenon has affected the family also. Not only familial relations are becoming weak but also limited to just one generation. The present generation does not want to have any relation with the members of earlier generations, even their grandparents, aunts and uncles. Some emerging trends in marital and family lifestyles may be summed up as under:

- **Consensual Unions**

As said above, there is an increasing trend in Western countries in which the partners live together without being legally united by a formal marriage. It is commonly called cohabitation. This is linked to greater acceptance of pre-marital sex and delayed entry into marriage and beginning of the family life. People, who are wary of marriage and its legal and emotional commitments, opt for 'living together arrangement' without legal marriage. For some people, living together may represent a kind of 'trial marriage' or 'sexual experimentation'. Actually, words like 'intimacy' and 'commitment' in one's personal or social life have become obsolete in such pairs or even conjugal family. Studies show that such arrangements are generally found in working couples. In Western countries including the US, it is also seen among college students. One report notes that in Sweden, it is almost universal for couples to live together before marriage. In



Denmark, this practice of living together is called 'marriage without paper' and in Australia, these couples are known as 'de facto couples'. This trend has also entered into India through some metropolitan IT centres like Bangalore, Pune, Hyderabad, Chennai, Mumbai and Delhi.

In such arrangements, in place of legal marriage contract, unmarried couples enter into a private conjugal (informal/unwritten) contract, defining rights and obligations of both. Such contracts are only binding and cannot be upheld in a court of law. Recently, the Maharashtra government has taken step to legalize live-in-relationship to protect women from cheating and harassment by the male partner. It is learnt that such proposal is also under way in the parliament. Under this proposal, if a man and a woman live together as husband and wife for a reasonable long period, the man shall be deemed to have married the woman according to customary rights of either party.

The introduction of such private conjugal contracts is but one effort in the present time to find new ways of associational living. It seems that we are redefining the meaning of marital relationship—a matter very relevant concerning the future of marriage and the family. Such relationships are giving rise to childless marriages or reproduction of children without formal marriage. Such children will possibly have to be content with parents who never entered into wedlock at all.

After all, the cost of getting divorce far exceeds the expenses we incur in getting married. Not only this, such arrangements are skirting around the issue of morality altogether. Many a time, couples in live-in-relationships face social humiliation and rejection by their relatives and friends in India but this is not the case in Western societies where this arrangement has become well established.

- **Single-parent Families**

The pressing exigencies of the modern life have given rise to one-parent or single-parent families. In many cases, this is the result of the death of a spouse or divorce or sometimes because of the developing a new custom of live-in-relationship. But, in many cases, it is the result of deliberate choice because of some to other reasons; the rising divorce rate is one of the main reasons for this developing trend. It has become a significant phenomenon in many developed and developing countries. According to one estimate, in US alone, almost four in ten marriages end in divorce. After divorce, generally children live with their mother who goes out to work. She takes on the roles of both parents. An increasing number of men in the West divorced or widowed are choosing to bring up their kids single-handed. Single dads do not mind double roles. What does it mean is a change in the dynamics and rhythm of relationships for both sides have shown concern that the



traditional system of marriage first and then reproduction is on the brink of end. Astonishingly, the studies report that the cases of unmarried mothers are rare among British Indians who are living there for one or two generations.

- **Homosexual Marriages**

Lately, there has been a trend towards homosexual marriages in many countries. Gay and lesbian couples are living together though their number is very meagre. Since 1970s homosexuals, both male and female, began to claim the right for the homosexual marriages in many Western countries including America. In these countries, they have started a sort of movement for the approval of such relationships. Denmark is the first country to formally recognize homosexual marriages. Techniques of artificial insemination mean that gay women may have children and become gay-parent families. Demands for legalizing gay/homosexual marriages and live-in-relationships are threatening the existence of traditional marriage and family system. This forces either to broaden the concept of family or dismantle the marriage altogether or relegate it one way of living rather than only one. Gay marriages or live-in-relations are considered as digression of gender norms. It is recently reported that fourteen nations in the world have legalized homosexual marriages. France is the last nation which has enacted law to legalize such marriages in May 2013.

Conclusion

In this chapter you have learn about the institution of marriage. It has a universal character and no one society can be sustain without marriage. It's regulating sex life among human societies within its norms and rules. There are broadly two forms of marriage polygamy and monogamy. New forms of marriage and families have emerged like single parent family, homo sexual marriage etc.

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