HISTORY OF HUMAN MARRIAGE

Marriage in human society is a universal institution. Depending on the requirements of individual human groups the rituals and forms of marriage may vary but the essence of marriage lies in the fact that it is an alliance between man and woman which leads to procreation ensuring multiplication of human species. Erikeson attempted a definition of marriage observing, *"whether or not persons choose their spouses, marriage is very commonly perceived as a relationship between groups, not primarily between individuals".* Westermark, another authority in the study of human marriage comments : *" Marriage is a relation of one or more men and women which is recognised by custom or law and involves certain rights and duties both in the case of the parties entering the union and in the case of children born of it."* A definition given by D.N. Majumder and T.N. Madan in their book, *An Introduction to Social Anthropology says, "Marriage ensures a biological satisfaction (that of sex) and a psychological satisfaction (that of having children) on the individual plane and on the wider collective plane, it ensures a two fold survival, that of the group and its culture".* Among the Hindus Marriage is an essential and sacred bond which involves 'Dharma', 'praja' and 'rati' — a religious duty, a social duty to have children and biological urge fulfilment. Thus 'marriage' is such an institution which has several meanings for different people of different societies. However, the question may arise whether marriage was there even in the earliest period of human history or it has developed later, if so, when and how it came into existence.

The evolutionists who believe in unilinear evolution of human civilization claim that initially human society was a promiscuous one when sexual relation between man and woman was not fixed and restrained and gradually through the stages of 'group marriage', polyandry (a group of men married to one woman) and polygyny (a man married to more than one women) man has reached the stage of monogamy (one man is married to one woman remaining loyal to their marital bonds).

This evolutionist claim can hardly be accepted without argument.

It has been found that, even among the most primitive tribes we sometimes do no find promiscuity at all eg. the Andamanese, the Kadar, the paliyan, the Malapantaram, the Chenchu, the Birhor, Buels tribes are not providing any evidence of promiscuity. Rather monogamy and marital fidelity are reported from those tribes

Thus, the unilinear progression from promiscuity to monogamy is not always acceptable.

Lowie pointed out in other way that, promiscuity might have been practised among the ancient men for a certain period when they were yet to develop any formal norms for judging sexual behaviour, but 'group marriage' as it is identified as the second stage in the evolution of marriage was not at all an accepted course of action even among the most primitive people. Lowie further observed that, group-marriage has been practised by the Toda who are not at all simple in their social organisation. They were formerly polyandrous and group-marriage is a later development among them. Thus, group-marriage among them is a recent development in a comparatively sophisticated society. Among the Khasa polyandry is practised even at the present moment.

Westermerck and Malinowski are of the opinion that marriage as an instinct developed out of a primeaval habit. However, it is difficult to accept the implication that monogamy is a natural instinct developed out of a primeaval habit. As we find from Murdock's study that, out of the 250 societies, polygyny existed in 195, as against 43 monogamous societies. Even among Indian tribes the absence of polygyny is caused by socio-economic inconveniences rather than moral or instinctive restrictions.

Finally, we may conclude this discussion saying, it is very difficult to identify the sequential pattern of the development of human marriage into its present form, there was no unilinear direction or process. However, it can be acknowledged that at the earliest point of history the possibility of promiscuity can not be denied as the entire civilization was lacking rigid norms and was characterised by an unorganised and normless situation. And in the most advanced situation monogamy is a generally accepted form though the other forms of marriage are practised even at the present moment among different tribes and also in some of the mainstream societies though as an exception or in disguised forms.

THE REASONS FOR AND THE NATURE OF MARRIAGE

How Marriage as a social institution could develop brings forth another related question that is why this institution has come into being ? On the basis of the definition and the process of its evolution some of the reasons can be found for the origin and development of this human institution.

1. Regularised and socially sanctioned sex-gratification is the basic reason for the formation of the institution of marriage. According to Freud, two innate needs of man are sex and hunger, of which the first basic need is satisfied by the institution of marriage. But, how this need is satisfied and to what extent that implies marriage depend on the cultural traditions and priorities of a particular society. For instance, among the Hindus, sex occupies a third place in the order of objectives set by the 'Shastrakaras' and the tribals and western society give first priority to sexual fulfilment.

2. The survival and continuity of the human race can be ensured by marriage. It is in the interest of society that children are born out of marriage. This is an institution to provide a social mechanism for the care and rearing of children and for the transmission of culture to the next generation. Among the Gonds of Madhyapradesh and Bihar the objective of marriage is to produce a large number of children so that strength and prestige of the family can increase.

3. Economic organisation of some primitive people was much dependent upon co-operation and division of labour between the two sexes, hence a stable and structured relationship between particular man and woman became necessary. Socially sanctioned permanent relation between husband and wife tied two persons of opposite sex into a strong, compulsory and obligatory bond which ensured some basic economic functions like collection of food, running the household, feeding the children etc. The limited food-gathering economy of the Kadar, the full participation in the day to day economic pursuits by women of the Andaman Islanders and Maria Gonds makes it compulsory that men and women marry.

4. Marriage was also recognised as an important mechanism to ensure justified transmission of property rights. In most of the societies, the children born out of a legal marriage (which is socially approved too) can inherit the property of their parents. In certain cases more unique role of marriage has been established to ensure inheritance and succession rights. Among the Sema Naga marriage to one's father's widows (other than one's mother) takes place more because that is the only way of getting possession of the paternal property. Some exceptions may be found as among one section of the Khashi tribe, the children of a legal wife of a person and the children of his mistress (who is not having the sanction of marriage) both are allowed to inherit their father's property. But, these are the exceptional cases, otherwise, the marriage is given a special importance in transmission of family property.

These are the probable reasons behind the origin and development of marriage as an institution, but depending on socialisation, cultural set up and religious sanctions, marriage may have been justified on some other grounds also.

The nature of marital bond generally rejects the same understanding almost everywhere. It is a bond offering social sanction to a man and woman gratifying their sexual, social, religious and economic dependence on one another. The marriages solemnised or contracted according to the rules of the society are honoured and legitimised. For Hindus, marriage is a sacrament and can not be dissolved easily (though in modern times, the introduction of civil law has ensured divorce for the Hindu husband and wife also). The marital bond among the tribes of India is found to tie together not only the spouses, but also entire families of both the bride and the groom. Marriage is always a social mechanism aimed at creating and fostering social solidarity. In western society and its modern counterparts throughout the world 'marriage' is being

treated as a bond between only two individuals tied by 'pure love'. Here, the individuals are given more importance than the society as a whole.

Different religions explained the nature of marriage in different ways thereby affecting specific societies. The validity of marriage in Islam involves offer and acceptance. Thus, it is a contract between two individuals. It is a contract for procreation and the legitimization of children. As an institution it protects the society, legalises sexual intercourse and helps continuation of the human race through procreation.

The institution of marriage among the christians is not an absolute imperative or necessity. To them, the highest ideal of human life is a life of celebacy. However, they approve marriage for procreation, healthy development of one's personality and benefit of mutual co-operation. Among the Hindus, on the other hand, marriage is

believed to be a sacred institution without which no social or religious responsibilities can be performed in a perfect manner.

Although societies and religious communities often view the nature of marriage as an institution from different angles, more or less all the communities approve marriage to ensure order and security in the society.

FORMS OF MARRIAGES

EXOGAMY

The practice of marrying outside one's own clan, village or group is called **Exogamy**. According to the rules of exogamy one is not allowed to marry within the lineage and descent group. Normally, a tribal village consists of one or two clans. As a result, almost all the members of the village are considered as brothers and sisters, which leads to a situation of village exogamy. Another possibility for the development of exogamy has been expressed by Westermarck, when he found some instance that, a male instinct to prove his courage and bravery through bringing and possessing a girl from another group, village or tribe might have been the reason of developing exogamy.

The ban on inbreeding might have developed due to the fact that it may lead to racial degeneration. Bringing spouses from other places or tribes imply extension of a particular social group which results in strength and security. The cultural factor of widening the area of co-operative social contact may be considerably responsible for this prohibition on sex-relations between close relatives.

> **Andrey Richards** pointed out that, "In hunting and food gathering societies, food is difficult to obtain. Women and children are generally a burden in such societies .... This could have led to female infanticide, which in consequence, would lead to female scarcity. This must have led to marriage by capture, and the next step since such capture had to be effected from outside the tribe to exogamy."

Risley opined that probably there existed in man a tendency to vary. This led man to marital alliance with strangers, unfamiliar and unknown to him. J.J. Atkinson held the view that exogamy originated in primitive times due to the authority of the patriarch of the family who deprived the young men of the clan from keeping the young girls of the family. As he desired to keep those girls for himself, the young men practised the custom of exogamy by acquiring wives from outside.

Among the Hindus three kinds of exogamous restrictions are found —

(I) **Gotra exogamy :** The term 'Gotra' is used in the sense of an organised group whose members believe that they are descendants of a common ancestor figure, therefore, marriage can not take place between the members of the same 'Gotra'.

(II) **Pravara exogamy :** The higher castes have followed the custom of naming certain famous ancestors when performing sacrifices. Marriages between the members of same 'pravara' is forbidden.

(III) **Sapinda exogamy :** 'Sapinda' relationship exists between those who are connected by having a distant correlation with a common ancestor and possess the legal and religious right to offer 'pinda' or the ball of rice to the same ancestors. Marriage between those members is prohibited with the limit that one can marry

within the 'pinda' group avoiding seven generations from father's side and five generations from mother's side.

ENDOGAMY

Lewis defines endogamy as "*The rule that requires a person to marry within a specific social group of which he is a member*". Thus, the practice of marrying within one's own tribe, or, very rarely, clan, is called endogamy.

In the Indian context caste endogamy is most common. Even some tribes are endogamous like the Gonds who marry within their own tribe. In some societies which are stratified along class lines, a member would marry within his own class.

Erikson found : "In a sense, all human groups are both endogamous and exogamous to varying degrees. One is expected to marry 'one's own kind', but not some one classified as a close relative. Who is close relative and who is not naturally culturally specified, although the people classified as parents, children and siblings in Europe are virtually everywhere seen as close kin."

Among the Hindus, the concept of endogamy prevails in the sphere of caste or religion. The practice of endogamy among the Hindus, is classified into three categories : (1) Varna endogamy. (2) Caste endogamy, (3) Sub-Caste endogamy.

(1) Varna endogamy : The 'Varna' system is a four-fold division of the Hindu society such as the 'Brahman', the 'Kshatriya', the 'Vaishya' and the 'Sudra'. According to the practice of varna endogamy, a Brahmin should marry only a Brahmin and so on.

(2) Caste endogamy : This rule prescribes that marriage is allowed only within one's own caste.

(3) Sub-Caste endogamy : Each sub-caste like the castes, is considered as endogamous unit for the purpose of marriage. Among the Hindus, as a result of these rules, the choice of marriage may ultimately be restricted to a series of kin clusters living in a fairly restricted geographical area.

Due to the general fear of the strange, unknown and novel, almost all the Indian tribes are endogamous. The fear of neighbour's witchcraft and sorcery is the main cause for the Korwa endogamy. Many tribes want to preserve and maintain uniqueness of their culture, language and other social traits, hence they do not want to marry outsiders. Sometimes, difference of language and culture may cause distance between the spouses, so people avoid a marriage which may cause such difficulties.

CROSS-COUSIN MARRIAGE

Cousin marriage is practised among various Indian tribes like Gond, Kharia, the Oraon, the Khasi, the Kadar etc. The cousin marriage can be sub-divided into — (1) Cross-cousin marriage and (2) Parallel cousin marriage.

The marriage between father's sister's children and mother's brother's children is called cross-cousin marriage. There are some tribes among which cross-cousin marriage is compulsory. e.g, a Gond must marry his/her cross-cousin, if they are not intended to do so they have to pay a compensation to the losing party. A Khashi man or woman can have such a marriage only after the death of one's father if it involves

the children of the father's sister. The Kadar prescribes marriage with paternal cousins.

The Gonds of Madhya Pradesh practise cross-cousin marriage and call it; 'dudhlautawa' or the 'return of milk'. This is called so as the bride price paid by the husband for his wife comes back to his own family through the marriage of his daughter with the son of his wife's brother.

The main purpose of such marriage according to Levi-Strauss is to strengthen the soildarity of a tribal group. D.N. Majumdar and T.N. Madan are of the opinion that it provides an opportunity for avoiding payment of high bride-price and such cross-cousin marriage is favoured by most of the tribal people of India.

LEVIRATE

A marriage that takes place between one woman and several brothers, is known as levirate. This is also known as fraternal or adelphic polyandry. This can be of two varities, in certain cases, if a man dies, his wife is inherited by the brother of the deceased husband and sometimes husband and his brother marry and enjoy a girl collectively. This practice of being actual or potential mate to one's husbands brother is called levirate. This custom is found among Santhals, Ho, Saora, Bhuinya, Munda etc. Marriage of the widow with the deceased husband's elder brother is called senior levirate and when it happens with the younger brother of the husband it is called junior levirate.

Among Kharia if the elder brother dies, the younger brother can marry his widow, but if the younger brother dies, the elder brother can never marry his widow. In Birhor community younger brother of husband can marry his elder brother's widow but if he objects such marriage, he is to arrange the marriage of his brother's widow with some other person and can take the dowry himself.

Levirate as a from of marriage serves some useful purposes for the tribal people.

(1) It allows widow re-marriage.

(2) The widow gets social security within her known family.

(3) This type of widow re-marriage secures the children of the inter-family.

(4) It strengthens the inter-family unity. Thus, for some economic and social advantages such a system has been developed among people.
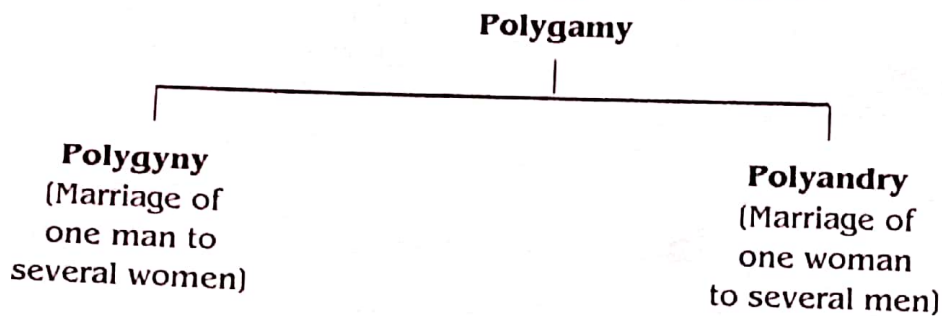
SORORATE

The pratice of being actual or potential mate to one's wife's sister is called Sororate. In most of the cases where bride-price is taken the bride's family commits itself to compensate the in-laws of their deceased daughter with a living one. The bride price strengthens the link in the web of kinship, alloying disputes and hostility and imposing a check on the disruptive tendencies of inter-group conflict. The relatives of the bride is not interested in paying back the bride price as sometimes is the condition in case of a bride's death, rather they are ready to give another daughter as a replacement to the earlier one. Marriage is actually an alliance between two kin groups in which the couple concerned is merely the most conspicuous link. Generally, these preferential or prescribed forms of mating limit the number of possible marital linkages.

Sororate is practised among several Indian tribes. For example, among the Ho, in case of wife's life time or death, her husband can marry her younger sister.

POLYGAMY

This is the form of marriage that implies a marital bond between one person on one side and several persons on the other. Murdock in his study of 250 families found 78% as polygamous. There are two types of polygamy—

Polygamy

Polygyny
(Marriage of
one man to
several women)

Polyandry
(Marriage of
one woman
to several men)

POLYGYNY

Lowie observed, **polygyny** can not be naturally or biologically constructed from nature because male-female ratio is more or less equal, so, it is not natural for any man. And he further argued that, except monogamy all other forms of marriage are socially and culturally constructed. In some societies due to dangerous and risky nature of livelihood number of male members have been reduced seriously which ultimately gave rise to polygyny. In some agricultural societies additional hands are required to sustain the large landholdings and this promoted polygyny. In most cases polygyny does not encourage degradation of women rather the first wife insists for more wives so that her houshold burden is lessened. However, polygyny is practised only among the affluent people of the societies as the responsibility of more than one wives involve large amount of money and the husband is to afford bride price for more than one time.

In India polygyny is found among the Naga tribes, the gond, the Baiga, the Toda, the Lushei clans and most of the other Proto- Austroloid tribes of Middle India. In East Africa the Kikuy tribe follows polygyny. Generally, the wives among them enjoy independent household for each with their own children and predominance of the first wife prevails. The monarchs or rulers of India enjoyed more than one wives in most occasions. In Hindu mythology, Dasharath of Ramayana had three wives, in the medieval period most of the Hindu Rajas favoured marital alliance to sustain their dominance and they married more than one women. However, we should be clear about one fact that, in a tribe, which is theoretically polygynous,does not mean that a majority of members practise polygyny. It is empirically the privilege of very few.

Polygyny implies several number of benefits to the concerned tribes—

(i) It facilitates better division of labour in the family in the sense, the household activities are shared by more than one women.

(ii) It reproduces a number of strong children born to the wives of physically strong men, family security becomes strong and determined.

However, polygyny causes lots of problems inside a family —

(1) Members of the family are large in number so possibility of a continuous quarrel and conflict is there.

(2) It causes jealousy and suspicion regarding the issues of property, inheritance in Respect and co-ordination are almost absent.

(3) Though it is theoretically agreed that the status of women does not suffer as the pre-eminence of the first wife is accepted, in reality degrdation of women is very much present in the total system.

POLYANDRY

In this form of marriage one woman marries more than one man. If the husbands are all brothers, then the marriage is designated as fraternal polyandry. If they are not related to one another but share the same wife, the marriage is known as non-fraternal polyandry.

John Lewis has provided a definition of polyandry, *'It is a marriage in which a woman can have more than one husbands at the same time.* It is found among the Wahuma tribals of East Africa, and among the Kota, Toda, khasa and the Ladani, also it is found among the Naga tribes. Among the Wahumas when a man is too poor to buy a wife alone, he is assisted by his brothers, and they share his marital rights until the woman's pregnancy, when they become his exclusive prerogative.

The Todas of Nilgiri hills and the Khasa practise fraternal polyandry. The elder brother marries a woman and she automatically becomes the wife of all the other brothers who stay together. Even a brother born afterwards will be regarded as sharing his elder brother's rights.

In non-fraternal polyandry the woman marries more than one non-related brothers who may be the dwellers of different villages. She meets all her husbands going to their places. During her living with one enjoy any right over her. The Nayar woman practise non-fraternal polyandry and constitute matriarchal family. For all social purposes the children are the responsibility of the first husband, at least first two/three children will acknowledge their mother's first husband as their father. But there is the custom of bow and arrow ceremony to be performed by the husbands to acquire the right of fatherhood. Thus, among Todas biological fraternity is completely disregarded for a man long dead is considered the father of a child provided no other man has performed the essential ceremony.

Polyandry is practised for several reasons. (1) The imbalance in sex ratio or less number of females of marriagable age can be the reason for polyandry.

(2) Due to poverty a group of male can opt for a polyandrous family, so that they can satisfy their urge for family and share the burden of maintaining it. (3) Fraternal polyandry may save the family property from being divided as it does not allow the brothers to marry separate wives and live with them in separate households.

HYPERGAMY

It is found in other countries, than India, where race contacts have taken place, hypergamous marriages were insisted on, so that the invading group refused to marry their daughters to the indigenes, though they did not mind taking women from the latter. This led to the introduction of a matrimonial code prescribing 'anuloma' marriages. Under the caste system prevailing in India, there are certain restrictions in relation to the choice of spouse. It is obligatory that a man or a woman must marry outside of his or her own 'Gotra'. Under the caste system, if a high-caste woman marries a low-caste man she loses caste status which is indicative of a degree of

ritual purity. A woman enjoys her father's caste status still she marries, and after marriage her caste identity is determined by the husband's caste. However, a man does not have to change her caste status after marriage as he is not to change his title or 'Gotra' or family residence, so he can marry a woman originated from lower caste, though his children would suffer from a partial lowering from their father's caste status. Thus, hypergamy is prescribed which is known as 'anuloma', this is a form of marriage in which a man can marry the girl from his own caste or from the lower castes. Thus among the four castes, the lowest caste 'Sudra' has minimum option for the men as they can marry only from among themselves as there is no other lower caste. For women on the other hand, Sudra origin provides most number of options to get married to any of the higher caste man. Here, the Brahmin girls are most restricted ones as marrying lower caste men is forbidden. If marriage of a woman to a man from a lower caste occurs, that is known as hypogamy or 'pratiloma'.

As a consequence the Brahmin girls had to accept the payment of high rate of dowry or choose between polygyny and spinsterhood. Slowly, daughters in Brahmin families became burden for them and the status of such women was lowering down gradually. Among the Kulin Brahmins of Bengal the custom of marrying number of girls at a time became popular in the middle ages which was a result of hypergamy.