Chapter 1

Sociology of Marriage and Kinship: Conceptual and theoretical framework

1.1 Introduction

The survival of society depends upon the process of biological reproduction. In fact, population is the cornerstone of all kinds of social organization. “Biologically, the institution of marriage arises from the facts of human procreation and the rearing of children; from the lengthy period of dependence of children on their parents and the need for prolonged parental care and training. It is the combination of mating with parenthood which, at this level, constitutes human marriage; hence Westermarck’s well-known aphorism: ‘Marriage is engrained in family rather than the family in marriage’.” The institution of marriage has its roots in the ancient histories of almost all cultures and societies. It is the fundamental and universal institution which organizes social life. The development of civilization provides cultural legitimacy to biological reproduction process. Marriage, family, kinship and even the notion of remarriage are the outcomes of such cultural legitimacy.

“Marriage can be conceptualized in three ways: as an institution, as a rite/ritual and as a process. As an institution, marriage consists of a set of patterned behaviors, expectations and relationships that are organized and endured over time. As a rite/ritual, it includes the ceremonies through which married status is achieved and as a process, it is a phenomena which is marked by gradual changes that lead to ultimate dissolution through separation, divorce or death.”
Marriage results in establishment of family and kinship relations and marks the beginning of long term alliance between two families in economic and social spheres. These relationships form a network of bonds which are of varied proximity and intensity. In the present era of globalization the social institutions like marriage, family and kinship are undergoing transformation in contemporary Indian society. Changes are taking place in marriages because of societal shifts in norms, values and orientations due to several exogenous and endogenous forces. The forces of globalization and modernization have introduced new cultural dimensions of autonomy and individual choice. Globalization has resulted in increased mobility of people and expansion of mass media has played a major role in molding the attitude of people towards social institutions. “In the social sphere there has been an ongoing trend of the modernization of the Indian tradition viz. the structural rearrangement of the family, weakening or liberalization of orthodox religious practices, and changes in marriage customs. The Indian culture and traditions have been changing due to the influence of modernization and globalization. At the same time these changes do not involve the total replacement of traditional structures and institutions; rather the traditional features have shown resilience by adapting to the emerging situation and including their main featured through the structural rearrangement of the new circumstances”.\(^5\) In this context the study of marriage, remarriage, and dynamics of marital relationships and changing patterns of marriage reflect the trends and conditions prevailing in society. This chapter presents the concept of marriage and kinship and the theoretical framework for the present study.
1.2 Concept of Marriage

Marriage is a socially sanctioned union between a man and a woman which is accomplished by culture specific rituals and ceremonies. It is a socially approved way through which families are established. “The institution of marriage is a complex normative pattern that applies to all marriages in a particular social system. The marriages conform to the pattern in varying degrees, but married partners all know the pattern itself and they regard it as morally valid and binding. It is viewed as the most important event in the life of an individual between birth and death and signifies transition into adulthood.”

“Marriage defines womanhood, manhood and adult status; it governs living arrangement and is also central in determining the division of labour and authority within the family. Historically, the status of wife and husband is one of the most important transitions in people's lives. Marriage is the central element in defining economic well-being, physical health and mental health.”

Spiritual, religious and social aspects form important elements associated with marriage. Marriage results in the formation of family which is the primary unit of production, consumption, procreation, human interaction and linkages with the larger society. Marriage has been defined by sociologists and anthropologists in the following ways:

**Sociological Definitions of Marriage**

According to Robert H. Lowie “Marriage denotes those unequivocally sanctioned unions which persist beyond sexual satisfaction and come to underline family”. 
“Sexual unions without economic co-operation are common, and there are relationships between men and women involving a division of labor without sexual gratification, e.g., between brother and sister, master and maidservant, or employer and secretary, but marriage exists only when the economic and the sexual are united in one relationship, and this combination occurs only in marriage”.

According to Koos “marriage is a dividing line between the family of orientation and family of procreation. This individual roles are different in these two forms of family. The roles in the family of orientation are different for the various stages as the child passes through infancy, childhood and adolescent stage. These roles are not associated with duties and responsibilities. After marriage an individual enters into the family of procreation and plays the role of a husband, a father and an earning member. All these roles are associated with a number of duties and obligations.”

An individual plays a variety of roles in his/ her life which are associated with different status. The marital role is associated with primary relationships which are particularistic, altruistic and have high degree of emotional involvement.

Lundberg has defined “marriage as a set of rules and regulations, which specify the rights, duties and privileges of the husband and wife with regard to each other.” Marriage is a micro social system which requires proper division of labour to maintain equilibrium. Stability of marriage depends on proper fulfilment of duties and obligations. The instrumental and integrative roles performed by both the husband and wife are complementary to each other.
Anthropological Definitions of Marriage

According to Westermarck “Marriage is a relation of one or more men and women which is recognized 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. Marriage permits sex relations between husband and wife, and these sex relations are legitimized by the society.”

Malinowski defines, “Marriage is a contract for the production and maintenance of children”.

Mazumdar, defines “marriage as a socially sanctioned union of male and female, or as a secondary institution devised by society to sanction the union and mating of male and female, for purposes of (a). establishing a household,(b). entering into sex relations, (c). procreating, and (d). providing care for the off-spring”.

Legal Definition of Marriage:

The meaning of marriage from legal perspective implies that marriage is a binding contract between a man and a woman who join together their income, possessions and lives. Marriage is recognized by the law and dissolution of marriage can only take place through law through legal process of divorce. “Marriage is a state of being united to a person of the opposite sex as husband or a wife in a consensual and contractual relationship recognized by law.”

Thus the institution of marriage is the socially and legally sanctioned way of procreation and establishing a family. Several other sociologists like Burgess opine
that marriage is a system of roles and is a process through which primary relations are established."^{16}

The above definitions reveal that there are several common elements of marriage which are accepted universally. “There is a union between two adults who cohabit, each spouse acquires kinship ties with the relatives of other spouse and their offspring’s are deemed to be related to both sets of relatives, the children born out of the union have special rights as legitimate, the parties acquire status rights as a result of the marriage, Civil registration of the union is necessary and divorce is necessary before either party may enter into another marriage.”^{17} Thus marriage gives rise to social as well as legal obligations. It serves as a regulatory mechanism as well as a foundation for building families, kinship relations and clan. Marriage in all societies is regulated by certain rules. On the basis of these rules there are various forms of marriage, which are different for different societies.

1.2 (b). Rules of Marriage

In all societies there are certain restrictive and preferential rules regarding marriage. These rules determine the choice of marriage partners. The rules are as follows:

(i) **Endogamy:** This rule restricts the choice of mate within a certain group. It is a marriage within caste, tribe, race or other groups. Caste endogamy is prevalent in Indian society. According to this rule of marriage it is required that the marriage partner should be selected from same group i.e within the same caste or tribe. The endogamous groups refer explicitly to the caste, and sub-caste. Caste endogamy specifies that the marriage should
compulsorily take place within the caste and the sub-caste endogamy limits the marriage relations within the same sub-caste.”

According to Radcliffe Brown “the elementary systems are characterized by preferential marriage which can be further classified into restricted and generalized marriage system.”

The practice of endogamy followed in caste system of India is an example of elementary generalized exchange. “In complex or open systems of marriage choice may be divided into two categories: (i) marriages arranged by parents of the prospective partners or by agents of the partners known as 'go-between', (ii) marriages arranged by the prospective partners themselves.”

Thus the elementary generalized exchange is the traditional practice of selection of mates. The complex or open system points towards recent trends in marriages where marriages are arranged either through intermediaries or matrimonial bureaus or by the girl and the boy on their own.

(ii) **Exogamy**: It is the rule which restricts the selection of spouse from certain groups. It forbids marriage within the same group. The blood relatives are prohibited from having marital connections among themselves. There are two forms of exogamy: Gotra and Sapinda, both of which are practiced in Hindu society. Members of a same gotra are supposed to have descended from a common mythical ancestor of a rishi, therefore same-gotra exogamy marriages are prohibited. Sapinda means the individuals who carry the particles of the same body. Sapinda relationship arises from being connected by having particles of the same ancestors. Hence the marriage
between sapinda are prohibited. Since there is no known limit of persons related by blood, the prescribed limit for prohibiting marriage according to sapinda is within certain generations both from the father’s and the mother’s side.”

Thus every society prescribes different rules of marriage which specify the partners and also the groups among which marriage is not permitted. Prohibition of marriage between certain individuals is called incest taboo. The incest taboos and preferential rules regarding marriage differ from caste to caste, religion to religion and across cultures.

1.2 (c) Forms of Marriage

The different kinds of marriage are different in different societies. “Marriage is a complicated matter. Its complexity is attested to by the fact that it is possible for so many of its qualities to vary, yet marriage continues to be recognizable cross culturally in spite of the variations. At least nine qualities of marriage can vary and have hence been used as a basis for classifying marriages. These variations can be according to the number of mates (monogamy, polygamy), degree of authority (equalitarian, patriarchal, matriarchal), residence after marriage (patrilocal, matrilocal, neolocal), choice of mates (free selection by young people, with courtship; controlled selection by parents), bases of choice (kinship, caste, class, region, religion), exchange at marriage (bride wealth, groom price, equal exchange), age at marriage (early or child marriage, late), strength of the bond (temporary, loose with easy divorce, unbreakable with no divorce), possibility of remarriage (no marriage after
death or divorce, permissive remarriage, mandatory remarriage) and kind of mates (marriage, concubinage)”23. The most common classification for forms of marriage is on the basis of number of mates:

(i) **“Monogamy: It is the form of marriage in which one man marries one woman. This is the legally accepted and the most ideal form of marriage since it contributes to a stable family. Monogamy i recognized is of two types: strict monogamy and serial monogamy. Strict monogamy allows a person to have only one spouse in a lifetime, with no permission for either the widow or widower to remarry. Serial monogamy refers to a practice where individuals can be married more than once but not at the same time. In most cases people remarry after divorce or sometime after the death of a spouse. Moreover, there are also other types of monogamous marriages that involvethe marriage of cousins: bilateral, patrilateral, matrilateral, and parallel cousin marriage. Bilateral cross cousin marriage occurs when two men marry each other’s sisters; matrilateral cross cousin marriage occurs when a man is expected to marry his mother’s brother’s daughter; patrilateral cross cousin marriage occurs when a man is expected to marry his father’s sister’s daughter; parallel cousin marriage is a unique form of marriage practiced in some societies between the children of two brothers, only to keep the inheritance and property preserved safely within the family line”**24.

(ii) **“Polygamy: It is of two types: Polyandry and Polygyny. Polyandry is themarriage of one woman with two or more than two men. It was practiced
in ancient Indian society, though it is not practiced in modern societies. It still exists among a few tribal societies such as Naga, Gonds and Baigas. Polyandry is of two types: fraternal polyandry and non-fraternal polyandry. When two or more that two brothers share a common wife it is known as fraternal polyandry. The marriage of Draupadi with Pandavas is an example of fraternal polyandry. During contemporary times this type of marriage is practiced by some tribes\textsuperscript{25} like Toda and Khasi. Non-fraternal polyandry refers that type of marriage in which husbands of a woman are not brothers. This type of marriage is prevalent among the Nayars of Kerala. The wife spends some time with each of her husband. As long as the woman lives with one of her husbands, the others do not have any claim on her during that time period. This type of marriage generally takes place when there is scarcity of women\textsuperscript{26}.

“Polygyny is that type of marriage where a man marries more than one women at the same time. Polygyny tends to be accepted in those societies where more prestige is associated with a man who is the head of a large household and for the distribution of work throughout a family. Polygynous marriage may be unrestricted or conditional. Today, polygyny has been legally prohibited. Polygyny is divided into two types: Sororal polygyny and non-sororal polygyny. “Sororal polygyny is also known as surrogate. The term surrogate comes from latin word ‘sorer’ which means sister. Hence it refers to a marriage practice in which a man marries the sisters of his wife at a time or after the
death of his wife. Non-Sororal Polygyny is a type of marriage in which the wives are not related as sisters”.

The above forms of marriage have been prevalent during ancient times but due to civilizational advancement monogamy is the most accepted form of marriage in contemporary societies.

1.2 (d) Functions of Marriage

Marriage is not only a basic unit or the institution of the society; rather it is also an indispensable part of a social system. There are certain motivations in marriage. Some or other forms of marriage are found in all societies of the world. The universality of marriage points to its functional importance for maintaining social equilibrium. The functions of marriage are as follows:

- “Develops Family: Marriage is an institution which brings a family into existence. Marriage establishes a family of procreation. It is here the children are born and bred up. It is responsible for perpetuation of lineage and establishment of kinship relations. The relations established after marriage help in maintaining social solidarity and thus contribute to the unity of society.

- Provides Security: The system of marriage provides social and financial security to women and children. It gives stability to relationships.

- Satisfaction of affiliation needs: The system of marriage also satisfies affiliation needs. Marriage is considered to be a life-long relationship
between a man and a women. Married couples are considered as lifelong companions who share ideas, attitudes and emotions with each other.

- Provides for Economic Cooperation: Marriage makes division of labour possible on the basis of sex. After marriage partners distribute and divide work among themselves.

- Regulation of Sex relations: Marriage is the powerful instrument for regulating the sex life of man. It sets moral standards for the society and helps in regulation of moral life of the members of society.  

Thus marriage serves protective, emotional, regulatory, and economic functions and plays an important role in stabilizing adult personalities. This institution also represents commitment of individuals and family at multi-dimensional levels which help in maintaining social organization. Apart from the above mentioned functions marriage also gives rise to a network of social relations known as kinship system. This is an important system which determines the status of a person in the family.

1.3 Kinship System

A society is a network of interlocking groups which are related to each other through institutionalized patterns. One of the most important structural subsystems of all societies is the kinship system. Kinship groups occupy an important place in an individual’s life. The relationship of blood or marriage which binds people together in group is called kinship. The kinship system includes socially accepted relationships based on fictional as well as actual ancestral ties. These relationships are established due to social interaction and accepted by the society. According to Murdock “it is a
structural system of relationship in which kins are bound to one another by complex inter-locking ties. Kinship is one of the most fundamental principles for organizing individuals into social groups, roles, categories, and genealogy. Family relations can be represented concretely (mother, brother, grandfather) or abstractly after degrees of relationship. A relationship may have relative purchase (e.g. father is one regarding a child), or reflect an absolute (e.g. status difference between a mother and a childless woman). Degrees of relationship are not identical to heirship or legal succession. Many codes of ethics consider the bond of kinship as creating obligations between the related persons stronger than those between strangers. Kinship is a relationship between any entities that share a genealogical origin, through biological, cultural, or historical descent. In anthropology the kinship system includes people related both by descent and marriage. Human kinship relations through marriage are commonly called “affinity” in contrast to “descent” (also called “consanguinity”), although the two may overlap in marriages among those of common descent. Family relations as socio-cultural genealogy lead back to gods (mythology, religion), animals that were in the area or natural phenomena (as in origin stories). Every kinship system distinguishes between blood relatives who are technically called consanguinial relatives and relatives by marriage, technically called affinal relatives. The composition of these groups depends upon the prevailing rule of descent. Thus the kinship relations are premised on moral duties and obligations. The kinship relations are of two types. The kinship based on marriage relations is known as affinal kinship and kinship based on bloodrelations is called consanguineous kinship. The kinship
relations can be classified into four categories on the basis of proximity or distance between the relations. These are as follows:

“Primary kins: Primary kinship refers to the direct relations. People who are directly related to each other are known as primary kins. There are eight primary kins. They are husband-wife, father-son, mother-son, father-daughter, mother-daughter, younger brother-elder brother, younger sister-elder sister and brother-sister.

Secondary kins: Secondary kinship refers to the primary kin of a primary kin or those who are directly related to a primary kin become one’s secondary kin. Outside the nuclear family the individual can have thirty three types of secondary relatives. For example mother's brother, brother's wife, sister's husband, father's brother.

Tertiary kins: Tertiary kins refer to the secondary kins of our primary kins. For example wife's brother's son, sister's husband's brother etc. There are one hundred fifty one types of tertiary kins.

Distant kins: The primary kin of tertiary kin are called distant kins.”

Thus the kin groups are united by ties of blood and marriage and can be traced back to several generations. Kinship relations are characterized by solidarity and unity among the sibling groups and include terminologies or nomenclature for addressing the kins. They also describe social usages which regulate patterns of behavior among different individuals. These usages include avoidance, joking relationships, teknonymy and couvade. Kinship system signifies the nature of relationship and status of a person in the household. The kinship relations are governed by rules of descent. There are three basic rules of descent: patrilineal, matrilineal and bilateral. “In patrilineal descent an
individual is a member of the consanguinal kin group to which his/her father belongs and descent is traced through father’s lineage. In matrilineal descent an individual is a member of mother’s consanguinal kin group and descent is traced through mother’s lineage. In bilateral descent both father’s and mother’s lineage is given importance. In every society the rules of descent are important for two reasons:

(a). These rules automatically establish for every individual a network of social positions in which he/she participates with obligations and rights. Apart from mutual aid of various kinds, the rights and obligations ascribed on the basis of descent always include some regulation of marriage and sexual relations.

(b). The rule of descent automatically defines rights of inheritance. The most important supplements to descent for the disposal of property rights after death: rights established by birth orders in primogeniture or ultemogeniture and rights established by marriage.”

Thus kinship system is an extensive system and determines the social order and status of a person in the family. The relatives are addressed through specific terminology which specifies the relationship of a particular person. The relatives bound by kinship system look towards each other in case of distress or for any other kind of support.

Generalized reciprocity, mutual assistance and relations of domination and subordination are governed by kinship norms and are crucial components of kinship system. The elementary family is the basic unit of kinship system. Thus marriage is essentially a system of exchange between groups. The groups involved in exchange are families. “The society is bound together by a complicated network of marriage connecting families” . The exchange system vary from society to society and are
culture and time specific. In contemporary society remarriages and reconstituted families have resulted in creation of complex kin networks. The system of marriage and kinship represents an arrangement which enables individuals to co-operate with other and links them at particular levels of interaction prevalent according to the cultural norms of a particular society. Kinship systems are also seen as methods of organizing marriage relations between groups. The kinship systems function for every relationship not only by blood but by marriage as well. Both marriage and kinship are interrelated to each other and form play an important role in maintaining cohesiveness in the society.

With the advancement of culture and civilization the institution of marriage gets shape from different social attributes like religion, class, caste, ethnicity, race, place of residence, language etc. It also leads to intra-group marriage as well as inter-group marriage with the logic of approval and stigma. Hindu marriage as a concept is a part of above mentioned developments.

1.4 Concept of Hindu Marriage

“The concept of Hindu marriage comprises a much deeper relationship than just a union between a man and women. In the Indian context marriage has been in existence since times immemorial. It is considered as one of the most important and permanent element of Indian society. In the Hindu social heritage marriage has never been looked at from the materialistic point of view. Marriage among Hindus is a sacrament and not a contract. It is considered as a scared relationship. It is meant for the continuation of family and as well as the practice of dharma. Hindus believe that
the marriage relationship extends beyond one’s life. In the traditional marriage, the bride and the bridegroom are considered as divinities. Marriage is almost obligatory and unavoidable for an average Indian. Life without marriage is almost unthinkable and there is a sharp social stigma attached to those who remain unmarried. It is one of the most important institutions which is linked to the identity of women in Indian society. It is considered to be essential for everyone. It is linked to social obligations, traditional values and kinship bonds. Thus marriage is fundamental to the Hindu social organization. There are certain essential ceremonies and beliefs associated with Hindu marriage which give Hindu marriage a sacramental character.

1.4 (a). Hindu Marriage: A Sacrament

Marriage in Hindu society is considered sacred and a sanskara since it is related to religious duties. “Hindu Marriage is not a social contract; it is a religious duty or a religious sacrament. Marriage to a Hindu is of great individual and social significance. It is a socially approved union of man and woman which aims at pleasure, observance and procreation of certain social obligations. There are several aspects due to which Hindu marriage is considered to be a sacrament. These are as follows:

(i) Dharma is the first and the highest aim of the Hindu marriage. It is also known as the fulfillment of religious duties. The basic aim of marriage is dharma;

(ii) Performance of the religious ceremony includes certain rites like havan, kanyadan, panigrahana, saptapadi, etc., which, being are on the sacred formula.
(iii) The rites are performed before agni, who is considered to be the most sacred God, by through the recitation of mantras from the Vedas which are the sacred scriptures of Hindus by a Brahmin who is regarded as the most scared person on earth.

(iv) The union is considered indissoluble and irrevocable. The husband and the wife are bound to each other throughout life as well after death.

(v) Though a man performs several sacraments during the progression of his life, a woman performs only one sacrament of marriage in her life so marriage is of utmost importance for her.

(vi) Emphasis was on chastity of a woman and the faithfulness of a man

(vii) Marriage is considered to be a social duty towards the family and the community and there was little idea of individual interest and aspiration.

Due to these Hindu marriage is regarded as a sacrament. There is a general opinion that legalising divorce has not affected the sacramental nature of marriage because divorce is resorted to only as a last option only when marital obligations are not fulfilled. Similarly, although widow remarriage is sanctioned and has legal support but still such marriages are not practiced on an extensive scale. Mutual trust and devotion to each other are still considered to be the core of marriage. Hindu marriage has undergone changes but as long as marriage is not performed for satisfaction of sexual needs but for the purpose of companionship and for procreation and it will continue to be a sacrament for Hindus and . Freedom in various aspects related to marriage like marriage selection of mates does not destroy the sanctity of marriage but
in fact confirms the stability of marriage and purifies its practice. “Marriage continues to be a sacrament; only it is raised to an ethical plane.”

The aims, rituals and beliefs associated with Hindu marriage give it the status of a sacrament.

1.4(b). Traditional Forms of Hindu Marriage

There are eight traditional forms of Hindu marriage which have been mentioned in various religious literature. These are as follows:

- **Brahma Vivah:** This is one of the most prevalent forms of Hindu marriage. It is the form of marriage in which a father presents her daughter, costly jewels and garments given her in the marriage to a learned and good conduct of bridegroom.

- **Daiva Marriage:** In this form of marriage the girl is decorated with jewels and garments, was offered to a person who conduct the function in yajna.

- **Arsha Marriage:** In this form of marriage the family of the bride-groom pays bride-price to the family of bride. The prescribed bride-price is in the form of a cow and a bull.

- **Prajapatyaa Marriage:** In this type of marriage the bride and groom both are very young at the time of marriage. The bride’s father gives her daughter as a gift to the groom’s father, not to the groom. The protections of her daughter are handed over to the groom’s father during the panigrahan or hand-receiving ceremony.
Gandharva Marriage: In this type of marriage a man and a woman marry for love and affection and without the involvement of their families. This type of marriage is also known as love marriage or gandharvavivaah.

Asura Marriage: In Asura marriage the groom is not suitable for the bride; generally the groom belongs to the lower social rank or lower caste than a bride. In this the groom have to give as much as wealth as he can afford to the bride’s parents and relatives.

Rakshasa Marriage: In this type of marriage the bride-groom takes away the bride from her house forcibly after killing and injuring her relatives.

Paishacha Marriage: is when where a man by stealth seduces a girl who is sleeping, intoxicated or mentally challenged, it is called paishacha marriage.

The first four forms i.e. Braham, Daiva, Arsha and Prajapatya forms were regarded as the desirable forms of marriage in the Sutra period and in Smriti period and the other forms of marriage are regarded as undesirable forms of marriage. In the present day Hindu society also the Brahamavivaha is considered as the most preferable form of marriage in which the father gives his daughter to a suitable bridegroom through the rituals or ceremonies of kanyadana. These eight forms of Hindu marriage are very different from each other. The main aim of all these forms of marriage is to unite two individuals. The rituals, rites and ceremonies of these marriages are different from each other and some of these marriages are still practiced in Hindu society.
1.4 (c). Changing Trends in Hindu Marriage

In the last few decades many changes have taken place in Hindu Marriage due to the influence of globalization and western culture. Some of the changing trends in Hindu marriage are as follows:

(i) “Alterations in the rituals of marriage: The rituals of marriage have been minimized particularly among the Hindu society.

(ii) Changes in the purpose of Marriage: The traditional hindu marriage considers “dharma” as its primary object whereas the modern Hindus give more importance to “life-long companionship” between husband and wife. Marriage is taking place not very much for the performance of religious duties, but for obtaining “lifelong companionship” between the individuals of the opposite sex.

(iii) Changes in the process of selection of life partners: Previously the selection of life partner was done by the eldest members of the family but now the consent of the boy and girl is also considered essential.

(iv) Relaxation in the rules of endogamy and exogamy:\(^{37}\): Due to legislations and several other factors the rules of exogamy and endogamy have been relaxed. The rules of varna, caste and sub-caste endogamy, gotra and pravara exogamy have been debarred through legal sanctions. The Hindu Marriage Disabilities Removal Act, 1946 permitted marriages between different divisions of the same caste. Besides, The Special Marriage Act, 1954 and Hindu Marriage Act, 1955 have also allowed marriages between persons of different castes and religions.
(v) Increase in the age of marriage: The age of marriage is restricted by the government. The age of marriage is fixed by the government as it is 18 and 21 years for girls and boys respectively. Marriage of girls and boys below the above mentioned age is a cognizable offence and attracts penalty and imprisonment.

(vi) Grand Weddings: The celebration of marriage on a grand scale with lot of pomp and luxury has become a common feature in the Indian society and in marriage more importance is given to luxurious celebration rather than customs and traditions.

(vii) Dowry system: The traditional form of Hindu marriage implies kanyadana which is associated with giving ornaments to the bride by her father. This was a mark of parents affection for the daughter. This cannot be considered as dowry in which the father of the bride provides jewels and ornaments to daughter at the time of marriage. It was only a token of love and affection. Due to emergence of child marriage the necessity for providing dowry emerged and this practice is being followed in the modern times. This is a social evil and inspite of strict rules and regulations this practice has not been eliminated from the society.

(viii) Widow Remarriage: Since the concept of kanyadan is associated with it has resulted in prohibition of remarriage of women. The old tradition of Kanya Dana prohibited the marriage of widows. In the ancient scriptures also widow remarriage was not permitted. It was allowed only in exceptional cases but it
was not regarded as sacramental as the first marriage. After passing of legislations related to widow remarriage the widows are free to remarry.

(ix) Changing roles of Husband and Wife: In traditional system, there was a clear cut division of labor in the family. Husband was the bread earner of the family while the role of wife was to look after the households work and take care of their children. But in the modern days the role of wife has expanded and it is a common feature that the married women also go outside the home and engaged in a job and employment and obtaining a good amount of salary or income. There is sharing of work and responsibilities between the husband and wife\textsuperscript{38}.

(x) “Marriage is not held as compulsory: In Hindu society formerly marriage was considered to be absolutely compulsory for both male and female. Due to the influence of Western culture many males and females do not considered marriage to be necessary these days. The educated men and women do not believe in the ancient religious values and therefore do not consider marriage to be necessary.

(xi) Provision of Divorce: The Hindu Marriage Act of 1955 has introduced a significant change in the institution of Hindu Marriage by permitting divorce under certain specific circumstances\textsuperscript{39}.

1.4 (d) Factors responsible for changes in Hindu marriage

The Hindu marriage has endured significant changes in various aspects like the traditional value system, age of marriage of boys and girls, choice of mates, forms of
marriage and type of marriage ceremonies. The following factors are responsible for changing trends in marriage system:

(i) **Industrialization**

The process of industrialization denotes to the remarkable growth of modern industries and its consequential dominance over agrarian activities. “It encompasses the growth in a society which is chiefly agricultural and the growth of industries together with socio-economic changes in the society. It has far reaching effects on the social institutions like family and has resulted in remoulding the ideals and values associated with these institutions. Industrialization has not only promoted urbanisation but has also affected social structure and social institutions. Its impact seen on increasing the importance of specialized education, which in turn, has affected the age of marriage. Mature and grown-up youth postpone their marriages till they complete their education and settle in life. Post-puberty marriages then affect marital as well as intra-family relations. The working women in contemporary society take an active and decisive role in the selection of their mates. Their income has also reduced the financial constraints experienced by the parents. The employment of women sometimes functions as ancillary for dowry. Inter caste marriages are also taking place due to the fact that men and women belonging to different castes are working in the same office and find each other compatible. Industrialisation has resulted in widespread changes in marriage. It has changed the norms and practices related to marriage.
(ii) **Impact of Urbanization**

“Industrialization and urbanization generally accompany each other. Industrialization speeds up the process of urbanization. Urbanization refers to the marked growth of cities. It is characterized by the movement of population from rural to urban areas. There is diffusion of urban culture in the rural areas. There is a shift from agricultural economy towards industrial economy and is accompanied by corresponding changes in the behaviour patterns. The process of urbanization influences the social institutions like marriage and family. Several aspects of marriage like age, nature of ceremony and values are affected by this process. The men and women in urban areas prefer to choose their own life partners. The arranged marriages are becoming less popular and the age of marriage has increased for both boys and girls. Child marriages are rare in urban areas and marriage is more of a social gathering than a religious ceremony. The duration of marriage ceremony is also less. The elaborate rituals and customs associated with marriage are also not practiced in cities.”

(iii) **Education**

Education has played a significant role in introducing certain changes in marriage system. Due to education there has been inculcation of values like rationalism, individualism, gender equality, humanitarianism, secularism etc. These values have changed the perceptions of the educated men and women towards marriage. They take independent decisions on issues related to marriage and some of them even do not consider marriage as essential. The
incidences of divorce and separation are more among educated individuals as compared to the uneducated counterparts.42

(iv) Globalization

“Globalization has emerged as one of the most important and talked about phenomenon of the present age with its social, economic and political dimensions. Globalization refers to the fact that we all increasingly live in one world, so that individuals, groups, and nations become interdependent. Each and every one of us are affected by globalization in one way or another. Globalization has led to homogenization and hybridization of culture. Globalization also effects our deep rooted customs, traditions and the values of marriage. Marriages have lost their values. Marriage used to be considered as bonding of the souls which were linked even after the death, but today marriage is like a professional bond or a so-called commitment to share life without compromising self-interests. The ego factor in the Indian youth is again a product of globalization.

(v) Modernization

Modernization deals with the effects of economic development on ‘traditional ‘social structures and values. The process of modernization is related to the industrialization, urbanisation, and high standard of living, development of civilization and broadness of viewpoint. Modernization is the process of change towards these types of social, economic, and political systems. One of the most significant features of modernization is that modernized societies operate through institutional structures that are capable of continuously
absorbing the changes that are inherent in the process of modernization”. Due to the impact of modernization there have been structural changes in social institutions like marriage, family, education etc. Modernization has changed the conservative attitude of people towards intercaste marriages and remarriages.

(vi) Influences of Legislations on Marriage

“Many of the beliefs, ideals and rules of marriage prescribed in the Hindu shastras have lost their significance in contemporary society. Many legislations have also been formulated which have made several modifications in the Hindu marriage system and have also removed some of the lacunae associated with Hindu marriage. The social reformers have also efforts to bring about desirable changes in the Hindu marriage. The legislations relate to age at marriage, choice of mates, regulation of number of spouses, dissolution of marriage, dowry and remarriage. The important legislations relating to marriage are: the Child Marriage Restraint Act 1929 (amended in 1978, dealing with age at marriage), and the dowry prohibition act 1961, the Special Marriage Act, 1954 (dealing with age at marriage, freedom to children to marry without parental consent, bigamy, and dissolving marriage), the Hindu marriage act 1955 (amended in 1986, and dealing with age at marriage with parent’s consent, bigamy and annulment of marriage), the Prevention of Sati Act, 1829, the Hindu Widow Remarriage act, 1856, the Civil or Special Marriage Act, 1872.
The first three acts of 1929, 1954 and 1955 pertaining to the age of marriage prescribe the marriage age of girls as 18 years and for boys as 21 years. The difference in the Acts is that the 1929 Act (amended in 1978) does not invalidate the marriage for violating the provisions in the Act. It only prescribes punishment for the bridegroom, parents, guardians and the priest (but not for women). The 1955 Act makes invalidation of the marriage possible for violation of the age provision. This (1955) Act covers marriages performed with the consent of parents but the 1954 Act covers marriages performed through courts, with or without the parental consent. Both these Acts 1954 and 1955 prohibit bigamy and permit divorce also on various grounds and put restrictions on marriage within the degrees of prohibited relationships, unless custom permits such marriages. The Anti-Dowry Act, 1961, has made giving and taking dowry as a legal offence. The Widow Remarriage act, 1856 permits widows to remarry but forfeits the rights of maintenance from the property of the first husband. The Hindu Succession Act, 1956, has given share to wife and daughters in man’s property equal to that of sons and brothers.

Thus changes in marriage can be attributed to multiple factors. Economic and social factors are have a dominant role in changing marriage patterns. Although marriage patterns are changing yet the basic functions of marriage still remain the same.

The conceptual framework for the present study deals with the key concepts related to marriage and family. For a comprehensive understanding of social phenomena it is essential that theories closely related to the study are also
examined. This provides a direction to the researcher. The researcher has made an attempt to build a theoretical framework about marriage in order to understand the impact of various factors on marriage. This will help in the interpretation of findings and provide a better understanding of changes taking place in the institution of marriage and remarriage.

1.5 Theoretical Perspectives

Theoretical framework helps in understanding various social phenomenon. It connects the researcher to existing body of knowledge. It is the frame of reference for observations and interpretations. It helps in organization of research and provides a rationale for generalizations. An attempt has been made by the researcher to build a theoretical framework of the present study with the help of views of classical thinkers, modern thinkers, post- modern thinkers and sociological theories. The theoretical framework has been built with the help of theories and views related to marriage and family since there is paucity of theories related to remarriage.
Theoretical Perspectives

Sociological Theorists

Classical Sociological Theorists

Modern Sociological Theorists

Post-modern Sociological Theorists

Sociological Theories

Structural Functionalism Perspective

Conflict Perspective

Symbolic Interactionism Perspective

Family System Perspective

Social Exchange Perspective

Post-Modern Feminist Perspective
1.5 Sociological Thinkers

(a) Classical Sociological Thinkers

Comte is regarded as the father of sociology. “He believed that the institution of family and society give birth to state. In fact, society was born because of social nature of the individuals. He however said that it was not the individual but the family which was the basic unit of society. Family is also responsible for the organization, administration and formation of the state. According to Comte family could not be divided on the basis of units.”

“Comte developed the scientific view and positivism. He believed that the studies in sociology should be on scientific basis. Logic and objectivity are the main basis of positivism. He gave importance to analysis, experimentation and observation. He emphasized that positivism is essential and inevitable for social reconstruction. It is essential for originating a new society and new social order. The classical theorists shared Comte’s interest in discovering laws of social life and studying social institutions on scientific basis.”

(i) Durkheim viewed “family as an important institution in maintaining and strengthening social solidarity. Durkheim favored monogamous marriage. He stated that the positive effects of marriage and the family are an important force in maintaining and promoting social solidarity and a moral society. He considered monogamous marriage beneficial for upbringing and socialization of children. Durkheim’s emphasis on the role of marriage as a form of social and moral regulation was partly motivated by his fear that, left to their own
devices, people might become disoriented, leading to 'disturbance, agitation and discontent'. The important historical role of marriage was the management and socialization of reproduction. Historically, marriage was not about the regulation of the behavior and relationship of two people; rather, it was an institution through which a community managed the bringing of children to life, the socializing of children, and the organization of relationships between generations. This is the basic core of the institution of marriage”.

Thus according to Durkheim marriage is essential for regulating the behavior of individuals and for establishing moral order in the society.

(ii) **Weber** has given the notion of Rationalization. “It is a process which replaces traditional and subjective thinking with reason and objectivity. He opines that history gives evidence of societies characterized by traditional modes of thinking and action while the modern societies are characterized by rationalization. The rational societies are based on social actions with rationally pursued with calculated ends. The end, means, and the results are rationally taken into consideration and evaluated. He opined that the emergence of modern society is associated with significant shifts in the patterns of social action. Weber believed that people are moving away from traditional beliefs rooted in superstitions, religion and customs. The individuals are increasingly engaging themselves in rational and instrumental calculations that take into account efficacy and future consequences. In contemporary industrial societies there is little space for sentiments and those habits just for the reason that they have been followed for generations. The development of
science, technology and bureaucracy has been explained by Weber collectively as rationalization i.e. the organization of social and economic life on the basis of principles of efficiency and technical knowledge. In the traditional societies the attitudes and beliefs of individuals were defined by religion and customs while in modern society they are marked by rationalization and association of life with politics, economy and religion.”

Weber views on marriage and family are related to his views on rationalization of society and the protestant ethic of the “rational, self-disciplined moral individual” who could “channel his sexuality into marriage” and there was a “routinization of sex in marriage”. For Weber, there was rational calculation of sex and marriage, with conflict and power involved in these relationships with respect to family and household.”

Thus Weber considers that marriage is essential to discipline an individual and to regulate his/her desires and traditions and customs related to marriage are being rationalized in industrial societies. This is also applicable to remarriage of women in Indian society. Due to rationalization the conservative attitude regarding remarriage of women is changing and social stigma associated with the status of widow or divorcee is now being challenged.

(iii) Marx has given the concept of alienation. Although this concept refersto the materialistic dimensions but it can be considered for comprehending the position of widows and divorced women in contemporary Indian society. “Alienation refers to the sense of powerlessness, isolation and meaninglessness experienced by human beings when they are confronted with social institutions that they cannot control and consider as oppressive. Alienation denotes the
estrangement of the individual from key aspects of his or her social existence. ‘Powerlessness’, is a feeling on the part of an individual that he/she cannot influence the social situations in which he/she interacts. Isolation means that individuals are not a part of social activities. ‘Isolation’ is a feeling of estrangement from the cultural goals of society, ‘self-estrangement’, is an inability to find any self-rewarding activities in life. The other variant, ‘meaninglessness’, is a feeling that he/she has no guides for conduct or belief.\(^{50}\) The widows and divorced women experience alienation because they are denied several rights in the society due discriminatory social practices and customs and hence suffer from the feelings of isolation and powerlessness. This hampers their personal growth and is an obstacle in social progress.

(iv) **Tonnies** has put forward the concepts of Gemeinschaft and Gesellschaft. “Gemeinschaft is a community which is based on natural will, and the individuals act out of consensus and traditions, social control is exercised through customs, traditions and family laws. Gesellschaft is a society which is based on rational will and the individuals make deliberate choices and planning, rational pursuit of self-interest is valued, social control is through legislations and administrative regulations. The emerging contemporary society can be placed into the category of Gesellschaft.\(^{51}\) Tonnies conception of Gesselischaft can be used for understanding changing trends in marriages since marriage decisions are now being based on individual choice and are rational instead of being based on traditional practices and customs.
(v) **Spencer** opines that kinship system originated to fulfill the fundamental need of reproduction of human beings. It is essential that a society must regulate its reproduction for its survival. Kinship is an important social institution. This regulation of reproductive activities involves the control of sexual desires, development of permanent relationship between men and women, and the providing of a safe environment for socialisation and rearing of children. Spencer opines that in the absence of alternative mechanism organizing a society kinship system is the principal mechanism of social solidarity and cohesion. The greater is the size of the population, without any other mechanism for its organization, the more elaborate is the kinship system and it will be associated with more pronounced rules related to marriage and descent. Thus according to Spencer kinship system is necessary for maintaining cohesion, social integrity and regulation of social life.

### 1.5 (b). Modern Sociological Thinkers

(i) **Bourdieu** has given the notions of Habitus and Practice. ‘Habitus’ is a stable set of dispositions learnt by individuals that lead them to take action strategically in ways that are outside reflective awareness. The learned dispositions of habitus are initially acquired early in life. Habitus is the product of history. It is a system of dispositions that is constantly subject to experiences. As the conditions in the society change, the patterns of habitus also changes. The dispositions can be altered by environment, forming restructured structures. The notion of practice means social action. Social action includes marriage rules, judgments, preferences etc. Practice is a
complex dialectic between social externalities and individual internalities. Practices comes from the social space in which different forces impose regulations that constraint choices." According to Bourdieu marriage patterns are affected by the perceptions of the social actors, rather than being function of the rules." The notions of habitus and theory of practice can be applied for understanding perception of people about marital practices and remarriage of women. People have pre-conceived notions about widow and divorcee remarriage because of habitus. With changing social life due to globalization and different experiences the marriage patterns are also undergoing change and attitude of people towards remarriage of women is changing.

(ii) Giddens defines the “modern world as a Juggernaut which is arunaway engine of enormous power which can be collectively driven by human beings to some extent but which also threatens to rush out of control and which could render itself asunder. Modernity in the form of a juggernaut is extremely dynamic. It is a runaway world with great increase in the rate, scope and intensity of change over preceding systems. Modernity is given dynamism by three important aspects. These are distanciation, disembedding and reflexivity. Distanciation refers to separation of time and space. In traditional societies, time was always associated with space and the measurement of time was not accurate. With the advent of modernization time was standardized and the linkage between time and space was broken. The second aspect is disembedding which involves the lifting out of social relations from local contexts of interaction and their restructuring across indefinite spans of time-
and space. The third dynamic characteristic of modernity is reflexivity. It points towards the fact that social practices are being constantly examined and reformed in the light of new information about those practices, which constantly modifies their characteristics. Living in an information age is associated with an increase in reflexivity which refers to the fact that we have reflect and examine the conditions of our living. When the societies were more oriented towards customs and traditions the individuals could follow established ways of doing things without any kind of reflection. In contemporary modern societies many social issues have now become matters of open debate which were previously accepted without any questioning.\(^{55}\)

Hence many cultural practices are now under constant revision on part of individuals as well as communities.

“Giddens has also given the notion of detraditionalisation. He opines that the individuals who follow traditions do not have any other alternative in mind. Tradition provides a framework of action which is not questioned. Globalization put an end to these as local cultures and traditions are exposed to new ideas and culture which implies that traditional practices are questioned. As a result of globalization the societies go through a process of detraditionalisation\(^ {56}\). The notions of reflexivity and detraditionalisation can be linked to change in marriage customs and remarriage of women. Due to these notions there is constant modification of traditions and practices related to marriage and remarriage.
(iii) Wallerstein, gave the notion of “world system, which is described as a self-contained system with a set of borders and well defined life span. According to him until now there have been only two types of world system: one of these is the world empire based on political or military domination and the other is the modern capitalist world economy which relies on economic domination.” Present society falls into the category of modern capitalist world economy. This type of world system is characterized by shifts in economy. Wallerstein has “related marriage with recurring shift between two phases. These phases are phase A and phase B. Phase A denotes economic growth with matching optimism and expansion and Phase B relates to economic shrinkage characterised by frustration and rebellion against the system of the world-system. This leads to a period of transition hounding the individuals with feelings of vulnerability, insecurity and unpredictability. Wallenstein opines that the need for the solution of problems or crisis situations generally leads reverting back to ritualized and familiar practices and beliefs, which can be one of the reasons for sustained symbolic importance of marriage. At the same time, relaxation in restrictions, norms and values associated with marriage and the weakening of importance of traditional rituals and customs of marriage in society can be perceived as the continuation of the rebellion against the traditional, conservative society. Thus Wallerstein associates changes in practices related to marriage with changes in economic system.

(iv) Becker (1981) has put forward gains to trade model of marriage. “He perceives men and women as trading partners. He opines that marriage takes place only
if the perceived gains of marriage are positive and if both the partners believe
that marriage is a better option than remaining single. Men and women
specialize in the market and at home. They trade on their comparative
advantages in these tasks. The gains from marriage are highest where men and
women follow a traditional gender based division of labour. The gain from
marriage is reduced by higher earnings and employment of women. The
gendered division of labour in the household becomes less gainful and the
relative attractiveness of staying at home declines for women. According to
this model good socioeconomic prospects increase the marriage prospects of
men but decrease the marriage prospects of women.”

Becker has related marriage to socio-economic prospects of both men and women.

(v) Beck (1992) opines that contemporary society is Risk Society. “According to
him risk society is associated with modernity and technology. The
contemporary society is characterized by both the above mentioned features.
Beck describes the new emerging form as reflexive modernity. The west is in
undergoing through the process of individualization. The agents of modern
period are free of structural constraints due to which they are able to
reflexively reorganize themselves as well the societies. Beck has pointed
towards a paradox of modern society. This paradox relates to the fact risk is
increasing due to technological progress although it is expected that
technological progress should result in abatement of risk. This world is more
prone towards risk. It can be called a world risk society. “Beck talks about risk
and awareness of risk. According to Beck risks infiltrates our everyday lives. It
has become an essential part of breaking away of the modern society from traditional custom, beliefs and values. The lives of individuals in contemporary society has become much more reflexive than the past societies. For example, marriage in modern society is no longer regarded as simply a ritual pathway from one social status to another. It is an agreement made primarily by those directly involved in the process of marriage not by the other family members. Essentially, all individuals who get married today understand that the rates of divorce are high and also understand the reasons for the dissolution of marriage."  

Beck has talked about the risk which is related to marriage in modern context and as well as in today's society. He has talked about risks associated with marriage like divorce, separation, and cohabitation. Moreover, marriage is considered as a means to pool resources against risks because it results in the formation of family and kinship network.

(vi) "Gandhiji felt that ban on widow remarriage was another social evil which should be condemned without any hesitation. In his opinion forced widowhood created many social problems and was one of the reasons for our low moral character. In his opinion a widow should have as much right to marriage as a widower and denial of this legitimate right to women was not at all justified. Widowhood was peculiar to India and an indication of our narrowness. He felt that it was an unnatural arrangement and as such its elimination, in no way, could dislocate our social set-up. Gandhiji was of the opinion that with the ending of this evil institution the society will get rid of many allied social evil. In his opinion marriage was not intended only for the satisfaction of our sexual
thirst but it was far nobler and pious an institution. In his opinion it was all wastage of money to arrange dinners etc. on the marriageso long as millions in India were starving. For a happy married life both parties must have restraint. Under special and peculiar circumstances he even favored divorce. For him, normally marriage was a sacred institution and should be treated as such. In his opinion normally a woman need not follow a vocation of her own because the care of the children and up keep of the household were quite enough to fully engage all her energy. Marriage was natural for life and to consider that derogatory in any sense was bad. Gandhiji wanted to radically reform the system of marriage in India.”

1.5 (c). Postmodern Sociological Theorists

The post modernists believe that an individual alone is responsible for defining and sustaining the essential self. The satisfaction of personal desire is life’s over reaching goal. The goal of marriage in postmodern thinking is the satisfaction of individual’s quest for meaning and fulfilment. Remarriage is viewed as a personal private transaction between two individuals. Marriage must remain open to revision and to termination if and when either of the individual’s needs and desires are no longer satisfied in the relationship.”

“Postmodernists argue that social behavior is no longer shaped as it is used to be by people’s background and their socialization. They argue that factors such as class, ethnicgroup and whether people are male or female influence people a great deal less than they used to. The boundaries between social
groups are breaking down and we can no longer predict the sorts of lifestyles that people will adopt. The views of postmodern thinkers are as follows:

(i) According to **Foucault**, “there is no unprejudiced truth on which social institutions like marriage and family can be based. He rejects reason and opines that knowledge refers to a set of beliefs which has been constructed to justify the power relationships existing in society. Sexuality is an aspect which has been created by us. It is our own creation and much more than the discovery of a secret side of desire. We have to understand that our desires are associated with new forms of love and new forms of creation. Sex should not be regarded as some kind of fatality but it should be visualized as a probability for creative life. Foucault does not consider marriage and family as permanent and fixed concepts. These institutions do not have any meaning beyond the context in which they exist. Thus the ideas of Foucault are based on the concept of deconstruction of social institutions like marriage and family.”

(ii) **Baudrillard** states that “we live in a postmodern world which is characterized by simulations; we live in the age of simulation; the process of simulation leads to the creation of simulacra or reproduction of objects or events. With the distinctions between the signs and reality imploding, it is increasingly difficult to tell the real from the things that simulate the real. In the post-modern world it is the representations of the real, the simulations, which are predominant. Baudillard defines this world as hyperreality. According to him the media has ceased to be a mirror reality, but has become reality or even more real than reality. The falsehoods and distortions which are peddled by the media to
viewers are more than reality. They can be termed as a hyperreality. The result is that what is real becomes to be subordinated and disbanded altogether. It becomes impossible to distinguish the real from the spectacle. The “real events progressively take on the character of the hyper real.” The alternative means of living in the form of cohabitation in the postmodern world can also be interpreted through the notion of simulacra. “Baudillard suggests that simulacra are generally taken to be real. Cohabitation can be theorized as a simulacra of marriage—a simulation in which the norms of marriage are not only pretended but produced.” The fantasies shown by media related to marriage are different from real world marriage but they are taken to be true. Thus hyperreality and simulacra affect the perceptions of marriage of individuals.

1.5 (d). Sociological Theories

(i) The Structural Functionalism Perspective

“The main proponents of this perspective are Spencer and Durkheim. It is based on the proposition that society is made up of interdependent parts. These parts contribute to the functioning of the whole society. The Functional theorists have identified the basic structures of society and the functions of these which meet the basic social needs. The perspective assumes that society is integrated and in equilibrium when the members share common beliefs and values. Value consensus is the chief component in all analysis related to social
change. The values associated with gender roles, family and marriage are basic to functionalist ideas with regard to social equilibrium."

“The functionalists argue that marriage and eventual parenting are good for society and the individual couple. Marriage and the family provide social benefits, including regulation of sexual behavior, socialization of the children, economic cooperation, safety and protection, and an environment in which love and commitment can be freely expressed. Married couples benefit from ongoing companionship and ego support that combat depression and bolster emotional well-being. Families provide social capital to members. This includes family’s resources, such as level of education, income, housing, and material goods, and emphasizes the social placement function of families in the larger social stratification system. The functionalist perspective highlights these family tasks as vital for social stability. From the functionalist perspective, the socialization of children into non-overlapping and accepted social roles-- instrumental for boys and expressive for girls-- is central to social stability. Gender role change and ambiguity of roles are disruptive to family harmony. If one partner takes on the roles typically prescribed for the other, marital dissent and family disruption result. If too many families are disrupted by such change, broader social harmony is threatened. From structural-functionalist perspective, marriage and family are considered as a basic building blocks of the society. Both marriage and family perform a number of functions in the society. These institutions are necessary for a stable society.

(ii) The Conflict Perspective
The conflict theory originates from Marx. Modern Conflict theory is associated with C.Wright Mills and Lewis Coser. The modern conflict theorists have expanded the work of Marx and taken it beyond social class. They opine that conflict can exist between various groups: between men and women, between families, between races etc. Coser believed that conflict may take place between individuals, between collectives, or between individuals and collectives. “ConflictPerspectivefocuses on the social placement function of the family in conserving prevailing inequality and power relations in the society. Social capital provided by wealthier families is maximized through marriages that ensure its safekeeping within their own social class. According to conflict theory, when social placement functions through patriarchal and patrilineal systems, wealth is further concentrated in the hands of males members of society. This endorses female subservience, neglect, insecurity and poverty. When applied to the household, conflict theory argues that married couples and other family members possess differing amounts of resources and will defend their individual interests and resources to maximize their power base in the home. A husband's power base is maximized by the economic leverage that comes with his earnings. When women acquire economic strength by being a wage earner, her power inside the private sphere of home is also reinforced which results in the emergence of egalitarian households.”69

The conflict perspective sociologists see marriage as the outgrowth of conflict between men and women. According to them both marriage and family, as practiced in our society, tend to subjugate women to some degree. Although
this may be changing, marriage and family have, traditionally been a way for men to maintain their dominance. “Coser further opines that conflict serves many functions. Conflict often leads to social change. Change within a system is very slow and marginal. It involves an adjustment of some type within the system itself. Such changes are caused by individual members of the society who have deviated from its traditional ways. The second type of change, change of system, involves a more radical change, such as the creation of new institutions within the system. Social change of the system involves the entire society’s parting from old traditions and embracing new, acceptable norms and expectations of universal behavior. In this regard, the system is actually altered and changed. New things can be added, or old things can be eliminated, and this process may continue indefinitely. In short, social change may result because of external forces, or it may result because of change within the system.”

Thus in context of discriminatory marriage practices against Hindu women, conflict will bring changes in the old traditions and customs related to remarriage of women.

(iii) The Symbolic Interaction Theory

“The prominent sociologists associated with this approach are Max Weber, Herbert Mead, Erving Goffman, George Homans and Peter Blau. This perspective sees society as the product of the everyday interactions of individuals. It focuses on social interaction in everyday lives. It reflects on how people construct social reality and interpret the situations they experience and how larger social institutions are produced through these interactions. Society
is nothing more than the shared reality that people construct as they interact with one another. According to this perspective society is ultimately maintained and changed through social interaction of the members of the society”71. “Symbolic interactionist opine that there are many subjective meanings associated with the functioning of members of the family. In our everyday lives, we adapt these beliefs to fit our own definitions and for accommodation of our own needs. These beliefs change with the broader social changes going in outside the family itself. These beliefs show up in how people are labelled. Symbolic interactionist also focus on how couples take on family roles that become traditionally gendered, even when they desire egalitarian marriages. The definitions of what a man and women are supposed to do in the home are powerful and are reinforced every time we carry out our family roles. However, because family members can negotiate these definitions, over time the roles may change to what a couple desire rather than what they currently have. One of the key factors in marital satisfaction is the degree to which the married individuals agree on expectations related to traditional gender roles and division of labour. The quality of marital life decreases if the individuals have divergent views regarding expenditure and socialization of children. When the married females adopt less traditional gender roles, than the quality of marital life decreases. On the contrary if the husbands adopt less traditional attitudes I the quality of marital life becomes better. Marriages with the lowest evaluation of marital satisfaction are those with a traditional husband and a non-traditional wife. Regardless of how
traditional or non-traditional they may be, marital satisfaction is highest when gender role attitudes and behavior are congruent. Symbolic interactionist suggest that when a couple brings ideals related to gender roles into their marriages they will continually negotiate them to maximize marital satisfaction for both partners.”

Thus symbolic interactionist perspective lays stress on role negotiations and role- identity within the family. This perspective holds that importance should be given to the perception and meaning given by the actors to various situations in marriage and family.

(iii) The Social Exchange Theory

“The basic premise of the social exchange theory is that the individuals seek to maximize their rewards and to minimize their costs through their interaction with others. Generally most people will continue to maintain a relationship as long as they perceive that the benefits associated with the relationship are more than the losses. The union often ends if another relationship offers more resources. We bring to our relationships a variety of resources some tangible, some intangible such as energy, money, material goods, status, intelligence, control, good looks, youth, power, talent, fame or affection. People “trade” these resources for more, better, or different assets that another person possesses. As long as the costs are equal to or lower than the benefits, the exchanges will seem fair or balanced. This perspective puts forth the argument that if the cost of a marriage becomes more than the rewards than it will, result
in either separation or divorce. At the same time, many individuals continue to stay in unhappy marriage because they think that rewards are more or less equal to the costs and perceive it as a better option than staying alone”. Some of our cost-reward decisions are conscious, but many are not. Some partners stay together even when they’re unhappy because it seems easier to tolerate problems than discuss them, which may create more difficulties. As a result, family members may adapt to the existing situation rather than consciously seek a more beneficial or rewarding relationship.” Social Exchange theory gives an insight into the reasons for divorce and puts forward the notion that people calculate the rewards associated with marriage. If they feel that they are at loss due to marriage, it will result into divorce. Thus social exchange theory refers to matrimonial relations as a system of exchange which is characterized by rewards, costs and reciprocal behaviors.

(v) The Family System Theory

“The family system theory was given by Bowen in 1988. Bowen’s family system theory is a theory of human behaviour that views the family as an emotional unit and uses “system of social relations”. It is the nature of a family that its members are intensely connected emotionally. Often people feel distant or disconnected from their families, but this is more feeling than fact. Family members so profoundly affect each other’s thoughts, feelings and actions that it often seems as if people are living under the same “emotional skin. The family behaviour is passed on from one generation to another through inter-generational transmission process. Bowen’s states that a number
of actions, which we assume are completely under the control of individuals, like the choice of marriage partners, whether to have children depression or anxiety, are often rooted in the learned behaviours established by our ancestors. Such patterns are maintained, because they are of value for a number of practical purposes and also merge understandably with beliefs and values that have been transmitted to the partners during their socialization.” Thus according to Bowen our relationships are shaped by our ancestors and certain patterns run in the family for generations. This also affects the notions regarding marriage and remarriage.

(vi) Post-Modern Feminist Theory

“Post modernism is essential to feminist theory predominantly as an oppositional epistemology and as an approach for interrogating the claims to truth or knowledge propounded by a given theory. Postmodernist theory begins with the reflection that the individuals are not living under the circumstances of modernity but of post-modernity. The post-modern world is shaped by the interaction of four major changes. They are: an expansive stage in global capitalism, weakening of centralized state power, the patterning of life by increasingly powerful and penetrative technology that controls production and promotes consumerism and development of liberationist social movements based not on class but on other identities like nationalism, race, gender, sexual orientation and gay rights. Post modernists reject the basic principle of modernists that by reason only a person can arrive at a complex and objective
knowledge. The debate on whose knowledge has become drastically transformative which has given rise to new arguments and ideologies. The post modernists visualize the process of creation of knowledge as one of the multiple representations of experiences created by differently positioned groups in society. They propose alternative practices like decentering, which transfers the identifications of non-privileged groups to the core of knowledge, deconstruction which indicates how concepts postured as precise representations of the society are historically constructed and contain inconsistencies and paradoxes and an attention on differences between various groups. Both feminism and post modernism are engaged in practices of decentering and deconstruction. The concepts of deconstruction and decentering are applicable to remarriage of women since only by discarding the age old practices and attitudes, the perception of people towards widowed and divorced women and their remarriage can be changed.

Conclusion

Marriage is a universal social institution. It is associated with mutual rights and obligations. It serves protective, regulatory, emotional and economic functions. Marriage ties result in formation of kinship network which organize individuals into social groups. In Hindu society marriage is deeply linked with religion and considered a sacrament. Hindu Marriage is a sacrament although certain changing trends can be observed due to various factors like urbanisation, industrialization, legislations and education. The classical thinkers like Durkheim views family as an important
institution for maintaining social order and a moral society. Weber considers marriage as an essential institution which regulates the behavior and desires of individuals. The modern thinkers relates marriage customs to habitus and cyclical changes in marriage to changes in economic system. Becker has analysed marriage on the basis of gains to trade model. Ulrich beck elaborates on risks associated with marriage in the contemporary risk society. The post-modern thinkers like Foucault emphasize on deconstructing the institutions of family and marriage. Due the forces of globalization, modernization and legislations changing trends can be observed in Hindu marriage. Inspite of several changes due to several customs and traditions gender inequality can be observed in certain marriage practices and rituals. Divorce and widowhood are considered to be a stigma for women in Indian society. The issue of remarriage of women is associated with severalreligous and cultural practices. The following chapter examines various issuesrelated to remarriage of women.

References


2. Note: Institution: In Sociology as in common English usage, this word denotes that which is established, or constituted in society. The word institution should be used to refer only to patterns of approved or sanctioned behavior, and that other terms should be used to denote the organizational aspects of such behavior and the group of persons involved.
3. Note (Family: is the basic unit of social organization. E.W. Burgess and H.J. Locke, in their book The Family, 1953, defined ‘family is a group of persons united by the ties of marriage, blood, or adoption; constituting a single household, interacting and intercommunicating with each other in their respective social role of husband and wife, mother and father, brother and sister; creating a common culture’.)


18. Ibid 15.


21. Note: Gotra is a group whose members are believed to belong to a common ancestor. Sapinda means individuals who carry the same particles. It is recommended to avoid seven generations from father’s side and five generations from mother’s side.

22. Ibid 15.


25. Note Tribe: A tribe is a socially cohesive unit associated with a territory, the members of which regard themselves as politically autonomous. Sometimes tribes are split into sections, especially where the territory is large in relation to the size of the population. (Mitchell, D.C. 1989, *A Dictionary of Sociology*, Routledge, London Pg. 232).

26. Ibid 15

27. Ibid 24, Pg. 339.


34. Ibid 33.


37. Exogamy: A practice of marrying outside a defined group. Such marriages may be preferential or prescriptive. The group may be a kinship group, a tribal segment or a village. Mitchell, G.D. (1989), A New Dictionary of Sociology, Routledge, London, Pg. 77.


42. Ibid. 40 pg. 225-227.

43. Ibid. 40 pg. 485.

44. Ibid. 40 pg. 114-115.


68. Ibid 67, Pg. 214-220.

69. Ibid 67, Pg. 216.

70. Tim Delaney (2008), *Contemporary Social Theory: Investigation and Application*, Pearson Education, South Asia, Pg. 70-80

71. Ibid 48, Pg. 22-23.

72. Ibid 67


74. Note: System of social relations refers to the social relations which exist between individuals as a result of their productive acts in society. The system of social relations eventually forms a total social framework that constitutes the social conditions of existence. (Morrison, K. (2006) Marx, Durkheim, Weber: Formation of modern social thoughts, Sage Publications, New Delhi, Pg. 410).
75. Note: Behavior is a psychological category and has been regarded as the basic unit. This is regarded by many as the proper unit of observation in the social sciences. It is social when the actor behaves in such a manner that his action is intended to influence the actions of one or more other persons. (Ibid 2, Pg. 2).


77. Ibid 55 pg. 475.