CHAPTER - V

CONCEPT OF MEITEI MARRIAGE

Prior to Conversion to Hinduism

Marriage, according to Meitei law, is called “Luhongba”. This expression combines the word “Lu” and “Hongba”. “Lu” means “Head” or “Bone” or “Head of the family” and “Hongba” means “to solemnize” or “to change”. So, it may be “Head changed or solemnized”, “Bone changed or solemnized”. Among the primitive institutions of the Meitei, marriage is the most ancient and most developed one. Marriage is the mandate of Sanamahi religion which became a part and parcel of the Meitei family law. A male or female if born on this earth is bound to solemnize the marriage life and he or she must leave his image before departing from this world belonging to human beings. The lives of issueless or impotent couple are imageless persons or bed omens before the eyes of others. So, when an unmarried or impotent male or female dies, there shall be always a special rite of “Chupsaba”. This is unavoidable, because it is believed that an unmarried or impotent person dies thrice. Chupsaba is the Meitei rite performed on the twelfth day of cremation not to return such omen person to the Sagai (Clan) of the deceased.

2. Dr. Sanabam Mangang, Meetei Law and Hindu Law- Compared and Contrasted, (May,1991)pp. 34-35
The most important ingredient of *Meitei* Marriage lies in the concept of *Kujaba*. It consists of four elements viz: the earth, the foodgrains, the cloth and the accessories. *Kuiaba* is an unavoidable act of marriage giving freely the daughter to another *yek-salai* (clan) without changing her own. It is the blessings for starting a new life by changing the head of the family from father to husband.4

**Subsequent to Conversion to Hinduism**

The conversion of *Meiteis* to Hinduism impacts slightly on their original concept of marriage as a result of the development of marriage practices through the ages. Irrespective of some differences between *Meitei* concept of marriage and Hindu concept of marriage, both go in parallel. Marriage is the foundation of family and of society. It is the foundation on which the entire superstructure of society is based. It is an institution which confers status on the parties to it and on the children born out of such wedlock. According to Manu, the man who is not married has not fully perfected his personality and must be regarded as incomplete and imperfect. Marriage is one of the sixty-four *sanskars* (sacraments) prescribed by the Shastras. For a Hindu, marriage is obligatory for begetting a son (*putra*) who alone will be able to avoid the torturing of soul of the father in the hell known as “*Norokki Komda Taba*”. Hence the wife is not merely a “*Grahpatni*” but also a “*Dharmapatni*” and “*Sahadharmani*” or “*Sahadharmacharini*”. In form also it is sacrament because, marriage under Hindu Law takes place in the performance of the sacred rites and ceremonies. They may either be Shastric or customary. Without such ceremonies or with

incomplete ceremonies, the marriage is deemed to be nullity in the eyes of the law. Hindu marriage is a sacrament. The sacramental character has its origin in the Hindu society of the Rig Vedic Age. The Manu Smriti and the Rig veda clearly expressed the central idea of the concept of Hindu marriage. Wife is ardhangini (half of man). According to the Satpatha Brahmana, “the wife is verily the half of the husband. Man is only half, not complete until he marries”. We find the following passage in the Manu Smriti:

“ I hold your hand for Saubhagya (good lute) that you may grow old with your husband, you are given to me by the just, the Creator, the wise and by the learned people. From this notion of unity of personality of husband and the wife, mutual fidelity of husband and wife is implied. Manu declared that mutual fidelity between husband and wife is the highest dharma”.

Marriage being a sanskara was an indissoluble union. “Bridegroom and bride, you may both stay here, do not be separated” (Rigveda,10,Manu,24 ). The bridegroom and bride pray, “May all the Gods make the hearts of us to one” (Manu 47). “O Gods, that married pair who here perform sacrifices with one mind”, (Rigveda,8th.Mad.31 s.5). “May both of you perform together your duties” (Manu,151 ). Marriage according to the Vedas is a union of flesh with flesh and bone with bone.

Unlike the traditional concept, the modern concept of Hindu marriage is neither only sacrament nor wholly contractual, but it has a semblance of both.\footnote{Supra note 6 at p.61} The Hindu Marriage Act, 1955 requires that both the parties are of sound mind, neither party has a spouse living at the time of marriage, both are capable of giving valid consent to the marriage, both are free from degrees of prohibited relationship, neither of them is a sapinda of the other and both the bridegroom and bride are of twenty one and eighteen years old.\footnote{Section 5 of the Hindu Marriage Act, 1955.}

Today a common question asked by many a scholar of Hindu Law is whether, till this day, the Hindu marriage continues to possess its basic sacramental character or has it, like its Islamic counterpart, acquired the character of a contract. After passing of the Hindu Marriage Act, 1955 the answer to this question has become rather uncertain.

Under the ancient Hindu law, marriage used to be treated as a sacrament because first, it was permanent, indissoluble union; secondly, it was an eternal union and lastly, it was a holy union. The introduction of divorce deprived Hindu marriage altogether of its character of a permanent, indissoluble union. The second characteristic, that of an eternal union, was destroyed as early as 1856 when widow remarriage was given legal recognition in the Hindu society. However, it can be said that to some extent, the third characteristic of a Hindu marriage, that of a holy union, still hold good since a special religious ceremony is still necessary for a valid marriage.\footnote{Sunil Gupta, 'Legal Problems of Marriage and Divorce in Post Independence Hindu Society (India)', \textit{All.L.J (Vol LXXXIII, 1985)}p.3.} Still in Meitei society marriage ceremony
is not performed if there is "Yum Mangba" in the family of either bridegroom or bride. *Yum Mangba* is occurred when a child is born or a person is dead in the family of either bridegroom or bride. After the lapse of such *Yum Mangba* period religious ceremonies like marriage ceremony is performed as *Meiteis* also think that marriage ceremony is a holy union of man and woman.

Today a Hindu marriage neither continues to be a sacrament nor has it fully acquired the characteristics of a contract. It stands midway. In marriage it is more of a sacrament and less of a contract.  

The Meiteis do not ignore their original concept of marriage even though some changes have been brought as a result of the development of marriage practices through the ages. It can be said that the *Meiteis’* concept of marriage before their conversion to Hinduism and subsequent to conversion to Hinduism are almost similar because both *Meitei* law and Hindu law are based on religion. Both *Meitei* customary law and Hindu law have their origin in their respective religions, Sanamahism and Brahmanism. These legal systems represent rationalized and systematized version of customary law and observance. Both the systems derive their strength from the identical or similar source, the classical "science of righteousness". Hindu Dharmashastra is the source of Hindu jurisprudence and the *Meitei Puya* is the source of *Meitei* jurisprudence. The definition of "Hindu" is based on Hindu religion and Hindu philosophy. Similarly the definition of "*Meitei*" is based on *Meitei* religion *Sanamahism* and *Meitei* philosophy. Therefore, the basic concepts of *Meiteis* and Hindus remain the same.

11. ibid.