



Marriage Practice in Contemporary Nepal

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Abstract

Marriage is one of the oldest universal micro social institutions which are established by human society as an essential social structure for gaining more benefit in the social and functioning aspects. It provides the legal rights of regular sexual intercourse, producing of the offspring socially, religiously and legally. It is one of the ways to transfer an inheritance of the property in our societies. This belief is influenced by Hinduism which regards marriage as the important custom or sacrament. Although, the perception and practices of marriage is not universally accepted which varies across societies and culture, and change with time, cross cousin marriage practices are common among Gurung, Magar and Tamang ethnic groups. Levirate marriage openly practices and discourage by the communities. Arrange marriage is one of the most popular form and also practices of marriage in contemporary Nepal whereas child marriage, capture marriage and forced marriage has been already prohibited by law. Experimental marriage, Group marriage and Companionate marriage are not existed. Most of the people have been hearing and conducting the marriage but the proper acceptable definition is not found till date. It is no doubt that marriage is an inevitable social institution but the practice may be different in different places. Main objectives of this article are briefly highlighting the various thought and forms of marriages which have practiced in different caste and place of Nepal by using primary and secondary sources.

Keywords: Endogamy, Exogamy, Levirate, Monogamy, Polygamy

Introduction

Marriage is universally accepted sacrament and micro social institution which admits men and women to continuous the family life. It is also main base of the family and kinship. Prevailing views from different countries about the necessary and importance of marriage that, "Celibacy is publicly condemned in Japan and unmarried individuals are called half persons in the Korea. According to Chinese philosopher Confucius, an individual who remains unmarried throughout his life commits a greatest crime. The unmarried primitives of central Brazil are made to lead a miserable life" (Rao, 2000). It includes social, economic, religious and legal rights as well as responsibilities. It affects the role, status and psychological aspect of an individual. Although we cannot find a universally popular and accepted definition of marriage but different forms of marriage are prevailing in our society due to variety of culture. Of course religion, ethnic group and geographical area play vital role to see different

culture and different forms of marriage but nobody claimed that same forms of marriage are present within same religious group, same ethnic groups and similar geographical area because it depends on the desire of unmarried couple, their family and process of several social change. Theoretically all approved that purposes, functions and forms of marriage may differ from society to society due to diversity in society but it also foundation of prominent structure of the society which helps to generate people for fulfillment of the basic needs in society.

Methodology

It adopts qualitative approach in analyzing and interpreting the prevailing practice of marriage in Nepal with the help of secondary sources of data. It first introduces marriage as an institution and proceeds to talk about various forms in different socio-cultural settings by bringing different scholars' perspectives before reaching the conclusion.

Practice of marriage in Nepal

Several scholars have given their own definitions of marriages, International Encyclopedia of the social science defines marriage as "a culturally approved relationship of one man and one woman (Monogamy) or one man and two or more women (Polygamy) or one woman and two or more men (Polyandry) in which there is cultural endorsement of sexual intercourse between the marital partners of opposite sex and generally the expectation children will be born of relationship." Marriage refers culturally approved relationship between opposite sexes and its expectation is seen from them to produce children. Encyclopedia also mentioned three types of marriage: such as some society accepts marriage as one of the first stages of the family life where as other accept it as only sexual instrument. Some society also accepts marriage as the rules and regulations which define the rights, duties and privileges of husband and wife. According to Malinowski, "marriage is a contract for the productions and maintenance of children" (Malinowski, 1988). This view is seen as narrows and conservative as the meaning and aim of marriage do not limits with only production and maintenance of offspring. Even animals (wild or domestic) give birth to their offspring and maintain them without any sort of realization of marriage. Similarly, an unmarried girl may give birth and maintenance of a child without loss of standing which is called cohabitation but it has not taken as forms of marriage in Nepalese societies. But we can find cohabitation in Tibet, China, Japan and other foreign countries. Similarly, Mazumdar, H.T. defines marriage "as a social 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 purpose of:

- a) Establishing a household,
- b) Entering into sex relations,
- c) Procreating and
- d) Providing care for the offspring. (Mazumdar,1998).

From aforementioned views of scholars, we conclude that, there is no universally accepted definition of marriage. It is no doubt that marriage is the social sacrament which establish the sexual relationship between two or more opposite sexes and permission to produce and maintenance of children socially. It is also a social and legal rope which ties married couple not only in their own life but also seven reborn after their death as believed in Hinduism. The social, religious and legal relation which is established after marriage is not only remained for the short term but also is remaining for the eternity. It will be imperishable and remain up to seven reborn. Marriage is one of the social permissions between two

opposite sex and achievement of psychological relief. After giving the birth of the offspring, the couple feels the happiness after gaining social, economic, religious and legal rights to their offspring and handover their parental property to their offspring. According to Hindu religion, People believe getting son will help them to send the parents in heaven after their death. The sons are believed to open the gate of heavens for their parents. Muslim also believes that it is an obligatory and unavoidable for them to get married. Marriage is essential not only in Nepal but also in every part of world as it provides continuity of the human race and in other hands it is also taken sacrament.

There is a popular proverb “No life without wife.” It implies that marriage is not only compulsory factor for living but also it plays prominent role in family. Marriage is root of a family. Generally, parents are primary or nearest kinship of unmarried son and daughter. After marriage their primary kinship will change from parents and will be replaced by husbands or wives. In this way, it pushes former kinship and produce newly, primary, secondary and tertiary kinship in the society as spouses. Similarly, some western scholars agreed that marriage is convenience contract between male and female. If they feel unhappy between each other they can break immediately and easily without hesitation as practiced in their culture. They accept it as means of psychological and physical satisfaction. Marriage is not only sexual intercourse. It gives the birth of the offspring and parents have other responsibilities like providing the basic needs and other facilities like lodging, educating, entertainment etc.

The practice of prevailing marriage in Nepal varies in different aspects, which is divided in several parts and groups in the basis of different characteristics. Prevailing practices of marriage in the context of Nepalese societies Which are mentioned below, (Khatri, 2022).

1. On the basis of number:

Polygamy: If both male and female perform marriage with more than one female or male as husband and wife at the same time, it is called polygamy. Broadly, Polygamy can be divided in two categories (Mordock, 1949).

a) Polygyny: When One man marries more than one woman at a given time it is called polygyny. These practices are generally found in among the *Eskimo* tribes, Crow Indians, Hidatsa of North America, African Negroes, The *Nagas* and *Baigas* of India and several communities of Nepal. Polygyny is taken as one of the indicators of male in rural communities but traditional indicator is gradually decreasing day by day due to the collapse of feudalistic mode of production and other several causes. In the previous time polygyny was the means to show social status in the society but now, polygyny is prohibited by law of Nepal. Socially and economically sound male cannot marry two or more women in present time legally but polygyny is still prevailing in rural and urban societies of Nepal (Rao, 2000).

Polygyny is also divided in two parts: sororate and non-sororate

The Lain word “soror” stand for sister. When several sisters are simultaneously or potentially the spouses of the same man, this practice is called sororate polygyny. In another word, if several bloods related sisters marry a man in given time it is called sororate polygyny marriage. If first wife died, then sister in law or male marry died wife’s sister which is called sororate polygyny.

In other words, several women who are not related by blood marry with a man in a given time is called non-sororate polygyny. If first wife dies, then male marry another girl who is not related by blood with his first wife. Both sororate and non-sororate polygyny are practiced in Nepalese society although polygyny has already become prohibited legally.

b) Polyandry: If woman marries with several men then it is called polyandry. It is much less common than polygyny in the world. It is practiced among Tibetans, Marquesan Islanders of Polynesia, The Bahama of Africa, the tribals of *Somoa*, in India, the tribes such as *Tiyan*, the *Toda*, the *Kota*, the *Khasa* and *Ladakhi Bota*, Sri Lanka, Amazon forest of northwest Brazil etc. (Luitel, 2004.) It is a form of marriage which is practice in northern part of the country in especially Sherpa ethnic group according to Dor Bahadur Bista's famous book the People of Nepal. Under this system one woman marries with several men in given time. Fraternal polyandry marriage is found in some hilly part. In this form of marriage, a woman belongs to all brothers. All brothers will be husband of one woman where as a woman will be wife of all brothers. In fact, a large number of people take it wonderful even though it is practice in some parts of the Nepal but it has been decreasing day by day due to modernization and extension of education.

Polyandry can be divided in two parts: Fraternal and non-fraternal when the bloody related brothers share the same wife then it is called fraternal polyandry. The case of *Panch Pandav* and *Draupati* is a famous example of fraternal polyandry which is not limited in *Mahabharat* (Baral, 2058). This type of marriage is still prevailing in Sherpas ethnic group. Similarly, the husband need not have any close relationship prior to the marriage. If unrelated by blood, two or more male marrying with one woman is called non-fraternal polyandry. The wife goes to spend some time with each husband. In present situation, Non-fraternal polyandry is not found in Nepalese societies whereas fraternal polyandry is still practicing in some ethnic groups of Nepal but the ratio of fraternal polyandry has been reducing day by day.

Monogamy: When a man is allowed to have only one woman as a wife during his life time it is known as monogamy. If husband or wife died or divorced, then they can marry. It is most popular and oldest forms of marriage which is universally approved. Nepalese people are accepting the benefits of monogamy and gradually decreasing polygamy day by day.

Group marriage: The marriage of two or more women with two or more men in a given time is called group marriage. Here common husbands and wives are common wives. There are not found the sentiment of separate husband and wife. It is not practice in the Nepalese society.

On the basis of norms and values

Endogamy: It is a rule of mate selection for marriage in which the life partners are to be selected within the group. Hindu religion has given more emphasis to do endogamy marriage and most of the Nepalese people prefer to it. It can be divided in several parts such as Tribal Endogamy, Caste Endogamy, Class Endogamy, Race Endogamy and Sub Caste Endogamy etc. Nepal is famous for multi ethnic, multi-cultural, multi religious and multilingual country entire the world so that above mention endogamy is prevailing in every caste, class, race, sub caste and religious groups due to keep blood purity in religious points of views and easy to search suitable mates in modern points of views (Gautam, 2006).

Exogamy marriage: It is a rule of mate selection for marriage in which an individual has to marry outside from his own group. It can be divided in several parts such as Gotra Exogamy, Village Exogamy, *Pinda* Exogamy, Totem Exogamy etc. Nepalese people believe on several religions. Hindu religion prohibits marrying between male and female of same '*pinda*' and '*Gotra*' because they believed that people of similar '*Gotra*' and '*pinda*' are same blood or consanguineous kinship which is band to marriage. According to hindu religion, male or female perform marries with outside the *Gotra* and

pinda but this type of taboo cannot be found in Muslim religion and Magar, Gurung ethnic groups because there are found cross-cousin marriage. So we can say that exogamy mate selection processes or forms of marriage is prevailing in some communities and ethnic group and is not practice in some communities but exogamy marriage gradually increase in the Hindu group due to decreasing the belief system and modernization. Village exogamy can be found in every caste, class, and religious group who is living different geographical zones of the Nepal.

Anuloma or Hypergamy: Under this marriage upper caste or highly social, economic, political and educational position of male and low caste or position of female perform marries is called anuloma or hypergamy. If advanced and Nobel of boy marries with the low position of female that is known as hypergamy. Inter-caste marriage is also including in hypergamy which can be found in Nepalese societies. Now a days hypergamy marriage has becoming more popular due to impact of modernization as well as capitalism at the result traditional social norms and values has been breaking.

Partiloma or Hypogamy: Under this marriage high positions of female and low caste or low position of male perform marries is called partiloma or hypogamy marriage which is prevailing in Nepalese societies. Hypogamy marriage has also become popular among the youth or new generation because they did not want to completely ties by the rope of traditional, norms and values.

Cross cousin: It is a form of marriage where son of sister (*mama chele*) marries with daughter of brother (*phupu chela*) is called cross cousin marriage. This marriage system is privileged in Tamang, Gurung and Magar communities of Nepal. They had taken it as a right of maternal uncle's son but todays parents or bachelor did not take it as right and they free to mate selection in outside due to the influenced of the Hindu religion and modernization. So, this form of marriage is gradually disappearing nowadays but not become totally wonderful in some ethnic groups. Magar, Tamang and Gurung are still alive to cross cousin marriage in Nepal.

Levirate: Under this marriage, Man marries with the childless widow of his deceased brother who is prevailing in Tamang communities but this system of marriage gradually disappearing. So we can say that levirate marriage is not prevailing in advanced Tamang communities but it is found in remote areas where Tamang are living.

On the basis of resident after marriage

Patriarchal Marriage: If married couple goes to the house of father after the marriage that is called patriarchal marriage. Since previous time, this type of marriage is prevailing in the Nepalese societies due to patriarchal nature of Nepalese societies.

Matrilocal Marriage: If married couple goes to the house of mother after the marriage that is called matrilocal marriage. This is not practiced in the Nepalese societies but this type of marriage exists in some Caste and parts of India.

Neolocal Marriage: If married couples go to the new place for residents that are called neolocal marriage. This is not seen in Nepalese societies. But some advanced Nepalese young couple goes to the new place for honeymoon after marriage that is not neolocal marriage.

Bio-local marriage: After marriage, married couples are free to select their own residence. This is called bio-local marriage. This type of marriage is not found in our societies.

Marti-local Patri-local Marriage: married couple sometimes lives in the house of father and also live in the house of mother is called matrilocal patrilocal marriage which is not prevailing in Nepalese societies.

Avunculocal marriage: Married couple lives in the maternal house after marriage is known as avunculocal marriage which is not practiced in the Nepalese societies.

Other types of marriage

Companionate marriage: Male and female live together without marriage but they can have the sexual and social relation with each other. These two persons convert to the marital bond after birth of the child otherwise the bond will dissolve. It is not practiced in the Nepalese societies.

Experimental marriage: Male and female live together for knowing each other without marriage. They can do intercourse. If one wants to separate due to lack of dissatisfaction, he or she breaks the bond. It is not practiced in the Nepalese societies.

Arrange marriage: Marriage is a serious affair and plays a prominent role in human life. Arrange marriage is a form of most popular practice in Nepal. Arrange marriage refers to arranging a suitable mate for an unmarried boy and an unmarried girl and performing marriage is called arrange marriage. It is very difficult and a top challenge to search a suitable mate by the parents for their own son and daughter but processes and methods of arrange marriage are found different, according to different rituals, customs, traditions of various castes and ethnic groups.

Love marriage: Male and female love each other and transform their love into marriage with or without permission of their parents is called love marriage. Now love marriage is familiar and practiced increasingly all over the Nepalese societies due to the increasing and extension of capitalism.

Court marriage: It is a form of so-called modern marriage in which a bachelor boy and a girl select a suitable partner and go to the district administration office with complete certain process then if the district administration office gives marriage certificates that is called court or paper marriage. It can be found everywhere.

Capture marriage: Before some decades capture marriage existed in the society. Landlords, powerful persons forcefully married with a handsome girl without her agreement. Similarly, capture marriage was prevailing in some ethnic groups such as Thakali ethnic group but now a day this type of marriage has been gradually disappeared.

Forced marriage: It was prevailing in rural areas more than urban areas. It is a type of marriage, if parents of a girl are forced to marry their daughter to a powerful, rich person is called forced marriage. Nowadays the parents of a daughter could not perform marriage without her acceptance, because parents know that marriage is a union of two hearts. This form of marriage has been decreasing day by day.

Exchange marriage: It is a type of marriage in which a boy is offered a girl of a family. The boy is prepared to offer some near female relative to the family to the girl to whom he is proposing to marry. Exchange marriage was more prevailing in Newari community but this system has been gradually breaking down.

Widow marriage: Widow marriage was not accepted in the society except in some ethnic groups such as Tamang. A young brother could marry with his brother-in-law after the death of a late brother in the Tamang community. Similarly, a widow had gone Sati with her late husband but it was restricted at the time of Late Prime Minister Chandra Shamsher. Now a day a widow is free to wear red *Tika* and red clothes and perform marriage if they want socially and legally. Any legal process is not existed to control widow marriage. Each widow is free to remarry or stay in single socially. Nepalese Finance Minister Mr. Surendra Pandey had proclaimed through the budget of 066/067 that Nepal government would pay Rs

50000.00 or only Fifty thousand rupees to widow married couple but it has not taken legal right. It is found practice in Nepalese societies.

Jari marriage: When married or unmarried male marries with married female and second husband by paying certain amount to first husband of the wife, it is called Jari marriage. It is a form of marriage which prevails in the province no 6 and 7 of Nepal. I would like to inform that the author has witnessed the ongoing marriage in 2064 in Jajarkot district but not in that state.

Elopement marriage: It is one of the types of marriage where a boy and girl run away without the consent of parents of the girl. Subsequently they marry each other. This type of marriage is practiced in the Nepalese societies. According to Bom Bahadur Tamang, no male performs arrange marriage in the Kaule cluster of Dhading district due to the problems of drinking water. So there exists only elopement marriage.

Child marriage: It is a type of marriage in which one or both of married couple are children. In other words, when parents of bride and bridegroom agree to marry their children before they have no knowledge about marriage although they should become married without nubile that is called child marriage. It is primarily related with the Hindu religion which is completely banned legally now despite its occurrence among some backward castes in the Terai region and Balami sub-caste of Newar of Kagati gaun in Kathmandu.

Homosexual marriage: Homosexual is a form of marriage in which homosexual men and women live in stable relationships as couples in commitment and mutual trust rather than law. Even though it has not legally recognized in Nepal, it has been legalized in some European, American countries and India (Kathmandu post, 2009). Homosexual marriage is still prevailing in Nepal without its legalized status.

Cohabitation: Rather than being a formal type of marriage, modern boys and girls live together as the means of fulfilling the sexual desire between each other in this type of marriage. Male and female live together with offspring as husband and wife without being married. This practice has already been legalized in several countries. Cohabitation is primarily limited in urban areas of Nepal.

Conclusion

Marriage is the most essential, oldest, comparatively stable and effective micro social institution which provides the biological, psychological and physical satisfaction to married couple socially, legally and religiously. Marriage regulates and controls sexual life of man on one side, and on the other side, it creates mutual obligation between married couple and gives continuity of blood relation in the society. Marriage is more than just physical union. It is also the spiritual and emotional union of souls. Accepting gift of marriage such as companionship, passion and purpose, it is base of family and kinship. Various types of traditional popular forms of marriage such as child marriage, capture marriage, force marriage has already prohibited by the government whereas experimental marriage, Companionate marriage and group marriage has not found in Nepal. Similarly, *jari* marriage and exchange marriage have been gradually decreasing. Some new forms of marriage such as love marriage and court marriage are becoming more popular and globally increasing day by day. Bio-local marriage, Marti-local marriage and neo-local marriage has not practiced in present situation whereas endogamy, exogamy, arrange and widow marriage have prevalent type of marriage in almost caste. Cross-cousin marriage is functioning in certain ethnic group such as Gurung, Magar etc. whereas levirate marriage specially related with tamang ethnic group. Several types of marriage are practicing in Nepal in present condition.

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