
UNIT 9 FAMILY AND MARRIAGE*

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9.0 OBJECTIVES

After going through this unit, you should be able to:

- define the institution of family and the institution of marriage;
- give a description of the types of family and the forms of marriage; and
- identify the major forces responsible for change in the institutions of family and marriage.

9.1 INTRODUCTION

Family and marriage are the fundamental institutions of human society as they are primarily responsible for reproducing social relationships that give rise to other institutions and identities. These in turn produce groups, social networks and very importantly help people identify who are like them and who are not. Family is the place where children are socialised into becoming social persons, learning all that will further help reproduce the society that they are born in. Marriage makes the family possible. Marriage is also organised in a way that reproduces the very society of which it is a part.

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9.2 THE INSTITUTION OF FAMILY

Let us first define the nature of the institution of family. Broadly speaking, it refers to the group comprising parents and children. It may also refer, in some places, to a patri-or matrilineage or to a group of cognates, that is, persons descended from the same ancestor. In some other cases, it may refer to a group of relatives and their dependants forming one household. All this refers to the compositional aspect of this institution. Another aspect is that of the residence of its members. They usually share a common residence, at least for some part of their lives. Thirdly, we can also speak of the relational aspect of the family. Members have reciprocal rights and duties towards each other. Finally, the family is also an agent of socialisation. All these aspects make this institution different from other units of social structure.

9.2.1 The Types of Family

Normally the basic unit of social structure contains the two primary links of kinship. These are of parenthood and siblingship. In simple terms, a family usually comprises various combinations and permutations of these relationships. In the Indian context, we generally speak of the contrast between nuclear and joint family types. A classification of families into joint and nuclear types is usually based on the way in which families are organised. For instance, the most popular definition of a nuclear family is to refer to it as a group consisting of a man, his wife and their unmarried, children. The joint family refers to a combination of nuclear families and other relatives. The term 'extended' family is used to denote extension of the parent-child relationship. Thus, the patrilineally extended family is based on an extension of the father-son relationship, while the matrilineally extended family is based on the mother-daughter relationship. The extended family may also be extended horizontally to include a group consisting of two or more brothers, their wives and children. This horizontally extended family is called as the fraternal or collateral family.

In India, the joint family, is also a property-sharing unit. The Hindu Undivided Family under the guardianship of the Karta is a legal unit.

The Hindu Joint Family: Much has been written about the joint family system, especially the Hindu joint family system. The patrilineal, patrilocal (residence of the couple after marriage in the husband's father's home), property owning, co-residential and commensal joint family, comprising three or more generations has been depicted as the ideal family unit of Hindu society. M.S. Gore (1968: 4-5) points out that ideally, the joint family consists of a man and his wife and their adult sons, their wives and children, and younger children of the paternal couple. In this ideal type the oldest male is the head of the family. The rights and duties in this type of family are laid down to a great extent by the hierarchical order of power and authority. Age and sex are the main ordering principles of family hierarchy. The frequency and the nature of contact/communication between members vary on the basis of sex. A married woman, for instance works in the kitchen with her mother-in-law and sisters-in-law. Younger members are required to show respect to the older members and can hardly question the authority or decision taken by elders even when it directly concerns them.

Emphasis on conjugal ties (i.e. between husband and wife) is supposed to weaken the stability of the joint family. The father-son relationship (filial relationship)

and the relationship between brothers (fraternal relationship) are more crucial for the joint family system than the husband-wife or conjugal relationship. Now let us discuss the institution of the marriage.

9.3 THE INSTITUTION OF MARRIAGE

Marriage is an important social institution. It is a relationship, which is socially approved and this fact of legitimacy is the defining criteria of marriage, setting it apart from mating. The relationship is defined and sanctioned by custom and law. The definition of the relationship includes not only guidelines for behaviour relating to sex but also regarding things like the particular way labour is to be divided and other duties and privileges. All marriages are guided by the principles of endogamy and exogamy. The universal dictate of incest taboo, creates a fundamental division between consanguines and affines; namely those considered as blood relatives and hence prohibited for marriage and those who are in the potentially marriageable category. It must be noted that these categories are socially created and therefore vary from society to society. But their existence is universal and seen as a defining criteria of being human.

Children born of marriage are considered the legitimate offspring of the married couple. This legitimacy is important in the matter of inheritance and succession. Thus marriage is not only a means of sexual gratification but also a set of cultural mechanisms to ensure the continuation of the family. The religious texts of many communities in India have outlined the purpose, rights and duties involved in marriage. Among the Hindus, for instance, marriage is regarded as a socio-religious duty. Ancient Hindu texts point out three main aims of marriage. These are *dharma* (duty), *praja* (progeny) and *rati* (sensual pleasure). That is to say that marriage is significant from both the societal as well as the individual's point of view.

Even among other communities in India, marriage is regarded as an essential obligation. Islam looks upon marriage as "*sunnah*" (an obligation) which must be fulfilled by every Muslim. Christianity holds marriage as crucial to life and lays emphasis on the establishment of a mutual relationship between husband and wife and on their duty to each other.

9.3.1 Age at Marriage in India

Apart from marriage being universal, early marriage is also common in India. Though there are differences between various religious groups, classes and castes in the matter of age at marriage, the median age at marriage is low in India. In 1929, the Child Marriage Restraint Act was passed (popularly known as the Sarda Act) and the minimum age for marriage for girls and boys was fixed at 14 years and 17 years respectively. The Act was made applicable to all Indians. The latest amendment (in 1978) has raised the minimum age for marriage for boys and girls to 18 years and 21 years, respectively. Though the age at marriage of females in India has been rising slowly since around the middle of the twentieth century; the level at the end of the twentieth century was low in comparison to the most of the low fertility countries (Das and Dey 1998: 92).

9.3.2 Forms of Marriage

All the commonly listed forms of marriage, namely, monogamy (marriage of a man to a woman at a time), and polygamy (marriage of a man or woman to more than one spouse) are found in India. The latter, that is polygamy, has two forms, namely, polygyny (marriage of a man to several women at a time) and polyandry (marriage of a woman to several men at a time).

9.3.2.1 Monogamy, Polygyny, Polyandry

In this section, we shall focus only on monogamy, and both forms of polygamy. With regard to the prevalence of these three forms, one has to distinguish between what is permitted and what is practised by different sections of the population through time.

- i) **Monogamy:** Among the Hindus, until the passing of the Hindu Marriage Act of 1955, a Hindu man was permitted to marry more than one woman at a time. Although permitted, polygyny has not been common among the Hindus. Only limited sections of the population like kings, chieftains, headmen of villages, members of the landed aristocracy actually practiced polygyny. After Independence, the Hindu Marriage Act of 1955 established monogamy for all Hindus and others who came to be governed by this Act. Some of the 'other' communities covered by this Act are the Sikhs, Jains and Buddhists. Strict monogamy is prescribed in Christian and Parsi communities.
- ii) **Polygyny:** Islam, on the other hand, has allowed polygyny. A Muslim man can have as many as four wives at a time, provided all are treated as equals. However, it seems that polygynous unions have been restricted to a small percentage of Muslims, namely the rich and the powerful.
- iii) **Polyandry:** Polyandry is even less common than polygyny. The Toda of the Nilgiris in Tamilnadu, the Khasa of Jaunsar Bawar in Dehradun district of Uttaranchal and some North Indian castes practice polyandry.

9.3.2.2 Prevailing Patterns

Today some changes are taking place, both in the family and in patterns of marriage. Because of migration and people leaving for work to other cities and parts of the world, the actual residential pattern of the family is changing. For example many old couples or even single elderly persons live alone because their children have gone elsewhere for work. Yet, as pointed out by many sociologists like Shah, the sentiments of the family remain. Children look after parents even from a distance, sending money and visiting regularly and whenever required.

Marriages by and large still follow the principle of being arranged by parents and elders although quite a few people prefer to look for their own spouses.

Instead of traditional caste norms alone, the principles of class, that is education, occupation and social status have become important criteria for arranging a marriage. There is also a trend for persons preferring to marry within the same rank and occupational category, like doctors marrying doctors and IAS officers doing the same.

With new reproductive techniques and acceptance of varying sexual preferences the nature of family and marriage may change further.

Activity 1

Go through matrimonial columns in your newspaper and analyse the marriage patterns you observe there. Share your observations with your friends or other learners at the study centre.

Check Your Progress 1

i) What is the legally prescribed age at marriage for boys and girls in India?

.....

ii) What are the three forms of marriage found in India?

.....

9.4 PATTERNS OF SELECTION OF SPOUSE

There are three striking features regarding selection of spouse in India where the marriages are based on prescription more than on preference. The prescriptive rules of marriage are usually the characteristic of relatively closed societies. The rules of endogamy, including those of hypergamy and hypogamy, indicate the groups into which a person is expected to find a spouse and in India, these are closely associated with the concept of caste or *jati*. Secondly, rules of exogamy prohibit a person from marrying into certain groups. These include the rules of incest that we have already mentioned.

9.4.1 Endogamy

The rule of endogamy requires an individual to marry within aspecified or defined group of which he or she is a member. The group may be a caste, clan, racial, ethnic or religious group. Marriages within the group help to reproduce the group. Religious and caste endogamy are two of the most pervasive forms of endogamy in India. Though legally permitted, inter-religious marriages are not commonly arranged or popular. In India there are innumerable castes which are divided into innumerable sub-castes which are further divided into subsections and each one of them is endogamous. The endogamous unit, for many Hindu sub-castes, consists of a series of kin clusters living in a fairly restricted geographical area. The operation of the rule of endogamy shows interesting variation by region and religion.

In South India, for instance, among many castes marriage with some relatives is preferred. In the Marathi, Telugu, Tamil and Kannada speaking areas, marriages with the cross-cousins (children of father's sisters or mother's brothers) are preferred. In North India, neither the parallel nor the cross-cousins can intermarry. In North India, on the other hand, there is a tendency to marry into villages that are not farther than twelve or thirteen kilometres from one's village. Social and economic links are restricted to a few kin groups residing in certain areas. There are spatial as well as social boundaries which limit the field of marriage and these boundaries vary from region to region.

Endogamous rules are operative in non-Hindu sections of the population too. Among the Muslims, the 'Syeds', recognised as an aristocratic class, are divided into various endogamous groups. Sometimes the endogamous group is so small that it includes only the extended families of a man's parents. Muslims permit marriages between both cross (mother's brother's children and father's sister's children) and parallel (mother's sister's children and father's brother's children) cousins. In fact, the father's brother's daughter is a preferred mate. Among Muslims the concept of purity of blood seems to be mainly responsible for preference of marriage between close relatives particularly between children of siblings. Many Muslim groups in North and Western India consider marriage between children of two brothers as most desirable. It is held that the desire to keep the family property within the family has been another important reason for close kin marriages. It is generally believed that marriage of the near kin helps to mitigate the conflict between a mother-in-law and daughter-in-law and this helps to strengthen the intra-as well as inter-familial ties.

Hypergamy: According to the rule of hypergamy, the status of the husband is always higher than that of the wife. Those who follow this rule always seek for their daughters those men who have social status higher than their own. It is a rule whereby marriage takes place or is generally arranged within a sub caste between a girl of a lower social status and a boy of a higher social status. This practice has occurred mainly among different subsections of a caste or sub caste rather than between castes. This practice known as *asanuloma* was the preferred form of marriage according to Hindu scriptures. Its opposite, *pratiloma* or **hypogamy**, where a woman marries into a group of lower rank was frowned upon

Practice of hypergamy has been found most Indian jati groups. It also shows interesting regional variations. For instance, among the Rajput of Uttar Pradesh, traditionally girls were given in marriage from east to the west direction within a sub-caste. This is so because the Rajput clans were associated with a geographic region and a corresponding rating by region. Prestige of regions increased towards the westerly direction (Karve 1965: 165-171).

9.4.2 Exogamy

Exogamous rules are complementary to endogamous rules. Starting from the practice of incest one can see many variations of this rule. In North India, a girl born within a village is considered the daughter of the village and hence cannot marry a boy from her own village. Thus, the village becomes the exogamous unit here. In South India, the exogamous unit in one's own generation is defined by one's own sisters/brothers and real and classificatory parallel cousins.

Two other kinds of exogamy, which have been prevalent among several Hindu communities in North and South India, are *sagotra* and *sapinda* exogamy.

- i) **Sagotra exogamy:** In the context of the 'twice born' castes (belonging to the Brahmin, Kshatriya and Vaishya *varna* across) India *sagotra* exogamy applies to those who trace descent from a common ancestor, usually a *rishi* or a sage. All these people cannot intermarry. The term *gotra* is commonly used to mean an exogamous category within a *jati*. One of its principal uses is to regulate marriage alliance. All members of a *gotra* are supposed to be descendants of or associated with the same ancestral figure.

A four-clan rule or four *gotra* exogamous rule prevails among Hindu castes in North India. In accordance with this four clan (*gotra*) rule, a man cannot marry a girl from (i) his father's *gotra* or clan, (ii) his mother's *gotra* or clan, (iii) his *dadi*'s, i.e. his father's mother's *gotra* or clan, and (iv) his *nani*'s, i.e., his mother's mother's *gotra* or clan. In almost all castes in the northern zone, according to Karve (1953), the marriage between cousins is prohibited. We can show the four-clan rule in a diagram in the following manner.

- a) **Sapinda:** *Sapinda* exogamy indicates the prohibition placed on the intermarriage between certain sets of relatives. *Sapinda* represents the relationship between the living member and their dead ancestors. The term *sapinda* means
- i) those who share the particles of the same body (ii) people who are united by offering '*pinda*' or balls of cooked rice to the same dead ancestor. Hindu lawgivers do not give a uniform definition regarding the kinship groups within which marriage cannot take place. Some prohibit marriage of members within seven generations on the father's side and five generations of members from mother's side. Some others have restricted the prohibited generations to five on the father's and three on the mother's side. Several others have permitted the marriage of cross-cousins (marriage of a person with his father's sister's children or mother's brother's children).

The Hindu Marriage Act of 1955 does not allow marriage within five generations on the father's side and three on the mother's side. However, it permits the marriage of cross-cousins where this is customary. Such rules are not confined to Hindus.

Among Christians and Muslims, the elementary or nuclear family is the exogamous unit. Moplah Muslims of North Malabar in Kerala live in matrilineal units and among them matrilineage is the exogamous unit. Lineage exogamy also exists among the Muslim Gujjars of Jammu and Kashmir (Srinivas 1969: 56). Among the Nayars, who are a matrilineal group, a girl can never marry her mother's brother.

9.4.3 Arranged Marriages

Though the measure of participation in choosing one's life partner has shown variations between different groups, by and large, marriage arranged by parents/elders is the most prevalent form of selection of spouse. For majority of the high

caste Hindus, matching of horoscope (charts relating to one's birth under certain astrological calculations) constitutes an important element in the final choice of the marriage partner. Today apart from astrologers matching the horoscopes of a boy and a girl, computers are also used to match horoscopes. Among the Muslims, the parents, elders or *wali* (guardian) arrange a marriage (Gazetteer of India 1965: 547 and CSWI 1974: 62).

9.5 MARRIAGE RITES

Rites constitute an important part of marriage in India. We find variations in rites not only in terms of religion but also in terms of caste, sect and rural or urban residence. Let us look at some of the basic rites in a few communities in India.

9.5.1 Basic Rites of Marriage in Different Communities

For the Hindus, marriage is a **sacrament**. This means that a Hindu marriage cannot be dissolved. It is a union for life. This is also reflected in the marital rites. Some of the essential rites are *kanyadan* (the giving off of the bride to the groom by the father), *panigrahana* (the clasp of the bride's hand by the groom), *agniparinaya* (going around the sacred fire by the bride and the groom), *lajahoma* (offering of the parched grain to the sacrificial fire) and *saptapadi* (walking seven steps by the bride and the groom). These basic rituals are not confined to the twice born castes (the Brahmin, Kshatriya and Vaishya) only, but these are also performed with some variations among other castes too. Some invite a Brahmin priest to recite the *mantra* which are religious invocations. The ritual of *kanyadan* is the most popular of all the basic rituals.

Certain sections of the Jain community (like the Digambara and Svetambara) and the Sikh community have marriage customs and rituals which are similar to those of the Hindus. The core ceremony of the Sikhs however is different. It is called "*anandkaraj*" and is solemnised in the presence of the Guru Granth Sahib, the holy book of the Sikhs. The main ceremony consists of the bridal couple going four times around the holy book. Appropriate verses, known as '*shabad*' are recited by the officiating priest. Unlike Hindus, Sikhs do not have any particular period or season for marriages.

Muslim marriage is not a sacrament. Rather, it is a contract, which can be terminated. Among the Muslims, the marriage rituals show variation by sect and region. Some rites of the Shia sect of the Muslims differ from the Sunni, a sect among the Muslims. However, the essential ceremony of Muslim marriage is known as the *nikah*. The ceremony is performed by the priest or the *kazi*. The *nikah* is considered to be complete only when the consent of both the groom and the bride has been obtained. A formal document known as *nikahnama* bears the signatures of the couple. Among certain sections, the signatures of two witnesses are also included in the document and the document may also contain details of the payment to be made to the bride by the groom. This payment is called the *mehr* which is a stipulated sum of money or other assets paid to the wife either immediately after the wedding or postponed till some future date.

Among the Christians, the wedding takes place in a church. The exchange of the ring is an important ritual among them. Some sections of the Christians, like the

Syrian Christians of Kerala, have the Hindu rite of the groom tying a '*tali*' on the bride's neck. *Tali* is a symbol of the married state of Hindu women in South India.

A marriage is a life cycle ceremony or a rite of passage (Van Gennep) that basically makes a social announcement of the union that is also its legitimacy.

Check Your Progress 2

i) Define the following:

a) endogamy

.....

b) exogamy

.....

c) hypergamy

.....

9.6 CHANGES IN THE FAMILY AND THE MARRIAGE

A host of interrelated factors, economic, educational, legal, demographic, have affected the family and the marriage in India. The impact has been differentially felt by different groups through time. Let us look at each factor separately keeping in mind that all these factors had a cumulative effect on different aspects of family living.

9.6.1 Factors Influencing Change in Family and Marriage in the Indian Context

We will discuss these factors in the context of social changes occurring since the British rule in India.

- i) **Economic Factors:** The spread and intensification of market economy, diversification of occupational opportunities for employment in varied spheres, technological advancements (in communication and transport) are some of the major economic factors, which have affected the joint family system in India.

The British encouraged cash transactions for purposes of revenue collection. They also introduced a range of new job opportunities that incentivized people to leave their traditional occupations and move to cities or towns where these occupations were available. This meant residential separation from their ancestral home. If they were married, they sometimes took their wives and children (and even one or two relatives) along with them.

Since Independence, opportunities for and diversification of occupations have increased. With a constitutional commitment to promote equality between the sexes and to integrate women into the development process, a further impetus has emerged to draw women into varied kinds of occupations. In families where both the men and women go out to work, role relationships between different members of the family are affected.

- ii) **Educational Factors:** Again it was during the British rule that opportunities for higher education emerged in a significant way. All castes and communities had access to the facilities provided by the British with regard to education. Some of those who were able to gain access and exposure to English-medium education (exposure specially to the individualistic, liberal and humanitarian ideas) began to question some of the Hindu customs and practices relating to child marriage, denial of rights of education to women, property rights of women and ill-treatment of widows. Educated young men not only desired to postpone their marriage to a much later age than what was prescribed by family tradition, but also wanted to marry women with some educational background. Educated women (especially college educated) were expected to have a different kind of influence on family matters than uneducated or less educated women.
- iii) **Legal Factors:** Legislations regarding employment, education, marriage, and property, has affected the family system in many ways. Labour laws passed for the benefit of employees like the Indian Workmen Compensation Act (1923), the Minimum Wages Act 1948, helped to reduce the economic reliance of members on the joint family for economic support. In 1930 the Hindu Gains of Learning Act was passed whereby it was declared that the property acquired by a Hindu out of his education was his personal property though his education was paid for by the joint family. The distinction between self-acquired property and joint family property was drawn. In 1937, during the British rule a law was passed by which a woman acquired a limited right to her husband's property. She could hold the property of her husband after his death as a limited owner during her lifetime. But after she died the property devolved to the heirs (usually the sons) of the husband.

With regard to marriage, the Child Marriage Restraint Act was passed in 1929, to curb infant marriages. It prescribed the minimum age (18 and 14 years respectively) at marriage for boys and girls. This Act also aimed to give women an opportunity for education. Now in India the prescribed minimum age at marriage is 21 for boys and 18 for girls.

After Independence the Hindu Succession Act (1956) was passed which gave a daughter and a son equal rights to the father's property. These legislations challenged the inheritance patterns that prevailed in joint families prior to the passing of this Act and the dependent position of women within the family.

- iv) **Urbanisation:** The process of urbanisation has also affected the pattern of family life in India. It denotes the movement of people from rural to urban areas and a shift from agricultural to non-agricultural occupations. It also implies the adoption of an urban way of life. Urban life reflects increased density of population, heterogeneity of population, diversification and increased specialisation of occupations, complex division of labour. It also

includes increased availability of educational and health facilities. Limited availability of living space, impersonality and anonymity also characterise urban life.

Partly as a result of population pressure on land, there has been a continuous influx of people into cities seeking education, jobs, medical care etc. What impact does migration to cities have on the families in villages? Residential separation due to mobility of members from one place to another affects the size and composition of the family. A man may take his wife and children along with him to establish a nuclear family in the city. There have been many studies, which show that migration to cities from villages and small towns has contributed to the rapid disintegration of large size family units. These observations have been mainly based on census data, which show a high percentage of nuclear families in cities (Mies 1980: 74). In the city, with problems of finding accommodation and limited space available for living, it becomes difficult for an average urbanite to maintain and support a large family.

The other factors which have been held responsible for encouraging smaller units are i) opportunities for higher education ii) heightened ambitions iii) increased occupational mobility iv) growing sense of individuality (i.e., thinking in terms of individual needs and ambitions rather than in terms of kinship needs and larger familial requirements).

9.6.2 Emerging Patterns of Family and Marriage

Today there are varied patterns of family living. In urban areas both male and female members of the family may go for gainful employment outside the home. In some families the parents of the husband may live with his wife and children. While in some others, members of the wife's family may be living with the couple and their children. With both the husband and the wife going outside the home for gainful employment and with the absence or limited availability of child care facilities, presence of kin members to look after the home and children comes handy for the smooth functioning of the household. Those working couples who prefer to live in nuclear families and who fear or resist interference from kin members, try to organise their household with professional help from outside the family (like cooks, maid servants, crèches).

Aged parents, who formerly used to look towards their eldest son or other sons for support in old age, are now adjusting themselves to the new demands of family life by making economic provisions for their old age. Even within a city parents and married sons may reside separately. Another trend in family life in India is that girls are prepared to support their parent or parents in old age, and it is not impossible to find a widowed mother or parents staying with a married daughter (mainly, in the absence of sons) to help her to manage the household. Measures have been provided at the legal level to ensure that dependant old parents are looked after by a daughter if she is self-reliant even after her marriage. Bilateral kinship relations are more and more recognised and accepted today in many nuclear households in the cities.

9.6.3 Recent Trends in the Marriage

To what extent are the rules of endogamy, hypergamy, exogamy and arranged marriages operative today? Intercaste marriages are now recognised by law and take place on a larger scale than before. These intercaste marriages constitute only a very small proportion of the total number of marriages taking place. They are increasing at a slow rate. Caste endogamy is still highly relevant in the context of the patterns of selection of spouse. Though majority of marriages continue to be arranged by parents/elders/*wali*, the pattern of choosing one's spouse has undergone some modifications today. We find the following patterns i) marriage by parents'/elders' choice without consulting either the boy or girl, ii) marriage by self-choice, iii) marriage by self-choice but with parents' consent, iv) marriage by parents' choice but with the consent of both the boy and the girl involved in the marriage, v) marriage by parents' choice but with the consent of only one of the two partners involved.

9.7 LET US SUM UP

This unit has discussed the social institution of family and marriage in India. It has described the types of family and forms of marriage, age at marriage, patterns of selection of spouse in India. Then it looked at factors of the changes in the family and the marriage. Finally, it outlined some of the emerging patterns of family life and marriage in contemporary India.

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9.9 SPECIMEN ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1

- i) 21 years for boys and 18 years for girls.
- ii) The three forms are monogamy, polygyny and polyandry.

Check Your Progress 2

- i) a) *Endogamy*: A rule of marriage whereby an individual is required to marry within a specified group of which he/she is a member.
- b) *Exogamy*: A rule of marriage whereby an individual is required to marry outside the group of which he/she is a member.
- c) *Hypergamy*: A rule of marriage whereby a girl is married to a boy whose social status is higher than her own. It occurs mainly among different subsections of a caste/subcaste rather than between castes.



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