

## **From Arranged Marriage to Autonomous Marriage: Marriage Liberalization in India, Ancient Rome, United Kingdom and China**

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### **Abstract**

*The change of arranged marriage to autonomous marriage is analyzed and compared in four different countries: India, ancient Rome, China and United Kingdom. For India, the historical period covered is from the Aryan times to present; for China, from the Shang Dynasty to present; for ancient Rome, from 8<sup>th</sup> century BC to the Rome Empire; for United Kingdom, from 16<sup>th</sup> to 19<sup>th</sup> century. The kind of arranged marriage and evolutionary path are different in the four countries. Three major questions raised in our study are: (1) Why arranged marriage in four countries all existed in the early age in history; (2) why autonomous marriage (partially in India) came into being later on in all the countries; (3) why the speed of this process differs from country to country. The answer to the first two questions is found to be this: It is mainly economical. However, the speed of this process is influenced mainly by cultural and political factors. By not limiting our study to fixed historical periods, unlike the case in previous studies, and by comparing four different countries from Asia and Europe, our study looks at marriage change globally which involves the change of marital laws and sociological factors.*

**Keyword:** Arranged marriage, Autonomous marriage, Marriage liberalization, Marital law.

### **Introduction**

Marriages of different countries or ethnic groups had been studied separately as the showcase of the society and family life with limited scope (see below). And economic, cultural and political factors contributed to the development of marriages. In this paper, we focus on these factors to find the different mechanisms governing marriage changes in different countries. Specifically, we study the change from arranged marriage to autonomous marriage: their different patterns and characteristics in different countries.

According to O'Brien [2008, pp. 40-42], arranged marriage means a type of marital union where the bride and groom are selected by a third party rather than by each other, which, in most cases, are their parents. Our paper is limited to the case that a young person's spouse is selected by the person's parents or relatives rather than by themselves. Autonomous marriage means young people can choose their own wives/husbands by their own will, mostly based on love. The motivation behind our study is described in the following.

Since Stone [1977] published *The Family, Sex and Marriage in England, 1500-1800*, one strand of analysis has focused on the marriage system and family structure in English history. In the process, some authors like Macfarlane [1986] have noted that arranged marriage was once a common thing in the whole English society. Existing analyses of English arranged marriage say very little on reasons for the existence of arranged marriage and how arranged marriage gave way to autonomous marriage.

About the marriage in India, scholars like Li Mian<sup>1</sup> [2004] and Zhang Jiao-Jiao [2012] have studied the influence of Hinduism and other cultural issues; they proposed and summarized the main characteristics in the India marriage. Their study uncovered the severe inequality in Indian marriage and the religious reasons behind it. But they did not compare India with other countries and tend to overlook the reasons and origins of the unique Hinduism tradition.

Previous studies on arranged marriage in ancient Rome focused on the marital laws and patriarchy but failed to mention the mechanism behind the phenomenon. Barrow [2000] discussed the Roman traditions in the Romans; Treggiari [1993] discussed the changes of Roman marriage from the late republic to the empire. Kuefler [2015] focused on the period of the empire, with limits in time span. In contrast, our study joins the study of marital laws with the study of traditions and social phenomena; reviews and studies about the Roman marital laws are introduced.

In China, the study on Western missionaries' discussion on Chinese marriage conducted by Xu Min [1994] concentrated on traditional marriage and the trend of liberalization during the late Ming Dynasty. Huang Li-Xin [1989] linked the phenomenon depicted in a dream in the novel *Red Mansions* to cultural factors. Xu Jian-Sheng [1961] focused on modern China and the impact of Western culture and discussed how traditional arranged marriages and patriarchal family came to an end. These previous studies mainly focused on one period or one dynasty; in contrast, our study presents a general study of the process of change.

About marital issues and marital laws in general, in all these four countries, previous studies about social phenomena overlooked the legislation issues, and studies from the approach of law overlooked the mechanisms and ethics behind the phenomena.

Our study concentrates on four countries: India, China, ancient Rome, and the United Kingdom (UK). It is based on literature review and comparative analyses, further developed using interdisciplinary ideas. There has been thorough research about these countries, and some comparative studies between Rome and China, between China and the U. But our study enlarges the range of study on marital issues, takes it to a more global scale, and covers a much wider time span.

## **2. Arranged Marriages in the Four Countries**

Arranged marriage is once a common phenomenon in the history of India, China, ancient Rome and UK. But things are very different in these four countries. The reasons why arranged marriage exists and the people who have to bear arranged marriage vary from country to country.

### **2.1. India**

India's history began with the Aryans coming to the South Asia continent around 1800-1600 BC. During the Aryan time, India went through the Vedic age, the era of the Nations, the Mauryan Empire and the Kushan Empire. Now it is very hard to define which social status India was in during the era of the Nations and the Mauryan Empire. But it was mainly between the slavery society and the feudal society. The source of Hinduism, Brahmanism, developed and boomed during the era of the Nations, which was deeply rooted in the social status of India at that time, will be discussed later on. The traditional marriage in India was greatly influenced by Hinduism, which shaped the social opinion about marriage and especially the discriminatory view on women.

First, there is no such thing as free love in ancient India. Marriage is considered as a tool to form a community of interests between different families. The leader of a big family could decide the marriage of the whole family, and the decision is mainly based on the interest of the whole family, not on love between the two persons involved. The marriage relationship is often decided when the couples are still very young. In some cases, the children's future wives or husbands are decided even before they are born [Sun, 2010].

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<sup>1</sup> Chinese names in this paper are in pinyin and written with family name first, except that those in the authors list are having family name last.

Second, compared to men, Indian women are heavily discriminated. They are considered the wealth of the husband, and it is very reasonable for a husband to desert his wife if he has proper reasons [Li, 2004]. So it is even more difficult for a woman to seek her own love. If a man died during a marriage, his wife is believed to blame for his death. And this wife should maintain single for the rest of her life. Again, there is no freedom for her to choose a husband [Li, 2004]

## 2.2 China

There are a lot of similarities between the history of China and that of India. Like India, China has a long history of arranged marriage, which is called betrothal marriage. The two features of China's betrothal marriage are "the dictates of parents and the words of the match makers" and the emphasis on "bride price" and dowry [Xu & Su, 2012].

Arranged marriage first started with the noble families in Shang Dynasty (1600s-1000s BC) while ordinary people still had some kind of freedom in choosing spouses [Song, 1994]. Ever since West Zhou Dynasty (1046-771 BC), the dynasty that follows Shang, arranged marriage was mandated by law, following the dictum of "the dictates of parents and the words of the match makers". Thus the trend of arranged marriage gradually extended from the noble families to the lower class in society [Xu & Su, 2012]. This kind of marriage system lived on to modern times of China until 1911 when Republic of China was replaced the Qing Dynasty. It was supported by morality and laws.

China has the tradition of "bride price" and dowry. This kind of money-transfer is one of the "six steps", which are the steps of a formal marriage. The "six steps" (*liu li*) are recorded in *Book of Rites, Shi Hun Li* and many other ancient Chinese etiquette books. Only after the "six steps" ceremony (which could last several days) can a marriage relationship be established, meaning that the wife's status be formalized. This ceremony is set to show that the wife's status is higher than the concubine's [Xu & Su, 2012].

In China, like in India, the society is divided into many social ranks. And no matter in which dynasty, people in the lowest rank are forbidden by law to mate with the upper class of people. The ranks in China were identical to the classes in other societies; economic base and division of occupation were comparable between Chinese society and other societies. However, the division of occupation and the sense of differentiation were significantly more influential in China. Chinese people believe that a bride and a groom should be matched in ranks. It is emphasized by nearly every rank of people. The so-called "matched" concept of choosing spouse dominated China for thousands of years, though the standard of being matched varied from time to time, which in some sense marked the proceeding of the society and the changes in the social status.

## 2.3 Ancient Rome

Ancient Rome is a little different from the other countries. In ancient Rome, arranged marriages have two characteristics: manus and patriarchy [Rawson, 1996]. First, the society is organized under patriarchy. The father ("sui iuris") was legally above all the others and had the privilege called "potestas": the right to make decisions and the right to "own" his families ("alieni iuris") [Nicolas, 2010]. Since patriarchy was generally accepted before the late republic, marriages were normally arranged by fathers when the girl was at the age of 12 to 16 [Xu, 2013]. The father would choose a husband for her daughter according to the social status (to strengthen the bond with great noble gens) or according to talent (like the case of Pompey Magnus, Cicero and Appius Claudius). Noble ladies would be promised to others by their fathers at an early age, and these engagements were very unstable; it was possible to change the decision. But it still needs to be approved by their fathers.

The second issue is also about the affiliation between the different genders. In ancient Rome, the word "manus" stood for the right and authority of the husband, which meant that the women was affiliated to her husband as she was affiliated to her father. After the reign of Numa, the Romans formed the tradition to respect married women [Barrow, 2000], but also required them to obey her father and husband [Mosier-Dubinsky, 2013]. Authority of the husband and the father was stressed, and a married woman did not have the right to own property. Virginity was required and adultery was a serious crime [Nussbaum, 2013].

What is noticeable is that this kind of arranged marriage did not apply to everyone. The political marriages of the great noble gens were motivated by family interests and thus are arranged marriage. But this motivation did not apply to the common citizens, so arranged marriages were common but some people from the lower classes could enjoy free love and free marriages.

While great noble gentes like gens Caecilius [Treggiari, 1993], gens Cornelius and gens Claudius had their political marriages, citizens from the lower ranks had the chance to pursue free love. But this was not the main trend.

## 2.4 United Kingdom

Like the other countries, the UK also had a period of time when the distinction between the different social ranks was very strict. During the 16<sup>th</sup>- 19<sup>th</sup> century, English society had an obvious stratification phenomenon. Different classes had their own living style, communication circle and culture system.

The noble families, in whose point of view political status and bloodline are very important, would arrange marriage among their children, but like the gentry and wealthy businessmen, economic status was also an important factor. The portion-jointure system made marriage an applicable tool for transferring wealth. It is all about money and power. In the upper class, if one wanted to inherit his or her parents' wealth and status, then this individual must obey them in choosing a spouse.

While in the lower class, there was no concern about social status corresponding to the upper class. People in lower class would not inherit a considerable amount of money from their parents anyway, so there was little necessity for the parents to interfere and their offspring had more rights to choose their spouse [Stone, 1977].

## 3. Liberalization of Marriage

Due to human nature, the demand for freedom in love and thus marriage liberation was always there. The question is whether there are barriers standing in the way to liberalization. In fact, the liberalization of marriage is somehow unstoppable because of people's natural strive for freedom. But the pattern of change and the evolving process varied in different countries.

### 3.1. India

In India, the process of marriage liberalization started when the British came to India in the 18<sup>th</sup> century to build their colony. The British governor wanted to inject Western culture into Indian society but was stopped by the Hinduism [Liu& Chen, 2007]. The effect of Hinduism was so deeply rooted in the Indian people's mind and their society, which made it very hard to change the discriminatory view toward women and their opinions of marriage. Although the Indian government passed laws to protect women's rights there is still little change in the society. Even though the one-husband-and-one-wife system (monogamy) was maintained, the road to equality is still very long and rough. According to Zhang Jiao-Jiao [2012], "Women in the movies are liberated, but women in the real world are still constrained". But one thing that must be noted is that the richer the area is, the higher level of freedom it enjoys. In the poor provinces, marriages are still arranged by parents like they always have been. Young couples seeking their free love would be severely punished and even executed by the local people while in big cities young people generally enjoy much more freedom in choosing their own spouses [Zhang, 2012].

### 3.2. China

In China, the social trend of free love first boomed in the Ming and Qing Dynasties. Many literary works emerged, such as *Peony Pavilion* and *Liaozhaizhuyi*, in which the author promoted and praised the true love of the young people [Huang, 1989]. However, this kind of phenomenon was never influential enough to come into the mainstream of the society; traditional arranged marriage still dominated the society [Xu, 1994].

After the Opium War (1839-1842), Western countries opened the door of China. Western thought and capitalist mode of production flooded into China. The Western idea about gender equality and women liberation encouraged new generations to fight for autonomous marriage. New production mode, years of war and Western idea, especially individualism, crushed the traditional big family of patriarchy, which began to collapse [Xu, 1961]. After the Republic of China was established in 1912, the government made laws to guarantee the freedom of marriage. As time went by, arranged marriage gradually began to collapse and freedom of marriage gradually became the social norm. However, in the rural area, the story is quite different. Many families in the countryside still live on with the old traditions; the new kind of marriage is only limited to the city and the proletariat. It was only after the founding of the People's Republic of China in 1949 those things in the rural area began to change. After a series of ideological reform movement, especially the ten-year long turmoil of the Cultural Revolution (1966-1976), the Chinese Communist Party succeeded in inserting the Marxist freedom of marriage into the people's mind. After nearly half of a century, the concept of free marriage was finally established firmly in the Chinese society.

### 3.3 Ancient Rome

In ancient Rome, the change from arranged marriages to free marriages was a constant process. Patriarchy and other traditions of Rome declined during the 2<sup>nd</sup> century BC due to the impact of Greek culture. As Rome expanded around the Mediterranean, it was harder and harder for the Romans to rule the conquered people with one unified law, the law of the Romans. So the Roman law had a different rule for marriage among conquered people. Unlike Roman citizens, these people could have marriage without manus; the same rule applied when a Roman citizen married a person from the conquered provinces. As the Roman Republic expanded, the Romans become the minorities. And soon, the Romans were more and more influenced by the ideas of commercial society (idea of contract and equality) and also chose to have marriages without manus.

The Roman marriage was later regarded as a form of contract. As the Romans developed a profound system of contracts (e.g., Titus Lucretius Carus used the idea of contract in his work, *De Rerum Natura*, in 1<sup>st</sup> century BC), they applied these ideas in their marriage, too. The Roman laws developed during the late republic and the early Roman Empire strengthened the idea of equality and focused more on the interests of the couple rather than the interest of the family.

Augustus (reigned from 27BC to AD14) passed laws about adultery and manus (*Lex Iulia De Adulteriis Coercend*, 19BC; *Lex Iulia De Maritandis Ordinibus* and *Lex papia Poppaea Nuptials*, AD9), trying to reinforce the authority of the husband but was opposed by the majority [Witte, 2012]. In the next two centuries only 3,000 cases applied to these laws (15 cases a year). Here is a showcase of Roman marriage: the majority no longer stressed the authority of the husband and marriage without the interference from the father was accepted (in the case of Cicero's daughter, engagement was held without even informing the father). Also, restrictions on widows declined; widows were allowed, sometimes encouraged, to find a new husband; and virginity was not valued [Kuefler, 2015].

### 3.4 United Kingdom

And about the UK, a higher level of freedom has been achieved. The reasons leading to this change are various. First, the reformed Christian doctrine after the Protestant Reformation (in the 16<sup>th</sup> century Europe) played an important part. In this reformation, independence was placed at a high level, and individualism came into being. According to *The Free Dictionary*, "individualism" means that individuals promote the exercise of one's goals and desires, and value independence and self-reliance. In marriage, individualists hold the view of independent marriage which means the individuals find and select their own spouses. Along with individualism, the idea of autonomous marriage flooded into English society due to the Protestant Reformation.

Secondly, the Renaissance (14<sup>th</sup> – 17<sup>th</sup> century) spread the spirit of self-awareness all over Europe. Many great artworks emerged and some of them, especially literature, shared a common motive—the pursuit of true love. As one of the art centers in Europe, England had numerous distinguished masters whose masterpieces passionately eulogized the pure love between young people. For example, William Shakespeare (1564-1616), the greatest writer in England, had plenty of poems and dramas which conveyed the idea of freedom and pure love. His dramas also had great influence on the next generation's opinion about marriage and love. For example, in his romantic story *Romeo and Juliet*, Romeo and Juliet would rather die than live separately. It can be regarded as a rebellion of young adults towards parents for the rights of choosing their own spouse. Edmund Spenser (1552-1599), Thomas Campion (1567-1620) and many other masters also wrote for the praise of pure love.

After the Renaissance, the Literature of Romanticism became popular in Europe. In England, artists continued their work of expressing their feelings, their emotions and their urge for independent marriage. From Jane Austen (1775-1817) to the Bronte sisters, as female writers, they called on a new explanation to love from a different angle. In conclusion, art innovation in cultural aspect played an important role in forming a civil marriage system and individuals became more and more aware of their rights of choosing their own spouse instead of obeying their parents. These kinds of revolution in arts promoted the liberalization of the social opinion, thus promoting the liberalization of marriage.

## 4. Discussion and Conclusion

Our findings could be summarized as follows: Firstly, most of the four countries went through a process from arranged marriage to autonomous marriage. And arranged marriage was generally accepted in the society due to the social formations of the times. Correspondingly, differences between the four countries' arranged marriage are due to the different economic productivity level at the time.

In an ancient society the productivity level is low; members of the society are organized in units of families. And the social life is based on the agricultural production and agricultural economy. In India and ancient China, this feature is very obvious and noticeable in any given time period. Under this kind of circumstances, a core or a leader was needed in every family, and in most cases it is the father. The young people in the family, without any doubt, have the passion and desire to strive for free love. However, in a society like that, if two people flee from their family and decide to form their own family, it will be very difficult for them to settle down and survive. In Rome, the system of concubinatus partly solved this problem by offering another option. In ancient Rome and UK, the noble families choose arranged marriage in the same circumstances. But the UK does not have a large and fully-developed agricultural society, so the lower class does not need to be sacrificed for the benefits for the family and can enjoy more marriage freedom. Rome, due to its law system and commercial society, was also partly free from arranged marriage.

Secondly, we research about the motivation behind marriage liberalization. Normally, the will to strive for free love existed even in ancient times, which show up in all kinds of literature. We find that it is also the development of productivity in the society that breaks up the barrier between reality and autonomous marriage. It could be concluded that it is the economic reasons that decide the social phenomena. When capitalism emerged and finally governed in the UK, the society evolved from the agricultural society into a commercial society. Now the people in the UK, at least a large proportion of them, can make a living away from the family. Capitalism changes the relationship between different people. The bourgeois revolution destroyed the old family status system, and the Industrial Revolution gave people a chance to live on their own through employment instead of being trapped by the family relationship and patriarchy. As has been mentioned above, the desire to marry for love has long been in existence. This kind of change makes it possible for people to fulfill their desire, so marriage liberation soon became the trend among the majority. In India, things are similar. It is just the areas with the lowest wealth and worse economic development that have the most restrictions on the marriage of the young people. The more developed the area is, the higher level of freedom it enjoys.

Thirdly, if marriage liberalization is a universal trend, then in the global scale there must be reasons for different countries to choose different patterns. The key to these differences is the cultural factor. Though culture is based on the economy, it can in turn affect the efficiency of the economic factors. Hinduism, in India, strongly opposed the liberalization of the marriage and equality between genders. In contrast, in England, the Renaissance and the reformed Christian Church recognized and promoted the process of liberalization. And the political system was also very important; through constant “ideological reforming” it would be possible to change the social consensus as happened in China. Yet, this did not happen in India. Consequently, as the Indian government did not conduct this kind of serious and bottom-up political change, Hinduism still exert great influence in the political system, resulting in the slow pace of marriage liberalization in India.

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