

## An Analytical Study of Definitions of the Term “Marriage”

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### Abstract

*The history of human society is nothing but the description of the evolution and diffusion of various institutions designed toward perpetuation, maintenance and survival of society. The institution of marriage occupies a unique place in the realm of institutions and it is this institution which is instrumental in perpetuating human society through regulations of conjugal and filial ties. The institution of marriage is as old as creation of the world. As a social institution, it has taken different forms in different societies from time immemorial. In this study an attempt is made to study the definitions of the term “marriage”. The chief sources of our knowledge about the institution are the literary data which give us a glimpse of the picture regarding progress in this sphere. There were various definitions of the term “marriage” presented by various scholars. The research will be mainly based on secondary sources and wherever necessary material will also be obtained from limited primary sources.*

**Keyword:** marriage, definition, economic, anthropology, fundamental basis, purpose of marriage, legal, social definition, Buddhist perspective.

### 1.1 Introduction

It is very useful to analyze definition of what the marriage is. We have the numerous theories offered by social anthropologists about the origin and history of this important institution its various forms, modes and conditions in different epochs and societies. The family as the basis of marriage has been a self-contained unit with a division of functions on a sex basis, each partner performing his or her duties in the best interests of the family as a cooperative unit.

### 1.2 Legal and Biological definitions

In modern times, the most important aspects of marriage are social, religious as well as legal. Bertrand Russel says that “marriage differs, of course, from other sex relations by the fact that it is a legal institution. It is also in most communities a religious institution, but it is the legal aspect which is essential”. (Russell, 1959: 88).

The fundamental basis of marriage is defined as “a personal association between a man and a woman and a biological relationship for mating and reproduction. As a social, legal and religious institution, marriage has undergone any number of modifications and changes; nevertheless, its basic realities remain the same. The permanent, indissoluble, sacramental union of the orthodox differs strikingly from the free, easily served, and often not even officially registered marriages, let us say, of a modern Russian, and yet both of these marriages have certain underlying elements in common. In both instances, the couple seeks to make their union stable. They assume the freedom and privilege of a sexual relationship, and normally have as their ultimate aim the establishment of a family. Biologically, the object of marriage is not to legalize a sexual union, but rather to ensure the survival of the species and of the race. From this point of view, marriage is not merely a sexual relationship, but a parental association. It is the union of a male and a female for production and care of offspring and reproduction is, therefore, another fundamental object or purpose of marriage”. (Stone, 1939: 18).

From the above one can easily draw the conclusion that the main object of the institution of marriage has always been to provide for posterity and the continuance of the human race. Interpreting marriage, Radcliffe- Brown says that in certain societies a man may be said to have relatives by marriage long before he marries and indeed as soon as he is born into the world. This is provided by the institution of the required or preferential marriage.

In many societies, it is regarded as preferable that a man should marry the daughter of his mother's brother; this is the form of the custom known as cross cousin marriage. Thus the female cousin of this kind, or all those women whom by the classificatory system he classifies as such, are potential wives for him, and their brothers are his potential brothers-in-law. Radcliffe- Brown says joking relationship for this type of marriage as mentioned above. (Radcliffe- Brown, 1964: 93).

Marriage as a physical as well as a moral union is recognized by society as the basis of a family. It may be a sacrament and in that way an indissoluble union for this life and hereafter, as in the case of a staunch Hindu or Roman Catholic, or a temporary civil contract for a fixed period as in the case of a Mutaa marriage among the Shia Muslims. But whether a sacrament or a civil contract, the relationship, above sexual satisfaction, is to join two members of opposite sexes for the procreation of legitimate children. In the words of H. M. Stone and Abraham Stone, "While particular marriages may, of course, be entered into for any number of other reasons as family pleasure, social conveniences, financial considerations and similar motives, basically the prime objects of marriage are companionship, sexual intimacy and procreation." (Stone, 1939: 21).

E. E. Evans-Pritchard say that the sex is mainly bounded with marriage and the first sexual play occurs in imitation of one of the domestic routines of married life. It occurs in response to a cultural, and not to an instinctive, urge. (Evans-Pritchard, 1951: 50). S. J. Tambiah says citing B. Z. Zeligman and a committee of the Royal Anthropological Institute of Great Britain and Ireland that marriage is a union between a man and a woman such that children born to the woman are recognized legitimate offspring of both parents. (Tambiah, 1966: 264). Edmund R. Leach was among the first to argue that a definition of marriage in terms of legitimacy is too limited. According to this opinion, any attempt at a universal definition of marriage is inevitably vain, since the institutions commonly classed as marriage are concerned with an allocation of a number of distinguishable classes of rights. Leach suggests that in most cases the institution of marriage serves to allocate rights to either or both spouses; in some cases it serves primarily to allocate rights to the husband and his wife's brothers. (Leach, 1971: 107).

If a universal definition of marriage is to be formulated, it would seem that the one proposed by Prince Peter should serve as a model. The roles of husbands and wives must be defined in terms of the essential rights and obligations and the behavioral attributes entailed in them in any particular society. Gough and Fischer are justified in their concern that confronted with different forms of mating, the anthropologist employing Prince Peter's definition would be unable to decide which institutions should be referred to as "marriage", as "concubinage" etc. However, if the statements were modified so as to define marriage as the jurally valid and socially recognized assumption of the kinship roles of husband and wife, there would be few or no problems concerning the distinction between marriage and its socially recognized alternatives. Such a proviso emphasizes that the publicly acknowledged kinship roles created by marriage- as opposed to its alternatives - derive support from the juridico-political domain of the society. There may be more than one jurally valid way of assuming the roles of husbands and wife- as is the case in the some present day. African states which recognize marriages contracted to one or more sets of customary laws as well as marriages contracted in accordance with legal codes based on European models. (Sills, 1972: 10).

It would appear that the cross- cultural study of marriage must rest on the premise that all societies recognize kinship roles which are founded in law as well as those which are based ultimately on actual, assumed, presumed genetic relationships. Fundamental to the understanding of the concept of "lawfully based" kinship is the fact that human mating is everywhere subject to socially derived regulations. While it is normally expected that marriage will lead to parenthood, the roles of husband and wife need not be defined by reference to children who will come to be regarded as legitimate offspring of individuals in these roles. The roles of husband and wife should be defined in terms of the rights and obligations which attach to them, and marriage must be defined as the lawfully or jurally recognized assumption of these roles. (*Ibid*, 10).

Marriage involves the allocation of rights and obligations among the parties to the agreement. A number of anthropologists have attempted to classify the various rights which are known to be allocated at marriage in different societies. In discussing the jural elements in marital and other kinship relations, Radcliffe Brown distinguishes personal rights from possessive rights. (*Ibid*, 12). In most societies husband and wives have personal rights in each other: either spouse may claim certain duties of the other. It is also common to find that a husband has possessive rights in relation to his wife. Her seduction, her abduction, or her murder would constitute a serious infringement of her husband's rights.

In an important contribution to the literature on marriage, Laura Bohannon distinguishes two classes of rights in females which may be allocated at marriage. Rights in a woman as wife are distinguished from rights in a woman as mother. (*Ibid*, 12). In her discussion of Dahomean marriage, Bohannon shows that rights over a woman's sexual powers and certain of her domestic services were transferred from a woman's patrilineage to the man or woman who made the appropriate bride-wealth payments. In most of the types of the "types" of Dahomean marriage, rights to any children a woman might bear during the course of her marriage were also transferred from a woman's patrilineage to that of her husband. Distinct classes of marriage payments were necessary to the transfer of each of these two classes of rights. However, in certain types of marriage, rights in geneticism were retained by the woman's natal patrilineage; this might occur in cases where a lineage was faced with a shortage of male heirs and one of the daughters of the lineage was given in marriage to a man who agreed to make all the bride-wealth payments except those which would have given him jural authority over children of the marriage. Moreover, marriage of a woman of the royal lineage never involved the transfer of rights in geneticism to the lineage of her husband. (*Ibid*, 12).

Even though, it is usually rights in women which are in the forefront of marital negotiations, Leach has pointed out that marriages also serve to allocate rights in and over men. He suggests that a marriage may serve to do the following: To establish the legal father of a woman's children; To establish the legal mother of a man's children; To give the husband a monopoly of the wife's sexuality; To give the wife a monopoly of the husband's sexuality; To give the husband partial or monopolistic rights to the husband's labor services; To give the wife partial or monopolistic rights to the husband's labor services; To give the husband partial or total rights over property belonging or potentially accruing to the wife; To give the wife partial or total rights over property belonging or potentially accruing to the husband; To establish a joint fund of property for the benefit of the children of the marriage; To establish a socially significant relationship of affinity between the husband and his wife's brothers. (Leach, 1971: 107-108).

Leach therefore, focuses attention on rights in and regarding children, sexuality, domestic and economic services and property. In the last instance, he suggests that marriages may establish between groups of men mutual independencies which could entail any of the above rights as well as others of a political nature. M. L. S. Jayasekara says that Marriage in ancient customary law is essentially a contract between the parties. In the ancient law it was also a contract between the families of the two parties and they had certain rights and duties. (Jayasekara, 1982: 77).

Malinowsky has observed that the different forms of marriages are not stages in an evolutionary series, as Bachofen, Spencer and others would make us believe, but marriage is fundamentally one and its variations are determined by the type of community, its political and economic order and the character of its material culture. (Malinowsky, 1950: 940).

### ***1.3 Economic definition***

A family consisting of husband, wife and children is a complete unit in modern society. In most of society of the world, the marriage is patrilocal, where the bride moves to the place of the husband. The family's functions are based on division of labour on the basis of sex-the husband performs all the tasks outside the home and fulfills his economic obligations; the wife bears children, brings them up, and performs other house hold duties of daily routine. However, efficient management of a family largely depends upon economic conditions, and according to H. M. Stone and Abraham Stone, "Economic fitness still constitutes a very important social factor in marriage". (Stone, 1939: 20). In the modern set-up much stress is being laid on the economic value of the girl; the ethical and ideological norms of society are losing their importance.

### ***1.4 Social definition***

In recent times, the institution of marriage has been free from the many customs, ceremonies and additional expenditures of olden times. Bertrand Russell has beautifully summarized contemporary trends in the institution of marriage in the following words. It is therefore, possible for a civilized man and woman to be happy in marriage, although if this is to be the case, a number of conditions must be fulfilled. There must be a feeling of complete equality on both sides; there must be no interference with mutual freedom; there must be the most complete physical and mental intimacy; and there must be a certain similarity in regard to standards of values. (It is fatal, for example, if one values only money, while the other values only good work.)

Given all these conditions, I believe marriage to be the best and the most important relationship that can exist between two human beings. If it has not often been realized hitherto, that is chiefly because the husband and wife have regarded themselves as each other's policeman. If marriage is to achieve its possibilities, husbands and wives must learn to understand that whatever the law may say, in their private lives they must be free. (Russell, 1959: 97).

Radcliffe-Brown and Daryll Forde describe in their book *African Systems of Kinship and Marriage* a marriage is essentially a rearrangement of social structure. What is meant by social structure is any arrangement of person in institutionalized relationships. By a marriage certain existing relationships, particularly, in most societies, those of the bride to her family, are changed. New social relations are created, not only between the husband and the wife, and between the husband and the wife's relatives on the one side and between the wife and the husband's relatives on the other, but also in a many great societies, between the relatives of the husband those of the wife, who, on the two sides, are interested in the marriage and in the children that are expected to result from it. Marriages, like births, deaths or initiations of puberty, are rearrangements of structure that are constantly recurring in any society; they are moments of the continuing social process regulated by custom; there are institutionalized ways of dealing with such events. (Radcliffe- Brown and Daryll Forde, 1950: 43).

Robert A. Harper mentions that there are two views in modern American society which are "marriage is a sacred contract and marriage should bring happiness to the individuals who enter it." He further mentions that the idea of marriage as a sacred contract is part of Hebrew and Christian religious traditions; the notion of the right to happiness in marriage is one expression of current emphasis on individualistic satisfaction. In the early society stress was placed upon the efficient working of the family unit as a whole. The question of whether or not a particular individual was pleased with his lot in the family institution was irrelevant. In present individual centered society, however, the question of individual happiness in marriage and family life is considered very important. (Harper, 1949: 1) In order to clear goals of the marriage he says,

Quite aside from the present acuteness of personal and social maladjustments, a sheer joy goal in marriage is not a very realistic one. Any system of marriage must at times be in conflict with the basic impulses of the individual. Marriage makes demands upon the individual which are at times contrary to basic drives, sexual ones in particular. His sexual tendencies must, at least part of the time, be curbed or modified. Some conflict, some tension, some disturbance of the marital calm must appear occasionally for all individuals as a result of the clash between biological drives and social demands. (Harper, 1949: 6).

Harper further emphasizes that one reason why marriage continues in popularity is that it is a strongly established social habit. In the usual course of events, children are born to parents who are married, observe most of the adults around them married, and grow up to view getting married as the normal thing to do. Stated in technical terms, social institutions such as marriage tend to be self-perpetuating. People get used to behaving in certain ways and they tend to go on behaving that way. (Harper, 1949:11).

E. O. James tells at marriage in many angles; marriage is essentially a social transaction affecting the relatives both of the bride and the bridegroom; it commonly involves some compensation to the family which is losing one of its members. This may take the form of an exchange of gifts by their respective parents for each other's sons, or the exchange of sisters, or of some female relatives, by the young men themselves. (James, 1952: 38). He further says that although marriage was regarded as a natural or divine institution, or merely as a civil contract, is directed to the control of human conduct in a particularly delicate and vulnerable relationship in which some of the deepest impulses, emotions, passions and experiences are centered. (James, 1952: 146). Furthermore, James says that marriage is a basic institution in human society of universal occurrence, because no other union of men and women meets all the requirements of mating, home-making, love and personality at the human level of biological, psychological, social, ethical and spiritual evolution. (James, 1952: 191). It is in the institution of marriage that this unique attribute which endows reflective rational experience with individuality and makes human beings subjects of rights and duties, finds expression in the man-woman relationship. (James, 1952: 192).

According to the Sarva Daman Sing, marriage is the foundation of social existence. Universality of celibacy would be tantamount to racial suicide; hence the Hindu disapproval of the unmarried state for women, and of lifelong celibacy for most men. To be mothers were women created; to be fathers men. Marriage is a bodily rite, *śarīrasaṃkāra*, which every man and woman should perform. He further says that the word marriage conveys the sense of the relationship. Marriage is something more serious than the pleasure of two or more people in each other's company.

It is an institution that assures the multiplication of the race, and forms a vital part of the intimate texture of society. It is an adjustment between the biological purposes of nature and the sociological designs of man. (Sing, 1978: 3). S. B. Hettiaratchi says that traditional law recognizes marriage as a fundamental institution, because it is on marriage that the continuance of the basis of society – the family system – rests. (Hettiaratchi, 1988: 55). The ethical and ideological aspects of the institution of marriage have been stressed by Lowie. The future of marriage will be shaped not merely by utilitarianism but largely on the basis of regnant ideologies... A reversal of the present attitudes to marriage is wholly conceivable; whether or not it shall occur depends on the potency of appeals involving the older ideologies. (Lowie, 1951: 154.).

Thus we find marriage a pivotal institution in the social functioning of all cultures. Marriage has been defined by Westermarck as a relation of one or more men to one or more women which is recognized custom or law, and involves certain rights and duties both in the case of the parties entering the union and in the case of the children born of it. (Westermarck, 1922: 26).

He further mentions that these rights and duties vary among different peoples, and cannot therefore all be included in a general definition; but there must, of course, be something which they have in common. Marriage always implies the right of sexual intercourse: society holds such intercourse allowable in the case of husband and wife and generally speaking, even regards it as their duty to gratify in some measures the other partner's desire. Westermarck further emphasizes that marriage is something more than a regulated sexual relation. It is an economic institution, which may in various ways affect the proprietary rights of the parties. It is the husband's duty, so far as it is possible and necessary to support his wife and children, but it may also be their duty to work for him. As a general rule, he has some power over the children is generally of limited duration. Very often marriage determines the place which a newly born individual is to take in the social structure of the community to which he or she belongs; but this cannot, as has been maintained, be regarded as the chief and primary function of marriage, considering how frequently illegitimate children are treated exactly like legitimate ones with regard to descent, inheritance and succession. It is, finally necessary that the union, to be recognized as a marriage should be concluded in accordance with the rules laid down by custom or law, whatever these rules may be. They may require the consent of the parties themselves or of their parents, or of the parties as well as of their parents. They may compel the man to pay a price for his bride, or the parents of the latter to provide her with a dowry. They may prescribe the performance of a particular marriage ceremony of one kind or other. And no man and woman are regarded as husband and wife unless the conditions stipulated by custom or law are complied with. (Westermarck, 1922: 27).

The intermixing of cultures affects the institution of marriage and has been changing its shape in different societies in different epochs. Apart from this, the social political, moral and economic conditions of a particular social order have always affected the form of marriage in society.

### 1.5 *Buddhist perspectives of marriage*

Many definitions which have been described by some sociologists have been examined in the above and it is necessary to discuss of the marriage as described in Buddhist literature. As essentially Buddhist society is originated in Sri Lanka, it is pertinent to discuss Buddhist perspectives of marriage. Firstly, we should understand the term marriage or *vivāha* as used in various dictionaries. It is called *vivāha* which means as leading away of the bride from her father's house, taking a wife and marriage with... in the *Sanskrit and English Dictionary*. (Monier Williams, 1979: 987). Ram Jasan has described it as *vi* which means mutually and *vah* which means to take according to his *Sanskrit Dictionary* (Jasan, 1870: 570). A *Practical Sanskrit Dictionary* emphasizes the word *vivāhya* to mean what is connected with marriage and to be married. (Macdonell, 1924: 288). H. H. Wilson in his *Dictionary* mentions it as *vivāhak*. (Wilson, 1874: 809). T. W. Rhys Davids opines the term *vivāha* as carrying or sending away. (Rhys Davids, 1921-1925: 638). A *Dictionary of the Pali Language* has presented the word 'marriage' for the word *vivāho*. (Childers, 1909: 588).

The third precept of the five precepts prohibits one having sex outside one's married. Desire (*kāma*) means enjoying the five senses i. e. form, soul, smell and touching. Marriage is essentially connected with the enjoying the five senses. Therefore, if marriage is a bad behavior, it is contrary to Buddhism. But it is according to Buddhism. Hence, basically, in a marriage both the wife and husband should be faithful to one another. According to the opinions of many scholars, the third precept, refraining from misconduct (*kāmesu miccācārā*), is a very controversial one. One opinion is that *kāmesu* means in *rūpa*, *sabda*, *gandha*, *rasa*, *sparsha*.

One should refrain from all these things, although *kāmesu* is a plural word, all these are suitable for males and females. (Sumanaratana, 2005: 36). Under mentioned verse of the Dhammapada also can be regarded as one very vital in this regard. (Carter, 1987: v. 246). A person, who is engaged in four evil deeds, invites his destruction. According to the view of Jotiya Dhirasekara, this precept is especially important in the male and female's sexual intercourse. (Dhirasekara, 1965: 13). *Mātāputta Sutta* also can be regarded as a very important Sutta relevant to this topic. It mentions that women's figure has rūpa, sabda, gandha, rasa and sparsha. (Wimalajoti, 2005: 108). Therefore, *kāmesu micchācārā* means refraining from misconduct. Many religions except Buddhism treat everything as given by God. Their main opinion is that the world and man as well as marriage were created by the God. (*Catechism of the Catholic Church*, 1994: 405). But, according to Buddha's philosophy, marriage has emerged as a consequence of the evolution of the human beings. Its functions and responsibilities are not relevant to the God but are kept in the person himself. Buddhism has described that marriage could be of maximum happiness (*sadāra santuṭṭhi*) and that life which is spent in a very good manner (*sadāra bramacariya*). Therefore, Walpola Rahula expressed as follows:

Love between husband and wife is considered almost religious or sacred. It is called *sadāra Bramacariya* 'sacred family life'. Here too, the significance of the term *brahma* should be noted: the highest respect is given to this relationship. Wives and husbands should be faithful, respectful and devoted to each other; the husband should always honour his wife and never be wanting in respect to her; he should love her and be faithful to her; should secure her position and comfort; and should please her by presenting her with clothing and jewellery. The wife in her turn should supervise and look after household affairs; should entertain guests, visitors, friends, relatives and employees; should love and be faithful to her husband; should protect his earnings; should be clever and energetic in all activities." (Rahula, 1959: 79).

Buddhist teachings mention about the marriages which are not suitable to the human life. For example, the *Parābhava Sutta* mentions that an old person should not marry a girl who has breasts similar to the *Timbiri* (*Diospyros enbryopteris*) fruit. (Wimalajoti, 2005: 34). This verse is a very vital one, because age gap should also be considered according to the Buddhist discourses. In the present society, we can see some proposed marriages due to wealth, property and lust as well. These marriages are very impermanent ones and many disputes would arise between the husband and wife, due to incompatible physical or mental status. Therefore, Buddhism extremely stresses the importance of a suitable age gap between the life partners for a successful married life. According to the above mentioned facts, a married life would be fruitful, if the male and the female are sufficiently matched in age, ideas and behavior. John J. Robinson describes in his book "Of Servness" on love, connections of sexual inter courses and marriage.

Be careful. Do the activities in a healthy mentality. It is very easy to enter the married life than a divorce. If you had the correct male partner or female partner, the married life may become a divine one. If it was not, you will be gone to the hell which is chasing after you in twenty four hours.

According to the preceding passage, married life will become a divine one, if one has a correct female life partner. Buddhism also approves it. *Paṭhama Saṃvāsa Sutta* of the *Aṅguttara Nikāya* describes the nature of husband and wife. Living a dead body with a dead body (*Chavo chavāya saddhim saṃvasati*); Living a dead body with divine being (*devangana*), (*Chavo devāya saddhim saṃvasati*); Living a divine being with a dead body (*Devo chavāya saddhim saṃvasati*); Living a divine being with a divine being. (*Chavo devāya saddhim saṃvasati*) (Wimalajoti, 2005: 110-116).

Buddha has encouraged the type of living a divine being with a divine being. Thus a god should live with a goddess. God and goddess mean the faithful husband and wife who have ideal qualities for married life. Buddha's opinion was that both these partners should have *Saddhā*, *Sīla*, *Cāga* and *Paññā*. If the husband and wife are similarly matched by these qualities, they can spend a happy married life and they are considered as a god and a goddess. *Saddhā* means not only the direction for Triple Gem, but also for the trustworthiness between the husband and wife. *Sīla* means good behavior. Married life without *Sīla*, is an unfortunate one with a variety of disputes. *Cāga* means that both partners should treat both of them equally. *Paññā* means taking every action by consciousness. If husband and wife equal by these qualities, Buddha has preached that they will affect even at the next birth. (Wimalajoti, 2005: 208-211).

Male and female who enter married life should have a mutual understanding. It could result in a real married life. Man has to endure traditional difficulties of women. Some of them mentioned in the *Āveṇika Dukkha Sutta* of the *Mātugāma Saṅyutta* in the *Sutta Nipāta* as follows.

In the youth, woman has to go to the husband family and separates from relatives (*Mātugāmo daharo ca samānā patikulam gacchati. Nātakehi vinā hoti.*); Woman has to face action in menses which is a biological action. (*Mātugāmo utunī hoti.*); Woman has to face pregnancy (*Mātugāmo gabbhiṇī hoti*); Woman has to face the difficulty of delivering children. (*Mātugāmo vijāyati hoti*); Woman has to associate with the husband. (*Mātugāmo purisassa pāri cariyā hoti*). (Wimalajoti, 2005: 451-452).

The husband should treat with kindness the wife in such situations, as it is incumbent upon him. If partners enter married life with mutual understanding of each other, problems can be minimized. Before entering married life, a woman has to check the under mentioned qualities of the partner. Handsome (*rūpavā hoti*); Necessary physical resources. (*bhogavā hoti*); Discipline (*sīlavā hoti*); Cleverness and lack of lazy. (*dakkho ca hoti analaso*); Feasibility of giving children. (*pañcassa labhati*). (Wimalajoti, 2005: 450).

These points could be divided into two parts as artha and dhamma. A person should have both these qualities, when he enters married life. Except Discipline (*sīla*), all the other things can be regarded as artha. Artha means the development of resources. Specially, it means the profession of a person. *Rūpavā hoti*, the first point mentioned here, emphasizes handsomeness or personality of a person. After getting married, a woman has to depend on her husband. Although this is not directly connected to artha, it also can indirectly be connected to artha, due to the importance of personality on the benefit of the economic aspect. *Bhogavā hoti* can be given the meaning as the economic background of the male life partner. Husband of the family has serious responsibilities after his marriage. There should be a sufficient economic background for constructing a marriage. At least, the basic needs have to be fulfilled. There are three basic needs in the Buddhist economic philosophy. Providing the basic needs (Food and beverage, costumes, homes and medicines.), those can be mentioned as comfortable life or *phāsu vihāra* and Road to the Nirvāna or *brahma cariyānuggahā*. Husband should endeavor aiming these three points for a successful married life. Next fact can be described as *dakkhoca hoti analaso* which means to be efficient but lazy. Male has a very responsible task to build a good foundation for the family. Male is the backbone of the family. The shortcomings in him will affect the whole affairs of the family. Cleverness and endeavors will develop family life. *Pañcassa labhati* is the next point of the artha. One of the main objectives of married life is procreation of children which could be regarded as a great resource.

Therefore, the wife expects children from the husband. The dhamma is the next aspect that should be referred to. It is *sīlavā hoti*. Although the male life partner is a very wealthy person, if he indulges in misbehavior, married life would a failure. *Sīlavā* means development of self-discipline high human qualities. Husband should develop *saddhā*, *sīla*, *cāga* and *paññā* as the human qualities as mentioned in Buddhist philosophy. *Saddhā* clears the road for the trustworthiness and *sīla* shows peace and harmony between the husband and wife. *Cāga* produces hardship and wisdom as well as the intellectual activities for both of them. Therefore, if married life needs to be more decorative, artha and dhamma should be in the male life partner. It seems that there are three facts which are seen to make a married life a success. Those can be said as matching physically, matching mentally and economic background for building the institution of family. It can be seen that Buddhism has acknowledged these three facts to make family fruitful.

Buddha has discussed the reasons as to why there occurs love between man and woman. One is the form of the man and woman. (*imēhi kho bhikkhave aṭṭhahi ākārēhi ithimpurisam bandhati. Te bhikkhave sattā subaddhā ye phassena baddhāti.*) This connection specially occurs as a result of touching. (Wimalajoti, 2005: 80-81). Accordingly, the form of the man or woman should match each other in a married life. Mental matching between the man and woman, Buddhism has shown, will be a reason for unite the couple at the next birth. *Paṭhama Puññahi Sandha Vagga* of *Catukka Nipāta* in *Aṅguttara Nikāya* elaborates this point.

*Ākaṃkheyyuṃ ce bhikkhave ubho jātipatayo diṭṭheceva dhamme aññamañña passituṃ, abhisamparāyaṃ ca ubho assu sama saddhā sama sīlā sama cāgā sama paññā te diṭṭheva dhamme aññamaññaṃ passanti. Abhisamparāyaṃ ca aññamaññaṃ passanti.* (Wimalajoti, 2005: 208).

It means as follows. If husband and wife like to meet in the next birth, they should be similar in devotion, *sīla*, charity and wisdom. This gives the meaning as the matching of husband and wife mentally. There are some factors which would contribute to smooth functioning of a married life. Buddha has admired the father of *Visākhā*, because he gave advice and guidance to his daughter *Visākhā* who was main female devotee of Buddha. It is mentioned in the *Manorathapūraṇi* (Hewavitarana, Pt. I, 1923: 219-226) that there were advices as follows as; Personal activities of houses should not be given out side. (*anto aggi bahi na nīharitabbo*); Activities of outsiders should not be brought the home. (*bahi aggianto na pavesetabbo.*); Giving should be given to givers.

(*dadantassāva dātabbāṃ*.); Giving should not be given for not givers. (*adantassa na dātabbāṃ*.); Beggars and poor relatives should be given. (*dadantassāpi adadantassāpi dātabbāṃ*); Stay comfortably. (*sukhaṃ nisīditabbāṃ*); Eat well (*sukhaṃ paribhuṅgitabbāṃ*); Should be seated suitable chair. (*sukhaṃ nipajjitabbāṃ*); Should be respected to parents of husband. (*anto dve namassitabbāṃ*).

Buddha has discussed in the Sattabhariya Sutta the categories of wives as follows. The wife always quarrels with her husband. (*vadhaka samā bhariyā* ); The wife like a thief (*cora samā bhariyā*); She tries to surrender her husband (*ayya samā bhariyā*); She is like the husband's mother (*mātu samā bhariyā*); She is like a sister of the husband (*bhaginī samā bhariyā*); She always satisfies her husband and she does all the things for her husband; (*sakhi samā bhariyā*); She does all the things like a slave and she protects the husband very well. (*dāsī samā bhariyā*). (Wimalajoti, 2005: 414-418).

Buddha emphasized ten major factors for a successful married life. Those are fulfilling the necessities of parents, fulfilling the welfare of children, fulfilling welfare of wife, understanding each other and behaving well, taking actions for fulfilling the necessities of relatives, respecting elders, paying homage to the gods, giving merits to relatives who have passed away, spending the life according to the existing rules and regulations of society and building a good and real family life. House holders who spend their lives happily, Sakka namassa Sutta mentions that Gods also worship them. (Wimalajoti, 2005: 416). Mahā Tanhā Sankha Sutta describes the functions of a pregnant mother step by step. (Wimalajoti, 2005: 602-632). Dutiyā Sutta of *Samyutta Nikāya* says that confidence should mainly exist between the husband and wife. When Buddha stayed at Ghōshitarāma, Manāpakāyika Gods came and worshiped him and they asked what the reasons are to become Gods. Wives who have been living according to under mentioned facts successful in their lay lives and may become Gods in the next lives. Wife gets up earlier than others. She goes to sleep last. She behaves well and she asks all the things from the husband. She respects all adults such as husband, mother and clergy and she is very hospitable to all people. She helps the internal industries of husband and works strategically. She organizes all the activities well. If there are workers of husbands, they may be treated well and treats patients as well. She pays the salaries on time. She protects the wealth of husband such as gold, silver and various crops. She consumes the asset in a well-planned manner. She lives as a lay devotee who observes the Triple Gem. She avoids five bad activities. She gives alms and donations. (Wimalajoti, *Anguttara Nikāya*, 2005: 202).

Nakulamātu Manāpakayika Sutta can be shown as an important one with regard to marriage and Buddhism. When Buddha Stayed at Migadāya of Bhesakalā forest in Sunsumāragiri, Nakulamātā was preached about what kind of qualities should be there for a good wife and next she and husband will become are in the category of manāpakayika Gods. (Wimalajoti, *Anguttara Nikāya*, 2005: 208-211).

According to the Sāleyyaka Sutta, (Wimalajoti, *Majjhima Nikāya*, 2005) there are two categories of mental features which should be controlled. Those are refraining from lust, not associating with younger women who are living under parents and relatives. Buddha said that stress should be eradicated in the married life and he said it could be controlled by the under mentioned seven facts. (Wimalajoti, *Majjhima Nikāya*, 2005: 18-28). By seeing, (*dassanā pahātabbā*); By restraining, (*saṃvarā pahātabbā*); By using (*paṭisevanā pahātabbā*); By enduring, (*adhivāsānā pahātabbā*); By avoiding (*parivajjanā pahātabbā*); By removing, (*vinōdanā pahātabbā*); By developing meditation (*bhāvanā pahātabbā* )

Singālovāda Sutta of *Digha Nikāya* emphasizes very important facts responsible for a successful marriage life. (Wimalajoti, 2005: 288-311). It describes the rights of husband and wife as well as various groups. There are five ways to minister to his wife by the husband such as respecting, courtesy, faithfulness, handing over the authority to her and providing her with adornment. And there are five ways to minister to her husband by the wife such as loving him, performing the duties well, and hospitality to the kin of both, faithfulness, watching over the goods he brings and skill and industry in discharging all her business. Many facts have been presented regarding marriage in many Suttas such as Vyaggapajja Sutta, (Wimalajoti, *Anguttara Nikāya*, 2005: 235-243) Araṇa vibhanga Sutta of *Majjhima Nikāya*, (Wimalajoti, *Majjhima Nikāya*, 2005: 484-494) and Kalahavivāda Sutta of Sutta Nipāta.

In the ancient Sinhala customary law marriage at the highest level was derived from the Brahma form of marriage in Hindu Law, which constituted a Sanskāra or Sacrament thus having a religious significance. The Sinhala marriage had no religious significance as the Sinhala people were and are Buddhists and thus it was purely secular in character. The basis of the Brahma form of marriage was the Kanyādāna- giving away of a virgin to the prospective husband. About this Brahma form of marriage Manu says the gift of a maiden spontaneously after clothing and reverencing her to one learned in the Vēda (and of good character is called Brahma rite.)



(Manu, 1884: III, 29). This form has been adopted by other castes that were not learned in the Vedas as pointed out by Mayne. Mayne showed this adoption in India when he said “the essence of the Brahma form of marriage is that it is a gift of the daughter in marriage. Accordingly it is said that the distinct mark of the Asura form is the payment of money for the bride as the absence of that payment is of the approved form as originally the bridegroom in the Brahma form was a man learned in the Vedas it was inadmissible for a Śudra. But it has long since become lawful for all castes for which the form came to be universally adopted by the Brahmins it was very probably followed by the other classes as a mark of higher social status. (Mayne, 1953: 126). Mayne further says “the presumption of Hindu Law is always in favour of a marriage being in the Brahma or approved form as against it being in the Asura or unapproved form. (*Ibid.*, 126). Therefore, it can be concluded that the Brahmins among the early Sinhalese brought this form from India to meet their needs and thereafter, the chief castes the Khattiyas and others would have adopted it, although no learning in Vedas was necessary for a Buddhist society.

### 1.6 Conclusion

In the light of foregoing discussion, it can be revealed that various scholars have defined what the marriage is. They have pointed out especially fundamental rights of marriage system. When they define about the marriage, they have expressed their opinions according to the concepts of certain perspectives. Especially, when we discuss the marriage in Sri Lanka, it was deeply affected by the Buddhism. Buddhism has described that marriage could be of maximum happiness and that life which is spent in a very good manner.

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