

Marriages are Made in Heaven

"When Marriage Works, Nothing on Earth can Take its Place"

by Syed Maqsood Jamil

Muslim Marriage or Nikkah

The information on Muslim marriage has been collected from the authoritative book "The Hidaya" or guide, commentary on the Islamic laws, translated by Charles Hamilton. In its chapter on "marriage", it deals at length with the various theological and legal aspects of Muslim marriage. I found it necessary that the subject remains within the easy comprehension of general readers.

Definition of the term *Nikkah*, in its primitive sense, means carnal conjunc-

not be contracted but in the presence of two male witnesses, or of one man and two women, who are sane, adult, and Mussulmans. The compiler of this work observes that evidence is an essential condition of marriage, the Prophet (SM) having declared "no marriage is good without evidence..."

Qualification of a witness: It is necessary that the witnesses be free, the evidence of slaves being in no case valid, because such are not competent to act in any respect *sui juris*; and it is also requisite that they be of sound mind and mature age, because minors or idiots are incapable of acting for them-

although no mention be made of the dower by the contracting parties, because the term *Nikkah*, in its literal sense, signifies a contract of union, which is fully accomplished by junction of a man and woman; moreover, the payment of dower is enjoined by the law, merely as a token of respect for its object (the man), wherefore the mention of it is not absolutely essential to the validity of a marriage: and, for the same reason, a marriage is also valid, although the man were to engage in the contract on the special condition that there should be no dower.

The smallest or lowest dower is ten Dir'ims. Shafei says that whatever sum may be lawful as the price of a commodity in purchase and

wherefore it must be fixed, in its smallest degree, at such a sum as may be respectable; and this is ten Dir'ims. The wife is entitled to her whole dower upon the consummation of the marriage or the death of the husband."

Hindu Marriage

The Aryasatra or "the knowledge of the Aryans", or what is better known as Hinduism has divided the life of a human being from birth to death into 10 parts. Marriage is one of them. This custom is practiced since the era of the Veda. The meaning of marriage is to carry on in a certain or defined manner. When human beings felt the need of community living in the interest of mankind, they were attracted to domestic

"I wish I was born an angel and I would never have committed a sin in my life. But I wasn't." Imran Khan, the most celebrated playboy of the cricketing world was intelligently rationalizing the follies of his playful past. It will not be injudicious to observe that the whole of cricket-loving world, particularly his countrymen, were well aware of his playboy character. I also remember having read, few years back, his interview with *SportsWorld* of India, where he admitted his weakness for the decadent pleasures of the West. But the storm started when he announced that he had finally picked up a bride by the name of Jemima Goldsmith — an attractive 21-

pointment when the marriage is thought to be socially incompatible, some are treated with indignation at the aberrations of a permissive society in case the pair is from two different religious communities. Some are melancholy observation of religious rituals or civil formalities where the outraged families are absent; some are inescapable submission after much turmoil. But most marriages are as usual grand occasions for joy and celebration.

Now, what this marriage is all about. In its simplest definition, it is the union of man and woman by a ceremony in law. However, George Bernard Shaw, in his noteworthy outspokenness, summed up



Imran and Jemima during their marriage in Paris. Sports World



Muslim marriage: Added rituals.



Hindu marriage: Offering hands and hearts.

year-old socialite daughter of a Jewish business tycoon. And that they have been married at a London mosque. The Pakistanis, and a good number of Muslim cricket fans of other countries, were critical, that he did not marry a Pakistani, nor a Muslim girl, to fulfil their pride in him. On the other hand, the British tabloids were characteristically predicting the doom of the marriage in an Islamic society. Few paid attention to Imran's laconic but pertinent statement that "I am extremely happy to announce that I have found someone who shares my ideals in life."

In fact, Imran's marriage with Jemima was not anything new of its kind. If you take into account cross-culture marriage and the age-difference, Abu Ammar or Yasser Arafat was perhaps 65 when he married his 27-year-old Christian secretary, Raymonda Sua Tawil. Viqarunnissa Noon or Vicky, the wife of Malik Feroz Khan Noon, a former Prime Minister of Pakistan, was an English lady. Charlie Chaplin married perhaps for the third time when he was over 60. His wife Oona O'Neill, the mother of Doctor Zhivago famed Geraldine Chaplin, was almost half his age. Pablo Picasso married for the third time at the age of 90! It is to say that there is nothing extraordinarily sensational in Imran-Jemima marriage. Nor is it grossly offensive to social propriety.

After all Imran is a celebrity. His long awaited marriage will obviously draw lot of attention.

Marriage is a high profile social event. The principal social feature of marriage is celebration. An occasion for joy and merriment. The degree of attention the event draws depends on the standing of the man and the woman, for whom the nuptial bells are ringing. The wedding of the royals and celebrities become a media event — Charles-Diana marriage of the eighties, the much awaited Prince Naruhito-Masako wedding and of course, Imran-Jemima marriage. But all marriages are not eyed with favour. Be they Imran-Jemima or plain ordinary folks. There are interesting variations of how a marriage is received. Some are frowned with fury, particularly, when somebody has been ditched. Some are treated with raised eyebrows, in case of good marriage from a humble position; some are coldly received with an element of surprise and disap-

pleasure and termed it as legal prostitution. Men of his wisdom are an exclusive group, and are fully entitled to their observations. The great multitude of mankind, however, look upon marriage as the builder and perpetuator of civilized society.

Marriage, as a branch of knowledge, has been classi-

fication. Some have said that it signifies conjunction generally, in the language of the law it implies a particular contract used for the purpose of legalizing generation...."

Marriage may also be contracted by the use of the word *Nikkah*, or marriage, as if a woman were to say to a man "I have married myself to you for such a sum of money", and the man were to reply "I have consented" and,

selfes; and it is likewise necessary that they be Mussulmans, the evidence of infidels not being legal with respect to Mussulmans.

An adult virgin cannot be married against her will: It is not lawful for a guardian to force into marriage an adult virgin against her consent. Tokens of consent from a virgin: Whenever a guardian, being the person empowered to engage in the contract,

sale, is lawful as a dower, because the dower is the right of the woman, and consequently it must depend upon herself to determine the amount of it. The arguments of our doctors in this case are twofold: First, a precept of the Prophet (SM) which expressly declares "There is no dower under ten Dir'ims". Secondly, the law enjoins a dower with a view to manifest respect for the wife,

life, through the combined labours of men and women.

These are the ways of human beings even today. Hindu marriage is an exceptional function, which is different from that of other religions. Where without any written contract and only by keeping the Lord as the witness, one gives commitment to the other. Of heart to heart consummation, of domestic life unto death. In Hindu religion,

marriage has been classified into two groups: *Anulom* or 'of the same caste' and *Pratilom* or 'not of the same caste' marriage. *Anulom* marriage is described as an union where the man is of higher caste and the woman is also of the same caste. If the man is of lower caste and the woman is of higher caste or vice versa the union is known as *Pratilom* marriage. Afterwards, there has been a conjunction of various regional customs.

The main purpose of marriage, according to Hindu religion, is to leave behind the next generation, better said in Sanskrit as *putrartho kriate varja* (wife — to give a son). On the death of parents, father or mother, the son is to perform the religious rites called *Pindodan* in order to release their beings from apparition. The wife follows the husband, that is why the wife is called *Sahadharmini*, or co-religionist, which is more easily understood as co-travellers.

Iswarchandra Vidyasagar introduced the practice of marriage of widows on the ground that it has been mentioned in "Parashar Samhita" (a part of the scripture), that in case of death of the husband, the wife can take another husband. Divorce is permissible in case—the woman is incapable of conception. The number of children in the family will be such that it does not create

distress in the family.

Buddhist Marriage

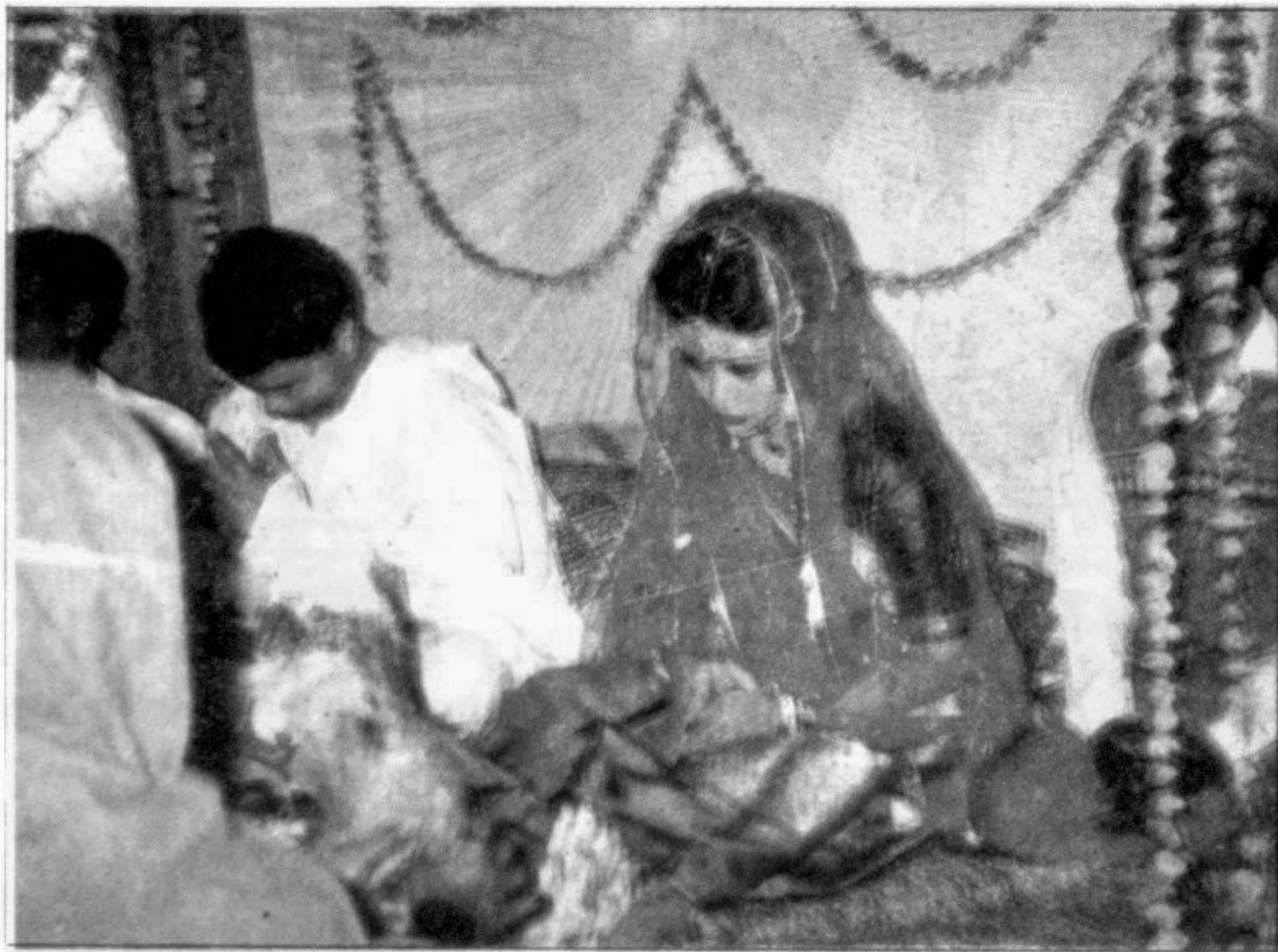
Pali literature states that in the Buddhist community, the marriage of a man is called "Abaha" and that of a woman is called "Bibaha" which we know as marriage. I have learnt from a local Buddhist high priest that the principal part of the ceremony involving marriage is held at the bridegroom's residence. It is attended by invitees who are called the witnesses to the marriage. There is no written contract in the Buddhist marriage ceremony. Lord Buddha, while addressing a group of brides proceeding towards their husbands' house, stressed that the principal role of a housewife is that of a housekeeper. The marriage ceremony of Bangladeshi Buddhists are similar to those of the Sinhalese. It is however extremely necessary that at least five monks should be invited to the bride's house and that she should devoutly listen to their advice before proceeding to the husband's house. The 10 advice constitute a prescription for model conduct in the husband's house which reminds of reverence and duties to the elders, of using discretion in social dealing, of upholding the dignity of the family, of wisdom in giving loan and of helping the poor relations. Of the ten, the first two deserve special attention. They caution the housewife against two perils: 1) Do not spread the fire of the house outside; it forbids against disclosing the frailties of anyone of the husband's house to the neighbours; 2) Do not bring the fire burning outside into your house; it forbids against conveying back to the family the frailties of anyone of the husband's house confided to by the neighbours.

Christian Marriage

The Christian marriage ceremony is held at the church, where the bride and groom assemble in the company of their relations, friends and neighbours. The priest or the pastor addresses the gathering in the following words: "My dear friends, you have come together in this church so that the Lord may seal and strengthen your love in the presence of the church's minister and this community..."

He commends the virtues of marriage in accordance

(Continued on page 11)



Buddhist marriage: Sub-continental rites.



Christian marriage: Proclaiming man and wife.

in like manner, by the word *Tazweej* or contracting in marriage, as if a woman were to say to a man "I have contracted myself in marriage unto you" and so forth, and so also, by the word *Hibba*, or gift, as if she were to say "I have bestowed myself upon you" and likewise, by the word *Tamleek*, or consignation, as if she were to say "I have consigned myself over to you" and so also, by the word *Sadka*, or alms gift, as if she were to say "I have given myself as an alms unto you."

Marriage may be contracted by the use of the term *Beeya*, or sale; as if a woman were to say to a man "I have sold myself into your hands" and this is approved, because sale operates as the principle of a right in the person; and a right in the person is the principle of a right to carnal conjunction — the propriety of the metaphorical application of sale to matrimony.

Must be contracted in the presence of witnesses. Marriage, where both the parties are Mussulmans, can-

requires the consent of an adult virgin to a marriage, if she smiles or remains silent, this is a compliance; because the Prophet (SM) has said, "A virgin must be consulted in every thing which regards herself if she be silent it signifies assent", and also because her assent is rather to be supposed as she is ashamed to testify her desire; and laughter is a still more certain token of assent than silence. The argument of our doctors is that the woman, in this case, is free, and a *Mokkatiba* (that is, subject to all the obligatory observances of the law, such as fasting, prayer, and so forth), wherefore no person is endowed with any absolute authority of guardianship over her, from all which it follows that this woman is the same as an adult son, and that all her acts with respect to matrimony are good and valid, the same as his with respect to property.

Of the Mahr or Dower
Marriage without a dower is valid. A marriage is valid,

A Record-making Wedding

MARRIAGES are made in heaven they say. "Way way up there in the sky."

And this is what a modern Indian couple did — literally late last year. They reached for the blue yonder to have an airy tale wedding recently on board an Air India aeroplane flying over 30,000 feet above the ground.

An obliging Air India management made all the necessary arrangements, including the hiring of a Sikh priest chanting mantras from the *Granth Sahib* (Sikh holy book) and Indian ragas (classical songs) waiting down from speakers of the Airbus 310 jetliner.

Dilip Popley, the son of a Dubai-based Indian businessman, and his wife Sunita Kewalramani, described the wedding as "great and nice." "We had wanted some-

thing different, was their understated description of the event after the ceremony.

The bridegroom's father, Laxman Popley, said after the marriage "Instead of keeping the money that I earn in a bank I decided to spend it, in a unique way I decided about this wedding about 45 days earlier. Everybody was happy and the mood was joyous."

"I preferred Air India because I am an Indian and I could get proper care and attention from this airline and they really made it a big success."

Mr Popley said the aircraft was chartered for two hours at a cost of about Rs1,400,000 (US \$44,657). He refused to comment on the total cost of the whole wedding, including reception for about 200 guests. But

unofficial estimates say he spent at least Rs 10 million (US \$ 318,979).

Television crews from all over the world descended on Bombay to shoot the novel ceremony. No one wanted to miss a first.

A representative of the *Guinness Book of World Records* was also there to witness the event.

Among the guests were the elite of Bombay, including well known film stars, big businessmen and politicians.

Mr Popley recalled that his son was thrilled. "When he mentioned earlier his desire to have a heavenly wedding, I thought he was joking. I got such a shock when I learnt that he was serious about it."

According to an Air India spokesman, it was a first for the airline and the national carrier was certainly not go-

ing to be coy about it. Air India hoardings featuring its mascot, the Maharaja, were changed to "marriage in the air."

The airline spared no efforts to make the occasion a big success. Boarding passes were printed specially for the big occasion. And so were the tickets. Air India's Managing Director Captain Mathur made sure that everything went without a hitch.

The aircraft was tastefully decorated by Pradeep Rula, an expert in the line. Caterer was Sanjeev Kapoor, a veteran in the field.

The ceremony was performed in the economy section of the aircraft. There were no seats and everyone sat on the floor.