



THE CONCEPT OF MARRIAGE UNDER ANAND MARRIAGE ACT

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Abstract-- Marriage as “a relation of one or more men to one or more women that is recognized by custom or law”.¹ According to general definition, Marriage is a state of being united to a person of the opposite sex as husband or a wife in a consensual and contractual relationship recognized by law. When it comes to Hindu Law, marriage is termed as a sacred relationship. However, in Muslim law, marriage is a contractual relationship. The Hon’ble Supreme Court of India Marriage is a matter of status and legal consequences of a marriage affect not just the two parties but also innocent third parties—children. Therefore matrimonial adjudication law tends to touch the domain of human rights. No institution in society more efficiently transmits has held that the relationship in marriage is considered to be love, affection, care and concern between the two spouses.²

Marriage is named differently in different cultures and at different places. It is called wedding, Shadi, Viyah or Nikah. This ceremony is called Anand Karaj in Sikhism.

Sikh marriage ceremonies are known as ‘Anand Karaj’ which means blissful event. Earlier, traditional Sikh marriage was not considered a legal marriage. Just like other communities in India, Sikhs wished to have their social laws accepted legally and a beginning was made with their marriage act called Anand marriage Act. Sikh marriages as per Sikh Rehat Maryada are governed by the Anand Marriage (Amendment) Act, 2012.

Keyword:- Marriage ,Sikhism, Relationship ,Customs, Religion, Gender

“Ustat ninda, Nanak, ji mai hab vanjayi chodiya hab kichh tiyagi, Habay sak kudavay ditthe tau pallai tende laagi ”.— Guru Arjan Dev ji

INTRODUCTION

Sikh is a Punjabi word that stand in the Punjabi language is ‘disciple’. According to another school of thought, the word Sikh derives from ‘Seekh’ which means learner. Sikhs are the disciples of God who pursue the writings and teachings of the ‘Ten Sikh Gurus’. The wisdom of these teachings in Sri Guru Granth Sahib is practical and universal in their appeal to all mankind. A Sikh is any person whose faith subsist of belief in One God, After the ten Sikh Gurus, the Guru Granth Sahib and other scriptures and teachings of the Sikh Gurus. Meanwhile, he or she must believe in the necessity and importance of ‘Amrit’, the Sikh baptism. The religion was founded by Guru Nanak who was born in 1469 and began in the Punjab, the upper part of the Indus Valley at the beginning of the 16th Century CE. When India and Pakistan became independent, this region which is the historic homeland of the Sikhs has been divided in two. Lahore, the ancient capital of the Sikhs, is now in Pakistan, while Amritsar, the site of the most famous and important Sikh holy building the Harmandir sahib (Golden Temple), is in India. By the time, the last of the ten living gurus (Gobind Singh) died in 1708, Sikhism had developed a

¹ Westermarck Edward, The Origins and Development of Moral Ideals, (Macmillan Co. London, 1906). Also see, Westermarck Edward, The Future of Marriage in Western Civilization, (Macmillan Co., London, 1936).

² Shobha Rani v. Madhukar Reddi, AIR 1988 SC 121

distinct and separate identity, as the succession of nine gurus who followed Guru Nanak each made contributions to and refined the tradition. The tenth Guru, Guru Gobind Singh, decreed that his successor should be Siri Guru Granth Sahib ji, the collection of holy writings of the Sikhs. The Akali and Singh Saba movement propagated the Sikh beliefs and rituals. These movements fold all Hindu custom from Sikh community. They realized the problem and significance of Sikh Identity. These movements make popular Anand Marriage ceremony. Further, the basic unit of society is the family, not the individual, it starts the reproductive cycle of human life. Marriage is an institution in which a mating gets social approval and the pairing of men and women are regulated. All known societies today, have the custom of marriage.³ Marriage is an essential ingredient of any society, and it is just like as religion in the society.

Marriage and the family changes from place to place, religion to religion, caste to caste, tribe to tribe and moreover from time to time. So it is really a hard task to find out a universal definition of marriage. Some of the definitions of marriage focus upon legal aspects of marriage, while others centre upon the social aspects of marriage but in almost all definitions of marriage the stress is upon the union of male and female. The marriage ceremony is a special step for couples which require serious thought in any society. During the wedding ceremony, the bride and groom make a public commitment to honour and support each other in their lives together as wife and husband

According to Lal Singh, “Marriage is an oath taking ceremony of two souls desirous of physical, intellectual and spiritual union.”⁴

According to Promila Kapur, “Marriage is a Sanskara and as such it is a sacrament and a religious bond which cannot be broken under any circumstances. Ideally, it aims not only at the individual’s biological, emotional, social and spiritual fulfillments and development through union with a person of the opposite sex, but also at the development, fulfillment and welfare of the family, and through it of the society and mankind.”⁵

In general terms, marriage is described as the union of a man and a woman to live together as husband and wife according to the standard set out in the Holy Scriptures, which is socially permitted, legally agreed and religiously allowed.

Marriage as more of a religious ritual than a social in east or legal affair like that in west and is considered a sacred institution in most cultures and religious traditions. Marriage is a spiritual identity, not just a love affair between two people.

Marriage in Sikhism is regarded as a sacred bond of mutual help in attaining the heights of worldly life and spiritual bliss. It is a unity of mind and soul. It is a means to attain spirituality and not an end in itself. The real goal of marriage in Sikhism is union of both souls with Almighty Lord.

MARRIAGE IN SIKHISM AND ITS DEVELOPMENTS

The Sikh Gurus had a very high regard for the state of marriage, and they themselves entered into matrimony. They insisted that marriage is not merely a civil or social contract, but that its

³ J.S. Grewal, A Gender Perspective of Guru Nanak,

⁴ Gopal Singh, Thus Spake The Tenth Master, Patiala, Punjabi University, 1978, p. 142

⁵ Bhai Gurdas, Varan, Amritsar SGPC, 1977, var 29, Pauri 11



highest and most ideal purpose is to fuse two souls into one so that they may become spiritually inseparable.

The concept of Sikh Marriage is explained by Guru Amar Das, the third Guru of the Sikhs that marriage is an attempt of uniting the individual soul to the Universal Soul.

“They are not to be called husband and wife who only sit together; rather they are husband and wife who have one spirit in two bodies”

The Sikh Marriage ceremony is called Anand Kiraj literally (anand means bliss and Kiraj means occasion or ceremony) “Blissful Occasion”. The anand marriage ceremony was initiated by the third Guru of the Sikhs, Guru Ram Das.⁶ Varias Guru Bilas and most of the history do not properly dilate on the subject of Sikh marriage in old times. Various Guru Bilas are in poetry and in language that is not quite easy to be followed by everyone⁷.

The first serious attempt at the revival of the Anand marriage ceremony was made during the time of Ranjit Singh by Baba Dyal, founder of the Nirankari movement.

The second attempt was made by the Namdhari Guru Baba Ram Singh who also adopted the Anand ceremony, but with a major difference.

The third and the most important attempt at the widespread propagation of the Anand form of marriage were made by the Singh Sabha movement. The marriage ceremony as propagated by the Singh Sabha resembled the Nirankari rather than the Namdhari version of the Anand marriage.

SIKH MARRIAGE CEREMONY

In Anand Karaj, four lavan’ (name of Hymns) are recited from Guru Granth Sahib (the Sikh Holy Book), and with each Lavn’,⁸ the boy followed by the girl, circumambulate (goes around) Guru Granth Sahib.

The Anand Karaj Ceremony can be conducted in boy home or in Gurdwarain the presence of Sri Guru Gant Sahib. The couple to be married will be sitting in front of Guru Gant Sahib on flour and the family and friends will set down. Customly “Asa the var” is recited and then the welcoming hymns is recited⁹. The Granti make it sure that the couple have agreed to the marriage require them and their parents stand up. The rest of congregation remains seated.

Then the advice or instruction is given by the Granthi. Usually it is the summary of the Sikh philosophy of marriage and married life. He asks the couple to aspire for a truly religious life devoted to God and to get initiated into the order of the Khalsa. Through the sweetness of their manners and behaviour they should ingratiate with their in-laws. Loyalty and fidelity to each other are the highest virtues. Adultery is strictly forbidden. Here the Granthi recites hymns of Guru Gobind Singhs and Guru Amar Das and Guru and even Baba Fareed Shalok.

The bride and groom bow to Shri Guru Granth Sahib in acceptance of the instructions.

⁶ Bhai Gurdas Varan, 29, Pauri 11, Varan Bhai Gur Das, ed Dr. Jodh Singh Delhi Vision and Venture, 1998, p. 198 op cit, Var 6, Pauri 8, p. 169 op cit, Var12, Pauri 12, p. 305

⁷ 225 AG, Gauri,

⁸ 225 AG, Tilang, 722

⁹ Sri Guru Granth Sahib, translated and annotated by Gopal Singh, Delhi: Gur Das Kapoor and Sons, 1964, Vol 2, p. 362 footnote

Then the marriage Lavan reads the Granthi which are composed by Guru Amar Das, the forth Sikh Guru. The four lavans are reading and with each lavan the couple is rotating the Siri Guru Granth Sahiband at the end of rotation to the Siri Guru Granth in acceptance. The four lavan and rotation is basically the four promises.

In last everybody (congregation) will stand up and the Granthi will read the concluding prayer. After this the Granthi reads the Ardas which summary is that the God is unique..Also Karah Parsad is distributed to congregation. Usually it is first offer to the couple and then to others people of congregation.

SIKH MARRIAGE ACT

In 1908 A.D Tikka Ripudaman Singh was member of Imperial Legislative Council who sent the bill to the Imperial Legislative Council. After Tikka Singh, S.Sunder Singh Mahajitha became the member of the Council. On August 27, 1909 A.D S Sunder Singh presented the Anand Karaj Bill to the Council. He told to the council that Anand marriages were already practiced by Sikh community since last 30 years. The Bill was sent to Select Committee, and its members were Mr. Sinha, Sir Herbert Rezli, and S. Sunder Singh Majithia. On September 10, 1909, the Select Committee placed the Bill before Council with its recommendation. Meeting of the Council was held on October 22, 1909, and Anand Marriage Act 1909 was passed.

Sikh Marriage Act (Anand Karaj) was submitted by “The World Muslim Sikh Federation” to government of India in 2007 A.D. The Government of India has accepted demands from Sikh community to registered their marriages under the Anand Karaj ceremony and introduced Anand Marriage Act in line with the Anand Marriage Act 1909 that was passed by the British in the subcontinent one hundred years ago. The 1909 Act extended to British India (Indian Sub Continent) now India, Pakistan, and Bangladesh.

The Sikh Marriage Act does not explain the Sikh Marriage Ceremony (Anand Karaj) but just explain that the marriage ceremony conducted under Sikh religion and sacrosanct among the Sikhs called “Anand Karaj¹⁰” is valid and the Government of India, through the Pakistan Sikh Gurdwara Prabandhak Committee shall issue appropriate marriage certificates under the Sikh Anand Marriage Act.

LITERATURE REVIEW

This is a religious study of one religion of the world. Unfortunately Sikhism has been ignored in the study of religion. There is very little scholarly literature available in Sikh rituals (especially like marriage ceremony). But no research has been conducted on the topic.

There is a book “Ethical issues in six religious traditions”, Edited by Peggy Morgan and Clive Lawton which discusses ethical issues in Sikhism but it is not a comprehensive study just discusses the one aspect of rituals in Sikhism. Somewhat attention is given to religious and philosophical developments in earlier times which still form part of the Indian heritage and have experienced a considerable revival in the nineteenth and twentieth century. On the other hand, attention is also given to political, economic, and social trends.

¹⁰ AG, Sri Rag, 17



REGISTRATION OF THE ANAND MARRIAGES OF THE SIKHS UNDER THIS NEW AMENDED ACT.

After the amendment by the Central Government, the states were supposed to make their own rules to facilitate registration of the Anand marriages of the Sikhs under this new amended Act. However, through RTIs, it has come to light that only Haryana has framed their rules in 2014 and no other state has framed the rules so far.¹¹ As a result, the circumstances are now forcing the Sikhs to get their marriages registered under “Hindu Marriage Act” instead of “Anand Marriage Act”.

India has diverse religions and cultures, therefore it becomes necessary that the laws meet the desires of its citizens so that they can have freedom, profess and spread their religion without clashing with people from other religions. This way the envision of the framers of the constitution of a Secular, Democratic and Socialist nation can be attained fully in both spirit and letter.

The constitution of India which first invalidated the Anand Marriage Act 1909 has failed to even consider the amendment into the constitution which was adopted in 1950. According to this Act Sikhs are deemed Hindus and hence they are supposed to follow all Hindu laws¹². Even though the Anand Marriage Act was passed in 1909, there was no provision for registration of marriages and they were registered under the Hindu Marriage Act

INDIAN PARLIAMENT PASSED THE ANAND MARRIAGE AMENDMENT BILL 2012

However, in 2012 both houses of the Indian Parliament passed the Anand Marriage Amendment Bill 2012. This bill legalized Sikh traditional marriages, amending the Anand Marriage Act of 1909, consequently making a provision for the registration of Anand marriages.¹³ According to the amended Anand Marriage Bill, couples who have registered their marriages under this new Act will not have to get their marriage registered under any other law.

CONCLUSION

The Sikhism has developed marriage ceremony known as ‘Anand Karaj’ (Blissful Union). During the ceremony, two individual are joined in equal partnership. It is a festive and joyous event held in presence of the families and relatives of prospective couple.¹⁴ The Rehat Maryada (Sikh Code of Conduct) has prescribed not to give importance to the caste, race or lineage of spouse for consideration of marriage as per the principals of Sikhism. Consulting of horoscope and following of other superstitions for fixing of date and time of marriage are also discouraged. Acceptance of dowry is also strictly prohibited in marriage as it is a sacredbound and not a business transaction. The ceremony is held in Gurmukhi: language of the masses. Introduction of Anand Karaj has successfully has aptly challenged the monopoly of sole

¹¹ AG, Rag Gauri,

¹³ Anand marriage act 2002.

¹⁴ W.H. McLeod, Evolution of the Sikh Community, Delhi; Oxford University Press, 1975, pp. 83-104



priestly class (Brahmin) in performance of marriage ceremonies as per Vedic system in Sanskrit; the language of priest class. Considering its uniqueness of the ceremony in light of the principals of Sikhism it was legally approved by Imperial Legislative Council in India as system of marriage in India through Anand (Marriage) Act in 1909 despite opposition by Arya Samajis and Brahmins whose interests were to be affected. The history of the Anand Karaj ceremony is traced back to the time of third Sikh Guru; Guru Amar Das (1479–1574) who composed the long 40-stanza hymn "Anand", in the Ramkali measure, suitable to be sung or recited on all occasions of religious importance. His successor, Guru Ram Das, composed a four-stanza hymn named 'Suhi Mahalla 4' which is popularly known as "Lavan". It is especially recited from Holy Granth and sung to solemnize Sikh weddings. The essential part of Anand Karaj is the 'Lavan', wherein shabads are sung with the bride and groom circumambulating Sri Guru Granth Sahib. The ceremony serves to provide the foundational principles towards a successful marriage and also places the marriage within the context of the unity with God. Guru Arjan Dev Ji and Mata Ganga were the first couple to be married through Anand Karaj ceremony in 1579.¹⁵ The ceremony is now universally adopted by the Sikhs for the purpose of their marriages. The ceremony is performed in Gurdwara or home in presence of Sri Guru Granth Sahib by a Granthi (Sikh priest) which is not prerogative of any/high caste.

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¹⁵ Gur Rattan Mal, or Sau Saakhi, Ed. Gur Bachan Singh Nayyar, Saakhi Number 34; P 46