



# Marriage as a Sacrament: The Implications of Indissolubility

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## Abstract

Every religion respect and protects the notion of marriage. In Hinduism, marriage is regarded as a sacrament and a sacred duty that binds the couple for life. It is based on the concept of dharma, or moral duty, and is influenced by the caste, social, and family traditions of the spouses. In Christianity, Marriage is not only a natural and social institution but also a sacred and sacramental one. It was instituted by God and elevated by Christ to be a sign of His love for the Church. Marriage is a permanent and irrevocable bond between a man and a woman, who give themselves to each other for procreation, mutual support, and sanctification. The indissolubility of marriage is based on the nature of the marital covenant, and the will of God. In Islam, marriage is a legal contract and a social institution that regulates the rights and duties of the spouses. It is not a sacrament, but a worship and a way of attaining piety and blessings from Allah.

**Keywords:** religion, marriage, God, Hinduism, Christianity, Islamic, indissolubility

## Introduction: Theory of Indissolubility of Marriage

This paper explores the biblical, theological, and canonical foundations of the doctrine of the indissolubility of marriage, as well as the pastoral and moral implications of this doctrine for the faithful and the society. It also addresses some of the challenges and difficulties that arise from the contemporary culture of divorce and remarriage and proposes some ways to uphold and promote the value and beauty of marriage as a sacrament and an indivisible union.

I. This is a spiritual, religious, and moral thought which considers marriage an unbreakable tie of a validly married couple. Every religion not only respects the marital bond but also protects from any undesirable breach. This theory may be studied through different major religious approaches as mentioned below:

### (i) The Holy Bible and Theory of Indissolubility of Marriage

The Council of Florence,<sup>1</sup> in 1439, defined marriage as a sacrament, emphasizing the experience of the previous twelve centuries and described marriage as indissoluble. According to the council, marriage signifies the indivisible union of Christ and the church. Marriage was regarded as perpetual and eternal.<sup>2</sup> Many verses in the Holy Bible consider marriage as sacred and pious. Some of them are as mentioned below:

Genesis 1:27-28- says that God is the only creator of the universe. God expects every male and female to be fruitful and faithful to each other and to have domination over all living things. Thus, this verse makes it clear that both males and females are equally blessed by God.<sup>3</sup>

Ephesians 4:3- says that humility, gentleness, patience, and love are the basic traits to maintain the unity of the spirit in the bond of peace.<sup>4</sup>

Colossians 3:14- says that virtuous nature creates a perfect unity.<sup>5</sup>

<sup>1</sup> The Council of Florence is the seventeenth ecumenical council recognized by the Catholic Church, held between 1431 and 1449.

<sup>2</sup> King James. Bible. Gospel of Matthew, *chapter 19, verses 1 to 10*" retrieved from kingjamesbibleonline.org.

<sup>3</sup> Genesis 1:27-28: says "So God created man in his own image, in the image of God he created him; male and female he created them. And God blessed them. And God said to them, 'Be fruitful and multiply and fill the earth and subdue it and have dominion over the fish of the sea and over the birds of the heavens and over every living thing that moves on the earth.'"

<sup>4</sup> Ephesians 4:2-3: "With all humility and gentleness, with patience, bearing with one another in love, eager to maintain the unity of the Spirit in the bond of peace."

<sup>5</sup> Colossians 3:14: "And over all these virtues put on love, which binds them all together in perfect unity."



Ecclesiastes 4:9- says that living with someone is better than living alone. When one falls the other can be supportive to the former.<sup>6</sup>

Ephesians 5:25- says that the relation between husband and wife is equal to the relation between Christ and the church. Every husband keeps in his mind he is all for his wife and he should give up his life for her.<sup>7</sup>

Genesis 2:24- says that a man may leave his parents but he must hold his wife forever.<sup>8</sup>

Mark 10:9- The marriage has been taken place due to the wish of God, the couple cannot be allowed to claim separation.<sup>9</sup>

Ephesians 5:25-33: -says that a husband should love his wife as he loves his own body. When he loves his wife, it is actually loved for himself.<sup>10</sup>

Ephesians 4:2- says that love becomes complete when both are humble and gentle. They should have patience.<sup>11</sup>

Romans 12:10- says that devotion is the essence of a true relationship. Both should give honour to one another.<sup>12</sup>

Peter 3:7- says that the husband must understand the feelings of his wife. He must know the fact that his wife is a gift of God.<sup>13</sup>

Matthew 5:32- says that one who divorces his wife, puts her into adultery and one who marries such a divorced woman commits adultery.<sup>14</sup>

Corinthians 7:39- says that a woman is prohibited to marry another person while his previous husband is alive.<sup>15</sup>

Thus, there are various verses in the Holy Bible where Christ directs husband and wife to remain in a tie for their whole life. However, this is one side aspect of Christ's teachings and in the exceptional situation, He allows separation.

**(ii) Hinduism and Theory of Indissolubility of Marriage**

During the Vedic age (1400 BC- 1000 BC) Hindu Marriage was considered an indissoluble union and a religious sacrament.<sup>16</sup> R.N. Sharma writes that for Hindus, marriage is a

<sup>6</sup> Ecclesiastes 4:9: "Two are better than one, because they have a good return for their labour: If either of them falls down, one can help the other up. But pity anyone who falls and has no one to help them up. Also, if two lie down together, they will keep warm. But how can one keep warm alone?"

<sup>7</sup> Ephesians 5:25: "For husbands, this means love your wives, just as Christ loved the church. He gave up his life for her."

<sup>8</sup> Genesis 2:24: "Therefore a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh."

<sup>9</sup> Mark 10:9: "Therefore what God has joined together, let no one separate."

<sup>10</sup> Ephesians 5:25-33: "Husbands, love your wives, as Christ loved the church and gave himself up for her, that he might sanctify her, having cleansed her by the washing of water with the word, so that he might present the church to himself in splendour, without spot or wrinkle or any such thing, that she might be holy and without blemish. In the same way husbands should love their wives as their own bodies. He who loves his wife loves himself. For no one ever hated his own flesh, but nourishes and cherishes it, just as Christ does the church, ..."

<sup>11</sup> Ephesians 4:2: "Be completely humble and gentle; be patient, bearing with one another in love."

<sup>12</sup> Romans 12:10: "Be devoted to one another in love. Honour one another above yourselves."

<sup>13</sup> Peter 3:7: "In the same way, you husbands must give honour to your wives. Treat your wife with understanding as you live together. She may be weaker than you are, but she is your equal partner in God's gift of new life. Treat her as you should so your prayers will not be hindered."

<sup>14</sup> Matthew 5:32: "But I tell you that anyone who divorces his wife, except for sexual immorality, makes her the victim of adultery, and anyone who marries a divorced woman commits adultery."

<sup>15</sup> Corinthians 7:39: "A woman is bound to her husband as long as he lives. But if her husband dies, she is free to marry anyone she wishes, but he must belong to the Lord."

<sup>16</sup> Vishveshwara. (1965) *Rig Veda With Commentaries*, Vedic Research Institute, Pune.



sacred, permanent bond created for spiritual, social, and physical purposes based on sacramental and religious satisfaction. This is more than having children or sexual pleasure.<sup>17</sup> Based on the teaching of Vedas and other Dharmashastras, there are various sanskaras for every Hindu varying by texts between 12 and 18 in the Grhyasutras (Kalpa sastras). Out of these 16 are referred to as "Shodasha Samskaras."<sup>18</sup>

According to Vedvyas Mahrishi, 16 sanskaras are unavoidable and hence essential for every Hindu. These are:

Garbhadhana (attaining the wealth of the womb), Punswana (quickenning the fetus), Seemantonnayana (parting the hair), Jatakarma (Birth rituals), Namkarana, Niskramana, Annaprashana, Chudakarma, or Keshanta karma, Karnavedha, Upanayana, Vedarambha or Vidyarambha, Samavartana, Vivaha, Awasthyadhana or Vivahagni, Tretagnisangraha, and Antyeshti. The 13th samskara i.e., Vivahastanskara is a Vedic yajna ritual, with the recitation of Vedic hymns. The Vedic fire-deity Agni becomes the primary witness of a Hindu marriage along with the other family members, friends, and the priest.<sup>19</sup>

In ancient India when there was nothing vital other than religion, marriage was an essential part of various karmas. Manu says that the relation between husband and wife remains till death or even after death. He prohibits a polygamous way of life. The husband is under a marital obligation to protect his wife in all situations with all possible safeguards.<sup>20</sup> Manu insists piousness of women. They should not involve themselves in foul acts.<sup>21</sup>

Manu says that a wife cannot be released by any means, neither by sale nor by the repudiation of the matrimonial bond.<sup>22</sup> Manu says there is no difference between the goddess and a worthy wife. She is the glory of the household.<sup>23</sup>

Manu declares that a couple of the marriage are complementary to each other. The wife can bear children and the husband is created for procreation.<sup>24</sup> In Atharvaveda, we find that the husband and wife are always expected to speak sweet words. Their love is eternal. They are two bodies but one soul.<sup>25</sup> Atharva Veda Mandal-14, Shukla-1 Mantra-52 it has been mentioned that the togetherness of husband and wife remains up to 100 years.<sup>26</sup>

Thus, there are a lot of rules of Vedas and other Dharma Shastras, where marriage had been considered as irrevocable and eternal. Marriage was treated the way to get the four

<sup>17</sup> Sharma R. N., (2006) *Wisdom of Hindus*, Shubhi Publications, Gurugram, Haryana.

<sup>18</sup> Rajbali Pandey (1969, reprint 2003). *The Hindu Sacraments (Samskara) in S. Radhakrishnan (ed.) The Cultural Heritage of India*, Motilal Banarsidass, Ed.-2, p-23, ISBN 81-85843-03-1.

<sup>19</sup> Bajpai, Shiva (2011). *The History of India From Ancient to Modern Times*, Himalayan Academy Publications USA, pp- 4, 73-74, ISBN 978-1-934145-38-8.

<sup>20</sup> Manusmriti: 9.2:

अस्वतन्त्राःस्त्रियःकार्याःपुरुषैःस्वैर्दिवानिशम्।विषयेषुचसज्जन्यःसंस्थाप्याआत्मनोवशे॥२॥

<sup>21</sup> Manusmriti: 9.5:

सूक्ष्मेभ्योऽपिप्रसङ्गेभ्यःस्त्रियोरक्ष्याविशेषतः।द्वयोर्हि कुलयोःशोकमावहेयुररक्षिताः॥५॥

<sup>22</sup> Kulluka Bhatta, (1983) *Manu Smriti*, Ch. IX Verses 46,101,102. Edited by J.L. Sastri, Motilal Banarasidas,

<sup>23</sup> *Supra* note 199.

<sup>24</sup> Manusmirti: 9.96:

प्रजनार्थस्त्रियःसृष्टाःसन्तानार्थचमानवः।तस्मात्साधारणो धर्मःश्रुतौपत्यासहोदितः॥९६॥

<sup>25</sup> Atharvaved 7.36.1, "Let us husband and wife look at each other with gaze of love., always speak sweet words, reside in each other's heart. Let us be two bodies but with one mind only." (वेद .com)

<sup>26</sup> Atharva Veda 14.1.52 :-O wife! God has handed you over me. The responsibility of maintaining you lies with me. let's both have children and live up to 100 years. (वेद.com).



purusharth of life i.e., Dharma, Artha, Kama, and Moksha.<sup>27</sup> Thus, the Indissolubility of Marriage Theory was a part of ancient Hindu law.

**(iii) Islam and Theory of Indissolubility**

Aqd is an Arabic phrase used for marriage or Nikah which latterly means a contract. In Islam, marriage has been considered an unavoidable event. Though it is never treated as a sacrament, it has been a sound and pious way of ethical and spiritual life. Marriage or Nikah in the Quran refers to Meethaq Ghaleez' i.e., a strong covenant.<sup>28</sup> For Muslims, marriage is a command of the Almighty through the Holy Prophet.<sup>29</sup> Marriage for Muslims is a source of joy and happiness.<sup>30</sup> Nikah has been considered righteous and an act of devotion.<sup>31</sup> Prophet once declared that who marries, is the follower of Allah. Marriage has also been commended as the way of the prophets.<sup>32</sup> The Prophet directed couples to be faithful to each other.<sup>33</sup> The Prophet regarded marriage as his Sunnah, he said that every male must be careful towards the order of the Almighty.<sup>34</sup> He regards marriage as a spiritual and legal foundation of the family.<sup>35</sup> Marriage protects women and provides maintenance, they should be obedient. It is a social necessity.<sup>36</sup>

Thus, according to this theory marriage is an unbreakable tie between husband and wife. The theory has been a vital part of all civilizations. Every religious aspect of society somewhere accepts this theory. Neither the Holy Prophet nor Christ supported the unrestricted dissolution of marriage. They treated marriage as a pious event of one's life. In a case, the Hon'ble Supreme Court of India has considered Marriage as a junction of three important duties i.e., social, religious, and spiritual.<sup>37</sup>



<sup>27</sup> Manu Smriti, IV-1.

<sup>28</sup> Quran 4:21

<sup>29</sup> Quran 13:38: "We indeed sent messengers before you (O Muhammad), and we assigned them wives and children"

<sup>30</sup> Quran 25:74: "And they say, "Our Lord, let our spouses and children be a source of joy for us, and keep us in the forefront of the righteous."

<sup>31</sup> Quran 25:74: "There is no act of devotion that has remained prescribed for us since the time of Hazrat Adam."

<sup>32</sup> Quran 13:38: "when the servant of Allah marries, he has fulfilled half the (responsibilities laid on him by the) faith; so, let him be God conscious with respect to the other half". (Mishkat)

<sup>33</sup> Quran 24:26: "Women of purity are for men of purity, and men of purity are for women of purity "

<sup>34</sup> Quran: 4:1" O mankind! Be careful of your duty to your Lord, Who created you from a single soul and from it created its mate and from them has spread abroad a multitude of men and women"

<sup>35</sup> Quran 30:21: "And of His signs is this: He created for you mates from yourself that you might find rest in them, and He ordained between you love and mercy. Lo, therein indeed are portents for folk who reflect".

<sup>36</sup> Ali Imran:34-36: "Men are the protectors and maintainers of women, because Allah has given one more (strength) than the other and because they support them from their means. Therefore, the righteous women are devoutly obedient and guard in (the husband's) absence what Allah would have them guard."

<sup>37</sup> A.Jayachandrav.Aneel Kaur, (2005) 2 SCC 22.