

Married License

(A short drama)

Dr. Mathachan K J

Department of Foreign Languages
BPS Women University, Sonipat

Organizer: A hearty welcome to all... to this two days workshop on "Fostering Creative and Critical Thinking for Strengthening Originality in Literary Research. Now it is the time for the Panel discussion with Ms Manusmriti Pant.

It is a great pleasure for all of us to have Ms. Manusmriti Pant amongst us. Through her book *Married licence* she has encouraged both men and women of our living societies to rethink on unconscious genderization process. Her argument that in societies the values- positioning will happen naturally whether we want them or not, but it is our prerogative to decide and act consciously so that which values to be positioned at where on the *cultural value continuum*. Gender studies centres, Women studies centres like us shall concentrate on using those traditional tools of Language, Literature, Culture and other mediums of Arts for conscious genderization in liberal democracies. I welcome on behalf of all of us who gathered here Ms. Manusmriti Pant to the stage for Panel discussion on *Genderization in Married Licence*. Student participants Ms Ruby Nain, Ms Irshat Khan and Ms Avneet Kaur are most welcome to take your seats with Ms. Manusmriti Pant. Most welcome once again, Thank you....

Ms Ruby: Let me start with a simple question...Going through the book I was trying to understand whether you are for traditional Indian marriages as an cultural institution or against it... Are you for Marriage or against it? Could you please speak on this.

Ms. Manusmriti: For and against of something or someone, leads towards an mostly unwanted polarization. Jesus Christ said somewhere in Bible 'those who are with us are not against us. In that way I am with you all here, so I am not against none of you (smiles graciously). Beyond that I neither want to be the part of that polarization tactics nor want you or anyone to declare that Manusmriti is not with us, so she is against us, so she is an anti national, Pakistani, urban naxal or with any of other acronyms(Laughs...). Having said that coming to the question, I am for Marriages, all kinds of marriages... whether it is conventional, non conventional, traditional, religious, non religious, or even for all those marriages that human beings had invented or will might eventually invent or innovate in coming or distant future of our existence as Homo Sapiens.

Ms. Avneet Kaur: It is very clear that you are for marriages and you do not want to exempt any kind of human married relationships from this wider understanding of Marriage as relationships. Therefore it forces me to ask once again more concretely... are you for conventional modern Indian marriages that is to say, Hindu marriages, Islamic marriages, Christian, Sikh and any other practice of marriages with religious and spiritual underpinnings.

Ms Manusmriti: Once again I am for marriages of all kinds. I myself accepted an modern hindu conventional marriage with some corrections. My very close friends from Islam accepted Islamic marriage, Christian friends followed Christian church marriages and Sikh friends had sikh

marriages and many other had court marriages, some others undertook Arya samaj marriage, and I am sure there will be many other different kind of marriages that had existed once for example Gandharva Vivaha, and Swayamwara in Mahabharata and Balavivah was there till very recent times and might many other forms will come to existence in coming times too. I am for all of them except for Balavivah (laughs..). Coming to the question... what makes a marriage under conventional, Hindu, Islamic, Christian, Sikh or any other religious marriages? The couples who want to live in lifelong or long relationships take promises or vows or oaths that they want to live together with all its shortcomings and advantages and responsibilities from that day onwards. They not only make these vows, promises or oaths to themselves but they do it publically in front of close relatives and parents, friends and in religious ceremonies, also in front of divine presence and ask for blessings and well wishes from all of them. Basically it's a contract between two parties with witnesses. I vow these things to you, you vow these things, or in everyday business terms... I agree these terms and conditions on the condition that you also agree these and other conditions and when there are valid witnesses for these agreements, it becomes a valid contract between party one and party two or in our terms bride and bridegroom. In religious marriages you bring another witness called divine presence in the form of fire, prayers, communion etc... In the so called modern Indian court marriages, the only difference is that presence of the divine is not compulsory, but the public witnesses are necessary. If you take this argument further, like in court marriages the divine presence is not compulsory, in so called live in relations public witnesses are not necessary. Live in relations can also provide, or generate all the shortcomings and advantages of marriage relationship too. As the public witnesses are not involved, it is easy to break the marriage contract in live in relations. Wherever the public is a party, a separation or breaking of the contract is not easy and where the divine presence is a witness in a contract, it takes that contract almost impossible to break. In the case of Balavivah as the parties are minors any contract of such kind will be void.

Ms.Irshat: (with a smile)... It was interesting to listen your logic on marriages, but your statement that you have undergone a Hindu traditional marriage with some corrections, made me more curious... could you please share with us the corrections that happened to your Hindu marriage ceremony.

Ms.Manusmriti: As we have seen already that marriage is basically a valid long term contract between the couples. In my Hindu traditional marriage, it was a valid long term contract in the divine presence in the form of Fire, mantras and prayers. We have seen already what makes the marriage, a valid contract. There are some set of vows, oaths or we may say terms and conditions, parties or couples and witnesses. If you go through the vows that we take, you see there are basically a set of terms and conditions in the form of oaths and vows. I have gone through all those seven set of mantras that are going to be recited at the time of Fera, the circling the fire in Hindu marriages. Each mantra demands certain set of vows. What I did was I spoken with my husband and agreed upon and later also with the Pundit to have only 5 set of mantras. Pundit insisted 7 Feras, we agreed too. So we asked him to repeat the two set of mantras twice. Technically it was possible because my husband agreed on it because we are the two parties in this agreement.

Ms. Ruby: That would be incomplete and keeping us all in a great suspense and thrill to know which were those mantras not recited in your marriage Fera? (Laughs along with the audience)

Ms. Manusmriti: I know, all of you are very keen to know which are those mantras that we do not want to be recited at the Fera. But then we have taken another vow, after the marriage that we will not share with anyone which were those mantras too. (laughs gracefully audible). Most important thing here is, not to know, which mantras Manusmriti has omitted but that we have to undergo consciously in the process of Marriage. Consciously because some of the mantras gives your partner to treat you as a property or slave or in another words say it does not guarantee the equality and mutual respect. Therefore for that matter, not only in the marriage but also any cultural practices and customs it becomes crucial to undergo consciously. The more important and critical events, they are in our lives, the more consciously we have to look into. It is because a lot of related values are getting positioned on the cultural continuum by the act of marriage in certain way. If you do not want to happen that way in your life, then we need to be little bit conscious. I can also recommend you do this exercise for yourself or in small groups in Women studies centre. Take the mantras of 7 Feras and understand what are those demands and promises that you are making. Then try to remove two of them and see how does it look like ... I think it might be really interesting, and sometimes really challenging and provocative too. But the point I want to emphasize is, it is our prerogative and responsibility to decide and act consciously so that we have a control on the values to be positioned and at where, on the *cultural value continuum*. We can direct the cultural change to that desired direction, where we want to take it. I am even open and ok, for someone who do not want to believe, whatever I have said about my marriage is true. My objective here is that we need to cultivate a culture of creative and critical thinking towards most of our given cultural practices and realities.

(audience) or Ms Irshat: But many argue that this practice of marriage was always there. And it is nothing new to you or to me. So just accept it as it is. It is impossible to understand and grasp everything in this universe. So do not take too much tension, just accept it and just do it. If we apply our little minds to understand the great mysteries, it is a non-sense effort like in the story of the little boy who wanted to dry the ocean into his tiny ditch he made with his hand on seashore and by carrying ocean water in a sea shell.

Ms. Manusmriti: (smiles graciously...) regarding universal mysteries you might be true and I agree with you. Because the term mystery itself means something that you cannot comprehend or understand fully. We are not discussing the mystery part of the marriage. Whether marriage is a mystery or not, itself is an another theme for discussion altogether. In that case human rationality is also a mystery. Or in universal terms whatever happens in this universe whether it is caused by human or not, all will fall into the category of mystery. Because, the entire universe is a mystery and one can always argue that there always remains a dimension which is beyond the capability of human rationality. That is to say we can mystify everything. Not only those things that we cannot understand at all, but also those things we do understand but never fully. This is also true not only for cultural practices but also for scientific truths or laws. Karl Popper an American contemporary philosopher argues that it is not the provability but the refutability makes a scientific law, scientific. Under certain conditions and dimensions laws are applicable, and if you add or change those conditions, existing scientific laws are no more valid and requires another explanation to prove that and so on.. e.g., Newton's laws challenged by Einstein's relativity etc... Coming to marriage, though it might not be comprehensible or understandable... even then... let us suppose that marriage has a mystery dimension. This is what many religions claim. That can be used as an instrument to silence the doubts and questions also to suppress the rationality. So, here we are not looking into the mystery part of marriage

but that part of marriage which is understandable, as a human socio-cultural practice or ritual. These practices are not universal in nature. It differs from religion to religion, culture to culture, even in same religion, region to region. For example in south Indian, Hindu marriages there are no Feras, but Haras and other things. (Flower garlands). This wide variety of marriage practices themselves are the proof that it is a human practice influenced by climatic conditions, belief systems etc... means to say under certain cultural conditions. And when the cultural conditions undergo changes, there is a good chance that the marriage ritual might also change. Therefore we have to undergo the cultural practices like marriage consciously and rationally.

Irshat Khan: It might sound little bit more curious.... (Smiles...) but we want to know how do you came to this theme of marriage worth writing or needs to be thought about it... Can you please tell us how all these things got started....?

Ms. Manusmriti : Ya, Supreme court judgment which considered extra marital sex under mutual consent as not an punishable offence has attracted my attention. Because being a women who is born and brought up in our Indian culture, and our understanding about *Bharatiya Nari* and the Ideals of *Pativrata* have received a great blow by this judgment. Till the judgment, you can be punished if you were being caught by police on this ground (smiles...). Beyond this, an immediate reason to write such a book was an incident narrated by one of my batch mate from JNU, currently he is a chairperson of a language department in one of the Indian public universities. Before I narrate the incident, a word of caution, the incident I am going to narrate is neither a provocation nor an invitation for anyone to pursue such an action. Let me continue... The university department has notified for the post of teaching assistants and applications have received and an interview is scheduled for the post. A candidate who has been previously part of the department wanted to comeback as teaching assistant.. Now let me summarize the content of the telephone call made by the Teaching assistant aspirant to the chairperson. As usual she congratulated the new chairperson for the appointment and spoke well about him. Then she took the dialogue to that direction of appointment of Teaching Assistants and she claimed that she had been appointed by the department earlier too, so she had an firsthand experience of the department and also recently qualified NET and so on. Then she continued to say that "...this much Sir, you can get also from other candidates too. But if you make me to be selected I offer you a freedom to have "quickies" with me either in your office or at a place of your choice, because anyhow I and my boyfriend have broke up. I am also in need of a male company. Sir you see, I know that your wife is working at your home town and ...not staying with you. So, why not? Sir, you can have an occasional quickie...with me and..Sir... you have this extra advantage at your doorsteps, select me ...done." The perplexed chairperson has called me and informed me to know whether I can arrange counseling for her as she is being broke up and not to end up in hookups. That was an eye opener for me to think further on this topic because I felt that there is a shift from being forced, previously there are cases that male counterparts molest or harass the female counterparts to a stage where females voluntarily offer the same to achieve desired goals. That shift or possibility of it is the immediate reason to work on such a theme.

Ms. Ruby: With the title *Married license*, are you hinting that it is difficult for human beings to stay committed in marriage relationships (...smiles...) or Is it natural to love someone and yet to be sexually attracted to some others? (Everybody laughs... and.... audience claps...)

Ms. Manusmriti: This question is ... I think slightly out of our syllabus. (Laughs ...)
Answering this question, I think I have to be little more careful, because it might have a lot of nuances. Nevertheless my instant reply is, it is not difficult to stay committed in marriage relationship and it is not natural to love someone and to have sexually attracted to some other. Having said that let me quote from one of my keralite friend Sereena. For Sereena, there are two core dimensions in marriage relationship which she used to express them in Malayalam : “*Thuna and Ina*”. *Thuna* stands for a lifelong companionship and support in all life situations and *Ina* stands for a suitable loving mate. A committed relationship will successfully fulfill both these dimensions among the partners themselves. The absence of any of these dimensions or both of these dimensions can lead to extra marital affairs. One might be an excellent companion but disinterested in sex, can cause sexual attraction to another person for their respective partners. One might be an excellent mate but not a companion that may also lead their partners to extra marital affairs. At the same time.... I do know many couples ... who do live life-long peacefully even though their partners do not fulfill neither meaningful companionship nor a good mate. Therefore along with the situational aspects, there is also a dimension of human volition whether one is into extra marital or not. Hence Married license does not hint any of these. It only emphasizes that one should be aware about the terms and conditions and enter consciously into such kind of long term relationships.

Irshat khan: So....The usage *Ina and Thuna* sounds very good. But is it possible that one can enter into a marriage relationship only for *Thuna* and not for *Ina*? Or only for *Ina* but not for *Thuna*? (Laughs with the audience)

Manusmriti: Culturally and traditionally not, but technically and rationally yes... (Smiles..). Generally, as Sereena pointed out it is a package with both together or like two sides of the same coin. But if you agree with your partner to omit something, of course you can. Even after the marriage also, you can do it with mutual consent. Rashtrapita, Gandhiji and Kasturba has mutually agreed to omit the *Ina* part of it in later stages. Christian Bible also permits this option. In Pauline letters it does allows couples to restrain each other from their mating rights for a time period dedicated for prayers under mutual consent. At the same time these options do not allow you to look for somebody else to fulfill the *Ina* part (laughs...). Therefore if you want to reserve your *Ina* rights not only for the husband but for some others too, you have to reach agreements or mutual consents with your partner latest by the time of marriage and can make modifications in your marriage vows (...continue to laugh audibly...). As I have mentioned earlier also that... Supreme Court of India, one of its recent judgments has advocated something similar on these lines. Under that judgment, sexual act, even as extra marital... under mutual consent with a sexual partner of your choice, is not an punishable offence. It means, the police has to offer the Lawful protection for your extra marital adventures as far as it is under mutual consent (laughs audibly). Rape is a punishable offence, but not pre- marital or extra- marital sex for women-adults. Partner can be anyone, important here is the mutual consent (Audience claps...). Having said that I add a word of caution, because if something is not allowed or practiced in the culture, it can invite unwanted reactions from others. Therefore I offer a principle which we can always apply in our life decisions, it is a quote from one of my senior at JNU Delhi,..., he used to say in those days “think freely, but act responsibly”. I too emphasize it *think freely but act responsibly*. Hence, “married license’ is not a call to challenge the marriage

but just to become more aware and think and enter consciously into cultural institutions like marriage.

Ms. Avneet Kaur: I do not know how others felt it.... (Smiles)... Your words were strong and resourceful but the word of caution has disappointed me (Audience claps...) listening to you, if these options are there and possible to do, instead of advocating it strongly why do you make three steps back for placing one step ahead? (Laughs at the audience...)

Ms Manusmriti: Frankly I too had similar feelings, in our JNU days. A change that happens in the mind, is reflected in the actions too. That is why this culture theory has relevance. It does not intend to bring bloody revolutions but conscious evolutions. You cannot break and create new social order. You can only allow them to evolve.

Ms Ruby: In the “*Marriage License*” you argue that the genderization is the side effect of the value positioning on the cultural continuum. Could you please explain the same for our audience..

Ms . Manusmriti: This is a model of culture which enable us to understand how the culture works and how we can effectively intervene to change the culture. This is a combined attempt understand culture through functionalism of Emil Durkheim and Interactionism of Whitehead Mill. The method which is developed here has two dimensions: an individual dimension and a collective dimension. Individual dimension is the cultural continuum and the collective dimension is the cultural equilibrium. Though looks very simplistic cultural continuum shows that any value can be positioned on it . For an Individual we are reducing his or her value systems imbibed from his or her cultural background into three do’s. Don’t dos, can do’s and Must do’s. it means there are values that prohibits one from doing certain actions, and necessitates certain other actions and there are actions one is free either to perform or not.

Don’t do’s

Can do’s

Must do’s

Let us take the case of intercaste marriage, what do you think ? whether intercaste marriages are a Don’t do, Must do or a can do? Yes I know there are answers coming from the audience, before we take the comments from audience let us have the comments from Ruby, Irshat and Avneet. One thing before you give your comment also give your locality where you are being born and brought up.

Ruby: Intercaste marriages are Don’t do for me. No one at my home and relatives will accept an intercaste marriage. From the perspective of a girl who is from western UP, Bhagpat, it is dangerous and can be life threatening and can invite honour killing.

Irshat: for me it is a don,t do but you can. You have to live away from your kins and family. It is not life threatening. I am from Kashmir.

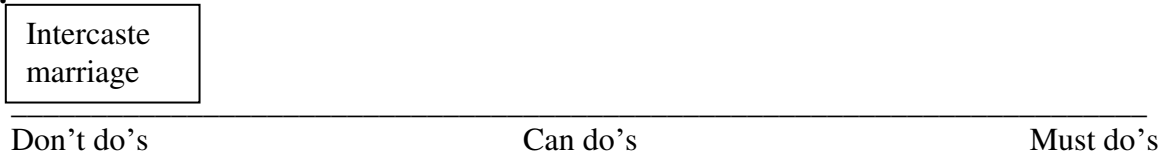
Avneet: Intercaste marriages are a don’t do. There are interreligious marriages in my distant relationship. I am from Chandigarh.

Now let us go to the audience... How many of you agree with Ruby? Lift your hands... ok it is more than half of the audience.

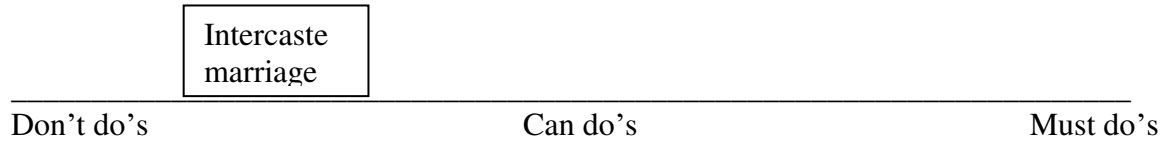
How many of you agree with Irshat? 5 or 6 ok fine ... and how many agree with avneet? Ok not more than 10.

Yes. Thank you all. See the value of intercast marriage is a ‘don’t do’ value for all of you , because we are basically belongs to so called Indian culture. At the same time there are differences too. First we have to note that if we put this value under ‘do not do’ and if we want to bring any conscious change what we have to do , answer is simple just push it slightly towards ‘can do’. This is very clear from the answer of Irshat. Now let us depict the answers of Ruby, Irshat and Avneet , on their cultural continuums, it becomes very clear.

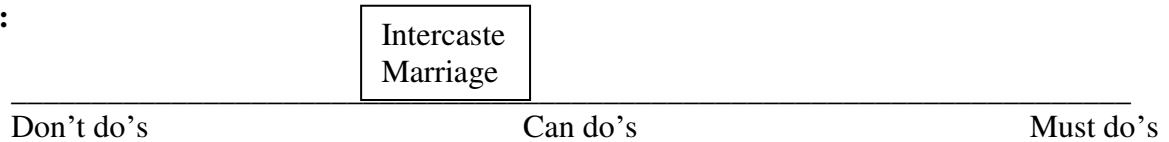
Ruby :



Avneet:



Irshat:



Though all the three says ‘don’t do’ but we can see a shift in the positioning of the value. My argument basically is that if these shifts are possible, and we want to bring changes in the culture , then it takes just conscious efforts to bring those shifts in the desired direction. Most significant thing is that , whether we want or not, shift is going to happen. Then the only question remains is that why cannot we cause that shift in the desired direction? Generally if a ‘don’t do’ value shifts towards ‘can do’ value , more permissible and open becomes culture. It happens also when a ‘must do’ value shifts towards can do too. You can work with the value of Marriage. Position the marriage on the continuum, I hope that you will understand what I am trying to say clearly.

So let us conclude, In general any public action, or interaction between two or more people either has the potential to reassert the value positioning, or shifting the value positioning across the cultural value continuum. That helps the creative thinkers like artists, writers and others to create situations or narrations to cause shifts in the cultural continuum and later it is visible in the culture.

Avneet: Just last... an another question from the audience is forwarded to me, how do you see the rape inside the marriage?

Ms. Manusmriti: At a glance, a forceful act of sex without the consent of the partner is considered to be rape. Marriage provides a free and mutual lifelong consent for sex with the married partner. There comes the issue. If lifelong consent is given, do one partner has the right to refute it later? Or what should be procedure for such a refusal for the lifelong consent for a particular occasion? In most of the religious marriages, life long exclusive rights for sex with the female partner is guaranteed to the male partner. For e.g in Christian marriages, it is declared that the all the rights over the female body is given to the male partner and all the rights over the male body is given to the female partner. In that scenario, only two possibilibites, mutually agree not to have sex or there are no rapes in marriages (smiles...). On the contrary, if one wants to keep the rights to refuse sexual act in marriage, then the traditional marriage promises, mantras and feras needs to be edited accordingly, means one should be aware of the nature of licences in a Marriage (smiles...)

Organizer: Once again I thank you Ms. Manusmriti Pant and student Panel members Ms. Ruby Nain, Ms. Irshat Khan and Ms. Avneet Kaur for collecting and representing our questions and Issues. I hope that all of us will agree with Manusmriti that we need to rethink the cultural practices and customes with a goal to experience qualitative empowerment and emancipation. Once again thank you for all... let us join for the coffee and refreshments
