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Mr. R. Krishnaswami Sastrigal,
Mr. R. Gopalaswami Sastrigal

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Marriage, a Sacrament and the
Child Marriage Restraint Act

(THE SARDA ACT)

IN MEMORY OF

Late Mr. R. Krishnaswami Sastrigal, B. A.,

Retd. Sub Registrar.

PRESENTED BY

his beloved and dutiful brother

R. Gopalaswami Sastrigal.

Marriage, a Sacrament and the Child Marriage Restraint Act

(THE SARDA ACT)

BY

T. V. GOPALASWAMI IYER, B.A.

Retired Deputy Collector, Tanjore

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1930

DEDICATED
TO
LOVERS OF ARYAN CULTURE

Marriage, a Sacrament and the Child Marriage Restraint Act

(THE SARDA ACT)

FRIENDS,

Greater than any country, any man-made laws, customs, conventions and the like, is Life, Divine Law, as manifested in nature. Man-made laws change, but natural laws are unchanging, eternal. A Great Teacher says, "Study the laws of nature and when you know them, arrange your life according to them, using always reason and common sense." It is only when a country has realised and adjusted itself to the laws of nature and the deeper laws of Life, that it can really advance, make progress in all directions, be a leading Nation ; in short be free and spiritually great. Dharma is defined in the Mahabharata, "That which supports, that which holds together the peoples (of the world or country), that is Dharma."—Karna Parva, lxix, 59. It is when we misinterpret Dharma and call Adharma, Dharma and do adharmic acts, mistaking they are dharma knowingly or ignorantly, the nation falls. Ignorance does not alter facts. If a child puts its hand in the fire, the fire scorches the child and does not take account of the child's ignorance. Sir Rabindranath

Tagore said in the course of his lecture on "Man, the Artist," which he delivered at Baroda on the 27th January last—"there are two disastrous enemies which tend to rob civilisation of its creative personality. The first is the incubus of petrified tradition, separated from the moving mind and the growing life". This applies to India at the present time. Very few people think for themselves and they take things for granted at second-hand. Another great Teacher says, "You must think. You must be able to think freely and independently. Thinking merely in one room and acting differently in another is of no value. It is hypocrisy. Educated people should have the capacity to think and judge and pursue that thought and judgment in action without fear of the consequences of that action." I need not say this is far from the present condition in India. These introductory remarks must be carefully thought over by the "educated" people of India. They should give up living at second-hand. Their duty is to guide the ignorant and not mislead them. It is this living at second-hand, thinking merely in one room and acting differently in another, that has brought this country of three-hundred and odd millions to this lamentable state of helplessness, both inner and outer.

2. Before I take up the marriage sacrament, I must mention the sacraments preceding it, *viz.*, Upanayana and Snata vrata. What is Upanayana, Investiture with the Sacred Thread? It is Vrata bandha,

binding on of the vow, or Upavita, approach. What is the approach and what is the binding on of the vow? Again, what is Samavartanam, otherwise called Snata Vrta? I do not deal with these samskaras here, as my object is only to show that marriages as now performed are not really Samskaras. It is enough to state here that only when the Brahmacharya asrama is over, when the student has learnt intellectually the truth about Brahman, the Pranavam, the Gayatri, etc., and has taken leave of his guru, he has to perform what is called Samavartanam or Snata vratam (bath rite). We have now the farce of Brahmacharya and the farce of Samavartanam.

3. With reference to Udvaha, marriage, Gargyana says, "When the development and maturity of the seed are complete and strong in him, and kama or creative desire moves thereto, the youth should marry a maiden younger than himself. Brahmacharya should be observed both by the youth and the maiden. The marriage of a brahmachari youth with a brahmacharini maiden is the most praiseworthy. When both know Brahman, they will not suffer from the violence of joys and sorrows, breach of rules and inobservance of regular times, etc." For further details, see pp. 238-242, sec. 111, chap. VI, Pranavavada of Gargyayana, by Babu Bhagavan Das, Vol. I.

4. Let us now consider the marriage sacrament. No Brahmana will question the paramount authority of the Vedas. He must admit that conventions, customs,

etc., including smritis, must give way to sruti, when the injunctions of the sruti are specific and clear. The Veda teaches that the main, immediate object of marriage is not mere reproduction, satisfaction of the animal craving, but the advance of human evolution and spiritual progress. For this purpose alone, the marriage ritual and the vedic mantras are prescribed. The mantras to be recited by the bride and the bride-groom on the occasion explain fully the nature of the marriage sacrament. And if the marriages are performed against the letter and spirit of the Vedic mantras, they cannot be called sacraments. They are worse than civil contracts.

5. Let us consider the mantras uttered by the bride and bride-groom during the marriage ceremony.

"I seize thy hand to have a *fine* progeny, that thou mayest live with me, till thou shalt attain decay. The Devas, Bhaga, Aryaman, Savita, and Purandhi have given thee to me, for householdership."—Tait., Eka., I, iii, 3.

This mantra has to be recited by the bride-groom holding the hand of the bride at the time of Panigrahana. Again, the bride is addressed thus—"Giving birth to *manly* children and devoted to the Devas, be thou conducive to our happiness and well-being."—Rig Veda, X, 85, 44. Another important mantra for consideration is the one which the bride-groom utters, after pacing seven steps with the bride: "A friend shalt thou be, having paced these seven steps with me. Nay, having paced together the seven steps, we *have become* friends. May I retain thy friendship and never part from thy

friendship? Let us unite together, let us propose together; loving each other and ever radiant in each other's company, meaning well towards each other, sharing together all enjoyments and pleasures, let us join together our aspirations, our vows and our thoughts."—Tait., Eka., I, 111, 14.

No sane man will deny that the mantras are uttered with a view to be understood both by the bride and bride-groom and if that is the object, both of them must be of an age to understand their real significance. Again, on the first day of the marriage, while in the bride's house, the bride-groom has to offer a number of oblations. Let us consider some of them. "This maiden about to pass away from her parents to the husband's home has ended her vow of maidenhood."—Tait., Eka., I, 4, 4.

And further on he prays to Indra, "Do thou release her hence, but not thence; there do thou keep her well fixed."—*Ibid.*, 5.

The following mantra is addressed to her at the time of departure "Go to the house that thou mayest be the lady of the house and as mistress of the house, thou shalt direct the sacrificial rites."—Rig Veda, X, 85, 26.

Another mantra connected with Lajahoma, the oblation of fried grains, also offered on the first day is, "This maiden worshipped Agni, the Deva Aryaman; may that gracious Deva release her hence, but not thence."—Tait., Eka., I, 5, 7.

The above mantras amply prove that on the first day of the marriage, the bride must be of an age fit to leave her parents' house *for good* to take her abode *permanently* in her husband's house, to be the mistress of the house to direct the sacrificial rites, such as Agni-hotram, etc., which have to be performed daily by a married man.

It is necessary to state here that only a part of the first day ceremony has to take place in the bride's house and the "pravesa homam" and the subsequent ceremonies are intended to take place in the husband's house, according to the Vedas.

When the married couple start for the home of the husband and as the bride mounts the car, the mantra addressed by the husband is "Thou shalt be mistress henceforth and bear me ten sons, etc."

6. Let us consider some more mantras. When the bride is about to enter the husband's house for 'pravesa homam' she is addressed as follows, "Be thou a loving queen in the house to the father-in-law, a loving queen to the mother-in-law, a loving queen to the sister-in-law, a loving queen to the brothers-in-law."—Rig Veda, X. 85, 46. On entering the house, the bride is addressed as follows: "May thy joy increase here through offspring? Be thou ever awake here in this house for thy duty as householder. With this thy husband, do thou join thy body, and as thou advancest in age, thou shalt teach the sacrificial law."—*Ibid.*, 27.

7. After the Pravesa homam, a trial of self-restraint which the bride and bride-groom have to exercise takes place. There are several Grihya sutras on the subject. I am considering here a few, by Sankhayana, Asvalayana, Jaimini, Bodhayana and Apastamba.

Sankhayana—"Through a period of three nights, let them refrain from conjugal intercourse."

Asvalayana—"From that time, they should eat no saline food, they should be chaste, wear ornaments, sleep on the ground for three nights, or twelve nights, or one year if they wish to beget a son who shall turn out a Rishi."

Jaimini—"For three nights they shall sleep together on the ground abstaining from intercourse, eating no saline food and observing Brahmacharya."

Bodhayana—"They shall eat no saline food, sleep on the floor, wear ornaments, and observe Brahmacharya for three nights if they desire to beget a shrotria, for six months if they desire to beget a Rishi, and one year a Deva."

Apastamba—"For three nights, the couple shall lie on the floor, observe Brahmacharya and avoid saline food."

I need not dilate on the underlying idea in the matter of this special injunction to observe Brahmacharya, while sharing a common bed. The longer the period of self-restraint on the part of both husband and wife, in spite of the exciting cause, the greater the merit. This

self-restraint can only apply if the bride and bride-groom are of an age to bear children ; in short, they must be men and women in the prime of life.

8. Several Grihya Sutras detail the specific acts that have to be done on the fourth night. They all point to the one conclusion that the first thing to be done on getting up after midnight on the fourth night is to request the Gandharva Visvavasu to leave the couple to themselves. What is Seshahoma, performed in the latter part of the fourth night of the marriage ? At its end, the wife is to look on the husband and say " With a loving heart, I regard thee who knowest my heart. Thou art radiant with tapas. Fill me with a child and this house of ours with wealth. Thou art desirous of a son. Thus shalt thou reproduce thyself." Then, the husband looks on the wife and says, " I see thee radiant and eager to be filled with child by me. Thou art in thy youth now ; enjoy me therefore, and so reproduce thyself . . . , being desirous of a son." Tait., Eka., I, xi, 1 and 2. Other acts are mentioned which leave no room for any doubt.

9. There are other evidences. In the Vedic times and even during the Mahabharata and Puranic periods, the marriage was optional both to men and women among Brahmanas. Devayani, daughter of Sukra, Sruvavati, a daughter of Bharadvaja, Sandila's daughter who was Kumara Brahmacharini, Subhru, the daughter of a rishi, named Kuni Garga, are all instances of the kind.

10. The Grihya sutras state the circle of relationship that ought to be avoided in choosing brides and the qualifications and the disqualifications of the brides. One would naturally expect, if marriage after puberty was forbidden, a distinct statement to that effect, especially when the marriage mantras and Grihya sutras clearly indicate that the marriages were intended to be performed only when the husband and wife were of mature age. But we find no such prohibition in the Grihya sutras.

Sankhayana says, " . . . on an auspicious day, he shall take the hand of a maiden, having auspicious characteristics, of proportionate limbs, of smooth hair, and having at the neck two curls turned to the right."

Asvalayana, "One should marry a maiden endowed with intelligence, beauty, conduct, and auspicious characteristics, and free from disease."

Jaimini, "With the consent of his parents, he shall marry a girl who is *anagnika*, who is of equal caste, who belongs to a different gotra, and who is not a sapinda of his mother." Amarasinha defines 'nagnika' as a girl who has not reached puberty. So, 'anagnika' is one who has attained puberty and as Jaimini prescribes sexual intercourse on the fourth night of the marriage, she must be a Yuvati, the word used in one of the Vedic mantras. My object being only to provoke thought and create an earnest desire in the minds of the readers to study the question and not to live at second-hand, I now conclude the subject from the point of view of the Vedas,

Grihya sutras and puranas and I have not considered the later smritis, such as Parasara, etc. They have no more value, probably have less value, than the Legislative enactments of the present day, which are passed, and are repealed when they are unsuitable. If the readers are desirous of knowing how the present evil custom came into operation, they are referred to (a) The Vedic Law of Marriage, by Pandit Mahadeva Sastri; (b) Marriage after Puberty, by the Rt. Hon. V. S. Srinivasa Sastri ; (c) Sex Problem in India, by Prof. Phadke and similar treatises. A study of these books will amply repay perusal and I recommend their study to my readers. I have very largely adopted in this leaflet their translation of the Vedic mantras and Grihya Sutras, etc., and I heartily thank them for the help I have received.

I would specially recommend to my readers The Rt. Hon. Srinivasa Sastri's book as it also gives the original texts in Samskrit and deals with all the smritis exhaustively and any intelligent man will be able to judge for himself the value of the smritis on which the orthodox people rely for the present custom.

11. From the facts mentioned above, one can clearly see that the marriage ceremony as now performed is no sacrament, but a travesty. How is Upanayana performed now-a-days? Does the Purohit know what it is? What happens even during the days when the ceremonies are performed? Does the Purohit or any body else teach the pupil the meaning of what is being done

on the occasion? Is even the Sandhya performed at least once a day by the 'dwijas,' nay, the Brahmanas? How many know even the Gayatri? How few know the meaning of the sacred Pranava and the Gayatri? How many resort to the study of the Vedas and Upavedas, as ordained of old? The whole Brahmacharya asrama is a farce. Again, even when one is a student in some school and is of tender years in his teens, marriages are arranged for him by his parents or guardians. Why is snata vratam performed? Is it not a travesty? Is there any meaning in performing that vratam now-a-days? Is it a sacrament as it is now performed? The Vedic Law and Grihya sutras clearly indicate that it is the bride-groom that seeks the hand of a bride, but what are the conditions now? The parents or guardians of the young immature girl run about from place to place full of anxiety to seek a bride-groom and marry her and the demand from the bride-groom and his party, varies according to his university and property qualifications. The demand at times runs up to even tens of thousands of Rupees, in the shape of ready cash and vessels, silver, copper, etc., and many families are ruined. How is the 'muhurtam' fixed and is it performed at the time fixed? I need not dilate on these points. Those who have eyes to see know the utter irreligious nature of the ceremony. Will not the orthodox people who clamour against the Sarda Act do better to try to remedy these evils and irreligious practices?

12. I have so far dealt with the Vedic mantras, shastras, customs, etc. I have, I believe, clearly shown above that the ceremony of marriages as it is now performed is not a sacrament nor is it even a civil contract ; the whole thing is a travesty, a farce. Sri Krishna says : "That which enwrapped in darkness, thinketh Adharma to be Dharma and seeth all things subverted, that Buddhi, O Partha, is of Tamas.—Gita, XVIII, 32. This verse (indictment) aptly applies to the modern ceremony of marriage, as of course to many other things.

13. I shall now deal with this question from the point of view of the ancient Ayurvedic Rishis. Two extracts are given below and I have taken them from Prof. Phadke's book "Sex Problem in India," page 117.

"If a child is conceived when the man is within twenty-five and the woman below sixteen, it withers away in the very womb ; in case it is born, it is short-lived ; in case it lives long, it is weak and cripple in body and limb. Fertilization should, therefore, never be made in the case of a woman who is a mere girl."—Sushruta, Chapter 10.

"When a woman of full sixteen, enjoying perfect health, unites with a full-grown man of twenty, she gives birth to an illustrious son. If however, the man and the woman are below these ages, conception will not occur at all, and even if it occurs, the child will be short-lived, diseased, and illfated."

It is as clear as day-light that the medical science too of the Aryans of India directed marriages of

girls after sixteen. There is no necessity to emphasise the fact that premature cohabitation follows early marriage and therefore, the best way to prevent early parentage is to stop early marriages. Modern medical science also upholds the same view.

14. Child marriage is a grave impediment in the way of Eugenics and it is the object of the Vedas and the Marriage sacrament that a virile race with spiritual culture should be the result of the sacrament. One of the Vedic mantras used for blessing the married couple is . . . "Om! Ridhy asmahavyair namasopa sadya . . . savirah." The meaning of the above Vedic hymn is . . . "Om! May we prosper, approaching, with oblations and salutation, the divine Mitra, may we have the support of Mitra! Increasing His repeated gifts with oblations, may we live a hundred years with *heroic* sons".

15. I shall mention below a few of the evil effects of early marriage and the selection of the bride-groom for the girl by the guardians or parents of the girl. This list of evil effects is given by Prof. Phadke and I quite agree with him. There are many more evils also. I consider the list sufficient to show that the present system must be soon ended.

(a) Child marriage leads to physical deterioration. It not only slowly undermines the muscular strength of the people, but imperceptibly deprives them of all pluck and daring, all mental and moral stamina.

(b) As a result of the increasing physical weakness and mental and moral cowardice of the people, they are

easily conquered by foreign invaders and kept in political subjugation.

(c) It prematurely burdens young girls with the risks and responsibilities of motherhood ; and the work of nursing and rearing children being entrusted to these inexperienced and emaciated girl-mothers, the resulting progeny is cankered in the very bud.

(d) It puts an early stop to the education of boys and girls or at least considerably impedes it.

(e) It creates a big class of child-widows and thereby throws the whole social system out of joint.

(f) When marriages are contracted for their children by their parents, true love is scarcely known, and society has nothing to record by way of valorous exploits which are only possible when men's hearts are deeply stirred by love and the brave defy death to "deserve the fair".

(g) Owing to child marriage, young persons are harnessed to the dead routine of earning the bread by the sweat of their brow, and being crippled under the yoke, they are never inspired to any daring thought or deed. A nation of such people can never attain to an eminent position in literature, industry, science or any other department of human progress.

And I may add (h) It has created a large class of people fit to be only clerks.

16. The Sarda Act in a way will help the Indians to get rid of the evil effects which have already accrued and will promote the regeneration of India. It may

not be possible, under modern conditions, to restore the ancient form, because the conditions have changed. But, the spirit of the Vedic times can be followed ; this will be helped materially by the Act. My opinion is that the Rishis of India, seeing that the Indians, especially the Brahmanas were becoming demoralised by their unshastric customs and the Indian nation was losing its vitality and fast moving towards destruction, have, through the instrumentality of an Indian, brought into existence this Act for the regeneration of India. I conclude therefore with the statement that the Act, instead of being opposed to the Sacramental ceremony of Marriage, will make the marriage, if properly performed, a Sacrament, and a *manly, heroic* truly spiritual race of Indians, as contemplated in the Vedas and Grihya sutras, at any rate, healthier and stronger generations with adventurous spirit, may soon be the result.

17. There are some orthodox people who consider that this Act will bring about chaos in social life, etc. Their fears are unfounded and based on imperfect knowledge and prejudice, brought about by blind custom. One of the objects of an Avatara is to teach people by precepts and example. And Sri Krishna by his example has shown that marriages should take place only when the bride is an Yuvathi capable of choosing her husband.

Another Great Teacher considers prejudice as responsible for many ills and I quote him, as his condemnation of it is fully merited and I cannot do better than quote him.

" Prejudice is evil,
 It is the corrupter of the world,
 It is the destroyer of the beautiful,
 It is the root of all sorrow,
 It has its being in ignorance,
 It is a state of utter darkness where light cannot find its way,
 It is an abomination,
 A sin against Truth."

All admit that Kshattriyas, at any rate, married after puberty and they had Swayamvaram. Even now, on marriage occasions, Rukmini Kallyanam is performed as Kalakshepam. Her example and that of many others, such as Damayanti, Savitri, Usha, Subhadra, etc., are held up as worthy of praise. How did they all marry? Rukmini, Subhadra, Savitri, Damayanti and many others chose their own husbands, and in many cases against the will of their guardians, parents, etc. Did chaos arise? The same Vedic Mantras are prescribed for the Brahmanas and Kshattriyas. Have they a different meaning when they are uttered during Kshattriya marriages? Is this not perversion of truth? Are Brahmanas inferior to Kshattriyas in their moral development and culture? How are marriages performed in the large majority of non-Brahmin Communities? Are Brahmanas inferior to them in their moral culture? It is the prejudice, the jaundiced eye that is responsible for such unfounded ideas. How is India now? Is a worse state possible? A change must

certainly be for the better and not for the worse. The Brahmanas and Kshattriyas were the real upholders of Dharma in India and so long as they performed their Dharma, India was a prosperous, flourishing and free nation, with spiritual life behind it and was the admiration of the world. But when Adharma got the upper hand and the Brahmanas disregarded the Vedic injunctions and smritis such as Parasara Smriti, etc., opposed to the Vedic ideals came into existence, the nation fell and India became a prey to foreign invasions and a subject nation.

18. I quote below what the Rt. Hon. Srinivasa Sastri said, in the course of his address on the 25th February, 1930 (Prize distribution, Maharani's H. S. Mysore), vide *Hindu*, dated 27th February under the heading "Fear Not the Time Spirit".

"Unassisted by man, woman must be able to hold her own and it seems to me that it is only in an atmosphere of enlightenment and freedom that dignity and respect can receive their highest meaning. Without further dwelling on these high topics, I will say this much, namely, that the future of this country is great and full of importance and may I say one word to my audience here, namely, let them not be afraid of education, let them not be afraid of what they call the modern spirit. They may be carried to excess in other parts of the world, I doubt that proposition myself. I have seen these parts of the world which, in the opinion of the orthodox people of this country are going too far

in the direction of woman's emancipation. With all respect to our ancient institutions, I think I know some of their inner spirit—I cannot join in the unmitigated condemnation that is sometimes passed by ignorant people upon what they call the western standard in this matter. Western standard in this matter has good and bad aspects, as every thing in this world has. Believe me that woman at her best in the western countries is an object deserving of our best admiration and our best respect. I say this with entire conviction and I regard it as rather an ominous sign that so many of our untravelled people upon superficial examination of things should consider themselves free to pass uncharitable remarks upon a civilization of which they have not fathomed the secret. There is no doubt whatever that the power of western nations, their success in the material sphere is paralleled—I say this as emphatically as I can—by similar achievements in the moral and in the spiritual directions. I have seen in the west men and women of the highest and noblest character, and not by any means rarely . . .

I am not therefore inclined to join in the self-satisfaction, which forms the main feature of many, far too many, of our educated men and women. I wish they could realise that they have a good deal to learn in this sphere of woman's education and woman's uplift, no less than in other spheres. That is a thought which I leave with you before I go away from Mysore."

This is not a solitary opinion and I have heard similar statements made by many others who have widely travelled and who use their eyes to observe and study.

19. Friends, let us give up smritis, like Parasara smriti and try to live up to the ideal as presented in the Vedas and let us not shut our eyes to the Laws of Nature and the deeper Laws of Life, as indicated in the Vedic Mantras, and to the evil effects of the present marriage system. Let us give up our prejudice, etc. Is a special hell created for the Brahmanas and Vaishyas by the Lord of the world, if they do not adopt smritis like Parasara? If the Indian nation is to live and not share the fate of Babylon, Egypt, etc., and if the Aryan Dharma is to be restored and the country is to be free and be a leading nation to give to the world at large the spiritual message which is India's right to give as of old, the Sarda Act is a blessing and I am sure it is only the first step. Other reforms have to come, *in the light of the ancient Aryan ideals* and I am sure they will come, because the Rishis of India, Adhikarika Purushas referred to in Brahma Sutras, are only abiding Their time. Unless the Indians are blind and reject all *true* help and persist in their unshastraic, adharmic acts, ignorantly accepting them to be Dharma, the Indian nation is bound to take its old place once more with the help of the Rishis of India. Now is a splendid opportunity to regain our lost spirituality and liberty and let us not miss it. Time is on our side. Let

us wake up and rise equal to the occasion and take advantage of the time spirit. But if we are obstinate in our adharmic acts, as did Ravana, the fate of India will be similar to that of Lanka and the Aryan culture will disappear and the world will be the loser for it. May the Lord of the world in His Wisdom, guide the Indian nation along the path of wisdom and sustain it by His Strength ! Om !

31st March, 1930.

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