

A Comparative Analysis Between the Institution of Hindu and Christian Marriage

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Abstract

In this research article, the object of the Author is to analyse, the essential elements of Hindu marriage institution parallel with Christian marriage institution. This Research Article is also focusing the comparisons between these two different faith marriage institutions. It is considered that the Hindu Marriage Institution is very old and it has its roots in the ages of ancient India. The Institution Of Hindu Marriage has gone through from many Ages and with lots of ups and downs. This shift in this institution has made a lot of Changes in it. Now, in Modern India, the Institution of Hindu Marriage is more dependent on Legal Structure rather than traditions and ceremonies. Yet there are so many provisions in The Hindu Marriage Act, 1955, those give path to marriage ceremonies, customs and related rites and rituals. On the other side, Cristian Marriages take place in a very different manner in comparison with a Hindu Marriage. Though there are so many other faith marriages too that exist in India but this Research Article highlighting comparison between only two i.e. Hindu Marriage and Cristian Marriage.

Keywords: Hindu Marriage, Christian Marriage, Christianity, Comparison.

INTRODUCTION

Marriage constitutes a deeply entrenched institution in India, serving as a cornerstone of social, cultural, and religious life. At its essence, marriage constitutes a legally and socially recognized union between individuals, often formalized through legal or religious ceremonies. This institution typically entails commitments and responsibilities that extend beyond mere cohabitation or romantic involvement; it includes economic partnership, social recognition, and, in many cases, the cohabitation and rearing of children.

Marriage is a longstanding social institution in India that has undergone significant evolutions with the passage of time and across various cultures. It functions not only as a personal union between two individuals but also as a pivotal element towards the growth and balance of social order and cultural continuity. In India, the institution of marriage is intricately linked to various religious traditions, each of which imbues the practice with its own distinct set of customs, rituals, and significance.

In India, a Hindu marriage is deeply drawn into religious and cultural assemblies and this is one of the reasons- 'A Hindu Marriage is called a ritual or a sacrament'. It is much more centred on lifelong commitments between the partners, social duties, and religious gatherings. Most Hindu marriages elaborate affairs with many rituals, that may take several days to complete. The core of Hindu marriage is based on the concept called "sanskara", representing the sacred rites of passage that mark the transit of the couple into a new stage of life. Rituals, including the "vivah sanskar" or marriage ceremony, and "saptapadi," or seven steps around the sacred fire, carry a special meaning, representing the commitment

of the couple first to each other and then to their spiritual duties. Hinduism looks upon marriage as a lifelong partnership that cultivates Dharma, Artha, Kama¹ and Moksha.

Marriage in India among Christians reflects both the global Christian traditions and the local culture of the people. The usual rite of marriage is celebrated in church, where the couple exchanges vows and rings as a symbol of mutual fidelity with each other and with God. Christian marriage is considered a sacrament, which involves a holy union blessed by God, prefers monogamy and non-dissolution of such holy bond². It is an institution that instils values of love, fidelity, and mutual respect among others. Even though various denominations like Roman Catholicism, Protestantism, or Orthodoxy have different rites and customs, the core concept of marriage as an institution ordained by God remains essential.

HISTORY OF MARRIAGE

The history of marriage, as an institution, reflects a complex evolution that has formed through myriad social, economic, and religious changes throughout time. The earliest evidence suggests that marriage can be dated back about 4,350 years. Anthropologists argue that prior to this time, human societies were organized into loose, flexible groups of as many as 30 individuals, often led by multiple males. Family life in those early societies was informal. Women had communal functions and obligations. However, with the evolution of these societies from hunter-gatherers to agrarian ones, more stable social arrangements emerged to give rise to formal marriage.

The first recorded unions, pairing one woman with one man, date back to around 2350 B.C. in Mesopotamia³. These marriages had nothing to do with love or even religious piety but were based on practicality. The reason marriage existed was mainly to secure women to men to ensure that a man's children were his biological heirs. Within this context, women were considered property passed from father to husband.

The betrothal ceremonies of ancient Greeks for example included a father giving out his daughter with the express purpose of producing legitimate children. In such traditional societies, men enjoyed the freedom to marry several wives and to cohabit with concubines and have sex outside marriage while women were relegated to the households, enjoying limited rights. With the institutionalization of the Roman Catholic Church, the nature of marriage changed dramatically in Europe. For example, by the eighth century, a marriage was not considered legal unless the Church had blessed it. This change was institutionalized at the Council of Trent in 1563, when marriage was declared a sacrament, an act giving it sacred status and conferring divine grace⁴.

The role of the Church in marriage led to better conditions for wives than in earlier customs. Christian teachings reiterated the ideals of mutual respect and fidelity, stating "the twain shall be one flesh,"

¹ THE CONCEPT OF MARRIAGE UNDER HINDU LAW AND ITS CHANGING DIMENSIONS by Harsimran Kaur Bedi, writer issue 2022, ILI Law Review

² Doctoral Fellow of Indian Council of Social Science Research, New Delhi and Research Scholar, Department of Laws, Panjab University, Chandigarh. Paras Diwan and Peeyushi Diwan, Hindu Law 548 (Wadhwa & Company, Allahabad, 2nd edn., 1995). This can be interpreted by Vedic Hym recited by bridegroom in ceremony of panigrahana: I take thy hand in mine Yearning for happiness, I ask thee to live with me, As thy husband, Till both of us, with age grow old, Know this, as I desire that the Gods, Bhragu, Aryama, Savita and Purandhi, Have bestowed thy person upon me, That I may fulfil my Dharma, of the householder with thee.

³ <https://www.livescience.com/37777-history-of-marriage.html>

⁴ <https://www.sagu.edu/thoughthub/the-history-of-marriage/>

making demands upon men to be sexually faithful. However, the Church still endorsed the principle of male family dominance, whereby men were considered heads and wives were expected to bow to their husbands' wills. Marriage development thus reflects broader social changes, including shifts in religious belief and structure. From its origins as a practical institution intended to protect descent and property interests, marriage has emerged as a complex entity that involves spiritual, affective, and legal components. The development of marriage as a Christian sacrament has brought with it new values regarding the ideals of mutual respect and fidelity, but it has also retained many features of traditional gender relations. These changes are a representation of the dynamic nature of marriage as an institution that continuously evolves in response to changing cultures and religious dynamics.

BACKGROUND OF INDIAN MARRIAGES

Marriage provides a sound institution for perpetuating the species and for safeguarding rights in property. The Indian arranged marriages are a tradition passed on since several centuries, their origin dates back to the fourth century. The Indian marriage system is considered incomplete without the custom of arranged marriages. Generally, marriages used to take place when both the bride and the groom were in their early teens. Accordingly, the boy's parents started searching for a suitable girl with the help of intermediaries and approached the girl's parents with a proposal. The intermediaries or negotiators suggested dates and times for the marriage that conformed to the birth charts of the bride and groom with the help of pujaris or gurus. Because of some political and social factors, polygamy and polyandry can be traced in the Hindu marriages.

Swayamvars were also an invention of the Middle Ages, organized by kings for their daughters. Swayamvars also gave an opportunity to the bride to exercise her choice. It has, therefore, been the period of evolution to the right to choose a bride or groom as a result of social upheaval, wars and cultural diversity for both men and women. The dignity of women was therefore compromised as the ladies were made objects to be traded in return for a social and moral liability on their families. Ancient texts referring to marriages are quite unequivocal in stating that the Aryans were monogamous.⁵ The Punjab and Haryana High Court made its observation on 'Swayamvar', this is not a modern phenomenon. It has its' roots even in holy books like Ramayan and Mahabharat.⁶

In the medieval period, marriage was compulsory for all girls in India. However, the exemption came for girls who opted for asceticism. Polygamy was followed by Kshatriyas. It was chiefly based on Shastri principles, which say that the bride's parents, while seeking a prospective bridegroom, considered his virtuous conduct, his family background, his educational qualifications as well as his social behaviour. However, with passage of time, some customs related to Indian marriage have drastically changed. However, this ancient tradition has retained its intrinsic value. The institution of marriage has been undergoing a long process of evolution. Starting particularly from the 18th century, with the change of the social views concerning individualism and personal freedom, the idea of love marriage grew more central.

Apart from the historic and emotional viewpoint, marriage also assumes lot of things under Jurisprudence and Economic cycle. In the legal context, marriage often grants rights and responsibilities

⁵ <https://www.vowsforeternity.com/blog/evolution-of-marriage-in-india/>

⁶ <https://www.scsonline.com/blog/post/2023/02/28/swayamvar-in-holy-books-enforced-as-fundamental-right-by-article-21-of-constitution-punjab-and-haryana-high-court-legal-research-legal-news-updates/> ; 7th January 2025.

regarding ownership, inheritance, and decision-making rights for medical and legal issues. Most religions have particular laws and ways pertaining to marriage; indeed, wedding rites, vows, and customs reflect the values and principles of a religious way of life. These religious events are usually invested with deep personal and communal meaning, further solidifying the sanctity and value of the marital union.

DIFFERENT RELIGIONS IN INDIAN SOCIETY- IMPORTANCE

India has been found to be a country with a highly rich tapestry in the realms of religions and cultures, which, in fact, forms one of the bases for its identity and its social fabric. India is the birthplace of a number of major religions-Hinduism, Sikhism Buddhism, Jainism, Islamic all of which combine to form a part of the country's spiritual and cultural identity.

Hinduism, its great pantheon, and variegation of practices have greatly influenced most of India's art, literature, and festivals. Major festivals like Diwali and Holi, with sacred texts such as the Vedas and the Bhagavad Gita, constitute an integral part of the cultural milieu of India. Hindu temples are not only a place for religious practice but also a point where communities and local governments interact and frequently engage in charitable activity.

Buddhism, founded by Siddhartha Gautama-the Buddha-of India, emphasizes the path toward enlightenment through multiple paths such as meditation and moral conduct. The dispersion of Buddhism outside of India indicates the mark of that country on world spiritual traditions.

While Jainism is mainly known for the rigor of non-violence and the ascetic behavior of its members, it deeply influenced Indian philosophy and ethics. The Jain communities have contributed much toward trade, education, and the arts; their influence is notable in the flair for architecture related to Jain temples and in the emphasis on ethical living.

Sikhism, founded in the 15th century by Guru Nanak, upholds the values of equality, justice, and devotion. Equally diverse is the cultural topography of India, which has been moulded by its many ethnicities, languages, and traditions. The other big influence on the social and political dimensions of India stems from the interaction amongst its religions and cultures. While its secular constitution tries to create a balance in the different religious practices, much of that balance is at times stretched beyond its limits by political and social challenges.

To sum things up, much importance has been attached to the various religions and cultures of India. They are living forces, not just elements of heritage that have played their role in shaping the very identity, values, and even society of the nation. Intercultural dialogue and understanding have a special place in a nation where religious and cultural identity is deeply interlinked with personal and collective narrative. Interfaith initiatives, cultural exchanges, and educational programs work toward mutual respect and appreciation among diverse communities within India.

MARRIAGE UNDER HINDU DHARMA

Marriage can be described generally as socially and legally sanctioned and recognized union of individuals, generally a male and a female, forming usually the basis of a family system. There take up mutual rights and obligations, everything from emotional companionship to financial responsibilities. Marriage can be based on regulating sexual relations, upbringing of offspring, or administrative, economic activity aimed at ensuring social and economic connections. Its meaning, forms, and expectations have varied a lot across cultures, to be shaped within historical, religious, and legal

contexts. In the context of academic discourse, marriage is looked upon both as part of social institution and personal relationships that pertain to one's identity and positioning of gender, family, and society.

Hindu marriage or Vivah is a sacramental wedding knot based on religious and social conceptions, signifying a lifelong companionship of two individuals and their families. Not considered merely as a contract, this wedding knot is considered to be a divine match, signifying spiritual-societal continuity. Monogamy is integral in a Hindu marriage, in which one is allowed only one spouse at a time. Ceremonies are performed through intricate religious rites, making the union sacred. The bond is viewed as eternal and perpetual, extending even beyond death.

In Hinduism, marriage is considered a divine arrangement, believed to be preordained by God and solemnized on earth. This sacred union is seen as a sacrament, performed with Vedic chants and rituals to promote moral integrity, produce virtuous offspring, and contribute to the betterment of humanity, ultimately leading toward Moksha. Ancient Hindu legal scholars, including Manu, Yajnavalkya, and others, developed marriage norms based on the Vedas to ensure both social and religious harmony. Hindu marriage, therefore, transcends mere social agreement, representing an eternal and indissoluble bond, essential for maintaining societal order and spiritual progress.

The history witnesses a number of variations in the *type* of marriage ceremonies conducted by the people of this religion based on needs, devotion and plight. Classical Hindu text, particularly the Manusmriti, Verse 3.21, recognizes eight types of Hindu marriage⁷

“ब्राह्मो दैवस्तथैवार्षः प्राजापत्यस्तथाऽसुरः ।

गान्धर्वो राक्षसश्चैव पैशाचश्चाष्टमोऽधमः ॥ २१ ॥

In old times there were two divisions of Hindu marriages –

- a. Vaidh Vivah ; and
- b. Avaidh Vivah.⁸

each with distinct characteristics and implications. These types of marriages reflect varying degrees of social, ethical, and spiritual considerations, and their classification highlights the diversity in Hindu matrimonial practices.

MARRIAGE UNDER CHRISTIANITY

Christian marriage is a sacramental union that has its roots in religious faith and celebrated as a covenant between a man and a woman before God. It is a popular view that Christianity came in India with St. Thomas, as he visited India and established Christianity there⁹. So far as legal aspects are concerned, Christian marriage is conducted and recognized according to different laws in different jurisdictions. In general, the basic tenets of Christian marriage are embodied in the doctrines of Christianity and, secondarily, in the marriage law of the country where it occurs. In most countries, Christian marriages come under both religious canons and civil laws in which latter ensures that marriage is legally as well as spiritually valid.

⁷ Dr. Hina Gupta; HINDU LAW AND MARRIAGE CEREMONIES (Contemporary Forms of Marriages and their Impacts); 2024; Singhal Law Publications; Pg. 18.

⁸https://www.researchgate.net/publication/359002312_EMERGING_TRENDS_OF_HINDU_MARRIAGE_AND_THEIR_IMPACT; 7TH January 2025;

⁹ <https://www.pewresearch.org/short-reads/2021/07/12/8-key-findings-about-christians-in-india/>; 9th January 2025.

Marriage in the Christian world is considered a holy covenant made by God. Marriage is said to be the physical manifestation of the relationship between Christ and His Church, which is a bond of love, devotion, and sacrifice. Most Christian denominations view marriage as an indissoluble bond, with high emphasis on permanence and fidelity.

REQUIREMENTS FOR CHRISTIAN MARRIAGES

a) Age of Consent

This is the basis why most countries have established a minimum legal age for marriage, to ensure that both parties possess the sufficient maturity to make informed decisions. In many jurisdictions, the minimum age prescribed is 18 years, though exceptions can be made with parental consent or judicial approval in case the parties are younger.

b) Free Consent

Those marrying within a Christian marriage should be capable of doing so of their free and willing volition. The law insists that the consent of either party has to be free and informed. If both parties marry as a consequence of duress, fraud or undue influence, such a marriage may well be annulled by a court of law.

c) Monogamy

Christianity also utilizes the concept of marriage as a monogamous institution; therefore, a man and a woman are only allowed to have one spouse at any particular time. There is no form of polygamy in Christian marriages, although other countries with a minimum foundation on Christian values have outlawed polygamy in their respective legislations. On the other hand, bigamy that refers to the act of a person seeking to enter another marriage while still legally married to another individual is an act that will make him or her liable under the law.

d) Prohibited Degrees of Relationship

Religious and civil laws also forbid the marriage between close relatives. The prohibited relationships include siblings, parents and children, uncles and aunts among others as stated in the local laws. This has been done to avoid consanguinity where the resultant marriage is both morally and biologically healthy.

REGISTRATION AND MARRIAGE CEREMONY¹⁰

In various legal systems, a Christian marriage is compulsory to hold a religious ceremony and civil registration to have it registered in the state. Normally, steps involved after this are:

a) Notice of Marriage

Most legal jurisdictions require that a notice of marriage must be filed with a local authority or registrar before the public ceremony. The purpose of this is to provide a public declaration of an intention to marry, allowing any persons who may have grounds of objection or reservations about the marriage to voice them before it may taken place.

b) Church Ceremony

Christian marriages are usually solemnized in a church before a minister or priest. It is a religious rite

¹⁰ <https://www.helpline.law.com/family-law/ctmrr/christian-marriage-and-registration-procedure-in-india.html#:~:text=Under%20the%20Indian%20Christian%20Marriage,certificate%2C%20thereby%20endorsing%20the%20marriage>

where a couple, in the presence of witnesses, exchanges vows and rings, pledging their commitment before God and the congregation.

c) Civil Registration

That means after the religious event, an authorized body has to legally register the marriage for its validity. By being registered, the marriage is recorded, with legal evidence of the latter. In the absence of this civil registration, the marriage may also not be recognized for purposes of applying this law, for instance, in matters of inheritance or spousal rights.

Mary Sonia v. Sub-Registrar, Nagercoil¹¹ (2010): In this case, the petitioner challenged the non-registration of her marriage under the Indian Christian Marriage Act of 1872. The court docket dominated in her favour, clarifying that marriages among Christians should be registered to ensure legal validity. The case underlined the importance of official marriage registration for Christians beneath civil law.

RIGHTS AND RESPONSIBILITIES OF SPOUSES

Marriage creates a legally binding relationship between husband and wife, where certain rights and responsibilities are conferred on both parties.

a) Mutual Support - According to law, both spouses are duty-bound to provide emotional, material, and physical support to each other. Mutual support is what the Christian precepts call for; marriage should be grounded on the love of both spouses, hence treated as a partnership with mutual respect and support for each other.

b) Co-Ownership of Property - For instance, by many legal systems, spouses are considered co-owners of the assets they amass throughout their marriage. The legal system rests on the basis of shared life and shared means/wealth. Upon separation or divorce, their mutual assets must be equally divided between them.

c) Parental Rights and Responsibilities - Christian marriage also entails the responsibilities to feed and bring up any children born of the marriage. The children are under the care of both parents, a precept to which religious as well as civil law give their approbation.

DIVORCE AND ANNULMENT

Whereas Christian doctrine teaches of the indissolubility of marriage, civil law provides for the dissolution of marriage in certain cases.

a) Divorce - Divorce, on the other hand, is the legal dissolution of a marriage when it becomes untenable. Legal systems permit it on certain grounds, which differ in different jurisdictions but may include adultery, abandonment, cruelty, or irreconcilable differences. Thereafter, there is a division of assets, determination of child custody, and sometimes alimony.

b) Annulment - Annulment is different from divorce because it renders the marriage null and void, as if it had never existed in law. Christianly, annulment is more or less exactly along the lines of religious doctrine, especially for the Catholic Church, where marriage is indissoluble unless one proves that it was not valid from the very beginning—for example, because of lack of consent, fraud, or incapacity.

¹¹ Mary Sonia Zachariah vs Union Of India (Uoi) And Ors. on 24 February, 1995: II(1995)DMC27 <https://indiankanoon.org/doc/637104/>

Molly Joseph v. George Sebastian¹² (1996): the said case revolved across the legitimacy of a Christian divorce granted by using the church rather than a civil courtroom. The court dominated that a divorce granted by means of ecclesiastical courts has no legal standing in India, emphasizing that Christian marriages and divorces ought to adhere to Indian civil laws.

Under the Christians, marriage is a very respectable institution guided both by religious doctrine and civil law. While Christianity makes much of marriage being sacred and indissoluble, modern legal frameworks do offer some recourse to divorce and annulment, where required, in a balancing of religious precepts with protectionist legislation for individuals.

COMPARATIVE STUDY OF HINDU AND CHRISTIAN MARRIAGE¹³

In India, marriages are ruled by way of a set of personal laws based upon the religion of the person. Hindu marriage comes under the Hindu Marriage Act, 1955; Christian marriage comes beneath the Indian Christian Marriage Act, 1872, alongside the Divorce Act, 1869. The each legal structure has a unique procedure, requirement, and different provisions that mirror the religious and cultural values in their respective communities and social groups. This assessment delineates essential variations and similarities between Hindu and Christian marriages as prescribed beneath Indian law

1. Nature of marriage

Hindu Marriage- The Hindu Marriage Act, 1955, marriage is taken into consideration to be a sacrament; it's far an indissoluble and eternal union. The essence of marriage is stated to be a holy ceremony where a person and a female are part of together for lifestyles and for the performance of obligations concerning house holder-ship. It is a rituals-orientated Marriage. The Hindu marriages are solemnized via difficult non secular rituals, like the Saptapadi, that is seven steps across the fire, signifying the lifelong dedication of the couple.

Christian Marriage- It is spiritual and yet Contractual. The Indian Christian Marriage Act 1872 views marriage as both a spiritual and a social settlement. The identical sacrament is likewise handled in Christianity but legal theory emphasizes its contractual aspect more. Typically, inside the case of Christians, a minister or a clergyman solemnizes the marriage in a church wherein the wedding is blessed by God, but felony fact emerges best when a marriage certificates is issued.

2. Consent

Hindu Marriage- Here, consent has a great importance. There have to be mutual consent, and both ought to preference to undergo the marriage. Marriages carried out because of compulsion, fraud, or pressure can be annulled. Beneath the Hindu Marriage Act, the minimum age at which a male and a female can also perform their marriage is 21 and 18, respectively.

Christian Marriage- As in Hindu customs, the marriage have to be consented by using both parties. The Christian Marriage Act does no longer recognize compelled marriages. The Indian Christian Marriage Act prescribes the age of 21 years inside the case of adult males and 18 years in the case of ladies because the valid age of marriage, just like Hindu law.

¹² George Sebastian Alias Joy vs Molly Joseph Alias Nish on 20 July, 1994: AIR1995KER16, II(1995)DMC168, AIR 1995 KERALA 16, <https://www.casemine.com/judgement/in/56094f1de4b0149711282d07>

¹³ Comparative Analysis Of The Hindu Marriage Act(HMA) 1955 With Other Marriage Laws In India <https://theamiksqriae.com/comparative-analysis-of-the-hindu-marriage-acthma-1955-with-other-marriage-laws-in-india/>

3. Solemnization of Marriage

Hindu Marriage- A Hindu marriage will become legally legitimate only if it has been solemnized according to the normal rituals and ceremonies of Hindus. Sacred fire and performance of Saptapadi both are required to be performed. Registration is not compulsorily required, however is most popular: even though a Hindu marriage may be registered, but it isn't always compulsorily registerable under the Hindu Marriage Act. but, registration affords felony evidence of marriage.

Christian Marriage- The solemnization of the wedding among two Christians should be conducted by way of a minister or priest in a church or an authorized registrar. There are frequently non secular solemnities, including the readings from the Bible and vow exchanges that happen. A Christian marriage has to be registered with the marriage Registrar right now after the performance makes it legally legitimate.

4. Monogamy

Hindu Marriage- Hindu Marriage Act prohibits polygamy. A Hindu can remarry best whilst the previous marriage is dissolved and bigamy is an offence in criminal law.

Christian Marriage- Christian regulation additionally makes it compulsorily monogamous. A Christian cannot have multiple spouse living at a time, and bigamy is illegal.

5. Divorce¹⁴

Hindu Marriage- There are various 'Divorce Grounds' mentioned in the Act of 1955. The Hindu Marriage Act, 1955 has several grounds for divorce, which includes adultery, cruelty, desertion, mental sickness, and mutual consent. Divorce is generally the closing motel when reconciliation fails. There can be a divorce by using mutual consent provided the consent of both spouses has been given and the situations, such as residing separately for at least 365 days, are met.

Christian Marriage- As per the Divorce Act, 1869, divorce is authorized on grounds which includes adultery, desertion, cruelty, and mutual consent. whereas, beneath the said Act, the grounds for getting a divorce had been a whole lot less for Christian women in comparison to guys except amended via the Indian Divorce (amendment) Act, 2001, as the law has been rendered gender-neutral ever when you consider that. Christian regulation also provides for the annulment of a marriage whilst its mile installed that, from the start, it turned into void with the aid of the motive of fraud, impotence, or for want of valid consent.

6. Maintenance and Alimony

Hindu Marriage- Each spouse beneath the Hindu Marriage Act are entitled to assert maintenance and alimony. The quantum is bestowed primarily based at the earning capability of the spouse and residing preferred on the time of marriage. The structured spouse can be ordered via the courtroom everlasting alimony to be paid for long-term safety after divorce.

Christian Marriage- Provision for alimony and maintenance, is likewise envisaged below the Divorce Act, with either partner being eligible to assert support based at the case. Like Hindu law, this too is calculated on the premise of profits and standard of residing among different concerns.

Permanent Alimony is available in Hindu marriage law, permanent alimony is also to be had in Christian law in which the court docket can order a partner to make lifestyles lengthy economic provisi-

¹⁴ <https://www.jlsrjournal.in/comparative-analysis-of-divorce-under-hindu-muslim-and-christian-law-by-n-brindhalakshmi/>

on closer to the other after divorce.

7. Inheritance Rights

Hindu Marriage- The Hindu Succession Act, 1956 prescribes the law on inheritance in Hindu families. After marriage, each the husband and spouse have equal rights to inherit from each other. Daughters have identical rights in the inheritance of ancestral property as nicely after amendments delivered to the Act in 2005.

Christian Marriage- Inheritance among Christians is governed by way of the Indian Succession Act, 1925. The estate of a Christian partner is amassed toward a spouse, however the estate is split similarly between the youngsters. not like Hindu regulation, there is no component of ancestral assets within the inheritance laws for a Christian.

8. Remarriage

Hindu marriage- Under the Hindu Marriage Act, widow remarriage is permitted, though it is probably opposed socially in conservative society. So, there may be a protracted record of the Hindu Widows' Remarriage Act, 1856, which made widow remarriage lawful properly earlier than independence.

Christian Marriage- Inside the Christian regulation also, the remarriage of the widow is completely allowed; there's no such legal or spiritual prohibition. Also, under the identical teachings, generally, marriage after the loss of life of a spouse is concept to be permissible beneath Christian doctrine.

9. Two Separate Legal Structure

Hindu and Christian marriages, in India, function under two separate legal structures. One reflects the non secular and cultural values concerning a community whereas the Hindu marriage is sacramental, having a foundation in rituals. Christian marriage could be considered as religious settlement and which needs to get registered to avail benefit validity in the eyes of law and more than that to claim other rights related to the marriage. Each enshrines monogamy, recognize divorce, and ensure upkeep and inheritance rights of spouses.

CONCLUSION

Every Institution of Marriage in India has an even format in Modern times. But they were not having much similarities in the beginning. As the Author already has mentioned that various comparisons between Hindu and Christian Marriage institutions, it can be concluded that now both have similar concepts but with different Legal Framework. From a legal perspective, a Christian marriage is also a civil contract. In most legal systems, a marriage is defined as the union of a man and a woman, respectively, subject to marriage regulations outlined by the state. Legally, these marriage regulations determine both persons' rights and responsibilities and protection so that their marriage is legally recognized.

Besides these major religions, India also has a number of communities with their own unique marriage traditions. For example, Jainism, Zoroastrianism, and many tribal religions have specific customs and practices in marrying, reflecting the great diversity of Indian cultural and religious life. Marriages in India are thus not uniform; rather, they reflect the rich religious and cultural diversity of the country. Each religious tradition offers a contextually distinctive framework within which marriage is understood and practiced, thereby leading to an impressively complex and varied landscape that underlines the interaction between personal relationships and religious values. In other sense, it can be contemplated that the nature of marriage in multi-religious India, allowing each religion to contribute to their



traditional norms with differences existing on the basis of rules and regulations on the context of divorce, succession, maintenance accompanied by new legal challenges.