



Being with the ‘Other’: Inter-religious Marriages in Bangladesh

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Abstract

Inter-religious marriage is one of the rarest research topics seen in Bangladesh till today. However, „rare research“ does not mean that such marriages are not taking place. In Bangladesh, inter-religious marriage is rare but present.

There are cases where a person falls in love with someone not from their own caste or religion. However, in such cases the predominant reaction seen among families is due to the difference in the social and cultural institution that such marriage will be bringing upon.

My thesis centers on ethnography of such a family who got their child married into a family of a different religion. This is, however, completely an anomaly and not tends to be even heard of in a country who, on the one hand claims to have its own state religion, on the other, is labeled as “secular country”. The issue has particularly drawn my attention because marriage in South Asia is not only about two individuals but about families and other social and cultural institutions; hence, marrying in family of different religion is itself a dilemma if no one is converting. Among all these dilemmas and confusions and going against the social construction, why would any family, on purpose do such act? What could be the social/political/personal motive behind it?

While putting vehement focus on inter-religious marriage, I would also like to analyze/explore these issues with inter-caste marriages that take place among the Hindu believers. This is because; inter-caste marriage has already led to many “honour” killings and is an ongoing situation till today in South Asia. Up to some extent, inter-religious marriage may do lead to such acts as well. Nonetheless, as my thesis will be ethnography of an “arranged inter-religious” marriage, before going on to the main ethnography, I will like to cover some historical issues like what marriage in South Asia means and it takes place? The legal ramification if one wants to perform inter-religious marriage.

I hope at the end of my thesis, my findings will reflect some solutions on diminishing the blurred social construction of “religious” marriage and bring about some flexibility among the marriage laws in future.

Acknowledgements

This dissertation is truly dedicated to all those who got involved or hooked up with partners of different religion. The situation I faced in my 5 years of this relationship initially encouraged me to take pen in hand, vent all the frustrations and jump in the practical field to find out how easier or harder it gets to deal in live-situations like this.

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Last, but most certainly not the least my all-time well-wisher, the person who stepped to my life 6 years back and helped me with all my personal and professional problems. A person who always stood by and steered me in every directions. His steady involvement in discussing the problems we faced in our personal relations including the families and societies; and his support and guidance on the ways we should deal with them worked as a testimony as well as an encouragement.

Chapter I

Background & Context

Anthropologists have shown that the study of marriage, by itself, is fundamental to the kinship system and has been a central aspect of anthropology, which will remain incomplete without clearly contextualizing the concept of marriage within kinship and alliance systems. Marriage has been one of those various combinations that form the kinship system as it studies how „sexual relations“, „personal identity“ and „gender roles“ are culturally constructed. In South Asia, today, kinship systems become important within the framework of relations in organizing principles for „social identity“, „inheritance and resource distribution“, „socialization“, „post-marital residence and women's relationship to space“, „the formation of basic kin groups“, „marriage and marital relations“, „authority and power“, and „rights over children“. Kinship systems are neither innocuous nor immutable, and they are not self-sustaining, rather they operate in different ways through material relations but tend to express themselves more effectively through certain values and ideology, and that they often seem to be supported or mitigated by religion and reinforced through ritual and social ceremony (Dube, 1994).

Starting from consanguine marriage to punaluan to pairing to heterosexual monogamous marriage, marriage has „evolved“ from one form to the other. These transitions led the heterosexual monogamous marriage to be considered the only „civilized“ norm and helped the later generations to recognize their biological parents, especially fathers. In addition to this, heterosexual monogamous marriage also led to individual property rights for children, symbol of blood purity, state recognition and the availability of inheritance rights (Engels, 1884). However, anthropologists only recognized these marriages. In society, heterosexual monogamous marriages are of many kinds, such as mixed marriages (inter-religion, inter-ethnic or inter-caste), and the homosexual monogamous marriages includes the gay or lesbian marriages (same-sex marriages). The antecedents of such marriages have drawn the attention of many scholars for their social constructivism (Weston, 1993). Hence, this homo- and hetero-form of monogamous marriage can be intertwined with kinship as, according to Judith Butler, kinship is both hetero- and non-heterosexual. She explained the word „heterosexuality“ as „sharing romantic or sexual attraction between people of opposite sex“ (Butler, 2002).

Unfortunately, neither homosexuality nor homosexual monogamous marriages are yet legally recognized in South Asia.

Within South Asia, the region this thesis will focus on, in a country like Bangladesh, heterosexual monogamous marriage is not just a term that describes the union between two people, but it becomes the identity of „self“ due society's values and culture. Also, marriage is a social institution where „arranged“ marriage is the norm till date and is fenced by different customs, rituals, cultural beliefs, religious bindings, political or societal affiliations, and certain rules and regulations. In South Asia, marriage is not just about the union of two individuals but also two families. It is seen as a very important turning point for every family, where two families affiliate for various reasons such as improving political alliance, bettering business relationships, upgrading the class position in the society, etc. (Mathur, 2001).

Among these marriages, nowadays, South Asia is also seeing love marriages where individuals choose their own partners. The ideas of marital compatibility have travelled between arranged marriage and love marriage for which there is now much *„traffic in ideas between tradition and modernity“* (Das, 2008). One of the reasons behind love marriages emerging could be globalization. The travel in time between tradition and modernity has been triggered through migration and the power of technology. In other words, the three of the five scapes (ethnoscapes, technoscapes and finanscape) introduced by Appadurai explains the intertwined and shift in relationship taking place. His scapes could be connected to today's increase in love marriages as he talked about how migration and power of technologies has led to mobility and fluidity of communities instead of keeping them static (Appadurai, 1990). This explains how, in contemporary time, people are being more flexible in knowing each other and this might turn to falling in love. However, love marriage is still seen as an anomaly in cases, especially where the family status fails to be parallel to each other as it disturbs the kinship alliances. Even today, people in a country like India (not the whole of India, but some of the places within India) face resistance in love marriages and some stamp it as „unholy“ as they think that it will challenge their *„natural caste hierarchy“*, *„status“*, *„social considerations of class“* and *„cultural values“* (Mody, 2008). Since marriages are so fundamental to social relations, there are several forms of resistance seen in love marriages. This happens as, in a society, “Who” can marry “Whom” becomes important and any symbol of deviation creates conflict. For instance, in an inter-caste

marriage, when a Dalit is trying to break the hierarchy and marry a Brahmin, it becomes dangerous not only for the Dalit but for his/her family members as well. Such disruption in hierarchy shakes the whole community that creates „shame“ in the society. A very recent case talks about a father who killed his 18-year-old daughter who was around 8 months pregnant. She was punished by her father for putting him into „shame“ by marrying an outcast (PTI, 2013). This is the time when the *„flowery feelings of love marriages become dangerous and the resistance become violent.“*

Similarly, Bangladesh, though it is moving towards globalization at a faster pace, there lies a contestation in ideas of „tradition“ and „modernity“ when it comes to marriages. This is because people still want the traditional marriages despite being globalized. It is true that the country is seeing a hike in number of love marriages taking place; however, the acceptability of love marriages is still rare. It is still seen as disrupting the norm due to the potential destruction caused and therefore leads to stigmatization.

A type of love marriage that involves people of different religion and goes beyond the religious, ethnic, caste and societal bindings, making it more complex, could be defined as mixed marriage. In today's world, where religion is a vital factor in everyone's life, where people are beaten to death for disrespecting other religious or cultural practices, or where the concept of „right“ and „wrong“ religion or marriage is the prime discourse; how will the society react to the fact that individuals from two different religions fall in love and decides to maintain such relationships? The dominant form of such mixed marriage is the inter-religion marriage and it faces the most scrutiny as it is least acceptable.

Self-Reflexive

Being born in Muslim pious family and carrying very liberal religious views was certainly not raptured by everyone in my family. However, an adding concern was my affair with a non-Muslim. Due to my family background and religious history it was a tremor for my parents to know that I am affiliated with a non-Muslim.

I belong to a practicing Muslim family and looking back at my genealogy one can easily say that my fore fathers were „Fakirs/Jilani,” but, for me the norm of religion is different. To me, no one is born with any religious identity rather they are given the identity depending on the family they take birth in. Hence, if wished, one has the right to choose and change their religion. Also, being religious, to me, do not mean that I am oppressed under all the rules and regulations that I do not want to perform by heart. I believe that the notion of being religious is more about being generous to others and to have complete faith on Our Creator and his miracles.

Till today my parents are not accompanying me with my relationship and I am still careworn to explain my outlooks and acceptances on religion to them. I understand how difficult it might be for them to accept the fact, especially when our genealogy traces back to „Fakirs.” For me, choosing a partner equal to my identifiable position (either in religion or in class) was not the prime concern. However, this was the highest level of bothering for my parents. Till now they have not put their concern due to several reasons mostly connected to „my” religion. According to my parents, in the Islamic law a man can marry a non-Muslim woman but a woman can never marry a non-Muslim man. They believe that if I get married to someone professing a different religion I will either lose conviction on my religion or start ignoring my religion. Additionally, my children’s religion has been a vehement concern for them for which they do not want to agree with this affiliation as well. Their view explains that if I perform inter religious marriage, my children might turn out to be an atheist or will be destitute from practicing Islam.

Interestingly, my case is not the only inter religious affiliation in my family. One of my nephews have also joint his wedlock with a Japanese Buddhist girl and it was then my father who was totally in favour to this. Upon asking the reason to my parents of such difference in opinion, his reply simply stated that Islamic laws do not allow women to get married to non-Muslim men.

Ignoring all their indignation and over-looking at all the complexity I still managed to maintain my relationship with him. After being with him for around 6 years, I realized that the fact of falling for a person different to your own religion and dealing with all the religious activities is not an easy going task and the resistance is tougher than anyone can think of. Hence, that’s when I decided to explore more on the issues.

Soon after I started facing religious intolerance in my relation, the consequences urged me to set down my memories of struggle as a student in maintaining such affiliation. To begin my thesis as a current student of Bachelors in Social Sciences in Anthropology, I had to wait till I understand the depth of kinship, marriage and society affiliation adequately so that I can frame my research under one enclosure. I knew my situation itself was inadequate for such a task, for which I had to give a vague idea to my parents about my thesis topic, but I resolved to put my pen to paper, vent all the frustrations and jump in the practical field to hit upon how easier or harder it gets to deal in live-situations like this.

Chapter II

Research Questions & Objectives

It is in the context that this thesis is carried out and the research questions have been formulated.

This thesis looks at why inter religious marriages are seen as an anomaly in Bangladeshi society and tries to understand the intensity of the religious affect in such mixed marriage. As the literature review makes clear that there is a tremendous lack of research in this section and gaps need to be filled in light of that, the research queries have been formulated below:

1. Why does inter religious marriage face so much resistance in Bangladesh? In particular, if a close comparison is done between love marriages and mixed marriages in Bangladesh, will it be identifiable if mixed marriages are more stigmatized than non-mixed love marriages?
2. More specifically, what is at stake for inter religious marriages and who are to be affected?
3. How and why religion becomes one of the most significant parts in determining mixed marriage in Bangladesh?
4. Do state laws enables or discourage these mixed marriages to take place where conversion is not performed?

However, the broader research questions got narrowed considerably after I started to research leading to a number of another set of questions –

1. What is place of the various classes in the society in acceptance or resistance to inter religious marriage?
2. If it is unacceptable, for whom is it unacceptable (state, society or the family members)?
3. What differences does it make if a person from majority¹ religious community is married to a minority religious community?
4. Why is mixed marriage stigmatized more in Bangladesh and not in „Western²“ countries?

¹ By the term majority and minority I mean „religion“. In Bangladesh the state religion is Islam and the majority of the population is practicing Islam. So when I use the word „majority“ I refer to those people who are practicing Islam. And the word minority refers to those people who are non-Muslims.

5. Is inter religious marriage a matter of „honour“ or „shame“?

Though inter religious marriage is a signifier of stigma, yet, mainstream scholars or researchers or journalists have rarely covered or highlighted such marriages taking place in Bangladesh, however, elope marriages, forced marriages, violence caused due to dowry in marriage – these issues has gained much attention. Hence, a core objective to do this thesis is to fill in the gap in this country and highlight the factors behind which these marriages are taking place and the consequences of such marriages in our society.

Research Methodology

Almost every dissertation compiles stories of people and their lives through interviews that are later translated and analyzed to come to any possible discourse of the particular person or its community. Similarly, my dissertation will also be telling tales and I tried to portray my thesis in such a way that it contains all the conversations, chronicles, opinions and the summary of the answers to the questions prepared. In other way, I can say that I kept all the conversations and chronicles as “stories” because I want the readers – the newbies couples who are yet living a life of a fairy tale, the extremists of my very own country - Bangladesh, who thinks that one has spoilt his/her life by showing consent to mix marriages, the anthropologists who are studying or researching on mixed marriages – to put themselves in others“ shoe and understand the reason behind performing inter religious marriage. After writing this whole paper, I would not intend to come to any judgment about consolidating inter religious marriage rather keep the floor open so that each story can hold its own reflexive essentialized outcome from the others without any typical interpretation done by the readers. This is because, our society has a typical tendency to judge these marriages, which I will highly tried to avoid throughout.

Understanding the position of marriage in South Asia not only requires the thoughtful notion of marriage and the reason behind why and how marriages take place in South Asia, but also the position of the ethnographer. In other words, following the culture of inter religious marriage in these contemporary days gets very important for me as the mentioned topic brings my

² West is not being romanticized or valorized here. According to the California’s Miscegenation Law, it was illegal for the „whites“ to marry any „Negro“, „Mulatto“ or „Mongolian.“ The introduction of this law was to ensure that the „whites“ are not „properly“ marrying their slaves (black) as these interracial marriages would disrupt or collapse their economic system. This was more of an issue to be concerned of for them than inter religious marriage. To look for further minute details, please look in to <http://uscivilliberties.org/historical-overview/4158-miscegenation-laws.html>.

positionality into a stance. Hence, understanding the reason behind and the significance of such marriages will be a crucial part of my thesis. In respect to this, I am doing this research in my own country with the “topic” I am involved with, is making me a “native” ethnographer and this will put me in an almost empathetic position with the individuals I am researching with. This is because of the class I am talking to. All my interviewers happened to be from an affluent educated middle class, a class position where I belong to as well.

The understandings of the reason behind inter religious marriages boils down to the reaction behind love marriages as well. Bangladesh, being an inter-related community has always been connected to each other through its rituals and customs. Hence, anyone breaking the ritual is alienated from the community. Interviewing this small bunch was indeed a tougher task. This is because the couples highly want to hold their confidentiality of marriage history. Also, due to the present situation of the country³, some of the couples were not willing to disclose their stories and I had to face questions like, “Are you a journalist?” , “Will you publish our marriage story in the newspaper?” and many more.

I risked my thesis by starting off with one interviewee I knew through an acquaintance whose marriage history is related to 1971 Liberation War. After talking to them, I had to cautiously ask them if they knew anyone else with similar history. After getting the information, I had to find the other couples and seek their permission via other acquaintances to talk over cell phones about their marital history. My biggest disadvantage was the time frame I chose to complete my thesis. Due to time constraints I could not travel and talk to them in person. However, I would like to talk to these people in person in later times, when I am ready to publish my thesis or prepare an academic article out of it.

My primary findings were based on one to one in depth conversation with couples who are struggling to try and get married and later I proceeded to couples who were already married.

³ Performing inter religious marriage in a country like Bangladesh scared them. As many people are titled as „atheist“ and slew for posting their „liberal“ views on religion, my interviewees did not want to be titled similarly as they performed marriage against religious laws. I remember one of the interviewee saying, “*বিয়ে তো হল ঠিক আছে, কিন্তু বাবা মাকে মানানোর সময়ও এতো ভয় করে নাই এখন যতোটা না করে। আমি আমার ধর্ম ঠিক ভাবেই পালন করে যাচ্ছি কিন্তু এর প্রমাণ কি করে দেই?*”

Translation: “*I know I am married. I was not scared when I had to convince my parents but, now I am scared more. I am loyal to my religious practice though my husband is from a different religious background. However, how do I prove to the world?*”

Nonetheless, as mentioned, due to time constraints I had to either skype or talk over cellphones several times with the couples who were living in the Northern parts of Bangladesh. Talking over cellphones with the couples gave me harder time because I knew I could not see their facial expression and this turned out to be a disadvantage to me. This is because, according to me, if I could see their expression while they were talking it would have been easier for me to analyze their situation. Also, I could have gathered more internal information that was not possible over cellphones.

However, I managed to take broad interviews from 3 couples face to face, who entangled themselves into inter religious marriage without any conversion or declaring themselves as „atheist“ and 2 couples who are still struggling to get married. These one to one in depth interviews allowed for a more personalized space in which the participants got more comfortable in sharing their information that they would not usually do in front of another person or if it was through any media. For my research, this facet is crucial as it requires understanding the social dimension as well as the individual dimension. I also interviewed 2 couples, who happen to live in the Southern parts of Bangladesh, through skype and over cellphones, who essentially got the central attention in my whole thesis due to the reason behind performing inter religious marriage. Later, I travelled to their places to understand their scenario and concept of inter religious marriage better. Apart from these, I also interviewed 1 lawyer, who happens to be an experienced one at the Bangladesh Court. She helped me to understand the procedure of such marriages and if or not how these marriages become a problem for them to deal with.

Not to forget, while interviewing I had to be very careful as understanding their view point precisely was an important factor here. I was very vigilant while interpreting the interviewees“ stories so that my own opinion or understandings do not take over the meanings that my they wanted to convey. These show how „going or being native“ can be also challenging. Not everyone I interviewed was known to me, so it was indeed a tougher task for me to get the deeper stories that could be the „punch line“ for my thesis.

Other than interviewing participants who were directly involved with inter religious marriage, I have set an online survey form and passed on to general public via emails and Facebook. In regard to marriage, it is crucial to understand what the general public, aged from 25 to 30 years,

think about such marriages and how their identity is constructed in relation to the couples performing such acts.

Last, but not the least, apart from primary findings, secondary sources have played an important role to understand the basic concepts of marriage in South Asia, the depth of religious involvement in marriage, the culture under which marriage is dichotomized under certain class positions in the society, and how the Special Marriage Act of 1872 is acting till now for couples who have been performing such marriages.

Chapter III

Marriage from A South Asian Perspective

Marriage is an important step in a person's life and can be seen through various lenses. Including the perspective of Marx and Engels of marriage on the basis of class such as bourgeoisie and proletariat; where the patriarchal rule in marriage has been fragmented in to pieces, how marriage should not be dominated by one person only and should work on both (family) sides equally (Engels, 1887).

From a general feminist perspective women are always the subjective form as the feminists have constantly been questioning to each other about the victorian forms of marriage and what makes a „pure“ marriage. Looking through a general lense, society values the heterosexual puritanical monogamous marriage and thus has made it both more socially acceptable to be married and has also provided perks to create incentives for marriage such as health care, children rights and tax breaks. Or from the Neoliberal perspective where marriage is seen through the lense of capitalism where men are the providers of money and women are taking care of the households. In other words, there is a division of labour in kinship system through marriage. More academically speaking, how sociologists, mainstream gay activists, the media, and countless others have framed the fight for “marriage equality” as one battle in the culture wars or a matter of religion, rather than an essential prerequisite to the economization of social life that is characteristic of neo-liberalism.

In general, the marriage norm in South Asia is completely not one whole culture due to its national history, diversity in religion and maintainace of class position in the society. The „proper“ norms of marriages in South Asia have been victorian and puritanical because of colonialism. For instance, fraternal polyandry is a „tradition“ in a small village in Dehradun, India. In other words, women having more than one husband is a „tradition“ in a small village in Dehradun, India. The Daily Mail published an interesting story of a woman who is married with five husbands, all of whom are brothers (Williams, 2013). She had an 18-year-old child but did not know which one of the five brothers was her child's father. Interestingly, none of the brothers envy each other and they take turns, each day, sleeping with their wife. This story has been compared to the victorian practice of polyandry from the tale of Mahabharata (Sanskrit epic of

ancient India), which is from the ancient India, where Dhraupadi (daughter of King Pancha in Mahabharata) was married to five brothers of a family. It is said that, polyandrous marriage is not legal but it is „permitted“ for a woman to marry the same persons belonging to the same family. On the other hand, such polyandrous marriage is taking place due to keeping the farming land in the family and to reduce young men's difficulty in finding a wife.

In modern state a particular marriage pattern is considered as they are related to production and reproduction. Modern state has to ensure its productivity through various types of regulatory and non regulatory power so when any anomaly takes place production is hampered, especially in cases of homosexual relationships reproduction is not possible due to their biological and sexual preferences. Hence, Foucault gives a blur perception on homosexual relations. Also, if we look to what Levis Strauss explains about marriage and kinship theory, then we can understand how he tries to connect sexual interactions as means of production. He explains how marriage is important to increase and „legitimize“ production but again, it is this marriage that controls the lineage system to expand undoubtedly (Levi-Strauss, 1969).

The colonial forms of South Asian institution has changed and despite a rich history of all kinds of marriage, today most South Asian families are patriarchal. This is the norm today but is changing because of globalization. Hence, marriage can be seen and experienced in diverse ways. People, not only from the same religion or caste are getting united but people from different backgrounds, religions and faith are getting married all over the world today.

As mentioned earlier, in South Asia, marriage is more than an ongoing relationship between two individuals rather it establishes a tie between two social groups which can be „families“, „cultures“, „opinions“ and „castes“. It is the kind of social institution that gives social sanction and legal recognition to familial ties, also remaining significant in their official values and in the practice as a basis of family household. Also, with the increase in „globalization“, „diasporic communities“ desire for „traditional“ marriages have grown for which, love marriages have not yet fully replaced the traditional arranged marriages (Palriwala & Kaur, 2013).

The book *“The Intimate State: Love-marriage and the Law in Delhi”* explained the anomaly found in love marriages under the concept of „liberal“ citizenship in North India, where, the constitution of „publics“, „publicity“ and „media“ on the question of love marriages need an

intense thought (Mody, 2008). In this book, the author significantly brought out the facts how love marriages, especially the aftermath violences faced by the couples draw so attention to the rest of the world. These aftermath violences faced by the couples are done by the communities and they try to call it a „*consubstantial*“ *acts of violence within the acts of moral solidarity*“. In this context, she connected love marriages that are viewed as the the „*community as monolith*“ to the disruption of the everyday kinship system. In other words, the kinship gets distorted because love marriages are seen as „*illegitimate*“, „*unusual*“ and largely a „*westernized*“ *practice* done by the urban elites. Also, love causes „sex scandals“ that disperses and mobilises rapidly among the society. Consequently, such sexualisation of the social contract becomes a core issue of the relation between „*law and domestic and/or sexual regulation*.“

Apart from just love marriages, mixed marriages like inter-religion or inter-faith marriages performed in Malaysia requires conversion if done in a Muslim family. A journal article „*Interfaith Marriage and Religious Conversion: A Case Study of Muslim Converts in Sabah, Malaysia*“ highlights the practice of interfaith marriage that is commonly performed by the natives in Sabah. Interestingly, this kind of mixed marriages has been witnessed since early pre-independence and is continued till today (Khambali; Sitang; Baharuddin; Ahmad, 2011). In Malaysia, most of the conversions to Islam has been done by marrying the Muslim partners. However, the paper also highlighted some of the cases in such mixed marriages where the conversion was also not accepted by the families and led to divorce. Also, in cases where the conversions are not done it becomes difficult for the non-convert partner to stay within his/her new family due to the differences in laws, custom, rituals and relationships.

Bangladesh is a part of South Asia, but though we are share the same history due to colonoalization, the country has got its own trajectory and cultural forms. Within Bangladesh there are sparse literature on inter religious marriage but scholars have done research on inter-caste marriages, urban marriages, marriage rituals, love marriages, forced marriages, etc.. There are not much articles on mixed marriages but because of globalization and migration such marriages are taking place. Reading through Obaida Nasrin's and Sabina Rashid's development literature on marriage, it is understandable how the prime focus is on themes like child marriage, marriage practices in the urban slum or early marriage practices and consequences. However, this part of the literature will not be covered much.

One of the most interesting writings on marriage produced by Katy Gardner talks about the increase in relationship between social mobility, insecurity, connectedness of Sylhetis with the Britains due to migratory issues (Gardner, 2008). She described how marriages are arranged to symbolic capital, long lasting security and to get hold of magnanimous economic supplies that sustains one's life easily. In addition to, such marriages has brought in the *Londoni* touch of life style in the ground of Sylhet. Hence, this shows the way transnational movements play a vital role in marriage as it helps in economic purpose. Going back to globalization, marriage is also highly depended on such factors

A chapter from the book *"Honour" and Women's rights: South Asian Perspectives* explains several cases on forced marriages commissioned by Bangladesh Legal Aid Service and Trust (BLAST). In the chapter the author explained the importance to rethink the relationship between the law, culture/community and sexuality (Siddiqi, 2012). She has focused on the issue *"forced marriage"* relating the law, culture/community and sexuality. The author's prime attention was to put an attention to the issue regarding blurring the legal understanding by the legal prescriptions. The male supremacy left no room for women's sexual pressure. The practice of *„elope and abducted marriage"* in the rural area of Bangladesh is happening because of the collusion of law and community shaped by the patriarchal relations that dismantle the hegemonic ideals of marriage and sexuality.

"...Closer security shows that abduction cases frequently involve young girls or women who have chosen sexual/marital partners without parental approval or despite the latter's explicit disapproval. In order to prevent the marital alliance, parents or legal guardians routinely bring charges of abduction against the male partner (Hossain 2010; Siddiqi 2005). Recourse to colonial era abduction laws in this manner is a long-standing practice, found in other South Asian post-colonial States (Baxi 2005 and 2006; Chowdhury 1998 and 2010; Mody 2008). These are not forced marriages in any literal sense; they are as much about keeping specific couples apart as they are about forcing individuals to submit to marriages with other partners chosen by the parents..." (p.161).

These lines focus on the resistance regarding love marriage which actually doesn't occur because of the exercise of individual choice. When the parents disapprove the marriage but the young girls or women elope from the family is also defined within the class of "abduction". The parents

resist to such kind of marriage because of the fear of losing their honour. These resistances are important to families of such kinship ties and alliance who consider the face of reputation for the potential access to the symbolic capital and factual resources.

Talking about the research done on marriage rituals and how the proposition takes place in Bangladesh, an article by Dr. Seuty Sabur, "*Marital Mobility in the Bangladeshi Middle Class: Matchmaking Strategies and Transnational Networks*" clearly explains that in Bangladesh, among the middle class, match making takes a great hand in marriage to consolidate class. She explains the process of arranged marriages done by the middle class Bangladeshis – how the *ghotoks* (match makers) carry the bio data, which are indeed very sensitive as it travels along the internet. Also, when love marriages are consolidated here they have a „parameter of acceptability“ as in modern middle class, apart from economic status, education and job eligibility is a vital factor. As a whole, this paper explains how middle class marriage is consolidated among the Muslim families, both love and arranged (Sabur, 2014). In other words, retaining ties back home and „*re-stitching communities*“ ruptured by migration are important goals of transnational marriages (Palriwala & Uberoi, 2008)

The above articles talk about different aspects of marriage in Bangladesh, but none talks about inter-religious marriages and its affect in the Bangladeshi society as there is rare evidence or writings on inter religious marriage. However, inter-religious marriage is not an uncommon scenario in recent days. The way marriages work in this part of the globe (South Asian) are very different and complex in a way. In this region, local marital rights and responsibilities are dependent on personal laws in many countries with exception to inter-religious marriages as they are not widely accepted and practiced. They require special arrangements and are done using different laws (Uddin, 2008).

Theoretical Framework

Before understanding the concept of inter-religion marriage in South Asia, it is very important to understand how marriage is institutionalized in South Asia. This is because, without knowing how marriage is framed by the South Asians, it will be hard to understand the dilemmas that rise in love marriages, eloped marriages or inter-religion marriages.

Marriage in South Asia is also seen as mediating power relation between the groom's and the bride's family. Marriages generally tend to be exogamous in Bangladesh and in such propositions the notion of dowry is common. Though it is not a consideration in this thesis but is also connected to most marriages.

Now, every time the essence of inter-religious marriage is located, I return to the initial questions I had on the centrality of religion and the intensity of resistance to inter religious marriage. Religious and cultural practices have drawn its own dichotomy and marriage as an institution is more fragmented due to obvious religious reasons. There is an idea of a happy secular Bangladesh as seen, for instance, in the interview with Syed Shamsul Haque and Abdul Gaffar Chowdhury (two very iconic figures in Bangladesh) by The Daily Star newspaper. They saw a very rosy future for the country and believed Bangladesh will turn to cosmopolitalism due to its cultural and literary practices and there will not be any differences among Hindu-Muslim-Christians. However, the country has turned to be more sectarianist than before (Pakistan period). (Hossain, 2016).

Hence, understanding culture is also important in order to understand marriage or inter-religion marriage. In addition, we must also dichotomize the concepts of „culture“ and „subculture“ as taken for granted concepts, especially about marriage in South Asia. In essence, culture is not static, and to understand the notion that everyone's realities are unique and separate it could be done only when they are combined where a certain culture is formed and analyzed to better results. „*Writing against Culture*“ by Laila Abu-Lughod is an ethnography that explains the connections, discourse and practices, and the ethnography of the particulars. The article became a question to think about the theoretical and analytical position of the writer. Moving away from the essentialism and typification, the author reinforces the context of „*self*“ and „*other*“ and wrote against the aspect of domination that takes place in culture. (Abu-Lughod, 1991). To this context, in Bangladesh, the dominant culture is the Bengali Muslim religious community and the rest becomes the minority.

To comprehend inter-religion marriage, it also gets important to understand how government is acknowledging such marriages in Bangladesh. The Special Marriage Act talks about renouncement of the religion and belief before marrying. However, what will happen to those

couples who decide to follow their own religion separately, yet perform mixed marriage? To analyze this, what Michael Foucault refers about governmentality and social control could be a better answer. From a foucauldian notion, „Government“ is not referred only to political structures or to the management of states; rather, it designated the way in which the conduct of individuals or of groups might be directed – the government of children, of souls, of communities. In other words, governmentality of marriage is the way state is managing its population through the differences in marriage and conducts it under their own terms and conditions (Li, 2007).

Finally, the role of history and contingency should to be introduced in sometimes overcoming the religious or social or cultural barriers to marriage. While interviewing, I have found out a deep link between 1971 Bangladesh Liberation War and inter religion marriage. Hence, I would shed some lights on this part as well. How marriage became an institution of „life saver“ and how religion has been an ignorant in this time period. This part will be later discussed broadly in relation to the war of 71, fear of women’s rape, especially the minority women. Part of this TF is how much our theories leave us behind and in practical it is more about honour, shame, cultural differences.

As a whole, at this time, in a globalized world with everyday global transactions, it is also relevant to posit a research into a wider field, rather than a fixed geographic location, as contested in *„Ethnography in/of the World System“* written by George E. Marcus (Marcus, 1995). After all, marriage is a global issue is heavily emphasized in Bangladesh. The way marriage and its ritual is carried out in South Asia, it shows how much importance marriage brings to one’s existence and way of living their life.

Chapter IV

Laws and Marriage

This section of the thesis will look at how state law shapes people's decisions, whether state laws enable or discourage mixed marriages; especially inter religious marriages to take place where conversion is not performed. There is a whole series of inter religious proposition that have shaped for the state's legal structure because of its colonial history.

According to the British India the marriage laws needed reformation because the colonial state and „natives“ thought existing religious norms and practices required such codification and reformations. Current laws around Bangladesh have their roots in the ordinance in the nineteenth century. Marriage laws in Bangladesh – as in the rest of postcolonial South Asias are seen as „personal“ laws. That is, there is no general or civil law. It is the religious or personal law of the community to which an individual belongs that determines their legal status around marriage, custody, inheritance etc. Marriages in Bangladesh and are mostly followed under religious facet, in practice, for which social customs are given more importance than legal rules and regulations (Rahman, 2008).

Inter religious married couples go through numerous problems in this part of the world, for example, religious and social barriers and limitations, conservatism, varying beliefs, unfavourable behaviour and many more. To overcome from the confusion of propositions with different religion, the British introduced the Special Marriage Act III of 1872, under which people of different religious background can marry each other. The Special Marriage Act of 1872 (see Appendix to read the SMA in detail) gives one the permission to marry someone from different religion or faith, but, under certain conditions. An advocacy article in The Daily Star explicates:

“...In view of the peculiarities of the personal laws in more cases than not it is impossible to arrange a valid marriage between the intending parties maintaining their respective faith. The Special Marriage Act, 1872, provides a form of marriage which may be celebrated under this Act between persons neither of whom professes the Christian, the Jewish, the Hindu, the Muslim, the Parsi, the Buddhist, the Sikh or the Jaina religion or

between persons each of whom professes one or other of the following religion, that is, Hindu, Buddhist, Sikh or Jaina religion. The law also legalizes the marriages of doubtful validity. For a Christian, Muslim, Jew or Parsi, in order to marry one belonging to Hindu, Buddhist, Sikh or Jaina religion, or conversely for one belonging to either of the latter four religions but intending to marry a Muslim, Christian, Jewish or Parsi, there is no other accepted way but to renounce their respective faith and declare that none of the parties to the marriage professes any religion so as to bring the marriage within the sweep of this law.

You will have to find your way out from the maze of the complicated body of personal and secular laws governing the area (Hossain, 2004).”(p.21)

The above quote explains the conditions under which the Special Marriage Act of 1872 can take place. Propositions under Special Marriage Act become a public secret of renouncing one's religious views to the general public. Hence, there is a religious cost of such propositions because of the „public“ announcement where one has to show his/her religious views in public rather than privately practicing it.

A research response done in 2005 states that inter-religious marriage is a legal act in Bangladesh and the government neither has any official role nor can stop or discourage such marriages in Bangladesh. Inter religious marriages fall under Special Marriage Act No. III of 1872 as part of Bangladeshi Law. But Jamaat-i-islami group, affiliated with the opposition party in the country, are known to object and oppose mixed marriages though they do not succeed mostly. The response paper also talked about Hindu-Muslim marriage and stated it as “irregular” under the Islamic Laws. Accordingly, the report placed a case of a Hindu-Muslim marriage between two leading dramatic artists in Bangladesh where neither of the partners converted. The marriage took place in the early 1970s. However, according to Maulana Abdul Awal, the director general of Islamic foundation said Muslims may marry non-Muslims, but unless the non-Muslim converts to Islam the marriage will not be recognized under Shariah law. He did not indicate about happenings of any antagonism to Muslims marrying non-Muslims in the country till 2005 (RRT Research Response, 2005).

The whole Special Marriage Act of 1872 gives conditions to people to perform inter religious marriages. However, it is difficult for people to marry someone from a different religious

background without the need to convert to either religion. Hence, looking through the lens of the contemporary world, the Special Marriage Act is not enough to deal with the present scenario of inter religious marriage taking place as the word „conversion“ has created a great emphasis on the such Act. However, nowadays, most people performing inter religious marriage are reluctant to convert into either religious beliefs. This is because; they believe that religion is a „private“ activity that should not be exposed in „public“. Also, marrying someone of different religious views should not be a dilemma as religious beliefs rarely affect any marriages. In addition, from one of my interviewees it is understood that today's generation thinks that compatibility and understanding is more important to hold a marriage forever and religion is a tool to ensure that His Creators are well off in the His World. Hence, the law has become a „*traditional*“ and is hard to pace up with the ongoing globalized „*modern*“ world (Uddin, 2008).

The mainstream Bangladesh society finds inter religious marriages unacceptable because of the Special Marriage Act which makes it very difficult for those inter religious couples who do not wish to renounce their religious views. In this case the laws make the notion of inter religious marriages harder. To embrace a clear understanding of the various laws and facets of the Special Marriage Act of 1872 (Act No. III of 1872) and its circumstances, it is indeed important to recognize and be acquainted with the Act adequately (Ministry of Law, 2010). For instance, a couple (Muslim-Christian) I spoke to, found it so difficult to get marry in Bangladesh that they even thought to fly to Malaysia and perform their proposition. This shows how much of an obstacle even the Special Marriage Act becomes. According to the Muslim boy,

“As our parents had very liberal religious view they were not an obstacle for us, but the State certainly was. We knew that there was a Special Marriage Act of 1872 under which „such“ marriages take place, but none of us were aware of the complications that this law would create for us. This is because, none of us wanted to convert or declare ourself „atheist“ before or after marriage. We were happy with our personal religious belief. However, my father was excited about the syncretism of festivals that would be taking place after our marriage.

Nonetheless, the State was not very friendly with us in this case. Upon asking a lawyer, he clearly replied that such marriages create lots of confusion for the children. In some cases the state might refuse to our children to provide any recognition.

So, to avoid all these confusions we decided to travel to Malaysia – where mixed marriages are really common – to get married.”

The above story explains us the State's position towards inter religious marriage where the „conditions“ of the Special Marriage Act are not fulfilled. The couples decided to travel Malaysia because the boy holds a permanent residential in Malaysia. The State becomes reluctant in helping such couples, as well as, the lawyers become unenthusiastic to involve themselves in such marriages and helping their clients out. The reason behind this is fear of being socially accused to perform such non-religious act. This also shows that even after being legally right the societal acceptance gets more value. Therefore, very surprisingly, even in cases where parents agree but the couples face resistances due to the reluctances of the lawyers.

Similarly, one of the lawyers to whom I spoke, who happens to be an experienced lawyer of the Bangladesh Court, about inter religious marriage and how frequently it is happening these days, answered with a deep sigh that inter caste marriages do not create as much confusions as inter religious marriages. She also explained that as inter caste is within the same religious „background“ but with different religious hierarchy, it gets easier for the lawyers to explain the Hindu parents by referring to today's globalized world. However, when it comes to inter religious marriage, where two different religions wants to unite without a conversion, the situation gets worse than anyone could have imagined. Interestingly, inter religious marriage cases has different views as well. According to the lawyer, *„Musolman ra dhormo ar biye ke ek talikai rekhe jhamela beshi badhai“* (when the proposition is with any Muslim and Non-Muslim, the chaos is more), but when the proposition is between any Hindu-Christian or Hindu-Buddhist, the chaos is comparatively less. The Muslims rapture their religion so much that they somehow show more sensitivity towards their religion and marriage rules than any other religion.

In addition, the lawyer also explained that the introduction of The Muslim Family Laws Ordinance of 1961 somehow blurs the facet of inter religious marriage, especially for the Muslims. The ordinance is an autonomous act which is a self-dependent act. This creates an obstacle for the Muslim to perform inter religious marriage due to the Islamic law and order. However, the Special Marriage Act of 1872 is also active but under the conditions of renouncing their religious beliefs in public. The lawyer also explained that divorce is easier under Special

Marriage Act of 1872 than the Ordinance of 1961 because there is no presence of religious canonical.

Chapter V

Setting up the Field

The 'General' Scene

As we know that marriage is a social issue, I preferred preparing an online survey form to understand the general view of the people in our society regarding inter religious marriage. I reached up to 100 people out of which around 80-92 people answered to my form. The responses recorded are given below –

- Of 92 respondents, 52.2% identified themselves as male, 45.7% identified as female and the remaining 2.1% identified as „Other“.
- Of 91 respondents to answer, 69.2% recorded their relationship status to be single, while 23.1% considered themselves to be in a relationship. The third largest group of respondents were married, while the smallest by far were the group who identified as married/ divorced
- On the question of educational background, out of 91 responses, the overwhelmingly largest section was comprised of undergraduate students, at 72.5%. 13.2% respondents were of post-graduate levels, while 12.1% were at HSC/A-Level stages. The smallest demographic were SSC/O-Level students at 2.2%
- 88 respondents recorded their age. 72.7% of these respondent were from the 18-24 age group, while 19.3% were from the within the range of 25-34. The next largest group was between the ages of 18-25, followed by those who were between 35-44. The single smallest group of respondents were from the age group of 45 and above
- 91 respondents recorded answers when queried after their family incomes after taxation. By and large, the biggest group appeared to be those earning BDT 55,000 and above, clocking in at 71.4%. Next to them came those earning between BDT 45, 000 and BDT

55,000, at 14.3%. Following this group are individuals earning between BDT 25,000 and BDT 35,000, at 9.9%. The smallest demographic of respondents were those who earned between BDT 35,000 and 45, 000, forming 4.4% of the total

- Out of 92 responses when asked, 81.5% respondents noted that their parents practiced Islam. Next to them were 13% respondents, whose parents were followers of Hinduism. The third largest group of respondents comprised of individuals whose parents are Christians. The smallest group comprised of those who identified as "Other". No respondents identified their parents as Buddhist practitioners
- 92 respondents answered a query regarding the degree of their parents' religiosity. While 42.9% reported that their parents were Moderately Religious, close second groups were seen to be Actively Religious with 39.6% respondents choosing this option. 16.5% respondents felt that their parents were moderately religious. And only 1% noted that their parents were not religious at all
- 90 recorded responses revealed that 61.1% of those who answered would allow themselves to be in a relationship with someone from a different religious background. The remaining 38.9% answered that they would not enter into such a relationship.

In addition, the answers to other questions related to agreeing inter religious marriage or their opinions on the State laws of such marriages are given as follows –

- Many applicants refused to consider Inter religious marriage as a result of "family expectations": "My family won't accept it" or "I love my family more than anything...marrying interfaith will hurt the...won't do that at any cost"
- Contrarily, people who choose inter religious marriage do so on a near-secular view: "Love doesn't see religion", "we are all human beings", "I will marry/be in a relationship with a woman, not her religion"

- A large section of people with parents who were “actively religious” based their response to inter religious marriage on religious views: “It is a great sin”
- Many people pointed the root cause of the rise of inter religious marriages on Globalization: “Globalization/ internet/secular environment/ politics”
- A vast majority of responses to What Religion Would The Kids Follow was: “Leave it up to them” or “follow both”
- Also another vast majority of responses to “Would you give consent to yourself to marry or be in a relationship with someone from a different religious background?”, that was 61.1% positive was: “If we are compatible and understand each other then our background shouldn’t intervene” or “If there is love and trust religion does not matter”
- In addition, one of the most interesting response received was on the question “In countries like Bangladesh, shall such marriages be made legal?” There was vast varieties in response to this question such as, “Freedom of choice”, “Existing law curbs human rights”, “In order to bring among religious believers, state should make these marriages legal”, “there is a technical issue conflicting with sharia law of marriage in Islam. There are issues like irregular marriage and void marriage in the eye of sharia law. Marriage between „kitabī“ religion is considered irregular but others are void...”

All the above explanations show the disparities in opinions among the „general“ people of Bangladeshi society. There are people who still thinks that marriage is „freedom of choice“ on the other hand there people who thinks „family sentiments should never be hurt“. This shows the presence of syncretism in the mind of „today’s“ Bangladeshis regarding inter religious marriage.

The ‘Local’ Scene

The time lapse between bloggers slew for their difference in views on religion and certain activists executed for their sexual preferences in a country like Bangladesh, supposedly secular, is not extensive. While we Bangladeshis were still struggling explaining ourselves the reason

behind such heinous acts, another mind-devastating incident blasted out in the diplomatic zone of this country, known as Gulshan. From different newspapers, online portals and news channel some of the core reasons behind this attack were – to take revenge from the Prime Minister, for separating religion from state (Bari, 2016); to eradicate those who are “pollutants” for Islam and many more. Apparently, all these executions have vehement explanations behind, what so ever; our Islamic Fundamentalists might title it “Protecting Islam.” Among these holocausts, can anyone ruminate how these Islamic “fundamentalists” or the state or the society will react upon any inter-religious marriage where neither couple agrees to convert, but follow their own religious practices in their private space? Or how shall one react to an “Arranged inter-religious marriage,” a marriage that goes against all the social or cultural construction of the „definition“ of marriage given by the society. Will the state or the society ever understand the reason behind performing such marriages? Does the year or the moment when these marriages took place have any connection with each other? In any spec of time, will inter religious create a new „cultural revolution“ for itself?

Being a Bangladeshi, we do have an idea that the country patronizes itself as „modern secular“ state where individuals are free to enjoy their civil rights. However, the social values act as a non-regulatory factor among every individual that constraints them from performing acts like inter religious marriage. As Foucault states that power is mediated through individuals, without any coercive forces practicing within society (in some cases), but the power encourages and promotes certain values through societal relationships formed by non-coercive constituents. This cannot be ignored by any individuals because of the loopholes of values and traditions created among the society and the individuals, passively pioneered by state system.

One of my interviewees who is from a Muslim family got married to a Christian Man, happens to live in Southern District in Bangladesh. From her view point, it was not the parents who disagreed on the marriage as both the families knew each other from before, but it was the society around them who positioned the coercive pressure on her parents. She explained how her neighbours and acquaintances constantly disagreed with such marriages and tried to convince her parents not to perform this „great sin“. At some points she heard people commenting on her religious views such as, „She must be an atheist“, „Those non-Muslims will turn her into *kafirs*“. These comments, however, did not affect her parent’s decisions of her proposition to the

Christian family. Another reason of not opposing to the decision was, since the family knew each other from before, her parents knew how liberal religious views the Christian family holds on.

This shows that marriage as an institution is not a private act as there is an integrated relationship between the society, state and marriage. In addition, the mutual ideology of marriage among state, society and religion is the monolithic idea where inter religious marriage find it difficult to fit in because of the difference in spaces hold by the society, religion and state.

On the other hand, the capital city of Bangladesh holds some cases where inter religious relationships are not accepted. Two of my interviewees who lives in the diplomatic zone of Dhaka and belongs to a Muslim family explained their struggle in inter religious relationships. Both have expressed similar opinion on the importance of religious identity their family holds on to. The reasons mainly emphasized on family status because being married to a family of different religious views will lower the class the family holds in the society. Their families' belief that marrying someone from a different religious background symbolizes being „weak.“⁴

In this case, inter religious affiliation is more unacceptable by the family due to the societal power exertion. Again, society is playing a huge role in accepting or disagreeing in such marriages which is also a non-regulatory force.

⁴ Here „weak“ refers to not being able to stand firm in the society. According to my interviewees, their families belief that if one is married to a person professing different religious views, he/she is not powerful enough to speak up in the society. It is also believed that the person is not „fit“ to get married in their own religious community for which they try to find someone from different religious community.

Chapter VI

Connubial by 'Force' or Desire?

What could be the political or social conditions under which the most unexpected things happen? Under which conditions one would decide to join the wedlock with someone who does not belong to their religion? Is the time or era an important factor to describe the reason behind such propositions? How a structure does becomes anti-structure and turned upside down?

Going back to the history through which Bangladesh has gained its identity; one could easily speak of the war by describing the killings, rape, abduction, terror, etc. However, has anyone thought of the propositions that took place during the war? Or why? There were thousands of questions in my mind about this issue. I met two who are now living in the Northern Bangladesh. After talking to them, the common ground among these two couples was the year of getting married. All the couples got married in the year 1971, during the Bangladesh Liberation War.

1971, a period where the East Pakistan, now known as People's Republic of Bangladesh faced tremendous blood sheds. The war took place due to differences in language, political alienation, administrative rights, social issues and the 1970 election and its break point. During the war, there were killings and slaughtering of men, women and children. However, these were not just the end, there were both men and women being raped brutally, later, either left to die or killed.

Even though it is counter intuitive that people arrange their marriage as inter religious, one need to understand the certain circumstances where the minorities are involved. In 1971 there was a real fear for the minorities, especially the minorities' women to lose their 'honour' in the hands of the Pakistani Army. Also, there is a social ideological intuition that our society thinks that marriage will always protect our women. The movie "*Meherjaan*" brought a significant notion of describing 'honour' in the community, how community becomes a vital facet in love and marriage, the hegemonic reaction of demasculinisation by retreat to the 1971 Liberation war through women's 'femininity' (Hossain, 2011). The writer of the film portrayed the love story of a Pakistani soldier and a Bangladeshi girl that was politically forbidden due to the communal harmony between the two states. I understand that the love portrayed in this movie is not inter religious, but the author wanted to show that in one hand where the world plunges into unlimited war, there is a necessity to look outside the box of the masculine ideology of violence in the

state. Hossain tried to represent the „banality of excessive nationalism“ through post - independence societies.

If we look at the movie „*Khamosh Pani*“ the film is set in two time periods: the India-Pakistan partition of 1947 and Pakistan in 1998 during the reign of the aforementioned President (Sumar, 2003). *Khamosh Pani* illustrates the uneasy nature of public secrets regarding the history of the Partition and the slow process through which religious fundamentalism seeped through the societies in Pakistan. The history of sexual violence in particular becomes a site of contention due to the embeddedness of women's „honour“ in the narrative of local and national history. Their history also portrays how the „other“ is constructed through narratives of the „self“. When Aisha's secret is revealed, she is scorned by the very people who had accepted her, since the Partition, and her conversion. The scorn reveals that, at particular moments of rupture, the preservation of the public secret becomes extremely important. By shunning Aisha, the locals deny their own history as well as try to prove to the wider political and economic structure that they are „pure“ Muslims who do not mingle with *kafirs* (disbelievers). Aisha's history of sexual assault by a Muslim man becomes obsolete although she had married that man and converted to his religion. Aisha, who has formerly taught young girls at the village the Quran, suddenly becomes the „other“. The fact that Aisha's son, Salim, becomes radicalized shows the role politics plays in causing these ruptures and the Islamicization itself was a key to the reaction of the villagers to Aisha's public secret.

It is almost known to everyone that women were not saved as there was systematic use of rape used as weapons during the wars. According to one of my interviewees, who was a young girl of about 15 years old living with her parents in Khagracchori, constantly feared of rapes or sexual assault as she witnessed many rapes of women. This young girl was almost about to get raped. She then got married to a Christian boy that was „fixed“ by her father-in-law and father (both were colleagues cum friends at Khagracchori). She could have never imagined, even in her desolate dreams, that her Brahmin father would marry her off to a Christian. However, her father, given the alternatives, he thought that her daughter's life would be saved by such proposition. For her father, it was better for the daughter to be alive by going against their „norms“ rather than being raped by staying within the „norms“.

During the interview she said, *“By not being a part of the ,church” or the group where ,wine” was a symbol of celebration; my sexuality or chaste was at stake”*. By the statement she meant that she believed that, the Christian women were not generally targeted for rape because the Pak army often went to the Church and asked the Brothers to bring them bottle of wine. Though they never drank in the church, but ,expensive” bottles were safe with the Brothers. It was the ,alcoholic pleasure” that restrained them for killing most of the Christians.

Therefore, the proposition was a better idea than strictly holding on to religious values. In other words, according to her husband’s statement, this marriage was a ,security” to the ,honor” of the girl. Hence, it was not the religion, but a social and political reason under which the marriage took place. The marriage was not a ,happy” marriage, moreover, for a Brahmin it is always a symbol of disrespect to marry someone off their lower caste, but here the girl was handed to a Christian.

The following is how my interviewee recounts her story –

“I was born in a village near Khagrachari. My father ,became” a freedom fighter after my wedding and my mother, who was a housewife, died during the war. When the war started we shifted to Noakhali. Being a daughter was a great mark of tension and apprehension for my parents. They were concern about my security. I was only 15 years old back then. I could hear the bullets cracking, women screaming for help, children crying, bombs exploding, fire roaring loud and burning down villages. With every step we succeeded to run away was like a new life for us. However, I lost my mother two days before reaching Noakhali. She was shot by a Pakistani army. We could not even cry over her death and let her body rot in the middle of the journey. My father and I were received by one of my father’s friend (both of them used to work together in Khagrachori but later he got transferred in Noakhali). Upon reaching there, I thought everything is over. Our life has been saved. However, I clearly remember, on the around the 10th day after reaching Noakhali, one night the doors were banging loud. My father’s friend opened the door and was pushed hard on the floor by the Pak army. They searched the house and found me and my father. My father was wearing a dhoti and I was in my usual salwar kameez. Seeing my father’s outfit, they understood that he was a Hindu. As I was hiding behind my father, I think they assumed that I am a Hindu as well. They

pushed my father and took me away. My father's friend immediately fell on their leg and begged for my release. Nonetheless, no one listened. They threw me on the road and I could feel that something worse is going to happen. I have seen similar incidents back in Khagrachhori where women were dragged out of their homes and being raped.

Nevertheless, I was saved. I was saved because of my father's friend's son, Mr. Samuel D'Rozario. I clearly remember how he shouted to those Pak armies saying, „She is not a Hindu, she is my wife. And my name is Samuel D'Rozario.“ I never understood why they let me go, slapped Samuel and left. Four days later, my father and his friend decided to get us married. My father was a Brahmin and he would have never approved of such marriages. However, the fear of her daughter's life being torn into pieces compelled him to tie my knot with a Christian boy. After our marriage my father left the village to fight for the country and he never came back.

My husband or my father-in-law never asked me to convert. They have celebrated my festivals with me as well, just how I got blended into theirs. I have a son and daughter now. They know my story as well. Their birth certificate says they are Christian but both of us taught our children that love and humanity comes before religion.”

From the above case, it is understandable that inter religious marriage also has certain conditions to take place. Especially conditions of crisis where these exceptional marriages take place. Here, marriage as an institution went out of the „norm“ because of the desire to protect the „honour“ that plays a vital role in women's life. In addition, there is fluidity in her wedded life as she was allowed to remain as a Hindu. This might also portray their liberality in religious views or how less conservative his in-laws are and the flexibility they have offered. In addition, from the daughter's father's view point, it could be concluded that he saved his daughter's life in exchange of giving up his sense of „honour“ in the community. This is why, probably, he never came back. A Brahmin's acceptability of seeing her daughter in a family of different religion is generally out of the „norm“.

Not all inter religious marriage are a part of „love“ marriages. Instability in the political or social situation of a country could also be the reasons for couples to perform inter religious marriage. Though the Brahmin girl was not raped by the Pak army and she did not lose her honour, but, the

marriage was a „cultural“ shock to her for which, for the first few weeks it was difficult for her to accept the religious „outbreak“ in her marital life.

On the other hand, there was also a case where love turned out to be „life-saving“ in the 1971 war. The second couple I interviewed was also a war victim. In this case, the cost of fighting to save a „minority“ was huge. The pain of the war that was tried to burry through marriage was described as „unseen“, „unhidden“ and „unspoken“ by the interviewee. Though the war between two nations brought two religions closer, but the cost of getting closer was so expensive, the couples are still paying for it in silence. The following case talks about the love of a Muslim women, aged around 16 years, for a Hindu men, aged around 20 years, living in the border district of Bangladesh, comparatively a rural town or „mofoshshol“ –

“Our mothers were best friend, as well as neighbours. But our fathers could not stand each other due to their religious differences. I am from a Muslim background. My father was a pious Muslim Imam and he always asked his children to stay away from the non-Muslims if we wanted to keep our Imam alive. In our family I am the second youngest daughter. My two elder brothers used to live in Dhaka to study. My elder sister got married to an Imam of the mosque 3km away from our house. And my youngest sister was just 6 years old.

My mother's best friend, Sakera Masi⁵ was married in the Bose family (upper caste Hindu). They had two sons. The elder one, Robiul, completed his studies and is looking after a small piece of land where he cultivates rice. The younger son, Gaurab, completed his College and was about to start his university. Gaurab was indeed a handsome boy and was well mannered as well. We grew up together but were never that close to each other for our mothers. Our mothers always wanted the children of two families to stick think and thin. With the passing times, I started to fall for Gaurab. My friends made me realize that I was in love in someone. Certainly, they never knew who it was. I was scared to confess my love as he is a believer in idolatry.

⁵ I used to call her Masi (term used by Hindus to address their mother's sisters) as my mother always considered her as her sister. I started off calling her khala (term used by Muslims to address their mother's sisters), but blended in with the word “Masi” after I heard others in her house addressing her as “Masi.”

One very night, I overheard my father warning my mother to stay away from the “Hindu” families in order to save our life. Their conversation did not make any sense to me, unless, my sister came running to me and told about the war going on. I was scared because I thought none of us will be alive.

A week passed since I got the news of the war. Every time I saw Gaurab, my love for him kept on growing. One night I eloped from my place and went to his house to confess my love for him. It took me lots of courage to confess. However, my love did not turn me down. In fact, he told me how he wanted to confess his love before me but was scared of my father. Hence, our relation started.

A week or two later, I went to the Masjid with my father. I saw some other Imams as well. This was an uncommon scenario for me. During the time of Azaan, I had not seen other Imams gathering and talking. I stayed back to hear what they say. They were all worried on a task given to them. Till today, I am unsure of what I heard or whether I articulated their speech properly. But I got really apprehend when I heard them saying that if they help the Pak army in getting the Hindu families of the village, they will let us all be safe and sound. That night I ran to Gourab and pleaded him to convert to Muslim so that his life could be saved. He never listened to me. Rather, he offered me to run away with him. Two days later we ran away from the village and settled in Bhola.

However, the haunt was not over. In order to save my husband's life I became one of the Birangonas, raped by a Bangladeshi Muslim.”

In both the above stories of inter religious love and marriage, the families belonged to an upper middle class and were strong in their religious belief. However, both the couples went against their religiosity and social believes because the terror of losing life and dignity during the war was more than maintaining any religious believes. Especially, when there are presences of minorities, the case gets more complicated because the minorities and women were mostly segregated and discriminated during the war.

And as the society believed that marriage is a panacea for certain problems, especially for the women, so during the war the „inter religious“ marriage worked as a panacea in order to save women's dignity. To this context, Prof. Afsan Chowdhury's quote on the movie “*Meherjaan*”

says, "*Hossain's film reminds us that beyond the hegemonic narratives of heroic tales and sacrifices of a war there always exist multiple truths.*" This also reminds us about the hidden truths that might go beyond one's expectations and realizations. Inter religious marriage during 1971 could also be one of those multiple truths that got buried. Also, these inter religious marriages are accepted by the societies for its historical reasons.

Chapter VII

Is Inter Religious Marriage an 'Honour' or 'Shame'?

This thesis is provisional attempt to rethink the relationship of inter religious marriage with the state laws, culture, society and sexuality. As I have shown, the law does not stand outside of or in opposition to such marriages, as an autonomous institution of modernity but shapes and is shaped by cultural codes and norms. Community codes and legal prescriptions frequently blur into each other. This blurring is most evident in cases where the Muslims want to perform inter religious marriage because of disparities between the Ordinance of 1961 and the Special Marriage Act of 1872.

In case of inter religious marriage „consent“ became a vehement notion. Consent, as we have seen, is conditional, fluid and changes over time. As the thesis covers stories of certain couples from different time periods starting from 1971 to 2016, the reason behind consent to such marriages is also different. Within the logic of community norm, consent to such marriages is fluid only under certain conditions such as involvement of rape, protecting one's „honour“, etc.

As I have put my questions before, one of them involved the matter of „honour“ or „shame“ in performing such marriages. It has been evident through the interviews that inter religious marriages are not a matter of „shame“ for the couples who performed or their family. However, if we look through societies“ lens, inter religious marriage tends to manipulate the norm of religious traditions and practices that one has been following or performing till date. It is true that it gets difficult to maintain such marriages where duality of religious belief is considered due to the disparities in traditions each religion carries. There are cases where couples have to face their inter religious marriage as part of the racialization of religion, where the belief is a trait and did not divide the couples. However, societies have seen the importance of religious identity more substantively than any racial identity.

Religion indeed plays a vital role in marriage. In Bangladesh, as we have seen, every marriage takes place according to couples“ respective religious belief. However, when these believes are mixed with each other, propositions is difficult but not impossible. Inter religious couples, as

collected from the interviews; quite literally transgress their religious boundaries to pioneer a new life in the liminal space.

As a whole, living in a country like Bangladesh it is difficult to bring an acceptability society for inter religious marriage. As we have seen, the state, the society, the religion; all as a whole comes to a meeting point where marriage is considered to be either valid or successful. Hence, in cases where these three facets fail to match, the concept of marriage blurs out or gets distorted for the society. If the law does not stand outside culture, then one cannot simply replace “bad” cultural practices with the “good” laws. Both law and community connive with and are shaped by the society holding strong religious views.

Finally and most important, my ethnographic research showed that marriage is not only a norm that brings social and political ties, but also is a form of protection for women. The research showed that under conditions of extreme crisis, in the face of perceived danger to the women’s identity or „honor“ receives more importance than her chastity. In some cases the deeply religious parents may turn to „arranged“ inter religious marriage as a solution. The story of the daughter of the Brahmin father reflects the fact how religion was not as important as his daughter’s „honour“ was. Although, we cannot ignore that right after the marriage the Brahmin father left her daughter’s in-laws and never came back (as mentioned before). This also portrays his agony in accepting the marriage with a Christian boy but was helpless as it was a matter of his daughter’s „honour“. This situation is indeed very crucial to understand and the binary of inter religious marriage and „honour“ that created a duality of scenario in the life of the Brahmin father makes it more difficult for „common“ people to understand the depth of the agreement to such marriage taken by the Brahmin father.

1971, for Bangladeshi people, was one such moment of crisis where certain religion became a reason for being killed or eradicating their own „honor“ by others. During the war sexuality was a weapon of the army and „razakars.“ Records showed millions of women and men being raped but rare reports showed that inter religious marriages protected women from raped as well. In the end, the thesis tried to recover the untold stories of those women whose marriage has been deeply rooted to the Liberation War of Bangladesh. This thesis has uncovered fewer stories of such marriages and there are more hidden stories waiting to be recovered, that certainly tells a different story. Interestingly, these marriages, till now, are never heard to be called as

„illegitimate“ by the society which the couples are surrounded with, however, in today's time couples who try to perform inter religious marriage do face „questions“ that are related to religion and „honour“ as well. In this case, the „honor“ is connected to religious belief as well.

Consequently, one can understand how the time frame has played a big role in such marriages. The word „condition“ is also an important discourse to understand the reason behind accepting inters religious marriage 45 years back and the reasons behind the difficulty in accepting inter religious marriage in today's time.

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Appendix

(i) Questionnaire

(a) Questions for the interviewed couples are given below –

1. How did you fall in love with each other?
2. While dating each other did the concept of religion hit your consciousness?
3. How did you approach to your family about your relationship?
4. Who were supporting you and who were not?
5. How did the marriage take place?
6. How much of the Special Marriage Act of 1872 affect your marriage rituals?
7. Was there any conversion into either religion?
8. How are you managing with the in-laws?
9. What religion is being practiced by your children?
10. Was your social network affected by your marriage?
11. What are the present socio-political dynamics?
12. Community ties – Post marriage subjectivity, maintaining festivals
13. After marriage did any one of yours faith or religious practices curtailed?
14. Why do you think inter religious marriage is taking place in Bangladesh?
15. How much important is government of Bangladesh when it comes to recognition of your marriage?
16. Have your own religious view ever conflicted with your marital position?
17. What are the common stereotypes, generalizations surrounding inter religious marriage?
18. Have you ever been at any conflicts with other members of your in-laws regarding professing your religion or festivals?

19. In what ways do you think inter religious marriage is different in Bangladesh compared to other countries?
20. As the country is facing so much issues with bloggers viewing their “free” thoughts and then being slayed down, in this situation, how do you think inter religious marriage be accepted as?
21. At some point, do you think such marriages will reduce the differences among religious views that we carry?

(b) Questions for online survey are given below –

1. Basic questions – name, age, education, marital status, income
2. Which religion is your parents' practicing?
3. Degree of religiosity.
4. Would you give consent to yourself to marry or be in a relationship with someone from a different religious background?
5. In refer to your answer in the previous question, please state the reason.
6. Do you think that people who involve themselves with people of different religious background do not follow any religious activities?
7. In refer to your answer in the previous question, please state the reasons.
8. Why do you think inter religious affiliation is taking place in these days?
9. How long have you been affiliated with a person of different religion?

(Here affiliated does not only mean to be related. I focus more on being involved with each other as couples).
10. Did you ever want to take your relationship further to marriage?

(Please note that, in this question you shall only answer if you agreed to marry a person of different religion. If not, you may leave the answer blank).

11. How long it took for your family to accept your affiliation with you partner who is professing a different religion?
12. Suppose you are married to someone from a different religious background, which religion will you prefer your children to follow?
13. Would you allow your children to marry someone from who is practicing a different religion?
14. Does an intermarried family prove to be challenging to mix in a society of multi-cultural practices?
15. In refer to your answer in the previous question, please state the reason.
16. In countries like Bangladesh, shall such marriages be made legal?
17. In refer to your answer in the previous question, please state the reason.

(ii) Interviewees

(a) Core Interviewees –

1. Mr. Rajan Nicholas Das and Ms. Kobita Kumar Das (Arranged Marriage/Jessore)
2. Mr. Salman Yasir Khan (Could not get married due to legal issues/ Malaysia)
3. Mr. Samuel D'Rozario and Ms. Komola Banarjee (Arranged Marriage/Kushtia)
4. Mr. Gaurab Chatterjee and Ms. Julia Dias (In relation/family not agreed yet)
5. Mr. Sharad Ghose and Ms. Ishrat Kabir (Married/No conversion)
6. Mr. Emmanuel Wilson and Ms. Farhana Rahman (In a relation/family agreed)
7. Mr. Avi Chowdhury and Ms. Puja Gomes (In a relation/ family agreed)

(a) Side Interviewees

1. Mr. Sohel Robiul Awal (Lawyer)
2. Ms. Khadija Yousuf (Parent of Ms. Sanjana Rahim)

(iii) Special Marriage Act 1872 (Act No. III of 1872)

Preamble

WHEREAS it is expedient to provide a form of marriage for persons who do not profess the Christian, Jewish, Hindu, Muslim, Parsi, Buddhist, Sikh or Jaina religion, and for persons who profess the Hindu, Buddhist, Sikh or Jaina religion and to legalize certain marriages the validity of which is doubtful; It is hereby enacted as follows –

Local extent

1. This Act extends to the whole of Bangladesh.

Conditions upon which marriages under Act may be celebrated

2. Marriages may be celebrated under this Act between persons neither of whom professes the Christian or the Jewish, or the Hindu or the Muslim or the Parsi or the Buddhist, or the Sikh or the Jaina religion, or between persons each of whom professes one or other of the following religions, that is to say, the Hindu, Buddhist, Sikh or Jaina religion upon the following conditions:–

(1) neither party must, at the time of the marriage, have a husband or wife living;

(2) the man must have completed his age of eighteen years, and the woman her age of fourteen years, according to the Gregorian calendar:

(3) each party must, if he or she has not completed the age of twenty-one years, have obtained the consent of his or her father or guardian to the marriage:

(4) the parties must not be related to each other in any degree of consanguinity or affinity which would, according to any law to which either of them is subject, render a marriage between them illegal.

1st Proviso - No such law or custom, other than one relating to consanguinity or affinity, shall prevent them from marrying.

2nd Proviso - No law or custom as to consanguinity shall

prevent them from marrying, unless a relationship can be traced between the parties through some common ancestor, who stands to each of them in a nearer relationship than that of great-great-grand-father or great-great-grand-mother, or unless one of the parties is the lineal ancestor, or the brother or sister of some lineal ancestor, of the other.

Appointment of Marriage Registrars

3. The Government may appoint one or more Registrars under this Act, either by name or as holding any office for the time being, for any portion of the territory subject to its administration. The officer so appointed shall be called "Registrar of Marriages under Act III of 1872," and is hereinafter referred to as "the Registrar". The portion of territory for which any such officer is appointed shall be deemed his district.

One of the parties to intended marriage to give notice to Registrar

4. When a marriage is intended to be solemnized under this Act, one of the parties must give notice in writing to the Registrar before whom it is to be solemnized.

The Registrar to whom such notice is given must be the Registrar of a district within which one at least of the

parties to the marriage has resided for fourteen days before such notice is given.

Such notice may be in the form given in the First Schedule to this Act.

Notice to be filed and copy entered in the Marriage Notice Book

5. The Registrar shall file all such notices and keep them with the records of his office, and shall also forthwith enter a true copy of every such notice in a book to be for that purpose furnished to him by the Government, to be called the "Marriage Notice Book under Act III of 1872," and such book shall be open at all reasonable times, without fee, to all persons desirous of inspecting the same.

Objection to Marriage

6. Fourteen days after notice of an intended marriage has been given under section 4, such marriage may be solemnized, unless it has been previously objected to in the manner hereinafter mentioned.

Any person may object to any such marriage on the

ground that it would contravene some one or more of the conditions prescribed in clauses (1), (2), (3) or (4) of section 2.

The nature of the objection made shall be recorded in writing by the Registrar in the register, and shall, if necessary, be read over and explained to the person making the objection, and shall be signed by him or on his behalf.

Procedure on receipt of objection Objector may file suit

7. On receipt of such notice of objection the Registrar shall not proceed to solemnize the marriage until the lapse of fourteen days from the receipt of such objection, if there be a Court of competent jurisdiction open at the time, or, if there be no such Court open at the time, until the lapse of fourteen days from the opening of such Court.

The person objecting to the intended marriage may file a suit in any Civil Court having local jurisdiction (other than a Court of Small Causes) for a declaratory decree, declaring that such marriage would contravene some one or more of the conditions prescribed in clauses (1), (2), (3) or (4) of section 2.

Certificate of filing of suit to be lodged with Registrar

8. The officer before whom such suit is filed shall thereupon give the person presenting it a certificate to the effect that such suit has been filed. If such certificate be lodged with the Registrar within fourteen days from the receipt of notice of objection, if there be a Court of competent jurisdiction open at the time, or, if there be no such Court open at the time, within fourteen days of the opening of such Court, the marriage shall not be solemnized till the decision of such Court has been given and the period allowed by law for appeals from such decision has elapsed; or, if there be an appeal from such decision, till the decision of the Appellate Court has been given.

If such certificate be not lodged in the manner and within the period prescribed in the last preceding paragraph, or if the decision of the Court be that such marriage would not contravene any one or more of the conditions prescribed in clauses (1), (2), (3) or (4) of section 2, such marriage may be solemnized.

If the decision of such Court be that the marriage in question would contravene any one or more of the conditions prescribed in clauses (1), (2), (3) or (4) of section 2, the marriage shall not be solemnized.

Court may fine when objection not reasonable

9. Any Court in which any such suit as is referred to in section 7 is filed may, if it shall appear to it that the objection was not reasonable and bonafide, inflict a fine, not exceeding one thousand rupees, on the person objecting, and award it, or any part of it, to the parties to the intended marriage.

Declaration by parties and witnesses

10. Before the marriage is solemnized, the parties and three witnesses shall, in the presence of the Registrar, sign a declaration in the form contained in the second schedule to this Act. If either party has not completed the age of twenty-one years, the declaration shall also be signed by his or her father or guardian, except in the case of a widow, and, in every case, it shall be countersigned by the Registrar.

Marriage how to be solemnized

11. The marriage shall be solemnized in the presence of the Registrar and of the three witnesses who signed the declaration. It may be solemnized in any form, provided that each party says to the other, in the presence and hearing of the Registrar and witnesses, "I [A], take the

[B], to be my lawful wife (or husband)."

Place where marriage may be solemnized

12. The marriage may be celebrated either at the office of the Registrar or at such other place, within reasonable distance of the office of the Registrar, as the parties desire: Provided that the Government may prescribe the conditions under which such marriages may be solemnized at places other than the Registrar's office, and the additional fees to be paid thereupon.

Certificate of marriage

13. When the marriage has been solemnized, the Registrar shall enter a certificate thereof in a book to be kept by him for that purpose and to be called the "Marriage Certificate Book under Act III of 1872," in the form given in the third schedule to this Act, and such certificate shall be signed by the parties to the marriage and the three witnesses.

Transmission of certified copies of entries in Marriage Certificate Book to the Registrar General of Births,

13A. The Registrar shall send to the Registrar General of Births, Deaths and Marriages for the territories within which his district is situate, at such interval as the Government from time to time directs, a true copy

Deaths and Marriages

certified by him, in such form as the Government from time to time prescribes, of all entries made by him in the said marriage-certificate book since the last of such intervals.

Fees

14. The Government shall prescribe the fees to be paid to the Registrar for the duties to be discharged by him under this Act.

The Registrar may, if he thinks fit, demand payment of any such fee before the solemnization of the marriage or performance of any other duty in respect of which it is payable.

The said Marriage-Certificate Book shall at all reasonable times be open for inspection, and shall be admissible as evidence of the truth of the statements therein contained. Certified extracts therefrom shall on application be given by the Registrar on the payment to him by the applicant of a fee to be fixed by the Government for each such extract.

**Penalty on married person
marrying again under Act**

15. Every person who, being at the time married, procures a marriage of himself to be solemnized under this Act, shall be deemed to have committed an offence under

section 494 or section 495 of the Penal Code, as the case may be; and the marriage so solemnized is void.

Punishment of bigamy

16. Every person married under this Act who, during the life time of his or her wife or husband, contracts any other marriage, shall be subject to the penalties provided in sections 494 and 495 of the Penal Code for the offence of marrying again during the lifetime of a husband or wife, whatever may be the religion which he or she professed at the time of such second marriage.

Divorce Act to apply

17. The Divorce Act shall apply to all marriages contracted under this Act, and any such marriage may be declared null or dissolved in the manner therein provided, and for the causes therein mentioned, or on the ground that it contravenes some one or more of the conditions prescribed in clauses (1), (2), (3) or (4) of section 2 of this Act.

Law to apply to issue of marriages under Act

18. The issue of marriages solemnized under this Act shall, if they marry under this Act, be deemed to be subject to the law to which their fathers were subject as to

the prohibition of marriages by reason of consanguinity and affinity, and the provisos to section 2 of this Act shall apply to them.

Saving of marriages solemnized otherwise than under Act

19. Nothing in this Act contained shall affect the validity of any marriage not solemnized under its provisions; nor shall this Act be deemed directly or indirectly to affect the validity of any mode of contracting marriage; but, if the validity of any such mode shall hereafter come into question before any Court, such question shall be decided as if this Act had not been passed.

[Repealed]

20. [Repealed by the Repealing Act, 1876 (Act No. XII of 1876)].

Penalty for signing declarations or certificates containing false statements

21. Every person making, signing or attesting any declaration or certificate prescribed by this Act, containing a statement which is false, and which he either knows or believes to be false or does not believe to be true, shall be deemed guilty of the offence described in section 199 of the Penal Code.

Effect of certain marriages on coparcenary

22. The marriage under this Act of any member of an undivided family who professes the Hindu, Buddhist, Sikh or Jaina religion shall be deemed to affect his severance from such family.

Rights of succession in certain cases of marriage under Act

23. A person professing the Hindu, Buddhist, Sikh or Jaina religion who marries under this Act shall have the same rights and be subject to the same disabilities in regard to any right of succession to any property as a person to whom the Caste Disabilities Removal Act, 1850, applies:

Provided that nothing in this section shall confer on any person any right to any religious office or service, or to the management of any religious or charitable trust.

Succession to the property of parties married under Act

24. Succession to the property of any person professing the Hindu, Buddhist, Sikh or Jaina religion who marries under this Act, and to the property of the issue of such marriage shall be regulated by the provisions of

the [Succession Act, 1925].

**Person marrying under Act
not to have right of adoption**

25. No person professing the Hindu, Buddhist, Sikh or Jaina religion who marries under this Act shall have any right of adoption.

**Adoption by father of person
marrying under Act**

26. When a person professing the Hindu, Buddhist, Sikh or Jaina religion marries under this Act, his father shall, if he has no other son living, have the right to adopt another person as a son under the law to which he is subject.