

# Matrimonial Practices among Muslims of Pokhara

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## ABSTRACT

*Study of religious minorities keeps greater importance in a country like Nepal, where Hindus constitute the majority of the population. Marriage is a normal societal phenomenon and common in Nepali society. Muslims marriage is curious and not common to the majority religious group of Nepal. Marriage is a contract between bride and groom for the purposes of legal intercourse, child propagation, and the social contract between husband and wife. Muslims perform their marital rituals according to Sariat. The marriage of Muslims is directed by the faith itself, according to the Holy Quran. Muslim marriage has long been curious to non-Muslims because of its uniqueness. As a result, an attempt has been made to address this issue. This article is based on qualitative research and aims to outline the critical measures to be taken throughout marriage. To generalize the subject, an observation approach, in-depth interviews and library research are being used. As responders for the goal of gathering knowledge, Muslim scholars, masjid Committee Members, Moulana and elderly people from Miya Patan of Pokhara who have witnessed such rites were chosen. Because they desired anonymity, the responders are referred to as Res. 1. , Res.2., Res.3, Res.4 and so on. This research looks on Muslim marriage, a unique and traditional marital practice in Nepal. It makes an attempt to address the general situation of Muslim marital practice in Miya Patan of Pokhara. In Nepal, particularly in Pokhara, people have forgotten the value of marriage in the name of modernization. Muslims of Pokhara have protected the society's social standards and cultural values of marriage which should be learn from them.*

**Keywords:** Dowry, groom, Muslims bride, Nikah, Sariyat, valid, witness,.

## INTRODUCTION

Marriage is a contract for the purposes of regulating intercourse, procreation of children, and social life in the interests of society by establishing both rights and duties for the parties involved in this social contract, as well as between the parties and the children born from the aforementioned union. Marriage among Nepali Muslims, regardless of their identities, is governed by the faith itself. It is because Muslim marriage rituals are based on the Quran. Nepali Muslims practice the classical Nikaha system and the Muslims of Pokhara do the same. The Nikah celebrations are quite basic. A ring and a set of clothing is given to the bride. However, as a result of the influence of other cultures, Muslims have adopted several additional traditional customs. They have followed dowry customs. In addition, elaborate feasts are prepared for weddings. It is worth noting that the majority of Nepalese Hindus execute their marriage rites in the months of Baishak, Jestha, Ashad, Mangsir, Magh, Falgun, and Chaitra—nearly seven months according to the Nepali calendar—but Muslims do their marriage ceremonies in those months when Hindus do not. It is the polar opposite of the Hindu marriage system.

Marriage is a basic human right of all citizens worldwide, and it is prevalent in Muslim civilization. Other religious people, with the exception of Muslims, must follow civil code in Nepal, which means they can marry a single woman till divorce; however, Muslims who follow Islamic law can legally marry four wives at the same time, which is unusual to Nepali society. Muslim women have been exploited in the name of marriage rituals. Nepal is a secular republic, and national law applies to all citizens, including Muslims, throughout the country. In their ceremonies, however, Muslims follow Muslim law rather than national law.

Some national and international papers attempted to address various aspects of Nikaha (Muslim marriage) and its practice, but they did not cover all areas as well as the situation of Pokhara. Khan (2071BS) presents general information on Nepali Muslims. His book focuses on the socioeconomic position of Nepali Muslims in Kapilvastu. His book neither deals with rituals of Nepali Muslims nor the Muslim marriage practice.

The Muslim Communities of Nepal by Seddon (2018) is based on a field study report. It focuses on the socio-cultural and political situations of Nepali Muslims in Terai. It is also not focused on Islamic marriage practice. "Halala Nikah: Marriage Against The Dignity of Muslim Women?" by Nidhi Khare and Radhika Singh (2016) is a critical review of Halala marriage in the context of the Indian legal system. This article basically focuses on the Halala marriage – a typical type of Muslim marriage system but it doesn't cover the traditional Muslim marriage

system of Nepal.

Thapa (1985) conducted a significant study on Marriage and Divorce. This report is based on a micro analysis of Muslim settlements in Birgunj. It focuses on the history of Nepali Muslims as well as the practice of Nikaha and Talaq, doesn't covers the raised research question.

These literatures are beneficial in identifying research challenges and generating ideas. It provides research ideas and assistance in analyzing the current state of research on Muslim marriage. It is also useful for developing research techniques for research, but it does not address the general features of the Muslim marriage system and its practice in Nepal as well as in Pokhara. The listed national and international publications, books, and studies attempted to address various facets of marriage, but they did not cover the entire picture. These literatures do not support the study questions asked, however they are somewhat useful in fulfilling theoretical features of the Muslim marriage system. This article aims to identify some unidentified flaws in Muslim marriage practice in general.

## **DATA AND METHODS**

This article is based upon a qualitative analysis. Explanatory, descriptive, analytical as well as informative method has been used in this research. Both formal and informal discussions were held with the concern stakeholders. This research consists of present context data but some historical references are cited in the appropriate places. Basic source of information for this research is primary information. Relevant books, journal articles, online websites and related publications have been used properly. All the information collected has been classified summarized, analyzed and some reflection has been made for this research.

This study is limited to historical study of Muslim marriage of Miya Patan of Pokhara. Four respondents were chosen for in-depth interview to collect the first hand primary data. All the collected data has been coded and analyzed through thematic analysis procedure. This study has been organized around Durkheim's theoretical paradigm. It is not exactly acknowledged in this study, although theoretical references have been used to conceptualize the idea. This study doesn't cover the social, political, legal, economic and other aspects of Muslim marriage

## **RESULTS AND DISCUSSIONS**

To execute the marriage ceremony, Muslims follow certain customs. There are various rituals that must be performed in order to complete the ceremony.

## Selecting the Bride

The selection of the bride is the most essential and significant phase in marriage. The boy's parties are continually on the lookout for a female who shares their goal for a happy married life. A Nepali Muslim is looking for a woman who would make an exceptional housewife because Muslims women are normally not allowed to work outside. Marriage occurs primarily inside own group or among close relatives. In the case of inter-faith marriages, however, the groom must have converted to Islam and have to pay a fee decided by community elders as a penalty for breaking religious law (Res.2). However, in general, the wife must be converted to Islam after that, and the son is not valued. If a girl marries a man, she loses all contact with her parents if the son-in-law does not convert to Islam (Res.1).

The Muslim follows the Islamic marriage system, which demands the permission of both the boy and the girl. Muslims marry throughout their adolescence. However, late marriage occurs in some educated homes. In narratives, the daughter may deny the choice for her father, but in fact, she does not (Res. 3). Marriages are always planned, appointed, and negotiated by the guardians. When they uncover or become aware of the girl, they hire a mediator, who converses back and forth with the girl's father. When everything is completed, the boy and girl may meet at the girl's house to make a final offer in Parda (Curtain) (Res. 2). As a result, the girl's consent is requested as a formality at Nikah because most marriages are based on the parents' likes and dislikes, as well as the nature of other secondary variables. This method gave birth to a Tarai custom of not seeing one other before marriage. Even in Pokhara, the girls might not be able to visit her spouse before the wedding. There are now, however, options to meet others before settling on marriage (Res.4).

In the Tarai and hills, child marriage is still popular among Muslims. The average marriageable age for a Muslim man is 16 and 12 for a Muslim woman (Thapa, 1997). As a result, Muslim youngsters in rural Tarai marry before reaching the constitutionally required marriage age. Despite the fact that the legal marriage age in Nepal is 20 for girls and 37% of girls marry before the age of 20, and 10% girls marry before the age of 15. In Nepal, boys marry at a younger age, albeit in lesser numbers than females (Thapa, 1997). According to the Human Resource World Report 2020, Nepal has the third highest rate of child marriage in Asia, after only Bangladesh and India. Child marriage is more prevalent in underserved and lower caste locations (Human Resource World Report, 2020). Muslims in Pokhara are well-educated, and such conduct is not common among them. In this aspect, the marital practices of Pokhara's Muslims are markedly different. Early marriage is not popular among the Muslims

of Pokhara (Res.3).

Following the presentation of the information, both parties search for and learn about crucial aspects about each other in order to assess if it is acceptable to contract for a marital connection or not. Various Muslim groups want such links with families of comparable social standing. It is critical in divorce proceedings. Saiyed, Sheikh, Pathan, and Mughals want higher social status and feel superior in all social interactions. The Ashraf- Ajilaf dichotomy ( higher – low status ) is also significant in marriages (Thapa, 1997). Saiyed, Sheikh, Pathan, and Mughals were considered as higher statue because they belong to Prophet family and other castes such as Ansari, Dhobi, Dhuniya and so on belongs to low status in hierarchical order. As a result, an Ashraf will never marry into a household of occupational Muslims. The social status concept is entirely retained while choosing a bride and groom. As a result, marriages must essentially be entered into with families of equal rank (Thapa, 1997). But recently Muslim marriage became modernized and such traditions are slowly forgotten. However, there are a few cases of inter-caste or inter-religious marriages between high ranking Muslims and occupational Muslim castes and with non-Muslims. Some Muslims, however, believe it makes no difference and have highlighted Islamic concepts of equality and fraternity. However, diversity remains the most influential component in Muslim culture, particularly in Nepal's Terai area (Thapa, 1997).

### **Stages of Matrimonial Practice**

Although it is not a secular occurrence, Muslim marriage always necessitates a variety of ceremonial rituals. During the wedding ceremony, Muslims follow numerous phases of rituals (Res.3).

### **Engagement (Nisvat)**

Engagement, or Nisvat, is the first step in a Muslim marriage. With the fixing of the day to contract marriage of the Nikah, it symbolizes the ultimate decision. Sweets and fruits are presented to the girl's father, and the day of Nikah is later set. It is the happiest day of the year. As a result, the girl's father expresses his joy by distributing sweets to his family. (Res.1)

Initially, the bride parties travel to the boy for festivities, and vice versa. They present the groom with new clothing, candy, and a sum of money. The quantity of cash and in-kind gifts depends on the family's financial capabilities. However, it has nothing to do with Islamic tradition or religious words. As a result, such behaviors are forbidden in Islam. These sorts of customs among hill or Kathmandu Muslims are the result of customary traditions practiced by

their Tarai counterparts. At the time, dowry is also available ( Res.2).

As a result, marriage in Pokhara differs from Muslim marriages in Tarai or those living in the highlands, at least in terms of Matrimonial traditions. The current Magani tendency differs from the method that was used in the Muslim community many years ago. The primary distinction is dowry, which Kathmandu's Muslims practice. When people form weddings in India, it is required to offer or receive dowry, and so in the Terai as well. This is not a habit of Pokhara Muslims, but they are following their Indian counterparts, and Terai is increasingly popular in Kathmandu and Pokhara (Res.1). If the festival of Eid falls between marriage and the Magani, both parties will effectively celebrate Eid. As Eid gifts, the bride's father sends sweets, garments, and rupees to the groom, and vice versa. However, impoverished Muslim households see it as an additional responsibility and hence do not follow it ( Res.1).

### **Maulud**

Maulud or Miladunnabi is one of the major parts of the marriage ceremony that took place just one day before. The Maulabi emphasizes the Quranic citation and validity of marriage, as well as other elements of marriage . He consistently motivates individuals to conduct weddings in accordance with Islamic ideals as stated in the sacred scripture. However, it is difficult to track due to the nature of the pattern of socio-cultural changes observed in Muslim societies in Nepal, particularly Muslims in the highlands. As a result, Maulabi's theological explanation at Miladunnabi has remained almost a ceremonial celebration rather than its application in actual life (Res.1).

### **Nikah (Marriage day)**

A grand feast is arranged in both the houses. The married women give *Sandal pest* or *Ubtan* to the groom. The other day, they organize marriage procession and depart to the bride's house. The parade is led by a musical band. Within the clan or others, the procession is made up of relatives, friends, and community members. Samdin and the groom are escorted by two married ladies disguised as brides. The groom adorned in a brocaded Sherwani. This is not now popular in Pokhara. However, they now wear casual attire and use automobiles in procession. In Tarai, rural Muslims employ cars, rickshaws, Tractors and Tangas are also used in bridal processions. They are treated to a lavish feast at the bride's house. (Res.1)

The Nikah rites are performed either throughout the day or at night. Every Nikah must include Quranic citation in the presence of two adult witnesses, the kazi and the bride. This is a practice that they do not share with their neighbors. The groom is given a silver ring weighing

11.6 grams, known as a tola, according to Islamic tradition. (Res.2) However, Muslims believe that it is not enough to present him with gold jewellery. Rich households usually give the groom a dowry that includes a large number of gold jewellery. The Muslims of Pokhara, who have undergone a high level of socio-cultural change, typically embrace such non-religious traditional activities (Res.2).

Nikah is observed only with the agreement of both the bride and groom. Marriages are often concluded under duress and with the approval or disapproval of guardians. As a result, the bride must always provide a favorable response when asked. Normally, she is unable to withstand the pressure (Res. 4). However, such a decision is unlikely to be made by some educated Muslim households.

They spend one night at the bride's residence and return the next morning with the bride. She is greeted by two ladies at her husband's home, and she pays respect to all the family elders. On the next day, family gather to meet and congratulate the bride, bringing gifts such as sweets and fruits. She is returned to her parents' home after four days. After four days, the groom is asked to accompany his wife back to his home. (Res.1)

### **Mehr**

Mehr, also known as dowry, is an amount of money or other property in kind that the woman is entitled to receive from the husband in exchange for the marriage. It is the personal property of the bride to safeguard her life during divorce ( Res.3).

The quantity of Mehr, known locally as Mehrdani, is a crucial part of Nikah. It is her right, not the bride price. It is a must for any marriage to be valid. It is usually established verbally or in the Nikahnamah. It comes in two varieties: Mehr-E-Muwajjal (prompt) and Mehr-E-Muwajjal (continuous). The timely Mehr is due at the moment of demand or before the death or divorce.

Mehr is a tradition practiced by Muslims in Pokhara. However, they adhere to the later sorts of Mehr, which are payable at any moment. It does not forbid marriage from being consummated. The quantity of Mehr is determined by both partners' agreement. In this regard, the bride's party is always eager to fix a large sum. The significance of a large sum is that it reduces the likelihood of divorce. If the sum is greater than the husband's ability to pay, he generally ignores it and is pressured not to divorce the wife. However, the vast majority of Nepalese Muslims, especially those in Pokhara, do not pay it. As a result, women are excused when their spouse is on his death bed- *Mehr Bakash* (Res.2).

A Muslim wife has the right to seek the return of the Mehr. However, in general, Muslim

women in Nepal do not seek to regain more of it over their lifetime. However, they are entitled to all of Mehr's rights. As a result, the spouse has no claim to the money he has already paid. Even if the marriage does not work out, she gets fairly paid.

Though this conventional behavior is contrary to Islam's ethos, it is nonetheless practiced. It is provided in both cash and in kind. The sum is decided by numerous secondary variables, including the bride's father's financial capacity.

### **Rukhsat**

After the Nikah, the wedding party returns the next day. On the bride's departure, the women of the party perform somber goodbye songs. Rukhsat, or seeing off, is a type of ceremonial behavior that is strongly ingrained in Muslim civilization.

At the same time, male elders from both side observes Dolhahari. (It is typical to introduce each other at the moment of marriage.) They introduce themselves throughout the ceremony. The groom's father then offers the groom betel nuts. The Parchhaun ritual is observed when the boy returns home. It is intended to give the bride a warm welcome, which is followed by singing (Res.3). She sits in a chamber where other ladies come to observe and admire her beauty on the first day. She is not permitted to handle utensils or enter the storeroom until she has served the family delicious Kheer. (Res.1)

Nowadays, marriage in Muslim society has absorbed several rituals other than Islamic faith, however the basic component of marriage is directed by Quranic quotations. The influence of other Hindus influenced Muslim marriage to become more complicated. It has gotten costlier and has adopted a variety of other cultural customs. The Nepali Muslims performs interreligious as well as traditional marriages in the families of equal social status or beyond these days. Regarding the interreligious marriage either the son-in-law or the daughter-in-law is converted to Islam. Otherwise all relations ceases at once ( Res.1).

## **CONCLUSION**

Marriage is more than just a tradition; it is a commitment between two individuals to tackle life's challenges. Marriage became so formal as a result of a society's modernity and westernization in Nepal. Now, before marriage, sexual relations between girls and boys became common in Nepali society. These days, new phenomena such as live-in relationships, relationships, and unnatural relationships are frequent. Modernization of the civilization is heading toward western culture in the name of freedom of the society and women's



empowerment. Marriage has become a joke in the non-Muslim culture these days. People have forgotten the societal and religious virtues of marriage. Now, it became just the license for sexual relations.

Other religious people, in addition to Muslims, have been practicing new sorts of marriage in recent years, such as inter-caste, inter-racial, and live-in together partnerships, but Nepal's Muslim communities have stayed devoted to the traditional Muslim marriage practice of Nikah. They do not go outside of the Sariyat and do not practice ultramodern marriage practices. Other religious group should learn lesson from Nepali Muslims to protect the eastern society's social standards and cultural values.

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