

Understanding Arranged Marriage: An Unbiased Analysis of a Traditional Marital Institution

Naema N. Tahir*

*E-mail: n.tahir@ucr.nl

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ABSTRACT

This research asks one simple question, a question many studies on the arranged marriage omit to ask, namely “What exactly is the arranged marriage?” Author Naema Tahir, born and bred in the arranged marriage culture, but educated in the free-choice marriage culture, argues that much literature on the arranged marriage fails to offer full exploration of this traditional marital system. Instead, the arranged marriage is often analysed through the lens of the modern free choice marriage system. However, this is not a neutral lens. It considers the free choice marriage to be the ideal. As a result, the arranged marriage is perceived to be a “marriage of shortcomings”, one that fails to meet the standards of the free-choice marriage system. The author encourages readers to break this frame and offers a neutral perspective on this traditional marital system practised by billions around the world. Readers are invited to an in-depth and rigorous analysis of the foundations upon which the arranged marriage system rests. While this analysis zooms in on the case study of one particular focus group, the British Pakistani diaspora, it reveals broad insights into the arranged marriage system in general. This analysis highlights and critically examines social principles fundamental to the arranged marriage system and which are much misunderstood, such as hierarchy, patriarchy, collectivism, group loyalty and the role of parental and individual marital consent. The author argues that it is vital to first understand the traditional structures of the arranged marriage, before one can understand modernizing tendencies the arranged marriage system is currently undergoing. As such, this study hugely contributes to an unbiased understanding of the arranged marriage and changing arranged marriage patterns and is a valuable reading for those interested in marriage, marital systems and the future thereof.

I. INTRODUCTION

There is a tendency in academic literature to view the arranged marriage from the lens of the autonomous marriage. In this literature the arranged marriage is compared in a binary to the autonomous marriage.¹ While a comparison of the arranged marriage to the

1 Authors referring to this binary are eg F. Shariff, ‘Towards a Transformative Paradigm in the UK Response to Forced Marriages’ (2012) 21 (4) *Social and Legal Studies* 549–65; M. Aguiar, *Arranging Marriage, Conjugal Agency in The South Asian Diaspora* (Minneapolis: University of Minnesota Press, 2018);

autonomous marriage should be an unbiased one, the contrary is true. From this binary, both marital systems are not viewed neutrally. The autonomous marriage, thriving on individual choice, is perceived to be the ideal marital system, while the arranged marriage, supported by traditional kin authority, is not considered ideal. Resulting from this, the autonomous marriage sets the standards of an ideal marriage all marriages must aim for, including the arranged marriage. The arranged marriage is then measured by characteristics typical of the autonomous marriage system. However, the arranged marriage, even in its most modern manifestation, is not an autonomous marriage. Monitoring the arranged marriage as if it were or should be autonomous, emphasizes defects, deficits, lacunas in the arranged marriage on matters related to autonomy. Measured this way, the arranged marriage turns into something faulty. It becomes a marriage of shortcomings.

There is a necessity to study the arranged marriage on its own terms and not in a binary with the autonomous marriage.² This will enable judging the arranged marriage on the qualities and rewards it holds for its practitioners. At its core, this article hopes to contribute to an understanding of the arranged marriage from an unbiased lens.

This article is set up in three sections.

Section II will investigate biased understandings of the arranged marriage in more detail, by critically evaluating the binary approach in scholarly literature, illustrated further by a study of a variety of categorizations and close interpretation of definitions on the arranged marriage. Section II argues that in scholarly literature, the arranged marriage is framed as a lesser version of the ideal of autonomous conjugal union.

Section III will aim to construct a Weberian ideal type³ of the traditional arranged marriage as a useful tool that offers neutral, unbiased insights into general features all arranged marriage systems, to varying degrees, share. The arranged marriage will be understood as a guardianship invested marital system, which is organized in a hierarchical, aristocratic manner, upheld by parental authority, group orientation and belonging. This section will provide a conceptual, theoretical analysis of the arranged marriage by drawing on literature that intersects between tradition and modernity, by leading scholars in the field.⁴ Through this analysis a marital system will surface which is embedded in a cultural inherited belief that the young must be relieved of mate-selection which is perceived, not so much as a harmless liberty with mere individual impact, but as a burden that the strongest

R. Pande, 'Geographies of Marriage and Migration: Arranged Marriages and South Asians in Britain' (2014) 8 (2) *Geography Compass* 75–86; S. Anitha and A. Gill, 'Coercion, Consent and the Forced Marriage Debate in the UK' (2009) 17 *Feminist Legal Studies* 165–84; M. Khandelwal, 'Arranging Love: Interrogating the Vantage Point in Cross-Border Feminism' (2009) 34 (3) *Signs* 583–609; F. Ahmad, 'Graduating Towards Marriage? Attitudes Towards Marriage and Relationships among University-educated British Muslim Women' (2012) 13 *Culture and Religion* 193–210.

2 Ibid.

3 M. Weber, *Gesammelte Aufsätze zur Wissenschaftslehre* (Tübingen: J.C.B. Mohr, 1988) p. 191.

4 Notably, H. Arendt, *Between Past and Future* (New York: Penguin Books, 1977); M. Douglas, 'Cultural Bias' in M. Douglas (ed.), *The Active Voice* (London: Routledge and Kegan Paul, 1982), as referred to by Thompson et al., *Cultural Theory* (Boulder, San Francisco: Westview Press, 1990); Thompson et al. *ibid*; M. Douglas, *Risk and Blame* (London, New York: Routledge, 1992); R.A. Dahl, *Democracy and its Critics* (New Have: Yale University, 1989); L. Dumont, *Homo Hierarchicus* (Chicago: University of Chicago Press, 1980); R.A. Nisbet, *The Quest for Community* (California: ICS Press, 1990); R.A. Nisbet, *The Sociological Tradition* (London: Heinemann Educational Books Ltd, 1966); R. Sennett, *Authority* (New York: W.W. Norton, 1980).

shoulders in the community must be bear, and as a choice that has broad implications for the family, extended family, and community.

Section IV will conclude as to how knowledge on the arranged marriage proper, as an aristocratic guardianship system, can be applied to the varied practices of changing patterns in arranged marriages, that include the increasing involvement of the young in mate-selection and marriage making. This section will also offer suggestions for further research.

This article will focus on analyses of conjugal practices of British immigrant Pakistanis residing in the UK, the largest Pakistani diaspora in the world that strongly upholds the arranged marriage system. While narrowing down the focus to one culture, norm and values will surface that typically underlie the arranged marriage system in general.

For this article, the following working definition of arranged marriage will be employed: marriage for which the mate selection is under the guardianship and authority of elders of the (extended) families of both marital agents and that aligns the families in a durable relational bond that allows for a legitimate space and belonging for the conjugal union.⁵ The following working definition will be employed of the autonomous marriage: marriage for which the mate selection is undertaken by the marital agents, who base their selection on subjective criteria with the aim to align the agents in a durable relational conjugal union.⁶

II. MISUNDERSTANDING THE ARRANGED MARRIAGE

1. Biased Binary Approach

The so-called binary approach in the study or representation of the arranged marriage is much criticized in literature.⁷ This binary is considered 'liberal individualist'⁸ or Eurocentric.⁹ Set in a binary with the autonomous marriage, the arranged marriage is judged by the idealized standards of the autonomous marriage. That which is idealized is individual freedom and conjugal choice. Individualism is considered progressive, there is free choice and the freeing of individual potential.¹⁰ The autonomous marriage elevates the individual who emancipated themselves and rose from the bonds of a history in which marriage choices were not left to solely the individuals.¹¹ Individuals assume that this transformation from 'arranged marriages to love matches is progressive and

5 For origins of the term 'arranged marriage' see Aguiar (n 1) 14.

6 'Autonomous marriage' is used in I.L. Reiss, *Family Systems in America* (New York: Holt, Rinehart and Winston, 1976) as referred to by G.R. Lee and L. Hemphill Stone, 'Mate-Selection Systems and Criteria: Variation according to Family Structure' (1980) 42 (2) *Journal of Marriage and Family* 319–26, 319.

7 Anitha and Gill (n 1); Shariff (n 1); Aguiar (n 1); Pande (n 1); Khandelwal (n 1).

8 Shariff (n 1) 556, on binary between consent and coercion.

9 Compare Ahmad (n 1) 194; see also Pande (n 1) 82; see also Aguiar (n 1) 14.

10 Nisbet 1990 (n 4) pp. 3–4; A.J. Cherlin, 'Goode's "World Revolution and Family Patterns": A Reconsideration at Fifty Years' (2012) 38 (4) *Population and Development Review* 577–607, 580, 581; see for progress towards the atomistic family C.C. Zimmerman, *Family and Civilization* (Wilmington Delaware: ISI Books, 2008) pp. 124, 247–49; in general on progress see J.B. Bury, *The Idea of Progress* (New York: Cosimo Classics, 2008); R.A. Nisbet, *History of the Idea of Progress* (New York: Basic Book, Inc. Publishers, 1980); see also Arendt (n 4) 100, 101 on progress theory.

11 See S. Coontz, *Marriage, a History, How Love Conquered Marriage* (New York: Penguin Group, 2005) p. 25; See for more on this evolution J. Witte Jr., *From Sacrament to Contract, Marriage, Religion, and Law in the Western Tradition* (Kentucky: Westminster John Knox Press, 1997) pp. 194–215.

“healthy” . . . the result should be happier marriages’.¹² Central to the autonomous marriage is the nuclear family, otherwise known as the conjugal or the atomistic family.¹³ The dissolving of the extended family into the nuclear family is also seen as a marker of modernity and progress.¹⁴ Modernity signifies improvement, including modernity in the way one marries.¹⁵ Through modernization, arranged marriage will be replaced by self-chosen unions.¹⁶ ‘[A]lthough Western ideas about the family are often opposed or resisted at first, many of these ideas are nevertheless adopted, often in modified forms, because the Western style family is so closely associated with development.’¹⁷ And while this theory may have its critics,¹⁸ this article claims that it still holds ground as regards arranged marriage.

As suggested by the convergence theory and developmental paradigm,¹⁹ the arranged marriage is held to the expectation that it will one day adapt to the Western ways, and advance into the autonomous marriage, as a sign of emancipation, of progress.

Until then, the arranged marriage appears lacking in those very features so particular of the autonomous marriage: free choice, individual energy, emphasis on the idiocentric conjugal union and the self-centred nuclear family. Literature magnifies those very features and puts the arranged marriage to the test: can it fulfil standards of full and free autonomy? Failing to do so turns the arranged marriage into something faulty. The arranged marriage culture is seen as ‘deficient’ and ‘deformed’.²⁰ It becomes the ‘other’.²¹ ‘[T]he “Orient” is constructed and represented in the binary opposition against the Occident as the “Other”.’²² This binary distinction ‘[p]robably contributes to the discursive portrayal of arranged marriages as certainly less than and other to mainstream marriage practices’.²³

12 X. Xiaohe and M. King Whyte, ‘Love Matches and Arranged Marriages: A Chinese Replication’ (1990) 52 (3) *Journal of Marriage and the Family* 709–22, 709.

13 See for these terms W.J. Goode, *World Revolution and Family Patterns* (New York: The Macmillan Company, 1970) p. 1, and Zimmerman (n 10) pp. 30–36.

14 A. Thornton, *Reading History Sideways: The Fallacy and the Enduring Impact of the Developmental Paradigm on Family Life* (Chicago: University of Chicago Press, 2005), as referred to by Cherlin (n 10) 581; see also, K. Allendorf and R.K. Pandian, ‘The Decline of Arranged Marriage? Marital Change and Continuity in India’ (2016) 42 (3) *Population and Development Review* 435–464, 435.

15 Cherlin (n 10) 581.

16 Allendorf and Pandian (n 14) 435.

17 Thornton (n 14), as referred to by Cherlin (n 10) 593.

18 Cherlin (n 10) 594.

19 On the ‘convergence theory’, see Goode (n 13) and Cherlin (n 10); on ‘developmental paradigm’ see Thornton (n 14) as referred to by Cherlin (n 10) 581; see also A. Shaw, *A Pakistani Community in Britain* (Oxford: Basil Blackwell, 1988) pp. 2, 3 on the expected disappearance of Pakistani migrants’ culture.

20 M. Enright, ‘Choice, Culture and the Politics of Belonging: The Emerging Law of Forced and Arranged Marriage’ (2009) 72 (3) *The Modern Law Review* 331–59, 338.

21 R. Pande, ‘Becoming Modern: British-Indian Discourses of Arranged Marriages’ (2016) 17 (3) *Social & Cultural Geography* 380–400, 384; see on consequence of ‘othering’ of migrants, Pande (n 1) 75; Shariff (n 1) 562.

22 E. Said, *Orientalism* (New York: Penguin, 1978) as referred to by S.R. Moosavinia et al, ‘Edward Said’s *Orientalism* and the Study of the Self and the Other in Orwell’s *Burmese Days*’ (2011) 2 (1) *Studies in Literature and Language* 103–13, 104.

23 Pande (n 21) 384.

The social principles of individual freedom and autonomy are given much weight in perspectives on the arranged marriage. However, such principles are not neutral. They are ‘European values, assumptions, cultural codes’, are ‘culturally-determined and biased’, and offer ‘limited historical perspectives’,²⁴ providing a lens through which the arranged marriage is evaluated. There then, is a free-choice system at one end of the spectrum, a space that cannot be shared with the arranged marriage, for that is a parent-orchestrated endeavour and parents’ ‘subtle coercion has a tainting effect on the child’s quality of choice’.²⁵ Thus emerges at the other end of the spectrum the not so free system called the arranged marriage.

Of course, the arranged marriage is certainly not considered a forced marriage in the studied literature—though media often equate the two.²⁶ However, literature on the arranged marriage frequently mentions forced unions and thus frequently connects arranged marriage to forced marriage. Besides, an overlap between arranged and forced marriage is often recognized and referred to as a ‘grey area’ with the potential of ‘slippage:’ the slightest increase of duress can lead the arranged marriage to ‘slip’ into a forced one.²⁷ The arranged marriage is always haunted by force.

The heightened attention to freedom and the lack thereof highlights consent, arguably the most important legal principle the arranged marriage is expected to prove. This consent must be full and free.²⁸ A recurring question in literature is whether arranged marriage supports full and free consent.²⁹ If consent is present, the union is considered an arranged marriage. Without consent the union is considered coerced. Consent separates arranged marriage from forced marriage.³⁰ This leads to a pre-occupation in legal and policy discourse with the presence of consent and the absence of coercion in the arranged marriage.³¹ The presence of consent and the absence of coercion determine the value of the arranged marriage. In essence, the arranged marriage is framed in yet another binary: that between consent versus coercion, a binary that is damaging and limiting.³² The culture of the arranged marriage in itself becomes problematic.³³ This culture needs to prove constantly that there is

24 Moosavinia et al, (n 22) 104; Said (n 22).

25 P.J. Gagoomal, ‘A “Margin of Appreciation” for “Marriages of Appreciation”: Reconciling South Asian Adult Arranged Marriages with the Matrimonial Consent Requirement in International Human Rights Law’ (2009) 97 *The Georgetown Law Journal* 589–620, 601; compare Shariff (n 1) 557.

26 E.g.: ‘I fled in just the clothes I was wearing’: How one Muslim woman escaped arranged marriage, *Mirror*, 17 September 2012; L. Harding, ‘Student Saved from Arranged Marriage’, *The Guardian*, 14 March 2000, as referred to by R. Penn, ‘Arranged Marriages in Western Europe: Media Representations and Social Reality’ (2011) 42 (5) *Journal of Comparative Family Studies* 637–50, 639, for more examples, see 639–41; see also Aguiar (n 1) 11, 12.

27 Enright (n 20) 332; Shariff (n 1) 557; Anitha and Gill (n 1) 171; G. Gangoli et al, *Forced Marriage and Domestic Violence among South Asian Communities in North East England* (Bristol: University of Bristol, Northern Rock Foundation, 2006), as referred to by Anitha and Gill (n 1) 167.

28 Universal Declaration of Human Rights (UDHR), G.A. Res. 217A, (III), U.N. Doc A/810, 10 December 1948, Article 16 (2); International Covenant on Civil and Political Rights (ICCPR), G.A. Res. 2200A (XXI), 16 December 1966, Article 23 (3); International Covenant on Economic, Social and Cultural Rights (ICESCR), G.A. Res. 2200A (XXI), 16 December 1966, Article 10 (1).

29 Aguiar (n 1) 11–13, see also Anitha and Gill (n 1); Shariff (n 1).

30 Aguiar (n 1) 11, 67.

31 Anitha and Gill (n 1); Aguiar (n 1) 67.

32 Anitha and Gill (n 1); Aguiar (n 1) 13, 14; Shariff (n 1).

33 Enright (n 20) 338.

no coercion involved. In addition, the binary is limiting in a different sense too. Consent, full and free is a human rights standard,³⁴ as well as a legal tool to declare the legitimacy of marriage as an uncoerced union.³⁵ Yet, consent as it operates in the law is given a ‘Western individualistic bent’.³⁶ As such, read in ‘plain language’ ‘only “free market” or choice marriages — a hallmark of Western societies — meet the “free and full” requirement because “there is nothing to prevent men and women from taking spouses which do not meet their families” approval’.³⁷

Arranged marriage contexts do not evolve around the freeing of individual energy. They are characterized by collective dynamisms with a particular ‘distribution of power and wider familial and community involvement’.³⁸ ‘The arranged marriage process, heavily reliant on parental and sometimes extended family input, fails to measure up to the requirements of free and full consent.’³⁹ The attention given to full consent ignores that something given an individualistic bent is a strange bed-fellow in a system that is not primarily or fully individualistic, nor aims to be. Consent is a universal principle which certainly has its place in the arranged marriage system. Yet, the language of consent in the discourse on arranged marriage is an expression of the ‘rational individual with free will’⁴⁰ or the ‘free self’.⁴¹ It is the language of an atomistic individual, of ‘an autonomous agent who is able to choose and act freely’.⁴² This is not the language of a member deeply engrained in community belonging, duty, and purpose.

To reiterate, individual autonomy, including the right to consent, dictates the pre-occupation in literature on arranged marriage. Notions such as agency, control, freedom to date, freedom to reject a selected candidate, negotiating power, the right of marital subjects to fall in love, choice and the freedom to self-select, receive profound consideration as a consequence.

In this regard, it is illustrative that arranged marriage is often categorized in types which reflect differing amounts of yet again this very notion of individual autonomy. There are three main types of categorization: traditional, semi-arranged, or love-arranged marriage types.⁴³ Arranged marriages earmarked as traditional are described as offering no or very little involvement by the young,⁴⁴ as if involvement or the lack

34 UDHR (n 28); ICCPR (n 28); ICESCR (n 28).

35 Aguiar (n 1) 13.

36 Gagoomal (n 25) 611.

37 R.W. Hodge and N. Ogawa, ‘Arranged Marriages, Assortative Mating and Achievement in Japan,’ in Nihon University Population Research Institute, Research Paper, Series No. 1986, as referred to by Gagoomal (n 25) 601.

38 Shariff (n 1) 562; see also Anitha and Gill.

39 Shariff (n 1) 557.

40 Aguiar (n 1) 67; see also Anitha and Gill (n 1) 171.

41 Anitha and Gill (n 1) 171.

42 Anitha and Gill (n 1) 171; see also Thompson et al, (n 4) 7 on the ‘individualistic social context’.

43 See for a slightly different categorization R.B. Qureshi, ‘Marriage Strategies among Muslims from South Asia’ 1991 10 (3) *The American Journal of Islamic Social Sciences*, as referred to by A.U. Zaidi and M. Shuraydi, ‘Perceptions of Arranged Marriages by Young Pakistani Muslim Women Living in a Western Society’ 2002 33 (4) *Journal of Comparative Family Studies* 495–514, 496.

44 Qureshi (n 43) as referred to by Zaidi and Shuraydi (n 43) 496; Gagoomal (n 25) 592; Cherlin (n 10) 589; see also for modified traditional types, Shariff (n 1) 558; H. Siddiqui, ‘Review: Winning Freedoms’ (1991) 37 *Feminist Review* 78, 81, as referred to by Enright (n 20) 340, ft 45; see also R. Pande,

thereof is the only feature of traditional arranged marriage. Semi-arranged or hybrid types, also known as joint-venture types, point to control shared by the elders and the young alike,⁴⁵ which again only emphasize this control as a shared element, as if nothing is of any relevance other than *control*. Finally, the love-arranged types are embodiments of near full individual control and individual love.⁴⁶ This categorization according to a 'sliding scale of control'⁴⁷ does not highlight what the arranged marriage in general is or what it offers, other than control, to those practising it. Some authors even reject 'arranged' as a word to describe this marital system, as this word suggests a lack of control.⁴⁸ Individual control has become a dominating feature by which arranged marriage is judged. But it is again agency and control towards more autonomy that academics are consumed with and not agency or autonomy towards more traditional features arranged marriage offers. Those are simply ignored or not sought for. Those remain irrelevant and underexamined.

There could only be one reason why social principles that are founded upon the philosophy of idiocentrism and the freeing of individual energy, are tirelessly sought in a system that thrives on allocentrism, group-belonging and honour for group loyalty. Arguably, the arranged marriage culture only seems to satisfy the Eurocentric mind if it contains the same recognizable ingredients as the autonomous marriage culture. And as it does not, the arranged marriage represents a lesser marital version than the prized autonomous marriage.

2. Biased Definitions of Arranged Marriage

The above bias is reflected in descriptions and definitions of the arranged marriage. Many descriptions or definitions only really offer information as to who selects the mate, eg 'parent orchestrated alliances',⁴⁹ or 'marriages that are instigated by the family',⁵⁰ or 'arranged by family members or respected members in the religious or

'I Arranged my Own Marriage': Arranged Marriages and Post-colonial Feminism' (2015) 22 (2) *Gender, Place & Culture* 172–87, 175; S.P. Wakil et al, 'Between Two Cultures: A Study in Socialization of Children of Immigrants' (1981) 43 (4) *Journal of Marriage and Family* 929–40, 935; see also Ahmad (n 1).

- 45 Qureshi (n 43), as referred to by Zaidi and Shuraydi (n 43) 496; S.A. Patel, *An Exploratory Study of Arranged-Love Marriage in Couples From Collective Cultures* (Dissertation Northern Illinois University, Ann Arbor: ProQuest LLC) 2016, 10; J. Kapur, 'An Arranged Love Marriage: India's Neoliberal turn and the Bollywood Wedding Culture Industry' (2009) 2 *Communication, Culture, and Critique* 221–33, as referred to by Patel 10; Cherlin (n 10) 590; Shariff (n 1) 558.
- 46 Shariff (n 1) 558; S. Seymour, *Women, Family, and Child Care in India: A World in Transition* (Cambridge: Cambridge University Press, 1999) p. 212, as referred to by Kandelwal (n 1) 595; K. Kezuka, 'Late Marriage and Transition from Arranged Marriages to Love Matches: A Search-theoretic Approach' 2018 42 (2) *The Journal of Mathematical Sociology* 237–56, 237; N.D. Manglos-Weber and A.A. Weinreb, 'Own-Choice Marriage and Fertility in Turkey' (2017) 79 (2) *Journal of Marriage and Family* 372–89, 373; Pande (n 21) 389.
- 47 Shariff (n 1) 558, who refers to M. Stopes-Roe and R. Cochrane, *Citizens of this Country: The Asian-British* (Clevedon: Multilingual Matters, 1990).
- 48 Ahmad (n 1) 195, 200; M.J. Bhatti, *Questioning Empowerment: Pakistani Women, Higher Education & Marriage* (Dissertation University at Buffalo, State University of New York, 2013) 153.
- 49 R. Huch, 'Romantic Marriage', in H. Keyserling ed., *The Book of Marriage: A New Interpretation by Twenty-four Leaders of Contemporary thought* (New York: Harcourt, Brace & Company, 1926) pp. 168, 177, as referred to by Gagoomal (n 25) 607/n 112.
- 50 S. Davé, 'Matchmakers and Cultural Compatibility: Arranged Marriage, South Asians, and American television' (2012) 10 (2) *South Asian Popular Culture* 167–83, 168.

ethnic community'.⁵¹ Other definitions view the arranged marriage from a biased Eurocentric appreciation. These definitions accentuate 'individualizing tendencies'.⁵²

While there is nothing wrong with individuation and autonomy, especially if so desired by those involved in arranged marriages,⁵³ headlining these modern notions points to a Eurocentric domination as to how the arranged marriage ought to be valued. Simultaneously, such one-sided promotion undervalues notions that cannot be grouped under 'individualizing tendencies' and the freeing of individual energy.

A case in point are the following definitions. Arranged marriages are featured as those 'in which the spouses are chosen for one another by *third* parties to the marriage such as parents or elder relatives',⁵⁴ or 'the partners to which are chosen by *others*, usually their parents'.⁵⁵ In these definitions elders are referred to as 'third parties' or 'others'. These wordings seem innocent, yet they are not. They suggest that marital subjects are the 'first parties'. This qualification is justified if marriage is perceived to be an alliance between individuals, which is the case in the autonomous marriage system. This qualification is not correct if marriage is seen as an alliance between (extended) families, which emerges in the arranged marriage system.⁵⁶ 'First' parties suggests a hierarchy above '*third*' parties, which is not an attribute of the arranged marriage system where singular members of the group, in this case the marital agents, are not valued above the elders or generally above one's group. Similarly, mentioning that 'parents *rather* than spouses' or 'two families *rather* than individuals'⁵⁷ contract a marriage is again pointing to a Eurocentric preference for self-selection.

Other definitions amplify attention to the individual more explicitly. For example in the definition 'marriage arranged by the families of the individuals',⁵⁸ the individual is seen as a separate entity, while, as we shall learn in Section III, a 'tradition directed person . . . hardly thinks of himself as an individual'.⁵⁹ Indeed, '[t]he ideology that underpins a South Asian "arranged" marriage is that obligations to one's immediate and more extended family have priority over personal self-interest'.⁶⁰ Ignoring this, is judging the arranged marriage from a 'Western individualistic bent'.⁶¹ In the same vein, many definitions contain the words 'control', 'agency' 'choice,' which all emphasize individual autonomy as the standard and which in effect draw attention to arranged marriage as primarily a space where marital agents negotiate increasing amounts of individual control. Other definitions refer to this 'control'

51 F.B. Ternikar, *Revisioning the Ethnic Family: An Analysis of Marriage Patterns Among Hindu, Muslim, and Christian South Asian Immigrants* (Dissertation, Chicago, Illinois, August 2004) 41.

52 Ahmad (n 1) 206, see also 207.

53 See among others Ahmad (n 1) and Aguiar (n 1).

54 Enright (n 20) 331, italics added.

55 Pande (n 21) 384, italics added, referring to the Oxford English Dictionary.

56 K. Charsley and A. Shaw, 'South Asian Transnational Marriages in Comparative Perspective' (2006) 6 (4) *Global Networks* 331–44, 335; Zaidi and Shuraydi (n 43) 496.

57 Zaidi and Shuraydi (n 43) 496; see also Penn (n 26) 637.

58 Zaidi and Shuraydi (n 43), 496 (italics omitted).

59 D. Riesman et al, *The Lonely Crowd: A Study of the American Changing Character* (New Haven: Yale University Press, 1961) p. 17.

60 A. Shaw, 'Kinship, Cultural Preference and Immigration: Consanguineous Marriage Among British Pakistanis' (2001) 7 (2) *Royal Anthropological Institute* 315–34, 323.

61 Gagoomal (n 25) 611.

highlighting dominion and power, suggesting that the arranged marriage is a battlefield between the elders and the young: ‘Traditional arranged marriage placed considerable power in the hands of the parents, and in particularly the father’.⁶² Or, ‘In “traditional” societies, parents or the extended family dominate marriage choices’.⁶³ The power difference referred to suggests there are two parties with opposing aims and interests, which again is not an insightful reflection of unified interests so characteristic of group cultures. Also, culture here is presented as merely problematic: a father’s or parent’s role is that of power or domination, with negative connotations, and not much else.

A third set of definitions emphasizes the changing and flexible arranged marriage types, especially towards offering more control to the individual. It seems as if the arranged marriage is trying to prove that it is very capable of accommodating modernity and is progressive and evolving, for it has choice, agency, room for dating and romance, or the right of marital agents to say ‘no’ at any stage of the arrangement. This latter is illustrated well by Ahmad’s words referring to marriage as a dynamic process: ‘a family-facilitated introduction of a potentially suitable matched prospective candidate followed by a managed pattern of courtship prior to a potential, and agreed to marriage’.⁶⁴ Her words seem to suggest that the only acceptable arranged marriage is a progressive arranged marriage, one that resembles the autonomous marriage.

Love too, when mentioned, generally suggests lovelessness in arranged marriage as opposed to true love in autonomous marriage.⁶⁵ Arranged marriages are contrasted to marriage where there is romantic love⁶⁶ or to ‘love marriages’ based on romantic attachment between the couple’.⁶⁷ Arranged marriages when ‘a couple validates its love choice to their respective families’⁶⁸ would be termed love-arranged or western type marriages. One commonly held view is that love will (hopefully) grow in arranged marriage as time passes.⁶⁹ Reference to ‘marriage, then love’,⁷⁰ supports this theory. Or when ‘love is not forthcoming’ the couple ‘are increasingly supported to divorce . . .’.⁷¹ In these examples it is yet again the love between the spouses, primarily romantic, sensual love, or individual affection that is stressed, which again celebrates the love so typical in the autonomous marriage system.⁷²

62 G.W. Jones, *Changing Marriage Patterns in Asia* (Working Paper, Asia Research Institute, Series 131, 2010) 4.

63 P. Wood, ‘Marriage and Social Boundaries among British Pakistanis’ (2011) 20 (1) *Diaspora* 40–64, 41.

64 Ahmad (n 1) 200.

65 Charsley and Shaw (n 56) 338; Khandelwal (n 1).

66 Davé (n 50) 167, 168.

67 Charsley and Shaw (n 56) 338.

68 M. Aguiar, ‘Cultural Regeneration in Transnational South-Asian Popular Culture’ (2013) 84 *Cultural Critique* (2013) 181–214, 183.

69 Aguiar (n 1) 7.

70 A. Patel, ‘Marriage, then Love — Why Arranged Marriages Still Work Today,’ *Global News*, 26 July 2018.

71 K. Qureshi et al, ‘Marital Instability among British Pakistanis: Transnationality, Conjugalities and Islam’ (2014) 37 (2) *Ethnic and Racial Studies* 261–79, 276.

72 Pande (n 1) 75; for more on this love see K. Bejanyan et al, ‘Associations of Collectivism with Relationship Commitment, Passion, and Mate Preferences: Opposing Roles of Parental Influence and Family Allocentrism’ (2015) 10 (2) *PLoS ONE* 1–24, 3; Goode (n 13) 9, 12; Coontz (n 11) 149; Compare Zimmerman (n 10) 39.

Families that are not conjugal have valued 'not affection, but duty, obligation, honour, mutual aid, and protection . . .'.⁷³ Such love for family or culture or any type of gift-love⁷⁴ are hardly mentioned in descriptions of arranged marriage. Even when 'companionate' love features, the focus remains on the spouse's companionship for one another, and not for any(thing) other. Arguably the Eurocentric perspective holds little regard for other loves than the romantic.

3. Evaluation of Biased Science on the Arranged Marriage

The manner in which the arranged marriage is described in the literature studied is a marker of recognizing the arranged marriage as worthwhile only in so far it mirrors the characteristics of the autonomous marriage system. The words employed to describe the arranged marriage reflect autonomy-related values, but exclude community-related values that are foundational to the arranged marriage system. The arranged marriage is thus undervalued for the fundamental characteristics upon which it rests. These are ignored, not understood, arguably misunderstood, if at all known. Set against the autonomous marriage, the arranged marriage then becomes the other, deficient, deformed, a marriage of shortcomings, a marriage lacking in freedom and a marriage that is catching up and trying to prove it is not as traditional, thus not so backwards or rigid as analysts of the arranged marriage suggest.

The arranged marriage proper then remains a much understudied marital system and can only be understood by abandoning the binary approach and adopting a neutral lens. One needs 'to turn the picture round' as Tocqueville puts, in his eloquent study of aristocratic systems.⁷⁵ Such an aristocratic system is the arranged marriage, as we shall learn below.

III. UNDERSTANDING ARRANGED MARRIAGE

As mentioned before, arranged marriages are frequently categorized in types, varying from traditional to hybrid to loosely arranged modern versions. They are frequently studied individually, through empirical research which offers a rich, complex, and varied analysis of arranged marriage practices, in diaspora communities, transnational communities as well as in communities and cultures around the world that are globalizing and are in transition. Yet, while all arranged marriages are arguably different, all do share a basic set of similarities. This section aims to bring these to the surface, drawing on sociology, so as to arrive at an ideal type of the arranged marriage.

The arranged marriage as an ideal type is a theoretical construct.⁷⁶ The ideal type emphasizes typical features of the arranged marriage, which all concrete individual arranged marriages share with one another and which are presented 'into a unified analytical construct'.⁷⁷ As such the ideal type, 'in its conceptual purity . . . cannot be

73 R.A. Nisbet, *Twilight of Authority* (Indianapolis: Liberty Fund, Inc. 2000) 235.

74 C.S. Lewis, 'The Four Loves' in C.S. Lewis (ed.), *Selected Books* (London: Harper Collins, 1999) pp. 5, 15.

75 A. de Tocqueville, *La Démocratie en Amérique* (Paris: Gallimard, 1961, 2 vols.), English Translation by H. Reeve: *Democracy in America* (London: 1875) as referred to by Dumont (n 4) 17.

76 Compare the ideal type of the conjugal family, Goode (n 13) 7.

77 Weber (n 3) 191, translation by H. Ross, *Law as a Social Institution* (Oxford: Hart Publishing, 2001) p. 34.

found empirically anywhere in reality'.⁷⁸ 'It is a utopia'.⁷⁹ Yet, it is a necessary tool to bring to the surface a neutral, unbiased understanding of the arranged marriage. It is also a 'measuring rod'⁸⁰ to measure the reality of cultural differences or change the arranged marriage system is constantly undergoing.⁸¹

Before I proceed, it is vital to address academic opposition against the essentialization of the arranged marriage system. This essentialization is criticized as it captures the arranged marriage in a binary opposition with the autonomous marriage, idealizing the autonomous marriage and 'othering' the arranged marriage. This essentialization exaggerates cultural difference.⁸² It portrays the arranged marriage as a rigid, static, unchanging, unnuanced system.⁸³ It 'assumes the complete hold over the migrant of traditional gender and family norms by underscoring the foreignness of . . . arranged marriages'.⁸⁴ Authors opposing this essentialization are quick to point out that the arranged marriage is a dynamic and highly flexible system, that is able to accommodate change, modernization, individualizing tendencies, agency, romantic love and negotiating spaces, in which especially women assume more control in their endeavours to navigate around victimization by patriarchy.⁸⁵

What these scholars are in actual fact doing, unknowingly, is trying to exhibit to the Eurocentric mind evidence that the arranged marriage resembles the autonomous marriage. These authors demonstrate that the arranged marriage is very capable of upholding choice, agency, and control. These authors preoccupy themselves with bringing those qualities in the arranged marriage to the surface of their research. Sequentially, traditional features of this marital system remain understudied.

This section will not essentialize the arranged marriage system from a Eurocentric viewpoint for it desires not to repeat the othering of the arranged marriage. It will not try to prove that the arranged marriage is a flexible modern institution able to accommodate a constant flux of variety and diversity. As valuable as an investigation of that change may be, one cannot study the arranged marriage by studying how it absorbs constant flux. '[W]eber defines reality as an "infinite flux" which cannot be apprehended in its totality'.⁸⁶ One cannot apprehend arranged marriage on its fundamental shared characteristics if only the constant flux and change towards autonomy dominate academic engagement.

Despite being diverse and different on individual level, there are common qualities that make a marriage an arranged marriage and thus a largely unexamined ideal type of the arranged marriage will be examined in Section III of this article. The rich diversity between cultures, countries, social and economic classes, between religions

78 Ibid.

79 Ibid.

80 L.A. Coser, *Masters of Sociological Thought* (New York: Harcourt Brace Jovanovich, 1977) p. 223.

81 Compare Goode (n 13) 7.

82 Khandelwal (n 1) 584, 586, 605.

83 Ahmad (n 1) p. 194; Pande (n 21) p. 384; see also R. Mohammad, 'Transnational Shift: Marriage, Home and belonging for British-Pakistani Muslim Women' (2015) 16 (6) *Social & Cultural Geography* 593–614, 596.

84 Pande (n 44) 172, 183; Pande (n 21) 384.

85 Khandelwal (n 1); Ahmad (n 1); Pande (n 1); Mohammad (n 83); Pande (n 44) 181.

86 S.J. Hekman, *Weber, the Ideal Type, and Contemporary Social Theory* (New York: University of Notre Dame Press, 1983) p. 20.

and religious denominations, between those that have migrated and those that have not, as well as the constant evolution of the arranged marriage, will be left to the efforts of other scholars.⁸⁷

At its core, all arranged marriage cultures have marriage arrangers, whether these arrangers operate on their own or co-jointly with the marital agents. All marriage arrangers are senior members of the family or community, whether these arrangers operate on their own or co-jointly with the marital agents. All arranged marriage cultures value marriage to be arranged by these senior marriage arrangers, whether these arrangers operate on their own or co-jointly with the marital agents. All arranged marriage cultures consider mate selection to be not primarily the responsibility of the marital agents, whether they share this responsibility substantially or subtly with the marital agents. All arranged marriage cultures consider mate-selection physically and mentally risky, shameful and burdensome for the young to be engaged in, whether the young engage themselves in such matters or not. Family is placed central to marriage in all arranged marriage cultures, as they all consider marriage an alliance between families, whether or not the marital agents emphasize their conjugal alliance above that of the family's. All arranged marriages guard against an incoming candidate harming family unity or family interests. Objective reasons for marrying are always valued as these support aforementioned family unity and interests, regardless of whether there is room for individual desire and preference. Finally, all arranged marriages are voluntarily accepted by marital agents on the basis of legitimate parental guidance and authority.

As such, all arranged marriage cultures are hierarchical cultures, as they accord different roles and responsibilities to the elders and to the younger ones of a group; they are group cultures that strongly incorporate its members through loyalty to the group and its interests; they are all driven by parental guardianship and authority, rooted in protection, providence and voluntary compliance. These principles of community, hierarchy, guardianship and authority are foundational to the 'way of life'⁸⁸ of the arranged marriage system, and will be explained below.

1. Arranged Marriage is a Community Oriented System

Literature frequently makes reference to arranged marriage cultures as collectivist, community oriented, occurring in extended families, whether there is individualism or not.⁸⁹ Marriage concerns the whole family and families are characteristically extended with extended kinship ties.⁹⁰ Marriage choices 'have a far-reaching impact upon . . . relatives, affecting the futures and socio-economic positions of a much

87 For existing analyses on the topic, see Goode (n 13); D. Mace and V. Mace, *Marriage East and West* (London: Macgibbon and Kee, 1960); for marriages and caste in India, see Dumont (n 4); for Pakistani immigrants in Oxford and arranged marriages, see Shaw (n 19); see also Pande (n 45); Ahmad (n 1); Aguiar (n 1).

88 Thompson et al (n 4) 1.

89 See e.g. Aguiar (n 1) 15, 25, 139–44; G.L. Fox, 'Love Match and Arranged Marriage in a Modernizing Nation: Mate Selection in Ankara, Turkey' (1975) 37 (1) *Journal of Marriage and Family* 180–93, 181; Lee and Stone (n 6) 320; Kezuka (n 46).

90 Lee and Stone (n 6) 320; see also Mate selection theories, Encyclopaedia of Sociology, The Gale Group Inc., Encyclopedia.com: <https://www.encyclopedia.com/social-sciences/encyclopedias-almanacs-transcripts-and-maps/mateselection-theories> (last visited 14 July 2019).

wider range of kin than just parents and children'.⁹¹ Beyond the conjugal alliance, marriage creates alliances between a variety of family-members.⁹² 'Strategic marriage choices enable social mobility even within the extended kinship network.'⁹³ Fox argues that arranged marriage preserves family unity, 'by felicitous selection of the new spouse' which 'allows for the furtherance of political linkages and/or economic consolidation between families . . . it helps keep families intact over generations; and . . . it preserves family property within the larger kin unit'.⁹⁴ Objective selection criteria are emblematic of the families' desire to preserve a stable family. 'Parents usually assess the reputation, economic standing and personalities of the potential in-laws and the educational level and occupation of the potential groom or bride.'⁹⁵ The strong emphasis on pragmatic, unromantic reasons that guide mate-selection are considered wise: the new conjugal addition must suit family background and thus fit harmoniously into its organization.⁹⁶ As such, extended families remain strong in the social order. Less attention is paid therefore to subjective love. One learns that spousal love may come as martial time goes by.⁹⁷ This need not be romantic, it may as well be love in a 'more all-encompassing sense'.⁹⁸ Typical of group cultures is that '[i]ndividual choice . . . may be constricted either through requiring that a person be bound by group decisions or by demanding that individuals follow the rules accompanying their station in life'.⁹⁹ The individual is 'sacrificed'.¹⁰⁰ 'The tradition-directed person . . . hardly thinks of himself as an individual.'¹⁰¹ He is a 'collective being' not a 'particular being'.¹⁰² But such sacrifice 'is more than offset by the advantages of fulfilling one's role within the family . . .'.¹⁰³

2. Arranged Marriage is a Hierarchical System

The mere fact that marriage arranging requires some element of wisdom, experience and providence, suggests hierarchy. Not everyone is suited to make marriage choices, certainly not young children and this applies to all cultures, whether autonomous or arranged. In the latter culture, arranging marriages is a responsibility bestowed upon elders, mostly parents of the marital agents.¹⁰⁴ Elders, given their status and rank, are considered most able, equipped, wise and well connected to undertake the grave and delicate task of mate selection. It is their proper place to screen and select mates and it is the proper place of the young to trust and respect the judgment of the elders in this regard. Pande points to a case of a young woman called Shabnam appreciating

91 Shaw (n 60) 325.

92 See eg Goode (n 13) pp. 240, 241; R.O. Blood, *The Family* (New York: Free Press, 1972) pp. 293–96, as referred to by Fox (n 89) 187.

93 A. Shaw, 'Drivers of Cousin Marriage among British Pakistanis' (2014) 77 *Human Heredity* 26–36, 31.

94 Fox (n 89) 181.

95 Shaw (n 93) 31.

96 See also Fox (n 89) 181; Lee and Stone (n 6) 320.

97 Aguiar (n 1) 7.

98 Gagoomal (n 25) 611; Lewis (n 74) 5, 15 in general on gift-love.

99 Thompson et al. (n 4) 6, referring to the grid-group analysis.

100 Tocqueville vol 2 (n 76) 90–92, as referred to by Dumont (n 4) 17; Shaw (n 19) 6.

101 Riesman et al (n 59) 17.

102 Dumont (n 4) 7.

103 Shaw (n 19) 6, referring to immigrant Pakistanis.

104 Lee and Stone (n 6) 320.

this 'proper place' as she would never directly go up to her parents with her marriage wishes as 'parents deserve their *izzat*'¹⁰⁵ (respect NT). And while elders are given the privilege of mate selection, they do not and may not select for their own benefit, but in the best interests and the good of the group,¹⁰⁶ into which are incorporated the interests and the good of the marital agents.¹⁰⁷

Arranged marriage cultures are thus hierarchical.¹⁰⁸ To understand arranged marriage, is to understand hierarchy. Yet, the social principle of hierarchy does not sit well with the Western mind.¹⁰⁹ The western mind views society from the lens of equality and freedom and hierarchical systems lack equality and freedom. Thus arranged marriage is rejected: it is a space where parents have the 'power' and upper hand and 'dominate' in marriage choices.¹¹⁰ Arranged marriage becomes nothing more than a 'chain of command'¹¹¹ or a 'power hierarchy'.¹¹² However, as Dumont argues, this is not true hierarchy.¹¹³ To understand hierarchy one must 'detach . . . from egalitarian societies'.¹¹⁴ One must view hierarchical systems on its own merits, in an organic manner.¹¹⁵

'[H]ierarchy. comes from the very functional requirements of the social bond.'¹¹⁶ Literature offers the organism, a whole or the body as a metaphor to understand hierarchical systems.¹¹⁷ Hierarchy is 'the principle by which the elements of a whole are ranked in relation to the whole'.¹¹⁸ The whole body and its parts are strongly bound together by rules,¹¹⁹ social control,¹²⁰ and a common value system.¹²¹ One accepts as necessary the rank order and the fulfilment of distinct obligations—without this the whole cannot function as it is supposed to function.¹²² Decisions are taken by the most able in the interests of the whole and its parts.¹²³ The most able are the guardians and guardianship and hierarchy are strongly intertwined.¹²⁴

Families in arranged marriage cultures are organized hierarchically, with each member aware of its own and other's status and social ranking,¹²⁵ with each member

105 Pande (n 44) 177.

106 Lee and Stone (n 6) 320 see also Fox (n 89) 181.

107 See for various examples Gagoomal (n 25) 615, 617, 618.

108 G.P. Monger, *Marriage Customs of the World: From Henna to Honeymoon* (Santa Barbara, California: ABC-CLIO, 2004) 13.

109 Dumont (n 4) 2, 239, 19, 20; Nisbet (n 73) 217.

110 Jones (n 62) 4; Wood (n 63) 40–64, 41.

111 P. Crone, *Pre-Industrial Societies* (Oxford: Oneworld Publications, 2003) p. 99; Dumont (n 3) 19.

112 Dumont (n 4) 19.

113 *Ibid.*, 19.

114 *Ibid.*, 17, 2.

115 Compare Crone (n 111) p. 104 on an organic view of society.

116 Nisbet (n 73) 217.

117 Dumont (n 4) 66, 240, 243, 244; Crone (n 111) pp. 99, 107; Thompson et al (n 4) 59.

118 Dumont (n 4) 66.

119 Thompson et al (n 4) 6.

120 *Ibid.*, (n 4) 6.

121 T. Parsons, 'A Revised Analytical Approach to the Theory of Social Stratification' in R. Bendix et al (eds.), *Class, Status and Power* (London: Glencoe, 1954), as referred to by Dumont (n 4) 19.

122 Thompson et al (n 4) 6; Dumont (n 4) 17–19; see in general on guardianship Dahl (n 4) 52–64, 73.

123 Parsons (n 121), as referred to by Dumont (n 4) 19, see also 239, 240.

124 Dahl (n 4) 52.

125 Monger (n 108) 13.

submitting to 'group control' and fulfilling 'socially imposed roles',¹²⁶ with each member keeping in one's proper place, honouring order,¹²⁷ and subject to a 'hierarchical interdependence'.¹²⁸ It is deeply understood that elders arrange marriages—it is their obligation to find matches from good families, and to exercise control as to who joins the family.¹²⁹ This applies whether or not they share this task with the marital agents. 'From the viewpoint of many parents, arranging and seeing through your children's marriages is a primary duty, to the extent that your role as a parent is unfulfilled until this duty is accomplished.'¹³⁰ It is 'a matter of great family honour.'¹³¹ It is a necessity too as 'marriage normally confers the statuses of wife and husband, which have been and still are regarded in many societies as necessary to being seen as an adult rather than as a child'.¹³² It is only through marriage that intimate life with a stranger turned into family is legitimate. So, the young depend on the patronage of the elders.¹³³ Amber, a twenty-four year old student 'sought her parent's intervention stating it was their 'responsibility'.¹³⁴ Elders are not to abandon this role, nor to share it with the less qualified. They too are answerable to tradition and community.¹³⁵ But they are bound also, as good guardians and figures of authority, to choose wisely and in the best interest of the child.¹³⁶ Below a further exploration will be provided on guardianship, which is 'a standard justification for hierarchical rule'¹³⁷ and authority which too manifests itself through hierarchical relations.¹³⁸

3. Arranged Marriage is a System of Guardianship and Parental Authority

Arranged marriage cultures thrive on authority and entrusted leadership of guardians. Though literature never does, one could call arranged marriage a rule of guardians¹³⁹ or of parental authority or an aristocratic marital system.¹⁴⁰ In such a system 'rulership should be entrusted to a minority of persons who are specially qualified to govern by reason of their superior knowledge and virtue'.¹⁴¹ The entrusted uphold community values, such as 'altruism, sacrifice, love ... order, security, loyalty,

126 Thompson et al (n 4) 6.

127 Crone (n 111) p. 105, who refers to pre-industrial societies and hierarchy.

128 Dumont (n 4) 18.

129 M. Shams Uddin, 'Arranged Marriage: A Dilemma for Young British Asians' (2006) 3 *Diversity in Health and Social Care* 211–19, 211; F.M. Critelli, 'Between Law and Custom: Women, Family Law and Marriage in Pakistan' (2012) 43 (5) *Journal of Comparative Family Studies* 673–93, 677; Fox (n 90) 186,181.

130 Shaw (n 60) 324.

131 Shams Uddin (n 129) 211.

132 G.R. Quale, 'A history of marriage systems' in *Contributions in Family Studies*, Issue 13 (Westport, US: Greenwood press, 1988) 2.

133 Tocqueville II (n 76), as referred to by Dumont (n 4) 18; see also Sennett (n 4) 126.

134 Ahmad (n 1) 201; in a similar vein see Mohammad (n 83) 603; see also Wakil et al (n 44) 936 on this responsibility.

135 Tocqueville II (n 76), as referred to by Dumont (n 4) 18, 17.

136 A. de Tocqueville, *Democracy in America* II (London: Everyman's Library, 1994) 196.

137 Dahl (n 4) 52.

138 Arendt (n 4) 93.

139 On guardianship see Dahl (n 4) 52.

140 On aristocracy see Tocqueville II (n 76), see Dumont (n 4) p. 18.

141 Dahl (n 4) 52.

duty'.¹⁴² They govern as guardians, as figures of authority.¹⁴³ Traditionally, elders are the entrusted ones.¹⁴⁴ And the young honour their authority.¹⁴⁵ The arranged marriage of Manju and Jagdesh, both from Indian middle class families, offers a good example of these notions.¹⁴⁶ Manju, twenty-one years old at the time and Jagdesh, twenty three, were 'both *told* that they would be a good match and should marry' and soon after their agreement, the marriage took place.¹⁴⁷ Or the case of Saima, a 20-year old student who says that 'my parents will obviously find the guy for me . . . I trust them for it . . . If they come out with a decent guy and say we'd like you to marry him, I'd say yes . . .'.¹⁴⁸ In both examples parental authority occupies a central role in match making.

A. *But what exactly is authority?*

Arendt argues that '[p]ractically as well as theoretically, we are no longer in a position to know what authority really is'.¹⁴⁹ '[A]uthority has vanished from the modern world'.¹⁵⁰ Authority however, is present in all families. Sennett argues:

'The need for authority is basic. Children need authorities to guide and reassure them. Adults fulfil an essential part of themselves in being authorities; it is one way of expressing care for others.'¹⁵¹

Authority is based on personal loyalty.¹⁵² One does more for family than for strangers.¹⁵³ It is expressed in hierarchically organized human relations through 'the one who commands and the one who obeys'.¹⁵⁴ Though often confused, authority is distinct from power.¹⁵⁵ Power can crush, while authority is a softer force.¹⁵⁶ It rests somewhere between persuasion—which operates among equals—and violence.¹⁵⁷ Authority moves one to obey something good or better.¹⁵⁸ This obedience is

142 Ibid., 73.

143 Ibid., 52.

144 See for an explanation on tradition and authority, M. Weber, *The Theory of Social and Economic Organization*, A.M. Henderson and T. Parsons (trans.), T. Parsons (ed.) (New York: Oxford University Press, 1947) 341, as referred to by Nisbet 1966 (n 4) 142.

145 Compare Pande (n 44) 177; Shams Uddin (n 129) 211; Ahmad (n 1) 201 on trust and respect for parents.

146 Gagoomal (n 25) 589, 590.

147 Ibid., 590.

148 Ahmad (n 1) 201.

149 Arendt (n 4) 92.

150 Ibid., 91.

151 Sennett (n 4) 15; see also Arendt (n 4) 92.

152 Weber (n 144) 341, as referred to by Nisbet 1966 (n 4) 142; Zimmerman (n 10) 215.

153 Zimmerman (n 10) 215.

154 Arendt (n 4) 93, 103.

155 Sennett (n 4) 18; Arendt (n 4) 93.

156 Sennett (n 4) 15–22.

157 Arendt (n 4) 93.

158 Sennett (n 4) 16.

voluntary.¹⁵⁹ For if one feels forced then one does not accept the legitimacy of the authority.¹⁶⁰ Authority may not dominate or instil fear of destruction.¹⁶¹

'Deeply embedded in social functions, an inalienable part of the inner order of family . . . ritualized at every turn, authority is so closely woven into the fabric of tradition and morality . . .'.¹⁶² As such, traditional authority is embedded in arranged marriage cultures. It 'roots in the belief that it is ancient'.¹⁶³ In arranged marriage cultures traditionally there is trust in parental leadership.¹⁶⁴ One is assured that parents know what is best for their child, as they know their child, sometimes even better than the child knows itself—they see through them.¹⁶⁵ This inspires obedience.¹⁶⁶

Parental authority is a necessary component in arranged marriage systems. Marriage affects a whole family's stability and future, so marriage choices need to be supervised.¹⁶⁷ The young, inexperienced and not yet wise, are traditionally not considered well trained for this task, as they may be misguided by love.¹⁶⁸ So, arranged marriage societies isolate the young from potential mates.¹⁶⁹ In addition, social control, typical for group cultures, is applied to guard behaviour.¹⁷⁰ Young people can easily fall prey to romantic and sexual behaviour considered disruptive to the dignity and order of the family.¹⁷¹ Here then arises the necessity for elders to authorize rational mate selection.¹⁷² Of course, this does not exclude that young people may step out of their role. If they do, shame and dishonour may be brought to the family.¹⁷³ Such youngsters are considered deviants who must be blamed, heavily punished or re-educated.¹⁷⁴ As such being nourished by parental authority offers security,¹⁷⁵ and enables moral life.¹⁷⁶

159 Arendt (n 4) 111; Weber, as referred to by Sennett (n 4) 22.

160 Weber, without further reference, as referred to by Sennett (n 4) 22.

161 Derived from Sennett (n 4) 19.

162 Nisbet 1966 (n 4) 107, 108.

163 Ibid., 142.

164 Shams Uddin (n 129) 211; Ahmad (n 3) 201.

165 MTV Documentary, *True Life: I'm Having an Arranged Marriage*, 2007, as referred to by Gagoomal (n 25) 617; Pande (n 21) 387; Gagoomal (n 25) 615; see also Sennett (n 4) 17 on a conductor that sees through members of the orchestra.

166 Sennett (n 4) 17.

167 Lee and Stone (n 6) 320; Fox (n 89) 181.

168 See W.J. Goode, 'The Theoretical Importance of Love' (1959) 24 (1) *American Sociological Review* 38–47, 43–46; compare also Bejanyan et al (n 72) 3.

169 Goode (n 168) 43; H. Papanek, 'Purdah in Pakistan: Seclusion and Modern Occupations for Women' (1971) 33 (3) *Journal of Marriage and Family* 517–30, 520.

170 Goode (n 168) 43; Thompson et al (n 4) 6; Shams Uddin (n 129) 212.

171 See for more Bejanyan et al (n 72) 3.

172 Goode (n 168) 43; Papanek (n 169) 520.

173 F. Bari, Country briefing paper: Women in Pakistan, Asian Development Bank July 2000. [http://www.adb.org/Documents/Books/Country_Briefing_Papers/Women in Pakistan](http://www.adb.org/Documents/Books/Country_Briefing_Papers/Women_in_Pakistan), as referred to by Critelli (n 129) 677; Shaw (n 60) 330; see also Riesman et al (n 59) 24.

174 Thompson et al (n 4) 59; see also in general on shame, N.P. Gilani, 'Conflict Management of Mothers and Daughters Belonging to Individualistic and Collectivistic Cultural Backgrounds: A Comparative Study' 1999 22 *Journal of Adolescence* 853–65, 854, 855; Riesman et al (n 59) 24.

175 A. de Tocqueville, *Democracy in America II*, 298, 303, as referred to by Nisbet 1966 (n 4) 114.

176 Nisbet 1966 (n 4) 151.

4. Studying Arranged Marriage Practices

The idealized typology of the arranged marriage, as a Weberian theoretical construct, demonstrates that, at the outset, arranged marriage systems are traditionally systems of community, hierarchy, guardianship, and authority. So described, the arranged marriage finds its rationality in a system that safeguards mate selection by placing this under the guardianship and authority of elders of the (extended) families of both marital agents with the aim to align both families in a durable relational bond, that strengthens its economic and societal standing, and that allows for a legitimate space and belonging for the conjugal union.

This typology is an ideal construct, in the same way the autonomous marriage is also an ideal construct. Borrowing then from William Goode who arrived at an ideal type of the conjugal family, which was also seen as an *ideal*, the arranged marriage as typified above is also seen as an ideal in that a ‘number of people view some of its characteristics as *proper* and legitimate, no matter that reality may run counter to the ideal.’¹⁷⁷ Elders in arranged marriage contexts all around the world consider it an ideal to take upon themselves the role of proper guardians and authorities in marriage arranging, and children, in their turn, ideally accept the parental choice, understanding that this is wisely made, that it gains its majesty in legitimate authority. All around the world, this ideal is an inspirational reference point in arranged marriage cultures.

This said, of course reality does not always represent the ideal portrayed, however inspirational. Still, the value of the ideal and the ideal type remain: this construct, even if it is an utopia, is necessary as it provides a neutral and unbiased understanding of the arranged marriage, one that is detached from a restrictive binary approach that others the arranged marriage. The ideal construct serves also as a measuring rod to study the reality of arranged marriage practices that depart from that construct. It ‘[p]rovides the basic method of comparative study’.¹⁷⁸

Taking a look then into these realities, one will find that, for one, elders are not always capable of arranging marriages well. ‘The notion that parents will always act in the child’s best interests is . . . based on an idealized interpretation of the parent/child relationship and assumes that adults will be altruistic whenever they relate to children with love, care and empathy.’¹⁷⁹ Elders may not always understand what guardianship truly entails. They may confuse parental authority with the exercise of parental power, force even.

In addition, elders continuously share marriage arranging duties with their children, as the variety of semi-arranged marriage types suggest. These hybrid arranged marriage types are expressions of transformations of marital agents’ role in exercising self-determination and self-realization in marriage matters. They also reflect the changes in traditional parenthood: where once it was the elders who decided for the collective, this is now scrutinized by marital agents’ desires for freedom to (also) decide. In the words of Aguiar ‘arranged marriage has become the locus of a set of

177 Goode (n 13) 7.

178 Coser (n 80) 223.

179 C. Breen, *Age Discrimination and Children’s Rights. Ensuring Equality and Acknowledging Difference* (Leiden: Brill Nijhoff, 2006) as referred to by A. van Coller, ‘Child Marriage – Acceptance by Association’ (2017) 31 *International Journal of Law, Policy and The Family* 363–76, 369.

liberal and communitarian discourses that articulate competing visions of individual and collective agency.¹⁸⁰ This does not always run smoothly. Elders may not always believe that transitions towards freedom and individualism are proper. Families often act as buffers against ‘too much’ individualism that is perceived as an isolating and alienating force that disrupts family cohesion and hinders traditions to be passed on from generation to generation. Many, in arranged marriage cultures, parents as well as young people, are grappling with the blended agendas of the liberal and communitarian, of the individual and the collective that are shaping arranged marriage realities. A very sensitive portrayal of an intergenerational struggle in this regard can be seen in the drama film *A Fond Kiss*: protagonist Casim, son of Pakistani Muslim immigrants to the UK, asks his parents to accept his love choice for Roisin, a Catholic divorcee. In their turn, his parents, emotionally destroyed and shamed by Casim’s desires, plead to their son to accept an arranged marriage to his cousin Yasmin. This Casim refuses and the family breaks up.¹⁸¹

As indicated earlier, the tendency is to view such realities from a Eurocentric lens, that prizes liberalism and equality, and that advocates the individual’s rise from traditional structures as a marker of sovereignty, supported by contract, geared towards independence and freedom from authority.¹⁸²

Again, such views monopolize examination of arranged marriage, are biased, ‘culturally-determined’ and entrenched in ‘limited historical perspectives’.¹⁸³ ‘Many people in this world have registers of well-being that are not the same as degrees of freedom, measures such as duty, devotion and responsibility.’¹⁸⁴ Many people do not value, experience, nor desire full independence from parental authority.

Hybrid arranged marriages are in a sense partly separated from and partly belonging to traditional as well as liberal structures. It is vital to represent and express belonging to these traditional structures in the discourse on arranged marriage. It is important to acknowledge notions of guardianship, authority, and community when one measures change and modernization in arranged marriage realities, but also when one measures distancing from that very modernization in efforts to hold on to traditions.

The current tendency, when marital agents demand a stronger role in mate selection, is to capture this in a language of freedoms, control, agency and the rising individual. This language presupposes that marital agents’ main aim is to free oneself, become independent and ultimately exit the arranged marriage system.¹⁸⁵ It presupposes too that marital agents are very capable of acting independently of their parents. The fact of the matter is, that many marital agents are deeply connected to a system of parental guardianship and authority, they are hierarchically interdependent with family, they cherish strong belonging to their community and understand family cohesion as a necessary component of their family’s well-being in which their well-

180 Aguiar (n 1) 215.

181 Film *A Fond Kiss*, Ken Loach 2004; see also the Film *What Will People Say*, Iram Haq 2017 on a similar intergenerational struggle between an immigrant Pakistani father and his daughter in Sweden.

182 Derived from Nisbet 1966 (n 4) 116.

183 Moosavinia et al (n 22) 104; Said (n 22).

184 S. Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton, NJ: Princeton University Press, 2011), as referred to by Aguiar (n 1) 219.

185 For more on this exit see Anitha and Gill (n 3) 176–80; Shariff (n 3) 550, 551, 553, 561, 562.

being is integrated. Marital agents granted or demanding a role in match making, challenge in essence (part of) the authority of parents, but do not act as fully atomistic units. When parents allow their child to jointly decide with them on marriage matters, this is articulated in literature mostly as a step that invests power in the child. However, this ought to also be valued as a sharing of parental authority or guardianship with the child. Adding authority and guardianship to the conversation on the arranged marriage gives rise to a language that relates to and represents community. For instance, why do some parents share their authority, why do others not? It might be possible that some parents deem their children disciplined enough to select wisely, pointing to the principle that ‘discipline is authority in operation?’¹⁸⁶ It might be that some parents believe that their children can act as their own guardians, partly or in full, given that these children are educated and skilled in ways the elders are not? Might it be that in diaspora contexts elders are searching for new meaning to traditional concepts such as authority and guardianship and need a language to cope with this hybrid dynamic rather than a language that calls upon their children to exit anything traditional? Asking and addressing such questions will contribute to a discourse on arranged marriage that respects the very foundations it is built upon. It is knowledge about these foundations that is pivotal if we wish to understand the arranged marriage proper and change in that domain.

IV. CONCLUSION AND SUGGESTIONS FOR FURTHER RESEARCH

This article argued for a full renunciation of the binary approach adopted in literature in studying arranged marriage. In the binary approach, the arranged marriage emerges as a lesser conjugal union in comparison to the ideal and prized autonomous conjugal union. Recognizing that the arranged marriage must be valued on its own merits, this article sought for an ideal typical construct of the arranged marriage, as a neutral departure point in a study of this marital system and as a tool to explore arranged marriage realities. The arranged marriage is fundamentally rooted in the sociological principles of collective belonging, parental guardianship and the protective, provident authority of elders in match making. This article calls for a fresh discourse on arranged marriage and changing arranged marriage patterns that reflect these principles in order to arrive at a much needed and understudied fuller appreciation and conversation of a marital system that engages hundreds of millions.

ADDENDUM

In order to be as impartial as humanly possible, this article does not offer personal opinions on or preferences for the arranged or the autonomous marriage. It is of fundamental importance that any scholar on the arranged marriage system (and many other subjects for that matter) is an unbiased scholar or at least strives to be. Neither advocacy of nor opposition to the arranged marriage, and neither advocacy of nor opposition to the autonomous marriage should enter a scholar’s theories and findings. A scholar’s role is not to express any preference for either system, it is not to value one system as better than the other, it is to become independent from any prejudice of one over the other