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## SOLOGAMY: ACCEPTABLE OR NOT?

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### ABSTRACT

This article tries to analyze the concept of newly debatable topic “Sologamy”. Sologamy is the act of marrying oneself in the public ceremony, also referred to as self- marriage or autogamy. This concept came into existence in 1993 when an American woman married to herself. It was widely considered the first publicized act of self-marriage. Recently on 2<sup>nd</sup> June 2022, a 24-year-old Vadodara woman, Kshama Bindu announced her marriage, that she will marry herself later that month.

The question related to legality of sologamy is debatable. According to ‘Hindu Marriage Act, 1955’ Sologamy cannot be considered as a legal marriage because of the conditions of a legal marriage which is mentioned under ‘Hindu Marriage Act 1955’, that 2 persons are required to perform a marriage and if conditions are violated than it will be considered as void marriage. According to senior advocates ‘Sologamy is not legal’ and, “The Hindu Marriage Act uses the terminology ‘either of the spouse’, which simply means there must be two persons to complete the marriage.” According to some of the people who accepts sologamy believes that, it is a way to show self-love and one should not be dependent upon others for their happiness.

After the marriage of Kshama Bindu many people believe that the younger generation in the Country is inclined towards individualism and rather than communitarianism.

## **INTRODUCTION**

Sologamy, the act of marrying oneself to oneself, is rare but not new to us. A self-marriage, looks exactly like any other traditional marriage, including guests, a cake, and a reception. It has become increasingly popular in the 21st century, especially among affluent women.

sologamy is a commitment to oneself and not necessarily to singledom or celibacy. The idea has acquired acceptance in many people in recent years because many feel they are losing themselves in today's fast-paced lives and they need to love themselves more. Sologamy is the act of marrying oneself in a public ceremony, also referred to as self-marriage or autogamy. While such a marriage has no legal sanction or status, the symbolic ceremony is used by many as an act to emphasize their self-love and independence. Many people think it's a beautiful way to celebrate love, while other's think it's publicly gimmick.

Recently, it is one of the most controversial topics in India because of Kshama Bindu, who married herself on June 2022.

A 24-year-old Vadodara woman, Kshama Bindu, on Thursday (June 2) announced that she would marry herself later that month, as an act of self-love. The announcement by Bindu triggered a meme fest on social media and a serious debate about sologamy also dominated prominent social media platform. She was not allowed to marry inside a temple by a BJP leader.

According to her she wanted to be a bride, so she decided to marry herself. She added that self-marriage is a commitment and unconditional love for oneself. It is also an act of self-acceptance.

She always wanted to normalize sologamy and believed that one should marry to those whom they actually love, whether it's a man, woman or oneself. She had also decided to marry with her parent's blessing. It is the 1<sup>st</sup> case of sologamy in India.

Many people have never heard this concept before, might be this trend is new to some people, it has already started to become more popular.

## **HISTORY OF SOLOGAMY**

Marrying yourself is not legal in the U.S. but women are doing it anyway. The practice has existed ever since 1993 when an American woman named Linda Barker married herself. It is

widely considered the first publicized act of self-marriage which was attended by around 75 of the Baker's friends. Where the bride says 'I do' to honor herself in sickness and in health until the day she's not there.

A sologamy divorced has also reported last year when a Brazilian model, Cris Galera (33), announced she was ending her solo-marriage after just 90 days as she had fallen in love with someone else.

Some other people who married themselves are writer Erika Anderson, author Sasha Cagen, and Brazilian supermodel Andriana Lima.

In western Countries, businesses have also started which is related to this trend, offering wedding kits including rings, vows and affirmation cards. "Marry Yourself" in Canada offers consulting and wedding photography, while IMarriedMe.com in San Francisco. As of 2014, a travel agency in Kyoto is also offering self-marriage packages for women.

Marriage never can define self-respect, independence and feminism. All of these are broader concepts with high human values and dignity. Furthermore, the practice of sologamy is not a practice among women only, there have scattered examples in men too. Meet Ru, a British man became headlined after marrying himself as a proud sologamist.

## **LEGALITY OF SOLOGAMY**

According to senior advocate of High Court Krishnakant Vakharia, "As per Indian laws, you cannot marry yourself. There has to be two persons in the marriage. sologamy is not legal" and according to senior lawyer Chandrakant Gupta, "Hindu Marriage Act uses the terminology 'either of the spouse', which simply means that there must be two persons to complete the marriage."

Marriage is considered as a sacrament in Hindus. The first and foremost condition of a Hindu Marriage is that the both parties should be Hindus. This was held in the case Gullipilli Sowria Raj Vs. Bandaru Pavani<sup>1</sup>.

Hindu Marriage Act, 1955 has laid down few necessary conditions for a valid Hindu Marriage. This is given under Section 5 of Hindu Marriage Act, 1955.

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<sup>1</sup> AIR 2009 SC 1085

## CONDITIONS FOR A HINDU MARRIAGE

A marriage may be solemnized between any two Hindus, if the following conditions are fulfilled, namely:

- (i) neither party has a spouse living at the time of the marriage;
- (ii) at the time of the marriage, neither party-
  - is capable of giving a valid consent to it in consequence of unsoundness of mind: or
  - though capable of giving a valid consent, has been suffering from mental disorder of such a kind or to such an extent as to be unfit for marriage and the procreation of children; or
  - has been subject to recurrent attacks of insanity
- (iii) the bridegroom has completed the age of 21 years and the age of bride should be minimum 18 years at the time of the marriage;
- (iv) the parties are not within the degrees of prohibited relationship unless the custom or usage governing each of them permits of a marriage between the two.
- (v) The parties are not sapindas of each other, unless the custom or usage governing each of them permits of a marriage between the two.

If the necessary conditions are not fulfilled then it will be considered as 'Void Marriage'.

According to Section 5(i) of the Act, says that neither party should have a living spouse at the time of the marriage. Failure of this condition would make the marriage null and void under Section 11 of this Act.

In *Adhav Vs. Adhav*<sup>2</sup> case, the Supreme Court has held that a marriage with a person who has a living spouse is totally null and void.

Thus, in order to constitute a valid Hindu Marriage under Hindu Law, parties to marriage should be monogamous, should have sound mind, should be major by age, and should be beyond prohibited degree. A marriage fulfilling these conditions is considered to be valid and have effect under the Hindu Marriage Act, 1955.

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<sup>2</sup> AIR 1988 SC 644

According to the Law, sologamy is not legal because it is clearly mentioned that two parties are required for a valid marriage and here monogamy is legal which is very different from sologamy.

Now let us know what is the difference between the two:

### **MONOGAMY**

Monogamy is a relationship with only one partner, rather than multiple partners like polygamous relationship where you can marry more than one partner. A monogamy relationship can be sexual or emotional, but it's usually both.

### **SOLOGAMY**

In a sologamy marriage, individuals only get married to themselves. In this type of marriage, the bride and groom are the same person. Some people opt for this type of marriage because of self-love.

Since sologamy is not automatically recognized by law, there is no guarantee that the relationship will be supported by the courts when problem arises.

### **THE REPERCUSSIONS OF SOLOGAMY**

Narcissus, the son of Cephissus and Liriope, in Greek mythology, fell in love with his own reflection in the water. In Freudian psychoanalysis he is represented as an excessive degree of emotional involvement to the self that it makes anyone ignore the needs of those around him. A chronic narcissist, in psycho-sexual studies, believes that she/he only deserves the body of the self for love and is prone to make sexual intimacy with the self.

Kshama Bindu has “only one thing” to say to critics, which is that she is free to decide whom to marry – whether it's a man, woman or herself. By marrying herself, Bindu candidly admitted that she wants to normalize sologamy in the Country.

However, many people believe that the younger generation is inclined towards individualism rather than communitarianism.

It is called as bizarre act by many who say that there is no precedent of such kinds of marriages, which are actually called as celebration of self-love. The picture is crystal clear that the

sologamists are either misanthropists or have feared to make love with other, which is known as borderline personality disorder (BPD) in psychology. They may avoid commitment due to an intense fear of being abandoned or rejected. They also tend to have trust issues. This also shows the sad state of social relations, this means people have lost their trust in each other and failed to love someone else, but on the other hand it's the personal choice of an individual whether to marry to oneself or the other individual, it is one's life and they are free to decide, what makes them happy.

Many believes that this is a narcissistic case, where self-love is given an extreme new dimension while having no regard for the 'true soul' of the institution of marriage.

This new trend is called anti-social, anti-cultural and blind acceptance of westernization, which is sure to create ripples in the Indian society and tear apart the social fabric in a worst case scenario, but some people are positive about this fact that people can make decisions and have courage to fight for their happiness.

It is a debatable topic where every person has different point of view. There can be both the aspect of sologamy, it depends upon individual whether to accept it or not, but if we talk about legality, it is not recognized by law.