

PERFECT MARRIAGE NOT A MIRAGE (2010). By Poonam A. Bamba. Pustak Mahal, J-3/16, Daryaganj, New Delhi – 110002. Pp. 200, Price 150/-.

THE BOOK enhances the understanding of the subject. It enumerates various aspects of marriage which are of contemporary importance. Since marriage is a socio-legal institution, the topics of the book could be related to law. However, the central message of the work is related more to social aspects of marriage and its durability. At the same time, it gives much importance to the happiness of the spouses like Cheshire, a famous scholar of private international law, who said that it was better to wreck the unity of family than the future happiness of the spouses. Though the book touches indirectly some aspects of marriage and divorce, particularly in first chapter titled 'The Bond of Marriage', it describes the nature of marriage taken from personal laws of different religious communities living in India. Illustratively, it describes the nature of marriage¹ and divorce² under Hindu law, from the original sources and has referred to the original sources like *Rig Veda* and *Manusmriti*, respectively.

The author defines 'marriage' with the help of a French word "Marriage" which means the marriage or wedlock or the formal union of a man and a woman, by which they became husband and wife.³ Fortunately, the author belongs to legal fraternity and is associated with the family court as an additional district judge. In view of this association, she has face to face experiences of reality of marital life, as acclaimed by her. This has been stated by the author while getting the inspiration for writing the present book. The author has titled the objective of the work "from the heart".

The book is divided into eight chapters along with references. The contents indicate that the book has not tilted towards legal language; it is rather more philosophical, which are based on the experience of the author. It includes, (i) the bond of marriage; (ii) perfect marriage: not a

1. Poonam A. Bamba, *Perfect Marriage not a Mirage: A Journey Through Ups and Downs of Marriage* 15- 19 (2010).

2. *Id.* at 149-50 under caption, 'Divorce : Not a Panacea'.

3. *Id.* at 15.

mirage; (iii) keeping marriage alive: till death do us part; (iv) what ails marriage: the Indian peculiarities; (v) conflicts can be conquered; (vi) abusive relationship; (vii) the recent trends; and (viii) miscellany which includes subtitles- go green in love: save global warming and economics of love.

The study of the above topics reveals that the book aims at presenting the subject in a literary manner rather than delving into the legal contents of marriage. The author is either talking in a definite tone over various socio-economic aspects of marriage or she is treating conflicting views with respectability. She has borrowed literary works from various known and unknown poets, which reflects the literary treatment of the subject. In this regard, she also shares with Khalil Gibran, a famous mystical poet and philosopher, while referring to his famous poem "The Prophet".⁴ It shows that the efforts of author are more philosophical than legal. However, this work resembles the approach of famous poet and philosopher Rumi of 14th century who is famous for his writing on *Sufism* and, therefore, the book goes much beyond the legal framework. The book may help in understanding the philosophy behind the modern breakdown theory of marriage and divorce, though this concept could not find sufficient place in the work. Undoubtedly, the author did not leave any stone unturned to let the married couple know how to maintain their life happy and this is also the concern of family law scholars of modern times when the institution of marriage is diluting day by day.

Some modern cases pertaining to breakdown and its worst form have been referred to in the work but they have no legal taste and found in the shape of philosophy and sociology, illustratively, *Priyanka Todi*,⁵ *Nitish Katara*,⁶ *Nanavati*⁷ and some other cases are described but only social and behavioural aspect of an individual is taken into account.

A law student like the reviewer is little offensive to comment on a book that is themetical but it has absolutely no relationship with the substantive law of marriage. However, as a student of sociology, the reviewer shares his views about this sensitive literary work. The title of the book is very catchy but it looks like a magazine, which has potential to become a commercial source and help the media persons. It looks like

4. *Id.* at 28.

5. *Id.* at 29.

6. *Id.* at 30.

7. *Id.* at 98-99.

a key for having a happy married life and a gift for those who are going to join this spiritual and sacred bond in near future.

Some topics of the work relate purely to the private life of the spouses and even look romantic and may prove a good advice to encourage love between the spouses. However, it is respectfully submitted that the law is not a peeping tom who wants to view the intimate details of relationship between husband and wife in their bedroom and loneliness. Although knowledge of the important aspects of relationship helps a legal mind to evaluate a particular law on that issue but the author goes beyond the needs of legal mind and delves into the intimate details of marriage.

Not belittling the importance of the institutions of marriage but, legally speaking, in today's legal system living relationship has also acquired legal importance. Because of depreciation of ethical and moral values like other institutions, the institution of marriage is also losing its importance and a sacred bond has at times become a commercial relationship. In this respect, the author's anxiety is genuine and proves her to be an ideal member of the society.

Based on the above observations, it would not be appropriate and justice will not be done to the efforts of the author by making purely legalistic comments on the topics covered under the book. As a human being and being member of a society, the reviewer appreciates the objectives and the efforts of the author as the sentiments came "from the heart" of the author, which she herself confesses. It would have been better had it started with the poem of Khalil Gibran instead of Shakespeare since the central theme of the book is based on Gibran's thoughts.

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