
UNIT 1: Marriage *

Structure

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1.0 OBJECTIVES

After reading this unit you will be able to:

- Conceptualise the institution of marriage as understood in kinship studies;
- Explain marriage through various perspectives and theories on marriage;
- Comprehend the rules like incest taboo, exogamy and endogamy;
- Grasp the significance of marriage in understanding family and kinship.

1.1 INTRODUCTION

Marriage is an important social institution. It is a relationship, which is socially approved. The relationship is defined and sanctioned by custom and law. It has been defined by sociologists and anthropologist with reference to a) sexual union between men and women for procreation b) establishing the legitimacy of children born out of the union c) acquisition of certain legal rights. The institution of marriage had been define by many anthropologist and sociologist that stress on the above three dimensions. Some of the definition of marriage are:

- Marriage is a relation of one or more men to one or more women which is recognised by customs or law and involves certain rights and duties both in case of parties entering into the union and in the case of children born of it.

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- Lowie- a relatively permanent bond between permissible mates.
- Malinowski- a contract for the production and maintenance of children.
- Lundberg - consists of the rules and regulations that define the rights, duties and privileges of husband and wife with respect to each other.
- Horton and Hunt -is the approved social pattern whereby two or more persons establish a family.
- Anderson and Parker –is the sanctioning by a society of a durable bond between one or more males and one or more females established to permit sexual intercourse for the implied purpose of parenthood.

The significance of the institution of marriage in society is due the different function it performs in society. It provides a recognised form for entering into a relatively enduring heterosexual relationship for the bearing and rearing of children. It is thus primarily a way of regulating human reproduction. The right of sexual relationship, that universally accompanies marriage, provides legitimisation to the children born in wedlock. This legitimacy is of great importance in the matters of inheritance and succession. In industrialised western societies marriage function beyond procreation and child rearing. It provides companionship as well as emotional, and psychological support.

1.2. DIFFERENT THEORIES OF MARRIAGE

In sociology and anthropology the institution of marriage has been theorised in multiple ways in order to comprehend its complex patterns. Different scholars have theorised marriage by formulating a cross-culturally valid definition that can cover the numerous variations they have recorded.

1.2.1. Edmund Leach

Edmund Leach defined marriage as ‘a relationship establishment between a woman and one or more other persons, which provides that a child born to the woman under circumstances, not prohibited by the rules of the relationship, is accorded full birth-status rights common to normal members of his society or social stratum.’ He considered marriage as a “bundle of rights” allocated to either or both spouses. In some cases it serves primarily to allocate rights to the husband and his wife’s brothers. The list of ten rights performed by marriage is:

- i. To establish the legal father of a woman’s children.
- ii. To establish the legal mother of a man’s children.
- iii. To give the husband a monopoly in the wife’s sexuality.
- iv. To give the wife a monopoly in the husband’s sexuality.
- v. To give the husband partial or monopolistic rights to the wife’s domestic and other labour services.
- vi. To give the wife partial or monopolistic rights to the husband’s labour services.
- vii. To give the husband partial or total rights over the property belonging or potentially accruing to the wife.
- viii. To give the wife partial or total rights over the property belonging or potentially accruing to the husband.
- ix. To establish a joint fund of property –a partnership– for the benefit of the children of the marriage.

- x. To establish a socially significant 'relationship of affinity' between the husband and his wife's brothers.

Leach therefore, focuses attention on rights in and regarding children, sexuality, domestic and economic services and property.

1.2.2 Kathleen Gough

Kathleen Gough questions the traditional definition of marriage in terms of union between man and women for reproducing legitimate offspring. As stated earlier, traditional understanding of marriage assumed the co-existence of three conditions- sexual union between man and woman, procreation of spring and legal legitimacy of offspring born. Gough argues that one of the above condition may or may not be present in different forms of marriage she illustrates this with the example of marriage among the Nayars of South India. The Nayar is a matrilineal society where child after birth enters the matrilineage. Among the Nayars, marriage does not serve to establish legitimacy of children. In many societies, marriage is not the only reason for acquisition of birth rites. Among the Nuer of Sudan in Africa, a man may legitimise a child of an unmarried mother upon payment of fee without getting married to the mother. In this case, marriage and legitimacy need not go together. Secondly Gough questions the assumption of paternity as the universal behavior re-strengthening the institution of marriage.

Before puberty all Nayar girls were ritually married to a suitable Nayar man in the *tali* rite. After the ritual marriage had taken place, however, the *tali* husband did not live with his wife, and was under no obligation to have any contact with her whatsoever. The wife owed only one duty to her *tali* husband: she had to attend his funeral to mourn his death. Once a Nayar girl reached or neared puberty she began to take a number of visiting husbands, or *sambandham* husbands. The Nayar men were usually professional warriors who spent long periods of time away from their villages acting as mercenaries. During their time in the villages they were allowed to visit any number of Nayar women who had undergone the *tali* rite and who were members of the same caste as themselves, or a lower caste. With the agreement of the woman involved, the *sambandham* husband arrived at the home of one of his wives after supper, had sexual intercourse with her, and left before breakfast the next morning. During his stay he placed his weapons outside the building to show the other *sambandham* husbands that he was there. If they arrived too late, then they were free to sleep on the veranda, but could not stay the night with their wife. Men could have unlimited numbers of *sambandham* wives, although women seem to have been limited to no more than twelve visiting husbands.

The Nayar case elaborates the understanding of marriage beyond sexual union, paternity and legitimacy. It does, at the same time, impose an important set of rules and fulfills functions that are quite understandable in the context of a lineage and caste based society. The rites and regulations assume the following significance appropriate the broader Nayar social order:

- They reflect and enforce a morality that permits open sexual relations provided that they are contracted within the limits of caste membership and uphold standards of hereditary purity.
- They contribute to the focusing of social relationships within the caste.
- They represent and underscore long term alliances among localised matrilineages, which along with caste groups constitute the core components of the society.

- They underwrite the legitimacy and social statuses of newly born children.

Activity 1

Are you aware of marriage practices in which marriage performs a different function than stated above? Write a short note on it and discuss it in your study centre.

1.2.3 Patricia Uberoi

Patricia Uberoi’s study of the Hindu marriage is an understanding of marriage in terms of law, litigation and tradition. She discusses the importance of sex and sexuality in the judicial perspective on marriage both as a sacrament and as a contract. Uberoi provides an understanding of marriage in terms of law, litigation and tradition. Taking a judicial perspective on sex and sexuality she explains marriage both as a sacrament and as a contract. The judicial cases reveal the deeply held belief that marriage is an important social institution whose stability must be maintained irrespective of individual desires. However under forces of modernity there is a shift from marriage as sacrament to a contract. That is there is a decline in the social and ritual status of marriage and it is becoming more of a kind of agreement between husband and wife.

The dichotomy of sacrament and contract has been shown through the Rakhmabai case of 1884. Rakhmabei was an educated and well-to-do girl who was married to an elderly man, Dadaji. After marriage she refused to cohabit or consummate her marriage with Dadaji and was granted a divorce as per the customary law. Dadaji approach the court for restoration of his marital rights but the petition was dismissed by Justice Pinhey on the grounds that as a minor, her consent could not be valid, unless consummated, marriage had not been completed and incompatibility of educational and social standing. Opponents argued that marriage was a divine union, indissoluble irrespective of the fact of consummation. In Hindu religion, marriage is considered divine and sacred and once married it is considered irrevocable whereas marriage as contract imply consummation else it is considered void.

Check your Progress 1

- 1) According to Edmund Leach marriage performs a set of rights. Mention any three rights.

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- 2) How is the Nayar marriage different from traditional understanding of marriage?

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1.3 MARRIAGE RULES

Every society has certain rules regulating whom one should marry or not marry, the number of spouse and the status of the group in which marriage takes place. Rules vary in terms of:

1. Exclusion or inclusion of marriage partners- there are basically two types of rules about whom one should marry or not
 - a. Rules of prohibition (Incest Taboo and Endogamy) – stating the kin or relative whom one cannot marry, that is, prohibited as marriage partners. The rule of exogamy in North India is an example of the rule of prohibition.
 - b. Rules of prescription (Endogamy) – prescribing the preferential marriage partners that are the relatives who are preferred for marriage. The practice of cross-cousin marriage among South Indians is an example of the rule of prescription.
2. Number of marriage partners – In some society people are allowed to have only one marriage partner (monogamy) whereas in many other society they are allowed have more than one marriage partners (polygamy).
3. Status of the group in which preferably girls are married – it could be a higher status group (hypergamy), lower status group (hypogamy) or equal status (isogamy).

1.3.1 Incest Taboo

One of the basic and universal rules of exclusion to marriage is the incest taboo or a rule of prohibition of marriage or sexual union between members of primary family (father, mother and siblings). In societies with unilineal descent systems (patrilineal or matrilineal), the incest taboo is often defined based on the distinction between two kinds of first cousins: parallel cousins and cross cousins.

- Sexual relations with a parallel cousin is incestuous, because they belong to the same generation and the same descent group.
- Sexual relations with a cross cousin is not incestuous because they belong to the opposite group or moiety.

There are various theories explaining the practice of incest taboo in our society. The theory of ‘Instinctive Horror’ argues that Homo sapiens are genetically programmed to avoid incest. This theory has been refuted. However, cultural universality does not necessarily entail a genetic basis (e.g., fire making). If people really were genetically programmed to avoid incest, a formal incest taboo would be unnecessary. This theory cannot explain why in some societies people can marry their cross cousins but not their parallel cousins.

The second theory, ‘biological degeneration’ argues that the incest taboo developed in response to abnormal offspring born from incestuous unions. A decline in fertility and survival does accompany brother-sister mating across several generations. However, human marriage patterns are based on specific cultural beliefs rather than universal concerns about biological degeneration several generations in the future. Neither instinctive horror nor biological degeneration can explain the very widespread custom of marrying cross cousins. Also, fears about degeneration cannot explain why sexual unions

between parallel cousins but not cross cousins are so often tabooed. Malinowski (and Freud) argued that the incest taboo originated to direct sexual feelings away from one's family to avoid disrupting the family structure and relations (familiarity increases the chances for attempt). The opposite theory argues that people are less likely to be sexually attracted to those with whom they have grown up (familiarity breeds contempt). A more accepted argument is that the taboo originated to ensure exogamy. Incest taboos force people to create and maintain wide social networks by extending peaceful relations beyond one's immediate group. With this theory, incest taboos are seen as an adaptively advantageous cultural construct. This argument focuses on the adaptive social results of exogamy, such as alliance formation, not simply on the idea of biological degeneration. Incest taboos also function to increase a group's genetic diversity.

1.3.2 Exogamy and Endogamy

Exogamy is the marriage rule that prohibits marriage within one's own defined social group. The avoidance of incest and the widening of social network are the factors that prevent people from marrying within the group. For example, the Hindus of northern India marry outside the village to ensure that spouses live in far away villages and towns. Endogamy, on the other hand, allows marriage with members of close kin group. The reason for this is that the spouse would come from a specific group. It ensures the maintenance of a strong kinship network within the group.

(Mono=one) Monogamy=one spouse (poly" = many). Polygamy= more than one spouse (gyny= women) Polygyny=two or more wives Andry=men Polyandry=two or more husbands
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1.3.3 Monogamy and Polygamy

Monogamy is marriage in which both partners have just one spouse. It is the most common form of marriage, primarily for economic reasons. Serial Monogamy: a marriage form in which a man or women lives with a series of partners in succession. Serial Monogamy: a marriage form in which a man or women lives with a series of partners in succession.

Polygamy: one individual having multiple spouses at the same time. There are two forms of polygamy

- i. Polygyny: marriage of a man to two or more women at the same time
- ii. Polyandry: marriage of a woman to two or more men at the same time

Polygyny is the most preferred form of marriage. It is most common in cultures that support themselves by growing crops and where the bulk of the work is done by women. Polygyny is frequently found in societies where violence, including war, is common and where many young males lose their lives in fighting. Another reason for a man to take on secondary wives is to demonstrate his high position in society. Polyandry as a form of marriage practice is quite rare with few than a dozen societies are known to favor polyandry. Some reasons why it is practiced is that woman's life expectancy is usually longer than a man's. Secondly,

Marriage Rules

–**Exogamy** (marrying out) (“exo” = “exit; “gamy” = “marriage”) prohibits people of same social group from marrying

–**Endogamy** (marrying in) (“endo” = “in”) marriage must

female infant mortality is somewhat lower creating a surplus of women in a society and thirdly, economic security and property does not need to be divided.

Check Your Progress 2

- 1) Explain the difference between exogamy and endogamy. Use three lines to write your answer.

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- 2) What are the factors that lead to practice of polyandry?

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1.4. MARRIAGE AND RULES OF RESIDENCE

After marriage, either one of the married couple or both have to change their residence. Post-marital residence rules specify where a person resides after marriage and, accordingly, influence the structure and size of household units. Anthropologists have identified several basic rules and related domestic forms. The following general patterns have been observed in varying societies around the world.

Patrilocal residence occurs when a newly married couple establishes their home near or in the groom’s father’s house. This makes sense in a society that follows patrilineal descent (that is, when descent is traced only from males to their offspring). This is because it allows the groom to remain near his male relatives. Women do not remain in their natal household after marriage with this residence pattern.

Type	Residence with
Patrilocal	Groom’s Father
Matrilocal	Bride’s Mother
Virilocal	Husband
Uxorilocal	Wife
Avunculocal	Mother’s Brother
Neolocal	Couple’s own residence

Matrilocal residence occurs when a newly married couple establishes their home near or in the bride’s mother’s house. This keeps women near their female relatives. Not surprisingly, this residence pattern is associated with matrilineal descent (that is, when descent is traced only from females to their offspring). Men leave their natal households when they marry.

Virilocal is the residence pattern in which a woman moves into her husband’s home.

Uxorilocal residence the residence pattern in which a man moves into his wife’s home.

Avunculocal residence occurs when a newly married couple establishes their home near or in the groom's maternal uncle's house. This is associated with matrilineal descent. It occurs when men obtain statuses, jobs, or prerogatives from their nearest elder matrilineal male relative. Having a woman's son live near her brother allows the older man to more easily teach his nephew what he needs to know in order to assume his matrilineally inherited role.

Neolocal residence occurs when a newly married couple establishes their home independent of both sets of relatives. It has become popular and common in contemporary society today largely because it suits the cultural emphasis on independence.

Ambilocal residence occurs when a newly married couple has the choice of living with or near the groom's or the bride's family. The couple may also live for a while with one set of parents and then move to live with the other.

1.5 MARRIAGE PRESTATIONS OR ECONOMIC TRANSACTIONS

The formalisation of many marriages cross-culturally is usually marked by some type of economic gift or exchange. These gifts and exchanges serve to underline that marriage involves both economic and political transaction. By marrying, a family loses a member of their household and thus their labor and help with their economic activities, as well as the labor and help of all of their potential offspring. Most marriages involve gift giving between partners, families and friends. There are three major forms of economic transaction that accompany marriage rituals and customs – dowry, brideprice (or bride wealth), and bride service

1.5.1 Dowry

Dowry is a form of marriage prestation in which there is transfer of material wealth in the form of jewellery, clothes, furniture etc. from the family of the bride to the groom and his family. It is neither to be understood as a form of bride's wealth because she has no control over it and the material/money is used by her husband and his family. Much of the dowry is presented on the wedding day, but the bride's parents and maternal uncle provide gifts periodically throughout the marriage. In India where dowry is practiced widely it has become a social problem where parents of brides are under pressure to pay huge amount to get them married. It is also related to problem of violence against women.

1.5.2 Bride Price

Bride-price, sometimes referred to as bride-wealth, is a form of marriage payment in which the bride's group receives a payment of goods, money, or livestock to compensate for the loss of a woman's labour and the children she bears. These exchange relations between families may persist over many years and in some societies constitute the chief means for the circulation of wealth. In these situations, marriage is a corporate enterprise in which control over prestige valuables is exercised by an older generation of men. Marriage payments are thus a way of establishing and securing alliances and for allocating women's labour power and fertility. Bride-price is not a payment for women, but rather is seen as a way of valuing the labor of women, the effort involved by the bride's family in raising the female, and the labour value of a woman's offspring. The payment is

a way of securing the rights of the husband’s group over the woman’s children. Although women are valued in such societies, their status relative to men’s is lower because it is the men who make the corporate household decisions. Often, payments are made in installments in case the couple divorces or fails to produce a child.

1.5.3 Bride Service

Bride service is the custom in which the groom or the husband is expected to render service for a stipulated period for the family of his wife. This custom is more common among the agricultural society and therefore it includes working in the field that belongs to wife’s father. For example among the Yonomami the husband assists his father-in-law in hunting and food gathering until he gets complete control over his wife.

Activity 2

In today’s society there is increase in ‘big fat wedding’ (expensive marriage ceremonies). Do you think this is a form of dowry? Discuss in your study centre.

Check Your Progress 3

- 1) Discuss the various “payments” and exchanges that accompany marriages in different societies.

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1.6 LET US SUM UP

In this unit we have learned about the basic concept of marriage. The unit began with the definition of marriage and various theoretical understanding. Then we moved to understanding the rules of marriage according to which individual select the marriage partners and the different residence patterns after marriage. We also learnt about the economic aspect of marriage by looking at the transfer of payment accompanying marriage. The unit help us to learn that marriage is an important institution in society that regulates social relation among the members through rules of marriage and also exchange of gifts.

1.8 REFERENCES

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1.9 SPECIMEN ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1

- 1) According to Edmund Leach the following rights are performed by marriage :
 - i. To establish the legal father of a woman's children.
 - ii. To establish the legal mother of a man's children.
 - iii. To give the husband a monopoly in the wife's sexuality.
- 2) According to the traditional understanding of marriage the co-existence of three conditions (sexual union between man and woman, procreation of spring and legal legitimacy of offspring born) was necessary. However among the Nayars marriage does not serve to establish legitimacy of children. It rather elaborates the understanding of marriage beyond sexual union, paternity and legitimacy.

Check Your Progress 2

- 1) Exogamy is the rule of marriage which allows individuals to marry outside one's own group, for instance outside the elementary family. Whereas endogamy is the rule of marriage which allows a person to marry within one's own group, for example marriage within the same caste.
- 2) The factors for the practice of polyandry are: woman's life expectancy is usually longer than a man's, female infant mortality is somewhat lower creating a surplus of women in a society and thirdly with more than one husband there is economic security and property does not need to be divided.

Check Your Progress 3

- 1) The different types of marriage prestations practiced in society are :
 - a. Dowry- Transfer of wealth from bride's family to groom's family
 - b. Bride Price- Payment of a price for getting a wife, it is a kind of compensation for the loss of member in the bride's family.
 - c. Bride Service- Custom where the husband works for the family for his wife for a certain period.