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## LITERARY AND CONTEMPORARY CONCEPT OF MARRIAGE

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ABSTRACT:-

In the early stages of human civilization, people lived in primitive conditions, leading a nomadic lifestyle. Marital relationships were initially driven by a herd instinct, resulting in the birth of children without a clear determination of the father. However, as societies transitioned to agricultural lifestyles, the need arose to establish paternity for children. This necessitated the regularization of sexual relationships between one man and one woman. The pursuit of understanding paternity, along with the social acceptance of sexual behaviour, played a significant role in the evolution of the institution of marriage.

**Key Words:-** Forestry projects--Sociological aspects Dimension Structure

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### INTRODUCTION :

#### *MARRIAGE AS AN OBJECT OF STUDY*

The central concern of my thesis on contemporary meanings of marriage is an anthropological elucidation of the 'doing' of marriage. Simply put, it seeks to provide an ethnographic account of the doing of marriage from the point of view of the subjects, insisting that there is a 'way of thinking' about the institution wherein people do not come across as mere ciphers enacting pre-scripted rules of alliance. It asks if there is a way in which the classical theoretical view that sentiments are shaped by the structured rules of alliance can be contested. Indeed, my hypothesis is that, in their 'way of thinking' about marriage, subjects invest the sphere of sentiments with an autonomy that recasts the structuralized definition of marriage proposed by the anthropological literature.

In seeking descriptions of what this doing entails in people's lives during fieldwork, I was equally oriented toward asking 'What is marriage?' in the first place. The task at hand, thus, becomes one of making sense of the imaginaries and conduct of marriage within the definitive framework provided by the informants in answer to the question 'what is marriage'. That is to say, in the informant's view of 'what is marriage' we find a representation of the doing of marriage as well.

Let me state at the outset that the main aim of this work is not to provide an account of marriage strictly as an objective site of doing.<sup>3</sup> Instead, I want to produce an account where attention to the subjective dimension — while acknowledging the presence of objective systemic effects — will enable us to see marriage in a new light. In this sense, the concrete task has been to document the subjective yet transpersonal characterizations of the doing of marriage.

Implicit in this emphasis on doing is an effort to access the inner life of marriage. By 'inner life' I mean the subjective characterizations of the imagined and lived, enduring or non-enduring, relationship between individuals brought together by relatively stable determinants of marital alliance and exchange. If one were to start where the classic problematic of marital alliance and exchange ends, then one may pose the question as: How are terms of alliance actualized and sustained? A positive definition of 'what is marriage?' must involve, not just locating 'consummation' in marriage, but more pertinently 'consummation' of marriage itself. Why 'do' it? What does it take to 'do' it? And why continue 'doing' it? These questions must be answered at the level of both the institution itself and the participants involved. Clearly, this enquiry would be equally informed by the obverse question, that is, of skepticism towards marriage as an institutional imaginary. However, one must make a distinction between a negative definition of marriage and negation of marriage as an institution — the latter is well within the field of a 'positive' definition of marriage with its skepticism and practical, cultural search for 'new' imaginaries of sexually intimate relatedness. Here one must briefly address the question of the 'contemporary' as suggested in the title of this thesis. What is the place of the 'contemporary' in locating the meanings of doing of marriage? It would suffice to mention here that my use of contemporary is oriented towards thinking of the obduracy of marriage as an institution.<sup>4</sup> That is, far from asking the question 'why marriage at all' I am asking 'what is marriage' and even further, not 'what marriage perpetuates' but 'why marriage perpetuates'? This entails a deliberate shadowing of 'new trends' in the matrimonial and the marital, as a chronicling of shifting trends alone safely allows prior definitions of marriage to remain historically and essentially settled.<sup>5</sup> Instead, I call upon the respondents within the empirical field located in the capital city of twenty first century India, to answer the archaic, even naïve sounding question 'what is marriage?'. This effort at contemporization as it emerges in this work affirms the obduracy of marriage, as we shall see, but it also unsettles the current debates on the subject.

### ***Marriage, Approaches, Definitions and Key Debates***

The question of marriage as an anthropological problematic is too wide and complex to be synoptically covered in a brief review. Many scholars have nonetheless attempted to provide a definitive conception of the institution in the light of important preceding ethnological and sociological findings. The oft-quoted terse phrasing of the document *Notes and Queries on Anthropology* (1951[1912]) and in contrast to that the elaborate ten point reference to the possible functions of marriage by British social anthropologist, Edmund Leach (1955), or the adroit attempt to provide an empirically and statistically unassailable definition by Kathleen Gough (1959), are well known examples (see p.1). Moving among these wide and definitive contexts, I provide an account of select anthropological debates on marriage that hopefully does justice to both the theoretical complexity and the ethnographic situatedness of the problematic. It is purely strategic to limit this review to debates rather than attempting to capture the richness of individual contributions because given the voluminous scholarship on the subject one would not be able to do justice while doing the latter.<sup>8</sup> In fact even in terms of evoking debates some discussions find a more extended treatment while others are more condensed — especially those that are more centrally directed to ‘kinship’ as a site of contention but may have crucial implications for the question of marriage. For instance, I discuss at some length select debates drawn from Claude Lévi-Strauss’s *The Elementary Structures of Kinship* (1969) and concurrently clarify certain positions through select writings that have inspired the shaping of the problematic in this thesis.<sup>9</sup> The subsequent debates mapping the cultural approach and the afterlife of David Schneider’s contentions and contributions are somewhat abridged. Few writings cited here and some others that are not are dealt at relevant occasions through the thesis, and I hope that would partly compensate for the lack of individual attention to specific studies here in this brief review. Thus the discussion that follows, I hope, is summarily to the point. Let me begin with the question of alliance and gradually build on the rich legacy of anthropological scrutiny of the question: ‘What and when is marriage’ with respect to both groups and persons.

### ***Alliance Revisited: Prescriptive, Preferential and the Question of ‘Sentiments’***

The young Lévi-Strauss’s contentious classic *The Elementary Structures of Kinship* (1969) is a double homage. Just few pages inside the book there is a dedication to the memory of Lewis H. Morgan. This is in acknowledgement of the importance of Morgan’s classificatory systems to the study of kinship. Classificatory systems are the backbone of Lévi-Strauss’s discussions in the book and in fact that is what he uses to constitute the elaborate formal nomenclature of relations, grounding ‘alliance’ as a way of thinking about kinship rather than descent (Uberoi 1993: 20). The second homage can be found in the title of the book. Emile Durkheim’s *Les Formes élémentaires de la vie religieuse: Le système totémique en Australie* (1912) is too good a name to resist borrowing from. Lévi-Strauss (who identified with Durkheim mediated through Marcel Mauss) nevertheless resisted taking the name as it is. He called it, *Les Structures élémentaire de la Parenté* (1949). In English, the books came to be known as *The Elementary Forms of Religious Life* (1995) and *The Elementary Structures of Kinship* (1969) respectively. There is an act of translation involved from French to English undoubtedly but there is already a revision in the movement from Durkheim to Lévi-Strauss. This revision stabilizes forms to structures hinting at a shift in approach. The shift in approach notwithstanding, what is more revelatory is that Lévi-Strauss inherited the contentious use of ‘elementary’ in thinking about the elementary structures Rodney Needham (1962) (who has also translated the book to English) in particular has been instrumental in raising the contentiousness of Lévi-Strauss’s use of the term ‘elementary’ as against the ‘complex’ structure of kinship. In his ‘testcase’ text *Structure and Sentiment* (1962), Needham points out that the type of marriage by which exchange relationships are established (prescriptive or preferential) is a crucial feature that defines the structure as elementary or complex (ibid.: 8-9). He further states that the term preferential has been used within kinship studies (rather confusingly) to refer to both prescriptive and non-prescriptive marriage rules (ibid.: 10). This indistinct use of the term, according to him, also remains a feature of Lévi-Strauss’s text where the latter defines preferential unions as ‘the obligation to marry within a group’ (ibid.: 10). Needham points out that even as Lévi-Strauss uses the term preferential marriage, the larger thrust of the argument is not with respect to unions based on categorical choice and therefore preferential, but those that are obligatory and defined by an utter lack of categorical choice (ibid.: 10). Clarifying the use of terms, an equation is put forth by Needham i.e. elementary is to complex (in terms of societies) what prescribed is to preferential (in matrimonial selection) (ibid.: 9). This contention elementary : complex :: prescribed : preferential provoked many comments and interpretations (Schneider 1955; Needham 1962, 1971; Rivière 1971; Yalman 1962, 1971; Dumont 1983) including a rejoinder by Lévi-Strauss who seventeen years later in a revised preface to the second edition has the agonizing task of setting the record straight (Lévi-Strauss 1969: pp. xxvii-xliii; Uberoi 1993:26). He clarifies that the formulation offered by Needham is not how he sees the terms of engagement, and for him the elementary and complex do not work in analogy with prescribed and preferred respectively. Providing a kind retort to Needham and defending his own use of the term preferential, Lévi-Strauss writes: The notion of preference and obligations [...] do not connote different social realities, but rather, correspond to slightly differing ways in which man envisages the same reality [...] a preferential system is prescriptive when envisaged at the model level; a prescriptive system must be preferential when envisaged on the level of reality (1969: xxxi-xxxiii). Thus, as he suggests, they work in tandem, although he concedes that there is an ‘ideological distinction’ between ‘prescriptive and preferential forms of a type of marriage’ (Lévi-Strauss 1969: xxxv). Here it would be sufficient to mention that more than the clarification of usage of terms, the contention itself reveals a symptomatic idiom of kinship studies. That is, there continues to remain an ethnic characterization of societies through the modality of ‘preferential’ and ‘prescriptive’ where the former is associated with choice — group based or person specific — in the determination of spouse combined with the idea (or ever present possibility) of ‘romantic’ love, while the latter is associated with a qualified lack of choice in the selection of spouse in so far it is structurally predetermined. This formulation acquires in anthropological enquiry down the line an ethnic connotation. They become absolute and total characterizations encompassing any one culture. To my mind on the other hand, going by Lévi-Strauss’s rejoinder, prescribed and preferential are never complete unto themselves and are radically divided by a gap, such that they do not become exclusive descriptions of any one culture.<sup>10</sup> For instance, if one were to compare heterosexual marriage with other forms of family diversity as well as queer intimacy in the Euro-American context — what is seen as complex society par excellence based on norms of preferential choice — is it not the case that heterosexual marriage is predominantly posited as prescriptive by several scholars vis-à-vis a queer intimacy which is seen as a form of voluntary affiliation based on choice and preference (See Weston 1991). In this sense, it is not that ‘traditional’ societies are duly going through shifts that complicate the dynamics of the movement from prescriptive to preferential in either progressive or

regressive terms. Rather, it is the so-called complex society itself that has no absolute and unitary relation with the preferential (See Mody 2008; Stacey 2011; Kaur and Palriwala 2014). This bifurcation allows us to use Lévi-Strauss's 'ideological distinction' between prescriptive and preferential where these terms do not carry ethnic 'essences' but are formal characterizations. The point further is that if we resist total ethnic characterizations of cultures, we are forced to adopt an anthropological challenge of looking for new ways of describing cross-cultural social phenomena. Theoretically then, in examining the question of prescribed or preferential across different cultures, the modalities of seeking answers must be 'unhitched'— to borrow the title from Judith Stacey (2011) — from their totalistic ethnic moorings. In my view, the contentiousness over the issue of the prescribed and preferential helps us identify a yet another recurrent theoretical assumption in the scholarly writing on the subject, that is — sentiments are effects of objective forms. What gets short-changed in these discussions is the fact that one is only allowed to think of marriage as an objective matrimonial instance where the sentiment is assumed. Here prescribed and preferred as forms of alliances become instances that encapsulate within themselves the nature of sentiments as well as implicit assumptions about people's lives. Thus, it is assumed that sentiments are more or less foretold and they must follow seamlessly from the structure. Accordingly, (marital) life is seen as choice less, or full of choice or somewhere in between, depending upon whether we are talking of elementary or complex society, prescribed or preferential systems of alliance. In this line of thinking, marriage is thought of as an instance but not as the question of life itself, where life may mean an infinite engagement with the collective and personal sentiments. It does not address itself to the question how the workings of prescription or preference emerge in the doing of that life. We know that the question of life is constantly present to engage with. It is not resolved once and for all. Seen this way, if we examine the question of the structure from the point of view of the sentiment or a privileging of the sentiment, then we can see that the contention mentioned above has a political imperative embedded in it which is not readily revealed. What happens if the link is broken and the form is not seen to effect the kind of sentiment being assumed by the writers

I argue that the question of sentiment has to be considered at its own level. For it bears on the question of life itself and the question of life cannot be brushed away as an effect and outcome of objective forms in whichever mix they may be. It goes without saying that this is not to argue that structures do not have effects but rather what is the meaning of that effect has to be probed vis-à-vis the expanse of life itself. In short, subjective characterizations become central and not incidental to the accounts. It is towards this complex of sentiment, this infinite engagement of the personal and the collective, that the question of marriage has to be directed and not as noted before strictly in the false ethnic difference between prescriptive and preferential modes of alliance. There is already a way in which we can glean this reading from Claude LéviStrauss, in spite of the main tenor of his book. A close reading of *Elementary Structures of Kinship* would reveal that Lévi-Strauss brackets marriage not so much in one rule and accuracy of codes but that is combined with the belief that marriage is a tenuous institution struggling from inside with incest and from outside with promiscuity. It is against this tenuousness of marriage that the robustness of rule with respect to incest and social sanctions get mounted. Clearly then reliance on objective rules does not entirely help the anthropologist in fully answering the question: How the institution persists even in this tenuousness? This is where the symptomatic site of the contention, mentioned above, becomes apparent. The question of marriage, or more significantly that of modalities of prescriptive and preferential (be that in elementary or complex societies) cannot be explained away as an instance of a rule, mechanical or reflexive because it bears on life itself. Life that is not just established in an instance of matrimony or is sum total of alliance rules, but life with the complexity of sentiments, a complexity that is equally present in both societies that anthropologists have described on the sides of prescriptively modal or preferentially modal. Thus even as we may concur with the 'ideological distinction' between the prescribed and the preferential I do not wish to read the distinction in terms of elementary and complex. Rather than thinking of the elementary is to complex as prescribed is to preferential equation, what if we take as our point of departure the fact that sentiments are complex in both cases. And it is through this complexity of sentiment that we look at the question of prescribed or preferential. In this I privilege the subjective accounts over the objective forms, that is, how a given society is understood through a complex of sentiment. Thus as against Lévi-Strauss's formulation of an anthropology that is 'good to think with' what if we have an anthropology that 'feels and thinks' in tandem

### ***The Feminist Intervention: Structure, Sex and Sentiment***

Let me unpack the above themes through certain other crucial interventions directly or indirectly conversing with Lévi-Strauss's book. Gayle Rubin (1975) in a masterly essay, 'The Traffic in Women: Notes on the "Political Economy" of Sex' provides a critique of Claude Lévi- Strauss's *Elementary Structures of Kinship* (1969). The essay accentuates a certain trait of the book at the cost of undermining other muted allusions to critically arrive at a revised politico-economic approach exhorting, mainly Engel's work. Shifting from a Marxist-feminist understanding of the question of women's subordination she moves into the folds of structuralist anthropology and psychoanalyses. In 'The Traffic', Rubin takes on the mighty Claude Lévi-Strauss and Sigmund Freud to unravel the system of relationships that are constitutive of women's subordinate/residual status in societies. Rubin is drawn to their work for the explanatory power that the masters promise to shed, in her words, 'on the systematic social apparatus, which takes up females as raw material and fashions domesticated women as products' (1975: 158). For the purpose of this discussion, however, I am only interested in her treatment of Claude Lévi-Strauss. As is well known *The Elementary Structures of Kinship* (1969) is the authoritative statement that proclaims how culture emerges through the repetition of the norm of alliance/exchange. The logic of exchange, more specifically the 'exchange of women' that presupposes the incest taboo is based on the premise that groups must 'marry out or die out'. The incest taboo enjoins that groups must give their women away rather than keep them unto themselves so that the social logic of reciprocity is upheld. In this sense exchange in itself has 'social value' and 'social benefit', as it binds men together (1969: 480). Marriage thus becomes an institutional part of this circuit of circulation wherein, the gift of the woman (in L-S's terms) becomes the epitome of all exchange. Feminist critics of *Elementary Structures of Kinship*, most notably Gayle Rubin, recognize that it is this perpetual continuous process of 'exchange' that maintains and patrols the auxiliary status of women. In other words, it is not the mere exchange of women but the polymorphic, structured system of symbolic exchange, intrinsic to which is the distinction between the 'gift and the giver' that institutes women's subordinate status (1975: 174). She thus locates women's subordination and the institutionalized sexual hierarchy in this systemic fact of exchange. Let me quote her move in the wellknown essay in some detail before I provide my own reading of both the *Elementary Structures* and its critique through this short but revealing fragment from the *Elementary Structures* that Rubin quotes in the 'Traffic' essay. She writes: women as products' (1975: 158). For the purpose of this discussion, however, I am only interested in her treatment of Claude Lévi-Strauss. As is well

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**GR:** For instance, Lévi-Strauss sees women as being like words, which are misused when they are not “communicated” and exchanged. On the last page of a very long book, he observes that this creates something of a contradiction in women, since women are at the same time “speakers” and “spoken”. His only comment on this contradiction is this.

**L-S:** But woman could never become just a sign and nothing more, since even in a man’s world she is still a person, and since insofar as she is defined as a sign she must be recognized as a generator of signs. In communication, each woman preserves a particular value arising from her talent before and after marriage, for taking her part in a duet. In contrast to words, which have wholly become signs, woman has remained at once a sign and a value.

### *Marriage as a Politico-Economic Question*

At the outset I must mention that in seeking ‘affective richness, ardour and mystery’ or the complexity of sentiments of marriage, I do not wish to either invert the politicoeconomic perspective or make light of the fact that politico-economic analyses of the institution have indeed provided very rich understandings of marriage as an organization. Recall Edmund Leach’s open-ended ten point assertion about what marriage may entail and the functions it may serve — establishing legal paternity, legal maternity, monopoly of husband over wife’s sexuality or vice versa, husband having partial or monopolistic rights to the wife’s domestic labor and other services, wife having partial or monopolistic rights to the husband’s labor services, similarly partial or total rights over property, joint fund accruing to wife and-or husband and finally access to affinal relatives for the husband (1955:183). Commenting on this kind of focus on marriage as an object of study, John Borneman writes:

*Since the exhaustion<sup>15</sup> of the Lévi-Straussian structuralist paradigm, a kind of materialist dogma has characterized much subsequent treatment of marriage. Perhaps exemplary of this approach is Edmund Leach’s study of Pul Eliya (1961), where he reduces marriage to land and water rights (1996: 223)*

I would not think of Leach’s treatment of the subject as “materialist dogma” nor would I think that the relating of marriage to water and land rights is necessarily a reduction.<sup>16</sup> Instead, I am of the view that these contributions must be seen as a charter in relation to marriage and its functions.<sup>17</sup> One may wonder if this is what Gayle Rubin wanted in a re-casted ‘political economy of sex’ while re-invoking Engel’s line of thought and enquiry:

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