
BLOCK 4
**CONTEMPORARY ISSUES IN MARRIAGE,
FAMILY AND KINSHIP**

THE PEOPLE'S
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UNIT 9: CHOICE AND REGULATION IN MARRIAGE*

Structure

- 9.0 Objectives
- 9.1 Introduction
- 9.2 Definitions of Marriage
- 9.3 Divorce and Remarriage
- 9.4 Laws Regarding Marriage
- 9.5 Traditional Rules Regulating Marriage
- 9.6 Breaking Rules of Marriage
- 9.7 Patterns of Spouse Selection
- 9.8 Let Us Sum Up
- 9.9 References
- 9.10 Specimen Answer to Check Your Progress

9.0 OBJECTIVES

After going through the unit you would be able to:

- Define the institution of marriage in India;
- Discuss the various legal aspects related to marriage and its dissolution;
- Discuss variations in the pattern of selection of spouse;
- Examine the issues of divorce and remarriage.

9.1 INTRODUCTION

The word marriage conjures up an images of rituals and festivities. In India, marriage is considered essential for both men and women, so much so that the presence of an unmarried son or daughter in a family can become a point of discussion among relatives and friends. It is not uncommon to hear of families planning and saving money for a daughter's marriage from the moment she is born. Marriage, as an institution, has been of academic interest due to its universality, commonality of certain characteristics and also the diversity of types and patterns. You have read about the institution of marriage in unit where we have introduced to the concept of marriage, types of marriage and rules governing marriage. Some aspects will be brought out again to refresh your memory.

9.2 VARIATIONS IN CONCEPTION OF MARRIAGE

As with most institutions related to kinship, scholars have devoted much time to defining marriage. Not every society has a similar pattern of marriage as there are several types of marriages. There are as many forms of marriage as there are different types of family system. The form of family may influence the marriage

pattern. For example, in societies where the extended family is the norm we find decisions regarding marriage being made by the elders and often determined by economic considerations. Arranged marriages were the norm among royalty across the world, dictated by political and economic considerations. While the most commonly known type of marriage is the monogamous marriage where one man and one woman enter into matrimony, some societies may have polyandry and polygyny. In societies, where polyandry is the norm, a woman is married to more than one man at a given time. In case, the woman marries a man and his brothers then it is known as fraternal polyandry. Some examples of societies where polyandry is the norm are : Toda, Kota and Khasi. Polygyny, on the other hand, refers to a marriage type when a man marries more than one woman at the same time. If the man marries a woman and her sisters then it is known as sororate polygyny. Examples of societies where polygyny marriage is the norm are the Gonds and Baigas in India. Lewis Morgan writes about the various stages of evolution of the institution of marriage. According to him, these stages are :

- i) Consanguinous Marriage: endogamy among blood relations
- ii) Group Marriage: Several males married several women within a group.
- iii) Syndesmian Marriage: Temporary pairing of men and women without rules and regulations
- iv) Patriarchal Marriage : A type of polygamous marriage, with one man marrying several women
- v) Monogamy : The most prevalent form of marriage in contemporary society, where a man and woman enter into a marital bond.

Although many specific aspects of Morgan's evolutionary theory on marriage have been rejected by many subsequent anthropologist. But his contribution in making the connection between material culture and conditions and the social structure it produced has inspired and informed many theories.

As pointed out by Kathleen Gough in her article on marriage (1959), it has not been an easy task for anthropologists to define marriage. A particular definition may be appropriate for a society but not for another. She gives the example of a 1951 definition of marriage which says, "Marriage is a union between a man and a woman such that the children born to the woman are recognised legitimate off spring of both parents"(Notes and Queries, 1951). According to Malinowski, marriage is a contract for the production and maintenance of children. Westermarck defines marriage as " a relation of one or more men to one or more women which is recognised by custom or law and involves certain rights and duties both in the case of the parties entering the union and in the case of the children of it. As is evident, this definition includes both polyandry and polygamy (Sharma, 322-323 1993) Jacobs and Stern, " Marriage is a term for social relationship of husband and wife or of plural males; also used for the ceremony of uniting marital partners." This definition places emphasis on the ritualistic aspect of marriage.

By 20th century enormous variety of marriages were documented by anthropologist. We have discussed some of these marriage types in our unit I and the various prestations associated with marriages such as dowry or bride wealth.

While most societies prescribe or expect a certain form of marriage, the reality shows a certain flexibility. Thus, caste endogamy may be the prescribed form of marriage from the point of Hindu tradition there is prevalence of inter-caste marriage which is legally sanctioned according to secular laws of our country. Many marriages ceremonies are conducted according recognised traditions and rituals and such marriages solemnised by traditions are recognised as marriage even if they are not registered in the administrative set up; such marriages he are known as common law marriage and one of the most common ways people get married across cultures. In India the Supreme Court has also acknowledge the presence of marriage like relationship, so that women may have legal recourse in case ill treatment etc.

Cultures that openly accepted homosexuality, of which there were many, generally had nonmarital categories of partnership through which such bonds could be expressed and socially regulated. Conversely, other cultures essentially denied the existence of same-sex intimacy, or at least deemed it an unseemly topic for discussion of any sort.

9.3 DIVORCE AND REMAARIAGE

The concepts of family and marriage are intertwined. One of the terms with regard to family, you may have come across is a dysfunctional family. As the term suggests it refers to a family that is not able to perform the functions it is supposed to. One of the reasons for this could be that the family breaks up due to a failed marriage. Another term that is related to marriage is remarriage we look at both these aspects of marriage in this section

9.3.1 Divorce

When partners in a marriage decide to part ways it is referred to as divorce. There is a strong link between religion and divorce as in many societies, marriage is sanctioned by religious rituals and sanction. For this reason dissolution of a union governed by religious regulations is seen in negative light. For example, Roman Catholicism does not allow divorce. The growth of industrial society, nuclear family and associated economic independence, changing roles of women have been seen as some of the causes of increasing rates of divorce. Divorce requires a legal sanction and follows certain legal proceedings. Examples of such laws in India will be discussed a little later.

For Durkheim the increasing rate of divorce was a cause of concern. In his book *Suicide*, he links divorce and suicide and in a decade later he writes about the impact of divorce on the individual, family, marriage and society. He did not look into the causes of divorce but concentrating on how divorce by mutual consent has a negative impact on the institution of marriage and also represented the loosening grip of moral authority in society. For him it was important to protect the institution of marriage rather individual interests. This was because he saw marriage as the institution that regulates social life, sexual relations and brings a certain social order. Durkheim writes that passion and love need to be regulated by society – that regulation is through institution of marriage. He went to say that the chances of divorced people committing suicide was higher. He countered the argument that marriage is a contract. In his opinion it was more than a contract and within a marriage there are several elements which are non-contractual in nature – the relationship that develops between the two

families when a couple gets married, the children born in a marriage and so on. Therefore the married couple has to think beyond their own interests and divorce especially by mutual consent will lead to a breakup of families and increase unhappiness.

The grounds for divorce have been spelt out both by custom and by law in different communities. During 1940-48, several provinces and states passed laws permitting divorce for Hindus. The Special Marriage Act of 1954 introduced and ‘clarified the grounds for divorce’. It has been available to all Indians who have chosen to register their marriages under this Act. The Hindu Marriage Act of 1955 was Amended several times since 1955 (the next one being in 1976 and later 2012) to incorporate a wide range of grounds for divorce available to both men and women coming under the purview of this Act.

Among the Muslims, marriage is a contract and divorce is allowed. However, before 1939, a Muslim wife had no right to seek divorce except on the ground of false charges of adultery, insanity or impotency of the husband. But the Dissolution of Muslim Marriages Act 1939 lays down several other grounds on the basis of which a Muslim wife may get her divorce decree passed by the order of the court. Public attitude to divorce in India is still not yet very liberal in spite of the legal permission for divorce.

The possibilities and mechanisms of dissolving a marital union have varied through time, between and within communities.

9.4 LAWS REGARDING MARRIAGE

In all societies, marriage is governed by certain rules and regulations. These rules may be traditional rules governed by societal norm or legal rules set by the State. One of the first rules of marriage was made regarding the age of marriage. The first legislation in this direction was the Sharada Act, also know as Child Marriage Restraint Act, 1929, which fixed age of marriage for boys at 18 and for girls at 14 years. Today the legal age of marriage for women is 18 years and men 21 years. The legal and traditional rules of marriage also include rules regarding widow remarriage and divorce. In many instances, traditional rules on marriage, remarriage and divorce may be based on religious traditions. Both marriage and divorce involve and a legal process. The Hindu Marriage Act (1955), Special Marriage Act (1954), Indian Divorce Act (1869- amended in 2001) are examples of the legislations related to marriage and divorce in India. When we speak of rules regarding marriage it includes norms regarding exclusion and inclusion. Let us go through some of the basic rules.

Check Your Progress 1

- 1) What according to Lewis are the different stages of evolution of marriage ?

.....

- 2) Give any two definitions of marriage?

.....

3) What is the legally prescribed age at marriage for boys and girls in India ?

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9.5 RULES REGARDING MARRIAGE

Every society lays down certain rules to select their life-partners or not allowed to marry whomsoever they want. Members have to abide by the prohibitive and prescriptive rules of marriage while selecting their marital partner. Some such rules are discussed in this section

9.5.1 Incest rules

One of the core norms regarding choosing of spouse is based on incest rules in almost all societies. The rules of incest decide who is outside the category of those one can marry. Incest refers to sexual union of near kin. This obviously includes the immediate family – siblings, parents, grandparents and so on. In many societies, parallel cousins are also included in this category.

9.5.2 Prohibitive Rules

Prohibitive rules are those which put restriction on men and women from entering into marital alliance with a certain category of people. Some of such rules are as follows:

1) **Endogamy:** Endogamy is a social rule that requires a person to marry within a defined social group of which he is a member. Endogamy is a rule of marriage in which the life-partner outside the group is prohibited. Marriage is allowed only within the group, and the group may be caste, class, tribe, race, village, religious group, etc. The purpose of endogamy are for example, to maintain racial purity, geographical separation, religious differences, cultural differences, sense of superiority or inferiority, the policy of separation, the desire to keep wealth within the group, etc.

2) **Exogamy:** Exogamy is a social rule that prohibits a person from marrying within a defined social group of which she or/ he is a member. It is the opposite form of endogamy rule. Exogamy is the practice of marriage in which an individual has to marry someone outside his or her own group. Every community prohibits its members from having marital relationship within the group. Exogamy marriage assumes various forms in Hindu of India such as *gotra* and *sapinda*. Gotra refers to a group of families which share or a common mythical marital ancestor and common blood relatives from the parental side. One marrying outside one's own 'gotra' is called gotra exogamy. Sapinda means that persons cannot inter-marry of seven generations on the father's side and five on the mother's side. In some areas of India, such as, Uttar Pradesh, Bihar etc. a girl and boy from the same village are not permitted to marry because the village is considered to be one unit and they have practice of marrying outside their village

It was mentioned earlier that the rules of marriage regarding selection of spouse can be classified into exogamous and endogamous rules. There are positive and negative rules of marriage to determine the unit within which one should marry and the unit within which one must not marry. The positive rules pertain to the unit of endogamy within which one can marry. Caste/Sub-caste endogamy

is an example of this rule. Rules do not permit people to marry outside their religion. While religious exogamy is ruled out, legal provisions have been made to sanction marriage of people belonging to different religions. It is for this reason that the Special Marriage Act was enacted.

The negative rules pertain to the unit of exogamy within which one must not marry. Among the higher caste Hindus, this unit is one's gotra, within which one is not allowed to marry. The reason for gotra exogamy is that those belonging to the same gotra are seen as brother and sister. Do you remember reading in the newspapers reports about marriages between persons of the same gotra? Local caste panchayats have reportedly taken action against such couples though the courts have upheld their marriages. Such cases are indicators of changes in the perceptions of people about rules of marriage. Even the unit of endogamy is no longer a universally accepted unit of positive rules of marriage. The sapinda rules also exclude marriage alliances between three maternal and five paternal generations. Some villages also follow the practice of village exogamy, whereby one can marry only outside the village and breaking this rule may lead to violent consequences.

9.5.3 Preferential or Prescriptive Rules

The rules of exogamy and endogamy may be preferential or prescriptive which give preference to certain types of alliances over other. In certain cases, the individual may choose a marriage partner within a particular kin group or he may be bound to choose only one such kin. Such type of custom which prescribe as to whom one should marry or prefer to marry are called prescriptive rules. Some of these prescriptive rules are as follow:

1) Cross-cousin marriage: The marriage of two individuals who are the children of siblings of opposite sex i.e. a man marries his mother's brother's daughter or his father's sister's daughter it is called a cross-cousin marriage. Such type of marriage is practiced among the Gonds of Madhya Pradesh and the Oraon and the Kharia tribes of Jharkhand. Such type of marriage are also found in the Southern part of India.

2) Parallel-cousin marriage: The marriage of two individuals who are the children of siblings of the same sex i.e. a man marries his mother's sister's daughter or his father's brother's daughter it is called parallel cousin marriage. Such type of marriage is seen among Muslims.

3) Levirate marriage : Levirate is the practice of custom in which a widow marries her deceased husband's brother. It is also known as Natal or Nantra. Such type of practice is prevalent among the Toda of Nilgiri Hills. It is also known as a Natal or Nantra, marriage. It was also found in some parts of Panjab.

4) Sororate: Sororate is the practice of custom in which a widower marries his deceased wife's sister

9.5.4 Rules Applicable to Married Adults

Besides the above issues, we need to also consider those rules, which regulate the conduct of already married persons. The negative rules are those of adultery that restrict sexual access to those already married. You may observe the positive side of rules in polygamous and the levirate or sororate or Islamic short-term marriage (mut'a), whereby already married persons have sexual access to specified married persons.

Check Your Progress 2

- 1) What do you understand by the terms exogamy and endogamy in relation to marriage?

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.....

- 2) What is cross-cousin marriage?

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.....
.....

9.6 Breaking Rules of Marriage

Discussions of rules of marriage throw better light on basic structures and processes when we study them in the context of the rules being broken. For example effectiveness of caste or sub-caste endogamy can be judged only by looking at the number of inter-caste marriages and their 'sooner or later' acceptance by the kin group. The interface between caste and class gains relevance and the relative class status of the spouse is often a sufficient condition to render an inter-caste marriage more acceptable in due course.

In India we find the commonly listed forms of marriage such as monogamy (marriage of a man to a woman at a time), and polygamy (marriage of a man or woman to more than one spouse). The latter, that is polygamy with its two forms, namely, polygyny (marriage of a man to several women at a time) and polyandry (marriage of a woman to several men at a time) is also prevalent in different parts of the country.

9.6.1 Inter-caste/inter-religion/same sex marriages

You must have noticed many inter-caste and inter-religion marriages taking place in modern times. In legal terms all such marriages are valid and in social terms too they are fast gaining full recognition. Though every now and then one hears of severe reaction to such intercaste marriages through honor killing of both the girl or boy or one of them.

As long as marriages follow the norms of heterosexual unions, society in India is culturally accepting such marriages. Even though homosexuality is decriminalised, the Indian society is yet to entertain the idea of same sex marriages. But many countries across the world have legalised same sex marriages. As of today 25 countries across the world accept same sex marriage legally. Some examples are New Zealand, USA, Norway, Sweden and South Africa.

Inter-religious marriage is frowned upon, especially between Hindus-Muslims. You may have heard of the term love-jihad in the news.

Activity

Initiate a discussion with your friends whether they are open to inter caste/inter-religious marriage.

9.7 ARRANGED MARRIAGE AND MARRIAGE BY SELF CHOICE

It is a general perception among all of us that most marriages in India are fixed or arranged by parents or elders on behalf of and/or with the consent of the boy or the girl involved in marriage. We give this pattern of selecting a spouse, the label of 'arranged marriage'. In contrast to marriage by self-choice, this pattern of spouse selection is deemed to be an arranged process. In popular usage a marriage by self-choice is known as 'love marriage'. You may also find in some cases both patterns of spouse selection. There seems to be some arbitrariness about the usage of the two terms. Shah (2005: 22) has made a perceptive observation about arranged marriages.

We presume that there was no choice in arranged marriages in traditional India. Of course, in a regime of child marriage a child did not have a choice. This does not, however, mean that the child's parents and other elders did not have alternatives to choose from. Conversely, in the so-called love marriages among adults in a certain section of society today choice is restricted by a number of social factors.

9.7.1 Marriage by Self-choice

In the light of raised age at marriage, prescribed by law, and easy access to information technology for finding a spouse, it is relatively easy for the concerned boy/ girl to find a spouse by self-choice. The traditionally placed restrictions on free interaction between a boy and a girl in India are now almost impossible to enforce and this is yet another factor which has given impetus to marriage by self-choice.

The measure of participation in choosing one's life partner shows variations between different groups. For example, among the Muslims, by and large, the parents, elders or wali (guardian) arrange a marriage (Gazetteer of India 1965: 547 and CSWI 1974: 62). But owing to forces of modernisation along with the spread of education in minority communities, self-choice in selecting one's spouse is equally prevalent in their cases too.

Blumberg and Dwarki (1980: 139) found the following patterns of spouse selection in India.

- i) Marriage by parents'/elders' choice without consulting either the boy or girl
- ii) Marriage by self-choice without consulting parents/ elders
- iii) Marriage by self-choice but with parents' consent
- iv) Marriage by parents' choice but with the consent of both the boy and the girl involved in the marriage
- v) Marriage by parents' choice but with the consent of only one of the two partners involved.

There have been changes in the past few years regarding parents/ elders consult the boy and obtain his consent in the choice of spouse. Often, parents/elders do not consider it important to ask the girl whether she approves of the match. Among the urban educated classes arranged marriage with the consent of the

boy and the girl appears to be the most preferred pattern. Very often the parents and sometimes the boy/ girl concerned arrange the marriage through newspaper advertisement.

A recent survey by Lokniti- CSDS Youth Studies in 2016 on the attitude of the youth towards marriage brings to light interesting data. A similar study was carried out in 2007. Let us see whether there have been changes in attitudes and preferences while making marriage choices.

- Higher number of men (61%) were unmarried in comparison to women (41%)
- In the 2016 survey, 84% of married youth said that marriage decisions were primarily taken by the family; only 6% opted for self choice.
- 50% of the unmarried youth also opted for arranged marriage; only 12% opted for self choice. It was surprising to note that only about 3% of the youth had registered themselves on matrimonial websites.
- It did not come as a surprise to see that more women than men said that family had a greater influence on decision of marriage.
- Shift from the previous survey of 2006, has been a greater acceptance of remaining single/unmarried. In 2006, 8 out of 10 said that it was important to get married. In 2016, 5 out of 10 Indian youth said that it is important to get married.
- Marriage across caste has risen significantly from 31% in 2007 to 56% in 2016. Inter-caste and inter-religious marriages are not accepted within arranged marriages norms.
- Inter-religious marriage has low acceptance with 45% of the youth saying it was wrong to go in for inter-religious marriage.

(Lokniti CSDS Youth Studies 2007)

Remarriage brings into existence a variety of step-relationships. It is important to pay attention to the sociological aspects of such relationships. The data to collect is to be with reference to terms of referring to and terms of addressing such relatives as well as the rights to inheritance of stepsiblings. Children born and brought up in a nuclear family setting have been reported to find it a welcome extension of close relatives to socialise with. These impressions need to be explored in in-depth sociological studies.

9.8 LET US SUM UP

At the end of this unit, you should be able to define marriage and also have a comprehensive idea about how spouse selection takes place in India. It also familiarises the reader with the changing patterns of spouse selection especially in connection to same sex marriage, choosing across caste and religion. Marriage is a combination of both religious and legal sanction. For this purpose, several laws have been enacted which are religion specific. Marriage breakdown either through divorce or due to death of spouse brings with it certain consequences.

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9.10 SPECIMEN ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1

1. Lewis Morgan writes about the various stages of evolution of the institution of marriage. According to him, these stages are :
 - i) Consanguinous Marriage: endogamy among blood relations
 - ii) Group Marriage: Several males married several women within a group.
 - iii) Syndesmian Marriage: Temporary pairing of men and women without rules and regulations
 - iv) Patriarchal Marriage : A type of polygamous marriage, with one man marrying several women
 - v) Monogamy : The most prevalent form of marriage in contemporary society, where a man and woman enter into a marital bond.
2. Kathleen Gough defines marriage as “Marriage is a union between a man and a woman such that the children born to the woman are recognised legitimate off spring of both parents”. And Jacobs and Stern definition of marriage is: “Marriage is a term for social relationship of husband and wife or of plural males; also used for the ceremony of uniting marital partners.”
3. 21 years for boys and 18 years for girls.

Check Your Progress 2

1. Endogamy: A rule of marriage whereby an individual is required to marry within a specified group of which he/she is a member. Exogamy: A rule of marriage whereby an individual is required to marry outside the group of which he/she is a member.
2. The marriage of two individuals who are the children of siblings of opposite sex i.e. a man marries his mother's brother's daughter or his father's sister's daughter it is called a cross cousin marriage. Such type of marriage is practiced among the Gonds of Madhya Pradesh and the Oraon and the Kharia tribes of Jharkhand. Such type of marriage are also found in the Southern part of India.



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UNIT 10: POWER AND DISCRIMINATION IN THE FAMILY*

Structure

10.0 Objectives

10.1 Introduction

10.2 Power, Discrimination and Family

- 10.2.1 Gender Stereotypes
- 10.2.2 Authority and Domination
- 10.2.3 Household Work and Distribution
- 10.2.4 Male Preference
- 10.2.5 Marriage and Dowry Practices
- 10.2.6 Food Allocation and Medical Care
- 10.2.7 Educational Opportunities
- 10.2.8 Mobility and freedom
- 10.2.9 Control over Female Body and Sexuality
- 10.2.10 Inheritance or Property Rights

10.3 Impact of Power and Discrimination

- 10.3.1 Violence Against Women

10.4 Resisting Familial Discrimination

10.5 Let Us Sum Up

10.6 Refernces

10.7 Specimen Answers to Check your Progress

10.0 OBJECTIVES

After going through this unit, you should be able to :

- Explain family as a site of power and discrimination;
- Discuss the nature and dimensions of power and discrimination in the family;
- Narrate the impact of power and discrimination in family on the status of women in society;
- Note ways of resisting familial discrimination

10.1 INTRODUCTION

The family forms the basic unit of social organisation. It is difficult to imagine how human society could function without family. The family has been seen as a universal social institution and it is an inevitable part of human society. According to Burgess and Locke (1953), family is a group of persons united by ties of marriage, blood or adoption; constituting a single household; interacting with each other in their respective social roles and creating a common culture. It is an institution of identity formation, emotion, love, care and learning. We get love and care from our parents and from brothers and sisters. While family works as a strong support system in both traditional and modern societies, it

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is also a site of power relations and discriminations. This unit discusses the discriminatory aspects of family while we draw your attention to inherent discriminatory practices of family we in no way undermine the existence of such families that are non discriminatory and equitable .

10.2 POWER, DISCRIMINATION AND FAMILY

The family has long been described as a patriarchal institution in which male members (generally, father) control everything. The term ‘patriarchy’, the rule of the father, is based on a system of hierarchical power relations in the family in which men control women’s production, reproduction and sexuality. Family is the fundamental unit of socialisation and ordering. It trains members in gender roles, age roles, caste roles and expect them to behave according to the assigned status. In many parts of India, the family decides children’s education, marriage and career. Most importantly, family imposes the idea of masculinity and femininity and expects members to behave accordingly. Boys are expected to show their masculine behaviors and girls have to follow their feminine roles. For example, girls are asked to wear skirt and frock while boys are supposed to wear pant-shirt. Similarly, girls are provided dolls while boys may get guns to play. In a familial context, women become victims of subordination (e.g., under male authority), exploitation (e.g., burden of household work, lack of access to education, mobility, health care, nutrition and property), oppression (e.g., violence against women). All of these patriarchal practices make the institution of family more discriminatory in nature.

10.2.1 Gender Stereotypes

Family is an important agent of gender socialisation that inculcates patriarchal values. Sherry Ortner’s (1974) argument for universal devaluation of women finds an appropriate place here in which men are closely identified with culture and women with nature. This idea of nature and culture gets consolidated through day to day symbols and expectations. So, woman is the one who gives birth and creates new life, the way nature does. Likewise, it is believed that women are more sentimental and emotional than men. Ortner (1974) explains why women are universally considered as a secondary sex. She argues that women’s subordination status is a result of our thinking, i.e. human culture is superior to nature and culture is a man made structure. Ortner argues that women are largely identified with nature because of menstruation and childbirth. Women are more connected to child bearing and rearing. Society often creates expectations which confine women in the domestic familial role and men freely pursue more cultural activities such as art or religion. This shows it is not the biology, but socialisation that defines their gender and social roles. Hence, family as a patriarchal unit of society considers women inferior than men.

Ortner’s theory of universal devaluation of women is closely associated with the social construction of masculine and feminine identities. Through the process of gender socialisation in the family, boys learn to be dominating and aggressive and girls learn to be caring, loving and submissive. The family not only creates stereotypes around age and gender, but it also facilitates internalisation. It is because of these gender stereotypes that women are at a disadvantage. They are vulnerable to violence and other kinds of discriminations and injustices.

Check Your Progress 1

1. Fill in the blanks:
 - a) Dominant, aggressive, authoritative are the values associated with.....
 - b) Submissive, tolerant and obedient are the values associated with.....
2. Say True or False:
 - a) Family is a site of exploitation, differential treatment towards women. (T/F)
 - b) Women are born to do child bearing and rearing activities. (T/F)

10.2.2 Authority and Domination

Family is an authoritative unit in which the senior most male member becomes the head of the unit. He takes all the major decisions on behalf of family members. All members are expected to submit to the authority of the head in income pooling, cash expenditures and any other actions. Within the authoritative structure, men and women experience differential treatments, rights and privileges. Their rights differ when it comes to distribution of resources such as land, property and so on. Women become completely dependent on male members. The hierarchical structure gives men a sense of control over women's lives. Women and female children become easy targets of their authorities and discriminatory attitudes.

10.2.3 Household Work and Distribution

In most societies certain tasks are predominantly assigned to men while others are assigned to women. The natural and perceived division of labour between men and women is that men are considered to be the bread winners, women are expected to take care of the household and raise children. While men's works outside the house are recognised and taken seriously, women's work in the household are not even considered as works. Women's works remain invisible in South Asia. Most often, female subordination is rooted in the division between domestic and public spheres. A woman has a minimal role to play in the family's decision-making process. While the agricultural sector in India has a large female labour force that works in the fields and looks after the storage of grain and the preservation of seeds, kitchen gardening, and care of livestock. Poultry raising and a great deal of craft work are also done by women. In the rural areas, women of the poorer sections work in the fields as wage labourers and render various kinds of service to those better off.

Female workforce is largely part of the informal sector. They do not enjoy the benefits of direct participation in it, except in the small number of instances where their work is in cooperatives or similar organizations. Despite this, educated women's employment in the tertiary sector has increased many times over during the past few decades. There is a variety of jobs carrying salaries ranging from the low to the very high.

10.2.4 Son Preference

Son preference is a widespread attitude in Indian families, but its degree and the consequent degree of discrimination against girl children varies in different regions. This discrimination at times affects their chances and rates of

survival. Scholars have described various other forms of discrimination against girls beginning at birth, such as lower levels of nutrition, neglect in sickness, imposition of household works and denial of schooling. The study by John et al (2008) analyses the issue of son-preference in north India. The question emerges from this study: what is this desire for a son that translates into actions oriented to the elimination of girls.

Preference for a male child has much to do with reproductive decision making which again is again being controlled by patriarchy. One of the reasons for son preference cited in the study (John et al 2008) is that sons will continue the parental line and they have the rights over ancestral property unlike daughters. It is commonly held that only sons can perform important death and ancestral rituals. Sons' rights to parental property are coupled with the responsibility of care of parents in their old age and of continuing protection of and gifts for married sisters. Secondly, daughters are considered as burden since parents have to bear a lot of expenditure for their marriage. A daughter is also considered *parayi* (the outsider), who, after marriage goes to husband's house. All these factors play an important role in daughter aversion. Female infanticide, be it a decision of male female members, is largely a reflection of patriarchal values.

10.2.5 Marriage and Dowry Practices

One of the primary familial and social duties of parents towards daughters is to arrange their marriage. Marriage and child bearing are given much social significance. Marriage is regarded as essential for a girl, irrespective of class, caste, religion, race and ethnicity. The main purpose of marriage is to establish a family, to produce children, and to further the family's economic and social position. The social pressure for marriage is so much that in many families, there is practice of child marriage.

Child marriage (defined as marriage of a child under 18 years of age) is a silent and yet widespread practice in most of the families. Today 40% to 60% of girls undergo child marriage in India (UNICEF 2007). There are several factors that drive child marriages, such as poverty, the need to reinforce social ties, and the belief that marriage offers protection. Child marriage is first and foremost a result of sheer economic need. It is not considered good to invest on girls who are going to be *parayadhan* (else's wealth). People think girls are costly to feed, clothe, and educate, and eventually they leave the household. Child marriage is a human rights violation that prevents girls from obtaining an education, enjoying optimal health, bonding with others their own age, maturing, and ultimately choosing their own life partners. Child marriage has many effects on girls' health: increased risk for sexually transmitted diseases, cervical cancer, malaria, death during childbirth, and obstetric fistulas. Girls' offspring are at increased risk for premature birth and death as neonates, infants, or children.

Family plays an important role in arranged marriages. Arranged marriages are the norm of Indian society in order to preserve family honour, status and dignity. For a suitable marriage, the bride and groom must belong to the same caste or sub caste and be outside the exogamous category of the *gotra* (where members are believed to have descended from the same ancestor). That is, the girl and the boy cannot belong to the same *gotra*. As objects of exchange women have to leave the *gotra* and the *vansa* they are born into and enter into a new *gotra* and *vansa*. A man's position is fixed in the line, but women come into and go out of lines. Women are mere receivers and transmitters, never the carriers of a

line. The exchange of women is sought to be ritualised by making a gift of his daughter, through what is known as '*kanyadan*'. The incoming wives maintain all the rules of purity and pollution of their husbands' vansa. This is a complete change for a married woman whose father and mother have nothing to do with her new family.

Marriage brings dowry to the bride's family. In fact, even after the education girl's family need to pay the dowry. As soon as girl gets married, the family considers that its burden gets over. Dowry system is openly practiced in several parts of India. Parents of a girl spend time and money on ensuring a daughter the best possible wedding. This is demanded of them by their own beliefs and by community and social norms. The social consequences of increase in dowry payments are severe. The sums of cash and goods involved are often so large that the payment can lead to impoverishment of the bridal family. This has a devastating effect on the lives of unmarried women, who are increasingly considered burdensome economic liabilities. The custom of dowry has been linked to the practice of female infanticide and among married women, to the more obvious connection with bride burning and dowry death, that is, physical harm visited on the wife if promised dowry payments are not forthcoming.

Besides dowry and child marriage, widowhood often contributes to the plight of women which is influenced by perceptions of gender within the family. They face discrimination and ostracisation from family and community which make them socially and emotionally isolated.

10.2.6 Food Allocation and Medical Care

Discrimination in family often comes with practices around food, nutrition, and medical care. Food availability does not always ensure equal access to all the family members. Even today the distribution of food and nutrition depends on the age old tradition and norms. Beliefs like girls are strong and will survive, but boys are weak and hence need extra care. 'Girls have to learn early to survive'. Unequal distribution of food has far reaching nutritional consequences on girls. Discrimination against girls in the domestic menu, food distribution is still a common feature in maximum households. Due to lack of food and care, in India maternal mortality rate is high.

Nutrition is one of the significant axis of gender differentiation in South Asia. Many of the factors responsible for differences in the quantity and quality of food that a household gives to male and female children are interlinked and can be traced to the values and ideas generated in kinship and family systems, and ideology linked to them. The different rates of mortality and morbidity for girls and boys are explained in part by discrimination in nutrition and health care. Female infanticide and foeticide are extreme manifestations of the devaluation of daughters. Empirical studies have clearly presented this bitter truth about India, Bangladesh and Pakistan. Customarily a girl is not given milk to drink. Milk is a boys' privilege, for they must grow tall and strong. Girls, on the contrary, should not grow much or fast; their growth needs to be controlled. A large share of proteins, particularly milk products, meat, fats, and delicacies specially prepared at the cost of much labour, goes to the more valuable offspring. The mother would point out that boys would, after all, be the support of the family, whereas girls could not be relied upon, as they might leave for another house any day.

Unequal distribution in terms of sharing food not only limits women's opportunities to earn income, but also limits her control over food. Such arrangements may also include girls being fed less food and food of lower nutritional value than boys. Intra-familial distribution of resources including food within households, such as women being expected to eat the least, the leftovers and after all others in the family have eaten, makes women vulnerable to food insecurity. During child rearing too there is no provision of special food intake. She continues to eat last and the least. If a woman eats before the husband she is not a 'good woman' as termed by the larger society. Similarly, women and girls are given medical attention only if the illness continued or worsened. In all the sites, senior kin and the husband seemed more easily to suggest that this expense is unwarranted. While this situation may not be widespread but it is still prevalent.

10.2.7 Educational Opportunities

There is a popular saying in North India (John et al 2008) that 'girls should not be given higher education because it spoils their mind' (*dimag sa jaate hain*). Girls are manageable only with a low level of education. If you give freedom to women, they dance on your head and think of themselves as divine lights. Parents think education is primarily necessary for the male children. In a patriarchal society, a woman from her childhood does not get equal chance with a boy to develop her qualities. Girls' education has historically been significantly lower than boys' education. The central concern with protection of female sexuality and the attendant notions of female purity/impurity put severe constraints on the schooling of girls and women (Chanana 2001). Because it has a close linkage with caste status and honour of kinship and family. Formal education or schooling involves moving into public spaces, interaction with males (in coeducational schools and with men teachers); or being socialised (through the curriculum) as boys, and supposedly moving away from the eventual goal of wifedom and motherhood. Parents prefer to give higher education to sons rather than daughters, mainly because boys are considered positive economic assets to the family. Because daughters leave upon marriage, sons are looked upon as a form of insurance.

10.2.8 Mobility and Freedom

Restriction on the mobility of girls is also a feature of power and discrimination in the family. Concerns regarding chastity and sexual safety of young girls are there among people across cultures. For instance, parents in the family have fears regarding sexually mature daughters going to college because in roads and bazaars, if they are alone they will be harassed by men. In public places, boys 'tease' girls who pass by. The dangers are said to have further increased with the large numbers of young and not so young unmarried men, men with no outlet for their sexuality. These are the reasons for which girls are not permitted to work, meet with their friends or come back any time, they have to return home before dark. Puberty and attaining menarche lead to many taboos on the movement of girls. Many parents withdraw their daughters from schools just after attaining the puberty and restrictions are imposed on their movements. Girls are being denied the right to live on par with boys. They are accorded lower status and denied equal autonomy with boys.

10.2.9 Control Over Female Body and Sexuality

Male control over female body and sexuality is a common feature in family. The unattached sexuality of unmarried nubile daughters has always been a worry and was long reflected in the twin practices of low age at marriage and restrictions on the appearance and movements of young women. Parents could transfer the burden of a woman's sexuality to her in-laws. A girl must be guarded properly during the transition period between menarche and marriage. Sexual desire is believed to awaken at puberty and needs control and harnessing. Women need to be guarded even after they are married. The principle of protection is basic to considerations regarding female sexuality. The responsibility for protecting an unmarried girl lies with her natal or patrilineal male kin, particularly fathers and brothers. The 'honour' of males and of the larger family vests in that of their women.

Patriarchal societies propagate the ideology of motherhood which restrict women's mobility and burdens them with the responsibilities to nurture and rear children. The biological factor to bear children is linked to the social position of women's responsibilities of motherhood: nurturing, educating and raising children by devoting themselves to family. In patriarchal kinship structure, a woman's status in the household is determined by her ability to produce male offspring to carry on her husband's lineage. In the Indian context, however, Leela Dube (1986) has argued that in Northern and Central India the symbolism of the 'seed' and the 'earth' (or the field) prevail in the explanation of the process of biological reproduction. The seed here refers to the male and the earth refers to the female which bears the pain of child bearing. Dube (1986:44) argues that due to unequal power relationship, the woman stands alienated from productive resources, has no control over her own labour power, and is denied rights over her own offspring'. The woman continues to be seen as the prime nurturer and caretaker of the child. The woman is clearly defined in terms of her bodily functions and therefore an inextricable part of nature.

10.2.10 Inheritance or Property Rights

Women are not supposed to have share in family property as men have. The property rights of women in India remained largely ignored and an unaddressed issue. In his classic work, *The Origin of Family, Private Property and the State*, Fredrick Engels (1948) traced the origin of women's subordination, not in biological differences, but in the emergence of private property. Women themselves being rendered as a form of property. In many cultures, sons' rights to parental property are coupled with the responsibility of care of parents in their old age and of continuing protection of and gifts for married sisters. Chakravarti (2002) argues that due private property, women do get trapped into the ideal values of stridharma or pativrata dharma in which they surrender to the husband's authority and domination.

Agarwal (1988) points out the significance of women's land rights in today's context. She argues that India's agrarian transition is slow, uneven and highly gendered. There are serious gender inequalities in intra-household allocations of resources controlled by men. In a similar context, Palriwala (2000) has explored the subtle shifts and negotiations underlying intra-household consumption and authority patterns in a village of Rajasthan. In rural Rajasthan, it was seen that only the male members used to have access to property. Women and extended

kin members did not have ownership of property. Walby (1990) argues that much of the property and other productive resources are controlled by men and they pass from one man to another, usually from father to son. Even where women have the legal right to inherit such assets, a whole array of customary practices, emotional pressures, social sanctions and sometimes, plain violence, prevent them from acquiring actual control over property. In other cases, personal laws curtail their rights, rather than enhance them. In all cases, they are disadvantaged. So this control over and exploitation of areas of women's lives mean that men benefit materially from patriarchy, they derive concrete economic gains from the subordination of women.

Check Your Progress 2

1. What are the key factors responsible for unequal power relations in family? Give your answer in about ten sentences.

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2. Why is there a continuing tradition of Dowry?

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10.3 VIOLENCE AGAINST WOMEN

The discrimination and unequal treatment of women reveals a deeper attitude towards women which finds many expressions. Violence against women is a manifestation of unequal distribution of power and resources. Violence against women within family includes female genital mutilation, sexual abuse, dowry deaths, acid throwing, honour killings, domestic violence and marital rape and so on. There are many potential perpetrators in the family, including spouses and partners, parents, other family members. In some cases, perpetrators consciously use violence as a mechanism for subordination. For example, violence by intimate partners is often used to demonstrate and enforce a man's position as head of the household or relationship.

Estimates expose the magnitude of gender-based violence: One out of three women in the world has been beaten, coerced into sex, or otherwise abused in

her lifetime—and the abuser is usually a family member or someone otherwise known to her. Violence hinders all women's abilities to exercise their human rights, and it circumscribes women's capacity to function as full citizens in society. Moreover, gender-based violence cuts across divisions of caste, race, class, religion, age, ethnicity, sexuality, culture, and geographic region. Any woman anywhere can be a victim and a survivor of gender-based violence.

Domestic violence is one of the most common forms of violence against women perpetrated by a husband or other intimate male partner in the family. This includes sexual violence and emotional abuse. Sexual violence takes forms such as forced sex, marital rape, or forced participation in degrading sexual acts. Emotional abuse includes blackmails and psychological torture in various forms. Most often family becomes a site of honour killing. Honour killing, most often, the murder of a woman or girl by male family members. The reason behind honour killing is that the victim has brought dishonor upon the family name or prestige. In patriarchal societies, the activities of girls and women are closely monitored. The maintenance of a woman's virginity and 'sexual purity' are considered to be the responsibility of male relatives in the family. A girl can be targeted for murder for a variety of reasons, including refusing to enter into an arranged marriage or seeking a divorce or separation—even from an abusive husband.

Besides violence against women, the consequences of discrimination in family bring many other disadvantages to women in particular and create unequal social order.

Activity 1

By watching any two popular soap operas on television, give instances of familial discriminations in Indian Society?

10.4 RESISTING FAMILIAL DISCRIMINATION

Despite entrenched forms of power and discrimination in family, it is very crucial to understand women are not the passive recipients of familial discrimination. They do develop various strategies and coping mechanisms to tackle the patriarchal systems. Kandiyoti (1987) discusses about various negotiating strategies adopted by women to challenge male authority and dominance in family. This informs their rational choices and gendered subjectivities. Bina Agarwal (1994) views like any oppressed community, women also manoeuvre and negotiate with the given (patriarchal) structure in their everyday life and offer resistance in many ways and degrees at the individual and collective levels. She delineates different ways in which women offer resistance to violence and patriarchal control inflicted upon them in private and public domains. She argues resistance in this context ranges from various degrees of non compliance to patriarchal authority in everyday life to open and organised confrontation.

Activity 2

Make a list of ways in which women have resisted discrimination and patriarchal authority in your family or in families you observed.

10.5 LET US SUM UP

There is need to revisit family values and restructure it to make it more inclusive. Largely Indian family, despite various changes remains male centric. It becomes a site of power and oppression. The idea of new family can play a major role by bringing a new dimension in reconstructing the ongoing socialization. For this purpose, men and women should have equal rights and there should be equal access to resources, e.g., education, property and distribution of food. There is a greater need to sensitize family. Once male and female members of family participate in all sorts of activities including taking care of children and care of old people, everyone will feel part of that family. While it will make men more gentle, sensitive and human, women will have more mobility and freedom. Family instead of creating gender stereotyped roles can play an active role in breaking these established stereotypes. Beyond gender, both male and female can be caring, brave, rational, emotional and efficient. The point is that these traits do not belong to specific gender, but this should better be considered as individual traits. Family needs to think of individual freedom and greater access for all members of the family, society and beyond.

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10.7 SPECIMEN ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1

1. Fill in the blanks:
 - a) Men

- b) Women
- 2. Say True or False:
 - a) True
 - c) False

Check Your Progress 2

1. The key factors responsible for unequal power relations in family is varied in nature. In particular, gender socialisation creating male and female stereotypes, authoritative positions of male members, women being relegated to domestic work, strong son preference leading to daughter aversion, arranged marriages, unequal distribution of food, education and employment, restrictions on mobility of freedom of girls and denial of property rights are responsible for unequal power relations in family.
2. Dowry in many societies is often considered as a burden on bride's family. In patriarchal societies where women are denied of property rights, dowry is considered as giving economic, financial and social security to a girl.



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UNIT 11: NEW REPRODUCTIVE TECHNOLOGY AND KINSHIP*

Structure

11.0 Objectives

11.1 Introduction

11.2 Understanding New Reproductive Technologies in Kinship Studies

11.2.1 What is New Reproductive Technology (NRT)?

11.2.2 Shift in the Focus of Kinship Studies

11.2.3 Redefining meaning of Motherhood and Maternity

11.3 Understanding Kinship through NRT: The Case of Israel

11.3.1 Making mothers through technology

11.3.2 Maternity, Identity and Nation

11.3.2 Concerns Resulting from Use of NRT in Israel

11.4 Sociological Relevance of NRT

11.4.1 Technology and Patriarchy

11.4.2 Enhance Women's Access to and Control Over Technology

11.4.3 Allows for Formation of 'Families by Choice'

11.5 Negative Impacts of NRT on Family and Kinship

11.6 Let Us Sum Up

11.7 References

11.8 Specimen Answers to Check Your Progress

11.0 OBJECTIVES

After reading this unit you will be able to:

- Discuss new reproductive technologies or NRT;
- Examine how NRT is transforming prior definitions in kinship;
- Explain how NRT is changing the meaning of maternity/paternity;
- Examine the application of NRT with reference to fertility clinics;
- Note the reception of NRT in Society.

11.1 INTRODUCTION

The innovations in reproductive technology are changing the meaning of concepts central to kinship such as motherhood, personhood and parenthood. As a consequence of reproductive technologies, the boundaries between the biological and social basis of kinship have become blurred. No doubt it has revolutionised the act of birthing. Birth is no longer only a biological event but is now a social event as it creates relationships. Reproductive technologies challenge previously held cultural constructions of kinship and bring about new kinds of social relations in that kinship boundaries are redefined. In this unit, we

will explore the new reproductive technology and how it has transformed the act of procreation thereby allowing for the recasting the understanding the meaning of reproduction, motherhood, maternity and son on.

In our first section we will try and understand what are New Reproductive Technologies (NTR). The development of NRT paved ways for formation of family and increased the possibility to reproduce beyond biology. It has led to a cultural understanding of family and kinship. So, in our subsequent sections we shall examine how some of the received notions of kinship which tend to be based on biological base have been debunked. In the sections following this we shall look at the nature of fertility clinics and their acceptance or rejections and the disadvantages and advantages of NTRs.

11.2 UNDERSTANDING NRT IN KINSHIP STUDIES

Reproductive technologies are a ray of hope for those unable to bear children by the process of natural conception or choose means other than biological conception to establish a family. Examples of the former include married infertile couples, while the latter includes queer community and those aiming at single parenthood. Thus, technology is changing notions of family, parenthood, gender roles and marriage within kinship studies under the influence of reproductive technologies. NRT have made it clear that descent and alliance are not the only basis of forging kinship.

While NRT demarcate the possibility of furthering biological kinship, despite procreative challenges, whether these are recognised as kin relations is a much more complex question. Their acceptance has not been uniform in societies where they are practiced. This is because in different cultures the strict codes for inclusion of the progeny as a legitimate member of society based on the manner of conception varies. While some societies lay emphasis on procreation concerning only biological parents, others incorporate technological innovation more readily, thereby accepting involvement of larger number of people in the process of conception and childbirth. Other than the biological parents, medical practitioners and the state become part of the system of reproduction.

Societal norms that restrict interaction between certain groups due to their perceived inequality in terms of class, ethnicity, race, caste, religion etc., do not take kindly to medical procedures that overlook these very considerations in regards to patients and donors. Those societies that allow use of NRT ensure strict checks and controls to avoid breakage of ethical and religious codes.

Reproductive technologies are not a new phenomenon—the world's first test tube baby, Louisa Brown, was born in the U.K. in 1978. But the development of these procedures as a specialised branch within biogenetics to correct or circumvent infertility is recent. Reproductive technologies are a result of developments in biotechnology. It marked a shift from nature to choose by opening up possibilities of parenthood to those otherwise hampered by biology. For example, infertility, same sex couples or singles, divorcees, widows/widowers, that is, those without a sexual partner. The development of NRT paved ways for formation of family and increased the possibility to reproduce beyond biology. It has led to a cultural understanding of family and kinship.

11.2.1 What is New Reproductive Technology (NRT)?

New Reproductive Technology refers to technologies that intervene in the biological act of procreation. It can facilitate, prevent or intervene in the process

of reproduction including birthing, contraception, abortion and antenatal testing. NRT is also referred as assisted reproduction.

NRT has been classified into three main categories: (Jary, David and Julia Jary, 2000:515)

- a) Managerial technologies, which includes the management of pre-pregnancy, pregnancy and birth
- b) Contraceptive technologies, which can be non-interventionist like diaphragm or condom, or involves use of hormone suppressants, intra-uterine devices and sterilisation
- c) Conceptive technologies, including artificial insemination, surrogacy, fertility drugs, embryo donation and in-vitro fertilisation.

The most prominent reference for understanding NRT is In-vitro Fertilisation (IVF). In this procedure eggs are surgically removed from one woman's ovaries and transferred into another woman's womb in order to create reproductive possibilities. NRT is not only a medical device, but also an institution that allows the "creation of parenthood, thus giving way to new forms of procreation (Heritier 1985). NRT requires the intervention of human, machine and medical professional to make reproductive choices available to individuals. The inherent requirement of third party in reproduction has impacted the understanding of kinship.

11.2.2 Shift in the Focus of Kinship Studies

The cultural approach that emerged in the 1970s stressed on the fluid and ever-changing nature of kinship relations. In recent years, these changes have been furthered by developments in biotechnology based reproductive procedures. These are adding new dimensions of how kinship is understood differently in different cultures. Family no longer remains only biological, but rather is also defined by genetics and technology. Marriage is now an option rather than a compulsion in order to experience becoming a parent.

NRT show how the meanings of the terms motherhood and fatherhood depends on the way these are conceptualised in different societies. They are both social constructions, especially with reference to new reproductive technologies. Before these technologies became available, the facts of nature could not be denied. Fertilisation, gestation and parturition (birthing) could not be separated. NRT has separated conception from birth. It has brought to question not only who the child's father is but also who the child's mother is (earlier maternity was obvious although paternity could be suspect). If the egg belongs to one (mother) and womb to the other then the question arises as to who is the genatrix.

One of the key scholars leading the way in challenging the is David Schneider, who incorporated narratives from varied societies. He has been instrumental in shifting the focus of kinship from fixed and static assumptions of kinship; as defined by function, social structure and rules, to consideration of the diversity based on cultural variations in meanings from the perspective of people as they experienced kin relationships in their everyday lives.

In studying American kinship, Schneider's views reflect the fluidity in kinship he himself advocated. He stated that kinship was based on ideas about 'shared biogenetic substance' and 'enduring diffused solidarity'. According to him, American references to biology in discussions on family had no necessary

relation to biology as a natural process but rather to cultural constructs and were essentially symbolic. ‘In American cultural conception, kinship is defined as biogenetic. This definition says that kinship is whatever the biogenetic relationship is. If science discovers new facts about biogenetic relationship, then that is what kinship is and was all along, although it may not have been known at the time’ (Schneider 1980: 23).

Schneider makes room for innovations in biogenetics technology as having a place in redefining kinship. The manner in which relations are recognised as kin and accordingly nurtured over time need not be only based on biological links. Parenthood is not restricted to biological procreation. Options like adoption, foster care have always existed in various societies across time and place. But the biogenetic link missing from these options makes them seem like a compromise in the eyes of society emphasising on relationship of blood within social parameters of caste, race, ethnicity and religion. Certain procedures in technological reproduction result in biogenetic links with those other than the socially recognised parents, but parenthood is denied to the person contributing the biological factor in such cases.

According to Marilyn Strathern, instead of technology leading to less attention being given to societal considerations, the increased use of technology means increased social intervention through legislation on parenthood (Carsten, 2000: 10). Reproduction no longer remains within the personal realm. It is controlled and sanctioned with permission from the state, medical authorities and legislative mechanisms.

11.2.3 Redefining Meaning of Motherhood and Maternality

Reproductive technologies have changed the way we think about motherhood. Earlier, motherhood was seen as culturally and legally established through genetic kinship claims based on a nuclear family structure. Today reproductive technologies have allowed for a new legitimatisation of motherhood and thereby widening the scope of motherhood to include a wide range of possibilities that no longer rest on simple biological claims and the traditional nuclear family model.

This challenges the normative family model and destabilises societal understandings of motherhood because the “mother” may involve an egg donor or a surrogate, or be two fathers or a grandmother, or involve more participants than the intended parent. It is evident; therefore, that motherhood may no longer be defined solely by having birthing rights over the child.

The origin of maternity as a biological phenomenon is often challenged with the development of ovum-related technologies. By dividing biological roles of motherhood into genetic (eggs) and gestation (wombs), these new technologies force conceptual fragmentations of maternity as well. As soon as eggs are surgically removed from one woman’s ovaries and transferred into another woman’s womb, reproductive possibilities are created.

Check Your Progress 1

1. What are new reproductive technologies?

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2. What is In-vitro Fertilisation or IVF?

11.3 UNDERSTANDING KINSHIP THROUGH NRT: THE CASE OF ISRAEL

Susan Martha Kahn in her work, *Eggs and Wombs: The Origins of Jewishness* brings out the issue of NRT and how it has led to re-imagining of kinship. The work based on ethnographic study of fertility clinics in Israel. Israel has more fertility clinics than in other part of the world and has the world's highest per capita rate of in-vitro fertilisation procedures. These phenomena are not the result of unusually high rates of infertility in Israel but reflect the centrality of reproduction in Judaism and Jewish culture.

The study was carried out in a small religious Jewish hospital comprising of ultraorthodox Jews, Muslims, and Christians, where every procedure was carried out carefully under the purview of the Jewish law, thus making this 'hospital' religious. Unlike the other hospitals here one can see bookcases of prayer books rather than cafeteria, patient lounge. The procedures in the hospital were performed with the consideration of the Halakha (Jewish law and jurisprudence, based on the Talmud). Kahn's study of NRT in Israel depicts how local attitudes, efforts of the medical community, supportive government policies and rabbinic beliefs have affected the way this technology is received and used to incorporate new meanings of kinship.

11.3.1 Making Mothers Through Technology

The doctor told Kahn "isn't it amazing? We're making her a mother!" With this comment Dr. Benjamin made the connection between the medical realm of the operating room and the symbolic realm of kinship. She made explicit what was implicit, that this technology created a new way to make mothers, a new origin myth, as it were, for the beginning of motherhood. Mothers are now something that doctors make women into...the technological creation of motherhood (Kahn, 2004: 369).

Kinship is recast through technological advancement, which is helping people reconstruct their Jewish identity and ensure continuity of the group. The balance between technology, health and society has to be carefully maintained, keeping within the religious tenets of the Jewish community in Israel. With the use of new reproductive technology, Israeli culture has embraced use of technology in the biological conception without disregarding the hold of religious laws. Medical procedures are carried out while upholding all religious beliefs associated with conception, that is, a carefully balanced coexistence between science and

religion in the conferring of motherhood. If the religious code is overlooked, the procedures may be stopped. This would be detrimental for the prospective mother, for the child to gain acceptance as a citizen, for the doctor's reputation and thus for development of the community as a whole.

11.3.2 Maternity, Identity and Nation

In Israel, maternity remains within the purview of religious laws because it not only defines belonging in terms of kinship, but also one's membership within the religious group and right to citizenship. Jewishness determines belongingness to a nation and acquirement of citizenship. Kinship identity is defined matrilineally, making the identity of the mother crucial if legitimacy is to be accorded to the child.

Since citizenship and identity is closely tied to maternity, procreation is closely managed under the rules given under religious codes, including in the use of NRT. The use of NRT is not imbibed smoothly. There are criticisms that such technologies challenge traditional beliefs about the origin of motherhood. Rabbis are confused whether to locate maternity in genetic substance of the egg, gestation environment of the womb or in both. These debates determine appropriate rules for conception of new Jewish citizens because Halakhic law regarding women's bodies has an impact on clinical protocol.

All procedures of assorted reproduction, extracting eggs from body, fertilising eggs and sperms and injecting embryo into women's womb, observed 'Jewishness'. The fertility clinic has a religious colour and helps in construction of Jewish identity. The clinic is regarded as religious because:

- All treatments and procedures are performed under careful consideration of Jewish law.
- The setting is not ostentatious with a bookcase full of prayer books in the waiting area.
- The laboratory workers working at the clinic are closely observed, monitored and supervised by Maschgichot---Halakhic inspectors, to ensure that no mixing of sperm and egg due to use of same syringe, pipette or catheter from a previous procedure, which may carry traces of someone else's genetic material. These inspectors consider their work to be "holy work".
- According to Halakha religious law, only married couples with fertility problems can avail of the treatment. It is not an option for unmarried women.
- Flowcharts along with medical details of the patient. They contain reports of hormonal treatments, blood tests, temperature, ultrasound results and the date of immersion in Mikveh--- the ritual bath undertaken to ensure a state of purity and avoid impurity or a state of "niddah" prior to the woman undergoing the procedure engaging in sexual relation with her husband. This is also crucial to Halakhic concerns regarding conception.

The different allowances for determining maternity pose a problem in determining kinship especially in Israel, where religious identity is determined matrilineally and automatically confers citizenship.

11.3.2 Concerns Resulting from use of NRT in Israel

There is an emerging contradiction in Israeli society, which, on one hand, prioritises motherhood as the defining factor for women’s standing in society and on the other hand puts conditions of legitimising the offspring by imposing expectations of conception within the purview of Halakhic laws.

The use of NRT is monitored and permitted under close scrutiny by upholders of religious laws. Those who opt for the use of NRT requires permission for undergoing the procedure. There are limitations on who can perform the procedure. Questions of motherhood with regard to whose egg and whose womb and thus who is the ‘real’ mother of the child born are challenges that remain unresolved and are contributing to the negative image of NRT. The religious parameters that may be required to be strictly observed during the procedure --- all depict the over-bearance of society over the couple opting for this procedure.

Manipulation of boundaries: keeping within the broad framework of religious codes under the traditional Halakhic ideas about purity- impurity overlooked in surgical protocol, there is considerable room for playing with the boundaries. For instance, the doctor may be under pressure to increase the number of IVF pregnancies in her unit in order to ensure getting clients to keep the business running. The doctor may be less forthcoming about the source of the bleeding during the IVF procedure. A patient undergoing treatment will not want to volunteer information to her Rabbi that may negatively impact her treatment. A rabbi may choose to give permission to a woman suffering from childlessness. It is also possible that Rabbis devise their own interpretation of who should be recognised as a mother. Determination of maternity has clearly been destabilised by ovum-related technology. But this technology is not looked at in the negative sense as posing a challenge to traditional orthodox beliefs. It is clear that the desire to attain motherhood plays a significant part in helping to overcome inhibitions regarding modern technology that may have emerged from Orthodox Jewish religious beliefs.

Check Your Progress 2

1. Discuss how citizenship and identity is closely tied to maternity in Israel.

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2. Mention any two challenges faced by fertility clinics in Israel.

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11.4 SOCIOLOGICAL RELEVANCE OF NRT

With advances in reproductive technologies, the aspiration to establish a biological family does not have to be compromised due to problems of infertility and sterility. The sphere of reproduction as characteristic to the personal or domestic sphere of the home was challenged by feminist thought. Feminists have called attention to the wrongful but accepted binary between male/female, mind/body, culture/ nature, production/reproduction.

11.4.1 Technology and Patriarchy

The option of NRT is especially useful in the context of patriarchy, which defines women primarily in terms of her reproductive capacity with emphasis on a genetic and blood link with the child. Reproduction is seen as a natural process over which men exert control through technological intervention. They have been blamed for promoting patriarchy and equating motherhood with womanhood, thus enforcing linear progression from marriage to childbirth by playing on the stigma of childlessness. ‘Women’s bodies are anesthetised, surgically invaded and intruded upon in the name of conceiving children’ (Kahn, 2004:363)

NRT is regarded by feminist critics as gender-fragmentation of women’s bodies into eggs and wombs, which dehumanises and objectifies women by promoting a view of their bodies as detachable parts that can be combined and recombined to create motherhood. Women desperate to become mothers are given a chance to become “complete” by using reproductive technological procedures.

11.4.2 Enhance Women’s Access to and Control Over Technology

A positive viewpoint is that reproductive technology is liberating for women by helping them overcome their relegation to the domestic sphere by handing them control over their reproductive abilities—whether to conceive, when to conceive and how to conceive.

Those opting for NRT have to fend off social stigma as some individuals or social groups may consider NRT to violate certain conditions they feel are necessary for acceptance of the child as a member of their community. They may find uncertainty of traceable relatedness and social credentials of the donor parents involved and lack of commonality of religion, race and ethnicity unacceptable to carry out reproduction using technology that involves such persons.

There are mixed opinions about the appropriateness of using such technology. While some agree that technology is helpful to those facing problems in childbearing, others feel that reproductive technologies result in defamiliarising’ of the natural basis of human procreation and reproduction (Carsten, 2000:11) and are evidence of oversights of social norms surrounding cultural and religious beliefs, as seen in the case of Israel in dilemmas facing rabbis and the face of NRT.

11.4.3 Allows for Formation of 'Families by Choice'

Reproductive technologies have allowed formation of “families of choice” – same-sex, single parenthood and so on. The family by choice is an illustration of the fact that biology is not the only defining feature of kinship. People can be kin without sharing blood and marital relation.

Kinship is based on love and enduring solidarity expected to characterise these familial relationship. Further it also negates the ideas of procreation based on heterosexual identities.

Family is no longer seen only as unit for reproduction rather it can be a non-procreative unit.

Such family ties are based on ideology of choice and love, and stand in opposition to biological model of kinship. The families of choice therefore, emerge as an important basis to question biologically modelled heterosexual domain of kinship, which has failed to provide support and care to lesbian women and men.

11.5 NEGATIVE IMPACTS OF NRT ON FAMILY AND KINSHIP

Due to debates about the appropriateness of NRT, it is not guaranteed that they will be well received and accepted in positive terms by all members of the society that adopts them. NRT are sparking legislative debates about the ethical, social and legal consequences of its uses (Levine 2008: 381).

The unregulated proliferation of reproductive technologies brings in serious questions that force a rethinking of the idealness of reproductive technology. This technology is considered to promote capitalism by treating human bodies as commodities for sale-worthy economic capital and resorting to medical tourism. It results in an unethical but thriving 'fertility industry' where human reproductive parts like eggs, sperm, uteri and embryos can be 'bought', 'sold' or 'hired' (Marwah, 2011). It overrules health rights and concerns of gender by exploiting donors through low economic reward scales and health risks from unregulated frequency of procedures. It results in medicalisation of their reproductive bodies as both clients for treatment of their own infertility and also as donors facilitating others to have babies (Patel, 2013:69). NRT have received a mixed response because of problems bordering on their lack of affordability, accessibility in different countries and low success rates.

NRT is changing the existing understanding of how motherhood and identity is conferred upon the mother and child respectively at the cost of becoming a threat to religious beliefs regarding pollution, conception and determination of maternity. Older, unchanged, norms which make no provision for new innovations and procedures must be upgraded at the earliest. The contest between tradition and modernity is brought to the fore and is currently unresolved in the case of reproduction in Israel.

Check Your Progress 3

1. State any two relevance of NRT for society

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2. Do you think use of technology for human reproduction has any negative consequence? Illustrate your answer with examples.

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11.6 LET US SUM UP

In this unit we have comprehended the meaning of new reproductive technology and how it has redefined the understanding of parenthood. The use of technology for reproduction has challenged the traditional understanding of motherhood and maternity. We have learnt that NRT has led to de-naturalisation of reproduction, implying that birthing is no longer only a biological process but something that we constructed in medical laboratories. We have also seen that NRT has not only expanded the scope of kinship studies but has contributed significantly to enhance the status of women. It has given more reproductive choices to women and allowed them to come out of the trap of biology. Despite the advances made, there are some repercussion of the use of technology and it has generated questions of identity of children born through assisted reproduction

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11.9 SPECIMEN ANSWERS TO CHECK YOUR PROGRESS

Check Your progress 1

1. Reproductive technologies are a result of developments in biotechnology. They refer to technologies aimed at facilitating, preventing or intervening in the process of reproduction such as contraception, abortion, antenatal testing, birth technologies and contraceptive technologies.
2. NRT change the notion of motherhood in Israel by designating as separate genetic and gestation mother---one providing the egg to be fertilised and the other the womb for gestation.

Check Your Progress 2

1. In Israel, maternity remains within the purview of religious laws because it not only defines belonging in terms of kinship, but also one's membership within the religious group and right to citizenship. Jewishness determines belongingness to a nation and acquirement of citizenship. Kinship identity is defined matrilineally, making the identity of the mother crucial if legitimacy is to be accorded to the child.
2. Two challenges faced by fertility clinics in Israel are:
 - i. Motherhood bound to religious conditions: There is an emerging contradiction in Israeli society, which, on one hand, prioritises motherhood as the defining factor for women's standing in society and on the other hand puts conditions of legitimising the offspring by imposing expectations of conception within the purview of Halakhic laws.
 - ii. Outdated religious codes and differences in opinion of Rabbis: Traditional rabbinic imagination does not mention any reference to ova. Thus, for rabbis, determining motherhood involves making an interpretation of something which according to the religious texts does not even exist. Rabbis devise their own interpretation of who should be recognised as a mother

Check Your Progress 3

1. The two relevance of NRT for society are:
 - a) Reject technology as patriarchal
 - b) Gives freedom and agency to women
2. The use of technology for human reproduction can have negative consequences. It has added a monetary value to the biological process and this has created a divide between the rich and the poor. The women from economically weaker section have become victim of the commercialisation of surrogacy.

UNIT 12: MARRIAGE AND MIGRATION*

Structure

- 12.1 Objectives
- 12.2 Introduction
- 12.3 Factors Causing Marriage and Migration
- 12.4 Inter-regional Variations of Marriage Migration
- 12.5 Positive and Negative Aspects of Marriage Migration
- 12.6 Marriage Migration and Kinship Networks
- 12.7 Marriage Migration and Rules of Endogamy
- 12.8 Marriage Migration and Globalisation
- 12.9 Let Us Sum Up
- 12.10 References
- 12.11 Specimen Answers to Check Your Progress

12.1 OBJECTIVES

After going through this unit, you should be able to:

- Explain marriage and migration as two interlinked concepts;
- Discuss marriage migration and its varied dimensions;
- Narrate marriage migration, kinship networks and rules of endogamy.

12.2 INTRODUCTION

Marriage is one of the social institutions where a man establishes socially sanctioned marital relationship with a woman so as to provide legitimacy to the children born out of such relation. Marriage is an important source of migration and it is the women who generally migrate. The proportion of women is relatively much higher in the short distance rural to rural stream of migration. The proportion of women out migration due to marriage is quite high in some of the Indian states like MP, Haryana, West Bengal and Orissa. In 2001, 42 out of 65 million female migrants cited marriage as the reason for migration. In contrast, men migrated for employment. In a largely patrilineal and patrilocal society, women move to their husbands' homes upon marriage.

In this unit we will try and understand the relationship between marriage and migration. We will begin by looking at the factors causing migration due to marriage. In the following section we examine the regional variations in marriage migration and see the positive negative aspects of marriage migration. In the subsequent section we will discuss aspects related to kinship network and marriage migration. As you might know rules of endogamy play a huge part in marriage migration the section 12.6 will discuss this aspect too. And lastly we will examine marriage migration in the context of globalisation.

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12.3 FACTORS CAUSING MARRIAGE MIGRATION

The important factor of marriage migration is the role of the social group and the village community. The Indian society is characterised by the principles of endogamy and exogamy. In the Hindu society the hypergamous tendency operates along with caste endogamy. This tendency is closely related with migration. The norms derived from those principles prescribe custom for marriage. The exogamous pattern of a marriage-taking place between the villages pushes a large proportion of female population to move from one village to another but within the boundary of the social group. The principle of village exogamy permits matrimonial selection from outside the village because of the widespread Hindu custom of taking a bride from another village. The principle of group endogamy permits matrimonial selection from within the social group. This makes women remain within the social boundary of her social or caste groups.

The social group endogamy restricts social mobility of women across the boundary of the social group but the village exogamy permits them to cross the spatial boundary of the village. This is the social basis of their migration from the village of origin to the village of destination. According to the marriage bond of patrilocal residence of patriarchal family the young bride has to move to the village of her destination. The volume of female migrants due to marriage is also quite high in urban areas. However their stay in the city is for a short duration because the volume of their return migration from the destination city to their village of origin in the urban to rural migration is quite high. This is because the family's obligations exert greater social pressures, as a pull factor on newly married women is more than their men.

12.4 INTER-REGIONAL VARIATIONS OF MARRIAGE MIGRATION

Migration happens more due to regional disparity in development. People move from backward underdevelopment regions to developed and prosperous areas in order to improve in their living conditions. This is found to be true both in international as well as in internal migration. In the developing countries in general and India in particular the inter-state migration should be viewed in the context of regional disparity and inequality in development.

Cross-region marriages in India are different from the “correspondence/ introduction agency marriages” prevalent in east Asia, as the spouses have never met or communicated before marriage. Conventional arranged marriages in India, whether short-or long-distance, are ideally governed by locally specific marriage rules, i.e., the marriage usually takes place between individuals belonging to the same region, religion, caste and class. Marriages are generally hypergamous and accompanied with dowry. In Patri-virilocal marriage migration, the distance between a woman’s natal and marital homes has traditionally been small. With urbanisation and changing criteria of spouse selection, the distance has been increasing among upwardly mobile families indifferent social groups. The prevalence and increasing popularity of cross-region marriage, especially in female deficit areas, raises several important questions regarding the acceptance of region, culture, language and religion.

In case of cross country marriage migration, grooms are ranked in terms of likelihood of achieving permanent settlement abroad. The brides are however ranked in terms of traditional requirements of wives' of bread winner husbands - beautiful, domesticated, and familiar with ritual and culinary mores of "home". Simultaneously their horoscopes as well as educational qualifications are seen in the light of the grooms anticipated carrier options. The amount of dowry to be given and lavishness of the wedding are also attuned (Palriwala and Uberoi: 2008). Scholars argue that asking for dowry represents a traditional framework through which modern achievements of educational, occupational and spatial qualifications of the groom's side are measured.

12.5 POSITIVE AND NEGATIVE ASPECTS OF MARRIAGE MIGRATION

There are both positive and negative aspects of marriage migration. On the one hand, it involves the problems faced by couples, but mainly women and children, when adjusting to new environments and dealing with legal issues including citizenship, if it's a transnational migration. Genuine 'marriage migration' is a concern for both migrant community and the state in the destination country. Cases of women being subjected to cruelty of false marriage, cheating and dowry extortion have increased in proportion to the growing number of Indians emigrating in search of green pastures abroad (Kaur 2010).

Even within the country, women are more vulnerable to physical and sexual abuse, lower wages and other forms of exploitation. Large scale import of women through marriage migration has already been reported from areas of better sex-ratios resulting in differences in the experience of brides. The issue of marriage, migration and trafficking is connected to the larger story of business in brides booming in north-west India. Skewed sex ratios in states like Haryana (where there are only 830 girls for every 1000 boys), and Uttar Pradesh are the result of several interrelated factors like female foeticide and young women being lured away to jobs in India's booming cities. In fact, these women often become forced migrants, especially those who end up in the sex or entertainment industry, in forced labour, or in cross-border marriage migration. In all such cases the agency of the bride is silenced, and the poor and marginalised women are made a victim to the selfish demands of the bride takers in the context of uneven social and economic development.

Scholars like Ravinder Kaur (2010, 2012), for example, highlights how Bengali brides migrate to far-flung and culturally strange, rural destinations away from their own homeland. She shows how cross-regional marriages are propelled by spousal shortages in two female deficient states of the country, Haryana and UP. The process is commonly known as Male-Order Bride (MOB) phenomenon. While Punjab and Haryana also have brides from Kerala, Assam, Bihar, Maharashtra, Tripura and several other states, the Bengalis far outnumber the rest. The families of these brides marry one daughter in a socially approved dowry marriage in the state itself and send the rest out as marriage migrants. These brides serve not only sexual and reproductive roles; they also work as economic or agricultural labour in their husband's house. Thus, it is evident that such long-distance, cross-region marriage is becoming a socially, if not numerically, significant category of marriage migration in India.

It is clear by now that 'marriage migration' very often leads to trafficking, exploitation and sex trade of girls from different part of South Asian countries. Often marriages are a bait to lure women from poor women into sex work in faraway places. A recent study on 12 closed and sick tea gardens of Jalpaiguri district of West Bengal has found that young girls are trafficked in large numbers from these gardens in the plea of placing them in the lucrative job market in urban metropolis like Delhi, Mumbai and Ahmedabad (Ghosh2014). Quite clearly, there is change in the nature of human trafficking in contemporary India from trafficking for prostitution to labour trafficking.

Interestingly, several other studies have confirmed that West Bengal serves as a source, destination and transit for trafficking in women and children. Bengali women are acquired as wives not only from West Bengal but also from Bangladesh by men of several Indian states.

However, as compared to brides from West Bengal, Kaur (2004) notices that vulnerability is doubled in case of Bangladeshi brides who are disadvantaged in several ways. The latter have little or no recourse to parental support structures, are illiterate and lack citizenship status too. Bangladeshi affine simply does not exist for the wife-takers. Husbands are unable or disinclined to visit Bangladesh, and Bangladeshi brides are often refused permission by husbands and the latter's families to visit their natal homes. Relatives who manage to visit them are often not allowed to speak directly to them and are treated so badly that they return with a disheartened view of the fate of their daughters, sisters or co-villagers. Palriwala and Uberoi (2008) here argue that the security and vulnerability of women and the relative proximity of the effective support networks of natal kins determine the agency of the woman.

These unusual marriages are a consequence of a combination of factors: adverse sex ratio, acute poverty and the desire of parents to escape dowry. Poor parents are being driven to marry their daughters hundreds of miles away from home while men from the low sex ratio states of Haryana, Punjab, parts of UP and Rajasthan are 'importing' 'foreign' women from the eastern and southern states as marriage partners. Women, too, may be choosing this as a migration strategy to move from poorer to more desirable locations. Moreover, evidence from the data gathered until now shows that the phenomena of across-region marriages are not confined only to lower castes, who are expected to be less diligent in obeying prescribed cultural rules of marriage; it is occurring among all castes and income levels in these north-western states. Such a flow of women remains strictly unidirectional - women from Haryana/Punjab or UP are not given in marriage to families in Assam/West Bengal; being in short supply they are able to find spouses locally. In an inverted logic, the 'value' of the local women in the marriage market goes up and this is seen in the demand for land in exchange for the girl by parents of women who are sought by grooms for a second marriage. Hence, the 'social' implications of this shortage for both men and women in the northern part of India is analysed and how such unconventional form of marriage unites rural, illiterate Indians across boundaries of region, language, religion and even caste. This hints towards the social changes that are undergoing in the country, that are worth studying.

Box 1 Women Migrants

Many of the women who migrate for marriage, particular to cities and towns are also participants in the labour market, even if their primary reason for migration is marriage. The domestic maid industry in urban areas, for example, is a rapidly growing sector that employs women, most of whom are rural-to-urban migrants. While labour migration, mostly through marriage for women is under research focus. There is very little focus on skilled women migration. Nurses in medical field is one such example and women in IT sector, which is often presumed to be male dominated sector is another area. There is little research migrant women in the information technology sector writes Parvati Raghuramna (2004) “Research suggests that in 2000 – 2001, the number of female migrant workers to the UK almost equaled that of men (75,600 men compared to 75,000 women). The number of women workers migrating from India doubled in the period from 1996 – 1997 to 2000 – 2001 but despite this the migration stream from India continued to be male-led with 60% of all migrant workers from India being men (Robinson, 2002, p. 467 quoted in Raghuraman, 2004).

More focused research needs to be undertaken on these skilled women migrants and the implications in terms of marriage

Among the positive effects of marriage migration, marriage migration has also emerged as acceptable means to disadvantaged women to achieve a measure of social and economic mobility. In this later sense, migration has also encouraged the rescripting of gender roles within family, provide economic security, enhance autonomy of the woman and her respect in both the eyes of her family and community and offer women economic security and escape from subjugation and persecution. It has been noted that the process of labour migration itself often results in marriage migration as young migrant workers find their spouses among their workmates. Migrant daughters may enjoy more freedom in selecting their own partner and spending their own income and in helping their natal families financially before and after marriage.

Check Your Progress 1

- 1)permits matrimonial selection from outside the village because of the widespread Hindu custom of taking a bride from another village.
- 2)should be viewed in the context of regional disparity and inequality in development.
- 3) Palriwala and Uberoi (2008) here argue that the security and vulnerability of women and the relative proximity of the effective support networks of natal kins determine theof the woman.

12.6 MARRIAGE MIGRATION AND KINSHIP NETWORKS

Marriage migration is seen as a social institution determined merely by kinship and custom. While seeking to make women ‘visible’ in migration studies, feminist scholars have been ambivalent in their acknowledgement and interpretation of the phenomenon of women’s marriage migration. On the one hand, they have challenged the denigration of women’s economic roles

embedded in their categorisation as 'marriage migrants', and sought to focus instead on the historical and present reality of women's independent work participation and work related migration. 'Patriarchy within marriage and the larger society' is realised in the greater power of the husband, the undervaluation of women's work and careers relative to men's and the implicit norm of the male breadwinner/woman homemaker. While conceding that the reality of women's labour migration has been obscured by the perception of women's migration as essentially secondary and associative, it is also crucial that we recognise the social and institutional character of marriage in itself, as well as its role in ensuring the reproduction of community.

In anthropology, rules of post-marital residence are an important feature distinguishing one type of kinship system from another. A newly married couple may set up house together (neolocal residence) ; the wife may move to live with her husband or with his paternal kin (virilocal or patrivirilocal residence respectively); or a man may move to live with his wife (uxorilocal residence). Among these several types, the rule of patrilocal residence entails a woman's movement upon marriage.

Moreover, in such societies, marriage rules might also specify marriage outside a particular kin grouping (such as the patrilineage or clan) and certain principles of territorial exogamy that is ensuring a spouse from beyond circumscribed spatial boundaries. Rules of post-marital residence do not generally find a place in discussions of the bargaining that decides which partner migrates and which partner follows because—from a Western perspective—neolocality is assumed as given. However, in societies where patrilocal residence is the rule, women's 'marriage migration' has usually constituted a large proportion of total migration and the overwhelming bulk of female migration. Here, notions of blood relationship, the descent principle and prescriptive rules of marriage have been privileged over the commonplaces of residence and connectedness.

12.7 MARRIAGE MIGRATION AND RULES OF ENDOGAMY

These are rules of endogamy (marriage within one's own caste group although outside one's own 'gotra' - clan), hierarchy (bride givers are inferior to bride-takers) and hypergamy (the woman must marry up, both socially and economically). The rule of caste endogamy is shared all over India. However, within the caste, isogamous (spouses of equal status) or hypergamous (spouses of unequal status) marriages may occur. In many parts of the North, village exogamy is another rule, making it imperative for spouses to be from different villages. Dowry, since it has become near universal in the country, can be considered as another rule. According to high caste customs, an honourable marriage is one accompanied by dowry and not by bride price (where the groom pays a sum of money to the bride's parents), on the other hand, In South India marriages often took place among close relatives due to which the brides were known to the family. Thus, real and classificatory 'cross-cousin' marriages and 'uncle-niece' marriages were prevalent in the South India. In the North, however, people preferred to marry 'strangers' (Kaur, 2004). The first rule, of caste endogamy, is rarely infringed except in contemporary non-arranged marriages. However, one can easily witness changes in the arena of marriage as in the south, the shift from matriliney to patriliney and a movement away from marriage among close relatives in patrilineal families are important changes

affecting marriage patterns. Additionally, marriages among non-elite persons coming together in the urban work context are also broadening the marriage.

Women who migrate for marriage, especially to areas where they have no prior caste and kinship links, tend to create marriage networks around themselves. Thus, such marriages need to be understood within an approach that combines the economic perspective of marriage migration as household strategies with the one that looks at the social implications and consequences of such marriages. To begin with, one of the important concerns is the burden of adjustment in such marriages is unambiguously on the women who are brought into a culture generally more patriarchal than their own. The women have to bridge the sheer cultural chasm that they are faced with. Also, it is very likely that such women are at the receiving end of more intensified violence in patriarchal cultures where the daughter-in-law is anyway at the bottom of the totem pole. Thus, it is the women, who face the greater burden of adjustment as they are extracted from their local and cultural context. Marriage divests them of their sources of social security, their cultural moorings and they are forced to embrace their husband's culture in totality. Extreme deference ensured through purdah practices, loss of mobility and freedom, loss of social safety networks and cultural practices that made life fun and tolerable is traded for an economically more secure life.

Check Your Progress 2

- 1) What are the major differences between South and North India rules of exogamy and endogamy marriage rules?

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- 2) What are the different patterns of post marital residence?

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12.8 MARRIAGE MIGRATION AND GLOBALISATION

Marriage migration is closely tied to processes of globalisation and constitutes one form of the transnational social fields that connect places of out-migration with those of in-migration.

The contemporary globalised world is witnessing migration across the globe, So much so that the present globalised era is also known as the age of migration. Indians are one of the largest migratory community. The report 'International Migration 2020 Highlights', by the Population Division of the UN Department of Economic and Social Affairs (UN DESA), said the spatial distribution of transnational populations varies greatly and India's diaspora, the largest in the

world, is distributed across a number of major countries of destination. UAE, Saudi Arabia and US host the largest number of Indian Migrants. In 2020, 18 million persons from India were living outside their country of birth. (<https://economictimes.indiatimes.com>)

A growing number of people in India have networks to people across the globe, making them part of transnational field of activities. Many first generation or even second generation male and often females look towards home for brides and grooms. Alliance with NRI and oversees Indian origin person (Non-resident Indians who are citizens of India but who are residents of countries abroad) are seen as promise of better future and mobility for not only the bride but for the entire family who come into transnational networks. While some may prove to be means of mobility there have been many instances of the marriages turning out to be tool of exploitation, especially of women. Some of the typical instances of exploitation have been: abandonment of the wife; domestic violence; non-resident Indian husband already married; harassment related to dowry. While there tend to be a 'utopic hope that transnationalism may offer opportunities to realign and equalize gender relations', research also shows that gender asymmetries often remain and may even become reinforced after migration. As the constraints of foreign country and a relationship of dependency on the spouse often makes it difficult for many women to get out of marriage.

Due to numerous complaints received from Indian nationals mostly women, who were deserted or harassed by their Non-Resident Indian spouses, the Union Cabinet has approved the introduction of Registration of Marriage of Non-Resident Indian (NRI) Bill, 2019 to create more accountability to Indian citizens living abroad, and to offer more protection against the exploitation of Indian citizens, mostly Indian women by their NRI partners. Under the new bill, a marriage between an NRI and an Indian citizen will have to be registered in India or Indian missions and posts abroad within 30 days from the date of marriage. If the marriage isn't registered within 30 days, the passport of the NRI will be revoked, summons and warrant be issued.

Box 2 NRI Marriages

'NRI marriages', as generally understood, are between an Indian woman from India and an Indian man residing in another country (thus NRI – non-resident Indian), either as Indian citizen (when he would legally be an 'NRI') or as citizen of that other country (when he would legally be a PIO – person of Indian origin). In the eagerness not to let go of such lucrative marriage offer, the families totally ignore even the common cautions that are observed in traditional matchmaking. They also ignore that in case of things going wrong in an NRI marriage, the woman's recourse to justice is greatly constrained and complex. The aggravated risk in such marriage is the woman is being 'isolated' far away from home in an alien land, facing language constraints, communication problems, lack of proper information about the local criminal justice, police and legal system. The situation is worsened by lack of support network of friends and family and monetary constraints which leaves the deserted wife completely helpless and stranded.

(Excerpt from brochure on Problems relating to NRI marriages by National Commission for Women)

It is a topic of inquiry within migration studies that has become increasingly important as interest in the gendered dimension of migration has grown, as the patterns of mobility within and across borders around the world have expanded and diversified, and as our understanding of the varied reasons for migration (beyond employment) as well as of the role of the state in regulating movement has broadened. Highlighting the conjunctures of marriage and migration illuminates the gender biases and stereotypes inherent not only in analytical categories but also in policies such as those that target marriages of convenience or that promote multiculturalism. The research on marriage and migration challenges dichotomous thinking (love/instrumentalism, autonomy/dependence, dominance/subordination, home/host country) and calls for more complex analyses not only of the structural factors that shape the relationships between migrant brides and grooms, husbands and wives, and fathers and mothers but also of the different power dynamics that shape decisions about both marriage and mobility within both national and transnational spaces. Research on the link between marriage and migration often focuses on the assimilation, adaptation, and integration experiences of marriage migrants, particularly those who move across national boundaries.

12.9 LET US SUM UP

Marriage migration has led to social, demographic, and cultural transformations of current and future generations in various countries, and raised new issues in relation to race, ethnicity, gender, class, and nationality. Recent scholarly work has critically examined various aspects of the experiences of women marriage migrants in affinal families, communities, and societies. A great deal of the ethnographic and qualitative research on marriage migration focuses on women's agency, the patriarchal and heteronormative underpinnings of marriage, and incongruous gender relations, as well as the dynamics between local transformations and the global political economy.

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12.10 SPECIMEN ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1

- 1) The principle of village exogamy
- 2) The inter-state migration
- 3) Agency

Check Your Progress 2

- 1) In many parts of the North, village exogamy is one of the rule marriage, making it imperative for spouses to be from different villages. Hypergamy is another of the rules in North India which makes bride givers inferior to the bride takers. In South India marriages often took place among close relatives; 'cross-cousin' marriages and 'uncle-niece' marriages are prescriptive. The relationship between bride takers and bride givers is isogamous or equal in the south of India
- 2) A newly married couple may set up house together (neolocal residence); the wife may move to live with her husband or with his paternal kin (virilocal or patrilocal residence respectively); or a man may move to live with his wife (uxorilocal residence).



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GLOSSARY

Affinal relationships: Relationships through marriage can be seen as the relations between father/mother-in-law and daughter-/son-in-law, etc.

Agnates: are kin who trace their relationship by descent through males only, from a common ancestor, who are under the authority of a single paterfamilias, and who reside together.

Agnatic: A mode of descent where the descendant is born of an unbroken line of men

Alliance: In kinship theory, this refers to a view of society which emphasises marital interactions (usually repetitive) between descent groups as a basis for social integration and group definition.

Ambilineal descent: The principle whereby descent is reckoned through male or female links without set order

Amitate : Relation of the ego with father's sister, she has a formal relation with her nephew as bilateral descent.

Avunculate: Relation of the ego with mother's brother in a matrilineal society. The MB has more influential and formal relation with his sister's son

Avunculocal: A form of residence in which the married couple lives with the mother's brother.

Blended Family: A family consisting of previously divorced spouses, their new marriage partners and children from previous marriage.

Bride Price: A form of marriage payment in which the bride's family receives a payment of goods, money, or livestock from the family of the groom.

Bride Service: Custom in which a man spends a period of time working for the family of his wife.

Caste: Caste is a system of stratification specifically found in the Indian sub-continent. It is based on ascribed status of being born into a particular group.

Class: Class refers to a status group in a society. Marx defined class in term of social group having control over the means of production. For Max Weber's factors that influences class are 'status' (the differences between social groups in the social honour or prestige)

Classificatory Kinship System: A mode of kinship classification in which collateral kin are terminologically equated with lineal kin (e.g. father's brother's children are called by the same terms as siblings, as in brother or sister).

Cognates: A bilateral (consanguineal) kinsman or kinswoman.

Cognatic: The relationship between a person and a lineal ancestor, through the male or female line.

Cohabitation: Form of family when a man and woman live together in a sexual relationship without being married.

Commensality: the act of eating together; the social sharing of food. Both domestic and social relations are reflected in pattern of commensality.

Compadrazgo: A fictive relationships between a child, their parents, and their godparents.

Conjugal Family: A family formed on marriage. It consists of man, woman and their unmarried children, term is also used for nuclear family.

Consanguinal relationships: Blood relationships between mother and son/daughter, sister and brother/sister, father and son/daughter.

Consanguine : is a relative by birth (i.e., a "blood" relative), as distinguished from in-laws ("affines") and step relatives.

Couvade: Is a practice of establishing paternity found among the Todas and Khasis. On the birth of the child a man lives a life of austerity in these communities.

Culture: Culture refers to the beliefs, values, language, communication and practices that individuals may share and learn as members of the society.

Descent: A relationship defined by connection to an ancestor (or ancestress) through a culturally recognised sequence of parent-child links -from father to son to son's son (patrilineal) and descent from mother to daughter to daughter's daughter (matrilineal)

Descriptive Kinship System: Descriptive systems separate lineal from collateral relatives. Thus, "cousin" is a term in a descriptive system. However, the term "cousin" may be called a classificatory term because it includes several different types of relatives.

Descriptive: Type of kinship terminology in which separate term is used to refer to kin. For example in North India, the ego uses the term, 'bhua' for father's sister and 'maasi' for mother's sister.

Discrimination: Discrimination refers to the unjust or prejudicial treatment of different categories of people, especially on the grounds of age, gender, caste and class

Domestic group: Meyer Fortes defined domestic groups as a house-holding and housekeeping group which helps members to organise resources which are needed for the development of all its members.

Dowry: A form of marriage prestation in which wealth in the form of jewelry, clothes, property etc. is transferred from the family of the bride to the groom and his family.

Endogamy: marrying within the tribe/clan.

Endogamy: The marriage rule according to which a person marries within one's group.

Exogamy:The marriage rule that prohibit marrying members of one's group. A person has to marry outside one's own group.

Exogamy; marrying outside tribe/clan

Extended family: An extended family is a family that extends beyond the nuclear family, consisting of parents like father, mother, and their children, aunts, uncles.

Feast of Souls: Refers to the use of ceremony to identify kinship ties between participants.

Fictive: Kinship relations outside those of blood and marriage.

Filiation: refers to the relation an individual develops as a fact of being the child of a specified parent. It denotes the relationship created by the fact of being a legitimate child of one's parent.

Gay: is a homosexual man, who is sexually attracted to other men.

Gender: Gender refers to social or cultural distinctions between men and women in terms of certain norms and values attached to femininity and masculinity.

Generalised Exchange: A system of marriage exchange in which women are viewed as circulating within groups. Wife-givers cannot be wife-takers

Hearth: Floor of fireplace

Heterosexual: are people who are attracted to opposite sex.

Household: It is the basic residential unit where economic production, consumption, inheritance, child rearing and shelter are organised and carried out. The household (*ghar* in Hindi) is a residential and domestic unit composed of one or more persons living under the same roof and eating food cooked in the same kitchen (*hearth/chulah* in Hindi).

Incest Taboo: A rule of prohibition of marriage or sexual union between members of primary family (father, mother & siblings).

Indirect Exchange: A system of alliance whereby kin groups exchange wives indirectly, so that a man must marry his actual or classificatory mother's brother's daughter (MBZ-matrilineal alliance) or Father's sister's daughter (FZD patrilineal alliance).

Intersectionality: The interconnection between different social categories like caste, class, gender and race refers to intersectionality. It leads to disadvantage and exploitation from multiple sources.

Joint Family; A group of people who generally live under one roof, who eat food cooked in one kitchen, who hold property in common, participate in common family worship and are related to one another as some particular type of kindred

Kin: The term includes within the bound a large number of persons; and what creates a kinship will necessarily depend upon the social organization in the context of which the term is applied

Kinship terminology: Terms used to refer and address kin indicating the relation between ego and the person being addressed.

Kinshipping: Is the human ability to construct relations that are not based on genetic kinship but which allows people to develop relation with non-kin group.

Lesbian: is a homosexual woman, who is sexually attracted to other women.

Levirate: Rule whereby a man is entitled to marry/inherit the widow of his deceased brother

Live-in-Relations: Is an arrangement whereby two adults decide to live together on a long term permanent basis in an emotionally and sexually intimate relationship outside the wedlock of marriage.

Marriage Prestation: The payment made at the time of marriage, the different forms of prestation are dowry, bride price and bride service.

Masculinity and femininity: Socio-cultural attributes associated with male and female identities

Materialistic theory: is based on thinking of Karl Marx for whom the material or economic conditions were the foundation for socio-cultural aspects.

Matrilineal Puzzle: Refers to the conflict generated in a matrilineal society due to competition between in-marrying husbands/fathers and maternal brothers due to prevalence of principle of female succession and masculine authority.

Matrilineal: descent is traced through the female line

Matrilocal Residence: A form of residence where the daughters and sons continue to reside with the mother. It is found in matrilineal society where the men do not have permanent residence, they continue to live with mother and only visit their wife's residence for procreation.

Matrilocal: A form of residence in which the married couple lives with wife's mother and her family.

Miteri: A form of fictive or ritual kinship common among Hindu caste and ethnic group of Nepal.

Monogamy: Marriage in which both partners have just one spouse

Neolocal: A form of residence in which married couple set up their separate house.

Non-agnatic: those descendants born through at least one female link.

Nuclear Family: A nuclear family consists of two generations of a family living in the same home; composed of husband, wife and their unmarried children. The size of the nuclear family is very small.

Patriarchy: Patriarchy refers to male domination, to the power relationships by which men dominate women, and to characterize a system whereby women are kept subordinate in a number of ways

Patrilineal: descent is traced through the male line

Patrilocal: A form of residence in which the wife goes and lives with the husband's father and his family.

Patrilocal: Residence pattern in which women have to go and reside with the husband's father and his relatives.

Polyandry: A woman marrying more than one man at a given time

Polygamy: Marriage in which there are more than one spouse, it is known as polygyny when a man has multiple wives and it is known as polyandry when a woman has more than one husband.

Polygyny: A man marrying more than one woman at a given time

Popular culture: Popular culture can be seen as those set of beliefs, practices that are shared most broadly by majority members of the group or community. It can include depiction of dominant ideas (culture) of the society on diverse mediums like film, media, television, fashion, entertainment, literature, sports and linguistic conventions, among other things.

Postmodern Family: The term postmodern family refer to the new forms of family emerging in the contemporary society not limited to reproduction and marriage.

Power: Power is the ability to control the behavior of people without their consent

Relatedness: A term used by anthropologists to refer to kinship relations that are more social than biological.

Rodi: A tradition where teenagers form fictive kinship bonds to socialise, perform communal tasks, and find marriage partners.

Single-parent Family: A family in which only one parent takes cares and responsibility of one or more children without the assistance of the other biological parent.

Socialisation: Socialisation refers to the internalisation of expected values and norms by male and female members

Sororate: Rule whereby a man is entitled to marry the sister of his deceased wife

Sorority: A club or organization of women, usually young and commonly students, formed mainly for social purposes

Step family: A stepfamily can be defined as family in which at least one of the parents has a child or children from previous relationships.

Stereotype: Stereotype is a preconceived notion of categorising people

Surrogacy Family: The term 'surrogacy family' is used to refer to a family formed with the help of third party (generally a women) who rents her womb for the gestation of the child.

Unilineal descent: The principle whereby descent is traced either through the male line ("patrilineal") or the female line ("matrilineal"), but not both.

Unilineal: Single line used for tracing descent, either male or female line

Uxorilocal : The residence pattern in which a man moves into his wife's home.

Uxorilocal: residence in woman's house

Virilocal : The residence pattern in which a woman moves into her husband's home.

Virilocal: residence in man's house