

Subject: Anthropology

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Paper No. : 02 Social-Cultural Anthropology
Module : 13 Marriage Rules, Marriage Payment



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Description of Module	
Subject Name	Anthropology
Paper Name	02 Social-Cultural Anthropology
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 **Pathshala**
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Content of this Unit

Learning Outcomes

Objectives

1. Introduction
2. Prevalence of Marriage Rules
3. Rules of Marriage
4. Payments mode during Marriage
5. Prevalence of bride price
6. Prevalence of Dowry

Learning Outcomes:

After studying this module:

- You shall have a clear understanding on the various rules governing the institution of marriage with examples from tribal communities.
- You shall have a definitive understanding on the prevalence of the payments in marriage with reference to various tribal communities.
- You will also have an anthropological outlook on social characteristics and the occurrence of Marriage Payments.
- You will also get detailed knowledge on the prevalence of bride price and dowry.

Objectives:

The primary objectives of this module are:

- To give a basic understanding to the students about rules governing the marriage as a social institution.
- It also attempts to provide an informative background about the prevalence of the payments in marriage.

1. Introduction:

James Frazer defines marriage as a union between a man and a woman so that the children born to the woman are recognized as legitimate offsprings of both the partners. Similarly, R. H. Lowie said that marriage is relatively a permanent bond between permissible mates. It creates reciprocal relationship between the spouses, i.e., between husband and wife or kin members, giving rights, duties and status to the children in the society.

Marriage is a universal phenomenon where each and every society has rules governing sexual relationships and procreation of children which vary from society to society. Social institutions like marriage are defined by social functions. Malinowski laid the foundation of *Functionalism* focusing on the institution, charter and personal in the purview of *Basic needs* that are manifested through *Cultural responses*.

Despite worldwide variation in marriage patterns, marriage as an institution is universal to all cultures. Why do you suppose some form of marriage transaction is present among all people? One apparent reason is that humans throughout the world have to deal with the potential strife surrounding access to sexual relations. It is clear that this issue causes anxiety to people. Competition for access to sexual relations is in itself universal. It is therefore logical to assume we should see a universal need for cultures to have specific transactions/contracts which clarify and define these sexual issues so as to smooth the way for our group existence. Each culture provides rules which explicitly define which individuals have access to each others. These explicit rules reduce strife and anxiety and tend to channel sexual energy as well as legitimize child bearing.

2. Prevalence of Marriage Rules:

Why do all cultures have some rules and prohibitions relating to marriage? This question has long been a topic of debate in anthropology. Although we do not have the definitive answer, at least four sorts of contributing factors exist.

One factor is the biological inbreeding disadvantage and promiscuity. People now have realized that children of close relatives often have physical defects/abnormalities common in the family, and so incest prohibitions amount to primitive eugenic codes.

A second biologically based explanation says that close family members have an instinctual repulsion toward incest and the social taboo merely reflects this natural

Malinowski's interpretation:

<u>Basic Needs</u>		<u>Cultural Response</u>
Metabolism	→	Commissariat
Reproduction	→	Kinship
Bodily comfort	→	Shelter
Safety	→	Protection
Movement	→	Activities
Growth	→	Training
Health	→	Hygiene

4

response. However, if it were instinctual, there would be no need for the taboo, and incest would never occur.

As a third factor, we can point to the advantages of the social alliances between families or clans that result when marriages within families are prohibited. One can imagine that over the millennia, the groups that had forbidden their sons and daughters to marry each other, and that sent them off to other groups, would have long-term advantages over groups that did not follow this course; they would have a ready-made basis for political, economic, and military alliances.

A fourth factor, and more subtle social theory, holds that incest laws prevent social role conflicts that might be caused by marriage between core relatives. Thus the relation of parent to child, or brother to sister, might be in conflict with the relation of husband to wife, so societies make sure that no one is both parent and spouse to another person.

Incest Prohibitions

Every culture has some specific **incest** prohibitions, designating some kin relationships for which marriage or sex is forbidden. Incest prohibitions and rules of exogamy are similar in which both work to prohibit certain kinds of relationships. Incest rules cover both marriage and sex and specify certain kin relationships, however, exogamy rules concern marriage only. The most commonly prohibited relationships are those between direct lineal kin (for example, parents and children) and between siblings. Even in this case, there have been some exceptions. The royal families of certain kingdoms (Hawaii, Egypt, and Inca) were considered so sacred and separate from the ordinary people that brothers and sisters (more commonly, half-brothers and half-sisters) could only marry each other as to many anyone else would be too polluting.

3. Rules of Marriage¹:

Marriage controls and regulates sexual behavior. Descent and inheritance also contribute to universality of marriage. Human beings control the society through prescribed rules and regulations. Marriage gives security to children, it also facilitates balanced upbringing. It promotes organic solidarity, enabling cooperation. Generally speaking, comparing customs across many cultures, a marriage confers exclusive sexual access to a woman and her husband. To a much lesser degree in many cultures, wives have exclusive claim on their husband's sexuality. This issue is often greatly complicated by the coexistence of quite conflicting norms, especially for men. Some cultures subscribe to an ideal principle that men should have sex only with their wives while, in reality, men may be allowed or even expected to be sexually active outside marriage. In some cultures, extramarital sexual relations by men are tolerated, as long as these affairs are not made public. Extramarital relations by

¹Murdock, G.P.(1949) *Social Structure*, Macmillan Company

women are less acceptable in almost all societies. In order to prevent such types of relations societies have developed certain rules that also regulate sexual behaviour and govern the society.

However the most common rules of marriage followed by most tribal communities are as follows:

- A. Exogamy: (Exo= outside, gamy= marriage) Exogamy refers to the rule that a man must marry someone outside his own group. The most important reason of these exogamous rules is to prevent marital alliances between the close blood relations. For example: clans in tribal communities and *Gotra* system in Hindu society.

If a man and a woman belong to the same *Gotra*, they cannot marry each other. Hoebel defined exogamy as, *“the social rule that requires an individual to marry outside a culturally defined group of which he is a member.”* Malinowski assumed that exogamy is the prohibition of marriage between members of one descent group (clan) which is explained in incest taboo. Such rule is reported among Gonds, Baiga, Ho, Oraon, etc.

- B. Endogamy: (Endo= within, gamy= marriage) Endogamy refers to the rule that a man must marry someone within his own social group i.e., Caste Tribe. The endogamous rule is to maintain marital alliances between the close blood relations. For example: Caste, Religion, Tribe

Marriage cannot take place between two persons if, they do not belong to same caste, religion and tribe. Hoebel defined endogamy as, *“the social rule that requires an individual to marry within a culturally defined group of which he is a member.”* Mostly, this results in conservation of property, relations, retention of services and avoidance of external social bonds. The *Urapim*, a small tribe of Papua New Guinea practice strict endogamy².

- C. Hypergamy: Hypergamy is a system of marriage where a man gets his daughter married to a person of the same or higher social and economical status. This type of system is found in the stratified societies like Hindus, wherein it is practiced to retain the social status and prestige of the group. In Hindu society this is known as *Anuloma*.

- D. Hypogamy: Hypogamy is just the opposite of Hypergamy. Here, a man gets his daughter married to a man of either same or lower social and economical status than his. In Hindu society this is known as *Pratiloma*. *Pratiloma*/ hypogamy refer to inter-caste marriages which are not approved socially.

² Robbins, Joel (2004), *Becoming Sinners: Christianity and Moral Torment in a Papua New Guinea Society*”, University of California Press.

E. Preferential and Prescriptive norms: When individuals or families select spouses, some types of person are ruled out or disapproved of, while others are thought to be particularly appropriate, either because a preference exists in favour of such marriages, or because the persons concerned are already related in a particular, prescribed way. Marriage preferences are found in all societies, but prescriptions are confined to those exhibiting what Lévi-Strauss called elementary structures of kinship (Lévi-Strauss 1969). Many elementary structures involve cross-cousin marriage, Homans and Schneider (1955) assumed that Lévi-Strauss was trying to explain the widespread *preference* for marriage among *first* cross-cousins, but Needham (1962) argued that this was a misunderstanding. Elementary structures are not just unusually strong preferences for marrying specific close relatives, but global systems of classification, whereby prescriptive relationship terminologies divide up a person's entire kinship universe into marriageable and non-marriageable categories. The marriageable category may include cross-cousins, but is not limited to them. In this technical context, therefore, both terms have meanings differing significantly from their dictionary definitions (Needham 1973:177). With regard to the three aspects of kinship classification, rules, and behaviour preference seems to imply the exercise of choice at the level of individual behaviour, while prescriptions ought to be requirements or rules. However, ethnographers normally take marriage preferences to be customs with some degree of jural force, whereas prescriptions are now usually seen as classificatory phenomena³.

4. Payments made during marriage:

Payments made from the bride's side to the groom's family is known as *dowry* and payments from the groom's parents to the bride's parents is known as *bride price* or *bride wealth*. The marriage payments or nature of gifts can be in cash or kind. The general pattern that bride price are more prevalent in primitive, tribal, and nomadic societies. Women generally join the household of their groom at the time of marriage, bride price is typically considered to be the payment a husband owes to a bride's parents for the right to her labor and reproductive capabilities. The amount of bride price required has usually been rather uniform throughout society, where the size is linked directly to the number of rights which are transferred and not to the wealth level of the families involved (Goody, 1973 and Quale, 1988;). Substantial ethnographic research by anthropologists has aimed at distinguishing between those societies where the burden of marriage payments falls primarily on the groom's family and bride prices are paid, and those where the bulk of the transfer comes from the bride's family and dowry is paid⁴.

³Barnard, A. & Spencer, J. 2005, "Encyclopedia of Social and Cultural Anthropology". Routledge, London & New York

⁴ Anderson, Siwan (2007): "The Economics of Dowry and Brideprice", Journal of Economic Perspectives- Vol.21, Number 4, pg 151-174

Social Characteristics and the Occurrence of Marriage Payments

Substantial ethnographic research by anthropologists has aimed at distinguishing between those societies where the burden of marriage payments falls primarily on the groom's family and bride prices are paid, and those where the bulk of the transfer comes from the bride's family and dowries are paid. The general pattern seems to be that bride price exists more frequently in primitive, tribal, and often nomadic societies. Several scholars have even contended that dowry marks a transition to more complex societal structures. For example, Hughes (1985) argues that the historical absence of bride price in Greece and Rome was an important demarcation of the complexity of Greco-Roman civilization. This contrast with contemporary Indo-European peoples (the Germanic tribes) and also the ancient and more primitive peoples of the Mediterranean whose legal and religious literature, from the code of Hammurabi to the Bible, records the practice of bride price.

5. Prevalence of Bride price:

So understanding marriage and marriage-related resources transfer requires an analysis of the structure and dynamics of wealth accumulation. The custom of bride price dates back as far as 3000 BCE. The ancient civilizations of Egyptians, Mesopotamians, Hebrews, Aztecs, and Incas all used bride price (Quale, 1988). The Germanic tribes, who date from 2000 BCE and ruled western Europe from the 600 to 1000 CE, required bride price for a marriage to be legal (Hughes, 1985). A valid marriage contract in Islamic law required a form of bride price (Bianquis, 1996). Such transactions are associated with the Maghreb of the early Middle Ages, Bedouin tribes of the Middle East, and countries previously under the Ottoman Empire such as Iraq, Syria, Egypt, Turkey, Iran, Albania, and Afghanistan (Quale, 1988; Rappaport, 2000). Dowry is also viewed as a daughter's inheritance received at the time of marriage. (Goody 1973) argues that in stratified societies the wealth of the couple becomes important and a daughter gets an inheritance (as dowry) to ensure the status of her household. To explain the timing of inheritances, (Botticini and Siow 2003) argue that the crucial factor is how the son's efforts affect the parental estate. Making the son the residual claimant on his parents' property by giving the daughter her inheritance at the time of marriage reduces the incentive problem. However the primary reason for receiving an inheritance is still the same as (Goody 1973) which is increased stratification⁵.

The management of bride wealth and wife-acquisition in an African cattle-herding society is fundamentally the management of two complementary forms of wealth. It is a complicated process that requires recognition of the fertility rates of animal stock, the fertility rates of women, the typical age of marriage for women and the level of bride wealth or bride price.

Circumstances are very different for those Bedouin who use camels as bride wealth. In this case the growth rate of stock is less than the rate of growth of the human group; and the use of camels in bride

⁵ 2010, *Dowry and Bride Price: The Role of Network benefits*

wealth would impose further reductions in the growth of the herd. Hence, it is not rational to give a daughter in exchange for camels, unless there are sufficiently compensating ancillary resources that may be accessed thereby. The commonly chosen option is to promote the marriage of daughters to close agnates (who are a members of the same herding collective), with a special right to daughters by the father's brother's son. However, if a group has lost its camels due to disease or raiding, it may be willing to offer daughters for camels, but this is an indication of severe weakness⁶.

In societies with little material wealth and social rules requiring sharing, it is rarely possible to accumulate a bride price. As a result, such societies often have bride service instead as seen among some Gonds and Baigas. The groom agrees to work for his in-laws for a set period of time. Among the Yanomamö and other lowland forest dwellers of South America. This types of service may go on for years and among the Yanomamö men the practice is more difficult as they are customarily prevented from speaking directly to their in-laws and must avoid them.

In most the tribes of India, bride price and bride service is reported to be prevailing like, Kharia, Ho, Juangs, Oraon, etc.

6. Prevalence of Dowry

The dowry system dates back at least to the ancient Greek city-states (800 to 300 BCE) and to the Romans by around 200 BCE. The Greco-Roman institution of dowry was then eclipsed for a time as the Germanic observance of bride price became prevalent throughout much of Europe, but dowry was widely reinstated in the late middle Ages. In medieval Western Europe and later, dowries were common practice among most, if not all, social and economic groups. Since dowry was required under Roman law, dowries were also transferred in many parts of the Byzantine Empire until its fall to the Ottomans in the fifteenth century (Patlagaen, 1996). Dowry payments were prevalent in seventeenth and eighteenth century Mexico and Brazil, where Spanish and Portuguese family law were governed colonial rules. Goody-Tambiah referred to dowry as a pre-mortem inheritance, as a payment, as a gift to the bride, and as a gift to the new conjugal unit. If we look into the ethnographic record, we find anthropologists referring to each of these things as dowry in their studies of specific cultures.

Dowry can also be viewed as inheritance for the woman, though this is usually in cultures where both men and women are heirs. In other cases, such as in socially stratified societies, a dowry gives a woman the security of knowing that after she is married she can still enjoy her usual lifestyle and in the case of divorce, avoid poverty and discomfort. If the husband and wife are to be divorced, the wife is able to get back the dowry that her parents had given. Usually, in many cases a woman who can afford to pay more dowry is able to find herself a rich husband, while in most cases a woman who can dowry is able to only find herself a poor husband. In Europe and Asia's dowry payment is mainly found among agricultural communities, it is also practised in Africa. In Indian context dowry payment is widely prevalent in the Hindu society.

⁶ Bell, D., 2008. *Marriage Payments: a fundamental reconsideration*, Published in Structure and Dynamics: eJournal of Anthropological and Related Sciences. Structure and Dynamics: eJournal of Anthropological and Related Sciences