

II. The Family

MORGAN, who spent a great part of his life among the Iroquois Indians – settled to this day in New York State – and was adopted into one of their tribes (the Senecas), found in use among them a system of consanguinity which was in contradiction to their actual family relationships. There prevailed among them a form of monogamy easily terminable on both sides, which Morgan calls the “pairing family.” The issue of the married pair was therefore known and recognized by everybody: there could be no doubt about whom to call father, mother, son, daughter, brother, sister. But these names were actually used quite differently. The Iroquois calls not only his own children his sons and daughters, but also the children of his brothers; and they call him father. The children of his sisters, however, he calls his nephews and nieces, and they call him their uncle. The Iroquois woman, on the other hand, calls her sisters’ children, as well as her own, her sons and daughters, and they call her mother. But her brothers’ children she calls her nephews and nieces, and she is known as their aunt. Similarly, the children of brothers call one another brother and sister, and so do the children of sisters. A woman's own children and the children of her brother, on the other hand, call one another cousins. And these are not mere empty names, but expressions of actual conceptions of nearness and remoteness, of equality and difference in the degrees of consanguinity: these conceptions serve as the foundation of a fully elaborated system of consanguinity through which several hundred different relationships of one individual can be expressed. What is more, this system is not only in full force among all American Indians (no exception has been found up to the present), but also retains its validity almost unchanged among the aborigines of India, the Dravidian tribes in the Deccan and the Gaura tribes in Hindustan. To this day the Tamils of southern India and the Iroquois Seneca Indians in New York State still express more than two hundred degrees of consanguinity in the same manner. And among these tribes of India, as among all the American Indians, the actual relationships arising out of the existing form of the family contradict the system of consanguinity.

How is this to be explained? In view of the decisive part played by consanguinity in the social structure of all savage and barbarian peoples, the importance of a system so widespread cannot be dismissed with phrases. When a system is general throughout America and also exists in Asia among peoples of a quite different race, when numerous instances of it are found with greater or less variation in every part of Africa and Australia, then that system has to be historically explained, not talked out of existence, as McLennan, for example, tried to do. The names of father, child, brother, sister are no mere complimentary forms of address; they involve quite definite and very serious mutual obligations which together make up an essential part of the social constitution of the peoples in question.

The explanation was found. In the Sandwich Islands (Hawaii) there still existed in the first half of the nineteenth century a form of family in which the fathers and mothers, brothers and sisters, sons and daughters, uncles and aunts, nephews and nieces were exactly what is required by the American and old Indian system of consanguinity. But now comes a strange thing. Once again, the system of consanguinity in force in Hawaii did not correspond to the actual form of the Hawaiian family. For according to the Hawaiian system of consanguinity all children of brothers and sisters are without exception brothers and sisters of one another and are considered to be the common children not only of their mother and her sisters or of their father and his brothers, but of all the brothers and sisters of both their parents without distinction. While, therefore, the American system of consanguinity presupposes a more primitive form of the family which has disappeared in America, but still actually exists in Hawaii, the Hawaiian system of consanguinity, on the other hand, points to a still earlier form of the family which, though we can nowhere prove

it to be still in existence, nevertheless must have existed; for otherwise the corresponding system of consanguinity could never have arisen.

The family [says Morgan] represents an active principle. It is never stationary, but advances from a lower to a higher form as society advances from a lower to a higher condition....

Systems of consanguinity, on the contrary, are passive; recording the progress made by the family at long intervals apart, and only changing radically when the family has radically changed.

[Morgan, *op. cit.*, p. 444. – Ed.]

“And,” adds Marx, “the same is true of the political, juridical, religious, and philosophical systems in general.” While the family undergoes living changes, the system of consanguinity ossifies; while the system survives by force of custom, the family outgrows it. But just as Cuvier could deduce from the marsupial bone of an animal skeleton found near Paris that it belonged to a marsupial animal and that extinct marsupial animals once lived there, so with the same certainty we can deduce from the historical survival of a system of consanguinity that an extinct form of family once existed which corresponded to it.

The systems of consanguinity and the forms of the family we have just mentioned differ from those of today in the fact that every child has more than one father and mother. In the American system of consanguinity, to which the Hawaiian family corresponds, brother and sister cannot be the father and mother of the same child; but the Hawaiian system of consanguinity, on the contrary, presupposes a family in which this was the rule. Here we find ourselves among forms of family which directly contradict those hitherto generally assumed to be alone valid. The traditional view recognizes only monogamy, with, in addition, polygamy on the part of individual men, and at the very most polyandry on the part of individual women; being the view of moralizing philistines, it conceals the fact that in practice these barriers raised by official society are quietly and calmly ignored. The study of primitive history, however, reveals conditions where the men live in polygamy and their wives in polyandry at the same time, and their common children are therefore considered common to them all – and these conditions in their turn undergo a long series of changes before they finally end in monogamy. The trend of these changes is to narrow more and more the circle of people comprised within the common bond of marriage, which was originally very wide, until at last it includes only the single pair, the dominant form of marriage today.

Reconstructing thus the past history of the family, Morgan, in agreement with most of his colleagues, arrives at a primitive stage when unrestricted sexual freedom prevailed within the tribe, every woman belonging equally to every man and every man to every woman. Since the eighteenth century there had been talk of such a primitive state, but only in general phrases. Bachofen – and this is one of his great merits – was the first to take the existence of such a state seriously and to search for its traces in historical and religious survivals. Today we know that the traces he found do not lead back to a social stage of promiscuous sexual intercourse, but to a much later form – namely, group marriage. The primitive social stage of promiscuity, if it ever existed, belongs to such a remote epoch that we can hardly expect to prove its existence directly by discovering its social fossils among backward savages. Bachofen's merit consists in having brought this question to the forefront for examination.^x

Lately it has become fashionable to deny the existence of this initial stage in human sexual life. Humanity must be spared this “shame.” It is pointed out that all direct proof of such a stage is lacking, and particular appeal is made to the evidence from the rest of the animal world; for, even among animals, according to the numerous facts collected by Letourneau (*Evolution du manage et de la faults*, 1888), complete promiscuity in sexual intercourse marks a low stage of development. But the only conclusion I can draw from all these facts, so far as man and his primitive conditions of life are concerned, is that they prove nothing whatever. That vertebrates mate together for a considerable period is sufficiently explained by physiological causes – in the

case of birds, for example, by the female's need of help during the brooding period; examples of faithful monogamy among birds prove nothing about man, for the simple reason that men are not descended from birds. And if strict monogamy is the height of all virtue, then the palm must go to the tapeworm, which has a complete set of male and female sexual organs in each of its 50-200 proglottides, or sections, and spends its whole life copulating in all its sections with itself. Confining ourselves to mammals, however, we find all forms of sexual life – promiscuity, indications of group marriage, polygyny, monogamy. Polyandry alone is lacking – it took human beings to achieve that. Even our nearest relations, the quadrumana, exhibit every possible variation in the grouping of males and females; and if we narrow it down still more and consider only the four anthropoid apes, all that Letourneau has to say about them is that they are sometimes monogamous, sometimes polygamous, while Saussure, quoted by Giraud-Teulon, maintains that they are monogamous. The more recent assertions of the monogamous habits of the anthropoid apes which are cited by Westermarck (*The History of Human Marriage*, London 1891), are also very far from proving anything. In short, our evidence is such that honest Letourneau admits: "Among mammals there is no strict relation between the degree of intellectual development and the form of sexual life." And Espinas (*Des societes animales*, 1877), says in so many words:

The herd is the highest social group which we can observe among animals. It is composed, so it appears, of families, but from the start the family and the herd are in conflict with one another and develop in inverse proportion.

As the above shows, we know practically nothing definite about the family and other social groupings of the anthropoid apes; the evidence is flatly contradictory. Which is not to be wondered at. The evidence with regard to savage human tribes is contradictory enough, requiring very critical examination and sifting; and ape societies are far more difficult to observe than human. For the present, therefore, we must reject any conclusion drawn from such completely unreliable reports.

The sentence quoted from Espinas, however, provides a better starting point. Among the higher animals the herd and the family are not complementary to one another, but antagonistic. Espinas shows very well how the jealousy of the males during the mating season loosens the ties of every social herd or temporarily breaks it up.

When the family bond is close and exclusive, herds form only in exceptional cases. When on the other hand free sexual intercourse or polygamy prevails, the herd comes into being almost spontaneously.... Before a herd can be formed, family ties must be loosened and the individual must have become free again. This is the reason why organized flocks are so rarely found among birds.... We find more or less organized societies among mammals, however, precisely because here the individual is not merged in the family.... In its first growth, therefore, the common feeling of the herd has no greater enemy than the common feeling of the family. We state it without hesitation: only by absorbing families which had undergone a radical change could a social form higher than the family have developed; at the same time, these families were thereby enabled later to constitute themselves afresh under infinitely more favorable circumstances.

[Espinas, op. cit., quoted by Giraud-Teulon, *Origines du mariage et de la famille*, 1884, pp. 518-20].

Here we see that animal societies are, after all, of some value for drawing conclusions about human societies; but the value is only negative. So far as our evidence goes, the higher vertebrates know only two forms of family – polygyny or separate couples; each form allows only one adult male, only one husband. The jealousy of the male, which both consolidates and isolates the family, sets the animal family in opposition to the herd. The jealousy of the males prevents the herd, the higher social form, from coming into existence, or weakens its cohesion, or breaks it up during the mating period; at best, it attests its development. This alone is sufficient proof that animal families and primitive human society are incompatible, and that when primitive

men were working their way up from the animal creation, they either had no family at all or a form that does not occur among animals. In small numbers, an animal so defenseless as evolving man might struggle along even in conditions of isolation, with no higher social grouping than the single male and female pair, such as Westermarck, following the reports of hunters, attributes to the gorillas and the chimpanzees. For man's development beyond the level of the animals, for the achievement of the greatest advance nature can show, something more was needed: the power of defense lacking to the individual had to be made good by the united strength and co-operation of the herd. To explain the transition to humanity from conditions such as those in which the anthropoid apes live today would be quite impossible; it looks much more as if these apes had strayed off the line of evolution and were gradually dying out or at least degenerating. That alone is sufficient ground for rejecting all attempts based on parallels drawn between forms of family and those of primitive man. Mutual toleration among the adult males, freedom from jealousy, was the first condition for the formation of those larger, permanent groups in which alone animals could become men. And what, in fact, do we find to be the oldest and most primitive form of family whose historical existence we can indisputably prove and which in one or two parts of the world we can still study today? Group marriage, the form of family in which whole groups of men and whole groups of women mutually possess one another, and which leaves little room for jealousy. And at a later stage of development we find the exceptional form of polyandry, which positively revolts every jealous instinct and is therefore unknown among animals. But as all known forms of group marriage are accompanied by such peculiarly complicated regulations that they necessarily point to earlier and simpler forms of sexual relations, and therefore in the last resort to a period of promiscuous intercourse corresponding to the transition from the animal to the human, the references to animal marriages only bring us back to the very point from which we were to be led away for good and all.

What, then, does promiscuous sexual intercourse really mean? It means the absence of prohibitions and restrictions which are or have been in force. We have already seen the barrier of jealousy go down. If there is one thing certain, it is that the feeling of jealousy develops relatively late. The same is true of the conception of incest. Not only were brother and sister originally man and wife; sexual intercourse between parents and children is still permitted among many peoples today. Bancroft (*The Native Races of the Pacific States of North America*, 1875, Vol. I), testifies to it among the Kadiaks on the Behring Straits, the Kadiaks near Alaska, and the Tinneh in the interior of British North America; Letourneau compiled reports of it among the Chippewa Indians, the Cucus in Chile, the Caribs, the Karens in Burma; to say nothing of the stories told by the old Greeks and Romans about the Parthians, Persians, Scythians, Huns, and so on. Before incest was invented – for incest is an invention, and a very valuable one, too – sexual intercourse between parents and children did not arouse any more repulsion than sexual intercourse between other persons of different generations, and that occurs today even in the most philistine countries without exciting any great horror; even “old maids” of over sixty, if they are rich enough, sometimes marry young men in their thirties. But if we consider the most primitive known forms of family apart from their conceptions of incest – conceptions which are totally different from ours and frequently in direct contradiction to them – then the form of sexual intercourse can only be described as promiscuous – promiscuous in so far as the restrictions later established by custom did not yet exist. But in everyday practice that by no means necessarily implies general mixed mating. Temporary pairings of one man with one woman were not in any way excluded, just as in the cases of group marriages today the majority of relationships are of this character. And when Westermarck, the latest writer to deny the existence of such a primitive state, applies the term “marriage” to every relationship in which the two sexes remain mated until the birth of the offspring, we must point out that this kind of marriage can very well occur under the conditions of promiscuous intercourse without contradicting the principle of promiscuity – the absence of any restriction imposed by custom on sexual intercourse. Westermarck, however,

takes the standpoint that promiscuity “involves a suppression of individual inclinations,” and that therefore “the most genuine form of it is prostitution.” In my opinion, any understanding of primitive society is impossible to people who only see it as a brothel. We will return to this point when discussing group marriage.

According to Morgan, from this primitive state of promiscuous intercourse there developed, probably very early:

1. The Consanguine Family, The First Stage of the Family

Here the marriage groups are separated according to generations: all the grandfathers and grandmothers within the limits of the family are all husbands and wives of one another; so are also their children, the fathers and mothers; the latter's children will form a third circle of common husbands and wives; and their children, the great-grandchildren of the first group, will form a fourth. In this form of marriage, therefore, only ancestors and progeny, and parents and children, are excluded from the rights and duties (as we should say) of marriage with one another. Brothers and sisters, male and female cousins of the first, second, and more remote degrees, are all brothers and sisters of one another, and precisely for that reason they are all husbands and wives of one another. At this stage the relationship of brother and sister also includes as a matter of course the practice of sexual intercourse with one another.^{xi} In its typical form, such a family would consist of the descendants of a single pair, the descendants of these descendants in each generation being again brothers and sisters, and therefore husbands and wives, of one another.^{xii}

The consanguine family is extinct. Even the most primitive peoples known to history provide no demonstrable instance of it. But that it must have existed, we are compelled to admit: for the Hawaiian system of consanguinity still prevalent today throughout the whole of Polynesia expresses degrees of consanguinity which could only arise in this form of family; and the whole subsequent development of the family presupposes the existence of the consanguine family as a necessary preparatory stage.

The Punaluan Family

If the first advance in organization consisted in the exclusion of parents and children from sexual intercourse with one another, the second was the exclusion of sister and brother. On account of the greater nearness in age, this second advance was infinitely more important, but also more difficult, than the first. It was effected gradually, beginning probably with the exclusion from sexual intercourse of own brothers and sisters (children of, the same mother) first in isolated cases and then by degrees as a general rule (even in this century exceptions were found in Hawaii), and ending with the prohibition of marriage even between collateral brothers and sisters, or, as we should say, between first, second, and third cousins. It affords, says Morgan, “a good illustration of the operation of the principle of natural selection.” There can be no question that the tribes among whom inbreeding was restricted by this advance were bound to develop more quickly and more fully than those among whom marriage between brothers and sisters remained the rule and the law. How powerfully the influence of this advance made itself felt is seen in the institution which arose directly out of it and went far beyond it -- the gens, which forms the basis of the social order of most, if not all, barbarian peoples of the earth and from which in Greece and Rome we step directly into civilization.

After a few generations at most, every original family was bound to split up. The practice of living together in a primitive communistic household, which prevailed without exception till late in the middle stage of barbarism, set a limit, varying with the conditions but fairly definite in each locality, to the maximum size of the family community. As soon as the conception arose that sexual intercourse between children of the same mother was wrong, it was bound to exert its influence when the old households split up and new ones were founded (though these did not

necessarily coincide with the family group). One or more lines of sisters would form the nucleus of the one household and their own brothers the nucleus of the other. It must have been in some such manner as this that the form which Morgan calls the punaluan family originated out of the consanguine family. According to the Hawaiian custom, a number of sisters, own or collateral (first, second or more remote cousins) were the common wives of their common husbands, from among whom, however, their own brothers were excluded; these husbands now no longer called themselves brothers, for they were no longer necessarily brothers, but punalua – that is, intimate companion, or partner. Similarly, a line of own or collateral brothers had a number of women, not their sisters, as common wives, and these wives called one another punalua. This was the classic form of a type of family, in which later a number of variations was possible, but whose essential feature was: mutually common possession of husbands and wives within a definite family circle, from which, however, the brothers of the wives, first own and later also collateral, and conversely also the sisters of the husbands, were excluded.

This form of the family provides with the most complete exactness the degrees of consanguinity expressed in the American system. The children of my mother's sisters are still her children, just as the children of my father's brothers are also his children; and they are all my brothers and sisters. But the children of my mother's brothers are now her nephews and nieces, the children of my father's sisters are his nephews and nieces, and they are all my male and female cousins. For while the husbands of my mother's sisters are still her husbands, and the wives of my father's brothers are still his wives (in right, if not always in fact), the social ban on sexual intercourse between brothers and sisters has now divided the children of brothers and sisters, who had hitherto been treated as own brothers and sisters, into two classes: those in the one class remain brothers and sisters as before (collateral, according to our system); those in the other class, the children of my mother's brother in the one case and of my father's sister in the other, cannot be brothers and sisters any longer, they can no longer have common parents, neither father nor mother nor both, and therefore now for the first time the class of nephews and nieces, male and female cousins becomes necessary, which in the earlier composition of the family would have been senseless. The American system of consanguinity, which appears purely nonsensical in any form of family based on any variety of monogamy, finds, down to the smallest details, its rational explanation and its natural foundation in the punaluan family. The punaluan family or a form similar to it must have been at the very least as widespread as this system of consanguinity.

Evidence of this form of family, whose existence has actually been proved in Hawaii, would probably have been received from all over Polynesia if the pious missionaries, like the Spanish monks of former days in America, had been able to see in such unchristian conditions anything more than a sheer "abomination."^{xiii}

Caesar's report of the Britons, who were at that time in the middle stage of barbarism, "every ten or twelve have wives in common, especially brothers with brothers and parents with children," is best explained as group marriage. Barbarian mothers do not have ten or twelve sons of their own old enough to keep wives in common, but the American system of consanguinity, which corresponds to the punaluan family, provides numerous brothers, because all a man's cousins, near and distant, are his brothers. Caesar's mention of "parents with children" may be due to misunderstanding on his part; it is not, however, absolutely impossible under this system that father and son or mother and daughter should be included in the same marriage group, though not father and daughter or mother and son. This or a similar form of group marriage also provides the simplest explanation of the accounts in Herodotus and other ancient writers about community of wives among savages and barbarian peoples. The same applies also to the reports of Watson and Kaye in their book, *The People of India*, about the Teehurs in Oudh (north of the Ganges): "Both sexes have but a nominal tie on each other, and they change connection without compunction; living together, almost indiscriminately, in many large families."

In the very great majority of cases the institution of the gens seems to have originated directly out of the punaluan family. It is true that the Australian classificatory system also provides an origin for it: the Australians have gentes, but not yet the punaluan family; instead, they have a cruder form of group marriage. In all forms of group family it is uncertain who is the father of a child; but it is certain who its mother is. Though she calls all the children of the whole family her children and has a mother's duties towards them, she nevertheless knows her own children from the others. It is therefore clear that in so far as group marriage prevails, descent can only be proved on the mother's side and that therefore only the female line is recognized. And this is in fact the case among all peoples in the period of savagery or in the lower stage of barbarism. It is the second great merit of Bachofen that he was the first to make this discovery. To denote this exclusive recognition of descent through the mother and the relations of inheritance which in time resulted from it, he uses the term "mother-right," which for the sake of brevity I retain. The term is, however, ill-chosen, since at this stage of society there cannot yet be any talk of "right" in the legal sense.

If we now take one of the two standard groups of the punaluan family, namely a line of own and collateral sisters (that is, own sisters' children in the first, second or third degree), together with their children and their own collateral brothers on the mother's side (who, according to our assumption, are not their husbands), we have the exact circle of persons whom we later find as members of a gens, in the original form of that institution. They all have a common ancestral mother, by virtue of their descent from whom the female offspring in each generation are sisters. The husbands of these sisters, however, can no longer be their brothers and therefore cannot be descended from the same ancestral mother; consequently, they do not belong to the same consanguine group, the later gens. The children of these sisters, however, do belong to this group, because descent on the mother's side alone counts, since it alone is certain. As soon as the ban had been established on sexual intercourse between all brothers and sisters, including the most remote collateral relatives on the mother's side, this group transformed itself into a gens – that is, it constituted itself a firm circle of blood relations in the female line, between whom marriage was prohibited; and henceforward by other common institutions of a social and religious character it increasingly consolidated and differentiated itself from the other gentes of the same tribe. More of this later. When we see, then, that the development of the gens follows, not only necessarily, but also perfectly naturally from the punaluan family, we may reasonably infer that at one time this form of family almost certainly existed among all peoples among whom the presence of gentile institutions can be proved – that is, practically all barbarians and civilized peoples.

At the time Morgan wrote his book, our knowledge of group marriage was still very limited. A little information was available about the group marriages of the Australians, who were organized in classes, and Morgan had already, in 1871, published the reports he had received concerning the punaluan family in Hawaii. The punaluan family provided, on the one hand, the complete explanation of the system of consanguinity in force among the American Indians, which had been the starting point of all Morgan's researches; on the other hand, the origin of the matriarchal gens could be derived directly from the punaluan family; further, the punaluan family represented a much higher stage of development than the Australian classificatory system. It is therefore comprehensible that Morgan should have regarded it as the necessary stage of development before pairing marriage and should believe it to have been general in earlier times. Since then we have become acquainted with a number of other forms of group marriage, and we now know that Morgan here went too far. However, in his punaluan family he had had the good fortune to strike the highest, the classic form of group marriage, from which the transition to a higher stage can be explained most simply.

For the most important additions to our knowledge of group marriage we are indebted to the English missionary, Lorimer Fison, who for years studied this form of the family in its classic

home, Australia. He found the lowest stage of development among the Australian aborigines of Mount Gambier in South Australia. Here the whole tribe is divided into two great exogamous classes or moieties, Kroki and Kumite. Sexual intercourse within each of these moieties is strictly forbidden; on the other hand, every man in the one moiety is the husband by birth of every woman in the other moiety and she is by birth his wife. Not the individuals, but the entire groups are married, moiety with moiety. And observe that there is no exclusion on the ground of difference in age or particular degrees of affinity, except such as is entailed by the division of the tribe into two exogamous classes. A Kroki has every Kumite woman lawfully to wife; but, as his own daughter according to mother-right is also a Kumite, being the daughter of a Kumite woman, she is by birth the wife of every Kroki, including, therefore, her father. At any rate, there is no bar against this in the organization into moieties as we know it. Either, then, this organization arose at a time when, in spite of the obscure impulse towards the restriction of inbreeding, sexual intercourse between parents and children was still not felt to be particularly horrible – in which case the moiety system must have originated directly out of a state of sexual promiscuity; or else intercourse between parents and children was already forbidden by custom when the moieties arose, and in that case the present conditions point back to the consanguine family and are the first step beyond it. The latter is more probable. There are not, to my knowledge, any instances from Australia of sexual cohabitation between parents and children, and as a rule the later form of exogamy, the matriarchal gens, also tacitly presupposes the prohibition of this relationship as already in force when the gens came into being.

The system of two moieties is found, not only at Mount Gambier in South Australia, but also on the Darling River further to the east and in Queensland in the northeast; it is therefore widely distributed. It excludes marriages only between brothers and sisters, between the children of brothers and between the children of sisters on the mother's side, because these belong to the same moiety; the children of sisters and brothers, however, may marry. A further step towards the prevention of inbreeding was taken by the Kamilaroi on the Darling River in New South Wales; the two original moieties are split up into four, and again each of these four sections is married en bloc to another. The first two sections are husbands and wives of one another by birth; according to whether the mother belonged to the first or second section, the children go into the third or fourth; the children of these last two sections, which are also married to one another, come again into the first and second sections. Thus one generation always belongs to the first and second sections, the next to the third and fourth, and the generation after that to the first and second again. Under this system, first cousins (on the mother's side) cannot be man and wife, but second cousins can. This peculiarly complicated arrangement is made still more intricate by having matriarchal gentes grafted onto it (at any rate later), but we cannot go into the details of this now. What is significant is how the urge towards the prevention of inbreeding asserts itself again and again, feeling its way, however, quite instinctively, without clear consciousness of its aim.

Group marriage which in these instances from Australia is still marriage of sections, mass marriage of an entire section of men, often scattered over the whole continent, with an equally widely distributed section of women – this group marriage, seen close at hand, does not look quite so terrible as the philistines, whose minds cannot get beyond brothels, imagine it to be. On the contrary, for years its existence was not even suspected and has now quite recently been questioned again. All that the superficial observer sees in group marriage is a loose form of monogamous marriage, here and there polygyny, and occasional infidelities. It takes years, as it took Fison and Howlett, to discover beneath these marriage customs, which in their actual practice should seem almost familiar to the average European, their controlling law: the law by which the Australian aborigine, wandering hundreds of miles from his home among people whose language he does not understand, nevertheless often finds in every camp and every tribe women who give themselves to him without resistance and without resentment; the law by which the man with several wives gives one up for the night to his guest. Where the European sees

immorality and lawlessness, strict law rules in reality. The women belong to the marriage group of the stranger, and therefore they are his wives by birth; that same law of custom which gives the two to one another forbids under penalty of outlawry all intercourse outside the marriage groups that belong together. Even when wives are captured, as frequently occurs in many places, the law of the exogamous classes is still carefully observed.

Marriage by capture, it may be remarked, already shows signs of the transition to monogamous marriage, at least in the form of pairing marriage. When the young man has captured or abducted a girl, with the help of his friends, she is enjoyed by all of them in turn, but afterwards she is regarded as the wife of the young man who instigated her capture. If, on the other hand, the captured woman runs away from her husband and is caught by another man, she becomes his wife and the first husband loses his rights. Thus while group marriage continues to exist as the general form, side by side with group marriage and within it exclusive relationships begin to form, pairings for a longer or shorter period, also polygyny; thus group marriage is dying out here, too, and the only question is which will disappear first under European influence: group marriage or the Australian aborigines who practice it. Marriage between entire sections, as it prevails in Australia, is in any case a very low and primitive form of group marriage, whereas the punaluan family, so far as we know, represents its highest stage of development. The former appears to be the form corresponding to the social level of vagrant savages, while the latter already presupposes relatively permanent settlements of communistic communities and leads immediately to the successive higher phase of development. But we shall certainly find more than one intermediate stage between these two forms; here lies a newly discovered field of research which is still almost completely unexplored.

The Pairing Family

A certain amount of pairing, for a longer or shorter period, already occurred in group marriage or even earlier; the man had a chief wife among his many wives (one can hardly yet speak of a favorite wife), and for her he was the most important among her husbands. This fact has contributed considerably to the confusion of the missionaries, who have regarded group marriage sometimes as promiscuous community of wives, sometimes as unbridled adultery. But these customary pairings were bound to grow more stable as the gens developed and the classes of "brothers" and "sisters" between whom marriage was impossible became more numerous. The impulse given by the gens to the prevention of marriage between blood relatives extended still further. Thus among the Iroquois and most of the other Indians at the lower stage of barbarism we find that marriage is prohibited between all relatives enumerated in their system – which includes several hundred degrees of kinship. The increasing complication of these prohibitions made group marriages more and more impossible; they were displaced by the pairing family. In this stage, one man lives with one woman, but the relationship is such that polygamy and occasional infidelity remain the right of the men, even though for economic reasons polygamy is rare, while from the woman the strictest fidelity is generally demanded throughout the time she lives with the man, and adultery on her part is cruelly punished. The marriage tie can, however, be easily dissolved by either partner; after separation, the children still belong, as before, to the mother alone.

In this ever extending exclusion of blood relatives from the bond of marriage, natural selection continues its work. In Morgan's words:

The influence of the new practice, which brought unrelated persons into the marriage relation, tended to create a more vigorous stock physically and mentally.... When two advancing tribes, with strong mental and physical characters, are brought together and blended into one people by the accidents of barbarous life, the new skull and brain would widen and lengthen to the sum of the capabilities of both.

[Morgan, *Op. cit.*, p. 468. – Ed.]

Tribes with gentile constitution were thus bound to gain supremacy over more backward tribes, or else to carry them along by their example.

Thus the history of the family in primitive times consists in the progressive narrowing of the circle, originally embracing the whole tribe, within which the two sexes have a common conjugal relation. The continuous exclusion, first of nearer, then of more and more remote relatives, and at last even of relatives by marriage, ends by making any kind of group marriage practically impossible. Finally, there remains only the single, still loosely linked pair, the molecule with whose dissolution marriage itself ceases. This in itself shows what a small part individual sex-love, in the modern sense of the word, played in the rise of monogamy. Yet stronger proof is afforded by the practice of all peoples at this stage of development. Whereas in the earlier forms of the family men never lacked women, but, on the contrary, had too many rather than too few, women had now become scarce and highly sought after. Hence it is with the pairing marriage that there begins the capture and purchase of women – widespread symptoms, but no more than symptoms, of the much deeper change that had occurred. These symptoms, mere methods of procuring wives, the pedantic Scot, McLennan, has transmogrified into special classes of families under the names of “marriage by capture” and “marriage by purchase.” In general, whether among the American Indians or other peoples (at the same stage), the conclusion of a marriage is the affair, not of the two parties concerned, who are often not consulted at all, but of their mothers. Two persons entirely unknown to each other are often thus affianced; they only learn that the bargain has been struck when the time for marrying approaches. Before the wedding the bridegroom gives presents to the bride's gentile relatives (to those on the mother's side, therefore, not to the father and his relations), which are regarded as gift payments in return for the girl. The marriage is still terminable at the desire of either partner, but among many tribes, the Iroquois, for example, public opinion has gradually developed against such separations; when differences arise between husband and wife, the gens relatives of both partners act as mediators, and only if these efforts prove fruitless does a separation take place, the wife then keeping the children and each partner being free to marry again.

The pairing family, itself too weak and unstable to make an independent household necessary or even desirable, in no wise destroys the communistic household inherited from earlier times. Communistic housekeeping, however, means the supremacy of women in the house; just as the exclusive recognition of the female parent, owing to the impossibility of recognizing the male parent with certainty, means that the women – the mothers – are held in high respect. One of the most absurd notions taken over from eighteenth-century enlightenment is that in the beginning of society woman was the slave of man. Among all savages and all barbarians of the lower and middle stages, and to a certain extent of the upper stage also, the position of women is not only free, but honorable. As to what it still is in the pairing marriage, let us hear the evidence of Ashur Wright, for many years missionary among the Iroquois Senecas:

As to their family system, when occupying the old long-houses [communistic households comprising several families], it is probable that some one clan [gens] predominated, the women taking in husbands, however, from the other clans [gentes] Usually, the female portion ruled the house.... The stores were in common; but woe to the luckless husband or lover who was too shiftless to do his share of the providing. No matter how many children, or whatever goods he might have in the house, he might at any time be ordered to pick up his blanket and budge; and after such orders it would not be healthful for him to attempt to disobey. The house would be too hot for him; and ... he must retreat to his own clan [gens]; or, as was often done, go and start a new matrimonial alliance in some other. The women were the great power among the clans [gentes], as everywhere else. They did not hesitate, when occasion required, “to knock off the horns,” as it was technically called, from the head of a chief, and send him back to the ranks of the warriors.

[Quoted by Morgan, *Op. cit.*, P. 464. – Ed.]

The communistic household, in which most or all of the women belong to one and the same gens, while the men come from various gentes, is the material foundation of that supremacy of the women which was general in primitive times, and which it is Bachofen's third great merit to have discovered. The reports of travelers and missionaries, I may add, to the effect that women among savages and barbarians are overburdened with work in no way contradict what has been said. The division of labor between the two sexes is determined by quite other causes than by the position of woman in society. Among peoples where the women have to work far harder than we think suitable, there is often much more real respect for women than among our Europeans. The lady of civilization, surrounded by false homage and estranged from all real work, has an infinitely lower social position than the hard-working woman of barbarism, who was regarded among her people as a real lady (lady, frowa, Frau – mistress) and who was also a lady in character.

Whether pairing marriage has completely supplanted group marriage in America today is a question to be decided by closer investigation among the peoples still at the upper stage of savagery in the northwest, and particularly in South America. Among the latter, so many instances of sexual license are related that one can hardly assume the old group marriage to have been completely overcome here. At any rate, all traces of it have not yet disappeared. In at least forty North American tribes the man who marries an eldest sister has the right to take all her other sisters as his wives as soon as they are old enough – a relic of the time when a whole line of sisters had husbands in common. And Bancroft reports of the Indians of the California peninsula (upper stage of savagery) that they have certain festivals when several "tribes" come together for the purpose of promiscuous sexual intercourse. These "tribes" are clearly gentes, who preserve in these feasts a dim memory of the time when the women of one gens had all the men of the other as their common husbands, and conversely. The same custom still prevails in Australia. We find among some peoples that the older men, the chieftains and the magician-priests, exploit the community of wives and monopolize most of the women for themselves; at certain festivals and great assemblies of the people, however, they have to restore the old community of women and allow their wives to enjoy themselves with the young men. Westermarck (*History of Human Marriage*, 1891, pp. 28, 29) quotes a whole series of instances of such periodic Saturnalian feasts, when for a short time the old freedom of sexual intercourse is again restored: examples are given among the Hos, the Santals, the Punjas and Kotars in India, among some African peoples, and so forth. Curiously enough, Westermarck draws the conclusion that these are survivals, not of the group marriage, which he totally rejects, but of the mating season which primitive man had in common with the other animals.

Here we come to Bachofen's fourth great discovery – the widespread transitional form between group marriage and pairing. What Bachofen represents as a penance for the transgression of the old divine laws – the penance by which the woman purchases the right of chastity – is in fact only a mystical expression of the penance by which the woman buys herself out of the old community of husbands and acquires the right to give herself to one man only. This penance consists in a limited surrender: the Babylonian women had to give themselves once a year in the temple of Mylitta; other peoples of Asia Minor sent their girls for years to the temple of Anaitis, where they had to practice free love with favorites of their own choosing before they were allowed to marry. Similar customs in religious disguise are common to almost all Asiatic peoples between the Mediterranean and the Ganges. The sacrifice of atonement by which the woman purchases her freedom becomes increasingly lighter in course of time, as Bachofen already noted:

Instead of being repeated annually, the offering is made once only; the hetaerism of the matrons is succeeded by the hetaerism of the maidens; hetaerism during marriage by hetaerism before marriage; surrender to all without choice by surrender to some.

(Mutterrecht, p. xix.)

Among other peoples the religious disguise is absent. In some cases – among the Thracians, Celts, and others, in classical times, many of the original inhabitants of India, and to this day

among the Malayan peoples, the South Sea Islanders and many American Indians – the girls enjoy the greatest sexual freedom up to the time of their marriage. This is especially the case almost everywhere in South America, as everyone who has gone any distance into the interior can testify. Thus Agassiz (*A Journey in Brazil*, Boston and New York, 1868, p. 266) tells this story of a rich family of Indian extraction: when he was introduced to the daughter, he asked after her father, presuming him to be her mother's husband, who was fighting as an officer in the war against Paraguay; but the mother answered with a smile: “Nao tem pai, e filha da fortuna” (She has no father. She is a child of chance):

It is the way the Indian or half-breed women here always speak of their illegitimate children . . . without an intonation of sadness or of blame.... So far is this from being an unusual case, that... the opposite seems the exception. Children are frequently quite ignorant of their parentage. They know about their mother, for all the care and responsibility falls upon her, but they have no knowledge of their father; nor does it seem to occur to the woman that she or her children have any claim upon him.

What seems strange here to civilized people is simply the rule according to mother-right and in group marriage.

Among other peoples, again, the friends and relatives of the bridegroom, or the wedding guests, claim their traditional right to the bride at the wedding itself, and the bridegroom's turn only comes last; this was the custom in the Balearic Islands and among the Augilers of Africa in ancient times; it is still observed among the Bareas of Abyssinia. In other cases, an official personage, the head of the tribe or the gens, cacique, shaman, priest, prince or whatever he may be called, represents the community and exercises the right of the first night with the bride. Despite all necromantic whitewashing, this *jus prime noctis* [Right of first night. – Ed.] still persists today as a relic of group marriage among most of the natives of the Alaska region (Bancroft, *Native Races*, I, p. 8i), the Tahus of North Mexico (Ibid., P. 584) and other peoples; and at any rate in the countries originally Celtic, where it was handed down directly from group marriage, it existed throughout the whole of the middle ages, for example, in Aragon. While in Castile the peasants were never serfs, in Aragon there was serfdom of the most shameful kind right up till the decree of Ferdinand the Catholic in 1486. This document states:

We judge and declare that the aforementioned lords (senors, barons) ... when the peasant takes himself a wife, shall neither sleep with her on the first night; nor shall they during the wedding-night, when the wife has laid herself in her bed, step over it and the aforementioned wife as a sign of lordship; nor shall the aforementioned lords use the daughter or the son of the peasant, with payment or without payment, against their will.

(Quoted in the original Catalan by Sugenheim, *Serfdom*, Petersburg, 1861, p. 35)

Bachofen is also perfectly right when he consistently maintains that the transition from what he calls “Hetaerism” or “Sumpfteugung” to monogamy was brought about primarily through the women. The more the traditional sexual relations lost the native primitive character of forest life, owing to the development of economic conditions with consequent undermining of the old communism and growing density of population, the more oppressive and humiliating must the women have felt them to be, and the greater their longing for the right of chastity, of temporary or permanent marriage with one man only, as a way of release. This advance could not in any case have originated with the men, if only because it has never occurred to them, even to this day, to renounce the pleasures of actual group marriage. Only when the women had brought about the transition to pairing marriage were the men able to introduce strict monogamy – though indeed only for women.

The first beginnings of the pairing family appear on the dividing line between savagery and barbarism; they are generally to be found already at the upper stage of savagery, but occasionally not until the lower stage of barbarism. The pairing family is the form characteristic of barbarism,

as group marriage is characteristic of savagery and monogamy of civilization. To develop it further, to strict monogamy, other causes were required than those we have found active hitherto. In the single pair the group was already reduced to its final unit, its two-atom molecule: one man and one woman. Natural selection, with its progressive exclusions from the marriage community, had accomplished its task; there was nothing more for it to do in this direction. Unless new, social forces came into play, there was no reason why a new form of family should arise from the single pair. But these new forces did come into play.

We now leave America, the classic soil of the pairing family. No sign allows us to conclude that a higher form of family developed here, or that there was ever permanent monogamy anywhere in America prior to its discovery and conquest. But not so in the Old World.

Here the domestication of animals and the breeding of herds had developed a hitherto unsuspected source of wealth and created entirely new social relations. Up to the lower stage of barbarism, permanent wealth had consisted almost solely of house, clothing, crude ornaments and the tools for obtaining and preparing food – boat, weapons, and domestic utensils of the simplest kind. Food had to be won afresh day by day. Now, with their herds of horses, camels, asses, cattle, sheep, goats, and pigs, the advancing pastoral peoples – the Semites on the Euphrates and the Tigris, and the Aryans in the Indian country of the Five Streams (Punjab), in the Ganges region, and in the steppes then much more abundantly watered of the Oxus and the Jaxartes – had acquired property which only needed supervision and the rudest care to reproduce itself in steadily increasing quantities and to supply the most abundant food in the form of milk and meat. All former means of procuring food now receded into the background; hunting, formerly a necessity, now became a luxury.

But to whom did this new wealth belong? Originally to the gens, without a doubt. Private property in herds must have already started at an early period, however. It is difficult to say whether the author of the so-called first book of Moses regarded the patriarch Abraham as the owner of his herds in his own right as head of a family community or by right of his position as actual hereditary head of a gens. What is certain is that we must not think of him as a property owner in the modern sense of the word. And it is also certain that at the threshold of authentic history we already find the herds everywhere separately owned by heads of families, as are the artistic products of barbarism – metal implements, luxury articles and, finally, the human cattle – the slaves.

For now slavery had also been invented. To the barbarian of the lower stage, a slave was valueless. Hence the treatment of defeated enemies by the American Indians was quite different from that at a higher stage. The men were killed or adopted as brothers into the tribe of the victors; the women were taken as wives or otherwise adopted with their surviving children. At this stage human labor-power still does not produce any considerable surplus over and above its maintenance costs. That was no longer the case after the introduction of cattle-breeding, metalworking, weaving and, lastly, agriculture. just as the wives whom it had formerly been so easy to obtain had now acquired an exchange value and were bought, so also with the forces of labor, particularly since the herds had definitely become family possessions. The family did not multiply so rapidly as the cattle. More people were needed to look after them; for this purpose use could be made of the enemies captured in war, who could also be bred just as easily as the cattle themselves.

Once it had passed into the private possession of families and there rapidly begun to augment, this wealth dealt a severe blow to the society founded on pairing marriage and the matriarchal gens. Pairing marriage had brought a new element into the family. By the side of the natural mother of the child it placed its natural and attested father, with a better warrant of paternity, probably, than that of many a “father” today. According to the division of labor within the family at that time, it was the man’s part to obtain food and the instruments of labor necessary for the purpose. He therefore also owned the instruments of labor, and in the event of husband and wife

separating, he took them with him, just as she retained her household goods. Therefore, according to the social custom of the time, the man was also the owner of the new source of subsistence, the cattle, and later of the new instruments of labor, the slaves. But according to the custom of the same society, his children could not inherit from him. For as regards inheritance, the position was as follows:

At first, according to mother-right – so long, therefore, as descent was reckoned only in the female line – and according to the original custom of inheritance within the gens, the gentile relatives inherited from a deceased fellow member of their gens. His property had to remain within the gens. His effects being insignificant, they probably always passed in practice to his nearest gentile relations – that is, to his blood relations on the mother's side. The children of the dead man, however, did not belong to his gens, but to that of their mother; it was from her that they inherited, at first conjointly with her other blood relations, later perhaps with rights of priority; they could not inherit from their father, because they did not belong to his gens, within which his property had to remain. When the owner of the herds died, therefore, his herds would go first to his brothers and sisters and to his sister's children, or to the issue of his mother's sisters. But his own children were disinherited.

Thus, on the one hand, in proportion as wealth increased, it made the man's position in the family more important than the woman's, and on the other hand created an impulse to exploit this strengthened position in order to overthrow, in favor of his children, the traditional order of inheritance. This, however, was impossible so long as descent was reckoned according to mother-right. Mother-right, therefore, had to be overthrown, and overthrown it was. This was by no means so difficult as it looks to us today. For this revolution – one of the most decisive ever experienced by humanity – could take place without disturbing a single one of the living members of a gens. All could remain as they were. A simple decree sufficed that in the future the offspring of the male members should remain within the gens, but that of the female should be excluded by being transferred to the gens of their father. The reckoning of descent in the female line and the matriarchal law of inheritance were thereby overthrown, and the male line of descent and the paternal law of inheritance were substituted for them. As to how and when this revolution took place among civilized peoples, we have no knowledge. It falls entirely within prehistoric times. But that it did take place is more than sufficiently proved by the abundant traces of mother-right which have been collected, particularly by Bachofen. How easily it is accomplished can be seen in a whole series of American Indian tribes, where it has only recently taken place and is still taking place under the influence, partly of increasing wealth and a changed mode of life (transference from forest to prairie), and partly of the moral pressure of civilization and missionaries. Of eight Missouri tribes, six observe the male line of descent and inheritance, two still observe the female. Among the Shawnees, Miamis and Delawares the custom has grown up of giving the children a gentile name of their father's gens in order to transfer them into it, thus enabling them to inherit from him.

Man's innate casuistry! To change things by changing their names! And to find loopholes for violating tradition while maintaining tradition, when direct interest supplied sufficient impulse. (Marx.)

The result was hopeless confusion, which could only be remedied and to a certain extent was remedied by the transition to father-right. "In general, this seems to be the most natural transition." (Marx.) For the theories proffered by comparative jurisprudence regarding the manner in which this change was effected among the civilized peoples of the Old World – though they are almost pure hypotheses see M. Kovalevsky, *Tableau des origines et de l'évolution de la famille et de la propriété*. Stockholm, 1890.

The overthrow of mother-right was the world historical defeat of the female sex. The man took command in the home also; the woman was degraded and reduced to servitude, she became the slave of his lust and a mere instrument for the production of children. This degraded position of

the woman, especially conspicuous among the Greeks of the heroic and still more of the classical age, has gradually been palliated and glozed over, and sometimes clothed in a milder form; in no sense has it been abolished.

The establishment of the exclusive supremacy of the man shows its effects first in the patriarchal family, which now emerges as an intermediate form. Its essential characteristic is not polygyny, of which more later, but “the organization of a number of persons, bond and free, into a family, under paternal power, for the purpose of holding lands, and for the care of flocks and herds.... (In the Semitic form) the chiefs, at least, lived in polygamy.... Those held to servitude, and those employed as servants, lived in the marriage relation.”

[Morgan, op. cit., p. 474]

Its essential features are the incorporation of unfree persons, and paternal power; hence the perfect type of this form of family is the Roman. The original meaning of the word “family” (*familia*) is not that compound of sentimentality and domestic strife which forms the ideal of the present-day philistine; among the Romans it did not at first even refer to the married pair and their children, but only to the slaves. *Famulus* means domestic slave, and *familia* is the total number of slaves belonging to one man. As late as the time of Gaius, the *familia*, id est *patrimonium* (family, that is, the patrimony, the inheritance) was bequeathed by will. The term was invented by the Romans to denote a new social organism, whose head ruled over wife and children and a number of slaves, and was invested under Roman paternal power with rights of life and death over them all.

This term, therefore, is no older than the iron-clad family system of the Latin tribes, which came in after field agriculture and after legalized servitude, as well as after the separation of Greeks and Latins.

[Morgan, Op. cit., p. 478]

Marx adds:

The modern family contains in germ not only slavery (*servitus*), but also serfdom, since from the beginning it is related to agricultural services. It contains in miniature all the contradictions which later extend throughout society and its state.

Such a form of family shows the transition of the pairing family to monogamy. In order to make certain of the wife’s fidelity and therefore of the paternity of the children, she is delivered over unconditionally into the power of the husband; if he kills her, he is only exercising his rights.

With the patriarchal family, we enter the field of written history a field where comparative jurisprudence can give valuable help. And it has in fact brought an important advance in our knowledge. We owe to Maxim Kovalevsky (*Tableau etc. de la mine et de propriete*, Stockholm, 1890, pp. 60-100), the proof that the patriarchal household community, as we still find it today among the Serbs and the Bulgars under the name of *zadruga* (which may be roughly translated “bond of friendship”) or *bratstvo* (brotherhood), and in a modified form among the Oriental peoples, formed the transitional stage between the matriarchal family deriving from group marriage and the single family of the modern world. For the civilized peoples of the Old World, for the Aryans and Semites at any rate, this seems to be established.

The Southern Slav *zadruga* provides the best instance of such a family community still in actual existence. It comprises several generations of the descendants of one father, together with their wives, who all live together in one homestead, cultivate their fields in common, feed and clothe themselves from a common stock, and possess in common the surplus from their labor. The community is under the supreme direction of the head of the house (*domacin*), who acts as its representative outside, has the right to sell minor objects, and controls the funds, for which, as for the regular organization of business, he is responsible. He is elected, and it is not at all necessary

that he should be the oldest in the community. The women and their work are under the control of the mistress of the house (*domacica*), who is generally the wife of the *domacin*. She also has an important and often a decisive voice in the choice of husbands for the girls. Supreme power rests, however, with the family council, the assembly of all the adult members of the household, women as well as men. To this assembly the master of the house renders account; it takes all important decisions, exercises jurisdiction over the members, decides on sales and purchases of any importance, especially of land and so on.

It is only within the last ten years or so that such great family communities have been proved to be still in existence in Russia; it is now generally recognized that they are as firmly rooted in the customs of the Russian people as the *obshchina* or village community. They appear in the oldest Russian code of laws, the *Pravda* of Yaroslav, under the same name as in the Dalmatian laws (*vervj*), and references to them can also be traced in Polish and Czech historical sources.

Among the Germans also, according to Heusler (*Institutionen des deutschen Rechts*), the economic unit was originally not the single family in the modern sense, but the "house community," which consisted of several generations or several single families, and often enough included unfree persons as well. The Roman family is now also considered to have originated from this type, and consequently the absolute power of the father of the house, and the complete absence of rights among the other members of the family in relation to him, have recently been strongly questioned. It is supposed that similar family communities also existed among the Celts in Ireland; in France, under the name of *parconneries*, they survived in Nivernais until the French Revolution, and in the Franche Comte they have not completely died out even today [1884]. In the district of Louhans (Saone et Loire) large peasant houses can be seen in which live several generations of the same family; the house has a lofty common hall reaching to the roof, and surrounding it the sleeping-rooms, to which stairs of six or eight steps give access.

In India, the household community with common cultivation of the land is already mentioned by Nearchus in the time of Alexander the Great, and it still exists today in the same region, in the Punjab and the whole of northwest India. Kovalevsky was himself able to prove its existence in the Caucasus. In Algeria it survives among the Kabyles. It is supposed to have occurred even in America, and the *calpullis* which Zurita describes in old Mexico have been identified with it; on the other hand, Cunow has proved fairly clearly (in the journal *Ausland*, 1890, Nos. 42-44) that in Peru at the time of the conquest there was a form of constitution based on marks (called, curiously enough, *marca*), with periodical allotment of arable land and consequently with individual tillage. In any case, the patriarchal household community with common ownership and common cultivation of the land now assumes an entirely different significance than hitherto. We can no longer doubt the important part it played, as a transitional form between the matriarchal family and the single family, among civilized and other peoples of the Old World. Later we will return to the further conclusion drawn by Kovalevsky that it was also the transitional form out of which developed the village, or mark, community with individual tillage and the allotment, first periodical and then permanent, of arable and pasture land.

With regard to the family life within these communities, it must be observed that at any rate in Russia the master of the house has a reputation for violently abusing his position towards the younger women of the community, especially his daughters-in-law, whom he often converts into his harem; the Russian folk-songs have more than a little to say about this.

Before we go on to monogamy, which developed rapidly with the overthrow of mother-right, a few words about polygyny and polyandry. Both forms can only be exceptions, historical luxury products, as it were, unless they occur side by side in the same country, which is, of course, not the case. As the men excluded from polygyny cannot console themselves with the women left over from polyandry, and as hitherto, regardless of social institutions, the number of men and women has been fairly equal, it is obviously impossible for either of these forms of marriage to be elevated to the general form. Polygyny on the part of one individual man was, in fact,

obviously a product of slavery and confined to a few people in exceptional positions. In the Semitic patriarchal family it was only the patriarch himself, and a few of his sons at most, who lived in polygyny; the rest had to content themselves with one wife. This still holds throughout the whole of the Orient; polygyny is the privilege of the wealthy and of the nobility, the women being recruited chiefly through purchase as slaves; the mass of the people live in monogamy.

A similar exception is the polyandry of India and Tibet, the origin of which in group marriage requires closer examination and would certainly prove interesting. It seems to be much more easy-going in practice than the jealous harems of the Mohammedans. At any rate, among the Nairs in India, where three or four men have a wife in common, each of them can have a second wife in common with another three or more men, and similarly a third and a fourth and so on. It is a wonder that McLennan did not discover in these marriage clubs, to several of which one could belong and which he himself describes, a new class of club marriage! This marriage-club system, however, is not real polyandry at all; on the contrary, as Giraud-Teulon has already pointed out, it is a specialized form of group marriage; the men live in polygyny, the women in polyandry.

4. The Monogamous Family

It develops out of the pairing family, as previously shown, in the transitional period between the upper and middle stages of barbarism; its decisive victory is one of the signs that civilization is beginning. It is based on the supremacy of the man, the express purpose being to produce children of undisputed paternity; such paternity is demanded because these children are later to come into their father's property as his natural heirs. It is distinguished from pairing marriage by the much greater strength of the marriage tie, which can no longer be dissolved at either partner's wish. As a rule, it is now only the man who can dissolve it, and put away his wife. The right of conjugal infidelity also remains secured to him, at any rate by custom (the Code Napoleon explicitly accords it to the husband as long as he does not bring his concubine into the house), and as social life develops he exercises his right more and more; should the wife recall the old form of sexual life and attempt to revive it, she is punished more severely than ever.

We meet this new form of the family in all its severity among the Greeks. While the position of the goddesses in their mythology, as Marx points out, brings before us an earlier period when the position of women was freer and more respected, in the heroic age we find the woman already being humiliated by the domination of the man and by competition from girl slaves. Note how Telemachus in the *Odyssey* silences his mother. [The reference is to a passage where Telemachus, son of Odysseus and Penelope, tells his mother to get on with her weaving and leave the men to mind their own business – Ed.] In Homer young women are booty and are handed over to the pleasure of the conquerors, the handsomest being picked by the commanders in order of rank; the entire *Iliad*, it will be remembered, turns on the quarrel of Achilles and Agamemnon over one of these slaves. If a hero is of any importance, Homer also mentions the captive girl with whom he shares his tent and his bed. These girls were also taken back to Greece and brought under the same roof as the wife, as Cassandra was brought by Agamemnon in Aeschylus; the sons begotten of them received a small share of the paternal inheritance and had the full status of freemen. Teucer, for instance, is a natural son of Telamon by one of these slaves and has the right to use his father's name. The legitimate wife was expected to put up with all this, but herself to remain strictly chaste and faithful. In the heroic age a Greek woman is, indeed, more respected than in the period of civilization, but to her husband she is after all nothing but the mother of his legitimate children and heirs, his chief housekeeper and the supervisor of his female slaves, whom he can and does take as concubines if he so fancies. It is the existence of slavery side by side with monogamy, the presence of young, beautiful slaves belonging unreservedly to the man, that stamps monogamy from the very beginning with its specific character of monogamy for the woman only, but not for the man. And that is the character it still has today.

Coming to the later Greeks, we must distinguish between Dorians and Ionians. Among the former – Sparta is the classic example – marriage relations are in some ways still more archaic than even in Homer. The recognized form of marriage in Sparta was a pairing marriage, modified according to the Spartan conceptions of the state, in which there still survived vestiges of group marriage. Childless marriages were dissolved; King Anaxandridas (about 650 B.C.), whose first wife was childless, took a second and kept two households; about the same time, King Ariston, who had two unfruitful wives, took a third, but dismissed one of the other two. On the other hand, several brothers could have a wife in common; a friend who preferred his friend's wife could share her with him; and it was considered quite proper to place one's wife at the disposal of a sturdy "stallion," as Bismarck would say, even if he was not a citizen. A passage in Plutarch, where a Spartan woman refers an importunate wooer to her husband, seems to indicate, according to Schamann, even greater freedom. Real adultery, secret infidelity by the woman without the husband's knowledge, was therefore unheard of. On the other hand, domestic slavery was unknown in Sparta, at least during its best period; the unfree helots were segregated on the estates and the Spartans were therefore less tempted to take the helots' wives. Inevitably in these conditions women held a much more honored position in Sparta than anywhere else in Greece. The Spartan women and the elite of the Athenian hetairai are the only Greek women of whom the ancients speak with respect and whose words they thought it worth while to record.

The position is quite different among the Ionians; here Athens is typical. Girls only learned spinning, weaving, and sewing, and at most a little reading and writing. They lived more or less behind locked doors and had no company except other women. The women's apartments formed a separate part of the house, on the upper floor or at the back, where men, especially strangers, could not easily enter, and to which the women retired when men visited the house. They never went out without being accompanied by a female slave; indoors they were kept under regular guard. Aristophanes speaks of Molossian dogs kept to frighten away adulterers, and, at any rate in the Asiatic towns, eunuchs were employed to keep watch over the women-making and exporting eunuchs was an industry in Chios as early as Herodotus' time, and, according to Wachsmuth, it was not only the barbarians who bought the supply. In Euripides a woman is called an *oikourema*, a thing (the word is neuter) for looking after the house, and, apart from her business of bearing children, that was all she was for the Athenian – his chief female domestic servant. The man had his athletics and his public business, from which women were barred; in addition, he often had female slaves at his disposal and during the most flourishing days of Athens an extensive system of prostitution which the state at least favored. It was precisely through this system of prostitution that the only Greek women of personality were able to develop, and to acquire that intellectual and artistic culture by which they stand out as high above the general level of classical womanhood as the Spartan women by their qualities of character. But that a woman had to be a hetaira before she could be a woman is the worst condemnation of the Athenian family.

This Athenian family became in time the accepted model for domestic relations, not only among the Ionians, but to an increasing extent among all the Greeks of the mainland and colonies also. But, in spite of locks and guards, Greek women found plenty of opportunity for deceiving their husbands. The men, who would have been ashamed to show any love for their wives, amused themselves by all sorts of love affairs with hetairai; but this degradation of the women was avenged on the men and degraded them also, till they fell into the abominable practice of sodomy and degraded alike their gods and themselves with the myth of Ganymede.

This is the origin of monogamy as far as we can trace it back among the most civilized and highly developed people of antiquity. It was not in any way the fruit of individual sex-love, with which it had nothing whatever to do; marriages remained as before marriages of convenience. It was the first form of the family to be based, not on natural, but on economic conditions – on the victory of private property over primitive, natural communal property. The Greeks themselves put the matter quite frankly: the sole exclusive aims of monogamous marriage were to make the man

supreme in the family, and to propagate, as the future heirs to his wealth, children indisputably his own. Otherwise, marriage was a burden, a duty which had to be performed, whether one liked it or not, to gods, state, and one's ancestors. In Athens the law exacted from the man not only marriage but also the performance of a minimum of so-called conjugal duties.

Thus when monogamous marriage first makes its appearance in history, it is not as the reconciliation of man and woman, still less as the highest form of such a reconciliation. Quite the contrary. Monogamous marriage comes on the scene as the subjugation of the one sex by the other; it announces a struggle between the sexes unknown throughout the whole previous prehistoric period. In an old unpublished manuscript, written by Marx and myself in 1846, [The reference here is to the *German Ideology*, published after Engels' death – Ed.] I find the words: "The first division of labor is that between man and woman for the propagation of children." And today I can add: The first class opposition that appears in history coincides with the development of the antagonism between man and woman in monogamous marriage, and the first class oppression coincides with that of the female sex by the male. Monogamous marriage was a great historical step forward; nevertheless, together with slavery and private wealth, it opens the period that has lasted until today in which every step forward is also relatively a step backward, in which prosperity and development for some is won through the misery and frustration of others. It is the cellular form of civilized society, in which the nature of the oppositions and contradictions fully active in that society can be already studied.

The old comparative freedom of sexual intercourse by no means disappeared with the victory of pairing marriage or even of monogamous marriage:

The old conjugal system, now reduced to narrower limits by the gradual disappearance of the punaluan groups, still environed the advancing family, which it was to follow to the verge of civilization.... It finally disappeared in the new form of hetaerism, which still follows mankind in civilization as a dark shadow upon the family.

[Morgan, *op. cit.*, p. 511 – Ed.]

By "hetaerism" Morgan understands the practice, co-existent with monogamous marriage, of sexual intercourse between men and unmarried women outside marriage, which, as we know, flourishes in the most varied forms throughout the whole period of civilization and develops more and more into open prostitution. This hetaerism derives quite directly from group marriage, from the ceremonial surrender by which women purchased the right of chastity. Surrender for money was at first a religious act; it took place in the temple of the goddess of love, and the money originally went into the temple treasury. The temple slaves of Anaitis in Armenia and of Aphrodite in Corinth, like the sacred dancing-girls attached to the temples of India, the so-called bayaderes (the word is a corruption of the Portuguese word *bailadeira*, meaning female dancer), were the first prostitutes. Originally the duty of every woman, this surrender was later performed by these priestesses alone as representatives of all other women. Among other peoples, hetaerism derives from the sexual freedom allowed to girls before marriage – again, therefore, a relic of group marriage, but handed down in a different way. With the rise of the inequality of property – already at the upper stage of barbarism, therefore – wage-labor appears sporadically side by side with slave labor, and at the same time, as its necessary correlate, the professional prostitution of free women side by side with the forced surrender of the slave. Thus the heritage which group marriage has bequeathed to civilization is double-edged, just as everything civilization brings forth is double-edged, double-tongued, divided against itself, contradictory: here monogamy, there hetaerism, with its most extreme form, prostitution. For hetaerism is as much a social institution as any other; it continues the old sexual freedom – to the advantage of the men. Actually not merely tolerated, but gaily practiced, by the ruling classes particularly, it is condemned in words. But in reality this condemnation never falls on the men concerned, but only on the women; they are despised and outcast, in order that the unconditional supremacy of men over the female sex may be once more proclaimed as a fundamental law of society.

But a second contradiction thus develops within monogamous marriage itself. At the side of the husband who embellishes his existence with hetaerism stands the neglected wife. And one cannot have one side of this contradiction without the other, any more than a man has a whole apple in his hand after eating half. But that seems to have been the husbands' notion, until their wives taught them better. With monogamous marriage, two constant social types, unknown hitherto, make their appearance on the scene – the wife's attendant lover and the cuckold husband. The husbands had won the victory over the wives, but the vanquished magnanimously provided the crown. Together with monogamous marriage and hetaerism, adultery became an unavoidable social institution – denounced, severely penalized, but impossible to suppress. At best, the certain paternity of the children rested on moral conviction as before, and to solve the insoluble contradiction the Code Napoleon, Art- 312, decreed: "L'enfant confu pendant le mariage a pour pere le mari," the father of a child conceived during marriage is-the husband. Such is the final result of three thousand years of monogamous marriage.

Thus, wherever the monogamous family remains true to its historical origin and clearly reveals the antagonism between the man and the woman expressed in the man's exclusive supremacy, it exhibits in miniature the same oppositions and contradictions as those in which society has been moving, without power to resolve or overcome them, ever since it split into classes at the beginning of civilization. I am speaking here, of course, only of those cases of monogamous marriage where matrimonial life actually proceeds according to the original character of the whole institution, but where the wife rebels against the husband's supremacy. Not all marriages turn out thus, as nobody knows better than the German philistine, who can no more assert his rule in the home than he can in the state, and whose wife, with every right, wears the trousers he is unworthy of. But, to make up for it, he considers himself far above his French companion in misfortune, to whom, oftener than to him, something much worse happens.

However, monogamous marriage did not by any means appear always and everywhere in the classically harsh form it took among the Greeks. Among the Romans, who, as future world-conquerors, had a larger, if a less fine, vision than the Greeks, women were freer and more respected. A Roman considered that his power of life and death over his wife sufficiently guaranteed her conjugal fidelity. Here, moreover, the wife equally with the husband could dissolve the marriage at will. But the greatest progress in the development of individual marriage certainly came with the entry of the Germans into history, and for the reason that the German – on account of their poverty, very probably – were still at a stage where monogamy seems not yet to have become perfectly distinct from pairing marriage. We infer this from three facts mentioned by Tacitus. First, though marriage was held in great reverence – "they content themselves with one wife, the women live hedged round with chastity" – polygamy was the rule for the distinguished members and the leaders of the tribe, a condition of things similar to that among the Americans, where pairing marriage was the rule. Secondly, the transition from mother-right to father-right could only have been made a short time previously, for the brother on the mother's side -the nearest gentile male relation according to mother-right –was still considered almost closer of kin than the father, corresponding again to the standpoint of the American Indians, among whom Marx, as he often said, found the key to the understanding of our own primitive age. And, thirdly, women were greatly respected among the Germans, and also influential in public affairs, which is in direct contradiction to the supremacy of men in monogamy. In almost all these points the Germans agree with the Spartans, among whom also, as we saw, pairing marriage had not yet been completely overcome. Thus, here again an entirely new influence came to power in the world with the Germans. The new monogamy, which now developed from the mingling of peoples amid the ruins of the Roman world, clothed the supremacy of the men in milder forms and gave women a position which, outwardly at any rate, was much more free and respected than it had ever been in classical antiquity. Only now were the conditions realized in which through monogamy-within it, parallel to it, or in opposition to it, as the case might be-the

greatest moral advance we owe to it could be achieved: modern individual sex-love, which had hitherto been unknown to the entire world.

This advance, however, undoubtedly sprang from the fact that the Germans still lived in pairing families and grafted the corresponding position of women onto the monogamous system, so far as that was possible. It most decidedly did not spring from the legendary virtue and wonderful moral purity of the German character, which was nothing more than the freedom of the pairing family from the crying moral contradictions of monogamy. On the contrary, in the course of their migrations the Germans had morally much deteriorated, particularly during their southeasterly wanderings among the nomads of the Black Sea steppes, from whom they acquired, not only equestrian skill, but also gross, unnatural vices, as Ammianus expressly states of the Taifalians and Procopius of the Herulians.

But if monogamy was the only one of all the known forms of the family through which modern sex-love could develop, that does not mean that within monogamy modern sexual love developed exclusively or even chiefly as the love of husband and wife for each other. That was precluded by the very nature of strictly monogamous marriage under the rule of the man. Among all historically active classes—that is, among all ruling classes—matrimony remained what it had been since the pairing marriage, a matter of convenience which was arranged by the parents. The first historical form of sexual love as passion, a passion recognized as natural to all human beings (at least if they belonged to the ruling classes), and as the highest form of the sexual impulse—and that is what constitutes its specific character—this first form of individual sexual love, the chivalrous love of the middle ages, was by no means conjugal. Quite the contrary. In its classic form among the Provençals, it heads straight for adultery, and the poets of love celebrated adultery. The flower of Provençal love poetry are the *Albas* (*aubades*, songs of dawn). They describe in glowing colors how the knight lies in bed beside his love—the wife of another man—while outside stands the watchman who calls to him as soon as the first gray of dawn (*alba*) appears, so that he can get away unobserved; the parting scene then forms the climax of the poem. The northern French and also the worthy Germans adopted this kind of poetry together with the corresponding fashion of chivalrous love; old Wolfram of Eschenbach has left us three wonderfully beautiful songs of dawn on this same improper subject, which I like better than his three long heroic poems.

Nowadays there are two ways of concluding a bourgeois marriage. In Catholic countries the parents, as before, procure a suitable wife for their young bourgeois son, and the consequence is, of course, the fullest development of the contradiction inherent in monogamy: the husband abandons himself to hetaerism and the wife to adultery. Probably the only reason why the Catholic Church abolished divorce was because it had convinced itself that there is no more a cure for adultery than there is for death. In Protestant countries, on the other hand, the rule is that the son of a bourgeois family is allowed to choose a wife from his own class with more or less freedom; hence there may be a certain element of love in the marriage, as, indeed, in accordance with Protestant hypocrisy, is always assumed, for decency's sake. Here the husband's hetaerism is a more sleepy kind of business, and adultery by the wife is less the rule. But since, in every kind of marriage, people remain what they were before, and since the bourgeois of Protestant countries are mostly philistines, all that this Protestant monogamy achieves, taking the average of the best cases, is a conjugal partnership of leaden boredom, known as "domestic bliss." The best mirror of these two methods of marrying is the novel—the French novel for the Catholic manner, the German for the Protestant. In both, the hero "gets" them: in the German, the young man gets the girl; in the French, the husband gets the horns. Which of them is worse off is sometimes questionable. This is why the French bourgeois is as much horrified by the dullness of the German novel as the German philistine is by the "immorality" of the French. However, now that "Berlin is a world capital," the German novel is beginning with a little less timidity to use as part of its regular stock-in-trade the hetaerism and adultery long familiar to that town.

In both cases, however, the marriage is conditioned by the class position of the parties and is to that extent always a marriage of convenience. In both cases this marriage of convenience turns often enough into crassest prostitution-sometimes of both partners, but far more commonly of the woman, who only differs from the ordinary courtesan in that she does not let out her body on piece-work as a wage-worker, but sells it once and for all into slavery. And of all marriages of convenience Fourier's words hold true: "As in grammar two negatives make an affirmative, so in matrimonial morality two prostitutions pass for a virtue." [Charles Fourier, *Theorie de l'Unité Universelle*. Paris, 1841-45, Vol. III, p. 120. – Ed.] Sex-love in the relationship with a woman becomes, and can only become, the real rule among the oppressed classes, which means today among the proletariat-whether this relation is officially sanctioned or not. But here all the foundations of typical monogamy are cleared away. Here there is no property, for the preservation and inheritance of which monogamy and male supremacy were established; hence there is no incentive to make this male supremacy effective. What is more, there are no means of making it so. Bourgeois law, which protects this supremacy, exists only for the possessing class and their dealings with the proletarians. The law costs money and, on account of the worker's poverty, it has no validity for his relation to his wife. Here quite other personal and social conditions decide. And now that large-scale industry has taken the wife out of the home onto the labor market and into the factory, and made her often the bread-winner of the family, no basis for any kind of male supremacy is left in the proletarian household – except, perhaps, for something of the brutality towards women that has spread since the introduction of monogamy. The proletarian family is therefore no longer monogamous in the strict sense, even where there is passionate love and firmest loyalty on both sides, and maybe all the blessings of religious and civil authority. Here, therefore, the eternal attendants of monogamy, heterism and adultery, play only an almost vanishing part. The wife has in fact regained the right to dissolve the marriage, and if two people cannot get on with one another, they prefer to separate. In short, proletarian marriage is monogamous in the etymological sense of the word, but not at all in its historical sense.

Our jurists, of course, find that progress in legislation is leaving women with no further ground of complaint. Modern civilized systems of law increasingly acknowledge, first, that for a marriage to be legal, it must be a contract freely entered into by both partners, and, secondly, that also in the married state both partners must stand on a common footing of equal rights and duties. If both these demands are consistently carried out, say the jurists, women have all they can ask.

This typically legalist method of argument is exactly the same as that which the radical republican bourgeois uses to put the proletarian in his place. The labor contract is to be freely entered into by both partners. But it is considered to have been freely entered into as soon as the law makes both parties equal on paper. The power conferred on the one party by the difference of class position, the pressure thereby brought to bear on the other party – the real economic position of both – that is not the law's business. Again, for the duration of the labor contract both parties are to have equal rights, in so far as one or the other does not expressly surrender them. That economic relations compel the worker to surrender even the last semblance of equal rights – here again, that is no concern of the law.

In regard to marriage, the law, even the most advanced, is fully satisfied as soon as the partners have formally recorded that they are entering into the marriage of their own free consent. What goes on in real life behind the juridical scenes, how this free consent comes about – that is not the business of the law and the jurist. And yet the most elementary comparative jurisprudence should show the jurist what this free consent really amounts to. In the countries where an obligatory share of the paternal inheritance is secured to the children by law and they cannot therefore be disinherited – in Germany, in the countries with French law and elsewhere – the children are obliged to obtain their parents' consent to their marriage. In the countries with English law, where parental consent to a marriage is not legally required, the parents on their side have full freedom

in the testamentary disposal of their property and can disinherit their children at their pleasure. It is obvious that, in spite and precisely because of this fact, freedom of marriage among the classes with something to inherit is in reality not a whit greater in England and America than it is in France and Germany.

As regards the legal equality of husband and wife in marriage, the position is no better. The legal inequality of the two partners, bequeathed to us from earlier social conditions, is not the cause but the effect of the economic oppression of the woman. In the old communistic household, which comprised many couples and their children, the task entrusted to the women of managing the household was as much a public and socially necessary industry as the procuring of food by the men. With the patriarchal family, and still more with the single monogamous family, a change came. Household management lost its public character. It no longer concerned society. It became a private service; the wife became the head servant, excluded from all participation in social production. Not until the coming of modern large-scale industry was the road to social production opened to her again – and then only to the proletarian wife. But it was opened in such a manner that, if she carries out her duties in the private service of her family, she remains excluded from public production and unable to earn; and if she wants to take part in public production and earn independently, she cannot carry out family duties. And the wife's position in the factory is the position of women in all branches of business, right up to medicine and the law. The modern individual family is founded on the open or concealed domestic slavery of the wife, and modern society is a mass composed of these individual families as its molecules.

In the great majority of cases today, at least in the possessing classes, the husband is obliged to earn a living and support his family, and that in itself gives him a position of supremacy, without any need for special legal titles and privileges. Within the family he is the bourgeois and the wife represents the proletariat. In the industrial world, the specific character of the economic oppression burdening the proletariat is visible in all its sharpness only when all special legal privileges of the capitalist class have been abolished and complete legal equality of both classes established. The democratic republic does not do away with the opposition of the two classes; on the contrary, it provides the clear field on which the fight can be fought out. And in the same way, the peculiar character of the supremacy of the husband over the wife in the modern family, the necessity of creating real social equality between them, and the way to do it, will only be seen in the clear light of day when both possess legally complete equality of rights. Then it will be plain that the first condition for the liberation of the wife is to bring the whole female sex back into public industry, and that this in turn demands the abolition of the monogamous family as the economic unit of society.

We thus have three principal forms of marriage which correspond broadly to the three principal stages of human development. For the period of savagery, group marriage; for barbarism, pairing marriage; for civilization, monogamy, supplemented by adultery and prostitution. Between pairing marriage and monogamy intervenes a period in the upper stage of barbarism when men have female slaves at their command and polygamy is practiced.

As our whole presentation has shown, the progress which manifests itself in these successive forms is connected with the peculiarity that women, but not men, are increasingly deprived of the sexual freedom of group marriage. In fact, for men group marriage actually still exists even to this day. What for the woman is a crime, entailing grave legal and social consequences, is considered honorable in a man or, at the worse, a slight moral blemish which he cheerfully bears. But the more the heterism of the past is changed in our time by capitalist commodity production and brought into conformity with it, the more, that is to say, it is transformed into undisguised prostitution, the more demoralizing are its effects. And it demoralizes men far more than women. Among women, prostitution degrades only the unfortunate ones who become its victims, and

even these by no means to the extent commonly believed. But it degrades the character of the whole male world. A long engagement, particularly, is in nine cases out of ten a regular preparatory school for conjugal infidelity.

We are now approaching a social revolution in which the economic foundations of monogamy as they have existed hitherto will disappear just as surely as those of its complement-prostitution. Monogamy arose from the concentration of considerable wealth in the hands of a single individual man-and from the need to bequeath this wealth to the children of that man and of no other. For this purpose, the monogamy of the woman was required, not that of the man, so this monogamy of the woman did not in any way interfere with open or concealed polygamy on the part of the man. But by transforming by far the greater portion, at any rate, of permanent, heritable wealth – the means of production – into social property, the coming social revolution will reduce to a minimum all this anxiety about bequeathing and inheriting. Having arisen from economic causes, will monogamy then disappear when these causes disappear?

One might answer, not without reason: far from disappearing, it will, on the contrary, be realized completely. For with the transformation of the means of production into social property there will disappear also wage-labor, the proletariat, and therefore the necessity for a certain – statistically calculable – number of women to surrender themselves for money. Prostitution disappears; monogamy, instead of collapsing, at last becomes a reality – also for men.

In any case, therefore, the position of men will be very much altered. But the position of women, of all women, also undergoes significant change. With the transfer of the means of production into common ownership, the single family ceases to be the economic unit of society. Private housekeeping is transformed into a social industry. The care and education of the children becomes a public affair; society looks after all children alike, whether they are legitimate or not. This removes all the anxiety about the “consequences,” which today is the most essential social – moral as well as economic – factor that prevents a girl from giving herself completely to the man she loves. Will not that suffice to bring about the gradual growth of unconstrained sexual intercourse and with it a more tolerant public opinion in regard to a maiden’s honor and a woman’s shame? And, finally, have we not seen that in the modern world monogamy and prostitution are indeed contradictions, but inseparable contradictions, poles of the same state of society? Can prostitution disappear without dragging monogamy with it into the abyss?

Here a new element comes into play, an element which, at the time when monogamy was developing, existed at most in germ: individual sex-love.

Before the Middle Ages we cannot speak of individual sex-love. That personal beauty, close intimacy, similarity of tastes and so forth awakened in people of opposite sex the desire for sexual intercourse, that men and women were not totally indifferent regarding the partner with whom they entered into this most intimate relationship – that goes without saying. But it is still a very long way to our sexual love. Throughout the whole of antiquity, marriages were arranged by the parents, and the partners calmly accepted their choice. What little love there was between husband and wife in antiquity is not so much subjective inclination as objective duty, not the cause of the marriage, but its corollary. Love relationships in the modern sense only occur in antiquity outside official society. The shepherds of whose joys and sorrows in love Theocratus and Moschus sing, the Daphnis and Chloe of Longus are all slaves who have no part in the state, the free citizen’s sphere of life. Except among slaves, we find love affairs only as products of the disintegration of the old world and carried on with women who also stand outside official society, with hetairai – that is, with foreigners or freed slaves: in Athens from the eve of its decline, in Rome under the Caesars. If there were any real love affairs between free men and free women, these occurred only in the course of adultery. And to the classical love poet of antiquity, old Anacreon, sexual love in our sense mattered so little that it did not even matter to him which sex his beloved was.

Our sexual love differs essentially from the simple sexual desire, the Eros, of the ancients. In the first place, it assumes that the person loved returns the love; to this extent the woman is on an equal footing with the man, whereas in the Eros of antiquity she was often not even asked. Secondly, our sexual love has a degree of intensity and duration which makes both lovers feel that non-possession and separation are a great, if not the greatest, calamity; to possess one another, they risk high stakes, even life itself. In the ancient world this happened only, if at all, in adultery. And, finally, there arises a new moral standard in the judgment of a sexual relationship. We do not only ask, was it within or outside marriage? But also, did it spring from love and reciprocated love or not? Of course, this new standard has fared no better in feudal or bourgeois practice than all the other standards of morality – it is ignored. But neither does it fare any worse. It is recognized just as much as they are – in theory, on paper. And for the present it cannot ask anything more.

At the point where antiquity broke off its advance to sexual love, the Middle Ages took it up again: in adultery. We have already described the knightly love which gave rise to the songs of dawn. From the love which strives to break up marriage to the love which is to be its foundation there is still a long road, which chivalry never fully traversed. Even when we pass from the frivolous Latins to the virtuous Germans, we find in the *Nibelungenlied* that, although in her heart Kriemhild is as much in love with Siegfried as he is with her, yet when Gunther announces that he has promised her to a knight he does not name, she simply replies: “You have no need to ask me; as you bid me, so will I ever be; whom you, lord, give me as husband, him will I gladly take in troth.” It never enters her head that her love can be even considered. Gunther asks for Brunhild in marriage, and Etzel for Kriemhild, though they have never seen them. Similarly, in *Gutrun*, Sigebant of Ireland asks for the Norwegian Ute, whom he has never seen, Hetel of Hegelingen for Hilde of Ireland, and, finally, Siegfried of Moorland, Hartmut of Ormany and Herwig of Seeland for Gutrun, and here Gutrun’s acceptance of Herwig is for the first time voluntary. As a rule, the young prince’s bride is selected by his parents, if they are still living, or, if not, by the prince himself, with the advice of the great feudal lords, who have a weighty word to say in all these cases. Nor can it be otherwise. For the knight or baron, as for the prince of the land himself, marriage is a political act, an opportunity to increase power by new alliances; the interest of the house must be decisive, not the wishes of an individual. What chance then is there for love to have the final word in the making of a marriage?

The same thing holds for the guild member in the medieval towns. The very privileges protecting him, the guild charters with all their clauses and rubrics, the intricate distinctions legally separating him from other guilds, from the members of his own guild or from his journeymen and apprentices, already made the circle narrow enough within which he could look for a suitable wife. And who in the circle was the most suitable was decided under this complicated system most certainly not by his individual preference but by the family interests.

In the vast majority of cases, therefore, marriage remained, up to the close of the middle ages, what it had been from the start – a matter which was not decided by the partners. In the beginning, people were already born married – married to an entire group of the opposite sex. In the later forms of group marriage similar relations probably existed, but with the group continually contracting. In the pairing marriage it was customary for the mothers to settle the marriages of their children; here, too, the decisive considerations are the new ties of kinship, which are to give the young pair a stronger position in the gens and tribe. And when, with the preponderance of private over communal property and the interest in its bequeathal, father-right and monogamy gained supremacy, the dependence of marriages on economic considerations became complete. The form of marriage by purchase disappears, the actual practice is steadily extended until not only the woman but also the man acquires a price – not according to his personal qualities, but according to his property. That the mutual affection of the people concerned should be the one paramount reason for marriage, outweighing everything else, was

and always had been absolutely unheard of in the practice of the ruling classes; that sort of thing only happened in romance – or among the oppressed classes, who did not count.

Such was the state of things encountered by capitalist production when it began to prepare itself, after the epoch of geographical discoveries, to win world power by world trade and manufacture. One would suppose that this manner of marriage exactly suited it, and so it did. And yet – there are no limits to the irony of history – capitalist production itself was to make the decisive breach in it. By changing all things into commodities, it dissolved all inherited and traditional relationships, and, in place of time-honored custom and historic right, it set up purchase and sale, “free” contract. And the English jurist, H. S. Maine, thought he had made a tremendous discovery when he said that our whole progress in comparison with former epochs consisted in the fact that we had passed “from status to contract,” from inherited to freely contracted conditions – which, in so far as it is correct, was already in *The Communist Manifesto* [Chapter II].

But a contract requires people who can dispose freely of their persons, actions, and possessions, and meet each other on the footing of equal rights. To create these “free” and “equal” people was one of the main tasks of capitalist production. Even though at the start it was carried out only half-consciously, and under a religious disguise at that, from the time of the Lutheran and Calvinist Reformation the principle was established that man is only fully responsible for his actions when he acts with complete freedom of will, and that it is a moral duty to resist all coercion to an immoral act. But how did this fit in with the hitherto existing practice in the arrangement of marriages? Marriage, according to the bourgeois conception, was a contract, a legal transaction, and the most important one of all, because it disposed of two human beings, body and mind, for life. Formally, it is true, the contract at that time was entered into voluntarily: without the assent of the persons concerned, nothing could be done. But everyone knew only too well how this assent was obtained and who were the real contracting parties in the marriage. But if real freedom of decision was required for all other contracts, then why not for this? Had not the two young people to be coupled also the right to dispose freely of themselves, of their bodies and organs? Had not chivalry brought sex-love into fashion, and was not its proper bourgeois form, in contrast to chivalry’s adulterous love, the love of husband and wife? And if it was the duty of married people to love each other, was it not equally the duty of lovers to marry each other and nobody else? Did not this right of the lovers stand higher than the right of parents, relations, and other traditional marriage-brokers and matchmakers? If the right of free, personal discrimination broke boldly into the Church and religion, how should it halt before the intolerable claim of the older generation to dispose of the body, soul, property, happiness, and unhappiness of the younger generation?

These questions inevitably arose at a time which was loosening all the old ties of society and undermining all traditional conceptions. The world had suddenly grown almost ten times bigger; instead of one quadrant of a hemisphere, the whole globe lay before the gaze of the West Europeans, who hastened to take the other seven quadrants into their possession. And with the old narrow barriers of their homeland fell also the thousand-year-old barriers of the prescribed medieval way of thought. To the outward and the inward eye of man opened an infinitely wider horizon. What did a young man care about the approval of respectability, or honorable guild privileges handed down for generations, when the wealth of India beckoned to him, the gold and the silver mines of Mexico and Potosi? For the bourgeoisie, it was the time of knight-errantry; they, too, had their romance and their raptures of love, but on a bourgeois footing and, in the last analysis, with bourgeois aims.

So it came about that the rising bourgeoisie, especially in Protestant countries, where existing conditions had been most severely shaken, increasingly recognized freedom of contract also in marriage, and carried it into effect in the manner described. Marriage remained class marriage, but within the class the partners were conceded a certain degree of freedom of choice. And on paper, in ethical theory and in poetic description, nothing was more immutably established than

that every marriage is immoral which does not rest on mutual sexual love and really free agreement of husband and wife. In short, the love marriage was proclaimed as a human right, and indeed not only as a *droit de l'homme*, one of the rights of man, but also, for once in a way, as *droit de la fem?*”, one of the rights of woman.

This human right, however, differed in one respect from all other so-called human rights. While the latter, in practice, remain restricted to the ruling class (the bourgeoisie), and are directly or indirectly curtailed for the oppressed class (the proletariat), in the case of the former the irony of history plays another of its tricks. The ruling class remains dominated by the familiar economic influences and therefore only in exceptional cases does it provide instances of really freely contracted marriages, while among the oppressed class, as we have seen, these marriages are the rule.

Full freedom of marriage can therefore only be generally established when the abolition of capitalist production and of the property relations created by it has removed all the accompanying economic considerations which still exert such a powerful influence on the choice of a marriage partner. For then there is no other motive left except mutual inclination.

And as sexual love is by its nature exclusive – although at present this exclusiveness is fully realized only in the woman – the marriage based on sexual love is by its nature individual marriage. We have seen how right Bachofen was in regarding the advance from group marriage to individual marriage as primarily due to the women. Only the step from pairing marriage to monogamy can be put down to the credit of the men, and historically the essence of this was to make the position of the women worse and the infidelities of the men easier. If now the economic considerations also disappear which made women put up with the habitual infidelity of their husbands – concern for their own means of existence and still more for their children’s future – then, according to all previous experience, the equality of woman thereby achieved will tend infinitely more to make men really monogamous than to make women polyandrous.

But what will quite certainly disappear from monogamy are all the features stamped upon it through its origin in property relations; these are, in the first place, supremacy of the man, and, secondly, indissolubility. The supremacy of the man in marriage is the simple consequence of his economic supremacy, and with the abolition of the latter will disappear of itself. The indissolubility of marriage is partly a consequence of the economic situation in which monogamy arose, partly tradition from the period when the connection between this economic situation and monogamy was not yet fully understood and was carried to extremes under a religious form. Today it is already broken through at a thousand points. If only the marriage based on love is moral, then also only the marriage in which love continues. But the intense emotion of individual sex-love varies very much in duration from one individual to another, especially among men, and if affection definitely comes to an end or is supplanted by a new passionate love, separation is a benefit for both partners as well as for society – only people will then be spared having to wade through the useless mire of a divorce case.

What we can now conjecture about the way in which sexual relations will be ordered after the impending overthrow of capitalist production is mainly of a negative character, limited for the most part to what will disappear. But what will there be new? That will be answered when a new generation has grown up: a generation of men who never in their lives have known what it is to buy a woman’s surrender with money or any other social instrument of power; a generation of women who have never known what it is to give themselves to a man from any other considerations than real love, or to refuse to give themselves to their lover from fear of the economic consequences. When these people are in the world, they will care precious little what anybody today thinks they ought to do; they will make their own practice and their corresponding public opinion about the practice of each individual – and that will be the end of it.

Let us, however, return to Morgan, from whom we have moved a considerable distance. The historical investigation of the social institutions developed during the period of civilization goes beyond the limits of his book. How monogamy fares during this epoch, therefore, only occupies him very briefly. He, too, sees in the further development of the monogamous family a step forward, an approach to complete equality of the sexes, though he does not regard this goal as attained. But, he says:

When the fact is accepted that the family has passed through four successive forms, and is now in a fifth, the question at once arises whether this form can be permanent in the future. The only answer that can be given is that it must advance as society advances, and change as society changes, even as it has done in the past. It is the creature of the social system, and will reflect its culture. As the monogamian family has improved greatly since the commencement of civilization, and very sensibly in modern times, it is at least supposable that it is capable of still further improvement until the equality of the sexes is attained. Should the monogamian family in the distant future fail to answer the requirements of society ... it is impossible to predict the nature of its successor.