

HS2.302 Gender, Kinship and State Law

Mid-Term

Q1:

Define the term marriage, and discuss how the institution is helpful in ordering (and reordering) societies, communities, and even states. How are kinship rules on marriages used to draw boundaries between communities and entrench hierarchies within groups (give examples)? How do gender and kinship rules increase or limit opportunities for women and men? *(15 marks)*

Q2:

Choose ONLY one of the following:

1. Give an example of kinship terms or rules on marriage in your language/family/community and analyze it in Srinivas's chapters.
2. Reference a recent (or not so recent) news story that you now understand better because of one of the reading assignments in this class (you may also use the news articles assigned for the first class).
3. How are individual choices negotiated under social and/or legal pressures?

Word Limit: 700-800 words

Ans 1:

Marriage is a social contract that recognizes and regulates the rights of two individuals who have chosen to live together as husband and wife. In an ideal marriage, both individuals consent to live with each other without any external pressure. In contrast, patriarchy, caste, religion and financial status is the factor that often dictates the institution of marriage in society.

As an institution, marriage is a contributing factor in the segregation of society in various societies and communities, in which individuals are not allowed to marry outside their norms, and the norms often define the framework for regulating sexual behaviour, defining the rights and obligations of spouses, and establishing the rules of inheritance. The societal norms that dictate the concept of marriage are often regressive and a way to assert patriarchy in families. In a South Asian marriage, women are often not given the freedom to choose their life partners, and the men in their life make decisions for them, and often, the decisions are guided by caste and class hierarchy. In Q2, I have explained how an arranged marriage contributes to social segregation based on various backgrounds and how various communities see marriages as a means to preserve their pure blood. Marrying outside may lead to impurification in their genes.

Kinship rules on marriages draw boundaries between communities and entrench hierarchies within groups. For example, marriage defines family relationships and establishes inheritance rules in many societies. In some societies, marriages cement alliances between families or groups, but both families are expected to be of the same caste and social order. MN Srinivas gives an account of how influential the caste is in kinship by explaining how an upper-caste man has to give up on his status if he marries someone from a lower caste. The kinship laws also divide the society into factors other than caste, such as diving into the Brahmin society in Gaud and Shaswat Brahmin based on their geographical location or the linguistic abilities of their ancestors and drawing boundaries within a caste while establishing its supremacy over others.

The gender and kinship rules, which date back to the hunter-gatherer society, limit each gender to a specific set of professions. In ancient society, men used to hunt for food, and women were supposed to be the gatherers. In “Is female to male as nature is to culture”, Sherry Ortner explains how women are limited to caretakers in the hunter-gatherer society as only the women can reproduce by giving birth. They need to take care of the newly born by providing adequate nutrition. On the other hand, men were expected to go outside and earn bread for the family. Now, the age-old societal norms continue even today when women can also earn bread for the family. Still, the institution of marriage limits them to the caretaker role only.

Ans 2:

The first lecture discussed Yashica Dutt’s Article” ‘Indian Matchmaking’ Exposes the Easy Acceptance of Caste” for The Atlantic. Indian Matchmaking is a Netflix show about matchmaker Sima Taparia who helps people find their life partners through arranged marriages. The writer critiqued the show for its regressive, racist and classist nature and chastised it for ignoring topics such as colourism, dowry, misogyny, body shaming, objectifying women and caste. Moreover, it depicts no couples identifying as Muslim, Christian or lower caste communities, that account for over 40% of India’s 1.4 billion individuals.

Arranged marriages are common in South Asian nations and are often seen as part of the traditional culture. Still, the article highlights how it contributes to strengthening the social hierarchy in society. The social hierarchy is a system of social stratification that divides people into different groups based on their economic, social, and political status. And in arranged marriages, families typically choose spouses for their children based on factors such as caste, social class, financial status, and family reputation which leads to

social stratification among various communities. In “Marriage and Family in Mysore”, MN Srinivas explained how arranged marriage and numerous kinship laws strengthen the preexisting caste hierarchies. Because of various societal obligations, the rich and politically powerful upper class can not marry someone from the poor and vulnerable lower class. Moreover, financial status and education also contribute to social stratification because of arranged marriages.

Moreover, in patrilineal societies such as India, arranged marriages are significant in continuing patriarchal dominance and authority over women. Veena Das highlights in “Life and Words” how women are oppressed when forced to marry someone against their wishes. In various episodes of Indian Matchmaking, Sima Taparia pointed out how only the groom’s preferences are placed over a bride’s wishes. Moreover, the brides in arranged marriages are often expected to say yes to the groom her family has chosen because of social pressure. Some social can be very intense, and individuals may feel like they have no choice but to give in to them. Individual choices are often negotiated in the face of social pressures by compromise. This results in the acceptance of male dominance and the groom’s family on the counter side and leads to the oppression of women, limitation to domestic work and marital rapes, which are still not criminalized in India.

References:

1. Srinivas, Mysore Narasimhachar. Marriage and family in Mysore.
2. Ortner, Sherry. Is female to male as nature is to culture.
3. Das, Veena. Life and Words.
4. Dutt, Y., 2022. ‘Indian Matchmaking’ Exposes the Easy Acceptance of Caste. [online] The Atlantic. Available at:
<https://www.theatlantic.com/culture/archive/2020/08/netflix-indian-matchmaking-and-the-shadow-of-caste/614863>