

THREE



NORMS OF SEX AND MARRIAGE IN LIGHT OF CLASSIFICATORY KINSHIP¹

[26–35; 45–61; 149–161; 75–82]

LET US NOW EXAMINE the extent to which the classificatory kinship system corresponds to modern norms of sexual intercourse and marriage. Among the Gilyak, at the present time at least, there is no question of any general prohibition of extramarital sexual intercourse. Sexual intercourse with a woman is to the Gilyak a natural act, as insignificant morally as any other natural act answering the well-known needs of man. Prohibitions and limitations extend only to definite groups of persons bound by agnatic or cognatic relationship. Outside of these groups, sexual intercourse is not subject to any regulation, nor to religious or public condemnation [75].

Besides the prohibitions determined by relationship, extramarital intercourse knows only one restriction, the reactions of the concerned persons. The young men of a clan who have access to the women of a certain locality, when displeased with a usurper, may give full vent to their resentment for his trespassing. Such cases are, however, very rare. The consequences are much more serious when a married woman is the source of trouble. A stranger caught in *flagrante delicto* with a married woman is killed by the husband on the spot. Such at least was the custom until recently. The fear of Russian criminal law has of late somewhat curbed these impulsive murders, so that they have been replaced by duels and ransoms. The woman in such cases suffers much less. Although she is badly beaten, murder is never committed because she is always considered her husband's cognate; having sometimes cost her husband a considerable sum, she represents an object of great value as a working hand. However, all this refers exclusively to cases where a married woman is in question. Sexual intercourse with an unmarried woman or a widow, when it takes place with the woman's consent, evokes no reaction even on the part of her father or brothers although they are much interested in the bride-price received when the woman marries. I have never heard of reprisals being taken in such cases. Action is taken by the woman's kin only when a duel or a ransom may be expected. Nor are there at present any prohibitions against the marriage of persons not bound by any kin ties.

This attitude changes completely in regard to persons connected by the classificatory terms of relationship. Then an elaborate system of restrictions and

¹ [*Editor's note:* Earlier titles for this chapter include "The Classificatory System of Relationship and the Norms of Sexual Intercourse and Marriage" (AMNH English and Russian typescripts, and the 1933 Soviet versions).]

prohibitions appears which coincides fully with the nomenclature of relationship. Only those persons have the right to sexual intercourse and marriage with each other who, according to the established class terminology, belong respectively to the classes *pu* and *ang'rei*, that is, the persons who from birth are "husbands" and "wives" to each other. All other classes are covered by an absolute prohibition.

But who are these prohibited classes?² In the first place, the large class *khal*, that is, the persons born to a common agnatic clan. Among the agnates, as shown above, there are no classes which stand to each other in the relations of *pu* and *ang'rei*. The Gilyak clan is absolutely exogamic; marriage and sexual intercourse of agnates within a clan is impossible. In this connection we must categorically contradict von Schrenck's statement that the Gilyak clan is endogamous. "The fact of belonging to a clan," says von Schrenck, "plays no part whatever in the most important aspect of their life, namely marriage; . . . the Gilyak fully sanction marriages between members of one and the same clan."³ In another place he expresses this still more definitely: "Marriage is prohibited only to real brothers and sisters and to the children of real brothers."⁴ This entirely erroneous assertion, emanating from an investigator who spent 2 years among the Gilyak, would be incomprehensible were it not for the fact that von Schrenck did not speak the Gilyak language and therefore needed the assistance of an interpreter. My own dealings with the Gilyak for many years, and my intensive study of their language and matrimonial laws, make it possible for me to contradict categorically von Schrenck's assertion that among persons born in one clan, marriage and sexual intercourse are allowed. During my long sojourn among the Gilyak and my intimate communication with them, I never saw or heard about even an exceptional infringement of exogamy. The abhorrence of sexual intercourse among clansmen, even the most remote, is as great among the Gilyak as the feeling in our own society against intercourse between brothers and sisters or father and daughter [76].⁵

Let us now consider in detail the classes between whom sexual intercourse and marriage is forbidden.

ASCENDING AND DESCENDING GENERATIONS. These are persons who call each other *atk*, *atskh*, *itk*, *pilang*, *imk*, *nankh*, and *og'la*—grandfathers and grandmothers, fathers and mothers, agnatic and cognatic uncles and aunts, on the one side, and their descendants, on the other. Intercourse is thus prohibited between persons of ascending and descending generations in the direct and most remote collateral lines. Sexual inter-

² [Editor's note: Shternberg follows Morgan's use of "classes" to describe intermarrying divisions. "Sections" was later more commonly adopted in analyses of Australian and other kinship systems to avoid the connotations of hierarchy. Richard Lester Hiatt, *Arguments about Aborigines: Australia and the Evolution of Social Anthropology* (Cambridge: Cambridge Univ. Press, 1996), 42.]

³ Von Schrenck, *Reisen*, Vol. II, 23–24.

⁴ *Ibid.*, 6.

⁵ I once saw among the Golds on the Amur a village inhabited by ancient Gilyak colonists who were now for centuries true Golds by culture and language. They had never seen their clansmen from the lower Amur, but they preserved carefully the tradition of their clan, mainly in the fear that they might eventually contract marriage with their clansmen.

course is thus impossible between uncles and nieces, aunts and nephews, the same applying to their *tuvng* classes, in the agnatic as well as in the cognatic lines. The interdict in these lines and in general to persons of different generations is not limited to persons of both sexes inside the above groups, but extends to those who are married to these persons, and also to those who, according to the nomenclature of relationship, stand to them in the relation of *pu* and *ang'rei*. Thus for instance my (I being male) paternal uncle can have no sexual intercourse either with my wife or with my wife's most distant collateral sister, even if the latter were married to a man from a strange clan, for I call her *ang'rei* (wife). Similarly I cannot have sexual intercourse either with my paternal uncle's wife or with his wife's sister, even if married to a stranger, for she is my *imk* ("mother").

To realize the full range of this prohibition, it should be borne in mind that the sisters of a man's father's wife, as well as their husbands, belong to that man's ascending generation, for they are his "mothers" and "fathers." It must therefore be understood that the above prohibitions between persons of ascending and descending generations is not really limited to persons of different generations. The distinction of generations is purely nominal. We have seen that in the classificatory system, the same terms—*it*, *imk*, *atk*, *atsk* ("father," "mother," "grandfather," "uncle")—are used in reference to persons of the first ascending generation (the actual father and mother, etc.) as well as to their "brothers" and "sisters." In such a system the significance of generations and that of real age must obviously be obscured. The father's brother or sister may be younger than the person speaking, but they are nevertheless his "father" and "mother." The prohibitions imposed by the classificatory system must hold.

TUVNG. This class consists of two groups: the descendants of agnatic brothers and male cousins, and the descendants of agnatic sisters and female cousins. Within each of these two groups, in all generations, sexual intercourse and marriage are absolutely prohibited. In neither of these groups are there persons who call each other *pu* and *ang'rei*; they are in every generation all *tuvng*. I have noticed only one exception among the descendants of sisters (and that only in a few clans, namely, if the sisters are married to men who are strangers to each other): The prohibition extends only to the first two generations. But this is merely a local deviation due no doubt to the fact that when women are very scarce, it is difficult to carry out the letter of the law. As a rule, however, it is strictly followed [77].

The sex taboos within the above group have entered deeply into the life and thought of the Gilyak.⁶ They are adhered to even in the most distant degrees of relationship, such as the so-called *tilgund tuvng*, "the traditional agnatic cousin." The Gilyak, in fact, believe that these conditions are so completely in accord with nature that they even extend to their one domestic animal, the dog. They believe that among dogs, brothers and sisters do not copulate. The rare exceptions are ascribed to the influence of *milk* (evil spirits). Therefore, when a Gilyak happens to witness the

⁶ [Editor's note: Shternberg uses the Russian *tabu* in the AMNH Russian typescript; while the milder *zapret*, prohibition, is used in the 1933 Soviet publications.]

incestuous act, he must kill the dog, or the guilt will fall on himself. The killing of the dog is a religious ceremony—he is strangled and his blood is sprinkled towards the four quarters of the world. For the dog, however, this procedure is merely punishment for incest. It is curious to note that incest between dogs of ascending and descending generations is tolerated by the Gilyak. May we not see the reason thereof in the fact that this prohibition is of later origin than the one between persons of the same generation?⁷

COGNATIC COUSINS (MALE AND FEMALE). Only cognatic cousins [cross-cousins] will be considered here, that is, a brother's children in their relation to a sister's children, and vice versa; for the brothers and sisters are *tuvng* to each other, and the categorical prohibition within these groups has already been discussed. We know from the kinship terminology that the terms applied by cognate cousins to each other depend on whether they are the sons or daughters of the mother's brother or of the father's sister. For example, I (being male) call my mother's brother's daughter *ang'rei* ("wife"), and am called by her *pu* ("husband"), but my sister calls my mother's brother's son *akhmalk* ("mother's clansman," German, *Gevatter*) or *atk, navkh* ("uncle," "cousin") and is called by him *neru* in return, the terms used not being matrimonial at all. Thus sexual intercourse and marriage between a sister's daughter and her brother's son, the same applying to their *tuvng*, are strictly prohibited. On the other hand, marriages between a sister's son and a brother's daughter are not only allowed, but are considered the only orthodox ones. In that case, as in all other instances discussed, the terms "brother" and "sister" are class terms, that is, the norms applied to the children of brother and sister extend to the children of brothers and sisters of the most distant degrees of kinship. Therefore exchange marriage between the children of "brother" and "sister," as practiced among the Tungus, cannot take place here. For all *tuvng* classes, a sister's sons have a right to her brother's daughters, but a brother's sons are prohibited to his sister's daughters. As we shall see in the following section, the above norms, which seem to be of special character, referring only to brothers and sisters, in reality play a dominant role in regulating the sexual relations of entire clans.

THE AKHMALK AND IMGJ CLANS. Special attention must be paid to the remarkable fact that the sexual norms regulating the relations between the children of a "brother" (own and collateral) and a "sister" (own and collateral) extend not only to their own children but to both clans in their entirety. The rights and prohibitions relating to the children of a brother and a sister extend to all generations of both clans, that is, the clan of the brother and the clan of his sister's husband. Thus in each generation all men of the *tuvng* class in the sister's husband's clan, and all women *tuvng* in the brother's clan, are from birth *pu* and *ang'rei* to each other and actually have the right of sexual intercourse and of marriage; whereas, on the other hand, the men of the brother's clan, and the women of the sister's husband's clan, including the wives of his clansmen, are in all generations absolutely prohibited to each other. This strict-

⁷ [Editor's note: As Lydia Black has suggested, this becomes more compelling if we speculate on the possibility of every Gilyak having a canine alter-ego. For more on dog symbolism among Gilyak (Nivkh), see Lydia Black, "Dogs, Bears and Killer Whales: An Analysis of the Nivkh Symbolic System," Ph.D. diss., Univ. of Massachusetts, Amherst, 1973.]

ly corresponds to the kinship terminology. The men of the sister's clan (*akhmalk* clan) have among the women of her husband's clan (*imgi* clan) either *nern* or *atsk nanakh*, *tuvng* (the latter three among the wives of the *imgi*), but never *ang'rei* ("wife"). Thus it suffices for one woman to be married into a given clan, and that all women belonging to that clan become prohibited to all her clansmen [78].

Let a man of clan A marry a woman of clan B. Then, although the woman and her clan may be strangers to clan A, the same relations are established between the two clans as if the bridegroom's father-in-law were his mother's brother. The entire class of female *tuvng* in each generation of the father-in-law's clan are the "wives" of the male *tuvng* of the son-in-law's clan. Conversely, all women of the latter are prohibited to the former. Thus *atk*, *akhmalk* applies to mother's brother as well as to wife's father in general, while *imgi* ("son-in-law") also means "sister's son" or any man from the sister's husband's clan.

The above norms often lead to very complicated situations. Let us suppose as is so often the case that individual members of clan A take wives from several different clans and, in their turn, give the women of their own clan to men of different clans. Then clan A and all those other clans become subject to the same prohibition as applied when only two clans intermarry. All women of clan A are prohibited to all clans from which the members of clan A have taken wives; and, conversely, all women belonging to the clans who have taken wives from clan A are prohibited to the men of clan A. The situation is further complicated by another restriction. Clan B, from which clan A takes wives, takes wives from clan C. Then clan C has become *akhmalk* ("wife's father") to B as well as to A. Therefore the women of A are prohibited not only to B, A's direct *akhmalk*, but also to C, which as we have seen is called, in distinction from B, *tuyma akhmalk* ("distant wife's father"). However, there is another aspect to this very severe rule. The number of clans prohibited to A increases with each new clan the members of which take wives from A. But with each new clan from which the members of A in their turn take wives, a large class of accessible women (*ang'rei*, "wives") is added to the other clans. In spite of this, the extension of prohibitions to many *akhmalk* clans leads to considerable difficulties among a people numbering scarcely four and a half thousand. This extension resulted in a partial modification. If a man takes a wife from a strange clan and not from his old *akhmalk* clan, the restrictions are often limited to only two generations; in cases where the wife dies childless, the restrictions are dropped even in the second generation.

THE CLASS IOKH. There remains one more class to be discussed, the class *iokh*. As we have seen, the term *iokh* applies to two quite distinct classes of women: (1) the wives of a man's descendants (*og'la*), and (2) among the eastern Gilyak, the wives of his *askh*, that is, younger brothers (*tuvng*). The restrictions in regard to the first class have already been discussed under those of the ascending and descending generations. Prohibitions relating to the second class are less absolute. As we have seen in our list of terminologies, different localities use different terms to designate the wife of a junior *tuvng*. In several places on the Amur, on the continental coast, and on the northwestern coast of Sakhalin, only one term is used for the wives of the younger and older brother, namely *ang'rei* ("wife"). In those localities sexual intercourse is

permitted with all "wives" of "brothers." In all others where the term *iokh* is used to designate the wife of the younger male *tuvng*, sexual intercourse with the latter is strictly forbidden. For the present we must consider this prohibition as dominant. However, there is good reason for believing that the terms as well as the norms of sexual intercourse were originally the same for all "wives" of "brothers." This conviction is also supported by the fact that even in those localities where sexual relations with "wives" of younger "brothers" are not prohibited, children call the "wives" of all father's "brothers" *imk*, the term used also for their own mother. In many places they call all father's brothers *itk* ("father"). Hence, we must conclude that in olden times sexual rights extended to the "wives" of all "brothers" without distinction [79].

THE NORMS OF LAWFUL SEXUAL INTERCOURSE. We know from the nomenclature of relationships, which corresponds perfectly to actual conditions, that entire groups of men call entire groups of women their "wives" and vice versa. In our own nomenclature such groups of men and women simply stand to each other in the relationship of marriage. Before examining more closely a type of marriage which seems so strange to us, it is necessary, to avoid misunderstandings, to carefully analyze the meaning of the term "marriage."

The three main factors of marriage are sexual intercourse, the production of offspring, and common economic activity. It is obvious, however, that only the first of these factors, sexual intercourse, may be considered essential. The other two factors, of course, play a highly important part in the marital union, but they may also be entirely lacking. Marriages occur which remain without progeny; there are also marriages which do not aim at economical considerations. But neither does sexual intercourse, however continual it may be, constitute marriage. Sexual intercourse, in order to become marriage, must in some way or other be sanctioned by the social milieu. It must have social or religious sanction; in a word, it must be lawful. The lawfulness of sexual intercourse thus constitutes the essential factor of marriage. This point at least is peculiar to the institution of marriage among the most diverse peoples and in the most diverse stages of development. If differences exist we have to look for them in the concrete forms assumed by sexual intercourse within marriage among different peoples. These forms often strongly differ from our own standards, a fact which tends to obscure greatly the concept of marriage whenever we have to deal with various forms of sexual intercourse among primitive peoples. Our interpretation of primitive marriage is most frequently vitiated by the modern concept that marriage necessarily presupposes permanent cohabitation and the regular exercise of marital prerogatives.

As a matter of fact, among many primitive and historic peoples this element was not considered at all essential. Among the Spartans, for instance, the women lived separately from the men, and married couples had to arrange secret meetings.⁸ Similar conditions still prevail among many primitive people who have the so-called *Männerbund*, where the male members of the society, including the married ones,

⁸ [Editor's note: Shternberg, *Giliaki*, and Shternberg, *Sem'ia*, end the paragraph here. The AMNH Russian typescript contains one additional line by Shternberg, "O nekotorykh amerikansk. indeitsakh razskazyvaet Lafiteau." It is not clear who produced the *Männerbund* and Lafiteau references.]



FIG. 10. Gilyak men, center and right, meet Russian officials at a bank in Aleksandrovsk, 1890s. Photo by Lev Shternberg. Source: AAN f. 282, o. 2, d. 161, l. 10.

live in communal dwellings. Such is the case, for instance, on the Fiji Islands, where man and wife are permitted to meet only secretly in the night. Says Lafiteau concerning several American Indian tribes, "Ils n'osent pas aller dans les cabanes particulières ou habitent leur épouses que durant l'obscurité de la nuit" [80].⁹

Among other people such as the Ainu, a woman often remains for years in her father's house after she is married, while the husband, who lives in another remote village, visits his wife only during certain seasons of the year.¹⁰ Among the Kirghiz a husband will for years visit his wife only at night, and without the knowledge of her parents, until the bride-price is paid in full. Nor do we find more regularity among polygamists of the Moslem type. A Turk may have women in his harem with whom for years he has had no sexual intercourse, but these women are nevertheless considered his wives. Permanent cohabitation, however, and regular sexual intercourse become all but impossible among people whose social organization requires that entire groups of men consider entire groups of women their "wives" and vice versa, and where a man can do no more than exercise his rights whenever he has a chance to do so. In one of the Australian tribes, the Dieri, each *kumi* (a term corresponding to the Gilyak *pu*, "husband") finds his *kroki* ("wife") within the entire extent of his territory, no matter to what village he goes. A *kumi* may never have occasion to see one or another of his innumerable *kroki*, but she is nevertheless his wife; for if he chances to visit her village he may exercise his rights without laying himself open

⁹ "They dare not to enter the special huts of their mates except during the cover of night." Westermarck, *Geschichte der menschlichen Ehe* (Jena: H. Costenoble, 1893), 151–152.

¹⁰ [Editor's note: By contrast, Shternberg indicates that Ainu do not have men's associations. Shternberg, *Sem'ia*, 180.]

to the criticism of the community, the wrath of the gods, or the resentment of the individual husband of his *kroki*.¹¹

Such relations, notwithstanding the absence of permanent cohabitation and of regular sexual intercourse, have a lawful character and must hence be recognized as marital relations. After Morgan, the current scientific designation for such relations is "group marriage," the distinctive feature of which is the potential for sexual relations.¹² This potential assumes various forms among different peoples. Sometimes they are of a strictly obligatory character, where neither party may refuse sexual intercourse to anyone who may lawfully demand it. Among the Chuckchi, a woman may not refuse her favors to a man who stands with her husband in the relation of "exchange marriage" [*peremennyi brak*]. Among others full sway is allowed to individual preferences, as, for instance, among the Dieri, the Tungus, and the Gilyak, where the consent of both parties is required for sexual intercourse. As soon as such consent is given, intercourse becomes lawful. This phenomenon is really the same as in pure polygamy, where the husband may favor or neglect one or another of his wives without in any way affecting the status of marriage. The same holds true of group marriage. Notwithstanding the disparity of habitat of the persons within a marriage group, as well as the merely potential character of their marital rights, sexual intercourse within that group is lawful; hence it is marriage.

Of course, permanent cohabitation and regular sexual intercourse must be admitted to be the most normal conditions for marriage. We find a tendency towards that direction, in varying degrees, among the most diverse peoples. This tendency, however, must be clearly differentiated from the pairing instinct. Sexual selection and sympathy between individuals may be the basis of some unions of greater or lesser duration. But such unions do not necessarily involve either individual possession or permanency of cohabitation. We have already cited the case of the Ainu whose wife often remained with her parents, sometimes several days' journey away from him, although marriage among the Ainu is strictly individual. Even more natural is the absence of these conditions among people who have group marriage. For in group marriage the number of persons among whom sexual intercourse is permitted is large, and hence cohabitation as well as the regular exercise of the right to sexual intercourse with all the members of the group can seldom be realized. Cohabitation and regular intercourse are determined not so much by the sexual side of marriage as by the development of a household. Wherever economic conditions necessitate the cooperation of a group of individuals and permit cohabitation, group marriage may assume the form of a regular communal union; but such conditions are rare in primitive communities. They may at times be realized among brothers. Here group marriage is in fact associated with cohabitation and the regular exercise of marital rights. We can find such cases among the Gilyak, among some of the Tungus tribes, in Tibet, and in India [81].

Contrary to the old view that the life of primitive man is largely communistic, I find that the primitive household, insofar as it provides for shelter, as well as the

¹¹ Lorimer Fison and K. W. Howitt, *Kamilaroi and Kurnai* (Melbourne: George Robinson, 1879), 340.

¹² [Editor's note: The first two sentences of this paragraph are found only in the AMNH English typescript.]

preparation of food and clothing, is in the main an individual one. Only at certain periods of the year do cooperative enterprises such as hunting expeditions arise, later to disappear again when circumstances change. A typical example of an individual household we find among the reindeer-breeding Tungus, who congregate for a short period, perhaps twice a year in small kin groups. Most of the time they live far apart from one another, each one selecting his own particular territory for pasturage and hunting.

Among nonpastoral people who live more closely together, the household remains more or less individual. Under such conditions each individual household-er would naturally desire to have a woman who would, according to the natural division of labor among the sexes in her tribe, share with him his daily toil. Regular cohabitation between one man and one or several women thus arises naturally. In societies where group marriage exists, such individual unions do not in the least affect general conditions. The individual wife lives permanently with her husband in the same house, works with him, helps to educate his children, and follows him wherever he chooses to go. But she may also extend her favors with impunity to an entire group of individuals who lawfully request them. Individual unions are favored by economic considerations as well as the potent factor of sexual selection, the mutual attraction between two individuals. In such a way there arise, on par with irregular marital group relations, individual unions which are sanctioned by the community. Here we have—to use an old but excellent definition from Howitt—"the most frequent modification of group marriage, in which the woman is specially possessed by one man, with the co-existence of potential possession by all other men of the same class."¹³ Persons united in individual marriage are bound to each other not merely by regular sexual intercourse and coresidence, but by a common household economy and children. At the same time each of them is permitted to have sexual intercourse with individuals of his or her own marriage-group.

Such sexual relations—although irregular in character and taking place in secrecy, sometimes requiring for each sexual act the consent of both parties or a consideration of the preferential rights of the individual husband—must be classed as true marriage. They are sanctioned not only by society in general but also by the individual husband. This is not only theoretically the case but is in harmony with the legal worldview of these people. It is this ideology which brought forth the classificatory terminology which designates the individual spouse by the same name as the group spouse, and imposed on both of them the same marital obligations. If for instance an individual husband dies, a member of his marriage-group must take his place and provide for the widow, even if she is no longer fit for sexual intercourse. He must provide for her children, who are considered as belonging to all the members of the group. If a man's wife dies, her group-sister takes her place at the widower's hearth [82].

The above considerations will help us interpret the Gilyak marriage classes *pu* and *ang'rei*, to which we now turn.

¹³ Fison and Howitt, op cit., 340, 341. [*Editor's note:* This expository reference to Howitt is found in the AMNH English typescript only.]