



**FACULTY OF JURIDICAL SCIENCES**

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**DR.INDERJEET KAUR**

# Lecture- 12



## LECTURE 12:

Forms of Family: 7 Major Forms of Family Some of the major forms of family are as follows: (1) On the basis of authority, a family may be patriarchal or matriarchal. The Patriarchal Family: The patriarchal family was prevalent not only in the civilized society of antiquity but also in the feudal society. This type of family has become world famous. The Old Testament affords many descriptions of patriarchal families, such as those of Abraham, Jacob and Isaac. What is a patriarchal family? Under the patriarchal family the male head of the family is possessed of inclusive powers. He is the owner and administrator of the family property and right; to him all persons living in the family are subordinated. He presides over the religious rites of the family he is guardian of the 'family gods', of the sacred heart. In short, the family father or the eldest male descendant is the protector and ruler of the family enjoying full authority over the family members. Some examples of patriarchal family. This type of family was prevalent among the Hebrews, the Greeks and the Romans, and the Aryans of India. Among the Hebrews the eldest male parent was absolutely supreme and exercised almost despotic power over his dependents. In Rome the 'pater families' or the patriarch was the sole owner of the family property, the supreme lord of his people and the legal representative of the family before the law. "The Patria potestas", the power of the father, gave the head of the household almost unlimited authority over its members, "Over his wife, children and their descendants", says Sidgwick, "the father exercised such an absolute despotism that the individual members had no separate jural existence at all. He could punish his children, disown them, sell them and even kill them. In ancient Palestine he could sell his daughter into servitude. In India, too, the family of Vedic times was strongly patriarchal. The father exercised sole power over his wife and children. They could not own any property. In principle almost complete subordination marked the position of the wife. She had no standing before the law over and against her husband. The Indian woman was subject to the will of her husband. It was her duty to obey her father before marriage, to obey her husband after marriage and to obey her son in her widowhood. In recent times the position of Indian woman has been somewhat improved by prescribing many provisions in her favour. Still, however, in orthodox families she is subject to the rule of her husband. Sometimes, in a patriarchal family an individual woman may achieve great fame. But this is an exception rather than the rule for women have little opportunity to go outside the home and participate directly in public life. At Athens the wife and daughters were secluded in "women's apartment" and were not permitted to go out without the permission of the patriarch. In China there was the practice of binding the feet of women which among other aspects signified that they were not free to go out of the household. The chief characteristics of a patriarchal family are the following: (i) The wife after marriage comes to live in the home of the husband. (ii) The father is the supreme lord of the family property (iii) Descent is reckoned through the father. The children are known by the name of the family of their father. (iv) The children can inherit the property of their father only. They have no right over the property of the mother's family. The Matriarchal Family: What is a matriarchal family? MacIver prefers to call it by the name of maternal family rather than the matriarchal family. In a matriarchal family the authority vests in the woman head of the family with the males being subordinate. She is the owner of property and rules over the family. There are grave doubts whether this type of family ever existed in society, though L. H. Morgan, McLennan and Bach-open believe it to have been the earliest form of family. Bach-open maintained that in early times mankind lived in a state of promiscuity and that the earliest type of family was the matriarchal. Morgan referred to as the 'father of American anthropology' postulated that the family evolved through various stages, from the lowest promiscuity to the highest monogamy. The chief characteristics of matriarchal family are the following: (i) Descent is reckoned through the mother, not the father because maternity is a fact while paternity is only an opinion. This is the matrilineal system. (ii) Marriage relations are transient. The husband is sometimes merely a casual visitor. (iii) The children are brought up in the home of the wife's relatives. Descent is not only matriarchal but also matrilocal. (iv) The authority in the family rests in the hands of wife or in some representative of the wife's kin. (v) Property is transferred through the mother and only females

succeed to it. The matriarchal family is said to prevail among the primitive peoples who led a wandering or hunting life. The father in the hunting stage roamed far and wide, coming home irregularly and staying away for long periods of time. The absence of the father from the home made it necessary for the woman to “stay on the job.” She was the leader of the clan a great deal of time. Hence she came to possess authority in the family. Briffault in *The Mothers* illustrates at length the prevalence of patriarchal and matrilineal institutions in primitive tribes. He argues that the earliest form of family was matriarchal and that only with the development of agriculture and economic dominance of men the patriarchal type emerged. The matriarchal system has prevailed in many parts of the earth such as among the North American Indians and the people of Malabar and a few other parts of India. The Iroquois Indians have been pronounced a metonymic people for the government of the clans was to some extent in the hands of women. The ignorance of the fact of paternity as among the Trobriand Islanders has been also adduced to favour matriarchy or at least matriarchal descent. The power which the Khasi wife has over the family property and the custom in some tribes by which women are regarded the owners of the houses though they might have been built or paid for by men also favour matriarchy. However, the fact that women in history appear in positions of authority is not a conclusive evidence of matriarchal system. Today Britain is being ruled by Queen Elizabeth II; India had Mrs. Indira Gandhi as Prime Minister. We should not conclude on the basis of these evidences that in Britain or India the form of family is matriarchal. Also the view that under matriarchal system the position of women is better than under the patriarchal regime is not a sound one. Among the patrilineal Polikur of Brazilian Guinea women enjoy better position than enjoyed by women among the matrilineal Crow of Hidatsa. Matrilineal system may prevail among some groups such as Trob and Islanders, America m Iroquois, the Veddas of Ceylon and some African tribes, but this should not be taken to mean that mother rules the family. The woman under matrilineal system is merely the agent of transmission and not the active wielder of power. It is simply recognition of ‘mother-right’ and not of ‘mother-rule’. The organisation of matrilineal or matriarchal family is not similar among the tribes where it prevails. In India, the Nairs in Kerala and the Khasis and Garos in Assam are matrilineal people. The Khasi family is distinct from the Garo family. In the South-west the matrilineal organisation differs from that in the North-east. The Khasis have matrilineal residence and matrilineal descent. Property is transmitted through the females and is held by the females alone. However, the family property is indivisible. Among the Garos too, the descent is matrilineal and residence matrilineal. Property passes through the female but all female members do not share in the family property. The parents appoint one of the daughters as heir and she need not be the eldest or youngest. Although the woman owns the property but it is controlled by the husband. (2) On the basis of structure, the family has been classified nuclear and extended family: A nuclear family is one which consists of the husband, wife or wives and their children. The children leave the parental households as soon as they are married. A nuclear family is an autonomous unit free from the control of the elders. Since the newlyweds create a separate residence the physical distance between parent and married child or parent and grandparent minimizes the interdependence between them. The American family is of a nuclear type. An extended family can be viewed as a merger of several nuclear families. Thus a small extended family may include an old man and his wife, their son, the son’s wife and the son’s children, two nuclear families, the son being a member of both. A large extended family may include the old man and his four wives, their unmarried children and married sons, and the son’s wives along with their unmarried children. An extended family may be crammed into a single house, or it may occupy a cluster of houses within an extended family compound, or the houses may be more widely dispersed than this. The Hindu family is an extended family. There are two important consequences of an extended family. Firstly, an extended family is continuous, while a nuclear family is not. In an extended family a person is a member of a residential kin group which has probably persisted for many generations. The members may come and go but the group continues. In contrast, a nuclear family “lives” only until one of the parents dies. Secondly, a nuclear family is to some degree, a separate and independent unit which can be run by husband, wife, or both jointly. An extended family is usually run by the patriarch. Its constituent nuclear families may have little power for independent decision-making. Even after marriage, the son in an extended family remains a child, though a married child. (3) On the basis of residence the family may be classified as follows: (i)

Matrilocal Family. In this type of family the husband goes to live in the house of his wife. (ii) Patrilocal Family. In this kind of family, the wife goes and lives in the house of her husband. (4) On the basis of marriage, the family may be classified into: (i) Monogamous family. In which one man marries one woman only at one time. (ii) Polygamous family. In this kind of family one man marries many women at one time. (iii) Polyandrous family. In this kind of family one woman marries many men and lives with all of them or with each of them alternately. (5) On the basis of ancestry the family is classified into: (i) Matrilineal and (ii) Patrilineal In the matrilineal family mother is the basis of ancestry. A woman is believed to be the ancestor of the family. The rights of each member of the family depend on his relation to the mother. In the patrilineal family ancestry continues through the father. This is the common type of family prevalent today. (6) On the basis of in-group and out-group affiliation, family may be classified into endogamous family and exogamous family. An endogamous family is one which sanctions marriage only among members of the in-group, while exogamous family sanctions marriage of members of an in-group with members of an out-group. (7) On the basis of blood relationships, a family may be conjugal family or consanguineous family. A conjugal family consists of spouses, their offspring and relatives through marriage. A consanguineous family consists of blood relatives together with their mates and children. It may also be pointed out that the patriarchal or patrilineal or patrilocal family is more common than the matriarchal or matrilineal or matrilocal family. The matrilineal family among the Khasis also is undergoing the process of disintegration which is partly due to the influence of Christianity and partly due to the migration of educated Khasis to the cities. Though it may also be said that the patriarchal family in traditional sense has also changed in its nature on account of the new social and economic forces particularly the women's Lib. movement, yet the fact still remains that family system is patriarchal in the greater parts of the world. Family and its types: Family, the basic unit of life, is usually defined as parents and children living together as a single unit (though this might not always be the case). Families have evolved over time and we can now find many types of families based on the criterion used for classification. Let us now dive into the types of family-based of certain criteria: On the basis of marriage, families are divided into• 1)Monogamous family: In this kind of family, a man married only one woman at a time. 2)Polygamous family: In this kind of family, a man marries many women. 3)Polyandrous family: In this kind of family, a woman gets married to many men (she could live either with each of them alternately or with all of them). On the basis of residence, families are divided into• 1)Matrilocal family: In this kind of family, the husband lives in the house of the wife. 2)Patrilocal family: In this kind of family, the wife lives in the house of the husband. On the basis of descent, families are divided into• 1)Matrilineal family: In this kind of family, women are considered as the ancestors of the family and the mother is the basis of descent. The position of everyone in the famous is dependent on one's relationship with the mother. 2)Patrilineal family: In this kind of family, men are believed to carry forward the ancestry. This type of family is very typical of many societies. On the basis of authority, families are divided into• 1)Matriarchal family: In this kind of family, the mother is considered the head of the family. The mother takes decisions on behalf of the family and the husband is her subordinate. The upbringing of the children is in the home of a relation of the mother. The property of the mother goes to female children only. It is believed to be a characteristic of primitive societies since the mother was in charge of the children while men were not home. This kind of family is followed by Khasis and Garos of the North East. 2)Patriarchal family: In this kind of family, the head of a family is a male. Everyone else is subordinate. This type of family is very much prevalent in India. The wife leaves her parents' house and lives with her husband. The offspring inherits the father's proper and they have no say over that of their mother's. On the basis of structure, families are divided into• 1)Nuclear family: In this kind of family, there lives a husband along with his wife and children. These families are very common in the USA. There is very little interdependence among the grandparents, parents, and children. 2)Small extended family: In this kind of family, grandparents, parents, and children living together. It is made of two nuclear families (grandparents and parents as well as parents and children). 3)Large extended family: In this kind of family, there are many people. A grandfather with his multiple wives, their married as well as unmarried children and then, unmarried grandchildren. Everyone might be sharing a single roof or they might live in closely knit houses. Many Hindu families are of this kind. On the basis of

blood relations, families are divided into• 1)Conjugal family: In this kind of family, spouses live along with their children as well as relations through marriage. 2)Consanguine family: In this kind of family, blood relations live together with their spouses and children. These are the conventional families that have been in existence for quite a while. There can also be single-parent families, childless families, stepfamilies as well as grandparent families which have come into vogue in the recent past.