



FACULTY OF JURIDICAL SCIENCES

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Lecture-3



LECTURE 3:

Kinship in North and South India North Indian kinship systems This kinship system is present in Hindi speaking belt and also in areas where Aryan culture influence is substantive. It includes West Bengal, Orissa and Bihar. In case of North India kinship system, the terminology used for father's brother is not used for mother's brother ,therefore Patrikins are distinguished from Matrikins. Within Patrilineal system father's brother are distinguished from father's sister therefore differential terminologies are used. Father's brothers are also distinguished in terms of age and so deferential respect is attribute to them. In North India kinship systems, the rules of marriage is highly exhaustive because a large body of people are excluded from alliance relationship. One is not supposed to receive a woman from a group to which women is offered within 5 to 7 generations. In addition to that one cannot receive women from his mother's group or mother's mother group, father's mother group and from within his own village. Hence exogamy is quite exhaustive and marriage involves not intra-family ties but intervillage ties. Residential system is very Virilocal (bride lives with husband's father's group) type and marriage involves a series of presentational obligations. In North Indian kinship father – son relationship precedes over husband – wife relationship. Elaborating on this Veena Das in an analysis of Punjabi kinship system indicates that natural sexual relationship between husband and wife are subdued to social established relationship between father and son thereby glorifying the values of patriarchy (system of kinship where authority rests with male). South Indian kinship systems This type of relationship system is largely present in all southern states and some of its influence is also largely noticed in pockets of Maharashtra and Orissa. In southern India kinship systems, no distinction is made between patrilineal or matrilineal ,therefore father's brother is equated with mother's sister's husband and both their children being parallel cousins so no marriage is allowed between them. To its contrast father's sister's group is equated with mother's brother's group, hence mother's brother is equivalent to father's sister's husband. Thus in South India specific patrilineal kins are equated with specific matrilineal Kins. In South India father is equated with elder brother ,mother is equated with elder sister , daughter is equated with younger sister and son is equated with younger brother and subsequently/correspondingly terminologies are adjusted. These terminologies speaks about love for younger, respect for elders cutting across generational principles. In case of South India cross cousins marriage take place and so exogamy is not exhaustive like in North India. The relationship between husband and wife is not subdued to father – son relationship as in case of North India. Hostility of relationship between the in laws driven by suspicion is also weak in South India. Consanguinity, kinship characterized by the sharing of common ancestors. The word is derived from the Latin consanguineus, “of common blood,” which implied that Roman individuals were of the same father and thus shared in the right to his inheritance. Kin are of two basic kinds: consanguineous (sharing common ancestors) and affinal (related by marriage). In some societies other pairs of individuals also treat each other as relatives—for example, the wives of a pair of brothers, relatives by adoption, and godparents who have special kinlike relationships (fictive kin). Consanguineous kinship is a universal type; it includes those with common ancestors and excludes individuals who lack ancestors in common. In the modern sense, consanguinity is a genetic concept. From a strictly biological point of view, the term is inappropriate (as are the terms mixed blood and good blood), because the genetic contributions of ancestors are not passed on to their descendants as blood but through genes contained in the chromosomes located in cell nuclei. Chromosomes are composed of nucleic acids (DNA, or deoxyribonucleic acid) and proteins. DNA is the constituent portion of the chromosome that carries genes, and it is coded in specific ways to produce and control protein synthesis, with parts of each parent's genetic message transmitted to the offspring. From a genetic perspective, consanguinity influences the probabilities of specific combinations of genetic characteristics called genotypes. Consanguinity results in the inheritance, from common ancestors of both parents, of transmissible capacities to synthesize and control nucleic acids and proteins, the essential substances of all organisms. Filiation is the legal term[1] for the recognized legal status of the relationship between family members, or more specifically the legal relationship between parent

and child. As described by the Government of Quebec: Filiation is the relationship which exists between a child and the child's parents, whether the parents are of the same or the opposite sex. The relationship can be established by blood, by law in certain cases, or by a judgment of adoption. Once filiation has been established, it creates rights and obligations for both the child and the parents, regardless of the circumstances of the child's birth.[2] Filiation differs from, but impacts, both parental rights and inheritance. The statute of limitations period for filiation is thirty years.[where?]

An example of law regarding filiation is found in the Civil Code of Quebec, Book 2, Title 2 "Filiation",[3] which details how filiation may be established, claimed, and transferred. An incest taboo is any cultural rule or norm that prohibits sexual relations between certain members of the same family, mainly between individuals related by blood. All human cultures have norms that exclude certain close relatives from those considered suitable or permissible sexual or marriage partners, making such relationships taboo. However, different norms exist among cultures as to which blood relations are permissible as sexual partners and which are not. Sexual relations between related persons which are subject to the taboo are called incestuous relationships. Some cultures proscribe sexual relations between clan-members, even when no traceable biological relationship exists, while members of other clans are permissible irrespective of the existence of a biological relationship. In many cultures, certain types of cousin relations are preferred as sexual and marital partners, whereas in others these are taboo. Some cultures permit sexual and marital relations between aunts/uncles and nephews/nieces. In some instances, brother-sister marriages have been practised by the elites with some regularity. Parent-child and sibling-sibling unions are almost universally taboo.[1] Affinity in terms of sociology, refers to "kinship of spirit", interest and other interpersonal commonalities. Affinity is characterized by high levels of intimacy and sharing, usually in close groups, also known as affinity groups. It differs from affinity in law and canon law which generally refer to the marriage relationship. Social affinity is generally thought of as "marriage" to ideas, ideals and causes shared by a tight community of people.