THE PATRIARCHAL THEORY: SOME MODES OF EXPLANATION OF KINSHIP IN THE SOCIAL SCIENCES.

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'The Patriarchal Theory': Some Modes of Explanation of Kinship in the Social Sciences
Rosalind Coward

This thesis covers aspects of the history of the theorisation of sexuality and kinship in the period between 1860 and 1930. The history presented here is selective. It is organised around a problem of contemporary relevance. This problem is why it has become difficult to produce a historically specific account of sexual organisation in society without falling into essentialist notions of sexuality.

The thesis argues that there are two dominant explanations for the emergence of this theoretical difficulty. One is that during the period under investigation there was consolidated a division of attention between various theoretical discourses. Aspects traditionally entailed in any consideration of sexuality—kinship, marriage, the family, reproduction, sexual instincts—were raised in different ways by different discourses. The divisions between these discourses was consolidated in part around this division of attention. The other factor influencing our contemporary problem is that in so far as sexuality has been treated within the social sciences, it has come under a theoretical division between the individual and society. Consigned in general to the realm of the individual, sex has fallen prey to a dispute between modes of explanation. The division is between those explanations which insist on the primacy of the individual attributes and those which seek to explain all phenomena by reference to the interaction of elements in a given society. The thesis argues for the need to transcend the limitations imposed by this theoretical division.

The thesis is in two parts. The first traces the treatment of sexuality which came to dominate in the second half of the nineteenth century through a particular study of kinship. It reveals both the dominant modes of explanation and the themes and preoccupations for which these debates were vehicles. These preoccupations reveal how discourses were consolidated with different objectives, modes of attention and modes of explanation. The second part traces the division of attention within those discourses which now have the greatest claim as explanations of sexual relations within society, that is between marxism and psychoanalysis. It shows how, and for what purpose, certain concepts were mobilised; it discusses whether the heritage of concepts drawn from earlier debates limits the advances which can be made while remaining within traditional disciplines.

The purpose of this study is to reveal primarily the limiting effect of the theoretical division between individual and society on studies of sexual division. It aims to show that while this division is operative, accounts of sexuality will be dominated by essentialist explanations. It argues for breaking down the divisions between existing disciplines, and in particular the division between psychoanalysis and some of the social sciences.
INTRODUCTION

When we turn our attention to theoretical discourses, our gaze falls on what the discourse itself sees, its visible. This visible, Althusser writes in *Reading Capital* is the relation between objects and concepts that the discourse proposes. 'The theoretical problematic of a given theoretical discipline' \(^{(1)}\) will render visible only those objects or problems that occur within its horizons and upon its terrain. Only these objects and problems are significant for the theoretical discipline, and have a place within its overall structure. Other objects and problems are therefore insignificant; they fall into the interstices of the structure, they become invisible. 'It is the field of the problematic that defines and structures the defined excluded from the field of visibility.' \(^{(2)}\)

A certain relationship of necessity exists between these two moments. The invisible is not simply anything whatever outside the relationship between objects posited by a discourse, it is within the discourse, it is what the light of the discourse scans without picking up its reflection. 'To see these over-sights, to identify the lacunae in the fullness of discourse, the blanks in the crowded text', \(^{(3)}\) something more than close attention is needed. What is required is a new gaze, an informed gaze, itself not the product of any one individual but made possible by changes on the exercise of vision, changes in social and political conditions.

Althusser's 'informed gaze' is that of a 'science' regarding its ideological predecessors. Without making such grandiose claims however the metaphor can be extended to encompass the effects of a shift in political and theoretical concerns which then reveals blanks in previous theories. In recent years, a new form of attention has been turned on social and
political sciences. It is a gaze arising from the politics of feminism, a gaze which has turned to these discourses requiring illumination about the social position of women. From this informed gaze there has not shone back the required light of illumination, but a light from the lacunae of the discourses. Instead of light from the plenitude of these discourses, a light has shone back from places where only darkness was suspected. What has been exposed are the absences, the questions not asked, and the answers not heard in these theoretical discourses.

This thesis is structured around three questions. Why is it that the questions asked by feminism have revealed these absences? What are the terms in the fullness of some discourses within the social sciences which have long hidden the absences? And what are the areas of theoretical invisibility which must be made to appear if any discourse is to be constructed adequate to the gaze of feminism?

The informed gaze

Contemporary feminism has a strange quality; it always seems to exceed its objects. It almost takes its definition from that excess. A heterogeneous movement, pragmatic when pragmatic action is required, and reformist when reforms are sought, feminism now always means something more than a commitment to piecemeal reform to better the lot of women. It is also a commitment to exploring the problems of being a woman in contemporary society. That commitment is to non-complacency towards these problems. It is rare, if not to say impossible, to find a feminism which attributes women's subordinate position to some natural, god-given and therefore unchangeable sexual role. Instead, the commitment to exploring the ways of being a woman is to understanding these as constructions in order that they may be changed. It is a commitment involving a double movement: on the one hand there is a desire to under-
stand how it is that women as a sex are subordinated; on the other hand there is a desire to challenge the very idea of natural sex roles. The problem is that of understanding the position of women as a sex without presuming that being a sex entails forms of natural behaviour and position.

This simultaneous quest for understanding women as a sex, and sexual categories as constructions appears contradictory. Surely any attempt to talk about women as a sex, distinct from men, automatically entails a form of essentialism? It seems to imply that women have a separate history and distinctive experiences, radically different from men. A suggestion like this would appear to rely on an idea of some radical difference between the sexes. It would appear to rule out the possibility that sexual division is socially constructed. Yet this apparently contradictory position is the one most commonly expressed amongst feminism: women have been treated as a sex, but sexual categories are social constructions. Most striking about this position is that its apparent contradictoriness seems to limit the possibilities for saying much more about the problem. It appears to be a compromise formation between two modes of explaining sexual division which, if further elaborated, would run the risk of falling into the pitfalls of either explanation.

The contradictoriness of this position is however only apparent. It results from the impossibility of certain options which are presented to us in current ways of thinking about sexual relations. It is the fact that the feminist quest wishes to explore between explanations which has exposed dominant facets in ways of conceptualising sexuality and social relations. The mutual incompatibility of answers about sexual relations make the silences of discourses speak; feminism has revealed the black holes of theorisations of sexuality. Suddenly for example, the unresolved status of the so-called natural within the social sciences is revealed. For the dilemma between forms of explanation is produced by a particular dogma of social determination. Sex is either the realm
of natural and instinctual - hence to be accounted for by biology or psychology - or sexual relations are thought to be determined by 'social' forms, social here implying technical, demographic and economic instances. From either perspective the study of forms of sexual relations themselves is frequently put into abeyance even in those discourses which seem to make the greatest claim to understand them. Either they can be explained by another discipline (an "individual" or natural science), or they are uninteresting in themselves, always being the effect of other, more tangible social relations, attended to only as examples of the variability of different cultures.

A series of excluded concerns comes to light behind this lack of resolution in the dispute between forms of explanation of sexual relations. How exactly is the 'natural' theorised in the social sciences? How is it that sex often belongs to this space? Why is the study of sexuality when it appears in the social sciences is frequently subsumed under studies of institutionalised (social) forms of sexual regulation, like marriage? Why is there no theory of forms of domination and inequality in the dynamic of sexual relations? Why is there no understanding of the construction of sexual identity or consideration of the distribution of power and status which this identity might entail? In short, why are all theoretical discussions of sex polarised around a dispute between 'naturalism' and 'culturalism'.

Feminism turns questions about sexual construction to the social and political sciences and the glaring light of the invisible shines back at us. Sociology often answers with a useless tautology - society determines social relations in which sexual relations are included. Marxism answers with a rigorous determinism, already politically discredited within feminism: all forms of social identity, including sexual identity, are determined in the last instance by the economic mode of production. Anthropology answers with a comforting but bewildering proliferation of evidences against the
naturalness of any one form of sexual behaviour. But no general analysis of sexual relations is offered. Turning to areas outside the traditional social sciences, psychoanalysis appears to offer a detailed account of the construction of sexual identity, but it outrages many with its apparently universalising claims.

But the gaze which feminism has turned on social and political sciences reveals a surprising fact. The principle terms which now preoccupy feminism are neither new nor have they been absent in previous theories of society. Considerations of sexual division of labour, reproduction, the position of women within the family, the family's relation with other social institutions, the forms of power entailed in familial and sexual relations, the concepts of sex and sexual identity are, in fact, everywhere discoverable.

Distinct disciplines have concerned themselves with discrete elements in this series of issues. Sociology for example has had much to say about the family. It has been concerned with the relationship between the family and other social institutions and practices, especially with a discussion as to whether the family changes under the impact of 'modernisation'. It has rarely addressed the position of women or the sexual division of labour. Questions asked by sociology of data on marriage and the organisation of the household have been quite different from those asked by anthropology, which has paid detailed attention to the systems of kinship.

An additional problem is the fact that the objects designated by different disciplines, while appearing superficially similar, are in fact quite different. The problem of reproduction for example might entail entirely different issues if it was posed within anthropology (where it might refer simply to biological procreation) or from within sociology (where it might refer to the reproduction of society as a totality). Yet more confusing is the fact that discourses like psychoanalysis which appear to concern themselves with the construction of sexual identity, and
which claim pertinence for cultural explanations, seem arbitrarily excluded from what is designated, the social sciences. It becomes clear that they do not conform to a diffused but universally accepted criterion of what constitutes a social science.

The situation however is more than one of just bewildering confusion. There is a multitude of contesting definitions, all appearing to ask similar questions and occupying roughly similar theoretical spaces, yet there appears to be a real level of incompatibility between these explanations. Any dogmatic espousal of one form of explanation produces a howl of outrage among academic feminism. Attempts to use marxist definitions provoke denunciations for neglecting what is specific about sexual division and reducing it to other social divisions. To espouse definitions culled from anthropology and psychoanalysis is to run the risk of applying universalising and therefore essentialising definitions. Psychoanalysis appears to commit the additional crime of neglecting the impact of specific cultures on the individual. To espouse sociology is to invite the criticism that no explanation is being offered other than a diffuse causality that a given culture determines the forms of household and sexual relations.

The vigilance within feminist theory against reductionism on the one hand and essentialism on the other has become severe and violent. The vehemence of the divisions between various forms of explanation has often left feminism, from whence the questions arose, stone cold. The feeling is, if all academic feminism can produce is a fight to the death between competing explanations, then perhaps theory is left well alone.

But these divisions are more than just 'professional' quibbles, offputting though they frequently are to women outside academic feminism. No easy distinction can be drawn between the discussion outside and inside academic feminism. Academic feminist theory draws its problems from the political discussion in the movement; its solutions and ideas filter back
sometimes fast, sometimes slowly into general discussion. Political tendencies mobilise forms of explanation suitable to their aspirations. But one of the most vehement political divisions with the women's movement has been fed in a most unfortunate way by the impossibilities and incompatibilities found in the traditional social sciences. The endless cycle of accusations of 'reductionism' and 'essentialism' which flow between socialist and radical feminist positions obscures the fact that there is often common ground between these two positions, common ground which might become explicit with a reconceptualisation of sexual relations. Particularly from within socialism, feminists have baulked at the idea of challenging 'materialist' definitions of causality. Yet it is precisely this sacred cow of the social sciences which feminism has begun to undermine. The double exigency to look at women as sex but at sex as socially constructed category has thrown this hegemonic definition of causality in the social sciences into crisis. The hegemonic definition is that there are some practices which are determinant, like the economy, and others which are determined, like sexual forms, marriage, religion, representational practices. But this can no longer pass unquestioned into received wisdom. The problems of the way in which sexuality is represented in a whole series of practices, the organisation of familial and domestic relations seem to have a tenaciousness far in excess of being mere effects of other social practices. The questions which feminism asks of the social sciences receive no adequate answer: all that has been delivered is a series of confused and contradictory definitions and unexamined dogmas.

Sex and the Study of Society

There are good reasons why the questions posed by contemporary feminism meet with inadequate answers from existing studies of the social. The reasons are partly an effect of the history of the emergence of distinctive disciplines in the social sciences. Firstly, there is a division of attention
between those discourses which have given a prominent place to the
examination of aspects of sexual relations. Anthropology, marxism and
psychoanalysis seek quite different objectives when they mobilise data
on sexual organisation. Their various forms of attention certainly do
not add up to a general theory of the construction of sexual division,
hierarchies and statuses and their relation to other social forms.

However this division of attention was not always the case. At
the turn of the century, all these disciplines were far more integrally
connected with one another. Significantly, a major point of debate
between them was over the place of the family and the organisation of
sexual relations in society. At the beginning of the twentieth century,
a dream found frequent expression. That dream was of a genuinely 'human'
science, covering all aspects of social and human behaviour. That
aspiration grew to look more and more like a fantasy as divisions between
modes of explanation became increasingly violent.

It is more than a cruel coincidence that warfare between rival modes
of explanation has broken out over issues not dissimilar to those over
which some disciplines first fractured. Issues concerning the position
of women in society, the determination of sexual relations, the social function
of the family, were to the forefront of debates within the social and
political sciences at the turn of the century. Old wounds have been
opened by the requirement of a new approach to sexual relations in society.
This is not because the objects, 'woman' or 'sexual relations' are new -
far from it - but because the problem of the theorisation of sexual
construction, the function of sexual division, the relations of power
between the sexes, potentially opens to dispute dominant theorisation
of causality in theories of societies. It reveals in fact that
old wounds were never properly healed. Here are a series of unresolved
problems, dumped in the emergence of distinct and mutually exclusive modes
of explanation.
Sexual relations exist in the social sciences on the border between 'nature' and 'society'. On the one hand, sexual behaviour belongs to the individual; on the other sexual regulation like marriage is as aspect of the social structure. They are thus the point of contestation as to the relation between nature and culture; they are the point where the social sciences runs the danger of being compromised by their own theoretical divisions of attention. Sexuality is ascribed to the individual and a theoretical distinction is marked between individual and society. Thus sexual behaviour can be accounted for by those theories whose prime focus is the individual; psychology, psychoanalysis and biology. Yet because sexuality has an ambiguous status in the social sciences, the point of integration between nature and culture, there is always the problem that these "individual" sciences will extend their definitions to account for the whole of society as well.

The recent success of socio-biology in defining social relations, and the grandiose claims of psychoanalysis are witness to the space which is sometimes left in contemporary theories of society. Where these explanations are resisted, the social sciences counters them with a diffuse culturalism - society determines the individual. Yet this position fails to account for cultural relations - sexual regulation, representational practice - in a way that recognises their specificity and does not reduce them to simple effects of other, social practices. However, the agreement on a theoretical division between individual and society means that the pertinence of biological and psychological explanation in the social sciences is unresolved.

Under the exigency of finding adequate explanations for sexual divisions, the rigid divisions between modes of explanation is now once more challenged; ironically, their incompatibility was decided partly over similar issues. For what the enquiry, stimulated by feminism, has uncovered are the organising principles by which sexuality is dealt with
in contemporary social sciences; on the one hand a theoretical division between individual and society, and on the other a nebulous notion of social determination which attempts to counter the effects of this theoretical division. The effect is that explanations mobilising entirely different forms of causality can creep in and totalise the whole field of the social through the notion of the individual. Is it coincidence that women's studies should be ghettoised? Or is this separation of the questions of women and sexuality from the body of social sciences a recognition that the inadequacies of the social sciences are papered over only by the rigorous exclusion of such questions?

The Outline

It is to these theoretical problems that this thesis is addressed. Its aim is to examine the history of the division of attention between discourses and to detail the triumph of certain modes of explanation of sexual relations. The history reveals fascinating phenomena not least the coincidence between the objects then studied and those now raised by feminist enquiry.

These debates took place in the second half of the nineteenth century and focussed initially on evidence of so-called mother-right societies where family organisation seemed so different from that of Western patriarchal society. The first three chapters of this thesis trace the emergence of this debate and the themes and preoccupations at its heart. In the first chapter the theoretical conditions are traced by which sexual regulation became a central object of inquiry. These debates on the family were formed in a distinctive conjuncture. They were formed through the coincidence of several elements; there was the dissolution of earlier forms of political theory, loosely known as the patriarchal theory. In this, it had been argued that the patriarchal family was the eternal and unchanging foundation of society, based on sovereign power writ small.
This was disputed for a number of coinciding reasons. One was emergent evolutionary theory; another was the development of comparative jurisprudence which allowed a different approach to history; another was the obsessive interest in sexual and familial arrangement emerging under the impulse of various social and political reasons. This latter stimulated renewed study of ethnographic literature, a study which fuelled the attack on assumptions about the universal nature of the patriarchal family.

In chapters two and three, the main themes and preoccupation of the ensuing debate are discussed. Together the chapters show the multitude of concerns brought to bear on the study of sexual relations. Chapter two concentrates on the study of family and sexual relations as bearers of speculation on the nature of all forms of alliances between and within social groups. Chapter three concentrates on the notion of sexuality at the heart of these studies. Taken together, these two chapters aim to indicate the way in which a central paradox of the social sciences developed. The study of sexual relations was absolutely central yet paradoxically a study of sexual relations in their specificity and the implications of studies of sexuality from other disciplines were systematically excluded. This paradox reveals the consolidation of a definite theory of causality in the social sciences. It is a causality where certain practices, like marriage and representational practices, are claimed as specifically human, yet they are always to be accounted for by other aspects of the social formation - technology, the economy etc. Thus what is specifically human is rarely theorised in these accounts and remains open to explanations from those sciences which do not correspond to the hierarchy of determination advanced within theories of the social.

In chapter four, entitled The Impasse on Kinship, one response within social sciences to the early debates is traced. This response is extremely limited; it was one moment in the criticism of earlier debates. This
criticism was compelled by the need to liberate the study of kinship from the multitude of concerns of which it had become support and the need to deconstruct the simplistic equation engendered by unilinear evolutionary accounts. These criticisms were important in the development of contemporary anthropology even though they did not represent a consistent theoretical position. However their deconstruction of earlier presuppositions is revealing; it illuminates the consolidation of a theoretical distinction between individual and society which was widespread.

For a while, the valid reaction against the search for unilinear histories of the origin and function of the family had the effect of making virtually impossible any general assessment of the determination of social relations. A series of issues were submerged in the retreat from some theories of determination. These were the unequal basis of power between the sexes; the ways in which kinship might operate to reproduce or construct sexual inequalities; the role of kinship in structuring reproduction. The criticisms of evolutionary theory also reveal what was retained in the theorisation of sexuality; many assumptions remained unchallenged. The way in which power between the sexes was theorised, and the assumption of sexuality as heterosexual reproductive instinct are two crucial examples of this. These criticisms also give a clear example of the way in which the individual/society division became dominant. For the writers concerned, the division was inscribed in the notion of the family. Reacting against the former wild hypothesis, they constructed a notion of the procreative family which could be conceptually separated from the sociological family. The procreative family became the space where the individual interacted with society, in other words, it confirmed the tendency to think of the individual as a substantive element, made up of behaviours, instincts, desires, needs, which was conceptually separated from the structuring of these factors by society.

The final four chapters of the thesis deal with two particular discourses, marxism and psychoanalysis. These discourses now have the greatest claim on
our attention for understanding the position of women in society. Neither marxism nor psychoanalysis, both of which offered totalising explanations for the form taken by social relations, paid attention to criticisms of evolutionary hypotheses. This blindness reveals the fact that the accounts of the family and sexual relations on which marxism and psychoanalysis drew had very definite functions for these theories. They were accounts required by other aspects of the theories; they were mobilised as theoretical solutions, to integrate elements within the theory.

Within marxism, the history of the family was mobilised to produce an account of economic agency, and thus link various aspects of the social formation. Ironically the very centrality occupied by the concept of the family made it virtually impossible for marxism to deal with the specificity of sexual divisions and its effects. This problem is addressed in the chapter, The Woman Question and the Early Marxist Left where the difficulty confronting a certain tradition of marxism is discussed: this is the difficulty of dealing with the specificity of sexual division in the family. The requirement is for the family to function within an overall conception of the social totality and its hierarchy; the inadequacies of this model become all too apparent confronted with the woman question.

For psychoanalysis, the concept of the family, drawn from the earlier debates, was mobilised to theorise the relation between instinct, complex and social relations. The effect was that psychoanalysis emerged with a commitment to a universalising account of the procreative family and the emotions connected with this. This commitment compromised the more radical elements of psychoanalysis' non-essentialist account of sexual relations. In so far as psychoanalysis offered an account of social relations, it was taken to be describing a complex of emotions resulting from a real nuclear family. With such a proposition, non-essentialist notions of sexuality could not enter into an account of social forms.
The final chapter, Psychoanalysis and Anthropology, implicitly draws together some of the strands of the thesis. It describes the conflict between culturalist explanations in the social sciences (embodied here by anthropology) and psychoanalysis. It thus describes the hopeless polarity between culturalism and universalism. This polarity is caused partly because of the theoretical division between individual and society, and partly by the dominance of a particular version of determination in the social sciences. This chapter reveals how neither positions could advance beyond a hopelessly sterile position, even though there was much about the psychoanalytic approach which was committed to exploring non-essentialist theories of sexuality. Finally, the conclusion discusses the theoretical problems which have run through the thesis; the polarisation between individual and society; the implications of disciplines for one another; and the problem of developing non-essentialist theories of sexuality.

While the debates traced have been confined to a delimited historical period, it is nevertheless claimed that the broad outlines in the treatment of sexuality can still be seen. The divisions traced in this thesis still structure the possibilities of how we can think about sexual relations. The aim of the thesis is to clarify the history of debates about sexuality. It seeks to demonstrate how many of the debates now in play are not entirely new. The problem and limitations of some of the terms and modes of explanation are still therefore relevant. Uncovering these histories has a purpose: it stands as a warning that, if any advances are to be made in understanding sexual relations in society, dominant ways of thinking about sexuality have to be displaced. It is not a matter of supporting one discipline against another until everyone realises its advantages; the conceptualisation of sexuality has been structured around some dominant presuppositions whose displacing would have radical implications for our whole understanding of society.
CHAPTER ONE

THE DISSOLUTION OF THE PATRIARCHAL THEORY
Introduction

During the second half of the nineteenth century the study of the family assumed prominence within the social and political sciences. Above any other social form, it was thought that the family would reveal the history and function of social relations. Where this debate differed from its predecessors was in the centrality given to the study of comparative data. The study of diverse family organisations would reveal original social forms and the history of their development. Contrary to appearances, the family was not the subject of this debate but the vehicle for wider speculation on the forms of social relations. Yet in spite of this, the terms employed in these debates still structure the ways in which sexual and familial regulation is now theorised. It was in these debates that sociological and anthropological disciplines emerged; it was in these debates also that crucial conceptions of the family and sexual relations were formed for marxism and psychoanalysis.

In the 1860's comparative jurisprudence became the privileged mode of study in which social and political theory was formed. It involved the comparative study of ancient legal representations and the legal practices of extant non-European civilisations. Henry Maine's *Ancient Law*, published in 1861 was a crucial text which established this method at the heart of studies of social and political forms. Like 'comparative philology' which had been emergent from the beginning of the nineteenth century, comparative jurisprudence was premised on the 'historisation' of social forms. Maine set out to demonstrate the historical variability of legal and social practices, in particular transformations in property relations.
The lynch pin of Maine's argument was however the family; it was to be a study of familial forms and their transformations which would reveal the dynamic of all social development. From his detailed study of the ancient law of the Romans, Slavs and Northern Indians, he deduced that the patriarchal family was to be understood as the fundamental and universal form of human society. This was not a natural grouping but an artificial one, a household united by the power and authority of one strong father with despotic rights over his subjects. The history of this 'original' grouping would reveal the history of wider social and political groupings and would ultimately explain the development of the nation state.

Maine's *Ancient Law* was a critical moment in the social sciences. It marked the summation of a theory of the patriarchal family which had previously been dominant in political theory but it also represented a methodological and theoretical approach which provided the conditions for the overthrow of the last lingering traces of this political theory. Earlier political theory had been concerned with a transhistorical theory of society founded through social contract, with the patriarchal family as the fundamental social unit. Comparative jurisprudence was concerned to demonstrate the historical transformations which social forms, like property, had undergone. The effect was to jeopardise the theorisation of the patriarchal family as fundamental and universal social unit.

For at the very moment when Maine advanced his theory of the transformations undergone by legal and property forms in the patriarchal family in the course of human history, his own methods were applied to subvert his hypothesis. Theorists applied Maine's method to long-available data of societies which "perversely" organised family and descent through the women, so-called mother-right societies. This application disputed Maine's hypothesis of the original forms of social organisation. A new possibility had been opened. It became possible to think that very far-
reaching transformations had occurred in familial organisation, not just in legal and property relations. Perhaps the course of human development involved very drastic changes, a suggestion affirmed by evolutionary theory.

The systemisation of evidences against the universality of the patriarchal family provoked a series of violent debates within the social sciences. Radically different forms of familial organisations were taken, initially, as evidence against Maine's hypothesis of origins; controversy broke out over the original social and familial organisations. What is curious about this debate, which is not at all self-evident in hindsight, is the obsessive centrality assumed by a study of familial and sexual relations as a clue to general problems of social organisation. This centrality had definite theoretical and political conditions of existence which will be explored primarily in the second and third chapters of the thesis. Let it suffice here to remark that the supersession of the patriarchal theory generated questions which dominated the social sciences for many subsequent decades. They asked what was the meaning of mother-right societies and what light did their existence shed on the nature or history of social organisations?

Comparative jurisprudence and the patriarchal theory

The colonies, and in particular the Americas, had long provided European philosophers and social theorists with material on different social and familial forms. Inductive political theory and inductive anthropology, culled from travellers' tales and cosmographies, were integrally linked. It has even been suggested that the type of society encountered in expanding colonisation played an important part in speculation as to the state of presocial man. Many of the writings displayed detailed knowledge of contemporary 'discoveries', and, despite their too frequent
characterisation as exclusively political theories, concerned only with explanations of the origins of sovereignty and the social, they frequently turned attention to the state of morals of a particular society.\(^{(5)}\)

Yet the form of theorisation which emerged under what Maine advanced as 'comparative jurisprudence' displayed a markedly different series of concerns from its predecessors, even from those which had championed the patriarchal family as source of social contract.\(^{(6)}\) There were several determinants on the emergence of the sort of social theory advanced by Maine. He wrote in the face of the dissolution of theories of the pre-social man, in which contemporary 'savages' were frequently taken to be examples of that state. What often underlay this political philosophy was not only the presumption that a pre-social state of mankind had existed, but that some 'barbarous' peoples had not yet emerged from it. Yet such a proposition came under increasing pressure. The researches of Boucher de Perthes were finally accepted within paleontology in 1858. He had carried out excavations in the Somme valley which seemed to establish beyond reasonable contradiction the extraordinary antiquity of mankind, and give irrefutable evidence for a general stone age of mankind. Such conclusions could only destroy the probability that any group of people now extant still lived in pre-social state. In addition, the possibility of a confident universal theory of the origins of humanity from one people was dissolving under the multiplicity of racial groupings systematically registered in the exigencies of European imperialism. A technical and geographical solution to the problems posed by these differences had been gaining ascendancy throughout the previous century\(^{(7)}\) and it was this which provided the conditions for confronting these as differences.
Perhaps however the most immediate impulse to the emergence of the conditions in which the patriarchal theory of comparative jurisprudence was formed was the extension of European rule over large areas of India which had been taking place throughout the eighteenth century. One of the first consequences of the declaration of formal rule was the discovery by the imperialist regime that the dominant civilisation of the country was not only rigidly patriarchal but also dated back to very ancient times. Yet this observation was limited to a definite area: northern India. For it was in the North that resistance to European rule had been greatest. As a result, these northern societies had attracted more attention, overshadowing the peaceful matrilineal societies of the south.

The significance of these ancient northern patriarchal civilisations was that they offered evidence for the consolidation of 'comparative jurisprudence', itself a spin-off from the practical problems of colonial administration. Study of the legal structures of these societies was taken to shed new light on Roman law, a study which seemed to confirm the view that the patriarchal family was the basic unit of ancient society. This conclusion was confirmed by the historical study of the scriptures. Here, the writings of the Hebrew Patriarchs of Lower Asia had suggested the common origin of Semitic and Aryan society. The theory which could be applied to Aryans, Semites and Arabs could now be applied to the Indians.

The observation...seemed to justify the belief which had always remained popular in Europe, that the primitive state of man had been neither pre-social nor nasty and brutish at all; but in the best sense "very good". (8)

As many have noted, comparative jurisprudence at this stage was confined to evidence from the Indo-European stock. The Romans, Hebrews, Slavs and Hindus made up the bulk of societies studied. (9) Not only were the peoples of the same stock, but at the period under consideration, they
had shared the same pastoral mode of subsistence. However, this study of the legal forms of other societies, accompanied as it was by 'linguistic paleontology' and comparative philology seemed to compensate for what was then seen as serious defects in the study of early societies. In the first place, it marked the emergence of a 'historical' method able to reach beyond the documented. Interestingly, it was the very methods of the approach which were to destroy its original aims: to prove the existence of a human family which was dispersed. For the very comparative nature of the work was ultimately to expose the local and technical limitations of the patriarchal theory.

The Patriarchal Family

The effect of the evidence derived from comparative jurisprudence, wrote Maine, 'is to establish that view of the primeval condition of the human race which is known as the Patriarchal Theory'. The same social structure, based upon the same central institution, the patriarchal family could be discerned as the primitive bond of society. That alone could account for all other social bonds. Going far beyond previous speculations on the patriarchal family as the source of sovereignty, Maine's writings were concerned to provide a theory of the original form of society. Maine declares that if he were to attempt a succinct outline of the 'situation in which mankind disclose themselves at the dawn of their history', he would be satisfied to quote a few verses of Homer's Odyssey;

> They have neither assemblies for consultation nor themistes (awards from the divinities), but every one exercises jurisdiction over his wives and his children, and they pay no regard to one another. (12)

These verses 'condense in themselves the sum of the hints which are given us by legal antiquities'. They point to the first appearance of mankind
in perfectly insulated groups, held together by obedience to the parent (father). Law is the parent's word and has not yet been formulated into the form in which it is found in the earliest legal evidence. When these early legal conceptions are formulated they still 'partake of the mystery and spontaneity, which must have seemed to characterise a despotic father's commands,'(14) but in so far as they proceed from a sovereign they presuppose the union of family groups in some wider organisation. Speculations on what constitutes this union seemed foredoomed to remain as conjecture, yet it is here where 'archaic law renders us one of its greatest services and fills up a gap which otherwise could only have been bridged by conjecture.'(15) The service which ancient law is said to render constitutes the basis both of Maine's theories of ancient society, and also the basis of his conclusions on the constitution of modern society which made his ideas so central in the development of jurisprudence:

(Ancient law) is full, in all its provinces, of the clearest indications that society in primitive times was not what it is assumed to be at present, a collection of individuals. In fact, and in the view of the men who composed it, it was an aggregation of families. The contrast may be most forcibly expressed by saying that the unit of an individual society was the Family, of a modern society the Individual. (16)

These differences lead Maine to formulate his theory on the legal differences between ancient and modern society. In ancient society law specifies status, in modern law, contracts. By this he implies that in modern society the relations between legal subjects takes the form of contracts between free individuals(17) whereas ancient law was concerned to specify the rights and duties of legal subjects.

This proposition, so important for subsequent political and legal histories, was formulated on the basis of Maine's deduction of the primary social unit as the patriarchal family. Maine's notion of the patriarchal family is not, initially, the defence of a natural patriarchal family as was sometimes suggested. The patriarchal family in Maine is a complex,
strange and artificial system of legal statutes, defining rights, inheritance and duties.

In its simplest form the patriarchal theory had represented society simply as an enlargement of the primary family. The primary family, the father, mother and children under the authority and protection of the father gradually expanded as children married extending the family group to include more distant relatives. While the first father lived, all such groups remained under his authority but on his death, his descendants would naturally divide into as many families as he had sons and offspring. Each group would resemble the original group absolutely, as a collection of persons connected by common descent, living under the authority of their common progenitor.

This theory was thought to offer an explanation of the development of wider social groupings – of society itself. First it could explain the phenomenon of large tribes with overall allegiance to the first father and over subsequent generations, the descendants of the first father might constitute many tribes and be the population of a large country. These tribes being united by ties of blood, so the theory ran, would readily act together for common purposes. Gradually, as 'civilisation' advanced, they would come together to form some central government to facilitate action. In this way they would become a nation.

Maine saw no reason to challenge the naturalness of the patriarchal family in so far as he saw no reason to dispute the natural authority of the patriarch over his wife and children. Yet, he saw this realm of natural authority as separate from the organisation of the household. The early familial organisation is 'complex, artificial, strange.' The crucial basis for cohesion in the group is not the natural rights of father as progenitor but the cohesion resulting from his power and authority. The patriarchal family,
is not merely a group of descendants with the first father at their head. It is a group of persons living under a Patriarch who has over them despotic power and can sell any of them, or put them to death; and they are held to be related to him and to one another, not so much because of their being of his blood as because of their common subjection to his power. (17)

The crucial term in this cohesion is what Maine calls Patria Potestas, the power of the father. It is this power which unites the group, not the fact of blood relationships; those adopted were as much part of the family as those who were in fact blood relations:

We must look on the family as constantly enlarged by the adoption of strangers into its circle, and we must try to regard the fiction of adoption as so closely simulating the reality of kinship, that neither law nor opinion makes the slightest difference between a real and adoptive connection. (18)

Maine used evidence of early law and custom to demonstrate the reality of the hypothesis of the arbitrary basis to kinship. Ancient Roman law for example, does not distinguish between the rights and duties of those bound by blood-ties and those adopted into the family; they are both subject to the father's law. More importantly, the system of descent, called agnation affirms the conclusion that the bonds between the patriarchal group were artificial. This agnatic system involves descent and inheritance passing exclusively through males, excluding all females; Maine concludes that females are deemed not even to be related once they are married and pass outside the authority of the primal father. For Maine the system of agnation conclusively proves the general existence of the patriarchal family under Patria Potestas. Whereas he argues, patriarchal power in its pure form is rarely now discovered, agnation or descent exclusively through males, which implies the former existence of Patria Potestas 'is discoverable almost everywhere'. (19)

There are three features which seem to confirm Maine's deduction of the general existence of the patriarchal family. First the legal fiction of the family: it is not a biological unit but a unit which
creates a fiction of biological unity; secondly, the undisputed 'fact' of the dominance of one strong male; thirdly, the apparently universal existence of agnation. The last, on which much of the theory hangs, has an obvious explanation according to Maine. If a woman died unmarried, she could have no legitimate descendents. If she married, her children fell under the Patria Potestas, not of her father, but of her husband, and thus were lost to her own family:

It is obvious that the organisation of primitive societies would have been confounded if men had called themselves relations of their mother's relations. (20)

With an extraordinary circularity, Maine uses this argument to demonstrate the logical nature of agnation - agnation is practiced because it is the fictitious relation to the first father which is significant. Any other recognition of relationship would confound a system so tightly based on the statuses ascribed within the patriarchal family: no one could be subject to two such despotic authorities. Yet as he acknowledges, it is the widespread existence of agnation, not the widespread existence of patriarchal authority, which leads him to deduce patriarchal authority. Such a deduction is only rational as was pointed out (21) if in the first place the sovereign power of the first father is assumed, and this was precisely one of the unproven aspects of Maine's theories. The power of the father has to be assumed to explain the existence of agnation and agnation is used to prove the previous and universal existence of the power of the fathers. The 'confusion' which Maine suggests would follow from acknowledging female relationship would be a confusion to a system of power and authority where the absolute dominance of one patriarch determines the relations between all other members of the group. Maine is interested in the patriarchal family as a system of government. He deduces its universal existence as logically coherent with his ideas on the functioning of the social group - as subject submitted to sovereign power.
He rejects the possibility of relationship reckoned through females not because he disavows the possibility of women as focus of descent and inheritance, (a disavowal which became significant in later debates) but because it would disrupt a vision of society as a series of concentric circles under different forms of the same power: sovereign, patriarchal power.

Maine's propositions then were based on several distinct assumptions: the dominance and power of one strong male, the complex 'governmental' nature of early social organisation, the stability of law and as a corollary of this 'the stability of human nature'. This 'stability' lead Maine cautiously to take issue with cultural relativism although he hesitated over the universal applicability of his theories:

the difficulty at the present stage of the inquiry, is to know where to stop, to say of what races of men it is not allowable to lay down that the society in which they are united was originally organised on the patriarchal model. (24)

Comparative jurisprudence and the extended family

Maine's caution was indeed justified, for at the time of writing those words, the strongest challenges to the local limitations of the patriarchal theory were mounted. These challenges formulated an altogether different interpretation of familial relations which will be explored shortly.

Maine has been characterised as having championed not only the primacy but also the naturalness of the patriarchal family. We have seen that, on the contrary, Maine actually described the patriarchal family as a complex and artificial unit with a governmental function. It was aspects of these political assumptions about social group which came under attack when non-patriarchal family organisations were scrutinised. What became problematic was the historical primacy of the patriarchal unit, and the primacy of the complex and governmental over the simple and 'organic'. The effect of this problematisation was to
expose problems in the theorisation of the relation between familial forms and the political organisation of society.

There were other aspects of Maine's work however which far from being challenged remained crucial to the development of studies of kinship and the family. In particular, comparative jurisprudence established a form of attention to legal property relations and their determination of familial forms. For it was the same movement which produced the comparative study of kinship which gave rise to the historical study of forms of property relations and their possible variations. Comparative jurisprudence suggested that legal forms of property holding had been entirely different in previous social organisations. This proposition was very different from the assumption to be found in both Locke and Hobbes that at the origins of society, the earth belonged to all. For in these earlier theories, the assumption had been that the absence of property relations is synonymous with a pre-social state. Locke had reacted against the idea that property had its origins either in the divine sovereignty of church, or the sovereignty of the conquerer. He had propounded a theory of work at the origin of all appropriation, and therefore property. Appropriation was the effect of the free exercise of individual creativity. Such theories had assumed certain transhistorical features in the form of holding property. Against this, comparative jurisprudence argued that the legal forms of holding property had undergone transformations in the course of the development of society. The study of kinship and household undertaken by comparative jurisprudence took a very particular form. For it appeared in the context of the consolidation of the imperative within social sciences to understand early history as a developmental process of technical stages to which correspond a series of 'superstructural' elements, like law, property, religion, morality etc.
Maine's study of the patriarchal family was concerned much more with a historical study of property than with a simple defence of the universality of the patriarchal family. The patriarchal family was of such significance for Maine because it furnished an example of a form of collective possession. Such attention was primarily directed to the early forms of the European family, and these studies were of enormous importance in the formation of sociological studies of Western Europe.

Writers like Pustel de Coulanges, Frederick LePlay, Bogisic, De Lavaleye, and Kovalevsky⁵¹ employed Maine's approach to history and ancient law, opening up new areas for historical and anthropological investigation. The effects of these studies remain with us today especially within sociological studies of the family.⁵² The rural European extended family was taken by these writers as a model of early social organisation. The extended family found among the Slavs, in particular in Serbia and Croatia, provided a favourite object of study. These families attracted both speculative and political attention, as seen in the work of Bogisic. He studied the Slavic family partly as a result of a political crisis. Throughout the 1870's the Austro-Hungarian imperial regime had attempted to draw up a constitution for family law. The decision as to whether to legislate for the urban nuclear family or the rural extended family (the zadruga) was a vital political issue. Bogisic himself campaigned against the uniformity which the Imperial regime sought to impose on the Slavs, predictably the uniformity of the nuclear urban family.⁵³

The new constitution justified itself on the grounds that the zadruga was not the only form of rural family; there was also the form called inokošna, which superficially resembled the nuclear family, typical of the European towns: i.e. father, mother and children. Hence it could reasonably be claimed that the zadruga form was aberrant. Bogisic set himself the task of proving the inokošna form had more in common with the zadruga form through a study of familial rights and properties.
First of all he indicated how the *zadruga* had a patriarch at its head. This patriarch appeared to be absolute ruler of the household. However, closer inspection showed that the basis for unification of the household was the biological family exclusively. The term "*zadruga*" means literally "to/for the comrades". The household was a group united, sometimes by being literally brothers with all their wives and dependents, or by being work-mates. They all submitted to the authority of the patriarch but had equal rights to property and inheritance. The patriarch ruled the collectivity as its representative not as proprietor. Property was not the father's but the collective's. Alongside this 'extended family' there appeared to exist the smaller 'biological' family of mother, father and children. Yet Bogisic argued that this family, the form called *inokosna*, was simply a variant of the *zadruga* form. There were certain evidences for this. The status of the members of the small household was similar in customary law to that of the *zadruga* members - involving rights of inheritance and representation. Furthermore, logically, it could easily be seen how there was only a thin dividing line between such households; a large grouping could be reduced to a smaller one through death, ageing or migration. A smaller unit could easily grow to a large one. A survey would fix as static forms what in fact could be quite fluid forms. The final proof however was a linguistic one. Bogisic demonstrated how the terms *zadruga* and *inokosna* were almost never used as substantives but usually as adjectives. Thus in common usage they were followed by the noun, *kuca*, meaning household. He could therefore conclude that the terms were more correctly interpreted as "household with several co-workers" (*zadruga kuca*) and "household with single or few workers" (*inokosna kuca*).

Bogisic's work typifies the trajectory of comparative jurisprudence especially in its work on the European extended family. Treating customs as the equivalent of law, it could penetrate behind thoughtless assumptions
of an identity between familial forms to demonstrate complex and
differentiated relations of inheritance and rights. The attention to
rules of inheritance, descent, and property rights constructed a route
of access to an unwritten history of social groups. The question of
the family was no longer simply a question of manners and morality,
however complexly these might have been thought to be determined; it
became a question of government, legality, rights and statutes. It
became possible to conclude that the extended family itself was a
collectivity because this form of family itself seemed to occupy the
status of a subject of possession:

The family constitutes a constant legal entity who
possesses the earth, the house and all the moveable
goods, and in the heart of which there is never any
reading of succession. (ouverture de succession) (28)

The original French here is illuminating. Legal entity is a translation
of 'une personne morale' and affirms the way in which legal possession
is conceived as synonymous with a human subject (une personne) invested
with 'rights'. Thus a slide is made, assuming that the familial form
also represents a collectivity, rather than being simply a form of
property holding which cannot be broken up into individual parts.
That the zadruga form could operate as a tribe of brothers or men, in
which women are excluded from authority or participation still eludes
the attention of those who wish to designate it a collectivity.

A reconceptualisation of the family and society was permitted by the
simultaneous possibility of a history of the family and of forms of
property. Frederick LePlay, influential in development of sociology,
used such an approach (29). He used comparative law to indicate
different forms of household. There was the ancient famille-souche
(stem family), the patriarchal extended family, and there was the modern
'unstable' family composed of a married couple and their unmarried children.
It was seen as unstable on the grounds that when the children married, they left and formed their own households.

The family has all the less chance of perpetuating itself, in this industrial society, as it is not firmly rooted in one house, but rents its accommodation, changes frequently and adapts it to the varying number of members. When all the children have left the house of their parents and the parents die, nothing any longer remains of this contemporary family. (30)

Social unrest surrounding the Revolution was thought to be exacerbated by this instability of family life. Everywhere 'moral degeneracy' was rife, and LePlay saw this as exacerbated by constitutional reform which addressed themselves to the unstable form of the family. What was required he argued were policies which addressed themselves to the stem-family, legislation which would ensure the return of paternal authority in the stable household; here the house remained the property of the family and was transmitted from generation to generation:

The plan of reform is summed up in very simple terms: to rescue the family from the regime of destruction created by the Terror and the first Empire: to give back to the father the authority which belongs to him amongst all free and prosperous peoples; to put him in a position thereby to re-establish, step by step, peace with respect and obedience, in private life, in local government and the state; finally to indicate to contemporaries in the various family organisations, the best model furnished by national traditions, and by a comparative examination European peoples. (31)

The patriarchal household of the stem-family was the way of ensuring peace, respect and obedience; the civil code was dangerous in its attempts to deal with the unstable family.

The work of Bogisic and LePlay characterises the impact of comparative law within the social sciences: the object of attention became the 'household', its sustaining fantasy the universal precedence of the collective patriarchal household. But if the methodology typified by Maine passed rapidly into studies of society, his conclusions as to the nature of kinship came under violent attack.
The dispossession of the Patriarchal theory

If the dominance of the patriarchal theory for fifty years had owed its existence in part to the European imperial regime in N. India, the dispossession of this theory was effected for at least some similar reasons. Superficially it appeared to owe its decline to the expansion of the colonialising movement which marked the century from 1760-1860. This expansion entailed the systematic recording of familial organisations which at first sight bore no real resemblance to the legal and statutory organisations of the patriarchal family. These were societies where descent was reckoned either exclusively or predominantly through the mother. A child took its name and kin allegiance either from his mother or her tribe. Moreover in some of these societies, paternity was neither reckoned nor considered particularly significant. It would be easy to demonstrate that knowledge of such societies had been available to Europeans for many years. Many of the N. Indian American groups were organised on such lines. Backed up by classical references like Herodotus’ account of the matriarchal Lycians, there was sufficient evidence of these societies for Locke to have used them against Filmer who argued for the primacy of the patriarchal family. (32) The availability of such information suggests the need to look elsewhere for the origins of the new interest in mother-right societies. Indeed the stimulus to such studies clearly has correspondences with other theoretical and social preoccupations of the time which will become clear in subsequent chapters. These coincided with the impact of the expansion of colonialism. British administration had been extended over the non-aryan south of India, and it was in Prarancore and other parts of the Madras presidency that British administration found itself confronted with types of societies which showed the profoundest disrespect for patriarchal family organisation.
This colonial 'problem' focussed attention on a form of family organisation which was apparently common throughout South east Asia:

Like the Ilycians of Herodotus, these perverse people called themselves after their mother's names: they honoured their mother and neglected their father, in society and government, as well as in their homes; their administration, their law and their whole mode of life rested on the assumption that it was the women and not the men in whom reposed the continuity of the family and the authority to govern the state. (33)

The family organisation did not in fact correspond to this matriarchal inversion of patriarchal structures. But the attention drawn to these South-east Asian family forms led to the systematisation of reports of similar, non-patriarchal family forms, which had been proliferating over previous years. These South-east Asian families had been recorded since the days of Tavernier in Borneo, (1676) and Laval in the Maldives Islands (1679). (34) As I have already said, there was also evidence that this type of family was not confined to one geographical area. Lafitau in his highly influential book, Les Moeurs de Sawsage Ameriquains comparees aux moeurs des Premiers temps, had pointed to the prevalence of these forms amongst the Iroquois Indians. (35) But it was Buchanan's account of the Nairs of the Malabar coast, written in 1807 which first attracted serious attention. (36) Here was a highly complex social form, of a highly sophisticated people in the very same country as the family organisation which had provided material for the Patriarchal theory.

Buchanan's account was followed by a mass of similar evidence which came pouring in during the generation that followed, partly as a result of a systematic search through the accounts of the old travellers, but mainly through the exploitation of large areas of the world by European traders and colonists. Conspicuous amongst these was the 'rediscovery' of accounts of western and equatorial Africa, collected by Pinkerton in 1808. (37) This revival was accompanied by new material mainly from Southern Africa which arrived in proportion to the increased activities
of colonialists - bureaucrats, missionaries or explorers. A mass of literature on America began to be written, most of which seemed to challenge the patriarchal theory.

Significant too in the systematisation of attention to this data of 'primitive' peoples was the European colonisation of the Pacific peoples. Here was a chance of studying mankind in truly 'primitive' conditions since the pacific peoples, unlike the Americans, had not yet been 'spoilt' by their contact with Europeans. Australian family organisation also attracted attention; it was argued that there were some groups who observed neither paternal nor maternal obligations of kinship as they had been traditionally understood.

In the context of such evidence, it is not altogether surprising that almost simultaneous to the publication of Maine's *Ancient Law*, there appeared a spate of books arguing either against the patriarchal theory or in favour of serious attention to the meaning of what was designated 'mother-right' societies. Bachofen's *Das Mutterrecht* appeared in 1861, McLennan's *Primitive Marriage* in 1865, Lubbock's *Prehistoric Times* 1874, Tylor's *Primitive Culture* 1871, Post's *The Evolution of Human Marriage* 1875, Morgan's *Ancient Society* 1877. To place these books in the context of imperial expansion and the systematisation of information on other populations and societies is not to reduce their appearance to the fact of increased information. For what is surprising is that evidence which had been available for sometime, acquired a new significance. The mode of systematising information and the kinds of objects of enquiry have forceful correspondences with other themes in discussion at that time and with political circumstances, correspondences which will be discussed in subsequent chapters.

These books combined to usher in several decades of debate about the 'meaning' of marriage forms of different societies. They varied in their approach and conclusions. Some, like Morgan's *Ancient Society* were
informed by a close and detailed study of 'primitive' peoples. Others, like Bachofen's *Das Mutter-recht*, were more in the tradition of the study of classical myth and religion. Many were like MacLennan's *Primitive Marriage* and Lubbock's *Prehistoric Times*, that is more or less philosophic speculation on the history of human societies, based on close study of ancient legal forms and 'voyager' evidence of primitive customs. They shared certain common features, however, enough for each of them to be recognised as the foundations of anthropology as a discipline.

These features have often been designated under the blanket term of evolutionism - a concern with the way in which forms evolve from simple to complex. And indeed the period in which these books were written was the period which saw the diffusion of Darwin's conclusions for biology across a series of other areas of thought. Blistering attacks were delivered on Maine's theories precisely because the assumption of a primary, complex and artificial form of family at the origin of human society seemed to fly in the face of evolutionary notions. Quite apart from the evidence of mother-right societies, Maine's complex family could only appear as a wild flight of fantasy from a Darwinian perspective:

... the family held together by Power, with blood relationship recognised in it only to be ignored - no relationship at all through women acknowledged, no relationship through males acknowledged except in males subject to their father's Power and between those subject to that Power, a relationship equally close whether they are related by blood or not - the Power too, extending to life and death and sale, and grown up sons meekly submitting to it - propounded to us as the first form of the family, might as well be deemed - apart from the evidence - a mere fantastic imagination.

The problem with Maine's proposition is the bizarre complexity it proposes for primordial social organisation. The emergence of the complex from the simple is surely an idea borne out by facts from the 'many fields of nature':
No-one could believe in the Ornithorynchus as the germinal type of animal life. But the family of Maine's theory is almost as curious a complex of types as is the Ornithorynchus. Its head is head partly by being the begetter, and partly as being the owner of its members; so that the cementing principle is neither kinship nor property, but a jumble of the two. Kinship is not excluded, for in theory — that is, partly in fact, and partly by a fiction — the family is made up of the father's descendants and he is the representative of the family, not its owner; and on the other hand he has over the member of it, and over all that pertains to it, an uncontrolled and unlimited power of disposal. Then it may almost be said to be based on fictions. By a fiction, the wife, the mother of the family so far as its members are begotten, is not the wife of her lord, but his daughter, and sister of her own children. The children begotten are, in fact, property of the father, and, by a fiction, cease to be his children if he sells them. By a further fiction, additional children, who become in the full sense members of the family, may be acquired by him by purchase, and be to him even as sons and daughters of his blood. (44)

In the context of biological evolution such assumptions of legal forms and fictions, complex relations of power and subjection, assuming a political organisation at the origin of human society are unthinkable. 'Can anyone believe excepting for convincing reasons, that such a group as this was elementary and primordial?' And with the proliferation of studies of non-patriarchal societies even evidence was now hard to come by.

This attack on the artificial, complex and political nature of patriarchal theory characterises the dismissal of Maine's originary hypotheses from the perspective of evolutionary hypotheses. The coincidence of Darwinian theory, the culmination of the 'historisation' or early mankind, and the systematisation of evidence of non-patriarchal organisations all lent support to the overthrow of Maine's theories. But the term 'evolutionism' is far too general to give any adequate account of the attack on the patriarchal theory. It does not cover the very different forms of causality and explanation mobilised: it does not therefore show adequately what was at issue in the overthrow of the patriarchal theory. The writers differed about the basis on which a society could be designated simple or complex.
For example, was it a designation based on sexual morality or technical competence? They differed about how to make comparisons between different societies and what criteria were appropriate to make these comparisons, for example, race, psychological characteristics or technological developments. Finally they offered very different arguments about how the complex evolves from the simple. However at this stage most did share a general acceptance that some non-European societies could be taken as evidence of the early history of human society, and used the term 'primitive' to designate these societies in a way that was synonymous with 'simple'. The identity between these writers is more correctly represented as a series of shared concerns, some of which differ from Maine only in interpretation. Foremost in these is an approach to history. Comparative jurisprudence had established that social and symbolic practices could explain something of society in its entirety - perhaps its history, perhaps its internal dynamic. The evolutionists insisted that what symbols - customs, rituals, language, etc - expressed was their history. From behind these practices it would be possible to bring to light the origins and history of certain institutions. It was for the philosopher or ethnologist to seek behind symbolism to theorise this history. That various phenomena should be treated as survivals invites the simultaneous questions: what caused them to arise and what caused them to survive? The attack on the patriarchal theory was spearheaded by two preoccupations; the history of kinship forms and their determination.

**Primitive Matriarchy**

In many ways, Bachofen's *Das Mutter-recht* (Mother-right) signals the inadequacies of characterising the attack on the patriarchal theory as simply evolutionist. Bachofen did indeed put forward a theory of the gradual evolution of forms of human marriage and sexual regulation, but his
theories were untouched by the influence of "biological" theories of evolution. Where Bachofen differed from his predecessors was not so much in proposing the gradual evolution from one historical epoch to another, but in the centrality which he attributed to transitions in the form of marriage and sexual regulations.

Bachofen combined a detailed scrutiny of the classics with evidence from so-called primitive societies to produce a hypothesis on early forms of sexual regulation which was in complete and utter contradiction to the patriarchal theory. From both these sources, Bachofen glimpsed signs of a hidden history, that of historical struggle between the sexes. First of all, there was evidence that there had once been a stage where women had occupied a position in society which men now occupy. This could be gleaned from 'historical' accounts in the classics - the ubiquitous Lycians described by Herodotus, and the Ancient Britons mentioned by Caesar. Secondly Bachofen argued that classical literature and myth could be treated as a form of evidence, both because they were written within a historical context and therefore described actual customs but also because texts could be interpreted as revealing certain hidden preoccupations.

From this perspective, Bachofen advanced an analysis of Aeschylus which was to leave a lasting legacy in studies both of classical history and literature. He suggested that in Aeschylus' Eumenides we are in fact confronted by a struggle between two orders - the older rule of mother-right versus the new rule of father-right. In the story, King Agamemnon, husband of Clytemnestra, sacrifices his daughter Iphigenia on the order of the oracle to favour his journey against Troy. Clytemnestra, distressed by the murder of her daughter, takes a lover. When Agamemnon returns after many years, the lovers murder him. Her son, Orestes, avenges his father's murder and at the instigation of Athene and Apollo murders Clytemnestra and her lover. He is then pursued by the furies who Bachofen takes to represent the old or maternal law. Orestes is
defended when he comes to judgement by Athene and Apollo representing the new paternal order. Athene had no mother in mythology but was born from Jupiter's head. Indeed for Bachofen the mythology of the triumph of Jupiter and the Olympian gods over the Titans is further evidence of the preoccupation of the struggle between two orders. For Bachofen both the traces of this struggle and the severity of the patriarchal order are evidence to the violent suppression of an older maternal order.

Bachofen takes his hypothesis to be confirmed by practices among contemporary 'primitives'. For example, he turns his attention to the practice of the couvade, destined to become a point of obsessive interest in the following debates. This practice involved the simulation by the father of certain features of pregnancy during the time of the mother giving birth. These ranged from lying-in, the father taking to his bed, to more extreme demonstrations of the pain of labour. Again Bachofen thought that these practices, like the greek myths were symbolic of a struggle which had once upon a time taken place in human history, bearing witness to a transition from mother-right to father-right. He interpreted the couvade as the father taking symbolic possession of the offspring, a ritual act designed to deprive the mother of her former, absolute rights over the child.

What all these practices shared was that they were 'manifestations of primordial thinking'. Treating contemporary 'primitive' forms as similar to those revealed in early histories gave purchase on these strange customs: they could be treated as survivals, more than spontaneous and impenetrable productions of strange peoples, but symbols to be deciphered:

The forms of family organisation prevailing in times known to us are not original forms but the consequences of earlier stages. Considered alone, they disclose only themselves, not their causality; they are isolated data, elements of knowledge at most but not understanding. The strictness of the Roman patriarchal system points to an earlier system that had to be combatted and suppressed. (my emphasis). (48)
Symbolic forms, myths, are to be analysed, to be penetrated, to find their real meaning. The problem is to uncover what has been suppressed, to follow the distortions of history and to trace the elements of primitive thought which could not be eradicated from mythology. The historical problem was to establish a causality for the present system.

For Bachofen, the traces in the mythologies pointed consistently to one conclusion, which could not be eradicated from mythology. All bore incontrovertible witness to a stage where societies had been governed by principles the exact opposite of our own:

Age old customs, the reckoning of time according to nights, the choice of night as time for battle, for taking counsel, for meeting out justice and for practicing cult rites, show that we are dealing not with abstract philosophical ideas of a later era but with the reality of an original mode of life. (49)

These times of absolute inversion Bachofen gleans from symbolism in ancient myths: the prevalence of the left-handed over the right-handed, the moon over the sun, of earth over a fecundating sea, of the dead over the living, of mourning over rejoicing. In many of the myths these characteristics are explicitly associated with women, for example Proserpine the Queen of the night, who struggles for her daughter against the principles of daytime. The primacy of all these can only mean one thing; they 'are necessary characteristics of a matriarchal age'.

Mythology, religion and primitive customs all join to form a single picture and lead to the conclusion that mother-right is not confined to any particular people but marks a cultural stage. In view of the universal qualities of human nature, this cultural stage cannot be restricted to any particular ethnic family. (50)

He is lead by these signs to posit a universal phase of mother-right belonging to a cultural period prior to that of the patriarchal system. This stage only began to disappear after the victorious development of the paternal system.
The two different principles of social organisation can be characterised as the maternal-tellurian and the paternal-uranian. The maternal principle accures to woman's capacity to give birth and the consequence of maternal love. It is material: the fact that the child is simply a physical extension of the mother makes the mother partake in 'the undifferentiated unity of the mass'.

It is universalistic: 'Every woman's womb, the moral image of the earth-mother Demeter will give brothers and sisters until the day when the development of the paternal system dissolves the undifferentiated unity of mass and introduces a principle of articulations'.

It is religious: 'At all times, woman has exerted a great influence on men and the education and culture of nations due to woman's inclination towards the supernatural and the divine, the irrational and the miraculous'.

Finally, it is sensuous and physical; 'The mother's connection with the child is based on material relation. It is accessible to sense perception and remains always a natural truth.'

It is the child's physical relation with the mother which connects her sensuously rather than intellectually with her surroundings. In a word 'matriarchal existence is regulated naturalism, its thinking is material, its development predominantly physical.'

To specify a relationship with the mother does not require abstract reasoning. It is a 'natural truth'. But to specify a relation with the father is of an entirely different order. It involves abstract reasoning and classification to say 'this child, towards which I feel no sensuous connection, is mine'.

But the father as begetter presents an entirely different aspect. Standing in no visible relation to the child, he can never, even in the marital relation, cast off a certain fictive character. Belonging to the offspring only through the mediation of the mother, he always appears as the remoter potency.'

In Das Mutter-recht, the conclusion is drawn that any systematic recognition of paternity entails an advance in the capacities of thought:
in place of sensual perception and lack of differentiation, there is instead the triumph of the spirit and the intellect. The triumph of paternity brings with it liberation of the spirit from the manifestations of nature, a sublimation of human existence over the laws of material life. It is this "triumph of paternity" which gives to mankind his specific quality. For all beasts, the maternal principle is in operation. For mankind alone there is the advance in spiritual and intellectual life based on the recognition of paternity.

While the principle of motherhood is common to all spheres of tellurian life, man, by the preponderant position he accords to the begetting potency emerges from this relation and becomes conscious of his higher calling. Spiritual life rides over corporeal existence. (57)

Recognition of paternity liberates mankind's higher aspirations, that is, spiritual or intellectual aspirations based on the possibility of differentiation and identity which overcomes the sensuous.

The imagery which Bachofen uncovers in classical and ancient mythology, so radically different from the patriarchal imagery of Bachofen's own milieu is attributed to this fundamental difference; the difference between principles of social organisation accruing to the sexes. That such oppositions might have their roots in aspects of social organisation other than sexual characteristics is never considered by Bachofen.

But what possible explanation could be offered for the apparently indisputable existence of the exact inversion of our society; an inversion based on sexual inversion. How is a state of women's dominance over men ever to be accounted for? For Bachofen there were two interrelated explanations. Firstly, that paternity was not recognised pointed to the fact that it could not have been possible to recognise it, hence his suggestion of a stage of primitive promiscuity, or unregulated sexual connections. Secondly, something must have given women, the weaker sex, an advantage over the men which could elevate them to a position of dominance; here he suggested
their religious natures which gave them power over men, hence the establishment of a primitive gynaecocracy.

For Bachofen only the impossibility of knowing paternity would have prevented men from establishing their 'rights' to their offspring. Thus the earliest stage of the human species called by Bachofen, hetaerism, must have been a state characterised by unregulated sexual connections. For such a state - prohibiting paternal rights and degrading women - would account for the emergence and success of mother-rule. It would be women who would oppose the state of primitive promiscuity, degraded as they would be. In this schema the sexes have pre-given interests; only men would have active pleasure and interest in maintaining such a state. On the other hand, women's natural 'religiousness' would offer according to Bachofen a plausible explanation for how mankind emerged from this 'offensive' state. Indeed this deep sense of the religious which Bachofen sees as an integral motive in human history\(^{(58)}\) is taken in *Das Mutter-recht*, to be the founding impulse of civilisation, civilisation founded on matriarchal rule:

> The relation which stands at the origin of all culture, of every virtue, of every nobler aspect of existence, is that between mother and child; it operates in a world of violence as the divine principle of love, of union, of peace. Raising her young, the woman learns earlier than the man to extend her loving care beyond the limits of her ego to another creature, and to direct whatever gift of invention she possesses to the preservation and improvement of the other's existence. Woman at this stage is the repository of all culture, of all benevolence of all devotion, of all concern for the living and grief for the dead. \(^{(59)}\)

The emergence of human from animal is seen as the triumph of morality and transmission of tradition. It is achieved by the extension of loving as a physical connection to another being who is sensuously involved. The real triumph however is the love based on intellectual appreciation of a biological bond, the love of a father for his child which will be the prototype for the altruism at the basis of civilisation. Only the human
is capable of caring for something which is not itself. Maternal love is a beginning, since the child could almost be said to be part of the mother. Paternal love is able to care for a being which is radically other, it is the form of love which defines allegiance, such as the family, state and nation. Such an affective bond is the prototype for human societies.

Bachofen's work was strangely neglected at first, even though the debate as to the possibility of a mother-right society was soon in full swing. Given the 'romanticist' presuppositions of Bachofen's thought, this neglect may not at first seem wholly extraordinary. After all, *Das Mutter-recht* was based on unquestioned assumptions of different sexual characteristics, embodied in the different feelings for their offspring by the parents. It assumed that a symbolism in total opposition to that of Bachofen's own culture was based on a sexual inversion and none other. Indeed, in that context he assumed that the symbolism of myths reflected in some way principles outside those symbolic practices, that is, moon symbolism versus sun symbolism would represent a real struggle between the principles represented by those symbols going on somewhere outside the myth.

But as we will see, 'literary' though Bachofen's approach was, he shared much with the approach which was to set in motion the systematic study of 'primitive' societies, and in particular the concentration on early sexual customs.

J.F. McLennan writing at exactly the same time as Bachofen, though unbeknown to him, also has as his aim to destroy the argument which placed government by the father at the dawn of human history. He too suggested an evolutionary process whereby the patriarchal family was seen as the outcome of a long journey through many transitions of human sexual relations.
McLennan's source of information was, like Maine's that of legal codes and practices. But he also added the study of 'races in their primitive condition'.

The chief sources of information regarding the early history of civil society are, first the study of races in their primitive condition; and second, the study of the symbols employed by advanced nations in the constitution or exercise of civil rights. From these studies pursued together, we obtain to a large extent the power of classifying social phenomena as more or less archaic, and thus of connecting and arranging in their order the stages of human advancement.

His aim in *Ancient Society* is to explain the connections and the stages in human advancement. His primary object is "legal symbolism", that is the 'symbolic forms of the higher layers of civilisation', or customs and practices inscribed by the law of the land, such as the customs of the father 'giving away' his daughter in marriage. From an evolutionary perspective, these practices can be related to those of 'primitive cultures' to form a picture of early practices of marriage even within our own culture:

> we can trace everywhere, disguised under a variety of symbolic forms in the higher layers of civilisation, the rude modes of life and forms of law with which the examination of the lower cultures make us familiar.

Like both Maine and Bachofen, in their different ways, the argument is that 'custom' and law could be interpreted. They would reveal a hidden history; 'the symbolism of law in the light of knowledge of primitive life, is the best key to unwritten history.' This reconstruction of an unwritten history would combine with studies of contemporary primitives to give a fine interpretative skill. Like Bachofen's, it was a preoccupation with making intelligible the real histories and functions behind the symbolic forms:
It has been said that myth, like quicksand, can never provide a firm foothold. This reproach applies not to myth itself but only to the way in which it has been handled. Multiform and shifting in its outward manifestations, myth nevertheless follows fixed laws, and can provide as definite and secure results as any other source of historic knowledge. Product of a cultural period in which life had not yet broken away from the harmony of nature, it shares with nature that unconscious lawfulness which is always lacking in the works of free reflection. Everywhere there is system, everywhere cohesion; in every detail the expression of a fundamental law whose abundant manifestations demonstrate its inner truth and natural necessity. (64)

What is quite clear in both is that forms of representation, be they legal or mythological, are to be taken as vehicles for decipherment of a particular history. They are what Tylor was calling elsewhere 'survivals’ revealing either a past event or a past function which has survived into contemporary times.

For McLennan, gleaning from the records of travellers, one custom above all other stood out as the key explanation of the connections and stages of progress in human civilisation. As with Bachofen this key is concerned with marriage and sexual relations. For McLennan the remarkable clue is the practice of marriage by capture. He writes, 'there is no symbol more remarkable than that of capture in marriage ceremonies.’ (66)

It should be noticed that by this particular notion of the symbol, as representing a hidden or unwritten history, McLennan is able to unify several practices under the term of 'the symbolism of marriage by capture'. He could include in this symbol not only the custom sometimes encountered of mock capture of the bride by the bridegroom at the wedding, but also the payment of dowry, and indeed the contemporary custom of the bride being given away by the father. Perhaps most significantly, McLennan also included in this list, the almost general custom of prohibitions on marriage between close relatives and its concomitant practice of marrying outside your own group. He termed this practice of marrying outside the close kin group, 'exogamy' a term which has remained as crucial in the development of anthropology. All these customs add up for McLennan to
evidence for a time when women had been literally captured, and it is this which he took to be a clue to the whole history of sexual and therefore social organisation.

A whole series of practices around marriage, both in contemporary European society and in evidence from what he took to be primitive societies, could be united as expressing a common past. From this common past, marriage by capture, presumptions about the state of early society could be elaborated. An extraordinary practice like capturing wives had to have some material cause. McLennan suggested that in early human groups the capture of women from other, perhaps inimical groups was necessitated by the scarcity of women. He hypothesised, in order to support this, that the practice of female infanticide, of which there were a few extant reports, had been widely practiced at the origins of human life.

To account for this practice, McLennan suggests that early society was characterised by a state of permanent warfare between neighbouring groups. Drawing on an unquestioned assumption about the weakness of women, he suggests that the presence of women would be a source of vulnerability so that in spite of women's later usefulness, tribes might practice female infanticide. When the time came, the same tribe would be forced to capture wives from other tribes. That the lack of women and the need to capture them from other tribes might prove a greater source of vulnerability and conflict than the tribe's own offspring is a point of illogicality that McLennan does not feel the need to address. The improvidence of 'savages' is after all too well known to need explanation;

To form an adequate notion of the extent to which tribes might by means of infanticide, deprive themselves of their women, we have only to bear in mind the multitude of facts which testify to the thoughtlessness and improvidence of men during the childish stage of the human mind. (67)

This lack of foresight would lead to the murder of female children which would cause an imbalance in numbers and enforce marriage by capture. Thus the 'strange' practices of 'primitives' or customary survivals such as incest-prohibition in our own culture could be explained as derivations
from this early state of human society. Gradually as more permanent alliances between groups were formed, the need for female infanticide and therefore marriage by capture disappeared, but the habit, so deeply ingrained, remained. The first development from marriage by capture took the form of marriage by purchase where with the growth of private property, it became possible to buy a wife rather than capture one. Secondly, exogamy was inscribed as a political practice as a means of alliance with other groups.

For McLennan, the clue furnished by these various marriage practices was a clue to the whole history of the development of sexual regulation, and hence in a movement characteristic of all these writers, society in general. For the clue of marriage by capture was accompanied by other strange hints of early social forms: mother-right societies. Like Bachofen, McLennan focussed on the scattered evidence of these societies as phenomena of immense significance in the history of human development. Unlike Bachofen, however, he did not presume that descent through the mother presupposed power invested in women as mothers. Joined with the hypotheses formed on evidence of marriage by capture they seemed to provide a complete account of the earliest forms of human organisation.

Descent reckoned through the mother could mean only one thing, according to McLennan. It pointed to a stage of human existence where paternity was both unknown and unknowable. Such a form of reckoning descent would only be admitted if there was no other way of guaranteeing parenthood, that is paternity. Kinship reckoned through fathers would only become a system when paternity could be guaranteed. For what possible interest, so ran the argument, could fathers have in offspring which were not genetically their own stock? These factors pointed to the necessary deduction of a state of sexual and proprietary communism. How could an offspring not know its father unless the practice of marriage relations were so loose that no certainty could be guaranteed? There were neither ideas
of monogamy (the only state that could guarantee paternity) nor of
individual property, (a state which would have lead to the taking of
individual wives). From this McLellan deduces that kinship and family
alliances were relatively late appearing on the scene. The first social
bonds were those of fraternity and common interests, 'ideas of kinship
must have grown like all other ideas related to matters primarily cognisable
only by the senses.'\textsuperscript{(68)} Completely independent from Bachofen, we again
encounter the proposition of knowledge and thought as a crucial factor in
the 'advance'of human society. Bonds with the mother are a sensual truth.
If then a relation with the mother is knowable through the senses, the
deduction of consanguinity with brothers and sisters could be thought to be
a simple matter. Hence early social bonds were fraternal.

Yet precisely this simplicity, when coupled with the practice of
exogamy, surviving from the necessity to capture wives, led to a
contradiction, which would explain the emergence of modern "homogeneous"
society. This term should perhaps be explained. In \textit{Primitive Marriage}
a distinction is marked between societies which are exogamous and
societies which are what McLennan calls endogamous. By this distinc-
tion, he attempts to differentiate between groups which marry members of the
same group (endogamous) and those which marry outside it (exogamous).
Incorrectly he took our own society to be endogamous, that is, marriage
takes place within the whole group, only observing the 'biological'
prohibitions on incest.\textsuperscript{(69)} The endogamous state he takes to be the
'natural' state of mankind, a state upset by demographic considerations
such as the numerical imbalance between the sexes. He sees the endogamous
as a "homogeneous" form of social organisation. This natural state is
only restored with the advance of civilisation, where the family is
gradually recognised as the basic social unity. That a society which
is exogamous and matrilineal is thought to be heterogeneous is both
revealing and significant. For a group which practiced both of these, the tribe would apparently be tormented by having 'foreigners in the midst of the clan'. In this logic, given the basic bond as the fraternal bond, the capture of wives would introduce foreign blood, but worse, descent through the female would mean that her children would be foreigners to the father as well, because they would belong to a different descent group.

For McLennan it was partly these contradictions provoked by exogamy, which would underly the emergence of the procreative family. But the problem of heterogeneity would not be resolved until, with the development of wealth and private property, the men would necessarily come to think of their wives as property. Only in such a situation could rigid monogamy be enforced but once it was, there would be sufficient a guarantee of paternity for descent through the males to be established.

McLennan's writing marks a systematisation of a series of preoccupations with the history of marriage institutions. It already has the characteristics of subsequent debates. Transitions in marriage relations are taken as in some way informative about the general state of social development and the form of social alliances. It attempts to combine theories of the transitions between familial institutions and 'political' institutions in order to demonstrate what was the essential nature of these alliances and institutions. McLennan makes definite propositions on this subject: basic social bonds are fraternal, arising from comradely feelings based on locality. Early society is a history of constant warfare whose dynamic will set in motion the history of marriage customs.
Technical stages and human sexual relations

If McLennan's outline of the emergence of civilisation concentrates on one single aspect of social development, human marriage, as the clue to all human development, the same criticism cannot be made of Lewis Henry Morgan. Yet the history of the evolution of the sexual regulations and marriage forms typical of Western society is again a central focus. Again this history is invested with the significance of the illumination it can bring to the first forms of social bonds. Morgan addressed these questions through an extensive empirical knowledge of a non-European society and for this reason, his writings were to exercise a major influence on anthropological preoccupation.

Morgan's evolutionary account included a schema of technical, and political transformations as well as 'ethical' transformations. He outlined a history of humanity, passing through various levels of social organisation, ranging from 'barbarism' to 'civilisation' passing through savagery. These he took to be determined by the technical capacity of any given group, that is, the level of the 'arts of subsistence'. *Ancient Society* aims to explore the relation between these technical stages and the development of various social institutions. These he calls the growth of private property, the growth of the family and the growth of the idea of government. The history of these institutions reveals a close, but not necessary correlation with one another, and in particular with the advance in technical developments. Private property, for instance, 'is closely connected with the increase in inventions and discoveries, and with the improvement of social institutions which mark the several ethnic periods of human progress'. (70)

It has already been mentioned in this chapter that transitions in the technical capacities of a given society had become a dominant mode of explaining all human development in the social sciences. In Morgan's
hands this form of explanation is again dominant but slightly transformed. Now there is also the influence of Darwinian evolutionary theories, directing attention to the possibility that natural selection might play a significant part in the history of social institutions. There is also the centrality which had been attributed to the specific history of sexual organisations as a history. Moran does not attribute to the 'arts of subsistence' any status of determination, but tries to investigate the interrelation between various strands in historical research.

Ancient Society is unashamedly evolutionary, describing 'the progress of mankind from the bottom of the scale to the status of civilisation.' Speculation on this progress is combined with detailed accounts of the social organisations studied by Morgan among the American Indians. Their social, political and sexual organisations could be studied like the evidence thrown up for geography or paleontology like successive strata which have developed or are developing at a different rate from our own:

Like the successive geological formations, the tribes of mankind may be arranged, according to their relative conditions, into successive strata. When thus arranged they reveal with some degree of certainty the entire range of human progress from savagery to civilisation. (72)

Thus, those forms of social and sexual organisation differing from that of Western 'patriarchal' society with its biological family unit are taken to be frozen or transitional forms of society more primitive than Western society. Different social formations such as matrilineal societies are treated either as very primitive versions of our own society or in the process of transforming into the same form of organisation as our own.

Moran linked the organisation of sexual relations to the 'ethnical' stages in the progress of humanity, yet the history of sexual relations also is given its own specific dynamic. Reconstruction of this history reveals not only the development of morality but also the forms of early bonds between groups. Morgan insists that human life in its most savage and elementary forms was characterised by the promiscuous horde, being "in the nature of a compact on the part of several males for the joint
subsistence of the group, and for the defense of their common wives against the violence of society'. (73) Gradually social organisation becomes more differentiated, the most archaic form of social organisation is the division of society into classes on the basis of sex. This archaic form contains within it the seeds of the gentile social organisation, Morgan's most significant term in theorising the relation between familial and wider social affiliations. With this archaic classification there begins to emerge the earliest form of the family, the so-called consanguine family "founded on the intermarriage of brothers and sisters in a group". (74) Under it, all consanguined, near and remote, fall within some one of the following relationships; namely; parent, child, grandparent, grandchild, brother and sister. Gradually the panaluan family would emerge, that is intermarriage between collateral brothers and sisters, gradually excluding actual brothers and sisters from intermarriage. Thus all cousins of one sex would be "married" to all cousins of the opposite sex. A parallel development would begin to occur here. The sexual classification of society would gradually be transformed into a more sophisticated version of this, the gentile organisation. This organisation would involve affiliation to a descent group, with a common gentile name. And as the system of panaluan marriage would prohibit recognition of paternity, the universal precedence of the matrilineal gens could be confidently asserted. This panaluan family would be replaced by the non-monogamous pairing family. This in turn would be followed by the patriarchal family where one patriarch would possess several wives. Finally, the monogamous patriarchal family would triumphantly emerge.

Morgan's hypothesis of this history of the triumphant emergence of the biological family was based on two things. First of all a detailed
examination of the complex system of prohibitions and regulations characterising Iroquois social organisation. Secondly, he interpreted certain elements in these social organisations as expressing residual forms of previous social organisations. This attention to 'survivals' so common throughout the period is given a special direction by Morgan. In *Systems of Consanguinity and Affinity* (1877) Morgan concentrated on the terminology of kinship, a concern which comes to dominate much subsequent anthropological writing. Morgan studied systems of kinship terminology amongst the Iroquois Indians (though not confined to them) where a subject would call not only his/her mother's husband, 'father' but also would use the term 'father' for all his/her mother's brothers as well. Indeed the term was frequently extended to all male kin. Correspondingly, the word for 'mother' had a far wider application than in our own society, where it denotes simply the woman who gives birth to the child. From these practices it was possible to derive support for the hypothesis of a primitive stage of group marriage. Had a stage of group marriage prevailed, many men in the tribe would have been in the position of putative father since genetic paternity could not be guaranteed. Morgan's entire reconstruction of a history of kinship is only possible starting from the following assumption; that systems of kinship classification are built on the biological facts of parenthood and reproduction. Thus Morgan can deduce that the terminology is the same because a group of men all stand in an identical relationship of putative fatherhood. The term for 'father' is taken as referring to putative biological paternity, therefore it becomes possible to suggest a state where this biological paternity was uncertain, a state where the terminology referred to a real state of affairs, and in which our term father would be exactly equivalent to a similar term in another society. Such assumptions did not go long unquestioned. Malinowski for example attacked Morgan for his illogical
deduction that kinship relations (and therefore classifications) were founded by reference simply to that relation resulting from sexual intercourse.\(^{(75)}\) In addition, Morgan could be criticised for his unquestioning assumption that "fatherhood" had the same resonances within other cultures;

The really fundamental error, however, lies in Morgan's assumption that a native term translated 'father' is synonymous in the native mind with 'procreator'. He cannot conceive that a Hawaiian could ever have called the maternal uncle 'father' unless at one time the uncle cohabited with his sister and was thus a possible procreator of her children. But this is to misunderstand the evidence, which does not teach us that the mother's brother is called father but that both mother's brother and father are designated by a common term not strictly corresponding to any in our language.\(^{(76)}\)

This criticism extends to take in Morgan's evasions when his interpretation is confronted with the term mother. That Hawaiians also designate several women, 'mothers' is accounted for by Morgan as these women being mothers by marriage relations. He shirks the logical suggestion that an infant would think it had several mothers - an evasion which further discredited the credibility of the original argument. Yet despite these criticisms, Morgan's use of kinship classification was established in the heart of anthropological studies. The distinction that he drew between classificatory systems and descriptive systems, like our own where kinship terminology corresponded to the facts of procreative relations was an accepted distinction within studies of kinship for some time. It shows the extent to which the procreative referent was thought to underly histories of the family - a referent which could gradually express itself as humanity progressed.

The gradual emergence of monogamy and the incest prohibitions characteristic of our society, is given a singular determinant by Morgan. This concerns primarily the workings of natural selection:

The organisation into classes upon sex, and the subsequent higher organisation, into gentes upon kin, must be regarded as the result of great social movements worked out unconsciously through natural selection.\(^{(77)}\)
Here Morgan mobilises the Darwinian notion of natural selection to account for the way in which certain practices of organising sexual relations gave some groups an advantage which ensured their survival. He deduces that the achievements of societies who practice incest prohibitions on all close biological relations is not entirely unconnected with the fact that these groupings are in some way stronger and healthier, more fitted for survival and adaptation. Those societies which practice only primitive forms of classification are subject to biological in-breeding and therefore according to Morgan, weaker and more liable to extermination.

Morgan does not conflate the growth of the idea of monogamy and the growth of the institution of private property. But he emphasises that the establishment of private property as a regular institution of civilisation, was crucially dependent on the triumph of monogamy. The scenario runs like this: under the influence of the unconscious workings of inbreeding, those groups which came to practice forms of prohibition survived more adequately than those which had unregulated mating. The monogamous family, recognising as father, the real progenitor, emerged as the end-product of the ever-increasing complexification of alliances and prohibitions within a group. Meanwhile the idea of private property had been making headway, but could only become established when the 'principle of the inheritance of the property in the children of its owner was established.' This resulted in the coincidence of strict monogamy with private property: the father took the most logical means at his disposal to guarantee that his property was inherited by his genetic offspring, and genetic offspring could only be verified through the strictest monogamy:

Indepedently of the movement which culminated in the patriarchal family of the Hebrew and Latin types, property as it increased in variety and amount, exercised a steady and constantly augmenting influence in the direction of monogamy...With the establishment of the inheritance of property in the children of its owner came the first possibility of a strict monogamian family...As finally constituted, this family assured the paternity of the children, substituted the individual ownership of real as well as personal property for joint ownership and exclusive inheritance by children in the place of agnatic inheritance.
There is no primary cause in this history of the monogamous family and private property. Development is uneven and, although certain forms of social and sexual organisation are mutually dependent, their joint emergence is not the result of any necessary or teleological development. However, it is assumed that the enforcement of strict monogamy, the dominance of the father and the transmission of property through the biological father to his sons are mutually dependent forms of social organisation. It is assumed that once paternity can be guaranteed, this incontrovertable knowledge of who your children are, will necessarily be accompanied by the desire to pass property and name on to these genetic offspring.

Morgan's history of the family is premised on the idea that no 'rational' society might organise descent, kinship and inheritance through the female line. A natural psychological instinct for and interest in, paternity is assumed. A man would both wish to recognise his offspring and wish to transmit his property to these offspring. There is an idea at play of natural rights, embodied in the notion of the procreative family. What is produced by the hands, property, belongs to the body and genetic offspring are seen as extensions of the body. It is not surprising with such presuppositions that Morgan should have taken biological consanguinity to underly all systems of kinship.

But to make these observations does not exhaust the concerns of Morgan's writing or the impact of his work. For his concern with the primacy of matrilineal descent, taken to be the necessary consequence of ignorance of procreation, is also a concern with the foundations of social alliance in primitive society.

The patriarchal theory had proposed a relation between state and family as a homogeneous relationship. Maine had assumed that both the early patriarchal family, and later 'political' society represented forms of government in which groups of individuals were subject to sovereign authority. Morgan's interest in the primacy of matrilinearity and the separate histories of family and the political level, is to
demonstrate the qualitatively different nature of forms of social organisation at different historical stages.

For Morgan the term 'political' is not to be used for all societies regardless of their level of development and their relations of production. Political organisation only occurs according to Morgan in societies where a division of labour is in force, necessitated by the existence of private property. This form of organisation is to be distinguished from societies organised predominantly through relationships between persons: all forms of government can be reduced according to Morgan to one or other of these forms of organisation:

The first, in the order of time, is founded upon persons, and upon relations purely personal, and may be distinguished as a society (societas). (80)

The basic unit of this organisation is the gens, that is a body of consanguinei designated as descending from the same common ancestor - a group which share a gentile name. From his study of the Iroquois Morgan suggested that this initial grouping would, in becoming more complex, form 'phratries', 'tribes' and 'confederacies of tribes'. This organisation would be essentially democratic, where property is held in common by consanguinei. Arising from different factors, there is the second basic form of government, the political plan:

The second is founded upon territory and property, and may be distinguished as a state (civitas). The township or ward, circumscribed by metes and bounds, with the property it contains, is the basis or unit of the latter, and political society is the result. Political society is organised upon territorial areas and deals with property as well as persons through territorial relations. (81)

The transition from one form of social organisation to another is closely connected with the history of the family. We have already noticed Morgan's theory of the gradual emergence of various classifications by which biological in-breeding was removed as a possibility. This development involved first classification based on sex, then increasingly
complicated categories of marriagability within the gens. The transition from mother-right to father-right had its own history within the history of the gens, and its own determinants. These determinants are a combination of psychologistic assumptions about paternal interests and a history of the accumulation of wealth with the development of agriculture and the concommitant emergence of private property:

With property accumulating in masses and assuming permanent forms, and with an increased proportion of it held by individual ownership, descent in the female line was certain of overthrow, and substitution of the male line equally assured. Such a change would leave inheritance of the gens as before, but it would place children in the gens of their father, and at the head of agnatic kindred. (82)

Such a form of inheritance would begin to structure the possibility of transition from primitive communism, with its distribution of surplus between all members of gens, to inheritance of private property. Inheritance through the father would make possible accumulation of wealth by a strong male line. Thus the patrilineal monogamous family would emerge through the coincidence of the workings of unconscious natural selection with the development of the technical capacity of a given group.
Conclusion

This chapter has traced the way in which the dissolution of 'the patriarchal theory' was none other than the dissolution of an assumed homogeneity between the forms of power in the state and the family. In this dissolution there emerged a new configuration of concerns, relating to the regulation of sexual relations. It became possible to produce a history of sexual relations as a form of social regulation before social institutions as such. In recognising the primacy of sociality but in pushing back social rules, even as far back as the animal kingdom, the terrain was changed as to what constituted 'the social'. The social forms in which sexual reproduction was accomplished, its history and exigencies and prohibitions became possible sources of explanation of the nature of the social group itself. Forms of government could no longer unproblematically be thought to be the logical extension of natural forms.

Many of the questions remained the same as those asked by Maine: what is the relation between familial organisation, the forms of power exercised within the family, and the political organisation of society? But a series of additional concerns have merged. The regulation of mating and reproduction, the rights of parenthood, the transmission of name, identity and goods, all came to be areas whose integration with the political level of society was by no means clear cut. Sexuality and the organisation of reproduction had become a point of speculation as to the transformation from animal to human, opening a whole new area of contestation. The supposed homogeneity between the form of power in the family and the state, proposed by Maine, was broken open and in the ensuing study of sexual forms, there appeared a space where the struggle to become human was played out. Could it possibly be, for example, that the monogamous family, recognising biological paternity, is the end-product
of a long history? Perhaps the first social groups had not recognised any sexual regulation. In this space questions can be asked as to how sexual regulation was achieved, what were its conditions, what were its relations to other social practices. In the following chapter the themes and preoccupations which determined the form taken by this discussion will be traced.
CHAPTER TWO

BACHOFEN TO BRIFFAULT: THE MEANING OF MOTHER–RIGHT
Introduction

The preceding chapter dealt with the response of a limited number of theorists to the patriarchal theory. These writers are frequently represented as the founding parents of anthropological studies of kinship. It is not so frequently recognised, however, that their writings were part of a mass of literature orchestrated around the issues of the patriarchal theory and the meaning of mother-right. Debates stimulated by the foregrounding of mother-right societies extended over a period of approximately sixty years, stretching between the publication of Bachofen's *Das Mutterrecht* in 1861 until the appearance of what Malinowski called the swan-song of mother-right hypotheses, Robert Briffault's *The Mothers* in 1927.

The discipline which we now recognise as anthropology emerged in the context of these debates. But they were by no means confined to the study of other societies for its own sake. Political philosophy, sociology, marxism, psychoanalysis and sex psychology were all involved in these debates. It was partly in the context of these debates that the division of attention which so characterises the contemporary divisions between disciplines was formed. This was because, as the previous chapter has begun to explore, the study of sexual relations was not the subject of these debates; it was the bearer of a whole series of preoccupations and questions addressed to the functioning and history of social institutions in general. The following two chapters are organised around two major elements which gave these debates their distinctive character. They demonstrate how very particular conceptions of family, kinship and sexuality were formed as the effect of other considerations. On the one hand there was the study of kinship and familial relations directed to revealing the nature of social coherence, that is a consideration of forms of 'political' coherence. On the other hand, there was a contestation between natural and social in which theories of sex become crucial. The division of these two elements
is relatively arbitrary, arising through considerations of the thesis. It is clear however that both these elements brought terms and modes of explanation to the study of familial and sexual relations that make problematic contemporary reconceptualisation.

The overwhelming evidence of mother-right societies

In 1880 Maxim Kovalevsky gave a series of lectures in Sweden summarising the state of the debate on the origin of the family and property. (1) Maine's patriarchal theory was dismissed as 'sustained by fantasy' (2) and this had been exposed by the contributions of Bachofen and McLennan. The initial lack in the new theory of mother-right of a 'minute description of the relations of kinship and the forms of marriage in the original epoch of human sociability' (3) had soon been rectified by detailed empirical studies. (4) All this work gave overwhelming evidence against Maine and suggested entirely new ways of thinking about the origins of sociality:

To the initiative of this intellectual elite, we are indebted for the most remarkable discovery effected in our times in sociological research. It shows that the individual family constituted in the way we now find it by marriage and consanguinity is never found at the origin of human sociability. In its place we establish the matriarchal family, recognising no other ties than those uniting the infant to its mother and its relatives on its mother's side. (5)

It seemed it was no longer worth anyone's while to take seriously the patriarchal theory.

In 1883, Maine himself everywhere refuted, once more turned his attention to the patriarchal theory. His defense shows clearly how the terms in which familial and social relations had been reconceptualised. First of all he admitted that the evidence for mother-right societies seemed overwhelming; '.. the group consisting of the descendants through women, of a single ancestress still survives, and its outline may still be marked out if it is worth anybody's while to trace it.' (6) But did this grudging
admittance necessarily destroy the pertinence of the patriarchal theory?

Did the existence of such societies really imply either the 'fact' of primitive promiscuity or the primacy of mother-right societies? By no means, answers Maine. Such hypotheses should be treated with extreme suspicion, since they seem to fly in the face of 'human nature'. The physiological family must surely always have existed in some form, and this would necessarily mean that paternity would, in some way, be recognised. After all, he declares,'a human being can no more, physiologically, be the child of two fathers than of two mothers, and the children of the same man, no less than of the same woman, must always have something in their nature which distinguished them from every other group of human beings.' (7)

Ignoring these 'facts' reveals the glaring faults of the mother-right hypotheses, quite apart from their universalising claims, being 'open to considerable objection as universal theories of the genesis of society.' (8)

The 'graver criticisms' relate to the neglect of the structures which must accrue to the procreative family. For they put into abeyance notions of male Power and sexual jealousy:

\[
\text{the theory of Morgan & McLennan takes for granted the abeyance, through long ages, of the mightiest of all passions, a passion which man shares with all the higher animals, sexual jealousy. (9)}
\]

If, as he assumes, these passions underly the contemporary family, how came they to be put aside at the earliest stages of mankind's existence? If mother-right theories recognise that procreative fathers will claim their 'rights' as soon as paternity can be recognised, how can it be assumed that men will not feel these inclinations to dominate and possess from the earliest stage? Nothing, he asserts, could be more unsatisfactory in the writings of McLennan and Morgan than their account of the recognition of paternity. 'Morgan seems almost to suppose that it was introduced by popular vote. McLennan expressly suggests that it arose from a custom of putative fathers giving presents to putative children.' (10) But the truth
is, he argues, that 'a great natural force must always have acted, and
must still be acting on those aberrant forms of society, tending always to
make the most powerful portion of each community arrange itself in groups
which admit the recognition of fatherhood, and the indulgence of parental
instincts.' (11)

Maine can count himself lucky that by and large his principal
assumptions in the patriarchal theory had subsequently been corroborated
by Darwin's work. If 'Jurisprudence unassisted by other sciences' (12)
had not initially been competent to understand what originally prompted
men to hold together in family union, Maine could now congratulate himself
that biology had delivered unexpected assistance:

This anticipation of aid to be expected from biological
science has been fulfilled, and it is remarkable that,
while the greatest luminary of ancient science invented
or adopted the Patriarchal theory, the greatest name in
the science of our day is associated with it. (13)

That both Aristotle and Darwin should advance versions of the patriarchal
theory is good enough for Maine. After all, writing in the Descent of Man,
Darwin had suggested sexual jealousy, male dominance and parental love,
at the origins of human social life:

We may conclude from what we know of the passions of
all male quadrupeds that promiscuous intercourse in a
state of nature is extremely improbable. If we look far
enough back in the stream of time, it is exceedingly
improbable that primeval men and women lived promiscuously
together. Judging from the social habits of man as he
now exists and from most savages being polygamists, the most
probable view is that primeval man aboriginally lived in
small communities each with as many wives as he could
support or obtain, whom he jealously guarded against all
other men... In primeval times men... would probably
have lived as polygamists or temporarily as monogamists...
They would not at that period have lost one of the
strongest of all passions common to all the lower animals,
the love of their young offspring. (14)

With such confirmation, Maine's attention to mother-right societies need
only be scant. Where they do exist, their explanation was quite simple:
either they were the result of sexual imbalance caused by population factors;
or, as Darwin had suggested, some groups, having advanced in intellectual
powers, were 'retrograded in their instincts'. In either of these
explanations, the problem is not one of the facts of different familial
organisation and their meanings but a problem of knowledge. Mankind had
simply lost the ability to recognise paternity. The structure of male
power, sexual jealousy and parental love could never have been in abeyance.

Hypotheses of mother-right as a general stage at the origin of humanity
were impossible for Maine because they propose convoluted accounts of the
emergence of human society. He insisted that there must be coherence
between various social institutions; the state is organised along
patriarchal principles, so it must have emerged from families organised
in this way. Why on earth he argues should society originate with the
large horde, transmogrify into smaller groups only to aggregate slowly
back to the large group?

There is a theoretical distance between the outline of the patriarchal
type in Maine's *Ancient Law* in 1861 and his defense of the precedence of
the patriarchal family in 1883. It is the distance between a detailed
comparative analysis of legal systems where the primacy of the patriarchal
family is assumed in order to speculate on political and legal history, and
a subsequent defense of patriarchal primacy in terms of biological and
psychological evidence. Maine is still preoccupied with the questions of
political theory; for example, what is the relation between forms of
dominance within the state and the family; or which social form takes
precedence, the large or small unit? However the effect of the challenge
concentrated in the championing of the primacy of mother-right and the
considerations which this provoked, is that Maine defended his 'artificial
and complex' notion of the family explicitly in terms of its psychological
probability. These terms are sustained by reference to evidences drawn
from the natural sciences - evidences of sexual jealousy and male domination
supposedly found in the animal kingdom. The distance between Maine's two
arguments marks the emergence of a space in which a new configuration of concepts has been formed. Many of the questions addressed to the study of the family are unaltered, arising from considerations of political theory, but the terms and conditions in which this takes place have changed.

The regulation of sexual relations

The new conceptual space in which sexual and familial relations came to be theorised is one characterised by the absolute centrality assumed by the regulation of sexual relations as the clue to social relations. Many have characterised the debate which preoccupied the social sciences in the second half of the nineteenth century as 'social evolutionism'. In particular, the treatment of sexual relations has been seen in this context. Various writers have remarked on the preoccupation with early sexual forms as the effect of Victorian moral prejudice.\(^{(15)}\) 'There had to be some form of speculation about the earliest stages of this development but its general lines were clear since the terminal points were fixed - the female ape and the Victorian lady.'\(^{(16)}\) This characterisation assumes that the schema of social evolution constructed for marriage customs was based on an equation between 'primitive' and the 'opposite of Western civilisation'. It is almost a platitude now to recognise a mode of evolutionary speculation where the end-points were fixed: advanced industrial society based on the monogamous patriarchal family as the final outcome and, in all probability, its absolute inverse at the origins of society. It is also common to point to the overthrow of the patriarchal theory as coinciding with the tendency to treat 'simple' societies as primitive or original forms of society, through which all humanity had passed or would pass: 'Among the tribes... a true family life has hardly yet arisen. It may be said to be in the course of formation; the consciousness of kinship exists but it has not yet become fully organised as we understand it.'\(^{(17)}\)
'Evolutionism' is however an insufficient characterisation of these debates. There was no simple homogeneous application of biological laws to social laws, nor any simple inversion of 'Victorian morality'. For one thing, biological categories were themselves contested: those which were accepted within the social sciences were as a result of other factors. This will be dealt with in the subsequent chapter. Nor does the idea of inversion adequately explain why it was sexual relations which were inverted. Such characterisations are misleading. They tell us little about the precise form which 'evolutionary' theories took within the study of the family. They tell us nothing about the divisions within the debates about terms, modes of explanation and different ideas about causality. Moreover these characterisations obscure the fact that anti-evolutionary theorists were also involved from quite an early stage in these debates about familial forms. Summary characterisations drive too firm a wedge between the 'evolutionists' and the 'anti-evolutionists' and obscures the fact that many subsequent positions in different discourses were formed in these debates.

In fact, these debates about sexual regulation and its social meaning had very definite theoretical and political conditions of existence. One element was indeed the systematisation of evolutionary speculation. The effect of this was to establish an interest in different social forms as possible stages in a unilinear historical transition. Perhaps those societies which exhibited such peculiarities as matrilineal descent or non-monogamy were the earliest forms of social grouping, a form through which all humanity had once passed; '... in the main, the development of higher and better ideas as to marriage, relationships, law and religion etc. has followed in its earlier stages a very similar course in the most distinct races of man.' (18) Evolutionary theory, partially influenced by Darwinian ideas of the transition from animal to man, produced a form of attention to social institutions as possible stages on a unilinear history. It produced
a different attention to 'origins'.

Yet 'evolutionary' theory was really only one element in a more general process of 'historisation' of studies of human society which had begun to emerge well before Darwin, at the beginning of the eighteenth century. This involved the possibility of historicising the unwritten, through the simultaneous treatment of extant societies as 'primitive', and through a treatment of cultural practices and customs as expressing a history. What had begun to emerge was a 'diachronic' analysis of culture which involved treating representations and practices as effects of a history. Symbols, rituals, customs like marriage, began to be understood as expressing a hidden history, bearing in their contemporary forms the traces of bygone forms and practices. The aim of ethnology, from this perspective, would be to trace the history of a custom or symbolic practice to its origin; this would also exhaust its explanation. It was in this context that Morgan's treatment of kinship terminology became so central. Even 'so small and apparently insignificant a feature as the classing of the sister-in-law with the sister has been found to lead back to a definite social condition arising out of the regulation of marriage and sexual relations.' This ability to ask questions of the history of customs was simultaneously a question of determination. What explanations could there be for the particular forms which customs take? Once customs and representations were no longer seen as expressing their own inner essence, then the question of how they were determined needed to be answered:

If sociology is to become a science fit to rank with the other sciences, it must like them be rigorously deterministic. Social phenomena do not come into being of themselves. The proposition that we class two relatives together in nomenclature because the relationship is similar is, if it stands alone nothing but a form of words. It is incumbent on those who believe in the psychological similarity of social phenomena to show in what the supposed similarity consists and how it has come about - in other words, how it has been determined... in so far as such similarities exist in the case of relationships, they have been determined by social relations.
These elements however do not explain why it was sexual organisation, rather than any other kind of organisation, which assumed such importance in outlining this history of the human species.

Two factors were important here. On the one hand, there was the theoretical impulse from natural history. On the other, there was the impulse from social and political factors of that period, factors which had brought the consideration of sexual relations to the forefront of a number of social issues. The first impulse, that of natural history, will be dealt with in the following chapter. Here it suffices to remark on the impact of ideas from natural history which was far more specific than that of a nebulous impact producing social evolutionism. There was an apparent coincidence of objects studied - mating in natural history, marriage in the social sciences which permitted the 'historisation' of sexual regulations. It became possible to speculate on forms of transition of sexual behaviour. And what was constructed here was a new area of theoretical contestation - the natural - in which animals are the natural, and marriage regulations, the human. In this apparent coincidence of objects it becomes possible to ask; is there continuity between the sexual behaviour of animals and humans? Finally are these the significant differences between the animal and the human?

A second factor which impelled sexuality to the centre of the social debate relates to social and political forces in the nineteenth century. To account for these at all sufficiently would require a different account from that attempted in this thesis. But it should be noted that, contrary to the image of the nineteenth century as a period where sexuality was silenced, 'the debate about sexuality exploded'.(22) Jeffrey Weeks in an important study of nineteenth century sexuality in England has argued that even the silences about sexuality mark the way it became the secret, at the heart of a whole number of discourses, medicine, education, social statistics, etc. He writes:
From the end of the eighteenth century with the debate over population and the hyperbreeding of the poor, sexuality pervades the social consciousness: from the widespread discussions of the birthrate, deathrate, life-expectancy, fertility in the statistical forays of the century to the urgent controversies over public health, housing, birth control and prostitution. The reports of the great Parliamentary commissions, which in the 1830's and 40's investigated working conditions in the factories and mines, were saturated with an obsessive concern with the sexuality of the working class, the social other, displacing in the end an acute social crisis from the area of exploitation and class conflict where it could not be coped with, into the framework of a more amenable and discussible area of 'morality'. (23)

The explosion of the debate over sexuality was also an explosion of 'actions' towards the area of sexual behaviour. Culminating in a series of social policies in the 1880's the second half of the nineteenth century had been witness to increasing state intervention in the organisation of the social field. (24) These political interventions provoked much violent controversy over the advantages or not of state invention, another political factor which was to prioritise the debate over the relation between state (political) regulation and familial organisation. Finally the period covered by these debates was also the period where feminism began to emerge as an organised political force. Its effect was to produce violent controversy about the nature of sexual regulations and sexual behaviour, a factor which cannot have been coincidental in this becoming an important object of interrogation in the social sciences.

The political and the familial: what is the nature of social bonds?

What these various elements produced was a new space of contestation for social theory. Different, often antagonistic explanations were advanced. For some, the coincidence with natural history, constructed a place for theorising the instinctual in social relations. For others, there was an insistence on sexual regulation, even of the most 'primitive' forms, as the factor constituting social relations. Any form of sexual regulation
could be taken as evidence of 'a fact of general order that even the most superficial observers of savage and barbarous life have been constrained to mention it.' (25) All aspects of sexual regulation - mother-right societies, exogamy, incest prohibitions - all 'lead us to suppose that at the very origins of societies sexual relations, far from being abandoned to the arbitrary must have been submitted to certain exigencies of custom and religion, to certain prescriptions of a moral order.' (26)

It is clear that much of the speculation provoked by the simultaneous search for a unilinear history of familial relations, and the concentration on sexual regulation, is concerned with understanding the nature of social bonds. The particular form the debate took reveals that the homogeneity assumed by Maine between the political organisation of society and the family has been broken. The disruption of the assumed homogeneity between the political organisation of society and the family constructed a realm of speculation on the bonds that held together the primitive social group. What, for example, were the bonds between procreation, the family and wider social groups? Did social bonds emerge in the clan or the individual family? In this context writers were fascinated by various phenomenon which appeared to perform the function of guaranteeing social cohesion. Totemism was one such phenomenon where a group appeared to be united by their common allegiance to a plant or animal symbol. The fascination with incest prohibition and exogamy is equally part of this consideration of the bonds which constitute sociality. The sexual regulations clearly served some "function" of social regulation quite outside the series of concentric circles of sovereign power postulated by the patriarchal theory.

Lang, writing in *Social Origins* asked a series of questions which encapsulated the political preoccupations of these debates:

Was marriage originally non-existent? Was promiscuity at first the rule, and if so what were the origins, motives, and methods of the most archaic prohibitions on primitive
license? Did man live in 'hordes' and did he bisect each horde into exogamous and intermarrying moieties, and if he did, what was his motive? Are the groups and kindred commonly styled totemic earlier or later than the division into a pair of phratries? Do the totem kins represent the results of an early form of exogamous custom or are they additions to or consciously arranged sub-divisions of the two exogamous moieties? Is a phase of 'group marriage' proved by the terms for human relationships employed by many backward races and by survivals in manners and customs? (27)

At issue here are understandings of sexual regulations as the earliest form of social regulation and understandings of the interaction between sexual and other 'political' bondings. The question behind the questions is one of what these practices tell of the way in which the human lives in society, in particular what constitutes the specifically human. A series of themes can be isolated which seem to be central to the discussions of kinship at this time. These are: whether mother-right referred to the political domination of women; what role the 'facts' of procreation, particularly the role of paternity played in determining kinship forms; and the part played by individual property rights. These themes by no means exhaust the form taken by the debates about kinship. They do however reveal clearly some of the issues which studies of kinship were made to bear, and begin to explain how definite modes of conceptualisation came to dominate.

From mother-right to matrilineal descent

... matrilineal descent was at one time interpreted to mean that women govern not merely the family but the primitive equivalent of the state. Possibly there is not a single theoretical problem on which modern anthropologists are so thoroughly in accord as with respect to the utter worthlessness of that inference. (28)

One of the most surprising elements in the dissolution of the patriarchal theory was that the hypotheses of those who had attacked it, were even more quickly dispensed with. Bachofen, McLennan and Morgan all to some extent saw an inversion of father-right societies at the dawn of human
history. The inversion was sometimes theorised as absolute: not only primitive promiscuity but power and descent invested in the mothers rather than the fathers. The notion of mother-right initially advanced could be summarised as implying not only descent through the mother, but also residence in the mother's home and the political dominance of women:

Mother-right stands for kinship as traced through the mothers being matrilineal in so far as the children derive their family name from her, matrilocal so far as they are brought up in her home and among her people, and matr-potestal so far as they are under the legal control of her people and of herself. (29)

Very few writers however supported the idea of absolute sexual inversion. Virtually no-one adhered to Bachofen's vision of all-powerful women, his Amazons, struggling to defend mother-right. Instantaneously writers were arguing against the likelihood that a state ever existed under the control of 'the weaker sex'. Surely, they argued, men dominate as a sex in patriarchal societies because they are the stronger sex?

...communities in which women have exercised the supreme power are rare and exceptional, if indeed they ever existed. We do not find in history, as a matter of fact, that women do assert their rights and savage women would, I think, be peculiarly unlikely to uphold their dignity in the manner supposed. (30)

Everywhere evidence could be produced that 'authority' in the sense of political or public power was in fact still held by the men, if not the biological father, at least the mother's brother:

The term 'matriarchal' was an improvement on earlier definitions, but takes too much for granted that women govern the family. It is true that in these communities women enjoy greater status than in barbaric patriarchal life, but the actual power is rather in the hands of their brothers and uncles on the mother's side. On the whole the terms 'maternal' and 'paternal' seem preferable. (31)

When it came to the consideration of mother-right societies, power, domination and sovereignty could be separated from descent and inheritance:

The famous matriarchal theory was as exaggerated in its early forms as was the patriarchal. It is now coming to be recognised that it is simply the tracing
of descent through the mother and giving the children her name, though there were a few cases where inheritance of property has later come under the rule, some of these being due to sex. (32)

The questioning of sexual inversion exposed how the notion of 'rights' was thought and it is significant that the term mother-right gave way gradually to a series of differentiated terms: matrilineal (taking the mother's name and group for descent purposes) or matrifocal (residing in the home of the mother's kin). Any suggestion that descent group and lineage were equivalent to political rights and authority should be minimalised:

All then that can properly be meant by saying that a patriarchal tribe follows male and a matriarchal tribe follows female kinship is that their social arrangements, such as membership of family and clan, succession and inheritance are framed on one line rather than another. (33)

Distaste for the possibility of an early stage of matriarchal rule was motivated by several rather different tendencies, not all reducible to Victorian horror at such a 'perverted' state of affairs. After all, if the idea was so unacceptable, how came it to enjoy such vogue in the first place?

The reaction was, in all probability motivated by the conjuncture of several strands of thought and research. They reveal important factors both about the way empirical data was classified and how kinship relations and power were conceptualised. The problem over the term mother-right reveals the notion of rights which had previously been at play. In the patriarchal theory, 'rights' had clearly meant not only legal and political rights but also rights of possession and control over property and family (wife and offspring). It was this presumed coherence between the forms of authority exercised by the state over its subjects and those exercised by the patriarchs over their families which allowed the hypothesis to be formed of the homogeneity between the family, the state and the nation. Yet what is constantly raised against the idea of mother-right societies is the fact that nowhere, in the study of primitive society, was to be
found the systematic exclusion of men from political and governmental forms as is found in the societies from whence these studies emanated. Neither could these investigators discover anywhere societies where women governed the state as 'representatives' of the men in the same way that middle class men represented women in nineteenth century Western society. For these theorists and investigators, rights imply political rights, property rights and inter-subjective capacities of authority and control. Therefore women's widespread exclusion from political power and lack of capacities of intersubjective domination was taken to imply that the relationship between familial and political relations should be reconceptualised. Women nowhere seemed to have the same 'rights' as men. It is this which contributes to the disruption of the homogeneity assumed by Maine between different social units. Now, there begins to be an insistence that descent, inheritance and authority can be separated.

But the picture is not a clear one involving the discovery of exclusion of women from power, followed by a reconceptualisation of rights and power. The apparent universal exclusion of women from the political and governmental positions in society implies women's lack of social significance only if rights are conceptualised exclusively in terms typical of western political theory. Women's exclusion from the political realm might mean other things in other cultures, where power is exercised in different forms. Then, as now, particular forms of classifying data, and colonial administration assumed that forms of power were the same as in Western Europe. It was the notion of "rights" at play which determined how the evidence was treated. Rattray describing his investigations among the matrilineal Ashanti, gives a poignant account of discovering the immense social significance of the 'Queen Mother':

I have asked the old men and old women why I did not know all this - I have spent many years among the Ashanti. The answer is always the same: "The white man never asked us this; you have dealings with and recognise
only the men; we supposed the European considered women of no account, and we know you do not recognise them as we have always done. (34)

The example indicates how both researchers and the colonial administration neglected and therefore undermined the ways in which women were significant in public life.

It should also be remembered that from the 1880's onwards the effect of feminism in Europe had been initially to consolidate definitions (at least within the law) of women having radically different spheres of influence. The feminist campaigns against the exclusion of women from professions and franchise had been resisted by producing legal definitions of men and women which excluded women from the rights of citizenship: they were not persons. (35) Citizenship was for certain men; it entailed political and governmental influence. For women there was to be governance of the domestic sphere. Western society, at the time of these arguments, was producing a definition of political rights based on sex as much as property, a notion of political rights of representation which coincided with the general social dominance of men. This model was by no means instantly applicable to other societies whose social and political structures did not correspond to our own. Yet this idea of rights as invested in a person respecting property and familial relations affected the way in which other societies were theorised. Representation at the political and governmental level was taken to be synonymous with intersubjective capacities of authority. In such a context, to point to women's exclusion from the political level was to declare them without social influence. It was the effect of this declaration which allowed the disruption of Maine's assumed homogeneity between political and familial forms. It now became possible to separate out the various strands of social organisations and suggest that they had different histories.

While the different strands of social organisation were separated by this reconceptualisation, it is interesting to notice what happens to the
notion of power. Because the idea was rejected of societies inverted in all ways—sexual, and political—it became possible to talk of male supremacy in new ways. It ceased to be simply the assumed basis of political power and became a force theorised in psychologistic and biological terms, separated from the political forms of society. Nevertheless, these psychologistic and biological accounts drew on the notion of power from political theory, a notion implying intersubjective domination whose effect is the obedience of subjects.

The animal family

The theorisation of familial organisation in its specificity, permitted by the disruption of assumed coherence between political and familial relations, saw an increasing use of evidence drawn from natural history. In opening up consideration of sexual regulation, it was now possible to theorise the 'human', which was neither animal nor fully civilised, that is, politically regulated. The fact that animals too demonstrated a certain systematicity in the organisation of their familial life seemed to invite comparison between them and humans. If the bonds which constitute sociality could not be demonstrated as political, perhaps they could be understood by reference to the animal kingdom.

The 'evidence' drawn from natural history was at the forefront of the attack on theories of mother-right societies. Writers began to argue for the unchangeability of the 'natural' procreative unit. Highly influential in this argument was Edward Westermarck who referred to the natural and unchanging unit, the family, applicable to animals and humans as 'nothing else than a more or less durable connection between male and female, lasting beyond the mere act of propagation till after the birth of the offspring.' (36) Maine's idea of the artificial political family may have been thoroughly discredited but arguments like Westermarck's began if anything to gain ascendency. They championed the idea of the natural
procreative unit under patriarchal protection. Starke in *The Primitive Family*, (37) Tylor in *Anthropology*, (38) Lang and Atkinson in *Social Origins and Primal Law*, (39) Crawley in *The Mystic Rose* (40) all supported this position. As often as not, they appealed to an account of the life of the primates, and Darwin's account of patriarchal sexual jealousy among animals. They first disputed the primacy of unregulated mating at the origin of society, that is theories of primitive promiscuity. Secondly, matriarchy could be rejected in favour of the primary family group under male protection. 'A reaction has set in', remarked Tylor, before which the theory of primitive promiscuity which had gained so much anthropological acceptance, 'is very likely to be transformed or pass away altogether.' (41)

Tylor argued for the basic animal-like family organisation at the origin of social life. From this perspective, mother-right or a universal stage of the social and political dominance of women could be totally discounted; why should such an unlikely inversion occur at the moment of transition from ape to man? No, the meaning of mother-right or matrilineal societies had to be looked for elsewhere. That 'elsewhere' was in the function of descent and affiliation as social as well as biological institutions.

**The social function of elements in kinship**

The disputation of matriarchy, regardless of the perspective from which it was carried out, brought certain concerns to the heart of studies of kinship. Increasingly, considerations of kinship moved away from an idea of kinship as an artificial bond coherent with political power. The power of the patriarch could no longer be seen as the explanation of the cohesion of social groups. Kinship was to be broken down into a series of unrelated parts: relations of power between groups, descent of name, descent of blood-ties, sexual connections and the relations of all these to the procreative family.

The effect of the rejection of theories of matriarchy was not
homogeneous. For the anti-evolutionists it was one element contributing to the separation between objects of enquiry which had previously been run together. Thus the assumption that lineage and descent necessarily entail power was gradually deconstructed.

Descent need not necessarily entail 'rights'; it could be seen as the series of social rules which regulate the social position of offspring according to that of its parents. (42)

There are different practices and institutions within society and each may entail different obligations:

in order to use the word descent in a definite sense it is always necessary to add what social group is meant. For it is possible that membership in the local group is determined by the father, membership of the phratry by the mother, and membership of the clan by neither of them. The facts of descent do not seem to play a very important role and are not suitable to be chosen as the most important feature of kinship. The facts of inheritance also have not very much influence on kinship. (43)

Even within speculative evolutionary anthropology, however, a similar trajectory was opened out. It had become necessary to specify various strands which made up kinship - the procreative family, descent, inheritance, social allegiance - and explain the interrelations between these various elements. The interrogation of simplistic inversions of the patriarchal theory was premised on definite theoretical assumptions. These involved a series of questions which studies of kinship were thought to answer: to what extent did the procreative family underly social organisation; if it didn't what were kinship relations based on; what were the relative roles of "biological" and social determinants? If the biological unit was disputed, what was the social function of kinship alliances? What was their relations with other social institutions and practices?

By opening out the question of sexual regulation as an area of speculation on the form of social bonds, the question of causality had become central. At issue was the relation between the various aspects of family and kinship if no necessary correspondence between political and familial organisation could be assumed. The question had become one of the social functions of
the various aspects of the regulation of sexual relations. For the evolutionists the questions could be solved by asking what social determinants caused one family structure to change into another. Those who rejected the idea of unilineal transformation were left with similar questions. If one form, mother-right, had not evolved into another, there was still a problem of explaining different forms of social arrangement. Even if patrilineal and matrilineal familial arrangements simply existed as alternatives to one another, why should such different forms arise? The debates which followed the dissolution of the patriarchal theory thus tended to be dominated by a series of themes: the role of the procreative family; the problem of paternity; familial property; the function of sexual regulation. These themes reveal the concerns carried by studies of kinship.

The facts of procreation

The role of paternity and the procreative family were obsessive themes in the discussion of familial forms. The questions started with whether or not mother-right societies could be explained by primitive ignorance of the role of the father in the act of procreation. It was rare for any writer to take an extreme position though the suggestion of a total state of ignorance among the 'primitives' was not absent: 'The history of mankind as far as we can trace it...exhibits the slow and gradual encroachments of knowledge on the confines of almost boundless ignorance.' Even if theorists dismissed the suggestion of the infantile ignorance of the human race, almost without exception, the relation between the 'facts' of paternity and the social arrangement of kinship was interrogated.

It will be remembered that Bachofen had argued that the ability to understand the facts of procreation constituted an intellectual advance for humanity. This was because a social order (father-right) could be built
on intellectual and altruistic love. Father-right represented the triumph of the intellectual or spiritual attributes (masculine) over the sensual and material attributes shared with the animals (feminine). Few writers took such a purely philosophical position as Bachofen but aspects of his arguments recur with surprising frequency:

The history of the advance of culture in these lower stages is a slow succession of steps by which a society organised on the classificatory basis of kinship gradually breaks away from that basis to build up a new system corresponding to a more accurate appreciation of (the) facts. (45)

Recognition of paternity, in these arguments is not an instinct but an intellectual appreciation: 'Kinship is a fact - the idea about this physical fact must have grown like any other idea.' (46) As late as 1927, Robert Briffault in The Mothers extols a general advance in the intellectual capacities of humanity. Using a schema very similar to Bachofen, he attributes this advance in intellectual capacity to masculine achievements even though he argues that it is female altruism at the basis of social achievement:

The process which has raised civilised humanity above savagery is fundamentally an intellectual process... Those achievements which constitute what...we term civilisation, have taken place in societies organised on patriarchal principles, they are for the most part, the work of men. Women have very little direct share in them. (47)

Not many writers followed Bachofen in the division of history into the dominance of animal (maternal) and intellectual (male) capacities. There are however significant resonances across a whole series of developments to warrant attention. In Chapter Seven, for example, it is interesting to find Freud working with a similar conception translated into an account of the development of the individual's capacity for thought. It becomes even more pronounced in the structuralist development of psychoanalytic ideas although as early as the 1920's writers had drawn attention to the profound similarities between Bachofen and Freud. (48)
In general, speculation on the status of paternity in primitive society was not explicitly concerned with the advance of human knowledge but took the form of speculation on 'primitive' sexual mores. Perhaps ignorance of paternity and the facts of procreation should be seen as the product of a state where paternity could not be known rather than bearing witness to the extreme ignorance of primitives. For those who disputed the eternal nature of the procreative unit, this was indeed a favoured explanation. Early society must have been characterised by extreme moral laxity or complex forms of group marriage so that Schonten's pronouncement could be corroborated: 'Maternity is always certain, paternity always uncertain.' Indeed only some such explanation could account for the transmission of group allegiance, name and property through the mother's line:

It is inconceivable that anything but the want of certainty on that point could have long prevented the acknowledgement of kinship through males, in such cases we shall be able to conclude that such certainty had formerly been wanting - that more or less promiscuous intercourse between the sexes formerly prevailed. (50)

Donald McLennan's The Patriarchal Theory endorsed this view while summarising arguments against the patriarchal theory:

That relationship happened to be reflected upon when the fact of paternity was obscure and uncertain seems to be the only possible explanation of kinship being in any case counted through women only; and it seems to be the only possible explanation of kinship being anywhere developed into a system, that where it so developed the fact of paternity continued long to be obscure or uncertain. (51)

That descent group would automatically be reckoned through the biological father if known is not in question. What possible advantage would there be reckoning descent through frail women?

But when reflection, which had previously established a system of kinship through the weaker parents, had shown that there was kinship through the stronger, we need not doubt that means would in general be found of ensuring the recognition of this kinship. And once recognised, it would almost as a matter of course, become forthwith the more important of the two. (52)
The McLennans' position is a stark version of one form of attention to paternity. Kinship had a biological referent. Where biological paternity was unknown, biological maternity would be all important. A male would claim his rights to his genetic offspring as soon as facts of procreation were known and monogamy could guarantee the child's paternity.

But this stark proposition was also soon under attack. Day by day, more ethnographic data was becoming available which, unlike the earlier 'voyage' literature, asked certain questions of its data. These questions, predictably, were primarily about the nature of sexual regulation and descent groups. The turn of the century saw a startling increase in the number of ethnographic expeditions, and some of the most influential reports came back from ethnologists, dealing with matrilineal societies. It was quickly being registered that not all matrilineal societies professed ignorance of the role of the father in procreation. Certain matrilineal societies seemed fully acquainted with the facts of procreation.

Mother-right then is found not merely where paternity is uncertain but also where it is practically certain. Father-right on the other hand is found not merely where paternity is certain but also where it is uncertain and even where the legal father is known not to have begotten the children. Nay, the institution of father-right often requires provision for, and very generally permits, the procreation by other men of children for the nominal father. (54)

Confronted with these problems, other explanations for mother-right societies had to be sought; neither "primitive ignorance" nor group marriage corresponded adequately with the forms of evidence. 'It follows that the uncertainty of paternity cannot be historically the reason for the reckoning of descent exclusively through the mother. Some other reason must be found.' (55)

These 'other reasons' saw the emergence of concern with the social category of paternity, and with the relation between social categories and the facts of procreation.
Sex and social organisation

Interestingly, the proposition of a primitive state of sexual ignorance was retained long after the relation between the state of knowledge of procreation and the form of family procreation had been rendered problematic. Frazer's *Totemism and Exogamy* (56) bears witness to why this proposition was retained. It shows how studies of sexual knowledge and sexual arrangement were studies of how social groups held together. *Totemism and Exogamy* is a monument of evolutionary theory confronted with the non-correspondence between ignorance of paternity and mother-right societies. It retains preoccupations characteristic of evolutionary theory by a double movement. The proposition that there was once a state of 'ignorance of procreation' was retained, though its consequences need not necessarily be descent through the mother. Its effects were also sought elsewhere, in other institutions and other practices. At the same time mother-right and father-right were theorised as absolutely distinct and internally homogeneous formations which could be explained by their 'social' function.

*Totemism and Exogamy* offered itself as a definitive examination of so-called primitive religion. 'Totemism' had become a focus of study in this period, bearing a series of similar concerns to those around the study of sexual regulation. 'Totemism' too was taken as an expression of group and therefore social bonds—a source of interrogating the nature of social allegiance and coherence. Frazer treats a series of what might be considered discrete phenomenon (57) under the designation 'totemism', and attempts to explain them in relation to dominant preoccupations within ethnology.

Totemism, Frazer argues, functions as the source of group coherence, and it has its roots in primitive theories of childbirth. The Central Australians can be taken as exemplifying how totem groups emerge. The mode of determining the totem of tribe members 'rests on primitive theories of conception'. Ignorant of 'the true causes of childbirth', they imagine
that a child only enters into a woman at the moment when she first feels it stirring in her womb. The problem is how to account for the fact that it enters her womb at that particular moment: this is easily solved, 'necessarily it has come from outside and therefore from something which the woman herself may have seen or felt immediately before she knew herself to be with child.' (58) It was ignorance of the male role in procreation which resulted in totemism, being the primitive explanation for conception. In the absence of procreative categories, totemism becomes a mode of producing descent groups and allegiances entirely dependent on the mother's pregnant phantasies (59):

We conclude, then, that the ultimate source of totemism is a savage ignorance of the physical process by which men and animals reproduce their kinds; in particular, it is an ignorance of the part played by the male in the generation of offspring. Surprising as such ignorance may seem to the civilised mind, a little reflection will probably convince us that, if mankind has indeed evolved from lower forms of animal life, there must have been a period in the history of our race when ignorance of paternity was universal among men. The part played by the mother in the production of offspring is obvious to the senses but cannot be perceived even by the animals; but the part played by the father is far less obvious and indeed is a matter of inference only not of perception. (60)

Fra:er asserts that totemism cannot be thought of as the obverse of exogamy and in some way inseparable from it. They are historically distinct. 'Conceptional totemism' is a very early form of social grouping, (61) resulting from ignorance of paternity, itself an effect of unregulated sexual intercourse. Exogamy however has other origins - origins in a "bastard imitation of science", preventing the possibility of inbreeding. This much he claims, Morgan had already correctly ascertained, and further asserts that the impulse towards incest must have been very great indeed.

But while these structures may be radically different in their origin and function, it is the coincidence of the requirements of exogamy and totemism which could be mobilised as an explanation for the universal precedence of descent through the female rather than the male line. For,
first of all, uncertainty of paternity and its concomitant social form—
totemism—would be premised on loose marriage alliances. Alliance would
be given by the totemic group. Meanwhile, however, exogamy as a basic
structure preventing incest begins to arise quite early in human history.
According to Frazer, the most primitive form of exogamy is a two class
system, the division of a tribe or group into two basic, exogamous, groups. (62)

If there was descent through the male line, then the son would belong to
the father's totemic group and not the mother's. If this was the case, then
the son would not be barred from incest with his mother, since he would not
belong to the same totem group and it is only members of the same totem group
who are barred from sexual intercourse. Only if there is descent through
the mother and her totem will incest between the mother and son be
prohibited, and this is the form of incest which Frazer assumes is most
likely to evoke horror.

Frazer's position, steeped in all the errors of speculative evolutionism,
combines the preoccupations with primitive theories of conception and with
mother-right. Typically he places the problem of paternity and knowledge
as a determining factor in social and sexual organisation. But he does
not presuppose a unilateral correspondence between this ignorance and
mother-right. Father-right he asserts is an option from the earliest
moments of human history; it is however a social system with no necessary
biological referent. It would be possible for example to account for the
emergency father-right by the widespread custom of bride capture. This
he argues would tend to generate an ideology of the wife as possession.
Then as a 'natural' consequence, it would be a small step to conceiving
of her offspring as possessions. However, in general Frazer adheres to the
universal precedence of mother-right over father-right, and suggests that
other motives for the transition must be sought. The solution which Frazer
finds for this transition is again typical of the preoccupations of this
period. He suggests that it is the development of private property which provides the necessary motor for the transition from mother-right to father-right. This speculation on the 'facts' of procreation in the determination of kinship forms begins to reveal some of the issues which the study of kinship were made to bear. The hypotheses of a state of primitive promiscuity and a state of group marriage, far from simple inversions of Victorian moral prejudices, were constructs resulting from a distinct series of preoccupations. The radical differences of familial organisation which mother-right societies seemed to present were initially brought under concerns with the mental development of the human race. Was it perhaps the intellectual appreciation of the 'facts of procreation' - originally obscured - which both marked mankind out from the animals and, to some extent, accounted for transitions in human development? Around this trajectory clustered a number of different emphases or traditions; we have so far seen those of the idea of sexually differentiated principles in human history, and that of instinctual renunciation - the abandonment of the sensual for the intellectual.

Against this preoccupation with the intellectual advance of mankind, an alternative series of concerns emerged around the consideration of the facts of procreation, concerns exemplified in Frazer's muddled amalgamation of the two strands. The rejection of correspondence between states of sexual ignorance and mother-right societies resulted in the formulation of the quest for the 'social' function of kinship forms. A dominant consideration here was that of the role of the history of private property. A brief examination of this will again reveal both how kinship was the focus of problems on the nature of the social and how certain modes of explanation came to dominate.

**Paternity and Private Property**

While ethnographic evidence was making it difficult to hold onto any necessary
connection between ignorance of paternity and mother-right societies, paternal rights were far from abandoned in accounts of the evolution of familial forms. Writers frequently returned to an idea partially explored by McLennan and Morgan, the idea of a sentimental and economic motive for the overthrow of mother-right. There are two related reasons for this. One is that there is a conflation between individual and paternal rights, and the other is that given this conflation, speculation on the emergence of paternal rights was taken as a source of speculation on the emergence of individual property rights.

In so far as an explanation was required by evolutionary theory for the transition from mother-right to father-right, almost without exception it was agreed to be the effect of the accumulation of property.

The chief agency in effecting the transition from mother-kin to father-kin would appear to have been a general increase in material prosperity bringing with it a large accession of private property to individuals. For it is when a man has much to bequeath to his heirs that he becomes sensible of the natural inequity, as it now appears to him, of a system of kinship which obliges him to transmit all his goods to his sister's children and none to his own. Hence it is with the great development of private property that devices for shifting descent from the female to the male line most commonly originates. (63)

What is assumed here is the natural authority of the male and the 'rights' connected with blood ties. Once property begins to be accumulated, authority will be undermined since property will pass into the hands of the mother's kin. Inheritance of name and descent group through the mother is no real challenge to this male authority compared with the terrible indignity which a man suffers seeing his property pass, not to his genetic offspring, but to his wife's family. Primitive Property, summarising various theories, agrees that there is no necessary connection between ignorance of paternity and mother-right. There was however a consistent motive for the overthrow of mother-right societies. This was
the habit, deeply offensive to Western sensibilities, of inheritance through the mother's line. An illustration 'still more abhorrent to our feelings' of the alien character of the father is given by Mr. J. G. Calbreath as occurring within his own experience among the Tahl-tan of British Columbia.

"Kinship" he says "so far as marriage or inheritance of property goes, is with the mother exclusively; and the father is not considered a relative by blood. At his death his children inherit none of his property, which all goes to the relatives on his mother's side. Even though a man's father or his children may be starving, they would get none of his property at his death". (Quoted by Dawson, Annual report of the Geological Survey Canada 1887) (64)

The possibility that children would be the beneficiaries of wealth transmitted from their mother's brother is completely neglected. The woman as locus of transmission of property is totally suppressed; the all-important bond is that between the father and his biological offspring. Thus the awful prospect of a father deprived of the right to pass the fruits of his labour to the fruits of his loins, must constitute a 'sentimental and economic motive for the overthrow of mother-right'. (65)

In the progress of culture property of one kind or another began to be accumulated... The children of a man who owned property would during his life-time share in its advantages. On the occasion of his death religion required much of it to be abandoned to the deceased. Under mother-right the children had the mortification to see what remained pass away from them to their father's relations (ie his sister). (66)

A natural psychological drive of paternity to ensure inheritance of property by genetic offspring is assumed here. This will become the predominant explanation for the development of patriarchy and the 'defeat of women', particularly in popularising accounts of anthropology. The ideas were formative for Havelock Ellis' account of human sexual development:

It was undoubtedly on the rock of property that the status of women and the organisation on which it rested (ie mother-right) usually split. At first property was distributed at death among the members of an ever-lessening circle of kindred. As a man's possessions became more
extensive, and also as paternity tended to become more certain, it began to appear unreasonable that his children should be disinherited. (67)

The psychologistic form of explanation, hidden in many of the writings becomes explicit in some accounts of the development of familial forms. Bertrand Russell mobilises it as one element in the development of human morality - the element which led to the enforcement of female virtue and morality:

As soon as the physiological fact of paternity is recognised, a quite new element enters into paternal feeling, an element which has led almost everywhere to the creation of patriarchal societies. As soon as a father recognises that the child is, as the Bible says, his 'seed', his sentiment towards the child is reinforced by two factors, the love of power and the desire to survive death. (68)

What was it, then, that was at stake in insisting on this motivation in evolutionary accounts of the family? Closer examination reveals that this motivation was a crucial element in both the theorisation of the earliest forms of property holding and in the violent divisions as to whether collective possession preceded individual possession.

There were almost as many theories on the first forms of property as there were writers on the subject. Some thought property arose from warfare and practices of conquest; others from a gradual but spontaneous growth of individualism by which the individual gradually differentiated himself (always himself) from the group. Where many of the writers agreed however was on the coincidence between transitions in family form and transitions in forms of property holding:

According to some authorities, the word family itself means property. "The true meaning of familia is property; it designates the field, the house, the money, the slaves. As for oiros, it clearly presents to the mind no other idea than property or domicile." (69)

For many the procreative family, with its requirements of inheritance by genetic offspring was synonymous with individual property interests.
When the transition from a hunting state to a pastoral and agricultural state is finally accomplished, moveable property takes on a familial if not individual character. (70)

It is this which explains why theories of paternal rights retained a crucial importance. For the way in which procreative family forms came to be recognised was taken as a vital element in the account of the history of property and social relations. The sentimental and economic motive for the overthrow of mother-right and the establishment of patriarchy was seen by some as the process by which the collectivity or clan gradually breaks down into individual, that is procreative, units. It is the history of the triumph of individual interests over the collectivity:

The moral direction of this slow transformation is evident; it proceeds from a communism more or less extensive to individualism; from the clan, where all is solidarity, to the family and the individual, having their own interests, which are as distinct as possible from those other families and other individuals. Each one has endeavoured to get for himself as large a share as possible of that which was formerly held in common; each man has aimed at obtaining a more and more exclusive right over property, wife and children. From these appetites, more economic than ethereal have at length proceeded the patriarchal family, monogamy, and familial property, and later individual property. (71)

What is interesting about such schemas is the extent to which the organisation of patriarchal familial relations, 'exclusive possession of wife and children' is related to ownership of property. So much so is this the case, that some of the theories even include the individual appropriation of women from out of the morass of 'sexual communism' as a vital and formative element in the acquisition of individualistic appetites. Thus practices like wife capture and its supposed modification, wife purchase, are seen as practices which would instil a sense of private ownership. One writer (72) insisted that patriarchy emerged as a result of practices which subjected women and lead to their being considered as forms of movable property - rape and bridge capture. Female 'inferiority' could therefore be explained by marriage - an institution designed by men to bring women into subjection.
The whole hypothesis of a state of 'sexual communism', not just property in common, but wives in common too, points to the extent family rights and property rights were taken to be part of the same history; so much so that, for the evolutionary schemas, property was the privileged explanation of the forces which led to the dissolution of mother-right societies. Kovelevsky summarised the dominant explanations with an account of the multiple determinants on the transition from mother-right to father-right:

This evolution was accomplished under three different pressures. By the factor of a spontaneous transition - the increasingly stable bonds established between partners. Then comes the creation of a definite power attributed to the husband who, in the beginning will exercise the role of protector for the woman, previously devolved upon the brother. Finally the totally recent authority of the father over his children will give the foundations for the edifice of the new patriarchal family. (73)

But despite the interdependence of these factors, it is the accumulation of private property which provides the motor for recognition of paternity and this paternity is not necessarily a biological fact, but a social recognition through marriage:

The husband was only recognised by the law as father of all the children created by the wife on the day when private property was perfectly instituted. The wife belonged to him by right of property and with her, all the fruit of her entrails. (74)

Paternal rights, then are taken to be synonymous with individual property 'rights', that is, they involved a subject of possession with the capacity to calculate and dispose of the labour power of others and to dispense with property to genetic offspring.

We can draw some conclusions from the centrality of paternity in these discussions. Primarily, explanations of the emergence of the paternal, that is, procreative, family were explanations for the emergence of individual property rights. These arguments about the emergence of individual property rights worked on certain conditions. First individual interests were conflated with the procreative family with transmission from
father to genetic offspring. Secondly because of the theory of work at the origin of private property, it became possible to 'sex' property assuming a natural division of labour between the sexes. Men created it, therefore property was masculine. Finally, there is an assumption of an essential male psychology which seeks power through genetic self-perpetuation. It is this which in many accounts is the motor for the break up of former collective society into individual units.

The unchanging form of the procreative family: other explanations of mother-right

If a history of the emergence of the patriarchal family was the bearer of a number of considerations, what can be said of those proponents of the eternal nature of the procreative family, usually under paternal dominance? And what was the relations between the apparently antagonistic positions: the eternal procreative family on the one hand and the primacy of primitive promiscuity or mother-right on the other?

The opponents of the theory of universal transition from mother-right to father-right, the supporters of the uninterrupted development of the procreative unit, were not exempt from problems raised by the issues of paternity. Just as the conflation of ignorance of paternity with mother-right was increasingly untenable for some groups, the evidence of some societies neglecting paternity was also inescapable for the propounders of the natural procreative unit. But the solutions found to this problem were not entirely different from the solutions found by their opponents to their own problems. In both strands of thought we find a notion of kinship as a social function. And that social function is also predominantly theorised as an effect of economic considerations.

After an initial unwillingness to acknowledge the widespread evidence for the neglect of fatherhood in some societies, the upholders of the unchanging procreative family explained mother-right as a structural solution
to contradictions within property and territorial relations.

Tylor was among the first to refute the significance of a state of ignorance of paternity:

...the human race is by some conjectured to have existed at first in this state of pristine ignorance, before they reasoned out the fact that they were related to their fathers as well as their mothers. To this theory of a legist a zoologist would probably reply that mutual recognition and kindness between male and female parents and their offspring appear too far down in the animal world for rudimentary ideas of paternity to be accounted a human discovery. As for peoples with the range of our knowledge, not only are ideas of parentage, much the same the world over, but, so far as can be ascertained, all languages have words denoting kinsfolk both in male and female lines, which implies that kinship in both lines is taken account of. (75)

Tylor defends the primacy of the patriarchal family unit specifying that he simply means by this, membership of family, clan succession and inheritance through the father's line. Evidence for this is to be drawn from zoology with its account of the life of the primates:

So familiar to us are patriarchal family institutions, that they need only be referred to as belonging to common knowledge. From their well-known features, their principle of formation is seen to be due to the relative position of the parents. The father as defender or leader has control over the family, formed of the wife he has taken and their children, so that descent from him tends to become the main tie of kinship, and inheritance of his property and succession to his authority is guided along the male lines. (76)

While Tylor hotly disputed that the matriarchal system might be a simple inversion of this family system, he also rejects the contention that the maternal family might be an effect of moral laxity or 'sexual communism'; 'the matriarchal family system is one framed for order not disorder' (my emphasis). (77) The maternal system is a practical solution to a practical problem, just as exogamy is:

...the two great regulations of early civilisation, matriarchy and exogamy, have nothing about them fantastic or outrageous, absurd, but are the practical outcome of the practical purposes of people like-minded with ourselves. (78)
The practical problem which the maternal family is said to solve is caused by a double movement. First there is the requirement for exogamy which according to Tylor has nothing to do with the prevention of incest for either sentimental or moral reasons, or for a practical reason like natural selection. For him, the reason for exogamy is entirely political; it is the regulation of relations between groups; 'the reason for exogamy is not moral but political... the purpose of systematic intermarriage between clans is to bind them together in peace and alliance.' (79) Second, however, the circumstances under which this form of political alliance takes place become more and more problematic as civilisation advances. Populations become more dense and settled, they develop more delimited property and territory: 'families and clans have more defined property and interests'. (80) The effect of these material circumstances is to raise most serious questions for the manner in which intermarriage takes place. In these circumstances the wife can either remain in her own home (matrifocal residence) or remove to her husband's (patrifocal residence). Of the first, Tylor can see the evident advantages. The bride's parents would not lose their daughter's assistance and they would likely benefit from additional helpers, their grandchildren.

From this perspective, there may be advantages to the maternal system, but there are also some very pressing reasons for preferring paternal over maternal family systems. For, going as it does against the 'natural' procreative unit, the maternal system would be under severe stress:

The instinctive attraction which shapes the paternal family among the higher mammals continually reasserts itself, while the maternal husband emancipates himself from his inferior position whenever the social pressure is removed and he can become a paternal husband. (81)

The practice of bride-capture is taken as evidence of the husband's resistance to matrifocal residence, and the practice of payment to the bride's father is even more compelling evidence of the emergence of an amicable solution to the requirements of a paternal husband. They represent...'the various nodes
of overcoming resistance of the family to being despoiled of their daughters.' (62)

There are several factors at play producing Tylor's explanation. A procreative referent is assumed underlying mankind's sexual behaviour. Exogamy is assumed to have a political function. Descent is seen as an effect of power in which power is associated with the ownership of property and persons. Kinship alliances are an expression not only of political alliances but are an expression of power, understood in terms of property rights. The biological tie is restored not because it is this which kinship expresses, but because it is the unit from which everything starts. Therefore, until it finds some way of expression, it will place other institutions under strain. The movement of civilisation is towards a satisfaction of this biological fact without abandoning the political and social advantages provided by wider methods of political alliance.

Tylor's is a clear statement of a position on the maternal family which was to have wide currency. For example, any number of 'practical' explanations for mother-right became possible once its universality and universal precedence had been dispensed with. Starke in The Primitive Family again defended the biological unit as primary, but advanced another practical reason for matrilinearity. Inevitably the cohesive power of families would resist losing rather than acquiring members. This unwillingness would coincide with the independent, roaming habits of men in early societies:

Since men are more independent they are also less stationary. They can no longer attract women to themselves and are therefore attracted by them. Under such cases, there is nothing astonishing in the fact that children are named after the mother's tribe or clan, which is the case in all the instances... of people among whom the husband has to settle down with his father in law. (63)

Here habits of taking the mother's name and inheritance passing through the women's line are given quite mundane explanations. They result from the
fact that the place of residence is all important in forming the most lasting affections and loyalties. Here, all inheritance preferences are conscious decisions motivated by emotional attachments:

Owing to the faculty of memory, childhood and youth involve a young man in such a web of associations that he finds it hard to detach himself from them. The man, who, when married, has lived as a stranger of another clings to the impressions of his former home, and his earlier household companions become his heirs. But the brother who has wandered elsewhere stands in a more remote relation to his sister than do the sisters and the children living with her in the parental home, and he is therefore excluded from inheritance. (84)

Westermarck, the most systematic upholder of the fundamental nature of the procreative unit also favoured the place of residence as an influence on systems of descent. But for Westermarck, there is a problem with Starcke's notion of inheritance: 'If father and son stayed together, then inheritance and succession would go naturally from one to another'. (85) If this natural bond would outweigh the effective bonds of childhood, then some other reason for the son's allegiance to the matrifocal home must be sought. This might be the magical quality sometimes attributed to names by 'primitive' peoples. Thus the practice of recognising someone of the same name as a close relative (even though there may be no relationship) points to a power invested in names. Westermarck can therefore conclude that it is indeed the practice of matrifocal residence which would produce matrilineal inheritance but that this would be dictated not by preference of affections but because of the practice of taking the name of a residence group.

We are confronted with a common tendency, across the various antagonistic interpretations of the history of the family, to treat kinship as an effect of other social functions, instead of or as well as a procreative referent. An article entitled 'No Paternity' which appeared in Man, (86) in 1918 summarised the implications of this tendency which had emerged so much around the problem of paternity. Neglect of paternity could have several
reasons. It could be the result of an ignorance contingent on a state of sexual communism; or, and this is the author's preferred solution, it could be that, the natives do know the truth or have known it (perhaps not all of them), but that a dogma contradicting such knowledge has been established by the animistic philosophy, and has succeeded in repressing it and even, in many cases, expelling it from consciousness. (87)

Arguing against logical thought as the only basis to knowledge it can be shown that these societies do understand the relation between mating and childbirth. The doctrine of 'no paternity' could be the result of repression for a definite function, and animistic explanations of childbirth seem like displacements of some original element. Two possible motives for this repression can instantly be supplied. One could be to ensure that maternal descent is strictly upheld. The matrilineal Trobrianders, studied by Malinowski, have an obvious motive for the denial of male co-operation in the generation of children, namely the strictness of the matrimonial system. The system requires that the husband of a woman shall be in no way related to her children, and that is precisely what the doctrine of no paternity secures. (88)

The other motive might be a defense of the "extreme licentiousness of primitive peoples". The 'truth' would be 'in conflict with native habits and impulses. Hence among the Northern tribes of Australia...missionaries found that incredulity as to the physiology of childbirth hindered an improvement of morals.' (89) What is of interest is not the content of these formulations (both of which are illogical), but what is designated 'the problem' and its solution. The problem is disavowal of paternity: the explanations are the social interests which might cause the repression of this fact.

Paternity and Political Divisions

We have seen how the discussion of the recognition of paternity and the procreative family in fact condensed general preoccupations about the nature
of the sexual and social regulation of the early human group. The division between those who argued for the thorough-going transformation of the human family, from sexual communism to patriarchal monogamy, and those who argued for the unchanging nature of the paternal family in fact grew more vitriolic, transforming itself by the 1920's into a recognisable issue. Briffault, writing in the Frankfurt school's journal, summarised the issues which had divided anthropology. An enormous amount of discussion and controversy, he declared, had taken place with reference to the origin of the family. The divisions had resulted over divisions about the nature of the original form of human association:

In harmony with the sentiments centring around its importance as 'the foundation of society', the group (ie the family) has commonly been regarded as representing the original foundation of human association also that is, as the first form of social group. One of the conclusions to which the extent and analysis of ethnographical knowledge during the period of its active growth led such students as Tylor, Morgan, McLennan, Robertson Smith, Frazer, Letourneau, Kohler was that the family group does not exist in lower cultures. More recently many writers in social anthropology, such as Westermarck, Malinowski, Lowie, Kohler and others have however devoted their activities to interpreting ethnographical facts so as to retain the conception that the paternal family has been from the first the foundation and nucleus of social organisation.

Briffault goes on to suggest that there is much more at stake than simply an argument over the extent of regulation of the first human groups; it is the interpretation of social history in its entirety. What elements are accepted as "givens" in the development of civilisation? If certain elements like monogamy and acquisitiveness are accepted as "givens" what does this mean about the possibility of change?

Upon the view taken concerning depends the conception of the entire course of social history and of the factors which have been at work through the process. If it be supposed that the family in much the same form as it is now found in Christian European society, has existed from the first, or from a very early stage of social history, it must then be postulated that all the social phenomena, relations and institutions which are indissolubly connected with that form of social group are likewise coeval with social origins.
If existing social forms are taken as unchanging, then all extant social forms of political, economic and social power can be thought to be originary:

The principle of private property giving a man individual rights over his wife and children, and setting a precedent for all other forms of personal ownership must be regarded as having been fully developed from the beginning. The principle of authority, giving the male head of the family power over his wife, transforming her on marriage from her home to his, and bestowing upon him the like possessive claims over his children, must be supposed to have been established in the most primitive societies and to have been ready to blossom out into all other forms of authoritarian power. (93)

What is at stake here is that original social formations are seen as 'individualistic' groupings, consisting of heads of the family in which every male member has rights of property and authority to defend. By virtue of the principle of patriarchal authority, society would be a collection of these units under the dominance of one or more patriarchs. Such a position rules out the possibility that the existing distribution of power and authority is the end-product of a definite history and is therefore transitory:

The social historian who holds the view that paternal families existed from the first and constituted the foundation of human society will not have to enquire into the origin of the above principles. He will not be concerned with tracing the evolution of marriage institutions, of systems of sexual morality, of sentiments of pudicity, which are intended to safeguard them. It will be superfluous for him to study the rise of individual economic power. He will have no difficulty in accounting for the authority of the state or its representatives. For all the elements of a fully individualistic economic society, similar in all essentials to those of Western civilisation will be by his hypothesis, present aborigine. (94)

According to Briffault the assumption of the unchanging nature of the paternal family is considerably more than simply an assertion of the inescapability of the procreative unit, it is a defence of the status quo.

It is interesting in this context to listen to Westermarck's bewilderment confronted with a very similar attack on his work. (95) Westermarck's
ideas on the paternal family are attacked here as a product of Victorian prejudice; in suggesting that monogamy prevailed amongst our earliest ancestors,

he was able to provide nineteenth century civilisation with an absolute that justified in perpetuity one of its main institutions. The family thus became an institution that radicals could no longer assail. No evolution in society could eradicate it. Neither could monogamy be attacked since it was rooted in man's primeval past, and was part of what Westermarck calls the "monogamous instinct"...His doctrines supplied a need of the time, a protection against...doctrines that threatened middle class supremacy in the field of ethics and economics...they became at once part of the cultural defense of the era. (96)

Westermarck in response can only offer indignation; his 'scientific' approach surely cannot be accused of ideological bias?

Again, Dr. Briffault's and Mr. Calverton's allegations that I have attempted to support certain moral doctrines where I should have aimed at scientific truth alone, cannot be substantiated by a single line in my book. I drew my conclusions from the material which I had collected without any preconceived opinion, and when I had formed a provisional theory I endeavoured to take heed of every fact that seemed to contradict. The method I learned from Darwin's Life and Letters... (97)

Clearly by this stage in the debate, a great deal was at stake in these divergences; Briffault summed up the differences as a radical and incompatible division between conceptions of 'social history and the scope, principles and methods of social sciences'. (98) Those who uphold the original nature of the paternal family in fact view every phenomenon in the light of that original hypothesis. This struggle over the original nature of the human group became important in political theory. The socialist tradition in general threw its weight behind the hypothesis of radical transformations in familial organisation - a commitment which will be explored more fully in Chapters five and six. Socialist imagery of the period was full of democratic 'maternal' communism in opposition to individualistic patriarchal capitalism. While positions on the originary form of society were not exclusively found with their corresponding political position, that they should have been adopted so ferociously
indicates two interesting features. On the one hand it confirms that kinship studies were still very much within the terms of reference of political theory. They were addressed often to solve problems of the articulation of various instances of society and to make general statements about the forms of relations between humans in groups. That the family should have been such a central problem shows clearly that the family had become a central and sensitive object of political concern. Secondly, it indicates how the original form which groups took had become crucial to saying something about their essential form. Even for those who argued fiercely for the transitoriness of familial relations, the aim was to establish that these relations were transitory.
Conclusion

Violent divisions between forms of explanation obscures common aspects in these early debates about kinship. It obscures, for example, the fact that both sides thought that the original form and subsequent development of kinship would reveal the nature of social and political alliances themselves. However much the significance of the procreative family was disputed, it was agreed that elements within kinship—as distinct from the procreative family—were explicable by their function for other social or political exigencies of a given human group.

In this agreement, an agreement which even the anti-evolutionists sometimes shared, there begins a period of systematic blindness to the specificity of sexual regulations. This blindness is paradoxical since these studies seem to treat not much else. But various hidden assumptions are made which resulted in dominant interpretations of kinship. First there is an agreement that alliances made through kinship, for example marriage, have only one function. This function will be the same within and across all cultures. It is as if marriage had an essence which could be abstracted from all cultures; divisions simply concerned what the history or function of that practice was. Secondly, because of this assumption, sexual regulation becomes one of 'the determined' aspects of social forms. It becomes an element of the 'cultural' level of society, here referring to systems of beliefs, language, artistic practice, religion etc. It is separated conceptually from the real 'material' elements of society—the economy, property relations, the division of labour, and in many instances becomes reducible to these aspects. It is in this context that property relations became a privileged moment of explanations of kinship relations.

The aim of characterising these debates thus is not to suggest that kinship relations are perhaps determinate social forms, (as did various theorists reacting to early forms of reductionism). (99) Here the aim is
simply to draw attention to how a dominant form of theorisation emerged which in fact evaded dealing with the specificity of its own subject.

In the following chapter an account will be offered about how and why this non-theorisation of the specificity of a 'cultural' level was a problem. For it will demonstrate how sexual relations at the heart of kinship studies were hegemonised by definitions drawn from other disciplines. These definitions inscribed a notion of the natural which has compromised attempts to theorise the specific form of cultural relations.
CHAPTER THREE

SEX ANTAGONISM: THEORIES OF SEX IN THE SOCIAL SCIENCES
Introduction
The previous chapter traced how discussions revolved around a study of kinship as a social practice. It is a practice which is assumed to be based on the regulation of sexual reproduction. It is clear that in so far as these theories deal with sex, it is as an element in reproduction; either an element which instinctively belongs to the function of reproduction or which has to be forced towards it. A major determinant on this emphasis was the influence of theories from 'natural history' though not in the ways usually assumed.

The theorisation of reproduction owed much to biological arguments, even in those writers who did not explicitly espouse 'the man among the other animals' (1) argument. But to simply point to the centrality of explanations from natural history obscures what were the particular definitions of sex and sexed reproduction, how they were contested, and the differential effects of these definitions depending on their coincidence with other aspects of ethnological and social theory. A very distinctive configuration of elements did come to dominate in explanations of sexed reproduction in relation to human culture and its institutions, and an element in this configuration was the influence of natural history. The influence however was not that which is usually supposed. The major impact was the influence of the Darwinian notion of sexual selection rather than natural selection. This entered into combination with a rigid conception of the absolute quality of sexual division and with a particular notion of social determination already present within the social sciences. The result has been a notion of sexual reproduction which has long dominated the social sciences, and which was not fully displaced even in the critique of evolutionary theory.
Natural Selection and Sexual Selection

In Darwin's theory of natural selection, there is little of the teleological character imprinted on evolutionist theories by such writers as Herbert Spencer. Natural selection, according to Darwin involves the formation and variation of the species in relation to their environment:

This preservation of favourable individual differences and variations, and the destruction of those which are injurious I have called Natural selection, or the Survival of the Fittest. (2)

There is however, no necessity to the form or course which evolution will take as a result of this variability:

Several writers have misapprehended or objected to the term Natural Selection. Some have even imagined that natural selection induces variability, whereas it implies only the preservation of such variations as arise and are beneficial to the beings under its conditions of life. (3)

It should be recognised that what is proposed here is not a theory of the necessity of evolution along any given direction. It is simply the method by which species and sub-species multiply and undergo mutations in relation to their environment. Indeed the lack of teleology has occasionally worried commentators:

many critics have held that this is not scientific because the expression 'survival of the fittest' makes no predictions except 'what survives is fit', and so is tautologous, or an empty repetition of words. For example, if we ask, 'which are the fittest?' one answer might be 'those that survive' so that 'survival of the fittest' means only 'survival of the survivors'. (4)

The purpose of Darwin's theories was not to propose a science based on predictability but rather to displace notions of the species as immutable entities.

While there is nothing in the theory of natural selection to justify a teleological theory of evolution, hence no real theoretical basis for Darwin's appropriation by ethnocentric social evolutionists, this does not
mean that the theory is without substance. It involves certain very
distinctive and mutually dependent propositions, which can be summarised
as follows. All organisms must reproduce. All organisms exhibit
hereditary variations. Hereditary variations differ in their effect
on reproduction. Therefore variations with favourable effects on
reproduction will succeed, those with unfavourable effects will fail, and
organisms will change.

In all these propositions, one element is crucial. This is
reproduction as the means of variation of the species. Moreover it is
sexed reproduction which, in the 'higher' organisms, is the mechanism
of variation. Darwin assumes sexual division as the necessary element
by which sexed reproduction takes place. 'Sexual selection' is in fact
named as a principal motor of selection within species, entailing as it
does, competition between individuals of the same species in order to
kill a rival or attract the opposite sex. Hence it is the principal
motor for the survival of the fittest,

This form of selection depends, not on a struggle for
existence in relation to other organic beings or to
external conditions, but on a struggle between the
individuals of one sex, generally the males for the
possession of the other sex. (5)

The great variation between the colour and the structure of the sexes
within a species can be accounted for as the effect of sexual selection.
It involves the exaggerated growth of secondary sexual characteristics,
such as plumage etc, which are used to attract the opposite sex during
courtship displays:

when the male and female of any animal have the same general
habits of life, but differ in structure, colour and ornament,
such differences have been mainly caused by sexual selection:
that is, by individual males having had, in successive
generations, some advantages over other males in their weapons,
means of defense or charms, which they have transmitted to their
male offspring alone. Yet I would not wish to attribute all
sexual differences to this agency: for we see in domestic animals
peculiarities arising and becoming attached to the male sex, which
apparently have not been augmented through selection by man. (6)
Sexual selection is not however the only source of variation as far as Darwin is concerned. A species varies by the modification of the offspring in relation to its parents, but this variation is sometimes connected with modifications in relation to environment, sometimes with the nature of the organism and not as a result of variation through sexed reproduction.

Some naturalists have maintained that all variations are connected with the act of sexual reproduction; but this is certainly an error; for I have given in another work a long list of...plants which have suddenly produced a single bud with a new and sometimes widely different character from that of the other buds on the same plant...we clearly see that the nature of the conditions is of subordinate importance in comparison with the nature of the organism in determining each particular form of variation. 

But while the form of variation to a large extent is given by the constitution of the organism, the primary motor for adaptation to environment, is through sexed reproduction by which mutation is made possible. Making this mechanism crucial, Darwin assumes sexual division, an assumption which fuelled debate among his contemporaries for a variety of reasons. Why, argued one, should the female take the place of the environment as she appears to do in the case of sexual selection. 

Wallace too objected to the free choice which sexual selection seemed to attribute to female aesthetic sensibilities. No, the dullness of the female should be attributed to the need for inconspicuousness during incubation, whereas male splendour is 'due to the general laws of growth and development', it being 'unnecessary to call to our aid so hypothetical a cause as the cumulative action of female preference.'

This constitutional account argues that exaggerated sexual difference are not the result of struggling against rivals, rather 'something within the animal determines that the male should lead and the female follow in the evolution of new breeds.' There must be something distinctive about the male and female cells; the female cell ensures the constancy.
of the species whereas the male reproductive cell has acquired a peculiar and distinctive capacity for mutation. What all these theories were concerned with was an explanation for the origin of sexual division and difference, which is simply assumed in Darwin's theories as an absolute, natural, distinction with a particular function in relation to a general structure of natural selection.

Geddes and Thompson in the *Evolution of Sex* explicitly raise the problem of the origin of sexual division. Apart from evolutionist biology being in its infancy, they isolate a very real suppression of this question, a suppression motivated perhaps by an unscientific acceptance of the 'delights' of extreme sexual difference:

Darwin was, indeed, himself characteristically silent in regard to the origin of sex, as well as many other 'big lifts' in the organic series. Many however, have from time to time pointed out that the existence of male and female was a good thing. Thus Weismann finds in sexual reproduction the chief if not the sole source of progressive change. Be that as it may at present, it is evident that a certain preoccupation may somewhat obscure the question of how male and female have in reality come to be. (12)

These debates point to the fact that Darwin's notion of sexual characteristics and their function did not go undisputed. 'Biological' explanations were not fixed, immutable categories with definite content; they were contested, even within the biological sciences.

However, as 'biological' theories of sex appeared in theories of kinship, they often appeared as ultimate explanations, beyond the realm of contestation and not subject to internal criticism. Thus in considerations of marriage and kinship, the assumed quality of sexual division constantly reappears. Sexual reproduction was premised on absolute sexual division and taken to be the activity on which other social structures operated. This can be seen more clearly by a consideration of the two related aspects of Darwinian theory — natural selection and sexual selection. The impact
of these theories and the form which they took in studies of kinship can be seen to be dependent on their coincidence with other aspects of social theory.

The prohibition of incest

A cursory glance at debates on kinship at the turn of the century might reveal an overwhelming interest in the structures governing who one may or may not marry. Furthermore one might be forgiven for thinking that it was as a solution to this question as to the prohibition of incest that Darwinian theories were primarily brought to bear. But a closer study of the theories of incest-avoidance serves to demonstrate that Darwinian notions of natural selection did not affect kinship debates in any unilateral way. There were too many other elements at play in these debates for them to be hegemonised by one particular version of Darwin - elements corresponding to other discourses within and outside ethnology itself. Moreover, where Darwinian theories were taken up, it was by no means in a homogeneous fashion.

Morgan was one of the first to systematise the notion of natural selection in relation to anthropological evidence. He used it as a possible explanation for the emergence of the biological family and the complicated rules on marriage found in all human groups. For him, exogamy occurred as the result of a practical knowledge, acquired by human society in its varied progress from primitive promiscuity:

It is explainable and only explainable in its origin as a reformatory movement to break up the intermarriage of blood relatives and particularly of brothers and sisters by compelling them to marry out of the tribe who were constituted such as a band of consanguinei. It will be seen at once that with the prohibition of intermarriage in the tribe this result was finally and permanently effected. By this organisation the cohabitation of brothers and sisters was permanently abolished since they were necessarily of the same tribe whether descent was in the male or female line...It struck at the roots of
promiscuous intercourse by abolishing its worst features, and thus became a powerful movement towards the ultimate realisation of marriage between single pairs and the family state. (13)

It will be remembered that Morgan talked of natural selection, entailing the survival of those peoples who practiced incest-avoidance whose brain-capacity was thereby greatly increased. Tylor too, accepted this solution; exogamy was adopted to avoid the observed ill-effects of inbreeding.

Arguments about the ill-effects of inbreeding had been met with an immediate barrage of criticism. In 1875, A.H. Huth had written in *The Marriage of Near Kin* (14) that avoidance of incest was nothing to do with conscious or unconscious knowledge of the ill-effects of inbreeding. This was primarily because there were no such effects: 'the statistics on which so much reliance has been placed, as a proof of the harmfulness of consanguineous marriage, are, when not absolutely false, miserably misleading and defective.' (15) No evidence from animals, which as species were in-breeding groups, nor humans, of which there were many who practised cross-cousin marriage, suggested any direct connection between degeneracy and in-breeding. In fact, Huth is more concerned to prove the disastrous effects of marriage outside the racial group, giving 'evidence' of sterility and degeneracy amongst the "mulattos".

Various ethnologists supported the dismissal of the degeneracy/incest equation. In 1927, Briffault was still having to argue that 'attempts to substantiate the belief that inbreeding is harmful have resulted in complete failure'. (16) Lord Raglan, too, in *Jocasta's Crime* (1929) was still contesting these ideas, arguing that none of the tribes which practice consanguineous marriage could be proved to be less healthy or mentally advanced than those which practiced a rigorous taboo in both lines of descent:
In no case has disease or debility resulted from inbreeding...
There are no stronger upholders of the incest taboo than those very Australian tribes who believe the child has no physical connection with the father. (17)

The positions from which natural selection was taken as a valid explanation for marriage prohibition were varied. Westermarck suggested an instinctual aversion to incest, in the service of a bastard imitation of science. This was attacked by many, including Frazer who berated Westermarck for an unadulterated application of Darwin without considering the things which make men, men. (18) Yet having argued that an instinctual aversion would in fact be witness to the instinct having once been very strong, Frazer himself then goes on to agree in an extraordinarily patronising fashion that exogamy may well correspond to an unconscious mimicry of science:

egregiously wrong as they were in theory, they appear to have been fundamentally right in practice. What they abhorred was really evil, and what they preferred was really good. Perhaps we may call their curious system an unconscious mimicry of science. The end which it accomplished was wise though the thoughts of the men who invented it were foolish. In acting as they did, these poor savages blindly obeyed the impulse of the great evolutionary forces which in the physical world are constantly educing higher out of lower forms of existence and in the moral world civilisation out of savagery. If that is so, exogamy has been an instrument in the hands of that unknown power, that masked wizard of history who by some mysterious process, some subtle alchemy, so often transmutes in the crucible of suffering the dross of folly and evil into the fine gold of wisdom and good. (19)

What is interesting about this preoccupation is that it combines a biological account with what has subsequently been designated a functional account. Marriage prohibitions are in the service of some other force, in this case the force which accidently prevents biological inbreeding. In terms of how marriage is theorised, the form of explanation is not so very different from that which saw marriage regulations as having a political function, that of consolidating relations between groups. The point was that unquestioned as the axis by which these structures could work was sexual reproduction premised on absolute sexual division and expressed in marriage.
Side by side with this combination of Darwinian theory and functional explanations, there existed another rather different interpretation of incest-avoidance, that characterised by Durkheim. Here incest avoidance was related to primitive modes of thought, in particular religious thought which itself arose from social structures. For Durkheim the clue to incest avoidance lay in another taboo practiced by some savages, the isolation of menstrual women. Both are to be understood as a prohibition against spilling and therefore seeing the blood of your own totem group. This would amount to an act of cannibalism. In England, Jocasta's Crime was written from a broadly similar perspective. What irritated Lord Raglan as much as theories of natural selection underlying exogamy, was the functionalism which this often accompanied. Functional explanations of religion which assumed either a residual or historical expressivity, or the mystification of other social practices were hopeless. They assumed criteria of thought and action totally alien to our own society. Firstly, why should rituals arise as a commemoration of a real historical event:

It would be impossible to find in England a sane man or even mad man who would plunge an arrow into his eye in order to commemorate the Battle of Hastings, yet this is the kind of thing which the savage is supposed to spend his life doing. (21)

Secondly there is no reason why religious practices and superstitions should arise from political and economic functions. Are we to believe that, If the law as to dog licenses continues in force, people will come to believe that to take out a dog license is an infallible means of securing the favour of the Deity or defeating the machinations of the evil one, and that a dog for which there is no license in force will inevitably die of distemper. (22)

The whole system of explanation of incest-prohibition combining natural selection and functionalism offends Raglan. Why should certain practices and beliefs, like marriage and religion, always be explained by reference to some other, 'material' function:
The chief tenet held by the followers of this system and one which makes the scientific study of social origins and developments impossible, is that any one who can invent a plausible excuse for a silly custom has not only justified but completely explained that custom. (23)

Raglan's solution to incest-avoidance is not similar to Durkheim's. He claims, it is motivated by religious superstition which dictates that it is harmful to have sexual intercourse with anyone who lives on the same side of the stream as yourself. This apparently "irrational" conclusion is premised on Raglan's insistence that religious forms of thought and superstitions do themselves construct social practices and are not necessarily the effect of other material social practices. It was motivated by a rigorous rejection of "rationalist" explanations which are in fact simply an imposition of Western rationality.

Differences in theories of incest-avoidance serve to demonstrate that there was no simple way in which Darwinian notions became the dominant form of explanation of these practices. Themes of incest-avoidance touched on, and contributed to, too many other discourses and considerations outside social sciences for any explanation to go uncontested. For the same reason, where Darwinian ideas of natural selection were mobilised as explanations, they were by no means simply mobilised to bolster reactionary political arguments about primitive and advanced races.

At one level, stressing hereditary and species, the theory of natural selection fuelled growing racialist doctrines which took races as subdivisions of the human species, some being designated as more advanced than others. But the application of the theory of natural selection to the phenomena of incest-avoidance created a whole series of contradictions. There was for example a contradiction between that interpretation which stressed the necessity for groups (eg. an exogamous tribe) to marry outside themselves, and racialist arguments which stressed the imperative for the race to remain pure. The racialist tendency was further complicated with
the consolidation of eugenicist arguments which stressed the damaging
effects of hereditary, and in many cases argued that only the 'healthy'
should breed. (24) As with racialist arguments, the eugenicists tended
to see breeding outside the group more damaging than a healthy, vigorous
in-breeding stock. What is interesting about these contradictions is the
confusions over the terms of family, social group and race. Morgan took
the crudely ethnocentric view that Western society is advanced because
the taboo-on-incest operated there exercises the most effective bar on in-
breeding. For the theorists who were more subtle, the problem of defining
where an exogamous social group ended and a species began proved to be
rather difficult.

The extent to which eugenicist arguments were present in political
debates of this period is only just beginning to be fully appreciated. It
is clear however that intervention in family practices and sexuality was
considered a highly important object of social regulation and this applies
both for the left and the right. Not surprisingly then theories of
the effects of breeding and hereditary were not to pass in any uncontested
way into usage in social sciences.

Not only were eugenicist and racialist arguments crucially interested
in, and contributed to debates as to the marriage regulations of cultural
groups, but the question of incest-avoidance was one which was also at the
centre of some violent social controversies of that period. Problems of
extreme poverty and urban overcrowding finally began to assert themselves
in the latter half of the nineteenth century. The image which seems to
have haunted the literature on housing reform and provoked extreme horror
in the middle-classes was the spectre of incest among the working classes.
It is interesting to see that the terms in which various reports on the
immorality entailed in overcrowding has distinct resonances with some of the
debates referred to in these chapters. Reports referred to 'promiscuous
herding', (25) 'relapses to the wild man', (26), 'the promiscuous ways in
which families herd together', (27) and 'families styed together in the
promiscuous intimacy of cattle.' (28) The horror of this 'moral
degradation' was a strong element both in the development of social policy
on housing and on the development of philanthropic activities.

Finally, the same period in question was also witness to a struggle
over the redefinition of incest laws. Historically, incest had been 'an
ecclesiastical not a criminal offense'. (29) Incest in other words was a
sin, and the church prohibited sexual intercourse between persons related
either by blood or by marriage (affinity). Since the Reformation marriage
with a deceased wife's sister or with a deceased husband's brother had been
illegal. An act of Queen Mary's had legalised marriage with the deceased
husband's brother but not with a deceased wife's sister. In 1835 a bill had
been brought in the House of Lords to legalise this form of marriage and for
the next seventy years this was a hotly contended issue. Jeffrey Weeks
has suggested that this debate bore witness to tensions between residual
kinship forms and the construction of new domestic relations throughout the
nineteenth century;

there was in force in England from the Restoration
to the early twentieth century a system of marriage
that approved cousin marriage and discouraged marriage
to affines (that is, inter alia, the deceased wife's
sister). The established system conceived of marriage
as an act of incorporation which maintained social status,
it kept the family name from being lost and the family
property from being distributed. The other system stressed
that alliances could be maintained by remarriage and could
be used to improve social standing. Inevitable conflicts
developed. The law upheld the first system as long as the
aristocracy were supreme. The ban against marriage to a
deceased wife's sister was rescinded in 1907, another sign
that the middle class had come into their own. (30)

The debate on the subject stimulated violent controversies; innumerable
tracts appeared and even an association called the Marriage Law Defense
Union came into existence to prevent the law from being passed. When the
law was finally passed in 1907, it was followed the next year by the Punishment of Incest Act, a law changing the status of incest from that of a sin to that of a crime. A study of the process of the creation of this law has suggested that the primary influences in this change were concern over 'working class morality', the offensive of the social purity movement, and the protection of minors - not as has sometimes been thought, the influence of eugenic arguments. The centrality of theories of incest avoidance had clear correspondences with several important contemporary issues. Such a correspondence should alert us to the unlikelihood of any crude interpretation of natural selection passing unquestioned into the discourses of social sciences.

This caution is further confirmed when we see that notions of natural selection and hereditary were sometimes taken up in the cause of progressive arguments, especially in the case of relations between the sexes. Charlotte Gillman Perkins, the American feminist was by no means alone when she mobilised theories of natural selection to argue for the liberation of women. She argues that the two elements of Darwin's theory are distinct; natural selection develops race characteristics, sexual selection develops sexual characteristics. Sexual selection is the means by which reproduction, and therefore variation occurs. But women, she argues, have been cut off from the real environment, the economic world of work, and have been forced to develop sexual characteristics alone. Because of the enforced dependency of women on men man becomes the economic environment of women. The only characteristic that women are able to develop is sexual differences which they have done to 'morbid excess':

...it can be shown that sex distinction in the human race is so excessive as not only to offend injuriously its own purpose but to check and pervert the progress of the race, it becomes a matter for most serious consideration. Nothing could be more inevitable however, under our socio-economic relations. By the economic dependence of the human female upon the male, the balance of forces is altered. (32)
Yet despite the necessary caution for approaching the effect of Darwinian theory on theories of kinship, Charlotte Gillman's ideas do confirm that his idea did enter social sciences in one relatively uncontested way. Despite the divergences over the applicability of theories of natural selection to specifically human institutions, there was formed a distinctive configuration where functionalism was combined with a selective appropriation of Darwinian concepts. This occurred through the way in which marriage sometimes came to be treated as a means of variation of the species and thereby came to be synonymous with sex. In this merger, which involved a slide between notions of mating and marriage, a definite notion of marriage was formed. Marriage was sometimes taken as the point at which societies without political organisation adapted to their environment. Environment, here, consisted not only of geographical elements, but of the various economic social institutions which mark a given culture.

**Sex determination**

One strand was particularly strong in effecting an elision between marriage and mating, and producing marriage as a means of adaptation. This was the theme of population which appeared in debates about marriage functions in a definite form, that of sex determination. The issue of population was one which had acquired enormous currency, both politically and intellectually under the impulse of what has been called the development of neo-Malthusianism. Many of the problems raised by 'the conditions of the poor' debate, the urban overcrowding, unemployment and the terrible conditions under which many working class people lived, were seen in certain quarters to be solvable through limitation of the population. Increasingly this became the eugenicist strand in British politics not just advocating limitation of the population, but selective
limitation which sought to deny the possibility of reproduction to 'degenerates'. (33) Population exigencies appeared as widely accepted explanations of the function of marriage. They appeared to advance an idea that mating and marriage functioned to replenish the population numerically to the equilibrium which could be supported by a given environment. Again and again marriage was theorised as having the aim of uniting sexually divided creatures for the purpose of reproduction, not just of themselves but of the equilibrium of a given population. For Maine such an assumption had been a good reason for cynicism about primitive promiscuity. Primitive promiscuity could never have provided efficient structures for replenishment of numbers,

An eminent living physiologist who visited the West Indies before the abolition of slavery, well remembers the efforts of the Planters to form the negroes into families, as the promiscuity into which they were liable to fall produced infertility, and fertility had become important to the slave owner through the prohibition of the slave trade. It should be added that, independently of the pathological evils, the same infecundity would follow if the promiscuity arose from a considerable inferiority of the number of women to men. It is only under very unusual circumstances that a small number of women would give birth to offspring equaling numerically the whole parent generation, male and female. (34)

Similar statements could be multiplied. By turning a blind eye to the disastrous effects of colonisation, it could be argued that it was the marriage customs of 'natives' which failed to keep up population numbers. This was further evidence against the primitive promiscuity hypothesis:

The arguments which have brought about this result are that uncultured man, whose present organisation of family and tribe scarcely avails under favourable circumstances to keep up their numbers, was unlikely in past ages to have existed and increased in a still less organised state. (35)

Such speculation emerged in a very particular political conjuncture. Population, under the impulse of Malthusian arguments, had become a central political object of interrogation. Eugenicist arguments raised the question of systematic intervention on the populace to control numbers
and ultimately type of citizen. Demographic studies provided information as to conditions and numbers of the populace. The issue had further urgency for an imperialist regime which was confronted not just with the annihilation of colonised populations, like the annihilation of the Tasmanians, but the gradual attrition of native populations which even for an imperialising regime was not good business. Pitt-Rivers in The Clash of Cultures and the Contact of the Races makes these concerns explicit and shows how they interacted with debates about the function of marriage regulation. His concern is with the tragically declining population of Melanesia. Having made it clear from the start that no such soft 'humanist objection should be raised as to why superior races should not wipe out inferior ones,' he nevertheless recognised that even imperialist interests are not served by destroying the native workforce - a sense of good business and ethnological interest which produces a text typical of the phase of "indirect rule" of the colonies. 

But the (native) problem, so long as it remains a problem, has two sides to it. There is the problem of realising the white man's interests in a black country... and there is the blackman's problem, the problem of maintaining his own existence, identity and welfare. 

Pitt-Rivers' position was notoriously reactionary. He is influenced by 'insights' into 'the native problem' like Dudley Kidd's Kafir Socialism. His political aim is to quiet 'native discontent' before socialist solutions might be adopted. His solution however is more interesting; it argues for less interference in native customs and practices. In particular the interference of missionaries in the marriage customs and morality of the natives is seen as a source of destruction. The interference with native habits of clothing have made the natives susceptible to all kinds of diseases which previously escaped them. Particularly pernicious is the interference in 'native morality' and here Pitt-Rivers sees the discoveries of 'functional anthropology' to be
particularly illuminating for the imperial regime. He argues that sexual customs have evolved in order to maintain a population equilibrium. Any interference in marriage customs will destroy that equilibrium and it is this which is taken as principle cause in the decline of the populations.

Pitt-Rivers proposes a theory of sex-determination, a study of the influence of the ratios of the sexes on the forms of sexual organisation. He proposes a study of the differential survival rate of the sexes beyond birth on the ground that a surplus of adult females over adult males is a condition necessary to the reproduction of the population in its entirety. The ratio between the sexes is liable to be upset by a variety of factors such as differential mortality and survival rate of the two sexes.

In general, he argues, there is a tendency for females to outnumber males, unless the population is declining. In a stable situation mankind will naturally tend towards polygamy; monogamy and polyandry would only be practiced in response to some disequilibrium in the sex ratio. It is suggested that a group will increase until it reaches the margin of subsistence. But where there is interference with 'morality' and native customs, sexual organisation is prevented from registering demographic changes. It is here that the specific interpretation of marriage as a response to environmental pressures, finds itself on common ground with much of the writing under consideration:

sex...by being the means of variation of organic life, enables the organism to withstand changed environmental conditions. (41)

Sex Antagonism

The function of marriage appeared within speculative ethnology in a quite distinctive way. Sexual division was absolute. It generated a whole series of antagonistic interests and activities. Darwin's quite limited propositions are here far exceeded. No longer is sexed reproduction
simply a mechanism of variation. It becomes a principle entailing different functions, activities and interests of the sexes. It becomes under the impulsion of the romantic influence a theory of different spheres of influence, different principles in the formation of culture. Sexual division is transformed from an assumed but arbitrary category into a meaningful and symbolic division, pregnant with cultural antithesis. The mode in which the sexes are theorised as interest groups, varies considerably within different theories, but there is virtually no writer of this period who systematically challenges the very idea. It appears explicitly in the idea of sex antagonism as a motor of history, implicitly in the contest over descent groups for control of reproduction in evolutionary theories, and finally as an effect of theorisation of division of labour along sexual lines.

In particular the theorisation of the accumulation of private property as a primary cause in the emergence of patriarchal families had the effect of constructing the sexes as antagonistic interest groups. Where the accumulation of private property is given as the motive for the transition from one exclusive line of descent to another, the motive rests not just on the deduction of the deprivation of the father under mother-right but on an idea of a necessary antagonism between the sexes. This is a consequence of positing a necessary transition from one stage to another which is premised on a struggle for control of reproduction through control of descent group. This was indeed one of the points of attack which the anti-evolutionists brought to bear against general theories of transition:

\[
\text{It is not easy to see why a traditionally sanctioned inheritance rule should suddenly rouse antagonism since a man is as likely to benefit as suffer by inheriting from a maternal uncle rather than from his father. (42)}
\]

Ranging from Bachofen's Amazons defending their right to control descent groups, through to Engels arguing for the relation between the patriarchal
family and private property, the transition to father-right was a transition theorised as resulting from an antagonism of interest groups. It arose from the desire of the fathers to perpetuate their identity through descent of name and property.

In some writing this implicit assumption of sex antagonism became an explicit theory. In the Mystic Rose\(^{(43)}\) a fundamental antagonism between the sexes is taken to be a constitutive factor in social organisations. In particular Crawley's book was concerned to explore the integration between sexual relationships and religious beliefs. The history of psychological processes was to be taken as the history of religious consciousness. Various customs, practices and beliefs could be understood as reflecting a mutual fear and suspicion between the sexes, a fear of the otherness of the other sex in sexual intercourse. Crawley ignores the dominant ways of thinking about the determination of social institutions, that is by economic forces; instead he suggests that the psychological responses to sex and sexual intercourse can rightly be considered as integral in the determination of various beliefs and activities. There is a rigid and absolute division between the sexes, who are also equally united and solid against the opposite sex. Sexual antagonism and therefore fear are thought to generate a number of elaborate marriage customs and rituals designed to assuage or work through the problem of antagonism and difference. Many marriage customs can be cited as indicating the sexual solidarity which points to a latent fear and antagonism;

There are a large class of marriage customs which in the first place bring out very clearly sexual solidarity; the women...make marriage an opportunity for showing their mutual sympathy with each other as women, and they take the side of the bride in her bashfulness or resistance, as if the occasion were a test case between the two sexes as indeed it is.\(^{(44)}\)

Crawley interprets the marriage ceremony as a public working through of the dangers which each sex presents to the other. The public expression
of harmony is a mode of neutralising antagonism by an expression of a contrary intention:

...women cling together at marriage till the last moment. These phenomena also show how marriage ceremonies have inherent in them, as binding the pair together, or neutralising each other's dangerous influence, the intention and power to make their life harmonious and sympathetic. (45)

The antagonism springs chiefly from the same sources as all sexual taboos, from women's sexual modesty and shyness. This shyness is particularly acute confronted with the possibility of sexual intercourse and the 'subjection' which it will entail;

...these customs are one of the best guides to the ideas of sexual taboo in their relation to the marriage ritual. We see here one of the chief factors in sexual taboo, women's shyness, timidity and modesty, accentuated by the physiological sensibility which resists physical subjugation chiefly in connection with the act of sexual intercourse. (46)

Marriage ceremonies then are the neutralising of difference and potential antagonism. That the difference is premised on a notion of women's fundamental sexual timidity is too glaring to be worth mentioning. What is perhaps more interesting is the way in which the idea of sexual anxiety is used as an explanation of religious symbolism.

Crawley's explicit integration of psychological elements into an account of the origin of social institutions is unusual, but the assumption of the sexes as interest groups is not. It has two principle forms of expression; that which attributed to the sexes biological or reproductive interests, and that which theorised interests as arising out of the division of labour. The first was consolidated under the impulsion from Darwinian accounts of man amongst the other animals.

I have already shown the way in which Darwinian arguments were used to place sexual division as absolute, serving procreation, and the means by which the species effected variations in relation to the environment. Drawing no distinction between the function of marriage and mating, Westermarck for
example transforms Darwinian sexual selection into an account of the different characteristics of the human male and female and their different interests in the process of mating and reproduction. He is slightly hesitant in his use of terms male and female but, in general, dominant definitions from contemporary biology can be unproblematically accepted: male is active, female is passive; the interest of the male is to disseminate his seed widely; the interest of the female is to secure care and protection for her young.

Speaking of the male and female reproductive cells of plants, Professor Sachs remarks that, wherever we are able to observe an external difference between the two, the male cell behaves actively in the union, the female passively... The rule holds good for the human race, the man generally playing the more active, the woman the more passive part in courtship. (47)

Marriage customs can be interpreted in terms of their services for sexual selection. All behaviour should be understood as having an instinctual basis, instincts rooted in sexual behaviour always in the service of reproduction. Typical beauty for example by which partners are selected should be understood in terms of the exaggeration of secondary sexual characteristics, things like body hair on men. These are the exaggerated sexual attributes by which animals make their sexual display to attract the opposite sex. Equally, incest avoidance has its roots in instinctual aversion, an aversion springing from the lack of interest created by familiarity and the stimulation pertaining to strangeness and difference.

Instinctual aversion was not widely accepted as an explanation of incest avoidance, it being generally thought that incest taboo served some social or political function. Havelock Ellis however agreed that incest avoidance was tied up with the general system of sexual preferences but that this did not have to be premised on an instinctual avoidance. It was simply that desire was aroused more readily by strangers;
.. the normal failure of the pairing instinct to manifest itself in the case of brothers and sisters or of boys and girls brought up together from infancy is merely negative phenomenon due to the inevitable absence under those circumstances of the conditions which evoke the pairing impulse. Courtship is the process by which powerful sensory stimuli proceeding from a person of the opposite sex gradually produce the physiological state of tumescence, and its psychic concomitant of love and desire, more or less necessary for mating to be effected. But between those who have been brought up together from childhood all the sensory stimuli of vision, hearing and touch have been dulled by use, trained to the calm level of affection and deprived of their potency to arouse erethistic excitement which produces sexual tumescence. (48)

Not many accounts of human marriage regulations were so rigorously 'zoological' as Westermarck's. However, the absolute division between the functions of the sexes both biologically and within culture was quite the opposite. Again and again we find references to the different functions of the sexes determined by their role in the act of sexual reproduction. It is these different functions which generate mutual antagonism;

Social evolution, which has its origin in the association and co-operation of the sexes, has accentuated the fundamental opposition between their respective aims and interests. That antagonism is rooted in the profound biological differences between the function of the reproductive instinct in each - periodic rearing of offspring in one sex; maximum dissemination of the breed in the other. (49)

The theme of sexual antagonism and sexual interests is rarely absent in these philosophical speculations on the early stages of human organisation. Occasionally, the implicit assumptions of the debates erupts on the surface in what might be called 'hysterical' texts, like Walter Heape's Sex Antagonism (1913) and The Dominant Sex by Mathias and Mathilde Vaerting. (22)

Hysterical, because these texts are not exactly representative of the mainstream of the debate, they nevertheless cohere the various preoccupations of these debates. Both start from the assumption that the history of social institutions is an effect of the violent struggle between the sexes. Both have their origins in political considerations, and therefore show up quite
clearly how the themes of sexual antagonism and conflict were fuelled by the political climate of feminism and the reaction to it.

Heape's book attempts this history across the evidence and debates within anthropology, discussing totemism, exogamy, ignorance of paternity and the function of marriage. What the study of these factors can illuminate is 'the discontent in one form or another which is rife among us'. Daily, 'it becomes more evident that...what has for long smoldered as a grievance cannot any longer be restrained from bursting out into active antagonism'. What can the sources to this discontent be? There are three, say Heape, 'Racial antagonism, Class antagonism and Sex Antagonism'. The first is unavoidable 'because of our great possessions'. The second, class antagonism 'has ever been common with us as it has been with all civilised peoples: although drastic change in the relation of class to class seems once more immanent, changes of this kind are no new thing, and we may have confidence that so long as the people of the country are patriotic, class readjustment is not necessarily a national evil but rather a sign of the vigour of the people'. But the third, sex antagonism, is the most fateful and spells doom for the human race:

Sex antagonism is a family war and as family strife leads to the most bitter of all quarrels, so this war threatens to lead to enmity which may last for many years and work untold evil on the nation.' It is the tactics of the suffragists which have caused this dread. They have confronted society with, 'strife as selfish, as brutal, as bitter and as unrestrained as that shown in any class war between men alone.' As a result of this confrontation 'man's opinion of woman has definitely been modified'. His attitude towards her 'as an integral part of society can never be the same again'. Women of the contemporary women's movement have shown themselves to be reverting to a 'primitive condition', closely in accord with savage women.
This primitive condition, Heape argues can be seen in the institutions of savage society, totemism and exogamy, and these, like everything in Heape's schema, can be accounted for by 'biological' modes of explanation; 'Every cultural form can be accounted for by biology.'(57) And, the essential aspect of biology as it is understood here is the irreducibility of the difference between the sexes, whose different biological instincts, 'reducible to their sexuality' can explain everything. Armed with this understanding, Heape can supplement the analysis of social institutions such as advanced by Frazer. Totemism and exogamy, it should be quite apparent are the product of the male and female mind. Totemism is the product of 'the sick fantasies of pregnant women'(58) and represents the suppression of the male role in procreation. Exogamy however has all the characteristics of male supremacy;

the scarcity of women, their capture, the religious sentiment regarding menstruous blood, and the instinctive aversion to sexual intercourse with those who have lived close together from youth; all are based on the idea of male supremacy. (59)

This supremacy is rooted in the idea of the male getting for himself as many and as varied women as possible. Exogamy is conceived of as a structure of power by which men achieve this, an achievement corresponding with the need to disseminate their seed as widely as possible. As a primitive male habit, exogamy with its emphasis on sensual stimulation, 'would certainly itself precede any superstitious, fanciful ideas evolved by the female'.(60) Exogamy therefore preceeds totemism as a form of social organisation, since totemism is simply the product of pregnant women's sick fantasies. But the coexistence of totemism and exogamy point to a compromise having been formed between the sexes. Totemism eagerly seizes on the habit of exogamy to evolve laws which would consolidate the interests of the family, that is, women.
...it cannot be denied that while sexual passions and sexual gratification are of far more moment to the Male, the idea of the family in its turn (is) an essentially female sentiment. The former incalculates and stimulates roving freedom which is the characteristic of the Male, the latter consolidates the family and for the first time establishes the female as an essential part of the social structure. (61)

Whereas sex struggles in the past were fought in the interests of the family and reproduction, the contemporary sex struggles is waged only by a minority and against the family, hence its terrible danger for society. The contemporary women's movement is a war waged by a minority, spinsters, 'the waste products of our female population'.(62) The reason why they are waste products is that they have foregone the only contribution which women make to society, that is their function as reproducers, 'for on no matter wholly divorced from maternity and the rearing of children has the woman ever succeeded in establishing herself permanently as of essential, of irreplaceable, value to society.'(63) Moreover, human beings so completely dominated by their biological functions are geared to those biological functions. Women according to Heape absorb nourishment in a way which is geared towards reproduction. To neglect reproductive functions and to pursue mental stimulation is a fateful path for women to tread. It can only result in degeneracy and the pathological condition so typical of the suffragettes,

degeneration in its turn is associated with disuse; the risks run by elderly spinsters who consistently indulge in violent and unrestrained excitement is a real one. Here is another example of the influence exerted by the generative system on the other organs of the body, of the law which compels due observance of the demands made by that system in order to acquire balance and maintain stability, and of the pathological condition which results from disregard of that law. (64)

It is an attribute of just how pervasive these ideas were that a book like this was not just laughed aside. Instead it was actually given serious consideration by some influential conservative ethnologists. Sir James Frazer even acknowledges Heape as having suggested the relation between totemism and women's 'sick fantasies'.(65)
In much less extreme texts than Sex Antagonism the supposition of women as an interest group is constantly reappearing. We have already seen how this is partly accounted for by biological explanations, the function of the sexes in the act of reproduction. But the supposition of interest groups was no less prevalent where interests are theorised as the effect of work, in particular the division of labour. Within this context, endless texts mentioned the different roles which the sexes played in the various modes of production, and the effect of this on the relative position of the sexes.

This separation of the sexes within the limits of the tribe, necessary in the interests of morality, was upheld and promoted by a differentiation of pursuits and by property. (66)

If the possibility of matriarchy had disappeared, the debate on the relative positions of the sexes gained new impetus mainly under the pressure of the theorisation of the division of labour. Where some argued like Marx and Lafargue, that 'property in its origin was confined to a single sex,' others suggested that women had invented agriculture while the men spent their days in animal-like warfare and hunting. Women's predominance in these areas might then explain their apparently high status in other societies. Endless books were written on the situation of women in primitive societies a concern which preceded the particular configuration of kinship studies which I am now discussing. What was at stake now was the need to establish a certain homology between the technical mode of production, forms of property and the position of women. The disagreements on the subject were violent and irreconcilable:

Diametrically opposite views are current among the educated laity regarding women's place in primitive society. On the one hand, she is conceived as little better than a slave or beast of burden, condemned to perform the hardest drudgery, bought as a commodity, and without redress against her master's brutalities. But those who read of tribes reckoning descent through the mother and have imbibed the shop worn anthropological doctrines of half a century ago are likely to view primitive women as undisputed mistress of the family if not communal life as well. (67)
At one extreme there was Herbert Spencer's assessment of 'the abject condition of women' among the savages who exhibit an 'entire absence of the higher sentiment that accompanies the relations between the sexes'\(^{(68)}\). But even liberals like Hobhouse, Wheeler and Ginsberg\(^{(69)}\) who made no such ethnocentric judgement about the morality of 'savages' saw no problem with taking 'the status of women' debate as a starting point for a statistical assessment of the correspondence between technical modes of production and social institutions. These writers refuse to deduce any necessary history or development from the existence of a particular institution. Different institutions of marriage may exist, but their causality is hidden. What is proposed is a cautious process of deducing the history of civilisation by a statistical method. This will establish patterns of correspondence between material institutions and social practices, for example between hunting or agricultural societies and the morals, law, religion and the position of women. To this end a table is proposed whereby various practices are attributed certain scores. For marriage by capture for example, there is a negative score of -1!

In a rare instance, we are confronted with a book, *The Dominant Sex* by Mathias and Mathilde Vaerting, which starts from the assumption of the absolute division between the sexes but begins to deconstruct the terrain on which the debate is constructed. History they argue is indeed the product of the struggle between the sexes. The course of history has been traced by the swinging of a pendulum between 'men's state dominance' and 'women's state dominance'. But the characteristic of these states is that not only will the dominant sex rigorously oppress its opposite but it also attempts to obliterate any evidence of the other sex's former dominance. Such is the motive behind the ethnologists' systematic suppression of the data of mother-right societies, a suppression of the accounts of matters which fail to harmonise with current views concerning sex discrimination.\(^{(70)}\)
Even a progressive like Morgan was impelled by a systematic blindness, characteristic of the spirit of his own age. This led to his defense of a uniform evolutionary pattern of society advancing towards monogamy and paternal dominance. For the Vaertings, this is an impossible combination of features. If a society is under paternal dominance, it can never have genuine monogamy but only 'duplex morality' or double standards. A genuinely monogamous society could only be premised on equality between the sexes.

The Dominant Sex starts from the political problem of how this genuine equality can be achieved. One of the first steps towards this is seen as the exposure of the ways in which male bias influences ways of thinking about masculinity and femininity especially in anthropological literature:

The psychical trends that appear both in men and in women when one sex dominates the other, are universally human and not specifically masculine or feminine. (71)

Writers who assume the 'giveness' of the interests of sexed groups have been mislead by the ideology of men's State Dominance. For under male dominance, women are forced by the division of labour into a subordinate and inferior position:

We regard it as incontestable that the first division of labour was that between a dominant sex and a subordinate sex. Herein is perhaps to be found the origin of all division of labour... The division of labour between the sexes originates in this way that the dominant sex tries to stabilise its power and to secure greater freedom for itself by providing food for the subordinate sex. (72)

Thus so-called sexual characteristics have nothing to do with innateness. Either sex can acquire the characteristics of the weaker sex, including physique. Fattyness for example will always be a sign of the oppressed sex, as it is a characteristic associated with domestic labour;

The cause of this difference between the sexes in the matter of bodily form when monosexual dominance prevails is unquestionably to be found in the sexual division of labour. The tendency to fatty deposits always affects the subordinate sex. (73)
What is more, sexual domination takes certain forms. It involves for example, taking the subordinate sex as predominantly sexual beings. In this respect the Vaertings, themselves marxists, criticise the marxist tradition which too readily assumes a natural sexual division of labour instituted by the function of reproduction. It is quite wrong to assume that the first division of labour was between man and women for the procreation of children. There is nothing innate to the positions of subordination and domination and the physical and mental characteristics which accompany these states.

The Dominant Sex, is formulated on precisely the same terrain as Sex Antagonism but asking questions of the material which begin to deconstruct the terrain itself. It argues that the struggle between the sexes has characterised human history, yet it also argues that there is nothing necessary about those sexual characteristics or the interests of the sexes. There are simply the interests of the dominant group. Yet the latter half of the proposition leaves no room for the former; if the sexes as such do not exist then how can they constitute themselves as a dominant sex? The book is strange and contradictory because it fails to see its own impossible position. It is also hugely revealing. It shows clearly the way in which the theorisation of the relation between the sexes that entered accounts of social institutions; it attempts to expose the problems of these accounts, but in accepting the original premise of a historic conflict, it remains unable to dismember the naturalness of 'the sexes'.
Conclusion

This chapter has begun to argue that distinctive theories of sexual reproduction were dominant in these debates on the family. Partly this was an effect of ideas from natural history. However it was partly determined by other notions of sexual division and social determination already prevalent within the social sciences. The study of sexual regulation increasingly looked like the study of the regulation of sexual reproduction by social exigencies. As a result the old problem of philosophy, that of nature versus culture begins to be thought in a distinctive way.

Sexual relations were taken to be based on sexual instincts shared with the animals. Animals mated and produced offspring. Yet institutions of marriage appeared to reveal fundamental differences. Everywhere there was evidence of order, regulation, the mobilisation of sexual relations for specific social functions - adaptation to the environment, formation of political alliances, consolidation of property or whatever. It is in this context that the fascination with 'classificatory' relations of kinship must be understood. Decidedly human, requiring instinctual renunciation, the object on which they function is mating, an instinct shared with the animals. Marriage relations begin to be theorised as the critical moment between nature and culture;

Society is founded not on the union of the sexes but on what is a widely different thing, its prohibition, its limitation. The herd says to primitive man not 'thou shalt marry', but, save under the strictest limitations for the common good, 'thou shalt not marry.' (74)

That marriage relations should be situated as the moment between nature and culture left their status ambiguous, and therefore their theorisation open to contesting definitions. On the one hand the apparent coincidence of mating and marriage seemed to excuse the use of explanations
from the natural sciences. If mating followed certain exigencies within the animal kingdom; perhaps mankind's complex laws were simply a human variation of this. On the other hand, as distinctly human attributes involving prohibitions and systems quite unlike anything found among the animals, they seemed to invite explanation in purely social terms. What specifically human function did they fulfill - the formation of political alliances, the consolidation of property arrangements, the governance and stability of certain groups? If explanations purely in zoological or biological terms missed what was specifically human, explanations in purely social terms ironically affirmed a space of 'naturalness'. This was the instinctual attraction of the opposite sexes for the purpose of procreation - on which society operates its more 'complex' relations. Increasingly culturalist explanations affirm a space for the theorisation of the 'instinctual'; increasingly biological arguments leave a space for the theorisation of culture. Each potentially can be compromised by the modes of explanation offered by the other.

What these developments bear witness to is, in fact, an affirmation of human sexual relations as distinctively cultural, perhaps the specifically human cultural relation. Simultaneously however this distinctiveness is theorised in such a way that its distinctiveness is assumed rather than explored. The sexual instinct is relatively unproblematic for these studies of marriage; it is an instinct mobilised by society for social reasons. Hence the explanation of marriage relations is increasingly in terms of their function for other social relations, those relations which have assumed the significant place in the account of social development - technology, the economy, property relations.

In the account of the theories of sex in sexual regulations, it is clear that sex has very distinctive meanings. It means a rigid notion
of sexual division and a rigid notion of the instinct of reproduction. Even though such ideas may have been contested within biology itself and within emergent psychology they passed unquestioned into studies of familial relations. This fact shows clearly how the implicit agreement to treat marriage relations, initiating family and kinship, as cultural relations, resulted in a systematic blindness to the implications of studies of sexuality from other areas.
CHAPTER FOUR

THE IMPASSE ON KINSHIP
Introduction

In the previous three chapters, it has been shown how debates about the family and kinship were the bearers of a multitude of preoccupations about social relations. To the forefront was a search for unilinear accounts of human history in its entirety which was partially influenced by evolutionary theory. It meant that the study of kinship was weighed down with a number of other theoretical considerations, about, for example, the forms taken by political alliances or the debate about essential differences between human and animal organisation. The work was cut out for the critics of evolutionary theory to deconstruct the tangle of assumptions and hypotheses which had come to surround the study of kinship and the family.

Some anthropologists like to present the emergence of criticisms of unilinear accounts of human history as the voice of reason emerging from the mists of 'speculative error'. But criticisms of evolutionary hypotheses gain momentum neither as an outright rejection of the terms of the evolutionary debates, nor as discourses which bore no relation to them. Rather, the criticisms were formed in the very space where evolutionary theory began to deconstruct itself.

It might perhaps be asked why those arguments which have so far been traced, necessarily began to deconstruct themselves. The reasons are implicit in the previous chapters and can be summarised in the following way. Comparative data assumed an increasing importance; from the moment of the disruption of the patriarchal theory, studies of the family turned around a wealth of comparative data on forms of marriage and sexual relationships. Both from the perspective of constructing a unilineal history and from the perspective of assessing the social function of kinship relations, the emphasis is on the differences between forms of organising what is assumed to be essentially the same institution, that is the institution of sexual reproduction. Are there only differences or is there some identity between the multiplicity of rules discovered? For the evolutionists the
aim was to find this identity in a unilinear history or function of the institution of sexual reproduction. Yet at the same time, dominant explanations of determination made it difficult to specify what this assumed central institution was. For as we have seen, there was an insistence that sexual regulation was specifically cultural, perhaps the element on which culture was based, yet this regulation was increasingly to be explained by reference to other social practices. Sexual regulation, though claimed as a distinct cultural practice was theorised as fulfilling a function for other social relations.

The double requirement of the distinctness of human society, distinctive through its regulation of sexuality, and a simultaneous emphasis on comparative data, placed evolutionary theory under strain. A speculative philosophy concerned with the distinctiveness of mankind in opposition to the animals, but increasingly founding itself on minutely detailed empirical knowledge found it difficult to maintain itself. Its reliance on 'empirical' data opened all its postulates to contradiction. For every example of one practice, its exact opposite could be found. It became a philosophy which argued for the distinctiveness of human culture but always sought to explain 'culture' by other aspects of the social. Certain elements of social formation had assumed the position of determinants, for example technical developments, the distribution of labour, property relations; other aspects such as rituals, symbols, language, now sexual regulation, were to be explained by reference to these other determinants.

As the ensuing chapter will show, some aspects of the discipline which we know as anthropology emerged in the space of this internal deconstruction. Some theorists found a temporary solution to this double requirement of empiricism and the distinctiveness of human culture in the idea of each society as an expressive totality. The amalgam of all social practices express through their function the equilibrium of any given society. Paradoxically the refusal of general accounts of the specific functioning
of the cultural level laid anthropology open to explanations from other
discourses. The notion of expressive totality lays itself open to
precisely the question of the determination of that expressive totality a
question answered by appeal to those other refused disciplines, biology,
demography, marxism and psychology.

The following chapter will concentrate on one moment in the rejection
of evolutionary theories. It is not an attempt to give an exhaustive
account of the formation of modern anthropology but is a partial account
of the solutions found by some writers to these problems. The reasons why
this focus has been adopted is because the solutions do represent some
general problems and common solutions in the social sciences. Primarily
they exemplify the following things; they show how impossible are the
evolutionary arguments about the family and sexual organisation of society,
criticisms which remain pertinent for contemporary theoretical developments.
However these arguments simultaneously demonstrate how many of the earlier
assumptions about sexual relations were retained, in particular the hierarchy
of determinations which mean that there was a failure to deal with the
operations of sexual organisation. Finally they demonstrate the
systematisation of a theoretical division between individual and society,
in which sex is synonymous with the family and individual. It is around
this division that some of the more sterile divisions between discourses
has come to be orchestrated and which is a major stumbling block in
contemporary attempts to theorise sexual relations. The solutions adopted
within these arguments show how many of the questions now pursued by
feminism dropped out of theoretical investigation.

The false problems from anthropological tradition

In 1930, writing in Man, Malinowski turned his attention to what he called
'the impasse on kinship'. (1) The article marked the culmination of a
growing critique of the general speculation which had so far dominated
the discussion of kinship. This criticism had been accompanied by the
emergence of anthropology as a distinctive discipline and the widespread
acceptance of empirical fieldwork as the dominant means by which 'primitive'
societies were to be discussed.

Malinowski declared that 'kinship is the most difficult subject of
social anthropology'. Its study however had now reached an impasse
because, 'it has been approached in a fundamentally wrong way'. The
way out of this impasse however seemed to be in sight for Malinowski. It
lay in a tendency, slowly emerging on both sides of the Atlantic. In
England it was represented by writers like Radcliffe-Brown and Brenda
Seligmann; in America by writers like Kroeber and Lowie. Malinowski
heralds the way forward envisioned by these writers because of their 'full
recognition of the importance of the family, and by the application of what
is now called the functional method of anthropology - a method which consists
above all in the analysis of primitive institutions as they work at present
rather than in the reconstruction of a hypothetical past.'

For Malinowski, the impasse in studies of kinship is self-evident: it
'is really due to the inheritance of false problems from anthropological
tradition.' There are two principal debates which encapsulate the
false problems: on the one hand, there is the sterile debate as to whether
kinship had 'collective' or 'individual' origins, that is, whether kinship
is based on the clan or the family. On the other hand there are the
false problems generated by 'the obsession' with classificatory systems
of kinship. Both these debates raise false problems because they fail to
grasp the full complexity of the social group, and the way in which statuses
and relationships are distributed within a given group.

As far as Malinowski is concerned both these problems have arisen
because of a dominant preoccupation with providing a monocausal account of
the history, and therefore the origin, of kinship. In opposition to this,
he claimed that nothing can be grasped about the nature of kinship without approaching it from the standpoint of the present. What do these kinship systems do now? The inadequacy of the earlier approach is demonstrated by the study of kinship terminology where these terms were frequently taken as 'survivals' of past forms, an effect of looking only at the history of kinship relations. Instead, the anthropologist should consider what kinship means to the natives now and through this understand how it functions in any given society. Only then can a picture be built of the relations between the family, the clan and the tribe, not as isolated, but as interrelated institutions. Malinowski's proposals for understanding these relations was rather particular and will be considered later in this chapter.

Before moving on to the specific solutions to this impasse on kinship however it is useful to consider what were the elements in this mounting critique of previous studies of kinship.

Briefly, these elements can be summarised in the following way. There was a deconstruction of simple unilinear evolutionist accounts of human history. It produced a growing scepticism over the possibility of any single 'history' of the family or any single explanation of what determines familial forms. The deconstruction was fuelled partly by the contestation over the applicability of evolutionary theory to human societies, and in particular by a political reconsideration of notions of primitivity. It was also fuelled by a consolidation of field-work which was carried out under the dominance of an ethic of comparative studies and which was accompanied by an increasing insistence on the truthfulness of empirical data. Finally, the deconstruction of unilinear histories of an institution like the family was partly an effect of the retreat from general accounts of 'cultural' forms.

It has already been indicated how kinship increasingly came to be taken as a system of cultural relationships whose function could be explained by other aspects of the social structure or by history. Accounts of kinship
increasingly came to require accounts of other elements of the social rather than general accounts of the functioning of cultural structures. Anti-evolutionism rejected monocausal determination, and this approach to culture in fact coincided with an insistence on cultural specificity and difference.

Contesting Causalities: the critique of evolutionary theories

The critique of evolutionist and general theories of the history of kinship had several aspects. It was spearheaded by a growing distrust for theories of a 'unique form of cultural beginnings' (7) and an emphasis on cultural differences and complexities. The criticism of the use made of evolutionist doctrines for accounts of social institutions was partly fuelled by a general critique of such appropriations across political philosophy and the social sciences. *Darwinism and Politics* by Ritchie was typical of the mounting discontent with the appropriation of some aspects of Darwinian theory for a defense of political conservatism. (8) The prime objects of attack were Herbert Spencer and Henry Maine, whose book *Popular Government* (9) absorbed a version of 'the survival of the fittest' for a defence of unregulated economic competition and restriction of the franchise. The uneven and contradictory nature of social development could be stressed in opposition to Maine's appropriation which argued for progress through competition and lack of regulation. In order to do this, Ritchie takes the example of the status of women. Far from indicating unequivocal progress, Ritchie interprets elements of the social position of some women as indications of 'deteriorating' social conditions. For him, working on ideological assumptions about women, the fact that women are drawn into the labour market and bear the double burden of home and industrial work, is evidence of the deterioration of their social condition. This, he takes to be confirmed by the attention given by even the most conservative writers to the so-called 'woman question', the pressing 'problem' of female labour and its dire consequences for the family and traditional morality.
The main reservation about simple transpositions of evolutionary accounts to human society was their failure to consider the nature of the social: the complex of culture, art and language by which a society transmits its history and traditions to the ensuing generations. To suggest that one generation simply transmits physiological and biological characteristics is clearly problematic when it comes to the transmission of specifically cultural rules and traditions. For Ritchie it is precisely the capacity of 'social inheritance' which gives mankind its great advantage over the animals.

If the neglect of these aspects was problematic within political and social theory, it was even more so for anthropological studies of 'primitive' societies. If nothing else the emphasis on complicated systems of kinship arrangement undermined the possibility that any extant cultures were really 'primitive'. The drift of the work which I have already discussed was towards a rather nebulous notion of culture as a structure made up of complex, interacting and mutually dependent parts, a direction anticipated by Tylor's designation of culture as 'that complex whole which includes knowledge, belief, art, morals, law, custom and any other capabilities and habits acquired by man as a member of society.'

Representational practices and sexual regulation had become the two great pillars of that totality designated culture; crucial, but always theorised by reference to other social practices. But however undertheorised, all writers stressed this distinct realm, a distinction which rendered problematic accounts drawn from the animal kingdom. Notions of hereditary and transmission drawn from evolutionary accounts had no room for a notion of transmission adequate to this conception of culture. Simplistic appropriations of evolutionary theory could therefore be dismissed as pseudo-scientific dogma:

If every people of the globe had a culture history wholly different from that of every other, the historian's task would still be to record these singularities and make the best of them; and in contributing his share to the
sum total of knowledge he would suffer no loss to his scientific dignity from the unmalleability of his material. Without therefore at the outset renouncing the search for laws of social evolution we will emphatically declare our independence of that pseudo-scientific dogmatism which insists on formulating all phenomena after the fashion that has proved serviceable in a diminutive corner of the field of human knowledge. Uninfluenced by any bias for or against historical regularities, we shall attempt to determine what are the facts and what has been their actual sequence. (11)

Even amongst these peoples thought to be the most 'primitive', such as the Australian aborigines, a complex system of marriage regulations seemed to emphasise the insurmountable difference between mankind and the animals, whereby 'intellectuality' rendered mankind subject to tradition and culture. Any theory then which assumed that the primitive past of mankind was self-evident from contemporary 'primitives' was clearly blind to the evidence. Such an assumption must be attributed to the contemporary intellectual prejudices.

One major effect in the critique of unilinear histories of the family, and the concomitant emphasis on the radical differences between cultures was a widespread agreement that existing notions of causality would have to be revised. There was even the menace that the emphasis on the absolute complexity of all cultures, however primitive they might appear, had undermined the possibility of ever producing a general theory of causality:

It is natural to suppose that like phenomena must have like causes and accordingly it would become the ethnologist's duty to determine these: a priori they might be supposed to lie in racial affinities, or the similarity of geographical environment, or some other fundamental condition shared by the cultures compared. Practically however... it is not so easy to isolate such determinants amidst the tremendous complexities of cultural data and to demonstrate they are the significant factors. Indeed some ethnologists have abandoned all hope of ever unravelling them. (12)

In the debates which the previous chapters outlined, it was thought in general that like phenomena did have like causes and that it was the duty of ethnology and social sciences to ascertain this unilinear cause. The expansion of fieldwork and the insistence on cultural differences consolidated a shift
in notions of causality in studies in kinship. There was no longer an unqualified affirmative to the question: do all like phenomena have the same determinants?

Franz Boas, so influential in the development of American anthropology spearheaded the attack on monocausal explanations of kinship insisting that different kinship organisations should be treated as the result of different circumstances:

To us the assumption of a unique form of cultural beginnings does not seem plausible. Setting aside the question of what form of social life may have existed at the time when our ancestors first developed speech and the use of tools, we find everywhere phenomena that point to very early differentiations from which even the simplest cultural forms have developed. Language and art are perhaps the best proof of this contention. Even if we should accept... the unity of the origin of human speech or... the conscious invention of language for the purpose of communication, we must concede that in the early development of language fundamental categories of grammar and lexicography have arisen that cannot be reduced to common principles, excepting those general forms that are determined logically or by the fact of language as a general means of communication. (13)

Not only did Boas insist on treating cultures in their differences, but he was equally unwilling to ascribe to like phenomena like causes:

It is of very rare occurrence that the existence of like causes for similar inventions can be proved, as the elements affecting the human mind are so complicated; and their influence is so utterly unknown, that an attempt to find like causes must fail, or be a vague hypothesis. (14)

At issue here is a questioning of causality: for some the effect was a general crisis as to the possibility of monocausal explanations; for others it involved a reconsideration of the various contesting explanations, which had long existed. (15) Lowie at the beginning of Primitive Society notes 'a problem of causal relations' (16) suggesting that although the problem of history can never escape the student of cultural forms, the kinds of explanation sought for the appearance of similar forms in diverse cultures must be subject to contestation. The interpretation of 'cultural
resemblances...between people of diverse stock' he argues commonly narrows to a choice between two alternatives:

Either they are due to like causes, whether these can be determined or not; or they are the result of borrowing. A predilection for one or the other explanation has lain at the bottom of much ethnological discussion in the past; and at present influential schools both in England and in continental Europe clamorously insist that all cultural parallels are due to diffusion from a single centre. (17)

Lowie points here to the increasing strength of diffusionist explanations. The diffusionist response was to insist that like phenomena do not bear witness to a unilinear history which is common to all societies. Instead they insist on the influence of borrowing and interaction; one society will adopt the customs and practices of another through a process of diffusion. Boas no more adhered to a simplistic account of diffusion than monocausal histories. But employing the concept of 'selective borrowing' he demonstrated how the Raven cycle in Canadian mythology originated in the Northern part of British Columbia and thence travelled southwards. The farther one proceeds from the point of origin, so the arguments run, the smaller is the elaboration of the cycle until it finally tails away. This particular combination of legendary adventures would hardly be confined to a narrow coastal strip if it was the product of a universal law of myth-making; nor would there be a progressive diminution of complexity if it were not a case of transmission to districts farther and farther away from its source.

Diffusionist theory insists that all cultures do not have the same origin and history. Different races and different cultures may have entirely different histories and only develop the same custom through mutual contact. The strength of such a theory, as Lowie remarks, lies in the 'abundance of evidence for it'. (18) There is an irony in the diffusionist account, stressing as it does racial and cultural differences, where unity and similarity is given only by contingency. It nevertheless presupposes a basic psychological unity to the human species. This unity is constructed
in the assumption that human beings do in fact make the same responses confronted with the same practices. The unity which is presupposed is not that of the necessary unfolding of given human characteristics and behaviours as presupposed in evolutionary accounts, but is the assumption of psychological unity. The significance of the diffusionist account is not its novelty nor its widespread acceptance because, at the beginning of the twentieth century, it was neither new nor widely accepted. The fact that Lowie argues against diffusionist doctrines at the opening of *Primitive Society* marks not so much their dominance as the extent to which unilinear histories have disappeared. He suggests that there is still perhaps a place for a theory of independent development whose general outline might be traced: there is no reason for excluding the possibility of independent development in the study of social organisation. (19)

Briefly, then, the critique of unilinear histories can be seen to have several aspects, by no means reducible to anthropology's fantasy of itself as scientificity triumphing over the intellectual prejudices of a past era. There were the problems of the applicability of evolutionary doctrines to 'cultural forms'; there was the emphasis on complexity, and difference, backed up by extensive and detailed fieldwork; and there was the theoretical concomitant of this, the challenge to the causality presupposed by evolutionary doctrines, that is the causality of a necessary teleology by which all human beings unfold the same characteristics and forms of social behaviour. This challenge to the causality ultimately presupposed by a unilinear history of culture was also characterised by a general suspension of any hypothesis of ultimate determination. This suspension of theories of ultimate determination and concentration on difference and complexity in fact concealed a nebulous but widespread adherence to the hierarchy by which some practices are thought to determine others. Nevertheless, the suspension of explicit theories of ultimate determination, left the way open for anthropological studies to be constantly 'claimed' by those theories which
held more rigorous notions of determination: marxism, psychology and biology.

If a simplistic characterisation of the critique of unilinear histories of kinship as the effect of contemporary intellectual prejudices is rejected, the terms in which the attack was carried out on the 'speculative errors' generated by the assumption of a unified history of the development of human society must be examined closely. There were three principal areas in which this clearing of the ground took place: the debate over the position of women; the question of property; and the study of kinship.

The status of women

Chapter three indicated how debates over the status of women in society formed a central part of hypotheses of the evolution of society. Even if commentators disagreed as to what constituted the 'highest' position of women, for a long time aspects concerning women's role and behaviour in society had been thought to be indicative of aspects of that society in general. There were a number of preconceptions to be cleared away by the serious student of 'primitive societies'. These preconceptions had passed into popular versions of primitive society. On the one hand, conservative philosophers took the position of women in early society to be little better than a slave or beast of burden, condemned to hard labour, bought as a commodity with no redress against her husband's brutality. Only Western civilisation had managed to elevate women to their proper place, outside production and politics. For socialists, evidence of matrilineal societies tended to be interpreted as evidence that primitive women were undisputed mistresses both of the family and society in general. The dominance of maternal principles was taken as synonymous with communism. Both conceptions, 'fall ludicrously wide of the mark', for as Lowie and the critics of evolutionary speculation point out, 'there is so much variability in the relations of woman to society that any general statement must be
taken with caution'. (20) The notes of caution to be sounded are various but amount to a serious challenge to the assumption of any necessary connection between the mode of production of any given society and the status of women.

The first note of caution related to the whole problem of how to talk about status, since status is ascribed in any given society in a number of different ways: 'the treatment of woman is one thing, her legal status another, her opportunities for public activity still another, while the character and extent of her labours belong again to a distinct category.' (21) Only confusion can result from mixing what might be empirical coincidence between these theoretically distinct realms. Commentators on the status of women should be warned against taking any of these levels singly as sufficient evidence of the status of women in any given society.

Lowie insists on the theoretical separability of these aspects of the position of women, although his grounds for doing so are no less androcentric than some of his predecessors in so far as he poses the problem as one of how men 'treat' women:

The harem beauty is not compelled to perform the drudgery of a menial, yet her position is not consistent with our ideals of human dignity, and the same applies in only slightly lesser degree to the European lady of quality in the age of chivalry. In a very different environment the Toda women, while well-treated, rank as inferior and are excluded from the ritualistic observances that occupy the foremost place in Toda culture... On the other hand, the Andaman Island woman is virtually on a plane of equality with her husband, though a somewhat larger share of the work may fall upon her shoulders. (22)

Other notes of caution are those which this thesis has already traced, for example the false assumption that descent reckoned through the mother implies a higher social status for women. Moreover matrilocal residence, which had increasingly come to the fore as an explanation for matrilineal descent, no more implies a female political power than does matrilineal descent itself: 'the immediate result of matrilocal residence is not
feminine superiority but only the superiority of the wife's kin.'(23)

Perhaps most significantly however, the reassessment of the assumptions of unilinear histories challenges the schema by which women's status is attributed to economic factors. Lowie notes the 'exaggerated part' which economic factors have come to play in interpretations of the position of women in primitive societies. There appear to be fundamental problems however with any simple equation of the status of women with the technical mode of production, for example: 'the Amur River fishermen, the Chinese agriculturalists, the Turkic horsemen and cattle-breeders, and the Ostyak reindeer nomads, all share essentially the same conception of the female sex.'(24) For Lowie, Hobhouse's correlations seem to be supported by reasonable empirical evidence. Hobhouse had asserted that 'the percentage of cases in which woman occupies a low rung in the social scale is 73 among cultivators of the soil, but rises to 87.5 among pastoral tribes.'(25) This 'fact' is explained as a facet of the masculine control of the domestication of animals, an 'observation' which Lowie seeks to extend to agriculture societies, since, he asserts, 'plough-culture' is also linked with 'masculine effort'.(26) Hobhouse constructed his model of the status of women on an extraordinarily ethnocentric statistical method(27) so that this so-called evidence is at best treated with caution. Lowie agrees there is some evidence of correlation, but he is also aware of the real problems with such assertions, even if he does not extend his critique as far as to how certain practices are classified as expressing the low status of women.

Lowie's reservations are twofold. On the one hand, there is the likelihood that certain practices are diffused and retained through conservatism rather than necessarily corresponding to the technical mode of production. Moreover, there are too many examples which contradict the correlation: among the Hottentot pastoral life goes amicably hand in hand with sexual equality, while among the neighbouring Bantu where the women till
the soil they occupy a lower position. These facts are 'certainly
favourable neither to the doctrine that economic activity automatically
raises women's status, nor to the theory that pastoral life as such
prejudices her status'. (28) A consideration of economic data fails to
establish a particularly close correlation between them and women's position:

In horticultural communities of Melanesia and South
America where women hoe the plots their prestige
is less than in such hunting tribes as the Vedda
or Andaman islanders. Pastoral life has not
degraded the Hottentot woman. Everywhere the
influence of intertribal cultural relations is
shown to have been enormous. (29)

Lowie concludes that no real conclusion can be drawn as to the correspondence
between the status of women and the mode of production - too many variations
occur which seem to have their roots in 'customary law', religion and forms
of the division of labour. Concluding, still in ideological terms, he
confidently asserts that so-called primitive societies do not consistently
treat their women badly.

**Primitive Property**

If evolutionary speculation had produced untenable hypotheses as to what
the social position of women might tell about the state of social organisation,
it had produced no less unsubstantiated hypotheses on the role of property in
primitive society. It was the duty of the anthropologist to demystify some
of these crude assumptions:

Those who set out with the evolutionary dogma
that every social condition now found in civilisation
must have developed from some condition far removed
from it through a series of transitional stages, will
consistently embrace the hypothesis that the property
sense so highly developed with us was wholly or
largely wanting in primitive society, that it must
have evolved from its direct antithesis, communism in
goods of every kind. This assumption is demonstrably
false. (30)

As with the position of women in primitive society, detailed studies of
primitive society which abandoned the preconceptions of unilinear histories,
demonstrate the nonsense of assuming any necessary correlation between technical modes of production and forms of property.

Lowie isolates several aspects which point to the need to reconceptualise property relations and primitive society. First of all, he argues, both communally held property and individual rights over certain goods etc., can be found coexisting in societies like that of the American Indians. The existence of forms of communal ownership cannot be thought to imply either communism or to indicate any uniformity of social organisation, for example the clan or 'sib' presumed by Morgan:

A review of the systems of land tenure...establishes beyond doubt the reality that primitive joint ownership which so strongly impressed Sir Henry Maine. But it is by no means a fact that the co-proprietors always constitute a social unit of the same type. Communal ownership, apart from the general tribal area, we have encountered only in that highly special case where a father-sib is localised and becomes coextensive with the commune. Far more frequently proprietary privileges are shared by corporations of another type, groups of blood kindred. (31)

Lowie goes on to point out that these groupings apparently of collective ownership in fact are themselves structured around rights of access and inheritance. These are often sex-specific and the exclusion of certain groups from access and control of property according to ideological functions serves as a warning against any simplistic designation of communal property.

This warning is substantiated by the fact that there are also different kinds of property, not all entailing the same rights and statuses. There are differences between movable and immovable property; the differences between these and chattels, human and otherwise; there are forms of incorporeal property, such as copyright and control of sacred or religious paraphernalia; and there are often differences between hereditary and acquired property. All these forms, Lowie argues, can be held differently even within the same society. Land tenure, for example, might be between a fraternal clan, but movable goods might descend through one particular descent group; an individual might be entitled to goods she/he has
acquired. Only one sex might inherit one form of goods, or within collectively held land, there might be definite forms of individual possession, given by customary rights or springing from individual acquisition.

Certain assumed correspondences fall away, confronted with the deconstruction of the terms under consideration. Firstly, there is no clear correspondence between technical forms of social organisation, such as hunting, and forms of property-holding. Individual rights and statuses are often determined by customary law which may vary greatly between cultures. Secondly, the role played by any particular group in production does not necessarily determine what their rights will be to hold property. For example, that women take an active role in production does not rule out the possibility that they may appear in marriage law themselves as chattels. Finally, political democracy cannot be confused with economic communism. Morgan was wrong to assume that the political democracy of Indian clan organisation is built on economic communism. The close examination of the Indian tribes reveals that collective and individualistic rights of possession are co-existent, yet the tribe structure is characterised by an advanced political democracy.

None of these clarifications are intended by Lowie to belittle the crucial importance which forms of holding property play in the construction of social organisations:

Notions of property tinge every phase of social life. Marriage is in part consummated by the transfer of commodities and the woman acquired as a mate may herself be regarded as chattel, a conception that reacts on her status in the family. Polygamy was seen to depend on the husband's fortune; and at least among the Wahuma temporary polyandry results from the lack of property for the purchase of the individual spouse. (52)

He argues both that the transmission of property has been a potent factor in the creation of clan organisation and that wealth lies at the basis of the development of ranks and castes. Nevertheless, this critique destroys the possibility of constructing an evolutionary account of forms of holding
property which itself would account for the development of kinship relations. It points to the fact that kin groupings themselves form part of the customary law by which property rights are often decided. This emphasis on the comparative nature of property relations and the emphasis on different forms, particularly within any given society, neglects the question of what relation these forms of property holding have to power and control. It is an account which neglects questions of the process of production, the forms in which it is initiated and controlled and the effect of this on social statuses and rights. It nevertheless points to speculative errors which are the legacy of evolutionary theory.

Kinship

The final major element in the rejection of unilinear histories is the reconsideration of kinship. The end-product of this reconsideration was that kinship studies were hegemonised by a particular mode of explanation. In its initial moment however, the reconsideration represented itself simply as a long-overdue clarification of a state of theoretical confusion.

One of the favourites to disappear first was speculation over which form of descent had universal precedence, mother or father-right. Such speculation is 'now gracing the refuse heaps of anthropological theory'. Every one of the basic points in an argument for the unilinear development of kinship could be dismissed as contrary to ethnological evidence. Not only is monogamy common among the so-called rudest tribes but even in the case where this is not so, then nothing is proved of the necessity for matrilineal descent; 'Biological paternity is one thing, sociological fatherhood-mother.' Briffault's The Mothers, was the swan song of theories which still maintained the evolution from unregulated mating. Malinowski closed the case on it as a work of 'brilliantly speculative erroneousness'.

While there may be some correlation between rules of inheritance and
rules of descent, this is by no means a necessary correlation. In
general it may be true that in a matrilineal society, there will be
matrilineal inheritance (that is to the mother's brother's family) and
in a patrilineal society inheritance will pass from father to sons, but
there are too many exceptions to be ignored:

There are matronymic tribes like the Crow and Hidatsa
where some kinds of property are transmitted matri-
lineally others patrilineally; there are patronymic
tribes like Warrumunga among whom the legacy goes to
the maternal uncles and daughters, husbands of the
deceased, that is to his mother's moiety not his own. (36)

Finally the necessity that patrilineal descent should be established as soon
as property begins to be accumulated is proved to be totally fallacious:

A number of historically known cases show there is no
automatic necessity. For example, the Navaho of
Northern Arizona profited by the introduction of sheep
into the South-West some time in the seventeenth
century so as to develop into a prosperous pastoral
people, yet in spite of their thriving flocks tended
by the men, they have remained obstinately matrilineal. (37)

Nothing other than the arbitrary imposition of an evolutionary schema
of history onto this evidence could produce a necessary relation between
the accumulation of property and father-right societies. This schema would
be able to account for these societies as being in a state of transition
but it would be imposing a schema which did not start from the facts:
As Kroeber pointed out, starting from the facts 'would insist on first
depicting things as they are and then inferring generalisations secondarily
if at all, instead of plunging at once into a search for principles.' (38)

**Kinship - heterogeneous elements**

The rethinking of kinship, and in particular the rethinking of work on
the classificatory systems of kinship took place in the context of an
emphasis on 'kinship' as a series of heterogeneous relationships with
distinct social functions. Kinship was broken down into a series of
discrete functions, a move spearheaded by the attack on the idea that
classificatory systems of kinship have procreative referents:
It is only recently that it has come to be realised that the presence among social institutions of a people of this system of relationship termed, not too happily classificatory, does not imply the existence of classes of relatives with identity of kinship functions corresponding to identity of terminology. Analysis of the duties and obligations of a man to these various relatives who he addresses by the same term has revealed a distinct gradation, as it were, those in respect of near relatives being the most onerous and important, but lessening, shading off in intensity as the relationship bond becomes weaker. (39)

Attention to the social functions of kinship led to a dismissal of the 'monstrous' mistakes which characterised Morgan's interpretation of the classificatory system as the petrified remains of a previous social organisation:

It is almost ludicrous with what naivete Morgan assumes throughout his writings that the terminologies of kinship invariably lag one whole "stage of development" - neither more nor less - behind the sociological status in which they are found; and yet that they mirror the past sociological status perfectly. The mere logical circularity of the argument is appalling. (40)

Lowie is yet more dismissive of the blind alley along which the theories of the classificatory system have led anthropologists. Evidence of common terms, 'does not teach us that the mother's brother is called father but that both mother's brother and father are designated by a common term not strictly corresponding to any in our language.' (41) For Lowie, as for other critics of the evolutionary hypothesis, the explanations are simple. In the Hawaiian system, studied by Morgan, kinship terminology, 'represents the stratification of blood kindred by generations.' (42) This conclusion can be applied generally, a conclusion given by concentrating on the immediate function of kinship: 'There is no reason for assuming that the natives ever meant to imply more than a social status when applying kinship terms.' (43)

This separation of kinship terminology and kinship relations from any necessary procreative referent was fundamentally premised on the insistence that any institution or practice which exists now, must have a
place and function within the entire extant social system. Various areas could not be separated out as having distinct and isolated histories, they had to be understood as having an immediate function. Social forms which had previously been treated in isolation - the clan, the procreative family, affiliation and inheritance - had to be approached now as inter-related and having an immediate function. All these elements could sometimes be seen at play in the same society:

The modern or functional anthropologist proposes...to understand what kinship really means to the native; he wishes to grasp how terminologies of kinship are used and what they express; he wishes to see clearly the relations between the family, the clan, and the tribe. But the more he studies all these elements of the problem and their inter-relation, the more clearly he realises that we have to do here not with a number of isolated entities but with parts of an organically connected whole. (44)

The 'organically connected whole' is a social structure made of a number of inter-related entities. Once recognised as this, what had been previously treated as atomised units at various stages of development, could now be seen as units functioning together to create an overall unity: 'while the family exists in many societies alone, the clan never replaces it, but is found as an additional institution.' (45)

It is quite clear that any theorisation will have to deal with this inter-relation of the various modes of reckoning alliance:

Again, though certain tribes use kinship terms in a wider sense they also use them in a narrower sense denoting actual members of the family. Or again, there is no such thing as pure mother-right or father-right, only a legal over-emphasis on one side of kinship accompanied very often by a strong emotional, at times even customary reaction against this over-emphasis. And in all communities whatever the legal system might be both lines are de facto counted and influence the legal, economic and religious and emotional life of the individual. It is nothing short of nonsensical to perform this sort of illegitimate primitive surgery, to cut the organically connected elements asunder, and 'explain' them by placing the fragments on a diagram of imaginary development. (46)

The problem for anthropology then becomes one of finding out how the various institutions are related to one another, and how they function in relation
to any given society as a totality: 'The real problem is to find out how they are related to one another, and how they function, that is, what part they play respectively within the society, what social needs they satisfy and what influence they exert.' (47)

From diachrony to synchrony: complex relations and the elementary family

The shift from considering institutions in isolation to considering them as part of an immediate and functioning structure established a synchronic rather than diachronic approach to the social structure. The shift meant that the quest for a unilineal relationship between procreative family and complex kinship relations would be abandoned once and for all. But as this chapter will argue, the procreative family was in fact reinstated in this move, reinstated with a new importance.

Wild speculation about the history of the family and kinship arrangements was suspended; the aim of anthropology increasingly was to study social institutions and practices as elements interacting in a structure; increasingly, its object was minutely detailed accounts of distinct social units. These developments amount to a rigorous separation of strands which had often been run together. The separation was imminent in some of the earlier debates traced in this thesis; here however it was systematised.

First of all, kinship and descent should be distinguished. Kinship implies a series of statuses and their interrelationship according to a variety of rules and principles; it distinguishes groups of kin from those defined as non-kin. Descent should be taken as the formation of a unit, designated as consanguinary related kin. Not all kin are included in a descent group. Moreover descent and inheritance do not necessarily follow the same lines. Authority, descent and inheritance are by no means confined to the same group. Recognition of a descent group or shared lineage does not imply anything about the state of obligations between an
individual and a social group. Finally the existence of the procreative family does not necessarily tell us anything about the complex of social statuses decreed by other practices, including kinship relations.

Biologically every community must rest on the family - the grouping comprising a married couple and their children. But biological and social necessity need not coincide. It does not follow that the biological family must exist as a unit differentiated from the rest of the society aggregate of which it forms part. The matter is not one for a priori argument but of empirical fact. (48)

In this context, a clarification of certain terms takes place. Relations of affiliation and obligation which in general had been run together, were now conceptually separated. As early as 1912, Malinowski had been insistent that kinship should be recognised as a series of heterogeneous modes of constructing relationships between various individuals. Relations of consanguinity, descent and inheritance should be conceptually separated. He gave this insistence a very particular colouring but it was an insistence characteristic of the critique of evolutionary accounts of kinship.

Consanguinity... is a set of relations involved by the collective ideas under which the facts of procreation are viewed in a given society... It may be said therefore that consanguinity is not always considered as the essence of kinship. If we now wish to determine what are the common features of the different ideas which in different societies define kinship the only answer is that the said ideas affirm in one way or another a very close, intimate tie between offspring and parents. These ideas may refer to physiological facts (consanguinity as found in the major part of human societies); or they may base kinship on the performance of a quite conventional ceremony (Todas, Banks Islanders); or they may affirm a very close tie between parent and child, on the base of some religious or magical belief... (49)

It follows from this that the general idea of kinship cannot be construed in terms of any of these special sets of ideas. In each culture ideas of kinship can be quite different and are socially recognised in a variety of ways.

Beyond parental kinship, there are according to Malinowski, a whole series of other ideas connected with kinship; given by 'the legal, moral
and customary ideas by which a society exercises its normative power in reference to the said relation." (50) These legal, moral and customary ideas can be broken down further into relations of descent and inheritance within kinship:

There is also a series of social rules which regulate the social position of the offspring according to that of its parents. This group of rules might appropriately be called descent in the social sense of this word. In the Australian societies eg the membership of different social groups - as the local group, the totemic clan, the phratry, the class - is determined by the membership of one of the parents of the given individual. And many authors speak of tribes with paternal and maternal descent. It must be born in mind, nevertheless, that in order to use the word descent in a definite sense it is always necessary to add what social group is meant. For it is possible that membership in the local group is determined by the father, membership of the phratry by the mother, and membership of the clan by neither of them. The facts of descent do not seem to play a very important feature of kinship. The facts of inheritance also have not very much influence on kinship. (51)

Leaving aside Malinowski's hierarchy of significant elements, his position is typical in its emphasis on the differential positions by which the individual is bound in relation to others in any given society.

The question became one of how to specify the various practices operating on the individual to define his/her social place. A series of practices, it was argued, would define the position any individual would occupy. There would be allegiances arising from the procreative unit, allegiances arising from descent group, from marriage, indeed a whole series of obligations according to generation, sex and status would have to be acknowledged as important in determining the social relations of any given individual in any given society.

The insistence on the multiple obligations in which an individual is caught was accompanied by a simultaneous challenge to some of the previous assumptions as to the relation between the clan and political society. Lowie in The Origin of the State moves against Morgan's suggestion that kinship based societies and political societies (that is, with state
apparatuses) are radically different. Instead he insists that even in societies where clan affiliation is to the forefront, there are often units of society organised on different bases. There is often evidence of territorial organisation existing simultaneous to clan organisation.

Thus the challenge to the conception of isolated and mutually-exclusive nature of social institutions is replaced by a notion of society made up of complex, inter-acting elements. A segment cut through an extant society would reveal not its successive geological strata, as Tylor had suggested, but a network of dependencies in which all elements are mutually interdependent and vital. No practice, in other words, can be understood except by reference to its relation to the sum total of all other social practices.

Two features are striking in this theoretical development. One is the move towards society as an expressive totality. Societies can only be treated in their specificity yet an account of all practices in their interaction adds up to 'the social', and each aspect of the social expresses something of that society as a totality. The second feature is that in this initial move against unilineal accounts of kinship structure, the procreative family in fact occupied a significant conceptual role, and to some extent gave a specific colouring to the development of structural functionalism.

To some extent, the procreative family was just taken for granted. The reduction of its significance and the reconsideration of the inter-relation between social and political practices provided the conditions by which social institutions could be conceptualised as elements interacting in a structure. It was no longer necessary to pre-suppose a coherent function or history for kinship and procreative family. The biological family had to be taken for granted in order that wild speculation about the history of the family could be suspended. Procreation and parental care exist - this does not exhaust what can be said about the numerous and
complex ways in which social position and identity is constructed.

In the writers under investigation the apparent suspension of speculation on the procreative family did not mean that it disappeared as an object of investigation. These writers are not presented as typifying the anthropological trajectory. However, their treatment of the procreative family and the effect of this treatment on the conceptualisation of sexuality is representative of general tendencies within the social sciences. They demonstrate how the procreative family was assumed through the theoretical division between individual and society. This also reveals how sexuality was ascribed to the side of the individual, an ascription which has affirmed essentialist theories of sex.

The initial situation
The family, writes Brenda Seligmann, never exists in isolation but always appears crossed by other social units, such as the clan or territorial groupings. However that the 'facts' or procreation could be presupposed does not mean that the concept had no further place in the study of social relations. Allegiances and structures found in this 'primitive family' (Seligmann), or 'initial situation' (Malinowski) or 'elementary family' (Radcliffe-Brown) could sometimes be taken as a model for other social relations.

'The initial situation of kinship' writes Malinowski 'is a compound of biological and cultural elements, or rather...it consists of the facts of individual procreation culturally re-interpreted'. While much of the wild speculation on the history of the family could be abandoned, it was accepted that the obligations, emotions and structures found within the procreative unit were theoretically separable from relations formed at a wider social level: 'every human being starts his sociological career within the small family group... and whatever kinship might become later on in life it is always individual kinship at first.' The initial
situation is however always deeply modified by the particular cultural configuration in which it arises. There are only ever the broad outlines of the initial situation; from the outset it is 'deeply modified by such elements as maternal or paternal counting of kinship, matrilocal and patrilocal residence, the relative position of the husband and wife in a community, length of lactation, types of seclusion and taboos.' (54)

For Malinowski the inter-relation between the initial situation, in its broadest outlines, and the wider social relations which inflect it, express the two fundamental functions of kinship in society - the 'individual' and the 'communal' function. The wider or 'communal' functions can either be a consolidation or a distortion of the relationships found in 'individual kinship' (that is, the initial situation). The communal aspect is a function of allegiances within the group as a totality; sometimes it distorts relations of the initial situation with its complex series of relationships and obligations. The particular way in which an individual comes to enter the culture is through the internalisation of the collective representations by which the wider group represents itself - an 'interpretation of facts by the collective mind', (55) a collective psychological interpretation.

This insistence on the mode in which the wider relationships are internalised points to the importance with which the basic family is being invested. In spite of the insistence on cultural differences, it is the initial situation which is taken as the moment through which cultural relations are internalised. Thus the study of the initial situation, far from being trite and insignificant, is seen as a rich field of sociological investigation, and a field on which the anthropologist and the modern psychologist meet in common interest. This position is particularly revealing in the context of this thesis. It shows how one effect of the rigid insistence on a synchronic analysis - the analysis of the mutually interdependent elements and functions of a social structure - was to leave
the way open to psychologistic, sometimes biological explanation of the causality of social structures.

When Malinowski makes the claim that: 'Parenthood is the starting point for most other sociological relationships' (56) he lays the way open to accounts about what constitutes the essential relationship of parenthood, however much he may say this initial situation is already prestructured. In particular it inscribes a division between the individual and the social. The individual is theorised as the 'given', the characteristics of the human, which are theorised as pre-social and essential; this is exactly a dominant division within psychology, which is a mode of explanation favoured by Malinowski.

Brenda Seligmann's widely acclaimed article 'Incest and Descent' (57) pursued the direction suggested by this division into the communal and individual functions of kinship. She uses psychoanalytic terms to account for the way in which incest prohibitions have grown up in the elementary family. She suggests that sexual rivalry and jealousy in the procreative unit is such as to necessitate regulations by which generational authority is preserved. (58) These structures of prohibition and regulation, she argues, are then taken over by the communal aspect of kinship which extends and refines the regulations in the interests of social order and stability. It must be obvious, she writes, that

If there is any general law underlying all marriage prohibitions, it must be founded on human emotions and reactions; it must be biologically sound and have a social value so great as to have become a human institution: that is to say its ubiquity must be due to the fact that it has proved so useful to mankind that those peoples who have not adopted it have fallen out of the struggle for existence and have either ceased to exist or have any importance. (59)

There was a specifically psychological colouring to the writings of Seligmann and Malinowski, which will be of more central concern in the chapter dealing with the relationship between psychoanalysis and anthropology.
There are nevertheless certain ways in which their tolerance for 'psychological' explanations is characteristic of the space left open by the particular form which structural functionalism developed. There is the suggestion for example that the basically 'human' is a substantive realm, made up of emotions, sentiments and behavioural responses which can be accounted for and abstracted from the social relations in which they appear.

There is division between individual and society which was formed critically around the decision between 'initial situation' (that is basic family) and social regulations. In other words a slippage between individual and 'basic family' took place, and 'individual' was increasingly assigned to the realm of psychology. This designation of an individual and initial situation, given in the procreative family, entailed a series of conceptual slippages, around the notion of sexuality. Sexual regulation came to be thought as something internalised in the initial situation - thus the initial situation was constructed as an exchange between the instinctual and the social, constructing sexuality on the side of the individual rather than a social form, with its own history.

In this way, the minimum common features of marriage relations - degrees of prohibited and preferential marriage (incest-taboo and exogamy) come to be thought as the definite area of regulation of the instinctual. Yet the determination of these instinctual regulations is thought to pertain to accounts of the 'instinctual', 'individual', 'human' etc. Within accounts of the structures and functions of social relations, these elementary structures can only be noted - their explanation can be taken care of by other disciplines:

It is not the function of the ethnologist but of the biologist and psychologist to explain why man has so deep-rooted a horror of incest, though personally I accept Hobhouse's view that the sentiment is instinctive. The student of society merely has to reckon with the fact that the dread of incest limits the biologically possible number of unions.
He must further register the different ways in which different communities conceive the incest rule. For while parents and child, brother and sister, are universally barred from mating many tribes favour and all but prescribe marriages between certain more remote kindred. This is to say, while the aversion to marriage within the group of the closest relatives may be instinctive, the extension of the sentiment beyond the restricted circle is conventional, some tribes drawing the line far more rigorously than others. For example the Blackfoot of Montana not only disown the marriage of cousins but look askance at any union within the local band because there is always the suspicion that some close blood relationship may have been overlooked. (60)

Here, the suspension of general accounts of sexual regulation leaves the way open, as Lowie correctly notes, for accounts to be drawn from elsewhere - biology and psychology. Almost imperceptibly 'sexuality' has become the realm of the instinctual and individual outside the social whereas marriage is firmly entrenched in the social - it is a means by which groups make alliances with each other.

Anthropology here suspends consideration of the sexual - either as instinct or historical form. It concerns itself only with the effects of sexual regulation, and leaves a space - the instinctual - which is theorised as qualitatively different but the proper subject of investigation for other disciplines. Thus a theoretical division within social sciences is inscribed in the heart of these tendencies within anthropology, a division between individual - instinctual, emotional, behavioural - and the collective - social, economic, political. The family becomes the domestic institution par excellence, theoretically distinguishable from so-called wider social relations like the clan:

It dominates the early life of the individual; it controls domestic co-operation; it is the stage of the earliest parental cares and education. The clan on the other hand, is never a domestic institution. Bonds of clanship develop much later in life and though they develop out of the primary kinship of the family, this development is submitted to the one-sided distortion of matrilineal or patrilineal legal emphasis, and it functions in an entirely different sphere of interests: legal, economic and above all ceremonial. Once the functional distinction is made between the two modes of grouping, the family and the clan, most of the spurious problems and fictitious explanations dissolve into the speculative mists out of which they were born. (61)
It is partly an effect of the way in which the family is treated that reinforces this hopeless dilemma in the heart of the social sciences, a dilemma which is still difficult to overcome, since accounts of social relations are constantly confronted with substantive accounts of the individual, theorised as if this initial situation could be abstracted from the social relations in which it occurs.

The extent of the problem can perhaps be grasped by just considering the effects in these studies of the social even at this early stage. Radcliffe Brown advances the position that relations in the initial family can be the model for wider social relations:

The principle of social structure with which we are here concerned is therefore one by which the solidarity and unity of the family (elementary and compound) is utilised in order to define a more extended system of kinship. (62)

Seligmann suggests that clan and tribe relations took their specific form from the model of the relations within the primitive family. She gives the example that relations of super and sub-ordination between generations in wider social relations can be attributed to infantile dependency and parental authority.

The circularity of the argument should be apparent. Why should it be assumed that generational divisions entailing domination by the elders is the effect of 'natural' relations of domination between parents and children? The domination of a dependent group is by no means a given of all human relations. Indeed such domination where it occurs could well be argued to arise from other forms of domination in society at large. Yet Seligmann assumes that parental relations can be abstracted from the society in which they occur and then applied to that society as an 'explanation' of relations between social groups. Thus far from leaving a neutral space within an account of the social structure, the effect of such arguments is in the first place to construct an artificial division by the construction of conceptual differences; secondly
to draw on disciplines whose account of the 'initial' situation has been
developed again by abstracting a hypothesised state, outside social
regulations. This example is extreme and may not appear a fair
representation of structural functionalist accounts of social formations.
It nevertheless attempts to outline some of the problems accruing the
conceptual separation of 'initial' family situation and 'wider social
relations'. Even if this separation is made and nothing is said about
this initial situation, the positing of its existence as a conceptually
separate space, constructs a space for 'the instinctual', the given,
the individual response as somehow outside society.

The notion of social structure which is beginning to emerge is
quite distinctive; certain questions were either suspended or thought
to find their explanation elsewhere. A distinctive configuration of
theoretical proposition emerges which cannot be divorced from the way in
which the 'family' came to be thought. To summarise: there is the
insistence on approaching culture as a horizontal segment, in which all
parts are assumed to have a complex but necessary interrelation. There
was a cautious suspension of the necessity to deduce any sequence between
procreative unit and wider social groupings. Yet this suspension was
also an affirmation. It constructed the procreative unit as a conceptually
different space from society, hence other disciplines could be asked for
causal explanations for the relationships found there. Moreover the
procreative unit, or parental family, could be theorised as the means by
which so called wider social relations are internalised. While anthropology
itself need not be asked to comment on the individual of the initial situation,
it could usefully listen to these explanations of instinctual or sentimental
attachments. These in turn could provide the explanation for other social
relations; kinship for example might be seen as an extension of the relations
and functions of the initial situation: 'kinship presents several facets
corresponding to the various phases or stages of its development within the life history of the individual...kinship could be studied as a biographical approach.' (63)

A critical problem with this theoretical division is that it affirmed essentialist notions of sexuality, a point which will be developed more fully in the concluding chapter, Sex and Social Relations. Briefly, the way in which this happened, was in two ways. On the one hand, the confinement of sex to the realm of the individual tended to mean it was theorised by those disciplines which are founded on forms of essentialising arguments, for example biology or psychology. On the other hand, the social sciences guarded themselves against radical criticisms of the notion of the individual, such as were implicit in psychoanalytic theory, thereby favouring theorisation of the individual in terms of instincts, behaviour, fundamental character, or whatever.

Expressive totalities

Having isolated the way in which the treatment of the family confirmed a theoretical division between individual and society it is now necessary to look at what is the overall conception of society. The social structure is theorised in these accounts as a functioning social structure; individual parts cannot be understood in isolation but must be understood as having an integral and functional relationship to one another. No understanding of one aspect of society can be produced without looking at all other aspects. All the aspects add up to the totality of that particular society, and each part taken in isolation expresses something of that totality. Such theoretical propositions developed, laden with assumptions which have added to the difficulty of theorising sexuality, kinship and social relations:

...to understand any kinship system it is necessary to carry out an analysis in terms of social structure and social function. The components of social structures are human beings; and a structure is an arrangement of persons in relations institutionally defined and regulated.
The social function of any feature of a system is its relation to the structure and its continuance and stability, not its relation to the biological needs of individuals. The analysis of any particular system cannot be effectively carried out except in the light of the knowledge we obtain by systematic comparison of diverse systems.

There are several points worth noting about this account. It claims that it is theoretically possible to designate a social totality. The means by which the totality can be ascertained is by a detailed comparative study with other societies. The aim of that theoretical investigation is to demonstrate the function of social practices, understood as an effect of their relation to all other elements in that totality. The total social structure is understood as 'an arrangement of persons in relations institutionally defined and regulated'; in other words, social structure is theorised as a series of relationships between human agents. The point of regulation of the places ascribed to these human individuals is to ensure the continuance and stability of that society as a totality. Thus, in the example under consideration, kinship is seen as a social structure whose function is determined by its relation to all other elements of the social structure. It is the means by which the individual is ascribed places within society by which the continuance and stability of that society are guaranteed. To exhaust the possible criticisms of structural functionalism would go beyond the scope of this thesis. Its limitations have long been recorded. The problems raised here are limited to those which are pertinent for understanding the problems in theorisation of sexuality from this particular perspective.

The most immediate problem relates to the endeavour to account for society as an expressive totality. The implication is that at any point a segment could be drawn through society and everything which is seen there will express something essential about that particular society. It assumes therefore there are general principles by which the society is articulated. Each aspect of the society will in itself express something
of the overall interrelations which make up the social totality. This is going a good deal further than saying that any social practice or institution has definite social conditions of existence. Such a theory does not exclude the possibility of transitions from one general principle to another, but what tends to be implied is that transitions would consist in transitions from one general principle to another. In these accounts the articulating principle is rarely specified since general theories of the determination of the social formation are refused. Thus the conception would largely entail the idea of transition from one state of stability to another; the function of the interrelating social elements would then be to reproduce the state of stability.

This notion of an expressive totality does not conceive of practices constructing agents in contradictory and antagonistic positions. Nor does it allow for the fact that practices, although arising in determinate social conditions, need not express an essential general principle of the social structure. In theories of expressive totality, kinship was seen primarily as a mechanism by which places are ascribed to human agents in a functioning social structure. It becomes an agency of reproduction of the general principle of the social totality. In general the possibility that kinship itself might be a practice by which antagonistic statuses and sexual relations were constructed was not pursued. Kinship relations clearly do produce men and women, and different generations, in differential, deferential and often antagonistic relations. In these theories however this suggestion is marginalised in order to emphasise an underlying social order which is expressed through kinship relations.

A second limitation is exposed in Radcliffe-Brown's suggestion that a structure is an arrangement of persons institutionally defined. This says much more than society is made up of individuals. It is the effect of a definite theoretical position: society is primarily human relations. It marginalises the suggestion made by marxism that relations between
humanly constructed institutions may not be relations between human agents, but rather that the relationship between institutions may well determine the available positions for individuals within a given society. The definition of society as institutionally defined relations between persons is a particular problem in that it allows the theoretical distinction individual/society to run rife. The individual as I have already remarked can be abstracted from the society and theorised as a substantive unit of emotions, instincts and sentiments, even if many anthropologists did not pursue this explicitly. It leaves open the possibility that social structures might ultimately be explained by primary emotions or behaviour.

This theoretical space combined with another aspect of the structural functionalist trajectory to produce a social science which was for a while peculiarly unsuited to make any general analysis of cultural forms yet left itself open to explanations from other disciplines. On the one hand was the theoretical division between individual/society; on the other was a rigorous refusal of any explicit general theory of the determination of social relations. Whereas marxist theory might claim determination of cultural forms by the relations of production, the initial criticism of evolutionary theory was vehement in its rejection of any such generalised claim.

While many of the criticisms of the thoughtless equations produced by general theories of determination may still be considered valid, the refusal of any explicit general theory of social relations has resulted in very real problems, many of which anthropology itself soon recognised. Not least in these problems is that determination is in fact rarely refused; it is simply implicit. Hidden causalities all too readily creep in - in which psychological and biological explanations for sexual behaviour is one example. In the context of the refusal of general theories of the determination of such forms, spontaneous notions of power and domination and the distribution of inequalities frequently arise. Inequalities and
the distribution of status are attributed to different forms of 'customary law', and differences between societies can only be recorded, never explained. This is clearly to be a problem for anthropology's relation to political theory. Whereas comparative data from other societies had had an honourable tradition in political sciences which used it to indicate the determination of different representation and customary forms by different factors of material life, the rigorous insistence on difference was to leave the way open to a hopeless spontaneism of difference. While not exactly recognised as a political problem, reservations about the apparent suspension of causal explanations were articulated quite early even within anthropology.

Comparative sterility

Kroeber reviewing Primitive Society in the American Anthropologist in 1920(67) takes the opportunity to review the state of the discipline of anthropology, on the grounds that Lowie's book is a perfect example of the state of American anthropology some fifty years after the monumental impact of Morgan's Ancient Society. Its method 'is the ethnographic one. That is, it is descriptive instead of primarily interpretative. It is historical in the sense that it insists on first depicting things as they are then inferring generalisation, secondarily if at all, instead of plunging at once into a search for principles.' (68)

The approach is one that describes; it does not interpret. It takes each unique event stressing difference and not 'the common likeness that may seem to run through events'. (69) The work creates a double impression. Firstly, there is the 'endless diversity of institutions' and secondly, 'the uniformity of human motives'. (70) The end result is a sense of the immense multiplicity of cultural phenomena, and more than a suggestion that nothing can be done to interpret these phenomena.
Kroeber does not dispute that the evolution of this methodology in anthropology is to some extent the inevitable end-product of the logic of demystification which the study of primitive societies had been pursuing against the wild speculations of evolutionary theory. After all, he writes, 'honesty is the primary virtue and Lowie's soberness is a long advance on Morgan's brilliant illusions.' But there are some serious reservations to be raised about the direction taken by this work. There are no causal explanations advanced and the end-product is what Kroeber felicitously refers to as 'comparative sterility':

> though the method is sound, and the only one that the ethnologist has found justifiable yet to the worker in remote fields of science, and to the man of general intellectual interests, its products must appear rather sterile. There is little output that can be applied in other sciences. There is scarcely anything that psychology, which underlies anthropology can take hold of and utilise. There are, in short, no causal explanations.

Here the theoretical shift which has taken place in the formation of anthropology becomes apparent. Firstly, there is agreement that the only justifiable study of other cultures will be the detailed and exhaustive study of all aspects of that culture; secondly, it is agreed that anthropology is about human relations and that the 'human' should be explained by substantive accounts drawn from the 'sciences' of the body and the mind. Finally, no a priori causal explanations can be offered; for Kroeber there is a certain hopelessness about this trajectory, though it may well be inevitable:

> It may be nothing but the result of a sane scientific method in a historical field. But it seems important that ethnologists should recognise the situation. As long as we continue offering the world only reconstructions of specific detail, and consistently show a negativistic attitude towards broader conclusions the world will find very little profit in ethnology. People do want to know why.

There is an uncanny resemblance between Kroeber's reservations and those expressed by critics of contemporary attempts to deconstruct general
Theories. (74) It does point to a still unresolved antagonism between the requirement for general, usually 'materialist', explanations of human culture to which comparative studies of cultures have been frequently susceptible, and a discipline which refused any explicit adherence to a theory of determination.

Kroeber's account of the state of the discipline is however also a mythology; it is the representation which this trajectory also sought to give itself. For as the already-discussed tendency towards psychologism and biologism shows (a tendency which becomes explicit in the development of the culture and personality school of anthropology) it is not causality in general which is being suspended but rather particular forms of causality. What is refused is the unilinear history of any social institution and in particular theories of determination by the economy. Yet, ironically, the aggressive form taken by this rejection conceals the fact that these arguments retained the nebulous hierarchy of determination, discussed earlier. In this, certain practices occupy the role of determining, others the role of being determined.

The peculiar combination of the apparent suspension of general theories of determination, combined with very definite propositions as to the structural relation between elements in a social totality, produces a very distinctive theoretical configuration. On the one side is an insistence that societies express in all their parts the general principles by which the totality is articulated as a totality; on the other side is an insistence that all societies exist as radically distinct from one another and general theories of social determination should be suspended.

There is an interesting paradox in this development. It takes for granted that its specific object of investigation is a culture yet those elements which have been designated the cultural level - beliefs, representations, sexual regulations, etc. - are rarely studied as specific and systematic activities. These studies are left to be dealt with by other
disciplines, those dealing with the individual where these practices are properly thought to belong.

Conclusion

This chapter has focussed on one form of response to the debates covered in the previous chapters. This response has been favoured because it illuminates what criticisms can be made of earlier premises, criticisms which still remain pertinent. Yet this chapter has also argued that these criticisms are typical of a development within the social sciences which has hindered the production of non-essentialising theories of sexuality.

The form taken by cultural relativism and the insistence on empiricism rendered these arguments problematic for studying sex in anything other than essentialist terms. This is because sex was consigned to the realm of the individual, and therefore fell under a theoretical division between individual and society. In this, those practices which are deemed to come under the individual - that is, behaviour, sexual behaviour, instincts, needs, - are excluded from systematic study within the social sciences.

Yet a distinctive space is left for them to be theorised as a substantive and essential realm which will be illuminated by biology or psychology. The effect of the individual/society division and the particular model of social structure evolved had definite consequences. Social divisions, antagonisms, and change disappeared as objects of enquiry. Where relations of power and domination were considered, they were often thought in the same terms as previously, that is as relations of intersubjective domination. Because they are thought to arise spontaneously, from the individual as it were, they evade theorisation. The possibility of studying sexual relations as constructed, with definite histories producing divisions and conflicts, virtually disappears.

The second part of this thesis will examine two theories which now
have the greatest claim on our attention for providing an account of sexual relations in society, marxism and psychoanalysis. These theories are important for two reasons. On the one hand, marxism confronts the problem of the social construction of division and conflict while psychoanalysis attempts to elaborate a non-essentialist account of sexuality. Yet both these theories can be demonstrated to be inadequate when an account of sexuality in forms of domination between men and women is required. It will be argued that this inadequacy is partly dependent on the fact that both disciplines relied heavily on the terms outlined in the earlier chapters. It is also partly dependent on the internal exigencies of each discipline.
CHAPTER FIVE

THE CONCEPT OF THE FAMILY IN MARXIST THEORY
Introduction

The following two chapters have two principle aims. One is to argue that the family played an important role within marxist theory rather than being undertheorised. The notion of the family, partly formed through the influence of the debates traced earlier in the thesis, partly through other influences from political theory, was crucially linked with the theorisation of classes, interests and agency of possession. The second aim is to demonstrate that this very centrality has ironically been a major stumbling block to understanding the family from the perspective of the social sexual division.

In the previous chapter it was argued that in the rejection of evolutionist doctrines and some of their theoretical premises, some forms of interrogation of the family and the position of women became virtually impossible. The form taken by cultural relativism in these critiques rendered them problematic for developing general theories as to the social position of women. Social divisions, antagonisms and change disappeared as objects of enquiry in the development of ideas of social structure. Yet where relations of domination were considered they were often thought in the same terms as previously, that is as relations of intersubjective domination. Because these were thought to arise spontaneously or naturally, they were, to some extent, exempt from theorisation.

Surely such criticism could never be levelled at marxist thought, a factor which would appear to constitute its appeal? Unlike those theories considered in the previous chapter, marxist theories have attempted to deliver a rigourously deterministic account of social relations and divisions. According to marxist thought, divisions and antagonisms within the social structure do not just arise spontaneously; they have definite historical conditions of existence and can therefore be overcome.
It is for these reasons that marxism has had a constant engagement with feminism. Not only has equality between the sexes been an integral aspect of the explicit beliefs of socialism, but within the theoretical works there has been a commitment to understanding the origins and forms of domination and subordination between the sexes. The following examination is of the form taken by the understanding of the family within marxism. It will demonstrate how the specific dynamic of sexual relations both inside and outside the family was neglected precisely because of the theoretical centrality of this concept.

The family in the theories of the social totality

The theorisation of the family was especially important in the development of marxist political theory around the turn of the century. It provided an account of the relationship between 'civil' society and the political level of society (the state) in a class divided society.

The conceptualisation of the family was formed partly under the influence of German political theory, partly under the influence of the debates outlined earlier. Both these influences will be discussed in more detail later. We will see how evolutionary ethnology provided the grounds through which a society without formal political regulation could be theorised - a society which was nevertheless regulated and not on the point of disintegration. This was important within marxism because the political level of society was considered to be an effect of class society and not the guardian of natural order.

The input from evolutionary accounts of the family was joined to other factors within marxist theory. The outcome was that a history of the family was seen as providing an account of how the mass was gradually individualised with the development of private property. Previous economic histories had often been characterised by the myth of the acquisitive individual through
whom production was initiated and who constituted the natural possessor of private property. Against this subject, marxist theory produced the family as the economic subject of the bourgeoisie. The history of the family furnished an account of how bourgeois society had come into being, and the relation between bourgeois society and the state.

These brief outlines (which will be substantiated) begin to indicate the functions which the concept of the family was to have in marxist theory. It was mobilised as an agency of possession; for, although Marx criticised the content of previous theories he was never able to fully abandon the requirement for an economic subject theorised in human terms. Secondly, it was the concept by which various aspects of the social formation could be theoretically unified.

Finally the relations between the sexes in the family were sometimes taken by marxists as the model for other forms of social divisions. Women's subordination was the first subordination; others were built on this domination. Thus models of domination within marxist theory were frequently theorised along the lines of the intersubjective domination which had characterised earlier theories of the patriarchal family.

The centrality of the concept of the family can be demonstrated by considering the enormous impact of Engel's The Origins of the Family, Private Property and the State (1) on the first generation of marxist politicians. In a lecture delivered in 1919, Lenin asked the following questions fundamental he claimed for developing a communist strategy:

'what is the state, how did it arise and what fundamentally should be the attitude to the state of the party of the working class, which is fighting for the complete overthrow of capitalism - the Communist Party?' (2) To answer these questions, he recommended that students should 'turn for help to Engels' book, The Origins of the Family, Private Property and the State': (3)
This book says that every state in which private ownership of the land and means of production exists in which capital dominates, however democratic it may be, is a capitalist state, a machine used by the capitalists to keep the working class and the poor peasants in subjection; while universal suffrage, a Constituent Assembly, parliament are merely a form, a sort of promissory note, which does not alter the essence of the matter. (4)

The quotation demonstrates the immense political significance attributed to Engels' book which overtly takes the history of the family as its main focus. Lenin relies upon Engels' claim that the history of the family has revealed the relationship between the state and private property. Lenin argues that for as long as private property exists, the state can never represent the interests of the working class, for the state has precisely arisen in order to regulate the interests of private property.

This is a marxist political position which is frequently encountered. The questions which it raises are: what is this 'private property'; what is the agency which possesses it; how is the agency of possession related to the state that the state should necessarily represent its interest? These questions are answered in The Origins, Lenin asserts; such an assertion demonstrates clearly how the family was a concept by which a wider sociological picture was formed of the interaction between various elements of the social formation. More than just dealing with the position of women in society, Engels' text was frequently taken as a general statement of marxist philosophy by which political priorities could be formulated.

The study of the family assumed such an importance within marxism because it was developed by Engels in one of the texts where a more general account of the workings of the social formation was formulated. The early works of Marx himself had been concerned with developing a political and social theory but these works were not widely known to the first generation of marxist intellectuals and activists. Their main inspiration was Marx's political economy, Das Capital. (5) Many marxists, however, sought to
supplement the analysis offered in *Das Capital* with wider, more directly political analyses of the interrelation between all aspects of the social formation. Thus the dominant influences on early Marxist political thought were simultaneously Marx's *Das Capital* on the one hand, and, on the other, the more sociological works of Engels - *The Anti-Duhring* (1878), *The Origins* (1884) and *Ludwig Feuerbach* (1888).

That Marx's political economy seemed to lack an overall philosophical and social theory was a fact often bewailed, and it was generally claimed that Engels' writings, with their broader concerns, provided the basis of Marxist social and political theory. Karl Kautsky wrote, 'Judging by the influence that *Anti-Duhring* had upon me... no other book can have contributed so much to the understanding of Marxism' and 'Marx's *Capital* is the more powerful work certainly. But it was only through *Anti-Duhring* that we learnt to understand Capital and read it properly'。(6) Ryazanov noted how 'the younger generation which began its activity during the second half of the seventies learned what was scientific socialism, what were its philosophical principles what was its method' mainly through Engels. 'For the dissemination of Marxism as a special method and a special system, no book except *Capital* itself has done as much as *Anti-Duhring*. All the young Marxists who entered the public arena during the eighties - Bernstein, Karl Kautsky, Plekhanov - were brought up on this book.'(7) In 1920, Max Adler (later leader of the Austrian social democratic party) remarked that Engels' work contained that general philosophical theory whose absence had been so often lamented in Marx's writings. Adler went on to suggest that the reasons for this absence in Marx's own writings was that he had no time to develop such a theory having spent his whole life on *Capital*. The peculiar significance of Engels for the development and formation of Marxism, lies 'in the way in which he liberated Marx's
sociological work from the special economic form in which it first appeared and placed it in the larger framework of a general conception of society, enlarging Marxist thought... into a world-view by his prodigious development of its method, and his effort to relate it to the modern natural sciences'.

It has been suggested that Engels' influence can be attributed to the fact his writings were firmly situated within the evolutionist current which had gained intellectual ascendancy. Colletti, for example, attributes Engels' significance to the requirements of the intellectual climate for general explanations and cultural theories:

The urgency and significance of these questions may be better grasped if one reflects upon the cultural and philosophical climate of the time. Kautsky, Plekhanov, Bernstein, Heinrich Cunow and others had grown up into a world profoundly different from that of Marx. In Germany the star of Hegel and the classical German philosophy had long since set. Kautsky and Bernstein were formed in a cultural milieu dominated by Darwinism,... The cultural mentality common to this whole generation behind it many differences, reposed upon a definite taste for great cosmic syntheses and world-views; and the key to the latter was always a simple unifying principle, an explanation embracing everything from the most elementary biological level right up to the level of human history. (9)

The account given in previous chapters of the intellectual milieu will be sufficient to indicate the superficial nature of this assessment. Evolutionary theories had no single impact nor can 'Darwinian' be an adequate designation of the concerns of Engels' writings. The interest in general histories of human societies existed in the context of interest in explanations of origins and functions of a whole series of disparate social elements. Evolutionism was but one account of the way in which social institutions and beliefs could be demonstrated to have a unified history or functions. It was this unifying feature which was significant for the development of marxist political theory. It suggested a way in which society as a totality could be conceptualised. Hence, it offered a way of specifying political priorities in order to transform that social totality.
What is especially interesting about these wider accounts is the extent to which the family is frequently the central object of interrogation. Both Cunow and Kautsky, leading politicians in the German social democratic movement, actively participated in the debates outlined in the first three chapters. They contributed to debates over the historical primacy of mother-right or father-right; Kautsky's article 'The Origins of Marriage and the Family', argued before Engels, for the historical primacy of mother-right and its importance for theories of communism, suggesting the integral link between patriarchy and private property. Cunow made detailed studies of ethnographic literature, contributing to studies of the family. Both later took issue with Engels' outline in The Origins, disputing the 'naturalness' which Engels assumed to underlie sexual division of labour.

Marx, Engels, and Bebel were all deeply influenced by the ethnographic debates on the history of the family. For these writers, the literature on the family was seen as vital for understanding the workings of society, hence for formulating a political position.

Given what has been said in earlier chapters it is hardly surprising to find marxist theory implicated in these debates. Studies of the history of the family were the bearers of speculation on the nature and form of alliances between groups. The family was frequently taken as the key elements which would explain the history and the function of the interrelation between social institutions. Perhaps this centrality would also explain a factor which has often puzzled commentators on the history of marxism. For these commentators have often been worried by the fact that some of the early marxists were involved in population politics and eugenics programmes. It seems insufficient to attribute this to a climate of political concerns. Rather it would seem that the importance which the family had assumed in all social theories, including marxism, made it an important, perhaps the important object of
intervention. Given the fact that the family was frequently taken as the lynch pin of social relations, it should be hardly surprising that social theoretists should have assessed that changes in family structures would be solutions to wider social problems.

Yet this centrality within marxist thought also requires explanation. For at another level, marxist theory, particularly embodied in the later economic writings of Marx himself, challenges any theories which negate the overriding importance of the economic contradictions of bourgeois society. These later writings are geared towards accounts of bourgeois social relations. They stress the overarching importance of the structural economic contradictions between classes and the determination by economic structures on the form taken by social relations.

Basing itself on these later writings, there is a tradition within marxism which insists that the marxism which concerns itself with histories of the family and with the family as an agency of possession are based on an early 'humanist' theoretical position which was subsequently disclaimed even by Marx himself. A marxist account of the capitalist mode of production, they argue, does not require that the agency of possession should be personified; an account of the capitalist mode of production should be an account of the economic relations of exchange, circulation and distribution, with the relations of production in other words.

Yet this position disavows the fact that the status of agency of possession does not have one consistent theoretical interpretation within marxism; marxist scholars will doubtless continue to pit one reading against the other, since both cases can be made with equal validity. However, the contestation between the 'humanist' and 'the anti-humanist' readings of Marx evades the issues which these two chapters attempt to raise. I am trying to argue that there was a tradition within marxist thought where the family
was crucially important to an overall theorisation of social relations. This was of especial importance for those who attempted to develop a feminist perspective within marxism. The tradition where the family was a crucial concept was also the tradition where feminist issues were given some importance, for example within the early stages of European social democratic parties. What is of interest is how this concept of the family arose, what functions it fulfilled in relation to overall marxist theory, and what its limitations were when it came to considering the family from the perspective of sexual division.

It is for this reason that the remainder of this chapter traces a genealogy in the marxist treatment of the family which could perhaps be disrupted by the anti-humanist readings of Marx. The genealogy is traced here to indicate how the concept of the family functioned in relation to other concepts within marxist theory when it was brought forward as a crucial explanatory concept. It is hoped also that this genealogy will demonstrate that the concept of the family has been much more important than has previously been recognised, particularly in the formulation of political priorities, and this is a major reason why feminist issues have not been properly raised.

The family, civil society and the state

"The political state cannot exist without the natural basis of the family and the artificial basis of civil society". (14)

Marx's early writings advanced a notion of the family in order to contest the abstract idealism of the Hegelian conception of the relation between the family, civil society and the state. In the Philosophy of Right, Hegel had described the modern state as riven with contradiction, a description with which Marx agreed. But for Marx and Hegel the causes and effects of these
contradictions are completely different. For Hegel, the State is a potential means of unification of conflict in society that is conflict at the level of the family and civil society.\(^{(15)}\) It is therefore the means by which the conflict of individual interest is overcome. The task of the modern state for Hegel is to restore the 'wholeness' of the ancient state, where the individual was profoundly integrated into the community without having surrendered the principle of subjective freedom. The hope for the unificatory nature of the state was unlike contractualist theories of the State which had preceded it. Locke for example had argued that the state represented a form of agreement by which the antagonisms of private interest were governed but to the benefit of each. This theory however admitted the antagonism of private interest at the very basis of the social order, what Locke called 'natural society'. Marx supported Hegel against this for his correct emphasis on the contradictory relation between the state and civil society. The state appears as an abstraction from civil society and as separated from that society.

Having agreed thus far however Marx and Hegel part company. Hegel's perception of the state was part of his general philosophy. All stages of historical development are stages in the self-production of the subject in history. Thus the various instances of a particular moment proceed from the universal idea. In this case the State is a higher form in the self-production of the subject, transcending the previous stage. Thus the family and civil society which appear at first sight to be the preconditions for the emergence of the state, in Hegel's philosophy are in fact emanations from the state; 'the state is on the one hand external necessity, on the other imminent end'. The problem is a philosophical one. Hegel appears to describe the state as emerging from its precondition, the family and civil society. In fact logically in his arguments the family and civil
society have to be seen as the effect or result of the self-development of the Idea rather than as the material conditions out of which the state emerges. For Marx, the family and civil society are the preconditions of the state; they are the true agents. For Hegel and speculative philosophy, the reverse is the case. When the Idea is made the subject of history, 'the real subjects - civil society, the family ... are all transformed into unreal objective moments of the Idea referring to different things.' Thus in Hegel the subject of history is the mind; historical phases are but instances of the mind unfolding itself progressively;

The real idea is mind, which sundering itself into the two real spheres of its concept, the family and civil society, enters upon its finite phase ... the division of the state into family and civil society is ideal (17)

Because the state is the higher form of the idea, the division of society into family and civil society is a necessary stage in the unfolding of the idea.

According to Marx this is an inversion of the reality. It is the history of the family and civil society which produces the state;

They are the driving force. According to Hegel however, they are produced by the real idea; it is not the course of their own life that joins them together to produce the state, but the life of the idea which has distinguished them from itself. (18)

The political state cannot exist, according to Marx, without the natural basis of the family and the artificial basis of civil society. These are its sine qua non; and yet the condition is posited (i.e. by Hegel) as the conditioned, the determinator as the determined, the producer as the product. (19) Hegel's philosophy then can be deemed to be upside down, an effect not just of idealist philosophy, (which assumes that the idea determines the real) but of the fact that idealist philosophy reflects the inversion of reality in this society.

What is at stake for Marx in this disputation with idealist philosophy is to establish that the state is indeed a higher form but it is a form by
which a riven and contradictory society is regulated. The state has its origins in the real material histories of the family and civil society. The point is to shift the account of the division of society, from an idealist notion of the necessary unfolding of the mind, to an account of division and contradiction which itself produces the necessity for the state as the means of regulating the potential chaos of conflicting interests.

For Marx, the crucial term in the history of these divisions is the history of private property. The conflict which Hegel sees in the heart of modern society is in fact class conflict, class conflict, premised on the division of labour, and as Marx says in *The German Ideology*, 'The various stages of development in the division of labour are just so many different forms of ownership, that is the existing stage of the division of labour determines also the relations of individuals to one another with reference to the material instrument and product of labour.'

The antagonism which Hegel has uncovered is in fact the conflict between wealth and private property, and to start an analysis from the empirical family and civil society, rather than starting from the abstract idea, would be to discover the emergence of the state as a direct consequence of the division of labour and differential access to social wealth. It would be to discover what starts with the family as 'simple social relations' becomes a complex society riven by the division of labour and different access to the means of production. The emergence of the state will be seen to be 'the constitution of private property'. The " loftiest" political principles are in fact those of private property. Thus the state arise as the space where the interests of private property are inscribed in the abstract against the contradictions and antagonisms generated by individual interests.

Hegel recognises the state as an abstraction but he fails to recognise the cause of this. The only way in which a society fragmented into competing
private interests can achieve community is by the abstraction from or
dissociation from the contending private interests. The resultant
general interest is formal in nature and obtained by abstracting from
reality, but the basis and content of such a 'political society' inevitably
remains civil society with all its economic divisions. Beneath the
abstract society (the state) real enstrangement persists. Because the
'general interest' has been reached by neglecting or transcending individual
interests, the latter nevertheless persist as the content of the state —
as the unequal economic reality now sanctioned by the state;

One obtains man as an equal of other men, man as a member
of his species and of the human community only by ignoring
him as he is in really existing society (sic) and treating
him as the citizen of an ethereal community. One obtains
the citizen only by abstracting from the bourgeois. (21)

This argument as to the nature of the state is made by Marx in
relation to primogeniture, an example which demonstrates how the concept
of the family is operating. Because Hegel sees the family as a natural
basis, "the natural ethic", he sees the family as essential to the state
and serving the state without self-serving. Marx, on the contrary, sees
the family as precisely that place where the fragmentation of modern society
occurs; it is the place of private interests, hence any reference to the
sanctity of the family hypocritically ignores the economic reality of that
institution;

...Hegel judged the class of landed property to be capable of
adaptation to 'political position' because of its 'basis in
family life'. He has himself declared that 'love' is the basis,
the principle and spirit informing family life. We now see that
the class which is based on family life is deprived of the basis
of family life, it is deprived of love as the real and thus effective
determining principle. It is the illusion of family life, family
life in its most spineless form. At the point of its highest
development the principle of private property contradicts the
principle of family life. Family life therefore comes into its
own as the life of the family, the life of love only in civil
society, and not in the class whose ethical life is natural' that
is the class of family life. This latter represents the barbarism
of private property as opposed to family life. (22)
Whereas Hegel sees the family holding private property as 'the natural ethic', Marx argues that private property renders 'the family' an illusion. Marx demonstrates here a swivel of meaning around the notion of 'the family'. The family as Hegel implies it - representing love and self-sacrifice - is an illusion. For Marx, in a society where private property exists, there can be no such thing. This society requires abstract regulation and this will render the ideological concept of the family as loving meaningless, as the example of primogeniture is supposed to demonstrate. The bond of the family is nothing other than a bond of property. Equally loved children cannot share in the wealth. It is entailed antomically to the eldest son and therefore baldly represents the march of individual property interests;

In reality primogeniture is a consequence of private property in the strict sense, private property petrifies, private property quand meme at the point of its greatest autonomy and sharpest definition! (23)

Primogeniture is seen as the superlative form of private property. The state recognises primogeniture and thereby demonstrates how the state represents the interests of private capital without representing the interests of human subjects;

What power does the political state exercise over private property through primogeniture? It isolates it from society and the family by bringing it to a peak of independence. What then is the power of the political state over private property? It is the power of private property itself, its essence brought into existence. What remains to the state as opposed to this essence? The illusion that it determines where it is in fact determined. No doubt it breaks the will of the family and society, but only to make way for the will of private property purified of family and society and to acknowledge the existence of this private property as the highest reality of the political state, as the highest ethical reality. (24)

A complicated relation is proposed here between family, state and private property. The state represents the interests of private property not the interests of the family. Families as such (implying apparently ideologies of love and mutual affection) are illusions. They are only recognised by the state in so far as their structures are economic structures. Yet it is
precisely the history of the family and the emergence of private property which will explain the emergence of the state. That the state should not recognise families but only economic structures practiced by families creates the illusion that perhaps the family is an effect of the state. But no, the state has precisely arisen as a result of the antagonisms generated by the interests of private property.

We begin to see more clearly what is at stake in this contestation with Hegel around the notions of state and family. Marx seeks to establish class contradiction at the basis of the antagonisms of 'modern society', and furthermore to indicate the operations of the political state as the regulation of these private interests. The contestation over the notion of the family is in order to separate the concepts of family, civil society, and the state into a vertically chain to construct them as a history. It is not a question of the inevitability of these forms but of their material history.

The works of Marx and Engels continues to develop these questions. The German Ideology and then sections of the Grundrisse begin to deal with that vertical account of the development of contemporary capitalist social relations and thereby to deconstruct the forms in which capitalism appears. While Marx, in the Grundrisse and Capital increasingly devotes his time to a detailed analysis of the economic operations of contemporary capitalist society, the necessity for a historical account of the emergence of these forms is never lost. It remained for Engels however to rework the earlier philosophical manuscripts under the influence of ethnological debates, into a general sociological treatise on an outline of human history.

In the German Ideology Marx and Engels begin to outline what this material history of the family, civil society and the state would consist of. Again the object of attack is 'the german ideology' of the family, against which Marx and Engels seek to establish the 'empirical history of the family'.

(25)
It is in the family, they argue, that social divisions arise, and the history of the family reveals the accumulation of wealth and the division of labour which gradually transforms the 'sole simple' relations of the family of the primitive group.

Refusing to start from the abstract "religious" suppositions of German philosophy, the materialist history takes as its starting point 'real individuals, their activity and the material conditions under which they live' (26). Mankind is distinguished from the animals as soon as production commences and what human beings are coincides with what they produce and how they produce, that is the mode of production. The internal state of the nation depends on the stage of development reached by production; 'how far the productive forces of a nation are developed is shown most manifestly by the degree to which the division of labour has been carried' (27). Yet division of labour in this account is not spontaneous, arising out of natural and god-given differences. It is an effect of differential property relations. The various stages of the development of the division of labour are just so many different forms of ownership; 'the existing stage in the division of labour determines also the relations of individuals to one another with reference to the material instrument and product of labour' (28).

At this stage Marx and Engels assume that the first and most primitive form of ownership is tribal ownership 'corresponding' to an undeveloped stage of production and absence of division of labour. The only division of labour is very elementary, 'confined to a further extension of the natural division of labour existing in the family' (29). The history of the development of division of labour and different forms of ownership is the development from the "simple" relations of the family in the tribe with its 'natural' division of labour between the sexes to the complex forms of division and ownership as production develops.
The social structure therefore is limited to an extension of the family, patriarchal family chieftains, below them members of the tribe, finally slaves. The slavery latent in the family only develops gradually with the increase in population the growth of wants, and with the extension of external relations, both of war and barter. (30)

In this account, divisions of labour arise through the application of specifically human attributes, that is, labour. In order to make history, man must be able to live and the first historical act therefore is the production of material life itself to satisfy those needs. The satisfaction of the first need leads to new needs: 'the action of satisfying and the instrument of satisfaction which has been acquired) leads to new needs'. (31) The final yet simultaneous element which enters historical development is that men live in social relations, that is, the family and this becomes more complex as population increases:

men who daily remake their own life begin to make other men, to propagate their kind: the relation between man and woman, parents and children, the family (32)

The family is the first form of social relationship. Increased population and changes in production create more complex social relations which converts the family itself into a subordinate social relation. These are the simultaneous conditions which are the motor of history; the production of life, 'both of one's own labour and of fresh life in procreation.' (33) This is a double movement; 'on the one hand as a natural, on the other as a social relationship.' (34)

There are several deep-rooted assumptions as to the nature of the family and its relation to society at this stage. The family is assumed to be the procreative unit. In addition, there is the supposition of a natural division of labour based on the natural division between the sexes, an assumption revealed in recent feminist writings. (35) At this stage patriarchy is taken to be the natural or original familial relation, an assumption later to be transformed by Morgan's historical schema. Finally,
there is the assumption of the "latent slavery" of the patriarchal family. It is theorised here as a mode of subordination on which subsequent proprietorial rights are based. Thus there is a certain slippage between natural rights - taken to be the power of the patriarch - and proprietorial rights:

This latent slavery in the family, though still very crude, is the first property but even at this early stage it corresponds perfectly to the definition of modern economists who call it the power of disposing of the labour power of others. Division of labour and private property are moreover, identical expressions; in the one the same thing is affirmed with reference to activity is affirmed in the other with reference to the product of the activity. (36)

By assuming that the family is a productive unit under the power of a patriarch, Marx and Engels are able to construct a model of proprietorial rights - the capacity to dispose of the labour power of others. Because of the model of the patriarchal family, this capacity is also theorised as authority and control. At this stage, the model on which the conception of the early family is based is not entirely dissimilar from Maine's, assuming the naturalness of patriarchy. As Judith Ennew has pointed out, (37) the motor of historical development is nothing more than the intensification of population, a fact which indicates the significance with which the family is attributed in arguing against idealist philosophy.

The implication, then is that the initial motor of transition is an increasing population. Further transitions are accounted for in terms of increased specialisation of functions and its concommitant social division of labour. This not only is made possible by, but increases the further possibilities of, producing a surplus over and above what is needed to maintain the individual and the community of which he (sic) is part. The existence of both the surplus and the social division of labour makes possible exchange. Initially however both production and exchange have as their object merely use. It is as a result of the relations which people
enter into through specialisation of labour that this is changed. Exchange develops as the specialisation of labour is progressively clarified and sophisticated until the invention of money and with it commodity production and exchange, provides a basis for previously unimaginable procedures, in particular capital accumulation.

Increasingly the writings of Marx come to be concerned with a detailed description of the workings of the specifically capitalist mode of production: the structures entailed by exchange, capital accumulation and commodity production. In Grundrisse and Capital the division of labour is theorised as giving rise to an antagonism resulting from the contradiction between control of, and separation from the means of production. Separation involves the separation of the workers from the means of production, usually by means of legal property and effective possession through the agency of ownership. Effective possession is the agency with the capacity to control the means of production, that is to set them in motion, to finance enterprises and to control decision making bodies. These two structures are however combined in a distinctive mode. The worker is always combined with the means of production through the wage form in which labour power is converted into a commodity. In addition, possession is not only the capacity to control and to exclude others from its use. The means of production are also possessed in the forms of commodities. Labour power is purchased in the form of commodities. Labour power is purchased in the form of wages and the production process takes the form of the production of commodities by means of other commodities, that is by the means of production and labour power. It is the division of labour within this schema which constitutes the class relations of capitalism.

Proponents of the epistemological break version of marxist thought would probably argue that it is the description of these abstract structures of capitalist relations of production which become all-important for the
development of marxist thought. It would be difficult however to ignore the fact that the early preoccupations with the history and the function of the family did not just disappear in the later writings. For one thing the family continues to function as an implicit concept in Marx's Das Capital; on the one hand he refers to the wage being set by the cost of reproduction of the labourer and his family; at other times he discusses the increase of female labour as destroying this reproductive unit, bringing more labourers into the labour process and thereby facilitating the increase in the production of surplus value. Thus although Marx often appears to talk about the abstract nature of relations of production, his actual analysis often requires concepts of ideological social relations. Moreover, there was an explicit continuance of concern with the family as crucial social concept within the marxist tradition.

During 1879-82, Marx himself carried out extensive research on the ethnographic writings on the family; his object was to research different modes of production and he concentrated on the debates generated by comparative jurisprudence over different forms of property holdings. He was particularly concerned with studies of the so-called peasant collectives, studies of the zadruga household, and Morgan's accounts of the primitive gens. The research, Krader records in his edition of Marx's Ethnological Notebooks is 'increasingly concrete' and increasingly concerned with the evolution of civil society, with the interests of economic classes and their opposition, the evolution of the peasant collective institutions, the relations of the family and civil society, the state and society, the division of social labour etc. It was on Marx's ethnological research that Engels drew heavily in writing The Origins of the Family, Private Property and the State. Both Marx's research and Engels' development of this research show how the theme of transitions in the family is crucially linked to other theoretical objectives in Marxist thought. Both these writings show
that the interest in the family of Marx's early philosophical writings, although changed by the encounter with ethnography, remained fundamentally similar. The detailed study of *The Origins* which follows attempts to outline a particular theoretical configuration around the concept of the family which developed within marxism. It is outlined because it was this configuration which tended to dominate both debates and politics addressed to the woman question. Thus the discussion of the concept within *The Origins* will demonstrate the conditions which rendered marxism paradoxically weak in dealing with the specificity of sexual division.

*The Origins of the Family, Private Property and the State.*

Published in 1884, Engels' *The Origins* offered itself modestly as simply fulfilling the bequest of Marx. It was simply an ordering of the ideas reached by Marx in his extensive reading of ethnographic material; it was 'a meagre substitute for what my departed friend no longer had time to do.'

Yet as I have already suggested the impact of the book was of far wider significance than these modest claims would suggest. On the one hand it was a systematisation of Marx's previous thought on the relation between the state, the family and private property. As such it was received as an easy and comprehensible summary of the Marxist philosophy of the state and private property. On the other hand, it did also specifically address the question of the position of women in society, and from a socialist standpoint. Together with Bebel's *Woman under socialism* it was important in articulating a position on 'the woman question' which transformed the question from one entailing individualist solutions to one necessitating socialist solutions. Clare Zetkin, Alexandra Kollontai and numerous other socialist women recorded the profound influence which Engels' text had on their own formulation of the woman question. As such Engels' text deserves detailed
consideration for it reveals above all, the political theory by which the woman question became such a problematic area in marxism while at the same time being absolutely central to it.

The Origins offers to supplement the materialist account of history advanced by Marx with Morgan's account of the pre-history of the human species; 'Morgan in his own way had discovered afresh in America the material conception of history discovered by Marx forty years ago, and in his comparison of barbarism and civilisation, it had led him... to the same conclusions as Marx.' Morgan's researches were taken as penetrating beyond written records to prehistory making it possible to solve some of the most puzzling riddles of Greek, Roman and German history. It is this elaboration of the pre-historic, the pre-recorded history of the human race which is to be added to the discoveries of historical materialism. There are two questions to be asked of Marx and Engels' violent adherence to Morgan's historical schema. The first is what tenets of Ancient History were taken as demonstrating the fundamental historical materialist method? The second is what elements of Morgan's schema caused Engels' partisan support of Morgan's as against all other versions of pre-history?

The first can be dealt with briefly since it is already well covered in commentaries on Engels' text. Ancient Society advances a notion of the progressive evolution of society which passes through a series of technical transformations, passing through three dominant epochs, savagery, barbarism and civilisation. Morgan is taken to be arguing in support of 'the materialist conception' that 'the determining factor in history is, in the final instance, the production and reproduction of immediate life'. Against the primacy of the idea and consciousness, labour and the processes by which the human species reproduces itself are brought to the fore. Two points can be made in passing. Firstly, although this statement is often claimed to be a statement of the historical materialist methodology, its
blandness in fact evades any precise specification of the relations of causality and determination between social elements in 'historical materialism'. Secondly, the description refers to reproduction as a purely procreative function. There is not the slightest hint in the following quotation of the idea of reproduction as the reproduction of the social totality. The production and reproduction of immediate life;

is of a two-fold character: on the one side, the production of the means of existence, of food, clothing and shelter and the tools necessary for that production; on the other side, the production of human beings themselves, the propagation of the species. The social organisation under which the people of a particular historical epoch and a particular country live is determined by both kinds of production: by the stage of development of labour on the one hand and the family on the other. (45)

Some\(^{(46)}\) have taken this statement as opening the way to a separate materialist history of the family though as any examination of The Origins will reveal, the history of the family proposed there has little to offer a feminist perspective. More generally it can be said of both these propositions that at best they offer a bland statement that history delivers a record of the production and reproduction of human life. However this tells us little of the particularity of the forms of determination and causality proposed by those theories.

Because of the vagueness of this statement as to what is entailed in the historical materialist method and the way in which Morgan is said to uphold it, I would argue that of much more interest is the second question: why the partisan championing of Morgan? It is this which reveals the theoretical function of the family for Engels.

The matriarchal gens

In the preface to the fourth edition, Engels outlines what is at stake for him in supporting Morgan in his disagreement with McLennan. There are two points on which the authors radically disagree. Firstly, Morgan disputed
McLennan's classification of tribes as divided into exogamous and endogamous groupings. Secondly there is McLennan's refusal to entertain the possibility of group marriage. McLennan refused the deduction made by Morgan from the non-correspondence between systems of consanguinity and the procreative family, the deduction that social relations did once correspond to the designations which now remain. McLennan insisted on a series of possible original forms resulting from population exigencies.

Morgan's position is fed by his insistence on the historical and universal primacy of the maternal exogamous gens, out of which the paternal gens only later emerged. The peculiar significance of Morgan for Engels lies in this claim of the universal and historical primacy of the matriarchal gens;

The rediscovery of the primitive matriarchal gens as the earlier stage of the patriarchal gens of civilised peoples has the same importance for anthropology as Darwin's theory of evolution has for biology and Marx's theory of surplus value for political economy. It enabled Morgan to outline for the first time a history of the family in which for the present so far as the material now available permits at least the classic stages of development in their main outline are now determined. That this opens a new epoch in the treatment of primitive history must be clear to everyone. The matriarchal gens has become the pivot on which the whole science turns; since its discovery we know where to look and what to look for in our research, and how to arrange our results. (48)

Why is it that the hypothesis of the matriarchal gens should show 'where to look and what to look for in our research and how to arrange the results.'? Why should such a hypothesis be so important for an account of society which was to influence the development of marxist political theory?

The matriarchal gens is a significant hypothesis for the reason that it is an account of a society based neither on the supposed supra-individual abstract regulation which characterises the state and the political level, nor on the supposed 'individualism'of the family. It is thus an account of social relations before the emergence of class society, where
the primacy of the regulated collectivity is stressed over individualism or unregulated promiscuity. The account of the dissolution of first the matriarchal gens, then the patriarchal gens is a complex one. In Engels' hands, it entails not only the history of the monogamous family but also the transformation of modes of production and the history of the division of labour. These histories are given a necessary interrelation which is absent in Morgan. In the construction of a rigorous theory of causality, "the family" comes to bear a great deal of weight.

The significance of stressing the primacy of the maternal collectivity becomes clear in Engels' dismissal of theories of an initial stage of unregulated promiscuity. These wrongly interpreted the evidence of group marriage for evidence of a state of no marriage and pure promiscuity. Such evidence drawn from the animal kingdom can be rendered suspect; this being true also for theories of primitive jealousy. Something more was required of primitive man to become human: a condition of sociability entailing mutual toleration and freedom from jealousy. This was the first condition for the formation of those larger permanent groups in which alone animals could become man, (50) Engels insists on group marriage at the origins of human life. It shows the absence of any feeling of jealousy which 'develops relatively late' (51) and the absence of the morality which later becomes customary, such as the prohibition of incest. Prohibition of incest can be considered as 'a very valuable' invention (52); it is a response to the unconsciously discerned advantages resulting from natural selection.

There can be no question that the tribes among whom inbreeding was restricted ...were bound to develop more quickly and more fully than those among whom marriage between brothers and sisters remained the rule and the law. (53)

The first social form then for Engels is the collective household practicing group marriage. Its existence proves both absence of jealousy and the existence of primitive communism. Husbands and wives are possessed
collectively and the only form of sexual prohibition is that between generations. While collective possession to some extent remains in force, gradually more extensive forms of incest prohibition begin to be practiced. A prohibition which emerges between siblings with the same mother is gradually extended to all collateral brothers and sisters. Siblings become organised into separate sexed groupings, each group being united by their claim of a female ancestor. Female lineage is seen as inevitable since fatherhood is unknowable. This is the matriarchal gens, a group recognising common ancestry but not differentiated into the individual or pairing family.\((54)\) It is significant because it reveals a social bond without individualised possession, providing us 'with an unsuspected wealth of information about the fundamental features of social constitution in primitive times, before the introduction of the state.'\((55)\) If this is the fundamental arrangement of the social constitution, how then did individual possession arise; how did the pairing marriage emerge; and why did the state arise if none of these forms are fundamental to society itself? To unravel the strands in the history of these relations is offered as an understanding of their contemporary function and a demonstration of their transitoriness.

The emergence of the pairing family
Initially pairing marriage arises partly as a result of ever increasing marriage restrictions contingent on the workings of natural selection, partly as a result of the action of women who seek to raise themselves from the degraded position in group marriage. It is suggested that with growing populations, group marriage became more oppressive for women who, unlike the men, became motivated to press for more restricted marriages. In order for this change to become widespread, however, new social forces had to emerge and these were the effect of transitions in the mode of
production. Formerly food had to be won afresh every day. But with the domestication of animals and the development of agriculture, long term supplies, even possibly a surplus of provision can be created.

At this stage, wealth belongs to the gens but it instantly begins to transform social relationships. Slavery for example becomes a viable form of social relation. Whereas conquered tribes previously were either killed or incorporated, now the existence of slaves is seen as a source of increased production. This is because the family did not increase as quickly as the cattle; thus more people were required to look after them. Here arises the possibility of the 'individual' family: the possibility that an 'individual' family may be able to acquire adequate labour outside its relation to the gens. Marx registering the significance of slavery in the emergence of the individual family had written in his ethnological notebooks,

In fact the monogamous family rests everywhere, in order to have an independent isolated existence, upon a domestic class which originally was direct slaves. (56)

The slavery inherent in the family is thus expressed in the acquisition of direct slaves.

These two factors deal the death blow to the matriarchal gens, and the overthrow of matriarchal principles which Engels called 'the world historical defeat of women'. On the one hand, the pairing family introduces the certainty of paternity. On the other hand the accumulation of wealth and in particular the form in which it is acquired lead to the men seeking to transmit their property to their own genetic offspring. This is because the sexual division of labour is such that property in the form of the domestication of animals is in the hands of men; as a consequence it is their property. It is this which lies behind the emergence of the patriarchal family, the absolute control vested in the hands of one patriarch, and the establishment of the patriarchal gens. At this stage
the patriarchal family retains vestiges of the former collectivity of society. A conception of the patriarchal household taken from comparative jurisprudence furnishes evidence of collective possession; it is a collective economic unit in which absolute control is vested in the hands of the patriarch.

From this stage, it is a small step to the monogamous family, which is 'based on the supremacy of the man, the express purpose to produce children of undisputed paternity'. (57)

Monogamy arose from the concentration of considerable wealth in the hands of a single individual - a man - and from the need to bequeath this wealth to the children of that man and no other. For this purpose the monogamy of the woman was required, not that of the man, so this monogamy did not in any way interfere with open or concealed polygamy on the part of man' (58)

Thus far we can conclude certain things from this account of the emergence of the monogamous family, and its relation to the history of property. Obviously, it is steeped in the errors of speculative anthropology which assume a general and universal history of the family is possible. Further, it assumes a natural social division of labour in which men as the creators of property are also the owners of property. Additional presuppositions are made about the functioning and interests of the sexes. Women will abhor promiscuity; men on the other hand will pursue their promiscuous interest wherever possible. Men will inevitably seek to establish their genetic rights over 'their' offspring. Not only is it assumed that what is created is owned but also the acts of creation and ownership will be accompanied by the desire to transmit property exclusively to genetic offspring.

Engels' argument finally rests on a curious circularity resulting from the presupposition that pairing marriage is the unification of man and women for the purpose of procreation with a definite economic and legal relation. The collectivity -primitive communism- is 'proved' by the
apparent prevalence of group marriage which apparently proves the absence of property rights. What is being presupposed is that pairing or monogamous marriage in and of itself entails a form of possession in the sense of possession of commodities. The exclusivity of sexual relations is therefore assumed to be a contract in which one human subject becomes the possession of another - in general the husband acquires the right to dispense with the labour power of the woman and her offspring. Lineage thus becomes a sign of the capacity to dispose of the labour power of others - and this as we will see later on is Engels' model for the first form of private property. But in order to prove that the original social forms did not entail private property, Engels has to presume that monogamous marriage always expresses possession when the aim of Origins is to demonstrate the particular history by which this in fact emerges. The absence of pairing marriage can then be taken as a sign of the absence of individualisation and private property. All share equal rights in marriage, they must therefore share equal rights to the product and control of labour. The 'authority' of the patriarch, put to use to guarantee a particular form of accumulation becomes the model of ownership. It entails the capacity to dispose of others' labour-power. The relation of marriage however is a contract which permits this first form of private ownership. In this account then the individual family is both an effect of a mode of production but a social relation which makes a mode of production workable.

The history of the family however is by no means unilinear or isolated. Its history is integral both to the transformation of the 'governance' of the gens and the transformations in the mode of production. Its history therefore is inseparable from the history of the state. It is the individualised family which is a precondition for the emergence of the state; it is the individual family to which the state addresses itself.
The dissolution of the gens and the emergence of the State

The gens is as we have seen a distinct social group with distinct forms of social organisation which is not yet individualised. At first the gens is democratically organised; it elects representatives to wider confederacies, that is the phratries and the tribes.

And a wonderful constitution it is, this gentile constitution, in all its childlike simplicity! No soldiers, no gendarmes or police, no nobles, kings, regents, prefects or judges, no prison or lawsuits - and everything takes an orderly course. All quarrels and disputes are settled by the whole of the community affected, by the gens or the tribe, or by the gentes among themselves;... the household is maintained by a number of families in common and is communistic, the land belongs to the tribe, only the small gardens are allotted provisionally to the households - yet there is no need for even a trace of our complicated administrative apparatus with all its ramifications. (59)

Yet this social structure was doomed, despite its "moral greatness".

There was a lack of regulation between tribes which led to a state of constant warfare. Furthermore, the organisation was premised on an undeveloped state of production and an extremely sparse population;

Man's attitude to nature was therefore one of almost complete subjection to a strange incomprehensible power, as is reflected in his childish religious conceptions. Man was bounded by his tribe, both in relation to strangers from the outside of the tribe and to himself; the tribe, the gens, and their institutions were sacred and inviolable, a higher power established by nature to which the individual subjected himself unconditionally in feeling, thought and action. However impressive the people of this epoch appear to us, they are completely undifferentiated from one another; as Marx says, they are still attached to the navel string of the primitive community. (60)

Individualisation from the mass takes place through the emergence of the family from the gens. (61) Engels is able to mark out a distinction between the family and the gens, arguing for the primacy of the later, precisely because he sees the family as the procreative grouping, identified as a unit distinct from all other similar procreative units. In fact neither gens nor totemic groupings would exclude the existence of quite distinctive households with rival interests. But for Engels, this procreative grouping
is in antagonism with the gens; it is the very structure of individual interests since it provides a rationale for the developing modes of accumulation.

The transformation of the gens originally unified by social and collective considerations rather than the individualism of the family, takes place partly as a result of the natural history of the family, but also a result of distinctive economic conditions. Initially hunting society, with sparse population, is divided only according to primitive social division, that is the natural division between the sexes. This division, predictably, is the division around women's management of the home and men's involvement with hunting. Wealth initially is created by the men who "discover" agriculture and the domestication of animals. In this way the high status which women had originally enjoyed is destroyed. The power supposedly invested in their control of lineage and their exclusive involvement with the household is wrenched away from them. Instead, power now accrues to property and property accrues to those who create it. This development transforms the relative statuses of the sexes. Another consequence in this gradual development of the means of production is that it inaugurates the first great social division, between those tribes where pastoral forms are quickly instituted and those which continue in their former ways. The production of milk, meat, skins and even surpluses of these lays the foundations for exchange to take place. Thus the differentiation of pastoral tribes paves the way for exchange to become a regular institution.

It was the increase of production in all branches - cattle raising, agriculture, domestic handicrafts which gave human labour the capacity to produce more than was necessary for its maintenance. At the same time this required more intensive labour - a reason for the development of slavery. Thus the social division of groups produced the 'first great cleavage of society' into groups of masters and slaves, exploiters and exploited.
These factors coincided to install the father as absolute master and patriarch, ruling despastically over not only his slaves but his family, enforcing monogamy and all this in order to accumulate and transmit to his genetic offspring.

The man now being actually supreme in the house, the last barrier to his absolute supremacy had fallen. This autocracy was confirmed and perpetuated by the overthrow of mother-right, the introduction of father-right, and the gradual transition of the pairing family into monogamy. But this tore a breach in the old gentile order; the single family became a power and its rise was a menace to the gens. (62)

The second great division of labour took place when with increased production and the accumulation of wealth, there was increased specialisation.

The result was the separation of handicrafts from agriculture, 'With the splitting up of production into the two great main branches, agriculture and handicrafts, arises production directly for exchange, commodity production; with it came commerce, not only in the interior and on the tribal boundaries, but also already overseas.'(63) The distinction between rich and poor appears beside that of slaves and masters. It results from inequalities of property arising from the dissolution of the collective families, and the appropriation of land etc. by individual heads of family - land which was previously the collective possession of the gens.

Furthermore the denser population necessitates closer consolidation of internal and external action. The confederacy of tribes everywhere becomes a necessity, involving the gradual fusion of tribal territories, thus constituting the basis of the nation. Greater military efficiency ensues, a development soon turned to plunder and pillage. In turn this creates even greater sources of wealth and lays the foundation for the development of the hereditary monarchy on the basis of military prowess. Thus the free, self-ordering gens is gradually transformed into an organisation which plunders and oppresses its neighbours. This, however, is crucially premised on the
fact that the unity of the interest of the gens has been dispersed, and
the members of the gens divided into rich and poor.

This is the stage at the threshold of civilisation, and civilisation
consolidates and intensifies the emergent divisions of labour, and adds
another, the merchant class. These conditions have now produced wealth
in commodities and slaves, wealth in money and finally wealth in land with
the gradual establishment of hereditary property. Land could become a
commodity once the ties with the gentile constitution had been cut and
money demonstrated this possibility. Thus citizens were increasingly
divided into classes according to wealth.

With land expansion, money and usury, private property in
land and mortgages, the concentration and centralisation
of wealth in the hands of a small class rapidly advanced,
accompanied by an increasing impoverishment of the masses
and an increasing mass of impoverishment. (64)

Confronted with these new forces, gentile constitution became an
anacronism. The gentile constitution had grown out of a society which
knew no internal contradictions, and possessed no means of coercion except
public opinion.

It is in this context of disintegration that the state arises;
'the state arises on the ruins of the gentile constitution.' (65)

It is clear that in many ways, the theory of the dissolution of
the gentile constitution gleaned from Morgan is added as substance to
the philosophical ideas advanced by Marx in his very early writings.

The state is therefore by no means a power imposed on society from
without; just as little is it "the reality of the moral idea",
"the image and the reality of reason" as Hegel maintains. Rather
it is the product of society at a particular stage of development;
it is the admission that this society has involved itself in
insoluble self-contradiction and is cleft into irreconcilable
antagonisms which it is powerless to exorcise. But in order that
these antagonisms, classes with conflicting economic interests,
shall not consume themselves and society in fruitless struggle, a
power, apparently standing above society, has become necessary to
moderate the conflict and keep it within the bounds of 'order';
and this power, arisen out of society but placing itself above it
and increasingly alienating itself from it, is the state. (66)
The state is still the abstraction by which the general interests of private property are expressed over and above those of individuals. This new force, the political level, is qualitatively different from the forms of alliances which had characterised gentile society.\(^{(67)}\) The state, for example, is based on territorial considerations; political society will be characterised by the implementation of public forces, such as the army. Finally, the state in this outline operates in the interests of the economically dominant class, although not in the interests of any one individual. Thus the economically dominant class is theorised as the politically dominant class.

As the state arose from the need to keep class antagonisms in check, but also arose in the thick of the fight between classes, it is normally the state of the most powerful, economically dominant class, which by its means becomes also the politically dominant class and so acquires new means of holding down and exploiting the oppressed class.\(^{(68)}\)

In addition to this the state in most cases explicitly accords rights on a property basis:

...in most historical states the rights conceded to citizens are graded on a property basis whereby it is directly admitted that the state is an organisation for the protection of the possessing class against the non-possessing class.\(^{(69)}\)

The state has the function of an abstract representation, by which a society is unified and governed to the interests of the economically dominant class, thus constituting them also as the politically dominant class. The interests of the economically dominant class are represented but it should be noted that these interests are not the expression of individual interests; the activity of the political instance transforms these to an abstract representation of interests. It is at a definite stage of economic development that the cleavage of society into classes produces the necessity for the state; it is therefore formed in the process of class struggle.
This account of the emergence and the function of the state differs little from that outlined by Marx in his early attack on Hegelian theory. Before going on to discuss the precise role of the family in the account of this political society, it is necessary to briefly summarise the causality suggested in the interrelation between family, gens, private property and the state. The history of human society is the history of the division of labour; the emergence of the individualised family with lineage in the male line is however theorised as an essential precondition for the emergence of class society. These two elements are not reducible to each other, even if it is the technical development of a mode of production which puts the familial forms of slavery on the agenda. The state ultimately emerges in the site of class conflict to regulate a society riven now by internal contradiction and individual interests; the object regulated by the state is the individualised family. Several questions pose themselves at this stage. What precisely is this family unit that it should play such a crucial role in the history of the emergence of class divided society and the emergence of the state? What are the politics which flow from this definition of the state and the family, politics that is both in relation to classes and the state and towards the family?
The family as economic unit: monogamy and prostitution

The decisive victory of monogamy is one of the signs that civilisation 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 - his natural heirs'. (70)

The monogamous family in this account is first and foremost an economic unit, the unit by which property is both accumulated and transmitted in the interest of the private individual. A necessary concomitant of the monogamous family as economic unit is that the sexual relation involved in marriage always expresses its economic function. It is for this reason that prostitution in The Origins is simply the obverse of bourgeois marriage. Here the exchange of money expresses the true economic nature of the sexual relation in bourgeois society. Prostitution in fact acquires a privileged place in marxist writing on the family and the woman question. Prostitution expresses aloud the economic nature of the sexual relation in bourgeois society. The traffic in women (the title of Emma Goldmann's tract on prostitution) was a theme which ran through all the writing on women at this time. Lenin referred with disgust to the "traffic in flesh', Bebel saw the rottenness of bourgeois society in the prevalence of prostitution. Kollontai, Eleanor Marx Aveling, all saw prostitution as expressing the "commercialism" of contemporary marriage. Far from bearing witness to marxism's entrenchment in Victorian morality and sexual repressiveness, the privileged site which prostitution occupied in marxist writing on women was a facet of the mode of explanation of sexual relations and the family in marxist theory.

The economic function of the monogamous family is made quite explicit in The Origins. Monogamy, was not in any way the fruit of individual sex love, with which it had nothing whatever to do; marriage 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. (71)

When monogamous marriage makes its first appearance in history, it is far from a delightful reconciliation between men and women. Instead it announces a struggle between the sexes unknown throughout the prehistoric period. Where the German Ideology had suggested that the first division of labour is that between man and woman for the propagation of children', now these divisions can be elaborated as laying the foundation for the development of class society;

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 backwards in which prosperity and development for some is won through the misery and frustration of others. It is the cellular form of civilised society in which the nature of the oppositions and contradictions fully active in society can be already studied. (72)

Here, the function of the family in marxist theory is fully expressed. The possibility of the accumulation of wealth may have arisen through the technical development of society, in particular the development of agriculture and the domestication of animals. It is this development which generates a rationale for slavery. This in turn provides the conditions for subjection in the family. Yet it is the pairing family which provides private property with a calculating agency, the monogamous family, with its supposed exigency of natural, that is genetic, inheritance. This alone provides the motor for the emergence of structures of private property, hence the division of labour which will institute class divisions. Thus the relation of domination of women by men is a model for the oppression entailed in class relations without becoming class relations themselves.
Aspects of the theorisation of class and domination will be addressed later. Here it is sufficient to note that this is a theory of the accumulation and transmission of property along the lines of individual interest; it is a new version of the theory of individual acquisitiveness as the natural basis of society. It is the emergence of the monogamous family at the dawn of civilisation which constructs an economic unit of property which previously had not existed:

The transition to private property is gradually accomplished parallel with the transition of the pairing marriage into monogamy. The single family is becoming the economic unit of society. (73)

For Engels marriage is an economic relation. In particular the pairing family will necessarily mean transmission in the male line. We have already raised fundamental problems with this; it assumes a universal history of the 'family', it assumes that marriage has the same function in all cultures; it neglects the fact the economic relations initiated by marriage may not be invested in the man and woman but in other kin; it suppresses the possibility of women as the locus of transmission of property; it neglects forms of holding property and structures of transmission which by-pass the procreative family. That Engels' theorisation should presuppose all these make his conclusions as to division of labour within the family and the relation of this to class division very suspect. Furthermore a natural level of division of labour between the sexes is presupposed, excluding consideration of this division itself as a construct.

Classes, Interests and Representations.

This examination of Engels' *The Origins* shows how, in a certain tradition of marxism, the conceptualisation of the family was integrally related to the theorisation of classes, class interests, agency of possession and
political representations. Formed in the convergence of early marxist political theory and later ethnological theories, the concept of the family fulfilled several functions for Engels. It was seen as an economic unit, with an economic rationality under a system of private property. It thus functioned as a structure which took the problem of the human agency of the bourgeoisie back one stage. But this supposed attempt to provide a non-human account of the possessive agency of the bourgeoisie was in fact built on presuppositions about the relations between the sexes which have in fact made their theorisation difficult. These assumptions are; that of a natural division of labour between the sexes; that of a male psychologistic motivation to ensure transmission of property to genetic offspring; and finally that of the capacity and desire of the male to submit the female to these exigencies. Thus the account which sets out to demonstrate the emergence of the power relations of the 'modern family' provides this account by assuming certain features of that contemporary family, such as marriage entailing the subordination of women as chattel.

Several issues need to be sorted out before going on to examine the specific treatment of the woman question. These relate to exactly how sexual division is theorised in relation to other social divisions, such as class; how and why class relations are given analytic priority over other social divisions; and how the human agency of possession relates to class. All these are implicitly answered in *The Origins* and it is important to understand them since in the following chapter it will be argued that the failure to confront the specificities of sexual division was largely conditioned by the political and analytical priorities set by the proposed interrelation of concepts. Three elements of the theory presented in *The Origins* will help clarify the way in which the concepts are interrelated: the treatment of social division in the notion of primitive communism; the question of why women do not constitute a class; finally
the way in which familial relations are sometimes taken as a model for class relations.

**Primitive Communism in The Origins**

In *The Origins*, the gentile constitution is taken as a form of social organisation where there is a distribution of social surplus in a communistic fashion. This form of distribution can be more or less complex, and the marxist tradition has sometimes taken kinship relations to be the mechanism of redistribution of the surplus in more or less complex forms. The distinctive hierarchies which might be entailed in kinship networks, such as hierarchies between juniors and elders, and between the sexes, are not theorised as antagonistic contradictions. The gentile organisation is still thought to be a communistic, essentially democratic form of social organisation. Class contradiction is theorised as arising from differential relations to the means of production in terms of ownership. Thus we have a very delimited notion of antagonistic classes and interests; these are defined exclusively in terms of ownership of the social surplus.

'Communistic' is clearly an economic designation of a very particular kind limited to a description of the redistribution of the surplus to the collective. It excludes, or at least minimalises, consideration of the forms of domination and subordination which accrue to other social divisions, for example sexual divisions. This designation has recently been submitted to the interrogation of marxist feminists considering work on so-called 'pre-capitalist' societies. Here it has been indicated how marxist writing on whether or not class relations exist within pre-capitalist societies has not taken account of the social division of the sexes. Whether the consistent subordination of the female sex to the male sex should logically constitute women as a class is a complicated issue and must be treated with some caution.
Why are the sexes not classes?

In *The Origins*, the sexes are not theorised as economic interest groups, that is, classes, even though all the likely conditions seem to be present in the designation of pre-capitalist modes of production. There is the presumption of an essential antagonism whereby men seek to wrest control of women's reproductive capacity to ensure genetic self-perpetuation. Women are not thought to be subject to the same psychologistic motivations. These factors constitute women as a radically different group from men. Their effect is to place women in a different relation to the relations of production. Firstly, women are excluded as normal loci for the transmission of lineage and wealth, if paternity is known. Secondly, 'the natural division of labour between the sexes' is theorised as a division whose effects mean that men not only produce wealth but also therefore control it. Yet, curiously none of this is sufficient to constitute the sexes as interest groups. In classical marxist theory, interest groups are seen to arise through a structurally different relation to the means of production. In capitalism, for example, two groups are bound together through exchange - those able to initiate production of and to control surplus are differentially positioned from those who do not. Classes, then, are constructed as effects of relations of production, dependent on structurally different relations to the means of production.

Despite women's distinctive relation to the means of production, they do not appear as an interest group even though they are absolutely distinct in some pre-capitalist social formations in terms of wealth, labour, authority and control of lineage. Thus even though classes are defined in terms of differential relations within the means of production, women do not appear as a class with identifiable interests. There are two reasons for this: the treatment of family as economic unit and the contradictoriness of the theorisation of class agency.
The first is that the family is theorised as an economic structure which unites the sexes; thus women are combined through marriage to the structural position of the husband or father. This combination of the sexes in an economic unit should alert us to other factors in the theorisation of classes and agency of possession. It is clear that it is the family which is seen as the economic subject of the bourgeoisie. The bourgeois class is not a group of individuals with identical relations to and interests in, the means of production – this much is clear from the idea of the state as abstract representation. Yet because classes are thought to arise out of economic interests, a form of agency is required. It is the family which, produced by marriage as an economic function (that is, providing the rational for accumulation and inheritance) provides this agency. The economic rationality of this agency is provided only, however, if the possibility of women as an interest group is suppressed. Thus a distinctive account emerges not only of economic, but also sexual, relations. Marriage is seen as an economic structure; it creates an economic unit and the structure of inheritance creates the possibility and motive for capital accumulation. The sexes therefore can no longer appear as sexes in terms of economic subjectivity. The sexual connection is thus theorised as a bond in which antagonistic contradiction disappears.

Social divisions and classes

There seems to be a certain level of arbitrariness in the way classes are designated in pre-capitalist modes of production, if women cannot be theorised as a class despite a radically different relation to the means of production. That the sexes should be combined in an economic unit, the family, does not seem sufficient grounds to deny that sexual division may be
a potentially antagonistic social relation. The industrial enterprise is an economic unit, in competition with others, yet it is theorised in marxism as a unit in which antagonistic agents are combined. That there seems a certain logic in applying the marxist concept of class to women has been demonstrated by the facility with which certain recent feminist theories could extend the marxist model of class to women. (76)

What is clear is that, in Engels, the sexual and familial bond is thought to override class distinctions; it constitutes men and women as an economic unit in spite of the fact that the imagery used to describe this unit is one of the slave master and his slaves. It is clear that certain elisions have been made to avoid knotty problems. The ideological bond which constitutes marriage relations and constitutes them whereby men have definite privileges is not seen as constituting an antagonistic contradiction. This, it appears, can only arise from structural contradictions in the relations of production, positions which are only occupied by workers and their families or the bourgeois family, not by sexes. What begins to be apparent is that there is a hierarchy by which certain social divisions are designated antagonistic and others are not. Antagonistic divisions arise, it appears, exclusively from the production, distribution and control of surplus.

The reason why women are not theorised as a class in pre-capitalist society may perhaps be clarified by examining why they are not theorised as a class in capitalist society. Here it is explicit that the concept of class would not allow for sex differentiation. It is argued that the accumulation of wealth and the development of exchange relations in the form of exchange of commodities, result in the structure of capitalist appropriation of the surplus. It is argued that there is a necessity for 'free labourers' bound to the means of production through the wage form.
Only by this process is the labourer bound to the means of production in the form of commodities that is, wages. It is the wage form which produces surplus value, and lays the foundation for extensive capital accumulation.

This position insists that surplus value is extracted from what Marx calls 'undifferentiated agents'; in other words capital is indifferent to the sex or social status of the wage labourer. Capital seeks only to maximise its surplus; differences in remuneration arise only from the differences in the amount of labour required for production. Wages therefore are equal to the value of the necessities of the labour, or rather the necessities of the labourer and his family. Class division is constituted in relation to this process of extraction of surplus; either the control of surplus is given in the form of ownership or there is separation from the means of production.

Dating from the first appearance of Das Capital, various writers have raised fundamental problems with this theorisation of the extraction of surplus and its relation to the theorisation of class. The fundamental problem with a theory of value is that it does not take account of social and ideological divisions. First of all, labour is not the only thing that commodities have in common. Exchange is fixed by many categories; hence it is not necessarily the amount of labour time and the maximum surplus that will fix the exchange rate between commodities. What is more, as history has made abundantly clear, remuneration for labour is not decided by the cost of reproduction of the labourer's necessities; it can be fixed by the operations of monopolies; by trade union activity; by ideological divisions like the differences between the sexes. Thus even in the categories which are employed to designate the construction of two major classes, the questions of the effects of other social divisions
appear as insufficiently theorised. It appears that these social divisions have arbitrarily been designated as subsidiary to economic class contradiction arising from the wage form and relations of production under capitalism.

It might perhaps be argued that the reason why social division other than economic class relations are assigned to a secondary place is because a marxist analysis specifies class as an abstract concept, given by the relations of production. In other words, under capitalism, class refers to the structural contradiction at the level of production between categories of separation from and possession of the means of production. Such indeed would be the Althusserian reading of marxist texts. However this chapter has already outlined a series of ways in which the family is brought in as a human agency of possession, being the embodiment of bourgeois economic rationality. This indicates how the status of agency of possession is rarely resolved as an abstraction. Another aspect of the treatment of the family demonstrates quite clearly that as often as not classes are theorised as relations between human subjects with certain capacities. This is the mobilisation of the metaphor of paternal power.

Patriarchal power and the relations between classes
Despite the fact that the relations between the sexes are not inscribed as class relations, they are nevertheless taken as the model of the form of domination between classes. We have seen how in order for the family to become an effective economic unit, women must be subjected and defeated. This form of subjection installs the economic rationality of capital accumulation, the monogamous family. This form of subjection, that is domestic slavery, characterises all subsequent forms of subjection: prosperity and development for some is won through the misery and frustration of others. It is the cellular form of civilised society in which the nature of the oppositions and contradictions fully active in that society can be already studied.
The quotation is revealing. It shows clearly the contradictoriness in the way the subject of economic interests is thought. At one level, as shown earlier, the operations of the state are presented as the abstract representations of the interests of private property. This functioning of the political level is the place where the interests of private property are expressed beyond the individual interests of the human agents which make up a society. It is also the level of class struggle in a society where the classes do not just line up and confront each other but are crucially interdependent in the production process. Yet in spite of this theorisation of the mode of operation at the political level as a specific representational level in which interests are not theorised as the capacities of human agents, this "patriarchal" model indicates how the relation between the classes is sometimes thought in terms of intersubjective dominance, along the lines of the patriarchal family drawn from comparative jurisprudence. Thus the relation between the classes is thought to be one where the outcome of the struggle between the classes is decided in advance by the capacities (power) of one human individual over another.

The theoretical limitations should be immediately apparent. The patriarchal family is simultaneously cause and effect of class relations. It is the development of social forces, like the accumulation of wealth, which is said to give rise to the patriarchal family, yet patriarchal power (desire and capacity to overthrow women and their offspring) is the capacity by which one class gains control over the means of production. Thus ownership and control is given a human agency, and that agency is a capacity accruing to the patriarch of a patriarchal family.

The effect of this way of thinking has been especially difficult for marxism. It suggests that the relationship between classes is a relationship between human individuals, invested with certain capacities
and attributes. Like the capacity to put other's labour to work and to control lineage, attributed to the patriarch in Engels' account, it is often suggested that the bourgeoisie have the capacity to determine the outcome of struggle by means of their control over the means of production. The mechanism by which this capacity is guaranteed is the state. Various criticisms have been made of this account of class relations. (81) Most obviously, the capacity of possession, that is the ability to control and set the means of production in motion need not necessarily be invested in a human subject. Marx himself realised this when he studied the joint stock company which had all the attributes of a capitalist agency. Yet, significantly, he could not decide that the joint stock company was capitalist precisely because it lacked an agency of possession, the bourgeois man and family.

In addition, this conceptualisation of classes has had a reductive effect on the assessment of class struggle in relation to the state, or political level. It becomes a struggle whose outcome is decided in advance, decided by the intersubjective capacity of the bourgeoisie. Where the position is accepted it is usually moderated; the state necessarily reflects the interests of the ruling class since they have intersubjective capacities. However the state will be overcome through the inevitability of the collapse of capitalist social relations.

This account contradicts other aspects of the theorisation of class and political representation, other aspects found even in Engels' text. The notion of a capacity (power) of a human agent which has the potentiality to decide in advance the outcome of a struggle rather obviates the theorisation of the political level as a distinct practice with its own specificity, that is, as an abstraction of the interests of a class against
the interests of any one individual. It seems fruitless to hold simultaneously to the idea of the specificity of the political level and its representations yet simultaneously to insist that these representations express the interests of a group as some kind of capacity. Moreover it is clear that the marxist analysis of concrete historical situations rarely falls into such reductions.
Conclusion

These elements in marxist theory have been raised here for a specific purpose. They are to show how the family was mobilised as an interlinking concept in the theory of the totality, in particular in providing an account of economic subjectivity. The account has concentrated on the problem of sexual division, a concentration which has revealed the contradictory treatment of the problem of classes and interests. At one level class is treated as an abstract concept, given by the relations of production - hence it could not be applied to any 'observably oppressed' group. (82) At the same time class is theorised in terms of human agencies with given capacities, a form of theorisation which is especially difficult for the assessment of political representations and their relation to class.

The revelation of the contradictoriness of the treatment of class does not exhaust the aims of this chapter. I hope to have shown that even where class is treated as an abstract concept, given by the relations of production (as in the theory of capitalist relations of production), there is a problem about the arbitrary marginalisation of social divisions other than those given in simply economic terms. This points to the organisation of theoretical work to predict political forces. Marxism has aimed at producing a theory of the social totality which would both designate and activate the industrial working class as the prime motor of historical change in the development of socialist social relations. The analysis of social relations has been closely tied to this political objective.

It remains in the following chapter to look at early marxist thought where it dealt specifically with the woman question. In the work and politics of the European social democratic parties all the limitations
of marxism's assessment of sexual and social divisions become apparent. Here is a movement for whom the question of the family and the position of women was crucial. The theorisation of the family was central in popularising texts of marxism; the woman question was never far from the movement's explicit political objectives. Yet the very centrality of the concept of the family, and its interlinking with other political objectives rendered problematic the specific treatment of sexual divisions.
Introduction

It is clear from the previous chapter that the family far from being an absent concept in marxism was centrally related to other aspects of theorisation. Nor can marxism be reasonably accused of neglecting the specific question of women's position in society. However that very integration of the family, and under the family, sexual relations, to the theories of class and political representation meant that paradoxically the issue of women's social subordination found a too-easy place in marxist schemas. This theoretical presence has rarely been translated into political priorities and the evidence for this is two-fold. On the one hand there is the evidence of conservatism towards the family and sexual relations often encountered in socialist societies. On the other hand, there is the fact that attempts to change sexual relations have frequently been subordinated to other political priorities.

There appears to be a central paradox confronting any consideration of marxism's adequacy to deal with the position of women in society; why given the theoretical importance of these concerns were they rarely brought to the forefront in social and political programmes? Several issues need to be pursued arising from the previous chapter. The first is whether the marxist theorisation so far advanced has been coloured by ideological assumptions about women and the family which can be dispensed with and replaced by a more refined consideration of the women in the social relations of production? The second is whether 'the woman question' was central only in so far as the history of the family and the theoretical consideration of the status of women were the bearers of all other considerations on social relations as outlined in the first three chapters? Finally, was it the priority given to the idea of the working class party outlined in the previous chapter which meant that 'the woman question' rarely became more than a theoretical debate?
Before considering any of these questions, it seems necessary to deal with certain simplistic criticisms that marxism naturally neglects women's politics because marxists are mainly men and that men as an interest group would not seek to further women's interests. This is an argument which ignores the evidence. It would be difficult to ignore the commitment which socialism almost above any other political philosophy has shown to challenging the subordinate position of women in society. It is sufficient only to recall the reactionary assumptions surrounding the family and the position of woman at the time when marxist ideas were developed. A quotation from Gladstone indicates the extent to which other political positions regarded the position of women within the family as sacrosant and god-given. He describes women's suffrage as,

One of those questions that it would be intolerable to mix up with purely political and party debates. If there be a subject in the whole compass of human life and experience which is sacred, beyond all other subjects it is the character and position of women. (1)

It has already been shown in the previous chapter that far from considering such questions sacrosant, Engels insisted on the variability of familial forms. And such has been marxism's concern with the position of women in society that those societies in whose development marxist theory has been crucial often afford women's formal equality a significant place in their constitutions;

Women in the U.S.S.R. are accorded equal rights with men in all spheres of economic, state, cultural, social, and political life. The possibility of exercising these rights is ensured to women by granting them an equal right with men to work, payment for work, rest and leisure, social insurance, and education, by state protection of the interests of mother and child, by state aid to mothers of large families and unmarried mothers, prematernity and maternity leave with full pay, and the provision of a wide network of maternity homes, nurseries and kindergartens. (2)
Who can doubt that the marxism which gave rise to such a constitution would in its history have been both a natural ally for feminism and indeed in some cases the point of origin for some forms of feminism? Both in the centrality which it gave to the concept of the family and in its offer of understanding forms of subordination in society in a 'materialist' fashion, the question of the subordinate position of women in society has rarely been totally absent from marxism's concerns.

Marx, Engels, Lenin and Stalin all at some point considered the 'woman question'. Lafarge the head of the French Communist party wrote a book considering the history of women's position in society. (3) August Bebel leader of the German Social Democratic Party wrote *Woman under Socialism*, a book which was to have enormous influence in social democratic politics. (4) All believed that equality between the sexes was integrally linked with a wholesale transformation of society into an egalitarian, that is socialist, society. This did not mean however that the specific struggle for equality between the sexes was neglected. Marx and Engels, for example, were responsible for such actions as an amendment to the minimum programme of the French Worker's Party of 1880 where a legal measure was added there to the economic and political demands for women's emancipation; 'The abolition of all paragraphs of law which...put women in a subordinate position to men.' (5)

Lenin was responsible for changes in marriage, divorce and abortion laws and frequently stressed the role of socialism in the 'emancipation' of women;

Up to the present the position of women has been such that it is called a position of slavery. Women are crushed by their domestic drudgery, when we shall pass from the small household economy to social economy and to social tilling of the soil. Only then will women be free and emancipated. (6)

In 1921, he celebrated International Women's Day with an article in Pravda insisting on the need for the struggle against women's oppression to be joined to the cause of socialist construction;
The main and fundamental thing in Bolshevism and in the Russian October Revolution is the drawing into politics of precisely those who were most oppressed under capitalism... And it is impossible to draw the masses into politics without also drawing in the women; for under capitalism, the female half of the human race suffers under a double yoke. The working woman and the peasant woman are oppressed by capital but in addition to that, even in the most democratic of bourgeois republics, they are, firstly, in an inferior position because the law denies them equality with men, and secondly... they are "in domestic slavery", they are "domestic slaves" crushed by the most petty, most menial, most arduous, and most stultifying work of the kitchen and by isolated domestic, family economy in general. (7)

A few years later, even Stalin is no less effusive in his insistence on the crucial role women have to play in advancing socialism.

The fate of the proletarian movement, the victory or defeat of proletarian power depends on whether or not the reserve of women will be for or against the working class. That is why the first task of the proletariat and its advance detachment, the Communist Party, is to engage in decisive struggle for the freeing of women workers and peasants from the influence of the bourgeoisie, for political education and organisation of women workers and peasants beneath the banner of the proletariat. (8)

Why is it then, with all this apparent concern for women's position in society, that the relationship between feminism and socialism has been at best stormy, and the record of socialist countries in achieving equality between the sexes and the liberation of women ranges between somewhat limited to absolutely dire? It is not within the scope of this present work (9) to attempt anything other than a schematic answer to these questions.

Continuing in the same vein as the previous chapter, this chapter limits itself to an account of the way in which political priorities have arisen within marxism which are difficult for feminism. In particular, it assesses the relation between the theorisation of the family and the position of women, and the political priorities which emerged.
The family, the labour market and "true sex love"

The politics advanced towards the family in *The Origins* are characteristic of much subsequent marxist writing on the subject. The disintegration of the family is seen as a sign of the hypocrisy of the bourgeoisie who champion the family but who use women as a source of cheap labour. Nevertheless, women's increased role in production is welcomed by marxists because it simultaneously offers women freedom from economic dependence (and therefore slavery) and consequently destroys the economic basis for marriage, hence undermining a cornerstone of bourgeois society. It is only through the destruction of the economic basis of marriage that free and equal sexual relations will be achieved. For although, the proletariat had no economic motive for marriage, their marriages have nevertheless been inflected by the patriarchal ideology of bourgeois society, installing the father as absolute authority with the wife as little better than the chief servant. Once economic dependency has ceased to distort relations, all humans will be able to choose their mates in the same way as the proletariat, that is uninfluenced by uneconomic considerations and expressing 'true sex love' which for Engels is monogamous, heterosexual and permanent.

There are two elements in the political goals expressed here - two elements whose lack of necessary integration explain much of marxism's difficult relation with feminism. On the one hand there is the concern with increasing women's involvement in production and the destruction of the economic function of marriage. On the other hand, there is a concern that the quality of the relations between the sexes should be transformed, in other words, a transformation of moral and sexual relations.

The insistence on the need for women to become involved in production is characteristic of much marxist writing on the family. This is because it is assumed that the family has an economic function which must be destroyed.
This function is theorised not only as an effect of the structure of inheritance (as in Engels) but also a factor in the determination of wage levels and hence in the level of appropriation of surplus value.

In *Das Capital* vol 1, Marx outlines this position;

In so far as machinery dispenses with muscular power, it becomes a means of employing labourers of slight muscular strength, and those whose bodily development is incomplete, but whoselimps are more subtle. The labour of women and children was therefore the first thing sought for by capitalists who used machinery. That mighty substitute for labour and labourers was forthwith changed into a means for increasing the number of wage labourers by enrolling under the direct sway of capital, every member of the workman's family, without distinction of age or sex. Compulsory work for the capitalist usurped the place, not only of the children's play, but also of free labour at home within moderate limits for the support of the family.

The value of labour-power was determined, not only by the labour-time necessary to maintain the individual adult labourer, but also by that necessary to maintain his family. Machinery by throwing every member of the family on to the labour market, spreads the value of the man's labour power over his whole family. It thus depreciated his labour-power. To purchase the labour power of a family of four workers may, perhaps, cost more than it formerly did to purchase the labour power of the head of the family, but in return, four days' labour takes the place of one. In order that the family may live, four people must now not only labour but expend surplus labour for the capitalist. Thus we see that machinery while augmenting the human material that forms the principle object of capital's exploiting power, at the same time raises the degree of exploitation. (10)

The argument here is quite complicated. Marx assumes a degree of inevitability of the increased role in production. Women will necessarily be drawn into production, and therefore waged labour, in the logic of technical development. Although the capitalist ceases to have to pay a family wage, there are more workers available from whom surplus value can be extracted. The contradictory treatment of surplus-value by Marx, confronted with the problem of women, the family and women workers reveals levels of inconsistency in the theorisation of capitalist social relations.

We saw earlier how Marx insisted that surplus-value is extracted from 'underdifferentiated' agents and how the wage is supposed to represent only the
value of labour power and the creation of surplus, being indifferent to social categories of value. Here, however, Marx starts out with an original 'family' wage, adequate not just for the reproduction of the labourer but for the reproduction of wife and children as well. Thus destruction of the family unit will be a source of increased levels of exploitation; the capitalist may initially have to pay more but increased productivity will lead to higher profits. Increased exploitation will lead to increasing social contradictions and hence the eventual overthrow of capitalist social relations.

Lenin too stresses that the household with an economic function is an element of a mode of production which must be superceded. Two steps were necessary for Soviet Russia to take in order to move towards the emancipation of women. The first, he congratulated himself had already been effected. This was the removal of all traces of inequality before the law. But the critical step would be the second - the abolition of private property and the establishment of collective or social production;

The second and principal step was the abolition of the private ownership of the land, the factories, and mills. This and this alone, opens the way for the complete and real emancipation of women, their emancipation from "domestic slavery" by passing from petty, individual, domestic economy to large-scale social economy. (11)

It is this insistence that marriage has an economic function belonging to a particular mode of production which resulted in the form of politics advanced by Engels in the second half of his formulation - his moral politics. For Engels, as for many subsequent marxists, it is the economic element which is seen as the source of oppression within marriage. (12) Once this economic element has been removed, sexual morality will pursue its 'true' course, which as already noted will be the course of heterosexual, monogamous love.
That marxists were prepared to consider sexual relations as subject to change and were ready to speculate on the nature of sexual relations under socialism opened marxism towards the emergent discourses of studies in sexual relations. Many socialists were interested in the question of sexual behaviour and many of the leading sexologists were also socialists. The example of Austro-marxism which will be mentioned later shows how socialist programmes could adopt quite radical perspectives on sexual relations. Yet in general where this question was raised with any systemicity, for example by feminists like Stella Browne in England or Kollontai in Russia, marxism was unsympathetic to radical proposals aimed at improving women's position in marriage and society. One explanation for this is that these two elements of a marxist politics towards the family - destruction of its economic function and transformation of relations between the sexes - have been hegemonised by the first element. Thus it is deemed that the destruction of the economic function of marriage will be sufficient to deal with the problem of women's subordination.

Now the reason for this hegemonisation of one area by another begins to become apparent when we consider the common elements in the various approaches to the position of women. It relates crucially to the push within marxism to integrate - at the level of theoretical and political necessity - the struggle for socialism and the struggle for women's emancipation.

Relations of production and sexual relations

Far from neglecting 'the woman question', marxism nevertheless insists on the socialist political priority of transforming economic antagonism. As the previous chapter has shown economic antagonisms are limited to a very particular definition, a definition which cannot encompass the social division between the sexes. Moreover, an insistence on the necessity
for the transformation of the relations of production has been translated into a political assessment of which forces will effect this transformation, in which the problematic theorisation of class gives priority to struggles around the relations of production. The marxist conceptualisation of the family insists on a necessary relation between the relations of production and the oppressed condition of women, a relation mediated by the economic function of the family.

What this position in effect amounts to is an insistence that socialism must achieve the emancipation of women, and moreover that any true emancipation of women must entail socialism. For without collective possession of the means of production, certain groups will always be economically privileged over others. There are strengths in this position, strengths which account for the long history of engagement between marxism and feminism. The assertions have a resonance, no less pertinent for contemporary arguments; formal equality will never cut at the roots of discriminatory practices for all women unless there is a transformation of structural economic inequalities.

However, this assertion of the importance of one struggle for another is quite different from asserting the necessary interrelation between the two struggles - the struggle for socialism on the one hand, and the struggle for transforming social sexual relations on the other. The chapter entitled 'The Impasse on Kinship' has already show that the suggestion made by marxist that the monogamous patriarchal family fulfilled a necessary function for capitalism was open to contradiction. There was evidence of other economic organisations where the monogamous family was equally violently enforced. Moreover it has been argued in the previous chapter that the integration effected between family as economic unit and relations of production, was effected only by suppressing the
different positions given by sexual division within the family.
In other words, the tradition of marxism which has so far been examined
constructed a hierarchy of social divisions in which the differential
effects of social relations on the sexes was suppressed, precisely by
being assumed.

It was this suppression of the specificity of sexual division,
and the insistence of the theoretical and political integration of
sexual division to social division which characterised the writings on
the woman question of the early marxist left. It is this which accounts
for the intense hostility to what was branded by the marxists as 'bourgeois
feminism'. For this movement, or more correctly, these movements, which
had begun to emerge in the second half of the nineteenth century had
as their objectives the transformation of the relations between the
sexes, regardless of class relations. Some involved extremely radical
criticisms of traditional morality and existing social relations.
Others were confined to campaigns against legal and political discrimination.
Feminism, then, as now, was by no means a homogeneous political movement
with a clear set of aims and objectives. 'Feminism' contained within
it a multitude of tendencies. There were movements for legal and
political reform gradually crystallising around the suffrage movement;
agitation for sexual and moral reform; advocacy and opposition for
birth control; sometimes agitation for the elevation of motherhood.
Quite often 'feminism' was no more than a relatively spontaneous organisation
around disparate women's issues for example the campaign which surrounded
the Contagious Diseases Act. The effects of such campaigns however was
sometimes to produce far ranging critiques of existing social relations.

A minimalist definition of the feminism encountered by the early
marxist left was that it was concerned with the position of women in society.
For that reason it was crossed by the various discourses on women and sex, women in society, and the family, that have been discussed earlier in this thesis. The political positions were as multiple, fissured and contradictory as those other debates. Marxism, in the hands of Engels adopted a particularly rigorous and deterministic account of sexual and familial relations, excluding a whole series of considerations, in order to produce a hierarchy of analytic and political priorities.

Influenced by such an assessment of priorities, the marxist response to these heterogeneous movements for reform was to dismiss them as 'bourgeois feminism'. Marx's daughter, Eleanor Marx writing with E. Aveling summed up the marxist response; the movements were 'bourgeois' since the solutions they offered were purely individualistic and would benefit only a small minority of middle class women. None of these issues, except perhaps the agitation around the Contagious Diseases Act had aimed at bettering the lot of all people and transforming social relations to the benefit of all people.

Yet for exactly the reasons that they were attacked, these movements were problematic for marxist theory. What feminist movements attacked were forms of oppression and discrimination whose relation with the economic relations of production was, at best tenuous. These forms of discrimination affected women of all classes, that is they affected woman as a sex. Changes in these relations could provisionally be secured without any changes in the relations of production. Collectivisation of the means of production moreover need not intervene at the level of sexual discrimination.

In the debate and activities which took place around the woman question in European social democracy we can clearly see the issues at play between
the way in which marxist priorities sometimes get constructed and the woman question. In the ensuing sections an examination of feminist responses to August Bebel's *Woman under Socialism* will attempt to uncover what were the sticking points between this tradition of marxism and feminism.

**Woman under socialism**

The period covered by this thesis, 1860-1930, was witness to the development of marxist political parties within Europe. Almost without exception, the 'Woman Question' was debated widely within these parties. The German Social Democratic Party (SPD) which came into existence in 1875 was at the time taken as the showcase of a marxist political party. It was a party which quickly gained immense working class support and generated discussion of socialist strategy which was to be widely influential throughout Europe.

This is no less true of the consideration of the 'Woman Question'. Clara Zetkin, founder and leader of the International Socialist Women's was a leading member of the SPD. Her work was to be of importance both for socialist women in their struggle for women's emancipation during and after the Russian revolution. It was also to be influential on the policies pursued by the Austrian Social Democratic Party which in 1926, even when the German party became increasingly indifferent to women's issues produced an unusually radical party programme to deal with the position of women. It included a wide-ranging, integrated section on the position of women in society: in work, education, religion and family law. For the first time in any political party, a section on population policy advocated the legalisation and free availability of abortion as well as the free distribution of birth control information and contraceptive devices. (16)
It was in the context of the SPD that Bebel wrote *Woman under Socialism* which was to become the most influential marxist exposition of the position of women in society, being both an analysis of the sources of women's oppression and of strategies by which this could be changed. Kollontai referred to it as 'the woman's bible'. It would be difficult to overestimate the impact of Bebel's book; it was one of the principle factors which drew women in their thousands to the cause of social democratic politics, as Ottille Baader, a working class activist in the SPD described:

> Life's bitter needs, overwork, and bourgeois family morality had destroyed all joy in me. I lived resigned and without hope...News came of a wonderful book that...Bebel...had written. Although I was not a Social Democrat I had friends who belonged to the party. Through them I got the precious work. I read it nights through. It was my fate and that of thousands of my sisters. Neither in the family nor in private life had I ever heard of all the pain the women must endure. One ignored her life. Bebel's book courageously broke with the old secretiveness... I read the book not once but ten times. Because everything was so new, it took considerable effort to come to grips with Bebel's views. I had to break with so many things I had previously regarded as correct. (17)

This reaction was typical and accounted for the strength of a feminist presence in the early years of the SPD, a presence which recognised that the SPD was the only German party to give any priority to the cause for women's emancipation,

> From biographical material it is clear that an important motive in sustaining female membership was the perception of the SPD as the most consistent champion of women's equality in Imperial Germany. (15)

Bebel's book first appeared when the anti-socialist laws were in force in Germany (19) yet it had reached fifty editions by the time of Bebel's death in 1913, and had been translated into innumerable foreign languages. Like Engel's *The Origins*, it is often referred to as one of the most formative texts of social democratic thought. Both owe their wide
influence to the fact that they offer an outline of a general schema of
marxist thought, dealing with the history of the family and the capitalist
mode of production, suggesting the inevitability of its overthrow. But
the texts were also influential not only because 'the family' and 'the
position' of women occupied such crucial positions in the exposition of
general accounts of social relations, but also because 'the woman question'
was highly contentious in German politics. Issues of women's emancipation,
the extension of franchise and women's position in the labour market were all
issues which were debated regularly and fiercely at the German Worker's
Congressess. Yet this period where the 'woman question' was hotly debated
saw little real advance in making the issues raised about changing the
position of women in society central to the socialist programme as a whole.

Traditionally the question of women's emancipation had been treated
sympathetically by socialists, the influence of saint-simonian thought
being strong in Germany.(20) There was however an equally strong and growing
current of thought which violently opposed women's role in production and
argued for the separate spheres of influence of men and women. Both
tendencies called themselves feminist, and in the early days of German
social democracy, both these strands of thought which later came to
dominate the theorisation of the woman's question were strongly represented.
Such was the case certainly at the third conference of the German Worker's
Association. On the one hand, arguments were made against women's waged
labour both on the grounds that women's proper sphere of influence was
in the home, and also on the grounds that women's competition lowered the
average male wage. Yet in spite of the strength with which the position
was held, motions were carried which supported women's emancipation and
insisted on the need for women's increased role in production. Women
should achieve independence and equal rights and statuses. These, it was
argued, could only be achieved by women employed in serious work, equal with men at the work place. These two dominant positions corresponded to the division among social democrats between the followers of Lassalle on the one hand, and the followers of Leibknecht and Bebel who were both more directly influenced by Marx on the other.

The Lassallean attitude was widespread among all the workers' movements at that time. They argued that women should be excluded from industrial production as this would increase male employment, reduce unemployment and increase the average male wage. Women should be remunerated for their work outside production, that is for their domestic labour. This attitude to female labour had been forcibly attacked by feminists. For example, Luise Otto-Peters, known for her advocacy of women's rights during and after the 1848 revolution had, always attacked the Lassallean attitude on the grounds that to make the improvement of women's position dependent on that of men's, 'flew in the face of all humanity and civilisation.' In 1865 despite her profound sympathies with the labour movement, she withdrew to found the General Association of German Women, a group later characterised dismissively as 'mere suffragettes' by the Social Democrats. The emphasis which the Lassalleans put on the radical distinction between the sexes by no means uncommon, corresponded closely to the emergent ideology of the constitutional difference between men and women where women are seen as bound by their reproductive capacity to domestic spheres of influence.

It is interesting to note that this ideology which became pronounced with the emergence of fascism in Germany, was by no means confined to one political position. It ran from the radical saint-simonians who like Bachofen insisted on the female principle as the democratic and communistic principle across the political spectrum to fascist writers like Klages and
Baumler. In addition it is worth remembering that increased state activity within medical and educational policy within Europe was constructing very definite notions of the domestic responsibilities of women.

Bebel and Leibknecht argued against this, directly influenced by Marx's arguments from *Das Capital*; increased women's employment would be both the means to women's independence and an exacerbation of the contradictions between capital and labour since it would increase the level of exploitation. These two positions dominated the intellectual milieu in which the struggle over the women's question took place.

Although the conservative Lassallean position did not come to dominate, the positive attitude of the 1865 Conference was never again repeated. Indeed in 1866, the German section of the International Worker's Association published a document with the approval of Marx and Engels insisting on women's place within the family:

> The rightful work of women and mothers is in the home and family caring for, supervising, and providing the first education for the children, which it is true presupposes that the women and children themselves receive an adequate training. Alongside the solemn duties of the man and father in public life and the family the woman and mother should stand for the cosiness and poetry of domestic life, bring grace and beauty to social relations and be an ennobling influence on the increase of humanity's enjoyment of life. (26)

All future attempts to discuss the woman question vacillated between these two positions. 'Feminism' was claimed either to ensure women's increased role in production or to ensure women an honourable status in society through her position in the home.

As the social democratic party programme was drawn up, the struggle between these two positions intensified around the question of women's suffrage. For example, in Eisenach in 1869 the marxist amendment of
'all citizens' to the proposal of 'universal, equal and direct suffrage' for men from the age of 20 was rejected. However the question of women's subordination did get on the agenda and many unions took up the issue later, with the emergence of definite commitment to greater unionisation amongst women as one solution to the lack of political attention to women's specific problems. The Unification Programme of 1875, by which the German Social Democratic Party was founded, resulted in the compromise of 'all citizens over 20 years of age', and the prohibition of all female labour which is morally and physically detrimental.\(^{(27)}\) This later position was elsewhere endorsed by Marx who advocated the exclusion of female labour from 'branches of industry that are especially unhealthy for the female body or objectionable morally for the female sex'.\(^{(28)}\)

Thönnessen has noted that there was a significant gap between discussions and proposals within the party of equal suffrage and labour restrictions, and the translation of these into measures demanded by the SDP in the political forum. For example, protection for women was not demanded until 1877, nor female suffrage until 1895. There was an even greater period of time between when the SPD first presented the demands and when they were actually realised through legislation.

The basic position of the party remained unchanged until 1889. It was characterised by imprecise demands for equal voting rights for both sexes and, in the economic sphere, support for female labour with rational, that is moral, restrictions. Like many of the issues raised within the party however, the women's question was overshadowed by the passing of the Exceptional Laws in 1878. These were in force for twelve years and were laws banning the free assembly of socialists introduced by Bismarck who was frightened by the advances which the SPD were making as an electoral party.
Yet it was in this context that Bebel wrote his *Women under Socialism* which appeared first in 1878 under the title *Women in the Past, Present and Future*. It is a clear statement of the position which argued for the progressive function of women's increased role in production. Women's plight should be related to the general plight of the working class. Both have their source in economic oppression; both will be overcome when capitalist society is transformed into socialist society. Unlike Engels however, Bebel partially raises the question of women's oppression as sex and attempts to consider the social construction of sexual identity. As we will see however, this attempt was compromised by a unifying notion of economic oppression which prevents any real formulation of the problems.

Bebel insists that the source of all oppression is economic subordination. It is this which, despite the differences in the forms of oppression, means that both women and workers are subject to subordination. The common source of oppression of both workers and women in their economic dependency: 'All social dependency and oppression has its roots in the economic dependence of the oppressed'. Women are economically dependent because of marriage relation. Because of this, the oppression of women precedes that of workers; it is the first form of slavery.

However much in common the woman may be shown to have with the working man, she leads him in one thing - woman was the first human being to come into bondage: she was a slave before the male slave existed. (29)

That this has been the condition of women since the early days of human history has according to Bebel been proved by all recent investigations of prehistory. This uncovering of prehistory is important for two reasons. First of all, it is important to establish the prehistory of the relations between the sexes because
it can thereby be proved that, seeing that these relations have materially changed in the previous course of human development, and that the changes have taken place in an even step with the existing system of production on the one hand and of the distribution of the product of labour on the other. It is natural and goes without saying that, along with further changes and revolutions in the system of production and distribution, the relations between the sexes are bound to change again. (30) Secondly any analysis of oppression must trace the sources of oppression. Only this knowledge of the sources of oppression will provide the basis for a movement which seeks to abolish this oppression; 'The actual features of society, and of the laws that lie at the bottom of its development, had first to be known before a general movement could take place for the removal of conditions, recognised as oppressive and unjust'. (31)

Bebel's prehistory of the relations of the sexes is less structured around the history of private property and the emergence of the state than is Engels'. In subsequent editions, however, Bebel integrated the outline of the Origins into his first section, Women in the Past. Here under the influence of Bachofen, he argues for the primacy of mother-right societies, not through any commitment to the matriarchal gens as a theory of social organisation, but in order to demonstrate the mutations which the relations between the sexes have undergone. Having made this point against the eternal nature of women's subordination, Bebel sets out to show in Women in the Present, how the 'natural' relations between the sexes have been distorted. The sexes are constructed as antagonistic because the sexual relation has been distorted and is no longer natural; 'antagonism is constructed because one sex is raised as a slave of another.' (32)

Women in the present then is a text crossed by and formed by the various strands discussed in this thesis. The text asserts that in our society women are oppressed as a sex. This oppression is based on the distortion of the 'natural relation' between the sexes as a result of economic considerations, in the modern world of private property. Bebel however
starts from a very particular notion of what the "natural" relation between
the sexes might be; 'marriage... should be a union that two persons enter
into only out of mutual love, in order to accomplish their natural
mission!'(33) but this mission is rarely achieved in its purity.

Bebel describes the way in which marriage in its distorted economic
form subordinates women. It affects women as sexual beings for it imposes
unhealthy abstinence (later marriages and even ideologies of repugnance with
the sex act). Bebel argues that far from immoral, the sexual urge, defined
as the urge to procreate, is a simple need which must be satisfied, otherwise
there is danger of insanity and degeneracy; 'Marriage is, accordingly, the
true fountain of youth for the female sex.'(34) These are indeed the
natural requirements of the human species, but far from being satisfied
by modern society, it is distorted by the economic considerations of
bourgeois marriage. Interestingly Bebel sees these requirements as equally
pressing for women as well as men, and employs evidence from Kraft-Ebing about
the reality of women's sexual (procreative) instinct. But these requirements
cannot be met in modern marriages;

Unquestionably monogamous marriage, which flows from the bourgeois
system of production and property is one of the most important
cornerstones of bourgeois or capitalist society: whether however
such marriage is in accord with natural wants and with a healthy
development of human society, is another question...marriage founded
upon bourgeois property relations is more or less a marriage by
compulsion, which leads numerous ills in its train, and which fails
in its purpose quite extensively, if not altogether. (35)

Marriages and births are now completely dominated by unworthy economic
considerations with the result that even though contemporaries may be too
'civilised' to actually practice infanticide they certainly practice
such oppressive relations that they as good as kill. Bourgeois marriage
is to Bebel a shameless trading, making a mockery of the notion of the
'sanctity' of marriage. For the propertyless the practices make no sense
whatsoever.
Like all the other socialist writers on the position of women, Bebel sees prostitution, the trading in women, as an effect of the corruptions of bourgeois marriage. It is an effect of sexual deprivation of late marriages, itself the result of economic considerations. Again marriage and prostitution are the recto and verso of the same relation;

Marriage presents one side of the sexual life of the capitalist or bourgeois world; prostitution presents the other. Marriage is the obverse, prostitution the reverse of the medal.' (36)

Prostitution exemplifies the distorting effects of bourgeois marriage. It inverts the relations between the sexes, making women the seducers, a role which 'naturally' belongs to the men. Moreover, abstinence creates all sorts of 'perversions'; such as homosexuality and pornography. Thus there is a situation where on the one side there is excess, resulting from unnatural abstinence, on the other the horrors of the hard life of the proletariat whose family life is destroyed.

In the context of all these aspects of marriage, the increase of women's involvement in productive labour is to be welcomed. It is a social development which, in destroying the foundations of bourgeois marriage, points the way to the construction of newer and freer forms;

Yet... the social development, productive of such sad results, is progress—precisely such progress as the freedom to choose a trade, freedom of emigration, freedom to marry, and the removal of all other barriers, thus promoting the development of capitalism on a large scale, but thereby also giving the death-blow to the middle class and preparing its downfall. (37)

Capitalist social relations dominate all aspects of life; they are the grounds on which the whole social and political superstructure has sprung up. Capital is the leading power of the State and society, and the state is inevitably in a society dominated by capital and private interests. It is only with the overthrow of these interests that antagonisms generated by the economic dependency of one group on another will disappear. The means to this is through the overthrow of the bourgeoisie by the working class party.
Socialist women and the woman question

Bebel's position was supported and developed by Clara Zetkin whose pamphlet, "The Question of Women Workers and Women at the present Time", 1889 summarised the various writings on the woman question from within socialism. Again, like Engels and Bebel she was convinced that the only route to women's emancipation was women's involvement in production and the overthrow of the capitalist system. The question of women's emancipation was never however developed as a political priority within German social democracy. Frequently demands for the improvement of women's position in society were limited to demands for protective legislation. Some feminists resisted this on the grounds that it deprived women of complete equality in productive relations, thus slowing down the inevitable collapse of capitalism. Despite the progressive programmes drawn up by the party after the repeal of the anti-socialist legislation, in general the questions of women's social position received less attention in the years after the repeal of the anti-socialist law. It is interesting to see that Clara Zetkin sided with Rosa Luxemburg against what they saw to be the "revisionist" direction gradually taken by the social democratic party. Their philosophy on the transformation of the position of women was closely bound up with a classical marxist theory of the total overthrow of capitalist social relations. Thus the defeat of that version of marxism was also a defeat of the woman's question in social democratic politics.

While excuses could perhaps be made for the failure of the woman's question to become anything other than marginal to SPD policy, Women under Socialism had an enormous impact beyond Germany as well. The radical impact in the Austrian social democratic party has already been noted. In that country, the feminist platform had been strong enough to carry through radical measures designed to improve women's position. Alexandra Kollontai,
active in the struggle for women's emancipation in Russia described the book as 'the woman's bible' and freely admitted that this book had inspired her as to the importance of the woman question. Yet, ultimately the priority given to transformation of the position of women was no greater in a country which had achieved a form of socialism. Much of Kollontai's writing, as a socialist profoundly concerned with the subordinate position of women, is exemplary of the problems of attempting to formulate an analysis of women within marxism.

Kollontai was so violently antipathetic towards 'bourgeois' feminism and the suffrage movement, that she refused to call herself a feminist. Indeed much of her early political activity involved speaking at meetings against what she called the pernicious and diversionary effects of bourgeois feminism. Kollontai had early decided, like Zetkin, in favour of the orthodox marxists against the 'revisionists'. This expressed a commitment to the notion of the increasing contradiction in the relations of production and the inevitability of the collapse of capitalism. Her work is interesting because it is an expression of the theoretical and ideological position of marxism in respect of the family which had been pushed to its extreme. It has pushed to an extreme because of political difficulties encountered in formulating the specificity of women's position within orthodox marxism.

Kollontai's early work, The Social Basis of the Women's Question was written as an attempt to answer the feminist and suffragist movements from the perspective of marxism. It explored four themes, 'the fight for the economic independence of women, marriage and the family problem, the protection of pregnant women and women in childbirth, and the struggle of women for political rights'. Again economic factors were taken to be the root cause of women's subordination. The property-orientated
monogamous family expressed these economic factors. It is therefore, 'the essential basis of the social stability of the bourgeoisie,'(39) Women's subordination cannot be resolved without a total transformation of the relations of production within capitalism;

There is no independent women's question, the women's question arose as an integral component of the social problem of our time. The thorough liberation of women as a member of society, a worker, an individual, a wife and mother is possible therefore only together with the fundamental transformation of the contemporary social order. (40)

Kollontai's treatment of the question of sexual relations is often more subtle than the reductionism of this statement might suggest. There is now much work available on the context in which Kollontai was writing, work which is too detailed to do justice to here.(41) It is however clear that Kollontai's political experience, both in exile in Europe in the years preceding the first world war, and in Russia during the revolution and the ensuing civil war, raised a whole series of questions about strategy towards women and the family which went far beyond the analyses offered by either Bebel or Engels. Kollontai encountered the struggles of the SPD Women's Bureau, constantly fighting to keep women's issues on the agenda in Germany - she herself had to fight in Russia to establish the importance of work among women and for women; finally she experienced both male socialist's active resistance and the passive resistance of traditions and customs. All these contributed to the sense of the need to talk about the dynamic of sexual relations in their specificity. It was in this context that Kollontai, unlike many other marxists, was prepared to think about the work of the sexologists like Havelock Ellis, and psychoanalysts like Freud, which she had encountered in exile in Europe. It was in this context too that she argued the need for "a psychology of love", a psychology which could explain the tenacity of old customary morality and sexual behaviour.
Kollontai's attempt to develop a specific account of sexual relations, yet remain faithful to what she saw as orthodox marxism, are revealing in the context of this thesis. They show the convolutions necessitated by dealing with sexual relations in their specifity and with women in their specificty while arguing still for some necessary relation between sexual relations and relations of production. Kollontai claimed that the family was undergoing changes in response to the social and economic environment. The effect of changes in productive relations had been to change ideas about the role of women in social life and to undermine sexual morality. Yet different class groupings respond differently to these changes and the different responses are exemplary of the roles which the bourgeoisie and working class will play in socialist revolution.

Faced with changes, the response of some groups is simply to defend the old forms of the family. For other members of the bourgeoisie, the middle-class intelligensia, change is actively pursued - a more liberal sexual morality is sought and the traditional indissoluble marriages are replaced by freer, more-easily broken ties of civil marriage. Yet the ideology of these new forms of morality is extreme individualism and self-gratification. For the working class, it is a matter of passive adjustment to unfavourable circumstances - the old family forms destroyed by women's increased role in production, the proliferation of prostitution, extreme economic hardship etc. But in keeping with their role as 'the progressive class', the response of the working class is also active and creative. For the destruction of the old family life and its replacement by forms of socialised labour has also the effect of setting collective or community values above family and therefore above individual values. A worker, she argued, never puts his family before his class; he will never break strikes for the sake of his individual family. The bourgeois man will however always put his family first. All acts of avarice
and anti-social behaviour are justified in the name of protecting his family. Thus the working class response to changes in sexual morality as a result of social changes again demonstrates their mission as the progressive class, the class in whose interests the socialist revolution is carried out.

Kollontai became increasingly interested in the problem of the subordination of women as a sex, a problem which she related to the sexual roles imposed by monogamous marriage. Increasingly she looked to psychology for her critique of monogamy and attempted to develop questions of the dynamic of a monogamous relationship which went beyond the question of economic hardship. She argued for the need for psychic adjustment as well as social change to solve 'the sexual crisis'.

In this context she outlined three basic circumstances which distorted the modern psyche - "extreme egotism, the idea that married partners possess each other, and the acceptance of the inequality of the sexes in terms of physical and emotional experience."(42) In order to relate these circumstances to her economistic account of the family, she suggests an analysis of ideological forms as themselves formed in the process of struggle;

it is worth saying something about 'proletarian ethics' or proletarian sexual morality in order to criticise the well-worn idea that proletarian sexual morality is no more than 'super-structure' and that there is no place for any change in this sphere until the economic base of society has been changed. As if the ideology of a certain class is formed only when the breakdown in the socio-economic relations guaranteeing the dominance of that class has been completed! All the experience of history teaches us that a social group works out its ideology and consequently its sexual morality, in the process of struggle with hostile forces.' (43)

The limitations on Kollontai's ideas are all too apparent. Although she attempts to invest ideological relations with a degree of autonomy, she nevertheless sees psychic forms - possessiveness etc. - as an effect of a definite set of relations of production. Such an assumption ultimately
rests on the idea that social structures generate certain definite ethical forms or forms of behaviour.

Kollontai's position is highly problematic in so far as it attributes to the classes different behavioural responses. It is a problematic position even in the terms of her own argument. How is it for example that psychic responses may vary between classes when these responses are said to arise within the monogamous family, an ideological structure shared by bourgeoisie and working class alike? How can a model of the psychic structures of the monogamous family be drawn if ultimately the relations of production condition differential behaviour responses from the different social classes? Kollontai is contradictory. She insists on the tenacity of ideological forms, the monogamous family structuring emotions, needs and desires; at the same time she insists that the working class have a creatively different response because of their different relation to the relations of production.

The contradictory nature of Kollontai's arguments do indeed point to what appears to be a consistent problem within marxist theory. In so far as marxism insists on the integral relation between relations of production and ideological forms like the family (where the relation is one of determination) an account of the latter can never properly be given. For if 'behaviour' or 'ideological' forms function for or reflect the requirements of the relations of production, however loosely their connection may be theorised, the structures which arise in those ideological practices are always reduced to reflections of the economic relations of production. It is not however simply a questioning theoretical inconsistency. Kollontai saw her ideas at first resisted and gradually rejected in the tightening up of family law and morality during the late 1920's and 30's. First she was witness to the defeat
of her general political sympathies, expressed in the Worker's Opposition, a group which opposed Lenin's economic and social policies. Under Stalin however even the possibility of such opposition disappeared and Kollontai in fact recanted on her earlier positions, being the only Bolshevik of the first government who survived the purges. Far from having opened up the possibility of challenging women's subordination, increased conservatism towards both family and the position of women characterised the regime in the later years of Kollontai's life.

**Women as sex**

The grim instance of the failure of these issues to achieve any prominence in the building of socialism has given a certain historical justification to those feminists, branded by the socialist women as bourgeois who criticised the attempt to develop a politics towards women based on marxist theoretical analysis. Alys Russell's critical survey of the treatment of the woman question within social democracy illustrates the terms of the hostility towards marxist feminism. The focus of her survey is the work of Bebel, in order to dispute his treatment of women as a sex. Russell argues that in so far as Bebel takes sexual relations as procreative relations in order to derive women's evils from economic dependency, women as a sex disappear. The problems she raises are still pertinent for those arguments which seek to derive a politics of feminism from a marxist analysis of the position of women, even though the terms of her criticism derive from a very distinctive and limited theoretical and political milieu.

The first point of disputation is the doctrine that all political movements will derive from class interest groups, and that all politics are the effect of a struggle between the classes.
The attitude of SPD towards the women's movement is well illustrated by its criticism of the form which that movement has taken in England. It regrets that working women, owing to the activity of women in the upper classes, have failed to acquire any feeling of class consciousness, of solidarity, of confidence in their own powers...Perhaps nowhere so much as in their attitude to this question are we made to realise the Social democratic doctrine of Klassenkampf; or class warfare, the doctrine according to which every political party is the party of a class, and every political movement, the exclusive movement of a class. What in England and America has been the movement of a whole sex, has in GSD been merged in the movement of the working class. Women are to have their rights not as a sex but as workers. (45)

Alys Russell argues that in England, at least, the tradition of feminism has largely arisen from within an individualist bourgeois mode; it has been concerned with the rights of women, all women as a sex, typified by the work of J.S. Mill and William Thompson.

There is no necessity, she argues, for the struggle for women's rights to be bound to the struggle for socialism, insisting that the subordination of women can still be found in so-called primitive communistic modes of production. She attacks the marxist hypothesis of the matriarchate. Far from implying communism or the high status of women, evidence from matrilineal societies often reveal a system of male political dominance; 'These facts hardly coincide with Bebel's statement that mother-right meant communism, the equality of all. (46)

In addition Alys Russell criticises the argument so beloved of socialist feminists of this period, that the capitalist system must necessarily be superceded because of the impossibility of its contradictions and antagonisms yet that it is this system which provides the conditions for its own supercession:

The underlying idea of ...women in the present, seem to be first that the recognition of women's equality with men is only a question of time, since women have already advanced so far and won so much for themselves; but secondly that they cannot attain this equality under existing social conditions. It would seem that the first assertion rather destroys the second, and that Bebel in his desire
to prove the capabilities of women, has stated that their success in attaining their ends so emphatically that the needs for a socialist society is but slightly felt. And certainly Bebel's main demands are capable of being satisfied under the present order of society. He really asks for no more than is demanded in countries by those advanced women who are not followers of Marx and whose suggestions are more practical than Bebel's. (47)

Alys Russell points to examples of this contradiction which is a general contradiction of those theories which advance any inevitability to the logic of capitalism. For example she suggests that women's economic independence could theoretically be secured by Trade Unions for the unmarried, and endowments of motherhood. (48)

This latter though a socialist measure is, theoretically compatible with the private property. And the equal mental and physical training of the sexes, one of Bebel's chief demands is certainly possible in an individualist state of society. (49)

Although Alys Russell's perspective is Fabian, and the Fabian idea of a socialist strategy towards the family was to reinforce women's position in the family by various state endowments. However, Alys Russell's criticism undoubtedly isolates problems which have often worried feminists. As socialism is defined in terms of an upheaval of the relations of production between classes, there is no necessity that women's equality will be advanced by this route and none other. Indeed the whole discourse of 'equality' is one that starts from notions of citizenship and legality. It is therefore, as Alys Russell points out correctly, profoundly individualistic.

In many ways, Russell's criticism does pinpoint central problems with marxist political analysis of that period. It pinpoints the difficulty of formulating strategy when analysis assumes that socialism will only be attained by a total transformation of capitalist relations of production. But since the conditions for this transformation are continuously produced by capitalism itself, it is not clear how best strategy
can be formulated to produce the conditions for transformation. Over this issue, German social democracy itself was completely split. The aim of a socialist party was clearly to achieve a socialist economy, but how could this be achieved? By participation in existing capitalist political forms? Or only by revolutionary activity? The problems and divisions all sprang from an unresolved problem in the heart of Marxism. What was the status of 'capitalist relations of production' and how did this general structural designation of a particular society affect the other social relations of that society? Could the interests of the 'progressive class' ever be advanced through the social forms which characterised capitalism? Where all were agreed however was that first and foremost socialism must be an expression of the interests of the working class, interests defined as collective possession of the means of production.

For Russell the problems which this position creates are political problems. Is it true that the interests of the working class, so defined, will advance women's interests? Surely the interests of women as a sex can be advanced through alliance with more middle class feminist groups? It is not at all apparent to her for example that the interest exhibited by some feminists in birth-control and the radical implications this might have for women's sexuality are compatible with the socialist analysis advanced by Bebel. She formulates the problem in characteristically Fabian terms, pointing to a contradiction between individual and "collective" interests, which expresses itself in socialists' talk of the 'natural' sexual requirements, and simultaneous disinterest in birth-control issues: 'even Bebel does not say how a communistic society will reconcile the contradiction that must occasionally arise between natural instincts and duty as a citizen.' Unrestrained sexual satisfaction, she argues, can only be to the advantage of the male proletariat;
Bebel's is the psychology of the proletariat, and when he insists on the necessity for the satisfaction of natural wants, he has in mind the man of few pleasures and little imagination. (51)

For Alys Russell, deeply entrenched in eugenicist assumptions, Bebel's analysis presents a contradiction between individual/socialist state - the problem of the 'above averagely intelligent females' whose self-interest is not served by child-rearing. Yet, if scientific breeding of the race is to be cultivated by socialism (as she automatically assumes it should be) then surely these are the very individuals which socialism would most like to see as mothers;

Unless educated women are made to feel that child-bearing is a duty to the State, to which they must if necessary make some sacrifice of independence, and even happiness, it is difficult to conceive how even 'the perfect Socialist State' will be continued in the future without the deterioration of the race'. (52)

The argument is a curious one, crossed by so many strands of thought - the ideology of individual interests as the spontaneous product of a free floating individual, the eugenicist belief in the necessity for scientific planning of the race, the distrust of the language of class warfare and class interests and the belief that provisional alliances can be made, e.g. between middle and working class women to achieve provisional objectives. At the same time it touches on some critical area of the relation between feminism and marxist socialism. Feminism has often been steeped in bourgeois notions of equality, rights of citizenship etc. Marxist socialism has just as often inscribed most traditional notions of the family and sexual relations into the heart of socialism. It is no more apparent now, than it was to Alys Russell, that the priorities developed by marxist political parties will do anything to challenge sexual hierarchies and the social forms of oppression related to those sexual hierarchies. Everywhere in this exchange of positions, the need for a more radical conceptionalisation of sexual relations is apparent. The
marxist tradition embodied by Bebel insists on the integration of feminist and working class interests in the overall transformation of the economic structure of society. Thus more radical attempts to tackle sexual relations as specific and entailing distinct forms of subordination were either sacrificed by orthodox marxism to the politics expressed in *The Origins* or simply were unable to make themselves heard.

The integration of the family to the theorisation of class and political representation, meant that the issue of women's subordination found an all too easy place in marxist schemes. We have seen in the previous chapter that the concept of 'family' in fact belonged to a tradition of speculation on general social relations. Through a certain sleight of hand, Engels made the position of women synonymous with the family. It was this which gave the woman question both such a ready place within marxism but blocked any real theorisation of women or any real acceptance of the centrality of transforming sexual relations. Because of the particular function which the family fulfilled in Engels - as the place of individual interest, the family also was easily submerged by socialism to some notion of individualism. It becomes the realm of freedom to which the state addresses its activities. (It is interesting to reflect that there is a high coincidence between statist notions of socialism and their adherence to traditional forms of the family - as if the family were sufficient expression of individual freedom).

The bourgeois feminist approach correctly specifies on the one hand the non-reducibility of movements to transform the relations between the sexes to an economic (orthodox marxist) notion of socialism. At the same time elements of bourgeois feminism were able to stress the radical implications of birth-control for women in a way that marxism was unable or unwilling to do, hamstring by the lack of space possible for the theorization of the relations between the sexes. In this way a more
radical challenge was launched on the family from outside rather than inside marxism. At the same time however, this feminism which, in the past took a relatively technicist view of equality rather than striking at more fundamental inequalities, failed to see that the cause of all women cannot be bettered without a fundamental restructuring of social relations.
Conclusion

We can conclude then that a certain tradition emerged within marxism, where the family was paradoxically, both to the forefront of political and theoretical concerns, and simultaneously, inadequately theorised. In so far as Engels' account of the family insisted on the analytic and political priority of the relations of production, the specific dynamic of relations between the sexes could not be adequately treated. For example, the insistence on the family as economic unit made it impossible to consider the differential effects of family relations on the sexes.

Far from marriage binding the sexes together as an economic unit, marriage and the ideologies of sexual division put the sexes in radically different positions. They have different relations to the labour market, to child-bearing and child-care, and to the state. This tradition of marxism might argue that the state represents the interests of the bourgeoisie; it might equally well be argued that the state differently affects men and women, women constructed in a relationship of dependancy on men.

This chapter has only briefly attempted to outline some of the arguments surrounding marxism and the woman question. Its aim has been both to demonstrate how analytic and political priorities have blocked the specific analysis of the sexual division as social division. Through this analysis it has been suggested that these priorities have constructed a hierarchy of social divisions, which if it remains in force will continue to block understanding of the specificities of sexual relations.
CHAPTER SEVEN

THE PATRIARCHAL FAMILY IN FREUDIAN THEORY
Introduction

As with the history of early marxist thought, the development of psychoanalysis reveals itself to be profoundly influenced by the debates traced in the first part of this thesis. Theories of the history of the family, and especially the patriarchal family, appeared in psychoanalytic theory integrated into an account of the construction of individual sexual identity. Unlike the other discourses examined, however, psychoanalysis did not assume 'sexuality' as an unproblematic category. Instead it is taken as a central object of interrogation. It has been demonstrated that various accounts of the family or the history of the family rely on a notion of the sexual drive as a given, which has as its aim, sexual reproduction. Concomitantly men and women are theorised as having radically different aims and pleasures; sex and sexuality are seen as the same thing, both deriving from absolute sexual difference in the service of reproduction.

In opposition to such theories, psychoanalysis proposes a radical re-examination of the concept of sexuality, questioning the centrality of sexual reproduction and the rigid distinction between men and women. Such is psychoanalysis' preoccupation with the study of sexual construction that it has often been accused of concentrating on sexual identity to the exclusion of the social context in which that identity might have been produced. The two following chapters attempt to explore what theory of the social determination of sexual identity is in fact proposed by psychoanalysis and why this theory is such a problem for other social sciences. It is at the point at which psychoanalysis attempts to elaborate an account of the social relations in which sexual identity is constructed that it turns to the debates outlined in the first three chapters of this thesis. The following chapters will discuss whether it is the effects of this legacy which have compromised psychoanalysis' more radical claims.

This assessment would seem to be timely since recently it has been suggested that Freud's account of sexual construction is not in fact an
account of a universal and timeless process which unfolds itself regardless of the culture or historical moment into which an individual is born. Instead it is seen as a theory of sexual construction within a historically finite period - a cultural period, loosely designated 'patriarchal'.

As such it can be taken as an illuminating account of sexual construction within a delimited period. Grounds clearly exist in Freud's own writing to justify this interpretation since he goes to considerable lengths to place the taboo on incest and the castration complex - so important in his account of sexual construction - within the context of an actual history of the human family. Yet it is precisely this element of Freud's work which is steeped in presuppositions of earlier debates and the question needs to be asked whether a return to these elements is making most use of the radical aspects of Freudian theory. In the various re-examinations of this myth, Freud's own claim for the universality of his argument is either dismissed or re-interpreted. Where dismissed it is claimed that Freud was mistaken in projecting a useful and accurate, but strictly delimited, account on to all societies. Where re-interpreted, universality is modified on the grounds that, as yet, there have only been patriarchal societies in which women have been dominated as a result of their reproductive capacities. As a result, so the argument runs, although Freud's claim for universality is incorrect it is understandable since it reflects reality. A final element has been introduced in re-interpretations of Freud's hypothesis of the evolution of the human family. Structuralist re-readings of Freud stress that the myth of the evolution of the human family from primal horde to patriarchal family is strictly metaphorical and must be seen in the context of Freud not having at his disposal the concepts necessary to dispense with an evolutionist schema.

The following two chapters, dealing with the theory and history of psychoanalysis, have several related goals arising out of these contemporary
usages of Freudian theory. One is to establish what was the precise relation between the concept of patriarchy and other aspects of Freudian theory. It is this study which will be able to tell us the extent to which the concept in psychoanalysis is usefully assimilated to a positivist notion or a historical or cultural phase, 'patriarchy'. It will be able to explore whether this interpretation of Freud's actual history of the human family in fact compromises the deconstruction of sexuality which is evident elsewhere in Freud's work. The subsequent chapter will be able to explore the effect of a theory of the actual history of the human family on psychoanalysis' relation with other social sciences. In particular it will discuss the problems entailed in attempts to reduce the significance of Freud's account of the human family. These problems are acute for structuralist re-interpretations which, in suggesting that this element of Freud's work should be treated as metaphorical, have neglected the very real effects which the formulation has had in psychoanalysis' dealings with the social sciences. To neglect this effect deals neither fully with the ambivalences in psychoanalysis but perhaps more seriously it fails fully to challenge the terms in which the social sciences have formulated their opposition to psychoanalysis.

Phylogenesis: Freud's history of the human family

In 1920, the first edition of the International Year book of Psychoanalysis was published in England under the editorship of Ernest Jones. The impact of psychoanalysis was already widespread; in England and America it had been championed for treatment of war trauma. With the defeat of Germany in the first world war, the editorial explained the inappropriateness of continuing publication using German as the international language. Until the war, the main organs of psychoanalysis had been Das Jahrbuch der Psychoanalyse and Imago. Under the careful editorship of Ernest Jones,
the new international journal pursued a rigorous policy by which all books dealing with the interpretation of mental phenomena, were automatically reviewed. Into this category came all books published in the area of psychology and anthropology, which was clearly seen at this time as an area of the human sciences from which psychoanalysis had much to gain. During this period, the journal is characterised by an impressive orthodoxy: every relevant text is reviewed either collectively or by individuals in order to establish its actual or potential relationship to psychoanalysis. The systematic treatment of sociological and anthropological material reveals psychoanalysis' claim to be a science capable of explaining all cultural and social phenomena. *Imago*, still published in Germany, advanced this; the journal concentrated on the application of psychoanalysis to the mental sciences.

From a very early stage, psychoanalytic thought had established an interest in many of the same objects as those studied by the anthropological literature of the time (myths, sexual practices, rituals), a correspondence which will be dealt with more systematically in the subsequent chapter. But psychoanalysis entered forcibly on the picture of anthropological debates when, in 1913, Freud published *Totem and Taboo*. Here he added his account of the history of the human family to the multitude of versions already in existence. From the hindsight of psychoanalysis' divergence from the social sciences, it is often suggested that psychoanalysis' contribution to the debate on the history of the family, was simply ignored. This is far from the truth. Although many anthropologists dismissed the psychoanalytic hypothesis, it did provoke extensive consideration. Within psychoanalysis itself, one effect was the instant proliferation of psychoanalytic interpretations of anthropological data. Within anthropology, writers like Malinowski, the Seligmanns and W.H.R.Rivers (6) accepted the possibility that psychoanalytic methods might shed light on the interpretation of cultural forms.
Before looking at these debates in more detail, the pressing question which confronts us is why Freud felt the need to relate his discoveries of various psychic (sexual) complexes in the individual to a hypothesised account of the history of the human race. During the years prior to the publication of *Totem and Taboo*, psychoanalysis had constituted itself as a radical intervention in medial discourses. Through its assessment and treatment of neuroses, a conception of sexuality and sexual behaviour had been advanced which cut across existing medical definitions.

Treatment of nervous diseases had previously insisted on constitutional derangements, such as the designation of hysteria as disorder of the womb, or sexual problems as the effect of constitutional disorders, such as constitutional homosexuality. Psychoanalysis in opposition advanced an account of human development in which the divisions between 'neurotic' and 'normal' people could scarcely be drawn. In this account it was the theory of sexuality which constituted such a radical departure for psychoanalysis from other medical discourses. Freud insisted that most 'neurotic' disturbances could be traced to the early sexual experiences of childhood, and that neurotic structures were only a variation of those structures by which all humans acquired their sexual identity. From his clinical studies, he concluded 'that a disposition to perversions is an original and universal disposition of the human sexual instinct and that normal sexual behaviour is developed out of it as a result of organic changes and psychical inhibition occurring in the course of maturation.'

In the course of elaborating this account of neuroses, psychoanalysis developed a theory of the construction of sexual identity which radically challenged virtually all other contemporary accounts. Instead of masculinity and femininity assumed as irradically different somatic and psychic states, Freud advanced a non-essentialist theory of sexuality. He insisted that the sexual behaviour of children of both sexes was indistinguish-
able. The infant is initially bisexual; there is no given object of the sexual drive. The child is in fact 'polymorphously perverse', seeking all forms of sensual gratification. Both girl and boy child initially pass through the same dominant phases of erotic stimulation. Sexuality exclusively in the service of reproduction, that is heterosexual genital sexuality which is so much taken for granted in other discourses, is problematised by psychoanalysis. Psychoanalysis insisted that reproductive sexuality is an outcome which had to be explained rather than the yardstick by which all other 'perversions' were to be measured:

Thus from the point of view of psychoanalysis the exclusive interest felt by men for women is also a problem that needs elucidating and is not a self-evident fact based on an attraction that is ultimately of a chemical nature. (9)

The prehistory of infantile sexuality uncovered by Freud was that of infantile incestuous wishes directed to the parent of the opposite sex and polymorphous perversity. Both of these had to be repressed in the construction of genital heterosexual attractions. It was the process of this construction which formed the conscious and unconscious mental activities of any individual. In this account, two complexes were specified as formative in infantile sexuality: the Oedipus complex and the castration complex.

In Totem and Taboo, Freud tries to relate his discoveries of the Oedipus complex and castration complex in the individual unconscious to a hypothesised account of the history of the human race. In the book, Freud turned to the two obsessive themes of contemporary anthropology; the study of totemism (that is, the revering of a plant or animal which is often the name of given tribe) and the prohibition on incest. He argued that the boy's fear of the father, which put an end to the boy's incestuous wishes on his mother and his consequently ambivalent relation to the father, were emotional structures which could be found at a more general cultural level - in the totemic structure of religion and the prohibition of sexual relations between members of the same totem clan. Freud was not prepared to leave this as a matter of coincidence
or of parallels between individual and group: he went on to argue that the individual instance was precisely an effect of a racial prehistory.

The myth which Freud hypothesised was as follows. Following Darwin he sided with writers like Atkinson in suggesting that pre-cultural man lived in and roamed around with a horde under the dominance of one strong male. This strong male, or primal father, copulated at will, regardless of biological ties, punishing any of the other males who tried to usurp his privilege. In their common dissatisfaction, the sons gradually united and finally murdered the father. Then they ate him. After their action, the sons realised that their deed was awesome. The other side of their ambivalent relationship towards their father gained the upper hand: their feelings of affection and admiration, and because of this, of an intense guilt. Such guilt led to the restoration of the father's original prohibition against the sons enjoying their mother's and sisters. What had been previously prevented by the actual existence of the father was henceforth prohibited by the sons themselves.

They revoked their deed by forbidding the killing of the totem, the substitute for their father; and they renounced its fruits by resigning their claim to the women who had now been set free. Thus they created out of their filial sense of guilt the two fundamental taboos of totemism, which for that very reason inevitably corresponded to the two repressed wishes of the Oedipus complex. (10)

The two repressed wishes are for the father's murder and for sexual relations with the mother. Accordingly the sons became guilty of the two crimes which, Freud claims, are the only two which 'primitive society' takes seriously - incest and murder.

Freud suggests that a long period of time elapsed between the murder of the primal father and the restoration of his laws. During this period, as a result of the initial horror at the deed, the women of the tribe became central and, indeed, dominant. As a result of this, not only was descent organised through the mother, disavowing the role of the father, but this
period was also characterised by the worship of mother-goddesses. The restoration of reverence for the father was accompanied by the recognition of paternity. The admittance of paternity to consciousness is described by Freud as the advance to culture, the advance which constitutes human civilisation.

Freud's hypothesis draws in several levels of concern. On the one hand it attempts to 'solve' anthropological problems with psychological data. On the other, it mobilises anthropological data as a solution to problems interior to psychoanalysis. A distinction is drawn between the agency of totemism and the prohibition of incest within the totem clan. Totemism is seen as a facet of the emotional relationship with the father - the product of the desire to restore to the father his former revered position once the irreversible deed of parricide had been accomplished. The taboo on incest, on the other hand, was also invested with strongly practical motives. Once the father had been removed and the sons were in a position to enjoy what had previously been the exclusive possession of the father, they immediately became competitors with each other. Each wanted to take the position of the father.

Thus the brothers had no alternative, if they were to live together, but - not, perhaps, until they had passed through many dangerous crises - to institute the law against incest, by which they all alike renounced the women whom they desired and who had been their chief motive for despatching their father. (11)

Freud's account is joined to the multitude of contesting definitions as to the 'meaning' of mother-right societies and the practices of exogamy and incest - taboo. Matrilineal societies are described as regressive stages following the trauma of the primal murder. The incest-taboo and the concomitant practice of exogamy are the re-instatement of the father's law, without, according to Freud, the father's tyranny. But Freud's hypothesis is also more than another version on the history of the family. The terms in which he couches his hypothesis are strikingly similar to the
terms in which he accounts for the 'prehistory' of the infant which, before repression, requires the forgetting of infantile active sexuality. There is a stage of primitive promiscuity and incestuous activity before the intervention of civilisation. "Advance" is won at the cost of sexual renunciation and patriarchy is recognised. What Freud makes of these terms is something quite different but they indicate how much his schema was part of the intellectual current surrounding debates on the family and sexuality.

Innumerable objections to the Freudian hypothesis can be raised. These relate to both the theoretical and empirical level of his deductions. Of the former it is clear that such a hypothesis was subject to all the objections that were raised to a theory which attempts to explain a variety of social forms by reference to a unilinear evolutionary history. The Freudian evolutionary schema commits the additional crimes of ethnocentrism, attributing to different familial organisations, degrees of primitiveness. The objections at an empirical level are very numerous and relate primarily to the universal status which Freud attributes to totemism and to the relation of totemism to the sacrificial meal. The latter are by no means necessarily found together.

However it is not the disproving or proving of Freud's hypothesis which interests me here, but rather the need to understand its function in and effect on psychoanalytic theory. All of the obvious criticisms of Freud's tinkering with anthropology were raised at the time of the publication of Totem and Taboo. Some anthropologists disputed the factual evidence, some challenged the crude evolutionism, others questioned the validity of using individual 'psychical' complexes as a base for making deductions about 'primitive' social organisations. Yet in spite of all these criticisms, Freud not only adhered to his theory of the 'real event' at the origin of social life but also returned with a vengeance to the theme in the last book he ever wrote, Moses and Monotheism.

Moses and Monotheism resumes the concluding theme of Totem and Taboo.
where Freud explains his compulsion to provide a phylogenetic account
of the structures of the individual unconscious, that is, an account based
on a history of the human race;

It is not accurate to say that obsessional neurotics,
weighed down under the burden of excessive morality, are
defending themselves only against psychical reality and
are punishing themselves for impulses that were merely
felt. Historical reality has a share in the matter as
well. (13)

Here Freud summarises the compulsion, interior to psychoanalysis, to
elaborate a history of the human race. It is in order to solve the
problematic issue of whether or not unconscious structures are acquired
through each individual's identical experience or whether psychic structures
can be acquired without individual experience. This problem remained a
crucial one throughout all Freud's works though in some places he tackles
it in a quite different way. The remainder of this chapter will attempt to
clarify how the concept of the real event functions in Freud's work, in
order to see whether the phylogenetic account is the only solution offered
by Freud. The consideration of the status of the real event will be
followed by a study of Moses and Monothesism where Freud returns to the
theme of an actual history underlying individual and social psychic complexes.
The problem is to establish whether radical conceptions of sexuality can be
maintained with this solution.

Real event to primal fantasy:

His early work with Breuer on hysteria (14) had led to Freud's positing the
importance of early sexual experience in the determining of neuroses. At
that time (1893-95), however, Freud was maintaining that what his studies had
shown was the frequency of a 'traumatic' event in childhood. It seemed from
his researches that countless so-called neurotics had been seduced or even
raped in early childhood by parents and that neurotic and obsessional behaviour
in adulthood could often be ascribed to such a traumatic event. It was not
till later that Freud abandoned such an hypothesis, declaring that, either
tall fathers had to be deemed potential rapists, or the foundations of female
hysteria and neurosis had to be looked for elsewhere. The real problem
with the theory of infantile trauma was not merely the unlikelihood of the
frequency of such occurrences and the concomitant difficulty of establishing
whether or not the events actually took place. It was also the theoretical
problem that a trauma, a disturbance of sexual development, necessarily
entails a maturational account of sexuality in which too much sexuality too
soon will have disastrous consequences. In response to these problems,
Freud re-interpreted the data of primal trauma rather as the effect on
primal fantasy: instead of the commonness of parental seduction it was
necessary to posit the frequency of the fantasy of seduction. In 1914, in
'History of the Psychoanalytic Movement', Freud gave the following account
of the transformation of his theories:

If hysterical subjects trace back their symptoms to traumas
that are fictitious, then the new fact which emerges is
precisely that this psychical reality requires to be
taken into account alongside practical reality. This
reflection was soon followed by the discovery that these
fantasies were intended to cover up the autoerotic
activity of the first years of childhood, to embellish
it, and raise it to a higher plane. And now, from behind
the fantasies, the whole range of the child's sexual life
came to light. (15)

In the movement from traumatic event to fantasy of seduction, Freud
re-inforced a notion of psychical reality, the effects of which could be
just as violent as those resulting from an actual traumatic event. There
were two assumptions inextricably linked with the idea of psychical reality.
First is the relationship posited between the child's own sexual activity
and sexual enquiry, and the production of fantasy. Second is the implication
of the absolute status of psychical reality:

Whether we are to attribute reality to unconscious wishes
I cannot say. It must be denied, of course, to any
transitional and immediate thoughts. If we look at
unconscious wishes reduced to their most fundamental and
truest shape, we shall have to conclude no doubt that
psychical reality is a particular form of existence which
is not to be confused with material reality. (16)
The notion of psychical reality was not without problems for psycho-analytic theory. Principally the commonness or typicality of the fantasy had to be accounted for in a way that did not just assume that, as an universal attribute, all individuals spontaneously fantasised similar fantasies. And, following on from that, there arose the critical problem of how to retain the absolute determinancy of the individual's history on her/his psychic life and unconscious formations, if the production of fantasies is not seen to be rigidly dependent on actual events.

Such problems almost certainly underlay the fact that Freud's theoretical shift from real event to primal fantasy was by no means as smooth as he seems to suggest in 'History of the Psychoanalytic Movement', where he represents the discovery of the Oedipus complex and the castration complex as the natural and easy successor to the preliminary idea of the parental seduction. Instead of a real trauma, the Oedipus and castration complex could be seen as structures governing infantile fantasies. In fact, for some considerable time Freud worked with two parallel ideas: the first was the idea of a childhood sexuality which was ultimately rooted in biologism. It is possible to read 'Three Essays on Sexuality' as having been written in this context. The second was the more subtle account of the Oedipus complex and castration initially established through Freud's self-analysis, and featuring for the first time in any systematic way throughout 'The Interpretation of Dreams'. It was only gradually that the notion of psychic reality was established in a way where it was not just the reflection of the biological drives of infancy. Even the early accounts of the Oedipus complex can not be freed from the accusation of biologism. They posited that the Oedipus complex - the attraction to the parent of the opposite sex and the jealous hatred for the parent of the same sex - resulted from an essential attraction by one sex for the other, and a 'giveness' of sexual rivalry between members of the same sex. Much of Freud's writing must be seen as concerned with resolving the problem of the
relationship between the actual experience of the child and the production of fantasy.

'The Wolf Man' and 'Totem and Taboo':

Freud's case-study published under the title 'From the History of an Infantile Neurosis' (1918) sheds interesting light on the tension between the actual event and the role of fantasy in the individual history. Much of the first half of this lengthy and detailed case-study is taken up with 'a detour through the prehistoric period of childhood' (17) by way of the available material, here the symptoms of neurotic behaviour and the material of an early dream. The analysis of the dream of the little boy is highly elaborate, tracing associations and so on to the point of being able to establish a precise date for the dream, the eve of his fourth birthday which was also Christmas Eve in Russia. From the wealth of material produced by the associations of this dream Freud constructs both the wishes underlying the dream - the wish for sexual satisfaction from his father - and the terror that the satisfaction of this wish would entail castration like his mother.

Of the wishes concerned in the formation of the dream the most powerful must have been the wish for the sexual satisfaction which he was at that time longing to obtain from his father. The strength of this wish made it possible to revive a long-forgotten trace in his memory of a scene which was able to show him what sexual satisfaction from his father was like; and the result was terror, horror at the fulfilment of the wish, the repression of the impulse which had manifested itself by means of a wish and consequently a flight from his father to his less-dangerous nurse. (18)

What the analysis entails at this point is that the child recalls an earlier experience where, at (according to Freud's calculation) one and a half year's old, the child had witnessed his parents making love, with the father behind the mother. The child makes sense of this observation when he is four, not when he is one and a half:

...His understanding of them was deferred but became possible at the time of the dream owing to his development, his sexual excitations and his sexual researches. (19)
Freud is well aware of the possible criticisms of his deductions which centre on what possible sense a tiny baby could make of such a scene, whether at the actual time it took place or indeed retrospectively. He argues first that it must have been a reconstruction on logical grounds: a child of that age does not form such an understanding of events around it. Secondly, never in analysis is this 'event' produced as a recollection but always as a product of construction. Nevertheless, despite this doubt cast on the nature of the recollection, Freud insists that here he must retain his belief that 'It did take place as I suggest'. Yet, at the very moment of insistence on the actual occurrence of these events, Freud starts to offer another alternative:

There remains the possibility of taking yet another view of the primal scene underlying the dream - a view, moreover, which obviates to a large extent the conclusion that has been arrived at above and relieves us of many of our difficulties.' (20)

The alternative theory is that the child may not have actually witnessed the act of intercourse between mother and father, as Freud suggested. He must have witnessed an act of intercourse, but not necessarily between his parents but perhaps between animals. Then the anxiety about castration emerges not from the actual sight of the mother during intercourse but as a result of the gradual registration of other elements of exposure to sexual difference and the threat of castration. (e.g. sight of his sister, and a threat of castration by one of the servants in response to the boy's sexual activity.)

...we cannot dispense with the assumption that the child observed a copulation, the sight of which gave him a conviction that castration might be more than an empty threat. Moreover the significance which he subsequently came to attach to the postures of men and women in connection with the development of anxiety, on the one hand, and as a condition upon which his falling in love depended on the other hand, leaves us no choice but to conclude that it must have been a *coitus a tergo, more ferrarum*. But there is another factor which is not so irreplaceable and which may be dropped. Perhaps what the child observed was not copulation between his parents but copulation between animals, which he then displaced on to his parents, as though he had inferred that his parents did the same thing in the same way.' (21)
Thus at the crucial moment of claiming the 'reality' of the child's observation of parental intercourse Freud turns away, offers an alternative solution in which the child combines various observations to produce a fantasy of the act of parental copulation. Here, because of the particularity of the child's experience, the fantasy is sufficient to generate intense anxiety - an anxiety which arises not from any observation, but from a form of understanding which is provoked in the fantasy. Thus the Wolf-Man raises centrally the question of the real event, and offers no definite position; the text hesitates between the deduction of an actual event and the dismissal of all that deduction on the grounds that the violence of the effect can be understood perfectly well even by supposing a fantasy of that event.

Significantly, for the purposes of my argument, Freud dismisses the distinction between fantasy and real event by appealing to his phylogenetic schema:

I should myself be glad to know whether the primal scene in my present patient's case was a fantasy or a real experience; but, taking all other similar cases into account, I must admit that the answer to the question is not in fact a matter of very great importance. These scenes of observing parental intercourse, of being seduced in childhood, and of being threatened with castration are unquestionably an inherited endowment, a phylogenetic heritage, but they may just as easily be acquired by personal experience.' (22)

He goes on to argue that 'experience's is not a vital element of the development of the individual, either of the so-called neurotic or of the so-called normal individual. Where experience fails, the gaps are supplied by phylogenetic data. What is evident from these passages is that Freud is working with a notion of 'reality' as that which is represented as having existed, and this can be supplied equally well by phylogenetic data as by actual experience. Thus, at a crucial moment, Freud appeals to the schema laid out in 'Totem and Taboo', which text corresponds to precisely the same concerns - how is it that the individual's psychic life is structured despite his/her individual experience.
The same problem already exists in the 'Wolf-Man' which will reappear in 'Moses and Monotheism'. Freud's phylogenetic schema leaves him still puzzling how to account for the transmission of memory of the real event — and indeed over the problem that the real event is simply pushed further back into prehistory. Freud's discomfort with this solution is clearly demonstrated in the concluding passage of 'From the History of an Infantile Neurosis':

I am aware that expression has been given in many quarters to thoughts like these, which emphasise the hereditary, phylogenetically-acquired factor in mental life. In fact, I am of the opinion that people have been far too ready to find room for them and ascribe importance to them in psychoanalysis. I consider that they are only admissible when psychoanalysis strictly observes the correct order of precedence, and after forcing its way through the strata of what has been acquired by the individual, it comes at last upon the traces of what has been inherited. (23)

He is certainly not happy with the solution of instinctual or archaic traces which remain in his schema being the only way of providing for the transmission of common structures of experience. Yet he can neither attribute the transmission to spontaneous production of identical fantasy, nor accept that each individual is radically and totally different according to that individual's experience.

From this examination of the notion of the real event as it features in Freud's study of individual neuroses, it has become clear that one can interpret Freud as grappling with a notion of 'reality' which is real in so far as it is represented as having existed. His appeal to phylogenesis had, further, a definite function within Freudian theory because it explained the determination of cultural structures, and, perhaps more importantly, because neither primal scene nor primal fantasy are taken to be other than a construct, produced through the work of analysis. (A consistent feature of Freud's work was the rejection of the status of recollection and an emphasis on the work of reconstruction in language.) Its significance will be discussed shortly. I hope to have demonstrated that the notion of
Phylogenesis must be understood in the context of fulfilling a definite and delimited function in Freudian theory, a function of which the effects cause Freud obvious uneasiness.

Castration and Representation

Two factors in Freud's work, developed in much of his later writing, displace the notions of the real event and phylogenesis. These factors reveal Freud trying to elaborate an account of the general structures of the unconscious without resorting to a phylogenetic account. Freud insists on the unconscious in analytic practice as a structural field which can be reconstructed since it handles, decomposes and recomposes its elements according to certain laws. Increasingly he attempts to elaborate the status of these laws around two factors: infantile sexual theories and the castration complex.

Infantile Sexual theories

As told by Sophocles, the original Oedipus myth provided indications of what became a central feature of Freud's account of infantile sexuality. Oedipus is asked to solve a riddle: 'What travels on four legs at dawn, two legs at midday, and three legs at dusk?' Oedipus was the first to provide the correct answer: 'Mankind'. His answer was fatal for that half-human, half-animal form, the Sphinx, which had posed the question. Already in the strange centrality attributed to this question in the Oedipus myth is an indication of what is tragic in Oedipus. It is his 'knowledge'. In the Oedipus myth Oedipus goes on to 'know' his mother in the carnal sense and therefore to know what, including the pleasure of his mother, is involved in the act of intercourse and his own conception.

The theme of sensual knowledge is not found only in this single instance in the myth. It is confirmed by the presence of Tiresias, the blind prophet. In Greek mythology Tiresias had become a woman as a result of his having seen
two snakes in the act of copulation. Seven years later - only after having seen the snakes again - he had been restored to manhood. While the Immortals, Jove and Hera, were as was their wont in argument about the relative pleasure obtained by men and women while love-making, they agreed to consult Tiresias, who, alone among mortals or Gods, was in a position to know the answer. Tiresias's reply was that, if love had ten parts, then men had one part while women had nine. Hera was so incensed about the betrayal of the 'secrets' of womanhood that she caused Tiresias to become blind. Jove, though, in pity for the predicament of Tiresias, compensated him with the gift of prophecy.

What is symptomatically present in the Oedipus myth is not just an example of how a man may desire his mother and 'hate' his father, even if unconsciously. There are also the questions of female sexuality and pleasure and of the 'knowledge' of social categories of sexuality. It would be ludicrous to suppose that Freud founded a major aspect of his theory simply on the correspondence of this myth with an aspect of psychic life which he had uncovered. The myth of Oedipus is too much charged with other layers of resonance in Freudian theory to be interpreted in this way. The tragedy of Oedipus is that he goes on to find what man literally is; he literally knows the pleasure of his own conception, and the punishment is the symbolic castration of blindness. The 'tragedy' is not simply that of inevitable punishment for incestuous desires, and hatred of the parent of the opposite sex if it should be carried through, but rather is it the tragedy of the non-intervention of sociality, in the form of the recognition of parental categories. There is absent the knowledge of paternity which, in the normal course of events, would put an end to the male's incestuous desire by the threat of castration. Desire cannot be structured. Oedipus's 'knowledge' of and his subsequent enquiry into his origins Freud finds paralleled in all children. With the normal child, so-called, acceptance
of the social institution of paternity puts an end to the child's involvement with the mother and structures desire according to social exigencies.

In Freud's work it is possible to see a modification of the trauma theory as the source of the later effects of neurotic behaviour in favour of an interest in the relationship between the child's sexual and aggressive behaviour and the production of sexual theories. I have suggested that this was so in the 'Wolf Man', but it is equally obvious in Freud's essays from 1908. In the essays, 'On the Sexual Theories of Children' (1908), 'Family Romances' (1909), 'Some Psychical Consequences of the Anatomical Distinction between the Sexes' (1925), 'Fetishism' (1927), 'Female Sexuality' (1931) and 'Femininity' (1933) the emphasis is increasingly laid on the sexual theories of children.

Our interest was engaged by the sexual researches of children; and from this we were able to recognise the far-reaching approximation of the final outcome of sexuality (in about the fifth year) to the definitive form taken in it by the adult. (24)

What becomes important is the concern with how a mythical history is constructed by which the individual advances to desire. Increasingly, there is concern with theories about the importance of having or not having a penis; in other words, with castration and its implications in relation to feminine sexuality.

An important point to register is that, in positing the importance of enquiry, and of theory, Freud was far from replacing an essentialist notion of biology by an essentialist notion of a thirst for understanding:

A child's knowledge on this point does not awaken spontaneously, prompted perhaps by some inborn need for established causes; it is aroused under the goad of self-seeking instincts that dominate him. (25)

In 'The Sexual Theories of Children' Freud described these self-seeking instincts as aroused by fear and anxiety – for example, the birth of another child or, more significantly, by the anxiety provoked by the fact
of anatomical distinction into narcissistic self-identification. Freud describes these provocations in identical terms with those used to describe his notion of primal trauma or fantasy. Sexual theories are thus provoked by early injuries to the ego (narcissistic mortifications) and relate to the sexual and aggressive nature of the child.

Such a basis for infantile sexual theories, and their provocation for thought itself, is intimately linked with Freud's idea in the phylogenetic texts of the provocation which the social category of paternity provides for intellectual advance. In the texts on infantile sexuality Freud makes it clear that the faculty of thought which takes its initial form as fantasy is never the result of any natural maturational process but is constructed by the fantasies themselves as a result of narcissistic injury. In so-called 'normal' development the anxiety produced by the fact of anatomical difference would coincide with the threat of castration brought by the father, or, for the girl, with disappointments in the mother. With neuroses anxiety would set in process fantasies on sexual difference, remaining always in opposition to the predominating forms of sexuality. Thus Freud's analysis of male homosexuality devolves round the male child's initial and unshakeable fantasy that his mother has a penis, and, equally for fetishism, the structure of the latter is provided by the disavowal that the mother lacks a penis.

Significant also is the fact that Freud does not stress the importance of such fantasies as separate from the text presented to the analyst - either the text of neurotic symptoms, or the text of dreams and their association, or indeed the text of this fantasy as it is presented to the analyst. Increasingly Freud comes to indicate the structuring function which castration plays - becoming the nodal point around which the distortions of the text arrange themselves. Hence, in an analysis, it is possible to describe certain definite forms the analysis will take, since the account of the individual's history has to be presented in and across language, and has therefore been submitted to the structuring effect of
castration. Freud, in fact, hovers over equating representation itself with the emergence of sexual theories provoked by narcissistic injuries, relating to the problem of sexual differences as embodied in the castration complex.

**The Castration Complex:**

What is it that justifies the claim that, increasingly, it is castration—and castration as providing the conditions for thought/representation—that structures individual/group experience? It is possible to trace in Freud's work a progressive displacement of concern with the Oedipus complex by a concern with the castration complex as structuring of primal fantasy and, therefore, as provocation for thought in general.

In 1923 Freud's 'Interpolation into the theory of Sexuality', entitled 'Infantile Genital Organisation', added the importance of castration and of the phallic phase to his discovery of infantile sexuality. In that paper he acknowledges the shortcomings of original theories in *Three Essays on Sexuality*. He does this not merely because of the lack of discussion of the phallic or genital phase. It is primarily a criticism for having failed to take into account the implication of his theory of bisexuality and of the identity of the sexual activities of boy and girl. This is the difference of infantile sexuality from its adult outcome: both boy and girl undergo the same processes, are subject to the same drives, aims and activities. Both have active sexuality which is auto-erotic, or bound up with the mother, and which seeks sexual satisfaction. The identity of development is not confined to oral and anal phases of interest, but extends to active genital interest, for boys in the phallus, for girls in the clitoris.

It should emerge from the above that it is not simply a general theory of sexuality which has undergone revision, but there has emerged the problem of female sexuality with its implications for a general theory of sexuality.
It is no coincidence that in his later writings on sexuality Freud concentrates on the question of female sexuality.

Two very dramatic factors now emerge from following through the implications of bisexuality. The first is that the girl-child must undergo a very radical change in the form of her sexuality - from active to passive, from clitoral to vaginal. The second involves the assumption that the girl-child must experience the same desire as the boy-child for the mother: she must therefore undergo a very radical change to the object of her desire - from mother or woman to man. This is, then, the point of no return for biologism. No longer can theory retain any notion of the essential attraction of each sex for the other, or of the essential antagonism for the same sex.

One element clearly demonstrates the displacement of the Oedipus complex by the structuring function of castration on the final forms of sexuality in Freud's theory. This element consists of the failure of Freud ever to solve the problem of non-symmetry between the Oedipus complexes of the boy and girl. The Oedipus complex for the boy is a growing but constant factor. As is the girl-child, the boy is bound up sensually with the mother, and, because active sexuality coincides with phallic activity, there emerge fantasies of sexual involvement with, or 'marriage' to the mother. Only the threat of castration brought in rivalry by the father against the child's sensual involvement, coincident with the child's realisation of anatomical differences, forces the child to renounce the mother. For the girl-child, however, the process is reversed. For her the castration complex has to be placed before the Oedipus complex since she too is linked sensually with the mother and undergoes an active development of phallic sensuality. Only with her discovery of anatomical distinction, threatening the girl's narcissistic image, does the girl-child renounce the mother and turn to the father. Increasingly it can be argued that it is castration which in
Freud's theory of sexuality structures desire producing the 'final outcome' of reproductive sexuality. Thus it becomes possible to see castration as the point of organisation (or of disturbance of the text) by which the child represents its access to desire. Now from this it can be suggested that castration (the discovery of anatomical distinction) is synonymous with the possibility of representation. With the discovery of anatomical distinction and the elaboration of sexual theories, the child takes up a social position.

This rather cursory examination of aspects of Freudian theory has revealed two different but co-existent interpretations of the structural status of the unconscious. One insists that structures in the individual unconscious can be accounted for by a real event, and general structures can be accounted for by a 'real event' in human prehistory. The other suggested that the real event becomes real in so far as it is represented as being real. Increasingly we see Freud struggling with the idea that representation or thought was synonymous with the discovery of castration and it is this which structures conscious and unconscious identity. The structuralist re-reading of Freud has insisted that the notion of the real event should be interpreted in the light of the second series of preoccupations, castration and representation. Writers like Levi-Strauss and Lacan insist that the phylogenetic hypothesis was elaborated because Freud did not have available the concepts necessary to formulate a theory of culture as signification. According to Lacan such a theory would provide an account of the structural nature of the unconscious without having to resort to either of two impossible alternatives. On the one hand there would have been idealism, with the idea that all individuals somehow spontaneously produce the same phantasy. On the other hand was the option which Freud was forced to take - the phylogenetic hypothesis. Indeed it is this consistent refusal in Freud to attribute the cause of neuroses and mental disorders to any biological or genetic predisposition that is taken as an element of his radicalism; it breaks totally with any idealist understanding of the mind.
Lacan suggests that what Freud's account is concerned with is, in fact, the problem of anatomical difference and its relationship to the horizon of culture and signification. Because such concepts were not available to Freud he was forced to fall back on a mythical history of the race, unconsciously remembered by all human beings. Both Lacan and Levi-Strauss suggest that Freud, unlike many of his contemporaries, had realised that the prohibition of incest and the requirement of exogamy were inseparable movements, in some way fundamental, and the very structures which determine the construction of sexual identity and the unconscious. Unhappily Freud's own writings do not sit at all easily as structuralist writings waiting to get out. For not only does Freud hold to the phylegenetic account but at the end of his life he wrote Moses and Monotheism, taking the phylegenetic account further by attempting to relate this prehistory to the actual history of the Jewish race.

Freud had always argued that religion and forms of religious behaviour - whether 'primitive' religion in the form of totemism or the religion of advanced 'cultures' such as Jewish or Christian monotheisms - exhibited structures which directly parallel the structures of behaviour revealed by individual neurotics. In his early writings, however, he had tended to concentrate on the consideration of religion as a form of collective neurosis, as the projection of the infant's early overestimation of the father on to the outside world. For example, in 'The Psychopathology of Everyday Life' (1904) Freud asserted:

I believe that a great part of the mythological view of the world, which reaches far into modern religions, is nothing other than the psychological processes projected on to the outer world (26)

and in 1910, in the 'Leonardo da Vinci' paper:

Psychoanalysis has made us aware of the intimate connection between the father complex and the belief in God, and has taught us that the personal God, is nothing other than a magnified father....We thus recognise the roots of religious need as lying in the parental complex. (27)
In future of an 'Illusion' (1927) and 'Civilisation and its Discontents' (1930) Freud continued with this emphasis, describing religious ideas as patently infantilic and at odds with reality, and attacking the social institutions of religion as 'the forcible imposition of mental infantilism', inducing mass-delusion and preventing the structures from appearing as individual neuroses. Religious doctrines carried with them the stamp of the time in which they originated; that is, in the ignorant childhood days of the race.

While such positions on religion were clearly based on and including the account of the 'real event', religion's function was largely one of mythical horizon. In 'Moses and Monotheism', however, Freud seeks not only to establish the link between religious behaviour and the structures of individual neuroses with the history of the race, but he adds a further element. This latter is an attempt to articulate the former concerns with the actual history of Judaism - that is, with real 'historical' events which produced and determined the particularity of Jewish monotheism. Unlike in his earlier analyses of religious structures, Freud admits that he has been forced to acknowledge 'the historical truth' of the Jewish religion.

It is this apparent attempt to give an account of historical events underlying the structures of both monotheism and of paternally-dominated religion that has opened the gates for some theorists to assume that it is possible to equate the sexual/cultural forms that Freud describes with an actual historical period. Thus we find Julia Kristeva's 'On Chinese Women' setting out to demonstrate how sexual division and organisation will be different in a culture in which the social and kinship organisations have not produced patriarchal monotheism. In what follows I shall examine the notion of history in 'Moses and Monotheism' and discuss whether it can be combined with a positivist interpretation of history, as an account of "patriarchy".
History in 'Moses and Monotheism':

In 1934 the first draft of this book was published under the title 'The Man Moses, a Historical Novel'. This definition of his work as an historical novel, and comments made elsewhere by Freud, should serve as an initial warning as to the status of the reference to history in 'Moses and Monotheism'. Ernest Jones reports how dissatisfied Freud felt with his account of the life and social origins of Moses and of the origin of the Jewish 'tribes':

Experts would find it easy to discredit me as an outsider.... It won't stand up to my own criticism. I need more certainty and I should not like to endanger the final formula of the whole book which I regard as valuable, by appearing to found the motivation on a basis of clay. (28)

At this point Freud decided temporarily to abandon the project, making the significant comment that 'I am no good at historical romances'. It should be noted that the final formula of the book was concerned with the reiteration and development of the theses of 'Totem and Taboo', emphasising again the coincidence of individual neuroses, religious practices and the hypothesised 'origin' of society. In this section, too, Freud discusses how the violence of the effect of Jewish religion cannot be understood in terms of the particular history of the Jews. It is this particularity which Freud claims produced the conditions for an 'advance' to monotheism and patriarchy simultaneously. In other words, the history of the Jewish religion is argued in terms of 'over-determination'; the point of its emergence being a structure of coincidences, repetition of the act at the origin of culture, and definite material circumstances.

Before discussing the status of history in more detail, it is necessary to outline what exactly is "the actual history" which Freud claims to have uncovered under the Jewish religion. The hypothesis which Freud suggests for the history of the Jewish race and religion can be summarised as follows. Freud starts with the 'outrageous' claim that Moses was an Egyptian and not,
in fact, a Jew as Biblical and scriptural history and tradition would have it. The religion which Moses brought with him was external to the Jewish people. In fact, Freud deduces, it was the religion of worship of the Egyptian sun-god, Aten, which had become a monotheistic religion for a very brief period under the Egyptian pharaoh, Akhnaten. Moses perhaps had been a noble or priest from the exiled Akhnaten regime who formed an alliance with the oppressed Semites. He became their leader but in the course of political rivalries, he was murdered by the Semites. The Semites formed an alliance with other nomadic or disposessed tribes, (the meeting at Canaan). The religion of Aten was at first subsumed to the religion of the worship of Yahwe, a fierce Volcano god. After a period of latency the original forms of the Egyptian religion were restored. These forms were monotheism, rejection of the after-life, and the taboo of any representation of the god. All these forms Freud claims bear startling resemblances to the short lived appearance of monotheism in Egypt. The pre-condition by which these forms re-emerged was provided by a historical co-incidence. Another leader, son-in-law to the Midianite Jethro, emerged: he happened to be called Moses as well.

Freud argues that there are a series of historical accidents by which the history of the Jewish peoples replay the events at the origin of human culture - the murder of the primal father. The effect of such a repetition is to provide a means of working through, and thereby resolving, the guilt at the original murder. An 'advance' in what he calls GEISTIGKEIT (spirituality or intellectuality) is then secured. This advance is both the recognition of the social category of paternity and permanent establishment of a single father-deity. Patriarchal monotheistic cultures are thus brought closer to the truth of the original traumatic deed, and therefore to a greater degree of neurotic resolution. From the perspective of the rest of this thesis, it will be clear that for a hierarchy of degrees of primitivity, Freud has substituted or so it appears a hierarchy of degrees
of neurotic resolution. However we have already seen that Freud mobilises this notion of advance in his outline of individual development to account for the acceptance of the social categories of desire.

What is the status of this specific history of the Jewish people which Freud is so at pains to establish? Can his account of the development of the rigidly patriarchal and monotheistic culture on which our own is based be taken as occupying the same status of a positivist history of the development of patriarchal cultural forms? Positivist history interprets the representations found in texts by means of rules and procedures intended to determine the veracity of the record. It aims to eliminate distortion and to read back through the record to the real conditions of which it is the representation. In this case it would seek to find a historical social formation characterised by paternal rule and dominance. Freud's methods are indeed a very long way away from such a positivist method of historical investigation. Several elements in the text of Moses and Monotheism demonstrate how Freud proceeds to his historical account. They reinforce the conclusions which I have begun to draw as to the status of the real event in Freudian theory.

Textual Distortion

Thus almost everywhere noticeable gaps, disturbing repetitions and obvious contradictions have come about - indications which reveal things to us which it was not intended to communicate. In its implications the distortion of a text resembles a murder: the difficulty is not in perpetrating the deed, but in getting rid of its traces. We might well lend the word EINSTELLUNG (distortion) the double meaning to which it has a claim but of which today it makes no use. It should mean not only 'to change the appearance of something' but also 'to put something in another place, to displace.' (30)

My emphasis

Unlike positivist history which sets out to eliminate distortion by some appeal to a higher truth - oral accounts, statistics, economic conditions etc. - this procedure treats the text as the analyst treats the speech of
the patient. It expects to find the meaning of the text, within the text, not outside the text, as positivist history would expect. This is not however to expect transparency as if 'the text represents what really happened'. Instead, it seeks to reconstruct the meaning through processes of association, through displacements, through contradictions and repetitions. Analytic procedure accepts the patient's text always as already re-presentation going on to investigate the structures determining the representations through displacements and distortions occurring in the text. It seeks neither to eliminate the distortion, nor correlative to read back to the original event, but to construct the phantasy/event in the discourse addressed to the analyst. As the quotation above indicates, what is displaced at one point will appear in another place in the text.

Freud accordingly takes the evidence of the Scriptures neither as historical truth nor as the total fiction of mythology:

Biblical narrative contains precious and invaluable historical data which have been distorted by the influence of powerful and tendencious purposes and embellished by the products of poetic invention.' (31)

He claims that these distorting purposes can be deduced largely from the texts themselves, since quite often what has been suppressed or disavowed will appear elsewhere in the text.

Two examples indicate how Freud employs the notion of distortion. The texts of the Hexateuch emphasise how Yahweh had insisted to Abraham on circumcision as part of the distinctiveness of the chosen people. As Freud shows, however, the mark of distinctiveness is a somewhat awkward one since circumcision was also regularly practised by the Egyptians. Here Freud argues that the Egyptian connection is suppressed by an insistence that circumcision is found as an original characteristic of Jewish tradition. This insistence however suggests disavowal. Another example of textual distortion is found in the very notion of the 'chosen people'. Freud indicates how completely different from any other religious mythology is
such an account of a God's choosing his people, particularly in choosing a people after a long period in which the god appeared inactive. Freud here deduces another distortion resulting from the strange formation of Judaism by an Egyptian, a distortion intelligible if it is pre-supposed that Moses the Egyptian chose the Semites when he set out to escape Egyptian persecution.

Freud will not leave the notion of distortion at the level of the intrusion of political motives in historical representation. He supposes further both that the Scriptures are a combination of historical and political evidence with mythological structures, and that, as myths, they may be assumed to possess elements of the typical myth.

The Distortion of the Typical Text:

The initial historical postulate that Moses was an aristocratic Egyptian derives from the deviation of the hero-myth of Moses from other myths of heroes. It is, in other words, a deviation from the average legend, the outline of which Freud derived from Rank's 'Myth of the Birth of the Hero', (1909). This is thought to have profound links with the psychic life of the child: it has obvious parallels with the 'family romance' by which through phantasy the child embellishes its origins.

Freud accepts Rank's account of the typical legend, claiming that it is related to the problem of paternity. The hero is born against his father's will, is often cast out and returns to overcome the father. A classic version of the legend involves the exposure of the hero, often in a casket, from which he is rescued to be brought up by humble parents in place of his natural ones. Freud does not omit to emphasise the recurrent symbolism of birth which adheres to stories about casting out on to the water. In 'Family Romances' (1909) he argues that the typical myth or legend has direct parallels in the psychic life of the child. Here in phantasy the
child often assumes that his/her real parents are only adoptive, he/she being descended from royal or noble blood. In fact, when the child realises the irrefutability of maternity, there is attributed to the mother a rich sexual life in order to replace the real father. Freud suggests that these infantile explanations or theories are the embodiment of, and to some extent, the resolution of contradictory impulses towards its parents.

A typical example of such contradiction is the early over-estimation of the father which gives place to disappointment and, quite often, fear or rivalry. The child's 'fabrication' of royal descent, by which the natural father becomes a foster-parent, corresponds according to Freud with the complex of over-estimation/disappointment and rivalry.

In contrast to this typical structure, the legend of Moses reveals striking dissimilarities and reversals. Moses is born of humble parents and rescued from the water by the aristocracy. Freud attributes to these dissimilarities the status of distortions of a typical text. Such distortions can be accounted for as being the eruption of certain features of a historical nature which, for political reasons, have undergone transformation. What is here being suppressed is the Egyptian origin of Moses. Under the pressures of nationalism the 'false' parents are made out to be Egyptian: hence the distortions to the usual form of the story.

Already we are confronted by a somewhat unusual assumption about the historical event. Family romances were thought by Freud to be located predominantly in the relations of desire within the family. Yet he uses the distortions operated on the typical romance as the evidence of historical events. The historical narrative has to be seen, in this case, as a re-construction - a combination of typical structures, political forces and material circumstances.

The Analogy between the Individual and the Group:

As he does with much of the so-called historical evidence in 'Moses and
Monotheism', Freud justifies his appeal to 'typical legends', etc. on the ground that religious observances, myths, religious practices all have their bases in the same structures which underlie individual neuroses; in other words, religious observances are said to correspond with the complexes accruing round parent/child relations, castration anxiety, and events of a sexual nature in just the same way that these can be found almost invariably in individual neurotics.

This supposition running through all of Freud's work premises that religion is a collective neurosis, the bases of which may be found in the very structures underlying individual neuroses. The parallelism between individual and group neuroses in fact provides the whole 'flesh' of 'Moses and Monotheism', leading Freud often into areas of speculation in which he seems uncomfortable. In 'Moses and Monotheism', for example, Freud attempts not only to locate religion in the same structures as the complexes determining individual construction, but he attempts also from this analogy to adduce and describe an historical process. Freud therefore uses the analogy to account for the puzzling fact that, if you were to accept the Egyptian hypothesis, a long period passed between Moses's exile from Egypt and the final establishment of Jewish monotheism. What the analogy suggests is that there was a period of latency followed by, and replaced by, the outbreak of neurotic or compulsive behaviour. Thus Freud is able to hypothesise an event, at the origins of Jewish religion, parallel to the traumatic event at the origins of sociality. Freud's argument for the murder of Moses is based on such an hypothesis, together with inexplicable references to the Semites' disobedience towards, and rebellion against, Moses throughout the Scriptures. Because of the murder of the great man or father-figure of Moses Judaism 'advanced' towards monotheism. Repetition of that first deed, and also the repetition of other conditions, of the name Moses, etc. allow a partial return of the repressed and the reinstigation of reverence for the father.
In 'Moses and Monotheism', the analogy of individual neuroses and religious structures is provided by the phylogenetic account; this analogy created innumerable problems and contradictions with the text. In that book Freud reiterates how all individual neuroses - obsessive behaviour, religious mania, animal phobias, etc. - have their bases in 'the history of the race'. It is a position which, though present in most of Freud's work, is spelled out again really only in 'Totem and Taboo' and in 'Group Psychology and Analysis of the Ego'. (33) In the rest Freud tended to emphasise parallelism, or the fact that religion had its origin in the same complexes that dominate the construction of the child's sexual life. Yet both in 'Moses and Monotheism' and in 'Totem and Taboo' Freud attempts to deal with this parallelism in terms of both conditions - individual neuroses and collective neuroses - having their roots in an early trauma undergone at the beginnings of society.

As elsewhere, Freud worries how to account for the generality or typicality of structures without falling into thoughtless claims for the universality and identity of human experience, remarking that 'We find ourselves in the realm of group psychology where we do not feel at home.' (34) However, since he has posed the whole analysis in terms of an original event, much of the latter part of 'Moses and Monotheism' is taken up with puzzling how knowledge of an event can be passed from one generation to another. Freud talks loosely of 'tradition', sometimes equated with oral records which preserve the memory of an event when written records disavow it. The notion, however, can neither explain the colossal lapse of time between the murder and the establishment of monotheism, nor can it account for the far-distant memory of the primal-murder. Freud is found trying to establish a notion of tradition understood as unconscious memory traces, just as the individual preserves memory traces of an event which he/she could never recall. On occasions such as understanding of the notion of
tradition as 'archaic traces' hovers on a biologistic account of the transmission of human culture, so much so that Freud's less intelligent American critics proudly later announce the inadequacy of his theories since no evidence exists within Genetics that memories can be passed down from one generation to another. Such a response, if nothing else, serves to illustrate just how much Freud is at points open to misinterpretation. Further Freud persisted with his ideas even after they had been taken to task during the 1920s, by anthropologists like Kroeber and Malinowski:

...anthropologists can clearly indicate what is the medium in which the experiences of each generation are deposited and stored up by successive generations. The medium is that body of material objects, traditions and stereotyped mental processes that we call culture. It is supra-individual but not psychological. (35)

Freud instead insisted that, to account for the trans-individual, if not to say cultural, response which seemed to characterise the individual life, it was necessary to resort to an evolutionary schema in which memories of early acts are somehow passed on from one generation to another, playing a part in the formation of the individual's psychic life:

At the time we have no stronger evidence for the presence of memory traces in the archaic heritage than the residual phenomenon of the work of analysis which calls for phylogenetic derivation. (37)

The reason for Freud's persistence with the notion of archaic heritage related to his refusal of two opposed theories. One is that of Malinowski's culturalism; the other extreme is that of supposing that an individual spontaneously fantasises complexes and mythical formations, and then to account for the similarities between individual fantasies and complexes by suggesting that human experience was timeless and universal. Freud wanted to avoid taking up either of these positions: the first, because it could not account for the tenacity of an individual's complexes or, indeed, for their waywardness in relation to material circumstances; the
second because it would contradict precisely the greatest discoveries of the unconscious, the effect of the 'pre-history of the individual' on the psychic life of the adult through the agency of the unconscious. Most importantly, perhaps, it was the phylogenetic account which saved Freud from the awesome problems of empirical refutation of his thesis — from the empiricism which questions whether each individual has 'to see the other sex's genitals', or whether each has 'to hate and fear his father'.

The reactions to early traumas are often not individual but "fit in better with a model of a phylogenetic event"...

The behaviour of neurotic children towards their parents in the Oedipus complex and in the castration complex abound in such reactions — which are intelligible only phylogenetically. (38)

It is, however, necessary to note that, whatever the motive for Freud's adherence to the theoretically dubious notion of phylogenesis, the use of parallelism between individual and group psychology is hardly a basis for the deduction of 'real historical events' according to the positivist historical schema.

Perhaps more significant, too, is Freud's own contradictoriness in the use of the notion of tradition. It is not limited to the two meanings outlined but includes a further dimension related to tantalising hints about the relationship between the Jewish religion and historical writing. Such a position is anticipated in 'Totem and Taboo', though equally unsubstantiated there. The issues are first raised in a discussion of the prohibition on the names of dead members of the tribe, as several tribes practise:

The dread of uttering a dead person's name extends to an avoidance of the mention of anything in which the dead man played a part; and an important consequence of this process of suppression is that these peoples possess no tradition and no historical memory. (39)

In 'Moses and Monotheism' Freud hesitates about equating the construction of the Jewish people and of their tradition with the production of historical writing — that 'the Jewish race' or religion is precisely the moment at
which the various political compromises and suppressions can be represented in a narrative - the family romance, the compromise of various purposes and influences. Such an idea again re-emerges in the notion that it is the 'writings' which hold the race together through various political crises:

"It was the Holy Writ and intellectual concern which held the people together." (40)

Freud equates intellectual concern with the intellectual advance achieved by the establishment of a paternalistic monotheism. Nevertheless he hesitates about making this synonymous with the writing/representation of their history. What emerges from the discussion of Freud's use of the notion of tradition in the analogy between the group and the individual is that, even at an explicit level, the notion is contradictory. It even opens on to an idea that the structures of the Jewish religion which are analogous to individual structures and complexes are simultaneous with the moment of a group's writing its history.

The position of the father and the advance in Intellectuality: the Freudian notion of Patriarchy:

Perhaps more obviously than most one contradiction stands out in a generally-confused text. It is that if monotheism emerged as a political factor, the condition for unity in a disparate empire, emerged in Egypt under Akhnaten, why should the emergence of Jewish monotheism necessarily be tied up with the repetition of events of a pre-history; that is, the murder of Moses, the father-figure? The answer relates to Freud's conception of an 'advance in intellectuality/spirituality' and to the institution of patriarchy. While Egyptian monotheism was a temporary phenomenon, arising perhaps from political expediency, Freud attributed to Jewish monotheism the status of a permanent 'advance', established as the result of the overdetermination of circumstances by a series of repetitions, of which the
principal repetitions were the repetition of the murder of the father and of the name of Moses.

According to Freud, these repetitions permitted a part return of the repressed – of those events which had existed only in 'tradition', in archaic memory-traces:

Fate brought the great deed and misdeed of primeval days, the killing of the father, closer to the Jewish people by causing them to repeat it on the person of Moses, an outstanding father-figure. It was a case of 'acting out', instead of 'remembering', as so often happens with neurotics during the work of analysis. (41)

Freud argues not only the origin of monotheism in patriarchy through the institution of a monotheism entailing a lasting 'advance' paralleled, if not produced, by paternity as a social institution. Moses does not simply reawaken the childish image of the father, but his murder and gradual reinstatement make possible the other side of that ambivalent love/hatred relationship of which the 'hate' side led to the original murder of the primal father.

Freud's conception is, however, invariably more complicated and interesting than this banal account of religion as the projection of infantile desires and anxieties. Interest attaches to the conception of patriarchy which is employed, where Freud relates his notion of advance, to the recognition of paternity as a social institution. Though motherhood is provable by the senses, paternity is always uncertain. It can never be more than an hypothesis or a premise. As did many of his contemporaries and forebears in early anthropology, Freud claims that the recognition of the father's role in procreation, and therefore of the father-place, marks society's advance from pre-history. In Freud's evolutionary scheme this advance is equated with the reinstatement of the original father's desires and prohibitions. Reverence for the father's desires is gradually recognised in the form of totemism. The point at which patriarchy is reinstated, nevertheless under the exigency of the exogamic exchange of women, is what constitutes the advance to sociality itself.
Reference is made here to the advance from pre-history to history, just as Freud could write of the child's pre-history before he acquired consciousness. In *Moses and Monotheism* the analogy is explicit where Freud speaks of the identity of the words for conscious/conscience in both French and German. He claims that such identity bears witness to the identity between the acquisition of consciousness and the development of conscience or guilt at the moment of the original act of parricide. The identical recognition of paternity which provoked the category of thought was, in other words, inextricably bound up with guilt and 'religious feelings' ascribed by Freud to the complexes related to the primal father and his murder.

The conception of 'advance' is linked not so much with any notion of progress, or of higher forms of society, but more with the process of how the child acquires a place in sociality through a capacity for thought provoked by the father's position and, therefore, by the categories of marriage relations. The evolutionary schema of *Moses and Monotheism* generalises this constantly repeated process to an original event — phylogenetic account — so that it will not appear as a spontaneous and given product of the human child. What is significant is the symbol of fatherhood and its relation to abstract thought, rather than the literal father.

One aspect of *Moses and Monotheism* does indeed belie the aim of a phylogenetic account. This is the argument's circularity. Freud asserts that intellectual/spiritual advance is achieved in the establishment of a patriarchal culture. Now it becomes possible in part to remember and reverence the original father. Logically, however, no such decisive emergence of patriarchy can occur, since the dominance of the father's control of marriage relations was 'originally' always present: it had simply been in abeyance following the act of parricide. Malinowski
adequately sums up the problems of circularity haunting Freud's schema:

This is the original act of human culture and yet in the middle of the description the author speaks of 'some advances in culture', of 'the use of a new weapon', and thus equips his pre-cultural animals with a substantial store of cultural goods and implements. No material culture is imaginable without the concomitant existence of morality and religion....the theory of Freud and Jones tries to explain the origin of culture by a process which implies the previous existence of culture and hence involves a circular argument. (42)

More particularly Malinowski's arguments can be applied to the schema of the origins of patriarchy: the origin of patriarchy is presumably explained by presupposing the existence of patriarchy originally! In perhaps the most significant sentence from 'Moses and Monotheism' Freud himself comes to recognise the problem:

In the case of some advances in intellectuality, for example in the case of the victory of patriarchy, we cannot point to the authority which lays down the standard which is to be regarded as higher. It cannot in this case be the father since he is only elevated into being the authority by the advance itself. (43)

The above brief comment fundamentally undermines the whole evolutionary schema outlined at such pains in the rest of Freud's text. Although this contradiction would not lead necessarily to Malinowski's culturalism, it does certainly indicate that the category of paternity is being invoked in a more complex relationship with kinship, castration and the sexual theories of children than would be apparent from the phylogenetic account. What is important about the fundamental contradiction in the account of the emergence of patriarchy is the light it throws on the category of paternity. First it reveals that, at the basis of the advance to human culture, it is not the dominance of the fathers as a political group that signifies. What is significant is a prohibition on incest and an exhortation to exogamy. In other words, Freud's evolutionary account, unlike those of some of his contemporaries, was to show neither the inevitability of patriarchy nor the 'primitiveness' of matrilineal society. It was to demonstrate the fundamental importance of incest-prohibition and of exogamy.
Levi-Strauss has laid claim to this account in Freud as in fact describing the structural nature of human culture. The status of these structures was first elaborated by him in his Elementary Structures of Kinship, 1949. In this book, Levi-Strauss takes issues with the so-called functionists who refused to examine kinship as a system. Functionalists as we have seen concentrated on only the functions of particular institutions and on beliefs in particular societies. Levi-Strauss, opposing them, argues that kinship does possess a systematicity. It consists of the apparent universality of prohibitions and of prescriptions for categories of marriageability. Nor is it just that all societies observe rules of some kind. Rules always involve some prohibitions against marriage within the clan or group and a prescription for marriage outside that group. Thus in all societies - matrilineal or patrilineal - it is possible to distinguish certain regularities. Women are exchanged according to a certain order, marriages being permitted with certain kin or with certain members of the same tribe or neighbouring tribes, being forbidden with other kin or other members of the same or neighbouring tribes. Faced with this apparent systematicity, Levi-Strauss suggests the analogy between kinship relations and linguistic relations, as described by structural linguistics. They are made up of the same elements: systems of difference, signs, relations of exchange. In other words, Levi-Strauss conceives of kinship as a system of communication guaranteeing the possibility of reciprocity and, therefore, of integration between self and others. In such a system women are exchanged as signs.

Levi-Strauss correctly suggests that Freud's phylogenetic account is so contradictory precisely because it cannot produce these terms. Paternity is not about forms of subordination on the basis of sex - legal, political or intersubjective. It features so irreducibly because, for Freud, kinship relations (incest prohibition and exogamy) were the forms of fundamental classification. They were synonymous with thought itself. Thus the
conceptualisation is premised on a primary conceptualisation - that of the social rules of marriage which, after all, is premised on the recognition of the father's role. Thus I have indicated several areas which in 'Moses and Monotheism' warn us not only against equating Freud's account with a positivist notion of history, but also warn us against interpreting Freud's account as describing patriarchy as it is usually defined - that is, as the political, legal and intersubjective dominance of men as a sex.

In the preceding chapter I have indicated the innumerable problems of and contradictions in Freud's phylogenetic text, Moses and Monotheism. These have clearly demonstrated that problems arise insuperably from equating the condition described by Freud with a condition supposed by positivist history, a condition in which patriarchal social organisations resulted in patriarchal religions and ideologies and determined the form of sexual relations.

On the other hand I hope I have demonstrated that Freud's insistence on phylogenesis and 'the real event' at the origin of sociality is no minor feature in his work. An examination of the status of the real event has shown that it is possible to produce another reading of Freud which deconstructs this notion, and replaces it with an account of the structural status of the unconscious. Lacan has been able to illuminate the structural status of the unconscious, thereby dispensing with Freud's evolutionary schema without falling into the idea that the unconscious simply mirrors biological dispositions or the vagaries of the human soul. However, as the following chapter will show, there are problems with this structuralist rereading. For one thing it suppresses a problem with which Moses and Monotheism is clearly preoccupied. This is the problem of what is the relationship between ideological forces, like religion and particular determinate historical periods. It therefore neglects much which is radical in the psychoanalytic approach to the interpretation of symbols and representation. Secondly, any attempt to reread Freud as describing conditions of represent-
ability, dismissing the phylogenetic account but retaining the role of paternity in the castration complex, is bound to accept a timeless dominance of the father. Finally to neglect the phylogenetic account also neglects the fact that the idea of a historical real event had very real effects on subsequent developments of psychoanalytic theory. In particular it affected psychoanalysis' relation other theories of familial forms. To dismiss the notion of the real event in favour of a structuralist reading neither addresses the particularity of social forms/psychic organisations which Freud began to touch on, nor does it possess any way of accounting for and challenging effects that have accrued to this conception in psychoanalysis' engagement with the social sciences.
CHAPTER EIGHT

PSYCHOANALYSIS AND ANTHROPOLOGY:
THE INTERPRETATION OF SOCIAL PRACTICES
Introduction

Freud, as we have seen, refused to abandon his phylogenetic theory of the general structures of the unconscious. Even though the lack of teleology in his evolutionary scheme and the circularity of the arguments justify a reading of this account as a metaphor for the structural status of the incest taboo and castration, Freud adhered to 'the time-honoured heirlooms of evolutionary anthropology'. He shared the equation of patriarchy with civilisation. He postulated a stage of maternal dominance, corresponding to the dominance of the sensual before the triumph of intellectuality. He insisted, too, on a unilinear history of the family. What is more, he persisted in these assumptions despite early chastisement from anthropologists for neglecting the criticisms to which evolutionary theory had been submitted; 'there really is a great deal of ethnology not at all represented by the authors who Freud discussed.' (1)

Yet in spite of the all-too-obvious limitations of Freud's theory, it was to be psychoanalysis above all other psychological theories which had an impact on some developments of anthropological studies of the family. Writing on the impact of psychiatry on American Anthropology, in 1944, one commentator insisted that it was psychoanalysis alone which had made any systematic impression:

certainly from the study of anthropological literature one gets an overwhelming impression that it is only psychoanalytic writers who are extensively read by anthropologists in this country. One would be hard pressed to discover five citations to nonanalytic psychiatrists. (2)

It might be expected from some of the claims made in the previous chapter for the radicalism of psychoanalytic theories of sexuality, to find that psychoanalysis' impact was a radical challenge to assumptions about the nature of sexual relations. This, however, was far from the case. Its influence was especially great in the development of studies of behaviour and personality within American anthropology. This influence is seen clearly in the writings of the 'culture and personality' school. For many.
particularly for Marxists, this influence has been seen as a deeply regressive one. It has produced an emphasis on a universal psychology and on studies of behaviour as opposed to the social and economic structures of any given society. Psychoanalysis is seen by its opponents as applying a universalising account of the family and sexuality crudely to any cultural form. Especially as it has appeared within anthropology psychoanalysis has reinforced the significance of the biological family as repository of individual emotions, instincts and psychology. From the point of any interrogation of the social construction of sexuality, psychoanalysis can hardly be seen to offer a radical perspective.

Rather than generating a radical interrogation of sexuality, the legacy of psychoanalysis has been a long and sterile debate over the universal applicability of its findings about the human family. Positions have polarised around whether 'typical' emotional complexes like the Oedipus complex are universal, or whether emotional structures and obligations vary within different cultures. This impact within studies of the family suggest the need to look at several areas. Most obvious is the history of the exchange between psychoanalysis and anthropology. What were the points that seemed to make an exchange possible and profitable? What happened in those debates which had determined an outcome so sterile for any understanding of sexual relations in society? These questions are pressing if any claim for the radicalism of psychoanalysis is being made.

The Significance of Psychoanalysis for the Mental Sciences

'The Significance of Psychoanalysis for the Mental Sciences' was a highly influential monograph by Rank and Sachs published in 1913. It bears witness to the claim made by psychoanalysis itself for its applicability to the objects traditionally studied by the social sciences. But this claim was made not only by psychoanalysis but also by the social sciences. From
the publication of Totem and Taboo until the Second World War, there was a long period of exchange between psychoanalysis and the social sciences. Psychoanalysis was frequently cited as the discipline which, developed in conjunction with the traditional social sciences, could constitute a genuinely 'human science'. The position was found surprisingly often among marxist writers of the period. Given the impact of psychoanalysis in the social sciences, this aspiration now seems startling.

The phylogenetic texts were so central in the development of psychoanalytic theory because of the possibility of a 'human science' involving psychoanalysis. The claim made in Totem and Taboo that the 'beginnings of religion, ethics, society and art meet in the Oedipus complex' stood in the background of psychoanalytic interpretations of social practices and ultimately was the claim on which a psychoanalytic orthodoxy was founded. Freud himself had already established an interest in analysis of myth and cultural form, primarily through his work on religion, but, apart from the phylogenetic texts, he did not deal directly with anthropological data. It was left to his followers who were quick to extend his discoveries to a whole range of issues within the social sciences. Yet, these applications did not occur in a haphazard fashion. They occurred in the same period in which the orthodoxy of the psychoanalytic institute was formed; it was the orthodoxy characterised by the early years of the International Journal of Psychoanalysis. Freud's rivalries and allegiances were formative in the development of an orthodoxy and, contrary to the structuralist re-reading, Freud clearly gave his support to some of the more literal interpretations of the phylogenetic account.

It was for this reason that, rather than move out of the debates around the emergence of the biological family, psychoanalysis remained with them and indeed emerged with a more systematic commitment to the significance of the biological family. Interestingly, the only real disputation which took place with the orthodox interpretation of sexual relations was around the question of female sexuality and not around the claims made by
psychoanalysis for the significance of sexual formations in the interpretation of cultural phenomena. Freudian psychoanalysis emerged with a deeper commitment to the universality of the Oedipus complex as the complex of typical emotions underlying human culture. Until the writing of Levi-Strauss there was no suggestion that the phylogenetic account should be taken as a metaphor for the structural relations of kinship. Many of the formative divergencies both within psychoanalysis and between psychoanalysis and other disciplines had their origins in the impossibilities generated by the insistence on the universality of the typical emotions of the Oedipus complex. The debate between Ernest Jones and Bronislaw Malinowski was especially formative for the relation between psychoanalysis and the social sciences. This took place over the significance of mother-right societies and whether these societies shared the same emotional complexes as 'patriarchal' societies. It is a debate which shows up the severe limitations of both sides in their conception of sexuality and the social formations. The arguments advanced against psychoanalysis mobilised schemas of determination which were radically incompatible with psychoanalysis and no more helpful for any future reconstruction of theories of sexual relations.

**Dreams and Myths**

*(the teachings of Freud)* not only help us to understand the dreams themselves but also show their symbolism and close relationship with all psychic phenomena in general, especially with daydreams or fantasies, with artistic creativeness and with certain disturbances of the normal psychic function. *(7)*

Quite apart from psychoanalysis' own claims that its discoveries applied to the terrain of the social sciences, it was immediately apparent that there was a certain coincidence of objects of study between psychoanalysis and the anthropology of that time. This was startling true of psychoanalysis' systematic approach to the question of symbolism of myths. In its study of
mythical representations, it is possible to see quite clearly the two contradictory aspects of the psychoanalytic project. On the one hand the approach undermines many of the assumptions of previous interpretations of symbolism. On the other hand there is a crude interpretation of symbolism in terms of universal schemas of human sexual development.

The fundamental interlinked discoveries of psychoanalysis—infantile sexuality and the unconscious—had been made through a notion of indirect representation which underlay the interpretation of symbols. It was through the analysis of symbolic processes like dreams, that regular confirmation of the unconscious had been provided. Dreams are, as Freud himself claims, the 'royal road to the unconscious'. Like neurotic symptoms, jokes, puns and dreams regularly demonstrate another modality of signification, that of the unconscious thoughts. Their existence cuts through any differentiation between normal and abnormal mental processes.

In The Interpretation of Dreams, Freud had challenged previous interpretations of dream symbolism. He argued that those phenomena like dreams, jokes, neurotic symptoms previously consigned to the unknown and therefore unknowable, were in fact meaningful phenomena. They are in a direct relation to waking thought. The difference lies primarily in a modality of signification: the unconscious processes exploit the plurality of language, making connections which evade conscious thought, in order to avoid censorship. Dreams have both manifest and latent content. The manifest content of the dream are the images, words, sounds which can be fairly instantly recalled on waking, often having their origin in the dreamer's experience of the previous day. These are a series of seemingly arbitrary signs, sounds and images whose totality has the character of a rebus. Yet beyond the apparent arbitrariness and strangeness, analysis is able to induce the associations which will lead to the latent concerns of the dream.
From this process it was possible for Freud to deduce certain characteristics of dreaming and therefore of the relation between conscious and unconscious thought. The unconscious is a modality of signification which is characterised by distortion. The manifest content is seen as the product of the dream work, distorting the complex of the dreams concerns into something acceptable to the conscious self. There are two means by which this distortion is effected: the activities of condensation and displacement. Both these activities are available because of the structure of representation itself. Because representation is itself only a process of differentiation, new relations can constantly be constructed. The activities of the dream work are seen to be the effect of two fundamental features of dreaming: the imaginary satisfaction of desires which would be unacceptable to the conscious mind, and the process of censorship which prohibits that desire from expression which would be recognised by conscious thought.

In the same way, previously unintelligible forms of behaviour like obsessional or neurotic behaviour become explicable as systems of displaced signs by which the individual produces a compromise formation between desire and its prohibition. Freud himself set the scene for suggesting an identity between these individual forms and general social forms, particularly in his analysis of religion as neurosis. In asserting that sociality was achieved only through the painful process of renunciation and repression, Freud's discoveries were extended to a general deduction about social forms. In the phylogenetic account, psychoanalysis suggests that certain social institutions and practices bear witness to these traumatic processes at a general social level.

Rank and Sachs insist that what constitutes psychoanalysis' special claim in the interpretation of cultural forms is this treatment of the
symbol. The symbol they argue can be seen as a social expression of repressed material. It is a 'special kind of indirect representation', especially suitable for disguising unconscious material. The symbol combines the forms of a series of related figures of speech, such as simile, metaphor, allegory or allusion:

the symbol represents an ideal union of all these means of expression: it is a representative pictorial substitute expression for something hidden, with which it has perceptible characteristics in common or is associatively joined by internal connections. Its essence consists in the possession of two or more meanings, as it has itself also arisen by a kind of condensation, an amalgamation of individual characteristic elements. (8)

The symbol for this argument is essentially unconscious but is a compromise formation with the requirements of culture, therefore it 'lacks in no way the conscious determinants which condition in various degrees symbol formation and symbol interpretation'. (9) Discussing this article Ernest Jones (10) adds that 'true symbolism', being a compromise formation between unconscious desires, and social determinants would always entail shock in its decipherment. From this perspective a whole series of social practices become valid objects for psychoanalytic investigation. Myths, legends, religion, art, philosophy, ethics, law, all become forms of expression of the unconscious. These processes of representation are united by their common structure of phantasy, determined by sexual preoccupations:

Freud came to consider these apparently heterogeneous products of man's psyche from a common viewpoint. They all have in common the relation to the unconscious, to the psychic life of childhood, and to sexuality: they have in common the tendency to represent a wish of the individual as fulfilled; in common are the means of representation, which serve this end. (11)

The impact of such claims was instantaneous, not just within psychoanalysis, where Freud's ideas were readily applied to ethnographic data, but also within anthropology. W.H.R. Rivers, initially a psychologist, who came to specialise in ethnology, wrote in 1918, on Dreams and Primitive Culture (12) Here he seeks to extend further the comparisons which had
already been made between dreams and myths. All the processes, he claimed which Freud lays out as the processes of dream work correspond closely to the representational processes found in myths of 'primitive' societies. They share the same processes: dramatisation, the condensation of ideas in symbols, rituals as displaced expression. They share the same functions of disguise and censorship compromised with wish-fulfillment. Finally, they share the same content, an expression of sexual concerns. Rivers, though highly critical of evolutionary assumptions about primitive social organisations, is still happy to base his analysis on 'mental infantilism' of some groups. Their cultures more readily express themselves in this 'concrete' form due to their primitive mentality. So typical of the work stimulated by psychoanalysis, the unity between disparate social practices could be accounted for by the hypothesis that some social forms, and therefore some cultures, more readily express 'the remnants of infantile ideation'.

The possibility of viewing 'these apparently heterogeneous products of man's psyche from a common viewpoint' threw open a whole field for psychoanalytic interpretation. Freud's pleasure in welcoming Rank, into the early psychoanalytic circle is revealing. He welcomed someone without a medical background who could bring a wide cultural knowledge to psycho-analysis. The followers were not slow to carry out the intentions of the master.

The Symbolism of Myths

As soon as psychoanalysis began to attract a following, publications appeared applying Freudian theory to the material of myth and ritual. Rank wrote the Myth of the Birth of the Hero; Abraham tackled the Prometheus myth in Dreams and Myths; Jones wrote several articles on symbolism in myths; Silberer's Problems of Mysticism and its Symbolism appeared in
All these books and articles turned around a similar problem; what was the relation between individual and collective unconscious representations? Abraham suggested that myth is the dream of the people and a dream is the myth of an individual. 'The dream is a piece of superceded infantile mental life' and 'the myth is a piece of superceded infantile mental life of a people'. Rank sees myths as images intermediate between collective dreams and collective poems:

For as in the individual the dream or poem is destined to draw off unconscious emotions that are repressed in the course of the evolution of civilisation, so in mythical or religious phantasies a whole people liberates itself for the maintenance of its psychic soundness from those primal impulses that are refractory to culture ... while at the same time it creates ... a collective symptom for taking up all repressed emotion.

In The Myth of the Birth of the Hero, Rank turned his attention to the hero legends in a number of different cultures. The typical legend, he claims, is a structure of symbols by which various repressed primal impulses are expressed. Only this, he claims would explain how hero legends so frequently appear as variants on the following outline:

The hero is the child of most distinguished parents, usually the son of a king. His origin is preceded by difficulties, such as continence, or prolonged barreness, or secret intercourse of the parents due to external prohibition or obstacles. During or before the pregnancy, there is a prophecy, in the form of a dream or oracle, cautioning against his birth, and usually threatening danger to his father (or his representative). As a rule he is surrendered to the water, in a box. He is then saved by animals or lowly people (shephers) and is suckled by a female animal or by a humble woman. After he has grown up, he finds his distinguished parents in a highly versatile fashion. He takes his revenge on his father, on the one hand, and is acknowledged on the other. Finally he achieves rank and honour.

Rank suggests that these legends are the symbolic expression of a series of preoccupations which have a direct correspondence with the phantasies of small children and neurotics. The determinants are: early over-estimation of the parents, followed by rapid disillusionment; sexual rivalry in which hostility felt towards the parents is represented as
aggression by them through a process of projection; phantasies about the birth-process; and finally wish-fulfillment whereby the father, as sexual-rival can be killed. These determinants often condense in one symbol. Thus the recurrent theme of exposure on the water is an overdetermined symbol, condensing infantile speculation on the process of birth with fears of the parents' hostile intentions. The symbol of exposure embodies the fear of a hostility so powerful that the hero's birth itself will be fraught with danger.

Using the notion of symbol as indirect representation, artistic representation can also be brought within the same frame of reference. The symbols used in art, correspond to those of myth, arising in the same structure of phantasy. Ernest Jones carried out this analysis on symbolism in Christian art, turning his attention to the recurrent symbolism of the Madonna's conception through the ear. This is the representation of the immaculate conception as the breath of the Holy Ghost entering the Virgin Mary's ear and causing her to become pregnant. For Jones, this is a symbol which requires interrogation: why is breath so strangely endowed with significance? There are several elements which recur in the variations of this symbolism; to the forefront are the representations of the message by which conception occurs as a dove, the offer of a lily, or a stream of air to the Madonna's ear. In these elements he finds the displaced or inverted representation of certain obsessions, primarily infantile anal obsessions. The displacement has taken place through connotative chains because of their privileged position in suggesting excretory preoccupations. Warmth, sound, odour are constantly connoted through notions of breath, air, mouth. These connotations can also be produced as the inversion of what is represented: the pure lily, the odourless flower suggests the inversion of strong smells. The preoccupations with breath suggest the mouth and processes of introjection.
like eating. They also reveal their inversion—evacuation. The combination of these connotative chains suggests an overdetermined symbol, and Jones takes this as a symbol in which are condensed various infantile scatological preoccupations producing a phantasy of birth as shitting. The mother eats food, her stomach swells, something is passed from her body through her anus.

Such phantasies are repressed by the adult consciousness but remain as sources of excitement and stimulation in the unconscious. Symbols of compromise formation allow the phantasy to be represented but in a form acceptable to the conscious mind. Thus the satisfaction obtained from religious and artistic forms is a sublimated satisfaction. Jones points to the final process of evasion by which these preoccupations are transformed into acceptable material. Both religion and art are conceived as the highest expression of human mind. Again this can be seen as an inversion: what they deal with are preoccupations which the socialised mind regards as the 'lowest' and most disgusting:

If we regard the theme as a whole, we cannot but be impressed by the ingenuity and fine feeling with which an idea so repellent to the adult mind has been transformed into a conception not merely tolerable but lofty in its grandeur. In the endeavour to represent the purest and least sensual form of procreation that can be imagined, the one most benefitting to the Creator himself, the mind worked surely on the soundest lines by reaching for its basis to the crudest and grossest idea obtainable. (21)

Jones' treatment of symbolism is at its most subtle here. In many places he falls back into a notion of symbolism as mimetic substitution, such as evident in his analysis of the meaning of salt, as representing semen. (22) Here, however he is dealing with symbolic representation as indirect representation, complexly overdetermined, in which representation employs all means to evade censorship. It is this aspect of psychoanalytic studies of symbolism as complexly overdetermined which constitute the more radical end of its impact.
Applied to the social practices of so-called primitive peoples, the psychoanalytic interpretation is no less ingenious though equally problematic. Instantly, the psychoanalytic approach to the hoary old 'problems' of evolutionary anthropology overturns the assumptions that rites and symbolic practices can be explained by a unilinear history or as a direct expression of a social function. Evolutionary anthropology had insisted on treating the couvade as a rite masking the transition from mother-right to father-right whereby the father claimed rights to the child. Reik in Ritual\(^{(23)}\) examined the variety of practices which have come under the title, the couvade. These include not only the simulation of labour pains, but also elaborate rituals carried out by men supposedly to protect women in childbirth. The latter include precise food taboos as to what the father may or may not eat during pregnancy. Reik ignored anti-evolutionary attention to the diversity of these practices. He justifies a search for common principles. All the rituals connected with childbirth performed by men are expressions of unconscious processes, compromises by which men can express fears and antagonism in a socially acceptable fashion.

In Ritual, Reik interprets the meaning of some couvade rituals through what psychoanalysis has been able to uncover about demonic representations in religious thought. Here psychoanalysis has been able to demonstrate the process of projection at work. While 'God the Father' is clearly a projection of infantile overestimation of the father, that overestimation is never the only aspect of a child's feeling. The male child is also profoundly antagonistic towards the father who is sexual rival and potential threat. Clinical psychoanalysis had shown how 'neurotics' frequently attributed to other people antagonistic impulses which they themselves feel. This is often at the basis of persecution complexes and paranoia, where the individual, unable to admit aggressive
feelings in the conscious mind projects them outwards as hostility
directed against her/himself. Neurotics frequently feel intense bodily
pain which is neither simulated or false. It is real in the sense that
it is imagined as real. Again these pains can often be traced to
compromise formation between severe hostility felt towards another and
intense guilt at these phantasies of violence. The imagined pain is
turned against the subject her or himself. The contradictory impulses
are thus deprived of their gravity and tension if the unconscious part of
the impulses (usually the hostile tendencies) can be projected outwards
from inner perception to the external world. In the case of religious
representations, it is not the individual but the demons who are invested
with wicked intentions on the father. The individual's intentions and
feelings are left then as the 'pure' ones protecting the father from
external threat. The common coincidence of couvade practices with ideas
about protection from demons lead Reik to speculate on a similar origin:

If therefore we look upon demons as the projection of a person's
latent hostility, we must conclude that in this heightened fear
of demons among many people, lie reactive feelings of
punishment and remorse which conceal and over-compensate wicked
wishes directed against the lying-in woman. (24)

This process of projection becomes critical in sore customs, like a
Turkish practice where the man spreads a ring of fire around the hut to
ward off evil spirits, an act where 'the confined women become seriously
alarmed' (25). The almost open hostility which accompanies these acts can
readily be found in many other couvade rituals. There is the placing of
swords and other weapons under the beds of the labouring women or the
practice of shooting arrows over the hut of the labouring women. Practices
influenced by introjection of the intention to harm the women are those
where the men dress in the women's clothing and writhe around simulating
the pains of child-birth. For Reik this clearly is an internalisation
of the pain wished on the woman, which the man experiences pleasurably as
pain against himself.
Finally the dietetic couvade can also be understood in just this way. Again, this can be illuminated by the study of neurotics. Here elaborate rituals and taboos on certain foods or eating habits, are often justified on the grounds that if they are not observed a certain person will come to harm. They bear witness to repressed aggressive impulses towards that person. The couvade practices ultimately, however, bear witness to the triumph of tender feelings towards the woman and child:

Having assumed that malevolent wishes of a sadistic nature are awakened in the husband, it follows that the suppression of these wishes will bring about a relatively increased intensity of the masochistic instinctual components. In the play of forces between sadistic and masochistic tendencies, and in the struggle between hostile and tender impulses, the latter which alone could become conscious, have obtained the victory. (26)

The question for Reik's analysis is what is the source of this aggression felt towards the child and towards the mother for bringing the child into the world? The answer lies in the fear of retaliation. For the birth of the child, particularly the first child, reawakens the father's feelings of hostility to his own father, feelings of sexual jealousy, rivalry and hatred so great that it included a desire for the father's death. It is fear that these feelings will in turn be directed against himself that causes the father's hostility towards his offspring. At this point Reik turns again to the phylogenetic account, offering an amplification of the primal horde hypothesis:

After the murder of the father, which was the most important event of primitive development, perhaps of human development the brother clan was formed. After successful detachment from incestuous objects ... each of the brothers took one or more wives. The child who resulted from this new union awakened its father's memory of that outrage, since the child was a result of a breach in the paternal prohibition and made the son himself the father. His guilty conscience was changed into the fear of retaliation. The memory of the father found its primitive expression in the belief that the newly arrived child was the father himself, who had come to take revenge on his murderer. (27)

But for these reasons the hostility is always more than fear of retaliation. It is also fear of the small child's incestuous feelings on his mother.
incestuous feelings which the father had to abandon. Thus the rites of pregnancy and pain performed by the father are overdetermined by also being a denial of the mother's role in childbirth, a very different notion of displacement of birth-rights from mother to father. The 'real meaning' has nothing to do with this transition. It corresponds to the father's phantasy of having given birth to the child and is a nullification of the mother's role in the child's birth:

The affective basis of this phantasy lies in the unconscious incestuous fixation of the child on the mother which was created by the birth; and on this basis also rests the father's striving to detach this libido fixation from its object, and to transfer to himself the child's love. (28)

Thus social rituals are understood as symptoms which are 'complexly overdetermined'. A series of events like the birth of a child or its reaching puberty may provoke a 'return of the repressed'. This return is accomplished in a distorted form as 'structures in the nature of a compromise between the repressed ideas and the repressing ones', (29)

Crucial in this production of social rituals is sexuality - incestuous desires, sexual rivalry and anxiety.

This outline of three psychoanalytic interpretations of myths, artistic representations and social rituals has attempted to isolate what is distinctive about the psychoanalytic interpretation of social practices. This distinctiveness reveals both strengths and weaknesses. On the one hand it reveals a radical approach to the notions of representation and sexuality. Symbols are indirect representations, complexly overdetermined by a series of sexual preoccupation which seek compromise formations with social forces. For this reason the idea of representation challenges that on which so many of the other theories examined in this thesis are based. It posits a notion of representation where the activity of the means of representation is not reduced to service of
other social functions. It is rigorously anti-functionalist, resisting the idea that symbolic practices simply reflect other social practices. Furthermore these psychoanalytic interpretations insist on the importance of sexual anxieties and relations underlying some social practices, privileged as bearers of these concerns. Unlike other theories examined here, the psychoanalytic interpretation does not present an 'unproblematic' theory of sexuality. The acquisition of sexual identity is problematic; phantasies of pre-genital sexuality and desire are ever present forces on which society is precariously perched.

However, these interpretations also reveal all the elements which have made psychoanalysis such a distrusted discourse. Here is a commitment to the worst kind of evolutionism translated into a comparison between adult and infantile mode of thought, in which 'primitives' represent infantile thought and western capitalism represents adult thought. Of course, given the psychoanalytic logic of the ever-presence of repressed infantile wishes, then these divisions are sometimes dissolved, as Jones bears witness:

the two modes of thought that for the present purposes may be called infantile and adult respectively — corresponding roughly with unconscious and conscious thinking — differ from each other very profoundly indeed, far more so than might ordinarily be imagined: but on the other hand ... children and adults manifest the two modes of thought in no very dissimilar measure. Thus there is more of the infant in the adult than is commonly recognised, and also more of the adult in the child. Or to put it another way, there are enormous differences, but these are not so much between child and adult as between modes of thinking which are present in both. (30)

In general however the practice of interpretation of mythologies and symbolic practices according to their variation on a typical structure necessarily leads to a hierarchy; some cultures have 'resolved' sexual anxiety and rivalry to a more successful degree than others. However much the theory may be contradictory, it pulls towards a correspondence with theories of the 'mental infantilism of savages'.
Finally, these psychoanalytic interpretations rest on an adherence to a universalistic account of sexual preoccupations. They neglect the specificity of cultures. Even though there is a place in the theories for a notion of the particularity of each culture — after all, compromise formation takes place as a result of social exigencies — this perspective tends to give precedence to universalising theory of sexual constructions. Specific social forms may be the forces by which certain wishes are repressed, yet social forms themselves are frequently posited as the result of compromise formations. It is both sociality which entails certain wishes to repressed, while at the same time social symptoms are themselves the product of compromises with these wishes. There is in other words, a necessity posited to the outcome of development. This tension between the necessity of sexual development and the specificity of cultures came to the surface in the tension between phylogenetic and ontogenetic interpretations of culture which will be dealt with later in the chapter.

A number of writers quickly recognised that psychoanalysis was advancing a rigorously deterministic account of social forms. W.H.R. Rivers, for example, noted that psychoanalysis' theory of individual development exactly paralleled the rigorously historical approach to social forms of modern anthropology:

Wholly independent of one another, two groups of students concerned with widely different aspects of human behaviour have been led by the facts to adopt an almost identical standpoint and closely similar methods of enquiry. Both agree in basing their studies on a thorough-going determinism according to which it is held that every detail of the phenomena they study, whether it is to be the apparently fantastic or absurd incident of a dream or to our eyes the equally fantastic and ridiculous rite or custom of the savage, has its definite historical antecedents and is only the final and highly condensed product of a long and complex chain of events. (31)

That psychoanalysis insisted on this rigorous determination of all social forms by the sexual history, either of the race or of the individual, was
simultaneously psychoanalysis' distinctive 'discovery' and the reason for major splits within the movement. The splits with both Adler and Jung had their origins in Freud's insistence that accounts of individual conscious and unconscious could only be explained by a rigorously deterministic account of sexual history.

Sexuality as far as Jung was concerned was 'only one of the biological instincts', not the privileged instance in the determination of human psychic life. For Jung this psychic life is constituted of a complex of forces. That Freud and his followers should privilege sexuality is, according to Jung, more a fact of their own 'neurotic and sick preoccupations, and especially their 'unresolved father-complexes'. For Jung, religious beliefs and practices could not be approached as the product of sexual preoccupations. Instead they bore witness to the human mind grappling with complex and universal forces. The ways in which these forces are dealt with are universal, not personal, hence Jung's claim for 'constellated archetypes'. This proposition was radically antagonistic to the Freudian proposal that religious beliefs and practices shared a similar structure to that of neurosis, their common source lying in the sexual experiences of childhood. In opposition, Jung affirms religion's own claim that religious sentiment is fundamentally a product of human awe:

For my part I prefer to look at man in the light of what is healthy and sound, and to free the sick man from just that kind of psychology which colours every page that Freud has written. My attitude to all religions is therefore a positive one. In their symbolism I recognise those figures which I have met with in the dreams and phantasies of my patients. In their moral teachings I see efforts that are the same or similar to those made by my patients when guided by their own insight or inspiration, they seek the right way to deal with the forces of psychic life. Ceremonial ritual, initiation rites and ascetic practices...interest me profoundly as so many techniques for bringing about a proper relation to these forces. (35)

This 'life of the spirit' can be seen as the universal aspirations of the human being to overcome 'the spell that binds us to the cycle of biological events.' Doubtless, it was this commitment to what is 'healthy and sound'
which lead to Jung's Nazi sympathies. His split with Freud however took place much earlier, and is described here to indicate the role played by a notion of determinism, arising from an account of sexual histories of the race and individual in the construction of Freuudian orthodoxies.

But the problem with psychoanalytic interpretations was neither the claim of a general theory nor the claim for the primacy of sexual history in the determination of certain signifying practices. After all, it has been argued in the previous chapter that the general conception of sexuality in psychoanalysis could be taken as non-essentialist, whereby presuppositions about the nature of the sexual drive are suspended. The problem is the particular form taken by the Freudian championing of sexual determinacy.

The Conflation between Sexuality and the history of the Family.

It will already be apparent from the preceding description of psychoanalytic interpretation of some symbols that orthodox psychoanalysis expressed a commitment to Freud's phylogenetic hypothesis. In some cases the commitment was to the scheme as literal; for others it was more ambivalent. The ambiguity in these interpretations reflects the unresolved status of the complex. It has been argued that Freud's retention of the hypothesis reflects a commitment to the "family" as objectification of complexes and not instincts; it represents a commitment to the priority of culture over instincts or nature. Yet as we will see, the orthodoxy which emerged stressed precisely the opposite - the priority of a necessary history of the instincts in a given familial form over the cultural complex. The orthodoxy arose partly as a result of the particular form in which Freud resolved the cultural referent of complexes, that is, the phylogenetic account. By this solution it became possible to interpret the complex as primarily emotions connected with a real history of the family - that is, transitions in the procreative unit. It is for this reason that
psychoanalysis has such a hopeless reputation for universalising
generalisations as to the human family and its complexes. Partly however
the emergence of a crude orthodoxy was in response to the crudeness of the
critics of psychoanalysis, a point which will be dealt with more thoroughly
later.

Flügel's The Psychoanalytic Study of the Family (36) demonstrates quite
clearly how easily the psychoanalytic notion of complexes could be inter­
preted as describing complexes of typical emotions arising from the family.
The scope of the book is described by the author as a study of
the growth within the individual mind of some of the more
important of those feelings and tendencies which owe their
origin and development to the relations of the individual and
to other members of his family...these feelings are of
fundamental importance in the formation of the individual
character and...have also exercised a vast influence on
social life and social institutions. (37)

Argued here is the fatality for the human psyche of emotional conflicts
generated by actual conflicts and rivalries within the procreative family.
These emotional complexes can be reduced to two fundamental impulses and
their conflicts; 'the two principal poles of emotions, love and hate which
coalesce in the Oedipus complex.' (38) These typical emotions of the human
family, and the various ways in which they are resolved, are thought by
Flügel to structure all social institutions, beliefs and activities: puberty
rites, men's clubs and secret societies of 'savage' societies can also be
interpreted as social reconciliations of desire and prohibition, a
'reconciliation based on the renunciation of incestuous desire and on the
establishment of common love and interest between those of the same sex.' (39)

Lack of resolution of conflicting impulses result in various forms of
'anti-social' behaviour and at this point, psychoanalysis appeals even to
the reactionary LCC psychologist Cyril Burt:

Thus, as Mr. Burt has suggested to me, the influence
of displaced father-hatred is probably in large measure
responsible for the fact that strikes and other crude
forms of rebellion against authority in industry occur
principally among the working class where the tyranny of the father is often of a primitive and repressive type. For the same reason the number of delinquents from these classes is almost certainly relatively larger than that from the upper to middle classes, quite apart from educational factors. (40)

It does not require a close analysis to reveal a theoretical slide has occurred: it is no longer the effect of sexuality on representation, but a question of the emotions generated by sexual drives. These are no longer without content but rather are universalised from an account of the nuclear family. Finally these emotions and practices are pushed back beyond social institutions and practices as the very explanation of those practices.

Flügel was something of a populariser; Westermarck, so hostile towards psychoanalysis, referred to him with approval as a 'moderate Freudian'. As such, the orthodox psychoanalysts maintained a distance from him. Jones for example commenting on another publication by the 'prolific' Flügel remarked that it was written in the usual Flügelese. It would be easy to present Flügel's interpretation as marginal. But this obscures some interesting facts. Flügel's book was one whose success gave stimulus to the publication of psychoanalytic material. As Leonard Woolf records, its appearance within the Institute of Psychoanalysis' Psycho-Analytic Library was a publishing success for the Hogarth Press, who financed the appearance of Freudian thought in England:

Publishing the Psycho-Analytic Library for the Institute was always a very pleasant and very interesting experience. In the next 40 years we published nearly 70 volumes in it. In the process I learnt a good many curious things about the art of publishing. For instance we had in the Library a book by Professor Flügel called The Psychoanalytic Study of the Family. I do not believe that any publisher who saw this book in manuscript or in print in our list in 1924 would have thought that it had the slightest chance of being a best seller, and I feel sure that very few of my readers in 1967 have ever heard of it. Yet this book has been a steady seller for over 40 years, selling hundreds of copies yearly. It has practically never been advertised and no advertising would have materially influenced its sale. Its aggregate sale must be considerably greater
than that of nine out of ten of the much-advertised best-sellers that it has long outlived. It is an original book, an almost unknown classic in its own peculiar field, a publisher's dream. It sold steadily in Britain year after year, and year after year, there came a large order from an American bookseller, because it was a 'set book' in an American college. (42)

The account of the financial success of Flügel's book indicates that its interpretation should not be ignored as a marginal product. There are other aspects in the history of psychoanalysis indicating this was far from the case. On the one hand, similar interpretations could be proliferated. On the other, this approach was not lamented within the Institute. Freud himself not only refrained from criticism of such interpretations but elsewhere endorsed those who worked from the position that the family, the nuclear procreative family is the referent underlying all social forms.

Of especial significance here is the fact that it was this aspect of psychoanalysis' trajectory which attracted attention from the social sciences. Chapter Four has already shown the interest which Malinowski and Seligmann began to take in the dynamic of the 'basic family'. Where anthropologists took an interest in psychoanalysis, it was for an account of the way in which emotional complexes arise in different cultural forms, and the way in which wider cultural values are transmitted through the basic family. In other words, it was on a terrain not unlike that which took the complex to describe an emotional complex. Malinowski's attempt to apply psychoanalytic concepts to anthropological investigation attracted particular attention. The debate which took place as a result of Malinowski's work was extremely important for the history of the relationship between psychoanalysis and anthropology. To each side, it was a debate which revealed the weakness of the other's position. For many, especially from the side of anthropology, it marked the point of no return for an integration between the two. For all, it marked a polarisation between so-called
universalising and so-called culturalist explanation which has haunted the social sciences since.

The Universality of the Oedipus Complex: The Jones/Malinowski debate

In the early twenties, Malinowski published a series of articles about the Trobriand Island, where he had made a study of matrilineal social organisations. In these articles he attempted to modify psychoanalysis as a means of discussing the collective sentiments at the basis of Trobriand society. In 1925, Ernest Jones replied to this modification in the article 'Mother-right and the Sexual Ignorance of Savages'.

Malinowski answered Jones, together with a reprint of the original articles, in Sex and Repression in Savage Society (1926). After the exchange with Jones, Malinowski's attitude to psychoanalysis hardened irretrievably. He declared himself to 'be no longer impressed with the claims of psychoanalysis':

As my reading advanced, I found myself less and less inclined to accept in a wholesale manner the conclusions of Freud, still less of every brand and sub-brand of psychoanalysis... That my misgivings are justified I have been able to convince myself by a careful scrutiny of Freud's Totem and Taboo, of his Group Psychology and Analysis of the Ego, of Australian Totemism by Roheim, and of the anthropological works of Reik, Rank and Jones. (44)

Jones' reply had convinced Malinowski that psychoanalysis was in fact incompatible with anthropological investigation. The debate drove a wedge between psychoanalysis and anti-speculative/anti-evolutionary theories which proves almost impossible to dislodge. Taking as its central object the complex of typical emotions and the possibility of their variation in non-European cultures, the positions polarised between cultural relativism and the universality of emotional forms.

In the original essays, Malinowski's sympathy for psychoanalysis can probably be traced to his interest in the collective sentiments of social groups. Influenced by a growing Durkheimian tradition, Malinowski's writings at this point were concerned not only with a detailed empirical study
of a given society, but also with the problem of 'collective representations' which provide the basis for a society's cohesion. This tradition took 'collective representations' such as religion as a valid entry point into the interpretation of social forms and behaviour. Malinowski's position is not reducible to Durkheim's. His *The Family Among Australian Aborigines* (1913) had already outlined a decisive rejection of some of the themes and ideas of nineteenth-century ethnology. He is no longer concerned with 'the primitive' versus 'civilisation'; nor is he preoccupied with 'transitions' from mother-right to father-right societies as explaining certain features of human evolution; in short, he is no longer concerned with the exposition of 'origins' of an institution as an exhaustive explanation of that institution. It is 'sociology' which can demonstrate the material nature and function of culture, a sociology which pays proper attention to the differences between cultures:

It is undoubtedly one of the most valuable discoveries arrived at by modern sociological science that each institution varies in accordance with the social environment in which it is found. A given institution or social form (like the family, the state, the nation, the church) appears under various forms in different societies. (45)

While Malinowski argues that the heterogeneous elements of material culture are to be understood as institutions and systems with definite functions, he nevertheless suggests that it is not sufficient to analyse culture and the transmission of culture purely by reference to its institutions. It is necessary to utilise the 'valuable methodological standpoint' of Durkheim to demonstrate that the cohesion of these institutions depends on the presence of collective feelings. These exist in a certain society, and are transmitted from generation to generation; they impose themselves on the individual mind, and possess the character of necessity; they are deeply connected with certain social institutions; in fact they stand to them in a relation of functional dependence (in the mathematical sense). (45)

Institutions produce certain sentiments which are transmitted through culture and form an integral part of that culture. It is from this
perspective that Malinowski seeks to appropriate psychoanalysis. Initially he praises the potential of psychoanalysis for providing the link between psychological and biological sciences and sociology. Though the most developed part of psychoanalysis may as yet be the science of the individual mind, this should by no means preclude a reconciliation with sociology. According to Malinowski, 'Psychoanalytic doctrine is essentially a theory of the influence of family life on the human mind' where we are shown 'how the passions, stresses and conflicts of the child in relation to its father, mother, brother or sister result in the formation of certain permanent mental attitudes or sentiments towards them.' (47) From this it should be possible to elaborate on the sociological nature of family influence and to understand the consequences of the complexes, inaugurated in the family, for society as a whole.

For Malinowski, the issues are simple. He is indebted to psychoanalysis 'for the discovery that there exists a typical configuration of sentiments in our society and for a partial explanation, mainly concerned with sex, as to why such a complex should exist.' (48) However, the family is not the same in every society; it's 'constitution varies greatly with the level of development and with the character of the civilisation of the people, and it is not the same in the different strata of the same society.' (49) In fact, the organisation of reproduction, the relations of descent and power invested in these relations differs so fundamentally in both form and function that we can only ever talk of families:

There are differences depending on the distribution of power which, vested in varying degrees in the father, give the several forms of patriarchy, or vested in the mother, the various sub-divisions of mother-right. There are considerable divergences in the methods of counting and regarding descent – matriline based on ignorance of fatherhood and patriline in spite of this ignorance, patriline due to power, patriline due to economic reasons. Moreover, differences in settlement, housing, sources of food supply, division of labour and so on, greatly alter the constitution of the human family among the various races and peoples of mankind. (50)
Such diversity can only mean one thing: the sentiments produced by family life must also vary. Freud's account of the complexes produced by the human family must only apply to a society organised along patriarchal lines, where fear of the father would produce forms of anxiety. The emotions described by Freud surely cannot apply to a society like the Trobrianders, where 'we have the independent mother, and her husband, who has nothing to do with the procreation of children, and is not the breadwinner and who cannot leave his possession to the children, and has no established authority over them.' (51)

Malinowski proceeds to a detailed description of Trobriand society, looking for the differences in the emotional development of children resulting from the different social structures. The society is matrilineal. Paternity is either not recognised or of no great social significance in terms of entitling the subject to power, authority or social standing. Descent is reckoned through the mother's kin. When the father dies, his property passes not to his biological children but to his sister's offspring. In accordance with this form of descent, the greatest social authority for the children is not their father but their maternal uncle. Finally the taboo on incest is not a bilineal taboo, entailing prohibitions on any biological relative, but a unilineal taboo. In this context, the greatest object of prohibition is between those in the same descent group, not between parents and children. Accordingly, Malinowski argues that the typical complexes which are found in Trobriand children and adolescents is fear of the maternal uncle, who is after all the source of authority, and a prohibition on incest which is strongest between brother and sister. He claims to have established 'a deep correlation between the type of society and the nuclear complex found there.' (52) Such a conclusion points to the mutual assistance which anthropology and psychoanalysis should be able to give each other. Psychoanalysis is to be modified. The aim is not to seek for 'the universal existence of the Oedipus complex which pertains to it.' (53)
Ernest Jones replied promptly, disputing Malinowski's 'findings' as a distortion of psychoanalysis. He argues that it is not possible to limit Freud's discoveries to one culture only - Western culture. Jones bases his defence of the universality of the Oedipus complex on the issue of knowledge of paternity in Trobriand society. Jones accepts a more cautious approach to questions of authority, power and descent, than assuming that matrilinearity resulted only from ignorance of procreation. At the same time, he shares with the earlier evolutionary anthropologists a concern to understand the implications of indifference to paternity. Such a phenomenon is regarded as so strange that it must offer some explanation of that society as a whole.

After a careful summary of the debates so far, Jones agrees on the need to break up any easy conflation between authority, inheritance, succession and residence. Moreover, it is easy to acknowledge that there is no correspondence between mother-right societies and ignorance of paternity. But Jones uses the available material to demonstrate that there is plenty of evidence of a form of knowledge of procreation - hints, statements, forms of symbolism which all betray an awareness of the act of procreation and its biological significance. The knowledge is similar to that of a child:

This is exactly in accord with what we find in the analysis of the infantile mental life, where instinctive intuition plays a considerable part in dividing the main outline at least of sexual knowledge. If a child of two years old can frame an image of genital coitus, and in a year or so later connect it with the birth of another child, then the feat should certainly not be beyond the mentality of any adult savage. (54)

Theories of conception of spirits are taken by Jones as theories which displace knowledge of the father's role in procreation for a specific purpose. The psychoanalytic interpretation of mother-right suggests that this social organisation and its system of beliefs operate to repress knowledge of fatherhood. The function of this repression is to displace the conflict -
the Oedipal conflict — felt between the boy and his father. Aggression actually directed at the father is displaced to the maternal uncle who is invested with power. By this displacement the biological father can become a dear friend:

...this way of treating the father does appear to achieve its aim of bringing about a far more intimate and friendly relationship between father and child than is usual in patrilineal societies. Among the Trobrianders where the father has of course no authority whatever over his children, the society being matrilineal and the potestas devolving on the uncle, the father is described as being a "beloved" benevolent friend... (55)

This process is seen as a form of 'decomposition', similar to that found in psychoneuroses where various attributes can become detached from the original figure and incorporated into another one which then personifies those attributes; 'the process serves the function of unloading affect in a relationship where it might have unpleasant consequences and depositing it at a safer distance.' (56) Thus in the case of mother-right societies, there is a decomposition of 'primal father into a kind and lenient father on one hand, and a stern moral uncle on the other.' (57) Nor is it chance that it is the maternal uncle who is set up as father substitute. He, after all, was the object of the mother's early incestuous desires and is already therefore a sexual rival of the son. Jones directly contests that the incest taboo exists between different subjects because of differential relations of power, that is, the incest taboo does not serve as a function of descent groups and their hierarchies of authority. According to Jones this is a travesty of the Freudian position which he claims places familial emotions at the basis of all social institutions:

(Freud) regards the relationship between father, mother and son as the prototype from which other more complicated relationships are derived. Malinowski on the contrary puts forward the idea that the nuclear family complex varies according to the particular family structure existing in any community. According to him a matrilineal family system arises for unknown social and economic reasons, and then the repressed nuclear complex consists of brother and sister attraction, with nephew
and uncle hatred; when this system is replaced by a patrilineal one, the nuclear complex becomes the familiar Oedipus one. (58)

The problem with Malinowski's sociologism, according to Jones, is its inability to explain the origins of social forms; the emergence of matrilineality is apparently an arbitrary matter which equally arbitrarily produces a series of emotional complexes bound up with power and authority rather than sexuality:

...in my opinion...the matrilineal system with its avunculate complex arose...as a mode of defence against the primordial Oedipus tendencies (rather than) for unknown sociological reasons with the avunculate complex as a necessary consequence and the Oedipus complex appearing only when the patrilineal system was subsequently introduced. The forbidden and unconsciously loved sister is only a substitute for the mother, as the uncle is for the father. On Malinowski's hypothesis the Oedipus complex would be a late product; for the psychoanalyst it was the fons et origo. (58)

This position was to become inextricably tied up with psychoanalysis: it stresses the genetic aspects of the family against the social issues; it insists that all societies will share some version of the same complexes; finally, it argues that the mode of resolution of these complexes will determine the forms of social organisation. This was a totally literal interpretation of Totem and Taboo. All societies are seen to bear the mark of the original murder, the guilt and the structuring function of the father's desire. That is why Jones can see the establishment of patriarchy as a 'real advance' bearing witness to a partial remembering and reconciliation of guilt. It is this which underlies his extraordinary and offensive conclusion:

The patriarchal system as we know it, betokens acknowledging the supremacy of the father and yet the ability of accept this even with affection, without having to have recourse to a system either of mother-right or of complicated taboos. It means the taming of man, the gradual assimilation of the Oedipus complex. At last man could face his real father and live with him. Well might Freud say that the recognition of the father's place in the family signified the most important progress in cultural development. (60)

The obvious criticisms of Jones have all been made already - the assumption of the eternal nuclear family, the determination of social
institutions by family structures, the 'geneticism' which assumes the biological is more important than the social, and finally an evolutionism which assumes that Western patriarchal forms are the highest form of society. Such have been the justified responses within anthropology and they form the basis of a history of hostility between psychoanalysis and anthropology.

But beneath the limitations of Jones' position and his adherence to the nuclear family as the referent behind all psychic structures, there are more interesting issues at stake. First is Jones' adherence to the idea that certain social relations entail sexual anxieties and their resolutions; sexual relations are not seen as always the effect of some other real 'material' relations, which is the essence of culturalist arguments. Moreover, in keeping with the psychoanalytic attention to symbolic forms, it is not the case in Jones' argument that symbolic practices mirror the 'real' social relations, nor of their being some obscuring mythification. Instead symbols are 'overdetermined'; they are the effect of condensations or displacements of other concerns, embodied in such a way as to escape censorship.

Secondly, Jones' arguments unlike so many other examined in this thesis evades crass 'rationalist' explanations. Even the more radical writers like Engels and Havelock Ellis had used notions of sex-antagonism exacerbated by economic requirements to account for mother-right forms. Jones, though steeped in evolutionary prejudice insists that sexual relations are neither "givens" nor reducible to being effects of other social relations. Sexual identity is a problem; its resolution is a work basic to any given culture.

These however are no more than charitable implications for Jones' work. He remained committed to a crude evolutionary account of the procreative family as the referent underlying all cultural forms. And what is interesting about this fact is its inevitability given Freud's
adherence to a phylogenetic account. Freud insisted on this history precisely in order to maintain that the complex was the point of sociality itself. But the terms in which it was elaborated committed psychoanalysis to a thoughtless theoretical position with regard to the family. Malinowski's culturalism is clearly problematic for an account which lays claim to discovering the mechanisms by which human sociality is achieved. Psychoanalysis cannot just abandon this claim confronted with the functionalism and cultural relativism which annihilates any systematicity to structural complexes.

Yet the extraordinary literalness and ethnocentrism of Jones makes him an easy target for Malinowski who, in his reply, gives the psychoanalytic theory of culture more systematic attention. There are several aspects of the thesis advanced in Totem and Taboo which Malinowski challenges as incompatible with any progressive anthropology. It is only ignorance which leads analysts to prioritise the biological relations over the social relations. He also challenges the fundamental assumption of the primal horde, arguing against Darwin that humans and apes cannot be conflated. More seriously he disputes the idea of a collective mind or race memory and finally, he points out the impossible circularity of Freud's arguments.

Malinowski's ideas about the possibility of a mass psyche changed in these later essays. He became adamant in his refusal of such a concept. None of Freud's sources, he argues, ever resorted to such a notion:

As a point of fact, no competent anthropologist now makes any such assumption of "mass psyche", of the inheritance of acquired "psychic dispositions" or of any "psychic continuity", transcending the limits of the individual soul. On the other hand, anthropologists can clearly indicate what the medium is in which the experiences of each generation are deposited and stores up by successive generations. The medium is that body of material objects, traditions and stereotyped mental processes that we call culture. It is supra-individual but not psychological. (61)

While Malinowski's picture is a little rosy, it is certainly true that anthropology as he understood it opposed such reactionary notions and argued for the detailed examination of different cultures and the functions
of institutions and beliefs within those cultures. In spite of the problems with functionalism outlined earlier, Malinowski's point is valid in this instance. Freud himself wavered and hesitated between tradition on the one hand, and race memory on the other, not fully prepared to accept the implications of either. As Jones takes it up, there is no room for equivocation. He commits himself firmly to a reading of *Totem and Taboo* where racial memory of the original deed forms an integral part of the interpretation of social institutions.

But even if we abandon the theoretical premise of racial memory, the myth of the primal horde itself is of very little use. Apart from its breaking with certain evolutionary hypotheses, the transition from primitive promiscuity to mother-right to father-right (a hypothesis which Malinowski also finds unacceptable), it offers only impossible contradictions:

To the psychoanalyst, the Oedipus complex is, as we know, the foundation of all culture. This must mean to them that the complex governs all cultural phenomena but also that it preceded them temporarily. The complex is the fons et origo out of which there has grown the totemic order, the first elements of law, the beginnings of ritual, the institution of mother-right, everything in fact which to the general anthropologist and to the psychoanalyst counts as the first elements of culture. Dr. Jones objects... to my attempt at tracing any cultural causes of the Oedipus complex just because this complex antedates all culture. But it is obvious that if the complex has preceded all cultural phenomena, then a fortiori the totemic crime, which is the cause of the complex, must be placed still further back. (61)

Malinowski picks up on the problem of the logical impossibility of the 'primal' father which Freud himself questioned in *Moses and Monotheism*. *Sex and Repression* thus represents an effective and systematic dismissal of the literal level of *Totem and Taboo*. It is interesting that Malinowski concludes his engagement with psychoanalysis with a reappraisal of the debate on matrilineality versus patrilineality, disassociating himself finally from the evolutionist concerns of how and why patrilineality emerged out of matrilineality. Malinowski instead asserts that both are equally valid modes of reckoning descent with certain advantages according
to them; in fact, contrary to popular belief, Malinowski asserts that, on balance, the matrilineal system has certain advantages.

The debate between Malinowski and Jones, then, had a significance beyond that of a minor exchange of articles. Both had a grasp of the issues involved in the question of matrilineal society, which went beyond that of many of their contemporaries. Both, in different ways, broke with dominant evolutionist theories of society, both cut across the notions of sex antagonism and the 'interests' of sexed groups. And because both were intelligent exponents of their particular ideas, they were to exercise an influence on the future development of their disciplines. The position taken by each exposed the limitations of the other in the debate. After it, Malinowski rejected his initial sympathy with psychoanalysis and apologised for his misguided enthusiasm. Indeed Sex and Repression in Savage Society marks a definitive turning-away from all the grandiose claims of evolutionary anthropology towards the demand for detailed empirical study of different societies and the functions performed by institutions within those cultures. Psychoanalysis, unimpressed by the attempt to reduce the unconscious as a structural field to an effect of culture, rejected Malinowski's position and held out for the irreconcilability of the typical complex.

**Phylogenesis to Ontogenesis**

Jones and Malinowski held antagonistic and mutually exclusive positions but they were opposite poles of a similar concern. Because for both, it is a question of what is the external social referrent for the production of individual emotional complexes. Jones properly defends psychoanalysis' claim to have discovered the structural field of the unconscious and in order to make this claim, he must adhere to the general necessity for repression. Yet he attributes this necessity to the universality of the nuclear family, in which conflicts between the biological father, mother and
child generate the structural complexes of the unconscious. No wonder Malinowski and functionalist anthropology should chide psychoanalysis for its ignorance of the variety of form and function of the family. No wonder a wedge should have been driven between psychoanalysis and those branches of anthropology seeking to provide an account of human relations which do not assume those human relations a priori, but looked at them in the context of the other social relations in which they occurred. These culturalist versus universalist arguments have been replayed with equal lack of resolution on countless occasions, within and outside psychoanalysis.

The divisions they produced were such as to engender some of the most violent splits and allegiances within psychoanalysis. Reich and Fromm both insisted that the Freudian account was strictly delimited. What it in fact described was the structure of emotions within a patriarchal culture. Reich in pursuit of his themes of 'happiness' insisted that repression and neuroses were only present in patriarchal societies. Patriarchy was seen as vital to upholding an authoritarian class structure and it was in the service of this structure that sexual repression was effected. It was a point on which Fromm agreed. Reich used Malinowski in The Invasion of Compulsory Sex Morality to argue that the natural state is one of libidinal satisfaction; only patriarchy induces repression and this is an effect of social and economic forces. He sides with Malinowski to insist that sexual conditions flow from the social and economic organisation of a given society.

Both Reich and Fromm suggest that the economic motive for patriarchy is the existence of class-relations; these are exacerbated in capitalism but present since the origins of private property. In capitalism, the state plays the role of the authoritative father, and has dealings with authoritative fathers at the heads of patriarchal nuclear families. The ideology of capitalism is that of repression of the libidinal economy.
Both Reich and Fromm insist on the image of the matriachate, benevolent and democratic — an altruistic love based on a community of interest rather than individual appropriation. These ideas were to form a powerful current in German marxism before and during the war. Under the impulsion to interrogate fascism, German marxism was shot through with themes of maternal democracy upheld against the repressive authoritarianism of patriarchy. Until Reich's expulsion from the KPD in 1932 even the more orthodox end of Communism had time for such theories. They were to have a lasting effect on the history of marxism through their impact on the Frankfurt school, whose quest for a marxist psychology is deeply embedded in the themes from these debates. Much remains of importance in these debates, in which theories of patriarchy are brought forward as an integral part of analysing contemporary capitalism. Moreover many of the criticisms of Freud made by someone like Fromm remain enormously important. His analysis both of Freud's interpretation of the Oedipus myth (65) and the little Hans case (66) are exemplary counter-readings, both exposing the uncritically 'patriarchal assumptions' of Freudian analysis.

However given what has been said earlier, it will be obvious already that in many ways these arguments are equally problematic. There is an uncritical slide between repression and oppression which allows the hypothesis that sexual repression is the product of a particular epoch. We have seen from Freud's arguments, that this is radically incompatible with the psychoanalytic interpretation of the structural status of the unconscious. Moreover, these positions replay the problems of culturalism; the commitment to cultural relativism minimalises the points of conflict and lack of resolution in any individual. From a culturalist perspective, individual complexes are always the end product of the overall intention of a social structure which seeks to reproduce itself. Moreover by these means, a division between individual and society is reinforced.
While Freud's own writings were often more ambiguous than some
of the exponents of the universality of the patriarchal family, it must
be admitted that orthodox Freudianism partly defined itself in a response
to these criticisms. Freud gave his full endorsement and financial
assistance to Geza Roheim, the Hungarian analyst who gave over his work
to research in the field. Roheim's writings serve as a monument to the
reductionism implicit in the psychoanalytic interpretation of social
practices. His work carried out what Reich called 'a catastrophic use'
of psychoanalytic data in ethnology. Roheim's work is of importance for
several reasons; one was his position as the ethnologer of Freudian
orthodoxy; another is his 'solution' to the status of phylogenesis;
finally there is his impact on American anthropology.

Of the first, Roheim was heralded by psychoanalysts as the practical
anthropologist and analyst who would make up psychoanalysis' embarrassing
lack of empirical data. He produced several enormous tomes on Australian
society and his field trips were financed by Freud in collaboration with
Marie Bonaparte who also wrote psychoanalytic interpretations of
ethnological data. A special edition of the International Journal
of Psychoanalysis was given over to his 'findings' in 1932.

*Australian Totenism* 1924 is a quite extraordinary and unreadable book,
revealing an uncompromising and literal adherence to the Freudian hypothesis.
All symbolic practices of the Australian natives are to be interpreted as
expressions of sexual concerns; they are 'a result of a compromise between
the libido and repression.' Roheim went on to classify social groups
according to the degree of successful resolution of compromises between
antagonistic impulses - those conflicts marking all elements of social
life. From his study he can conclude that Australia was peopled by two
waves of immigration. The first is typified by a 'negative form of
Totemism', witness to a successful resolution of the Oedipus Complex.
The second has a positive form of Totemism and is characterised by the
return of repressed elements. Roheim asserts the existence of the primal horde and primal murder with extraordinary literalness; 'there is no doubt as to it having happened.' So literal in fact is his interpretation that in *Australian Totemism* he can add to Freud's account the fact that the primitive father must have been killed with stones since most primitive peoples use stones as their principal implements. But his discussion of the event also sets the scene for its removal. Answering Malinowski's derision, Roheim suggests that:

> the Freudian picture is intended to be compressed and dramatic representation of the facts. The 'father' stands for generations of fathers and 'the brothers' for generations of brothers. (70)

What Roheim argues is that the murder of the father was a frequently repeated event, further that its traumatic effects were felt not by the brothers but by their children who witnessed the murder:

> Thus the primal battle becomes a very comprehensible trauma; for, among higher apes, the child clings to the mother in terror and is often squashed in the fight. According to Zuckerman, the primal fight and the primal scene immediately succeed each other. The young in the ape horde are treated as sexual objects from the beginning. There is no shortage of traumatic experiences, both real and libidinal. We have assumed that damages had occurred in the observers by the repression of infantile experiences. (71)

As far as Roheim is concerned the phylogenetic account is virtually interchangeable with an ontogenetic one; the repeated primal scene whose successful repression constitutes the dawn of sociality is also the history of the individual. Here the protracted infancy and dependency sets the scene for premature sexual trauma such as witnessed in 'the primal scene'. Thus the phylogenetic account is only a generalised representation of the ontogenetic account. In fact by 1943 in *The Origin and Function of Culture* Roheim has entirely abandoned phylogeny for ontogeny.

Such an argument reinforces an idea of a universal constitution of the human being. From this perspective, the difference between social structures
can be explained as the product of a frequently repeated infantile trauma. Thus in the case of some Australians, the practice of the mother of sleeping across her child would produce a particular complex of sexual feelings and conflicts. However these cultural differences could be premised on a basic unity to human psyche life: 'It would seem... that the psychic unity of mankind is more than a working hypothesis, it is so obvious that it hardly needs proof.' (72) It is a small step from this to discarding any reference to actual events at the origins of human culture: recurrent complexes can be explained by assuming common responses to different cultural conditions. What has moved to the centre of the stage is an account of the different personalities resulting from the differential structuring of the complex, premised on a basic unity to human responses.

The responses within anthropology to psychoanalysis were varied. In England, the interest taken by Malinowski, W. H. R. Rivers and the Seligmann's did much to establish an early exchange between the two emergent disciplines. As a result however of the sort of exchange embodied by the Jones/Malinowski debate and the hegemony of structural functionalist approaches, psychoanalysis ceased to have any real credibility within English anthropology. In America, however, it was a different story. The interest in psychoanalysis came later, with cautious endorsements from Kroeber and Boas who asserted that 'some of the ideas underlying Freud's psychoanalytic studies may be fruitfully applied to ethnological problems.' (73) It was however with Roheim's "solution" to the phylogenetic account that psychoanalysis began to appear with some systemacity, being a formative influence in the Culture and Personality theories within anthropology.

It was writers like Ruth Benedict, Margaret Mead, Edward Sapir who were at the forefront of developing these interests. An interest in biographical accounts had already emerged as a valid methodology within American anthropology, and under the influence of writers like Roheim this
was transformed into an interest in recording personality types produced within different cultures. The approach was and is in many ways an unhappy combination of what is worse in all approaches. On the one hand there is an emphasis on extreme cultural relativism – in which at best anthropology can only be descriptive of psychological forms. On the other hand it relies on a notion of a universal human psychology: psychoanalysis is employed as a universalising account of the emotions generated by the basic human family. Cora Du Bois, commenting on the relations between anthropology and psychoanalysis, isolated this problem of explanation imposed by ontogenetic accounts of human culture:

Are we to assume that the psychological change preceded the cultural change? Or is it necessary to assume the priority of one or the other. If we assume the priority of cultural change, then psychological interpretations of culture are purely descriptive and not explanatory. If we assume the priority of psychological changes, we are faced with the problem of accounting for their origin. (74)

This quotation neatly summarises the problems which cannot be resolved within an approach which simultaneously stresses cultural relativism but the universality of psycho sexual complexes. In general, anthropologists opted for the theory as the basis of 'descriptive' accounts in which speculation as to the origin of psychological forces was suspended. And in this guise the work gained strength within anthropology. Despite the contribution which writings like Margaret Mead's have made to stressing cultural relativism, particularly within the question of sex roles, in general the work cannot be seen as providing a particularly radical contribution to the theorisation of social relations. What has been accomplished in this theoretical perspective is a stress on psychological factors at the cost of understanding the social and economic dynamic of a given culture. More particularly however it has reinforced a theoretical split between individual and society, in which the individual is synonymous with the family and the organisation of the sexual instinct.
Conclusion

The two chapters have demonstrated that the structuralist re-reading of Freud neglects the impact of how Freud formulated his theories on the history of psychoanalytic thought. They have shown that the terms in which Freud was compelled to formulate his cultural theory - culled from debates on the family, discussed in this thesis - compromised the radical conceptions of sexuality and the unconscious within Freudian theory. In so far as social sciences have found a place for psychoanalysis it has been in seeking a universal account of individual behavioural development, in which sexuality is seen as synonymous with the natural and instinctual. In these accounts, it is combined with a crude culturalism producing a sterile discussion of the relative influences of universal natural forces and the impact of cultural differences.

In the previous chapter, it was argued that Freud elaborated his phylogenetic account precisely in order to stress that the psychological complex must be understood at the level of culture. The complex would be the instinct duplicated at the level of culture whereby it would be impossible and unnecessary to speculate on the original form of the instinct. The fact of the complex would annihilate the distinction between individual/instinctual behaviour and cultural forms. However, the radical implications of this approach particularly for an analysis of the problem of sexual division has never been developed. This is partly an effect of the history of psychoanalysis' relation with the social sciences, partly as an effect of the form in which the structuralist re-reading of Freud has been advanced. The problems with the structuralist theory will be discussed in the following discussion of the theorisation of sexuality.
CONCLUSION

SEX AND SOCIAL RELATIONS
This conclusion does not attempt an exhaustive summary of the thesis. Instead it draws out some of the problematic areas which still determine contemporary discussions of sexuality. The thesis itself is, in many ways, extremely limited. It is not an exhaustive study of the history of the social sciences, nor, for that matter, an exhaustive account of the ways in which sexuality has been studied. Much has been omitted in order to isolate a series of problems which still run through the ways in which we think about sex and social relations. The conclusion therefore concentrates on dominant modes of conceptualisation which have been implicit throughout; the conceptual separation between individual and society; the implications of disciplines for one another; the question of 'determination'; and the problem of developing a non-essentialist account of sexuality.

The thesis has looked at the history of those discourses which are now championed by feminism as starting points for understanding sexual relations in society. The history has shown the development of dominant modes of explanation and the development of incompatibilities between explanations. Claims have been made by each of the discourses which seem to have inescapable importance for any understanding of society, and especially the place of sexual regulation in society. Anthropology has proved conclusively that there is no natural law making the procreative family a universal social institution. Marxism has indicated the importance of understanding the social formation in terms of the economic relations which constitute that society. Psychoanalysis has demonstrated that hetero-sexual reproductive identity is not a 'given' but is only acquired. All these assertions would seem to have enormous importance for understanding the relation between sexual division and other aspects of the social formation. Yet there is no easy relation between these assertions.

The thesis has shown how under different imperatives, there was a
division of attention between different discourses; all these discourses had a place — often an important place — for an explanation of sexual relations and social forms. Yet the place ascribed frequently varies with the different discourses. The outcome of this division of attentions is that none of the questions asked, let alone the answers given, seem adequate to a question of how oppression is constructed on sexual division or through sexual relations.

It has been shown how under the imperative of the deconstruction of evolutionary anthropology, a distinct form of the study of kinship evolved. On the one hand the study had important implications for understanding sexual relations, in so far as they appeared in family relations; on the other hand it abdicated the means by which any more radical questioning of relations of dominance or the construction of sexual identity could be asked. The reaction against unilinear explanations of the family was important in making it clear that there are numerous different types of familial organisation resulting from marriage relations. The criticisms of unilinear explanations still remain important for they show how variable kinship relations are: kinship relations are not just variations on one basic form but are different relations entailing different obligations and meaning different things to different cultures.

Important though these claims are, the form in which they were first made engendered a form of argument which seems rather sterile from a contemporary feminist perspective. The refusal of any explicit account of determination, in favour of a detailed account of the necessary interrelation of all elements of a culture retarded particular ways of interrogating power and dominance. A series of issues were not raised — issues about the basis of unequal power between the sexes as sexed groups; issues about how kinship relations might reproduce or construct sexual inequalities; the role of kinship in structuring reproduction.
One of the factors contributing to the absence of such questioning was ironically the consolidation of a distinctive notion of the procreative family. Kinship had been recognised as a variable. It was not to be understood as the same basic institution - the family - evolving at different rates in different societies; instead it has to be recognised as a multitude of structures fulfilling different functions within different societies. However the procreative family assumed a new significance in these theories. No longer the referent behind all kinship forms, the procreative family was nevertheless invested with a certain significance. This significance arose from the fact that the relationships around procreation were seen as the arena in which the 'individual' elements of human behaviour found expression. Thus while speculation on the procreative family was largely suspended, assumptions about the procreative family continued to be made. These were assumptions that the processes which 'properly' belonged to the individual - instincts, behaviours, needs - were processes whose primary expression was in the relationships of the procreative group.

The account given in chapter four of a small number of theorists is important because it demonstrated one of the ways in which non-essentialist theories of sexuality were blocked. It showed the way in which, while opposing theories of the original family and challenging universalising explanations, a space was left for theorising the individual as separate from society. In this way, even those positions which rigorously opposed psychologism, laid themselves open to those 'sciences' which started from the individual as a pool or reservoir of behaviours, needs, and instincts. This is especially significant in determining the outcome of the place ascribed to sexual relations. Sexuality in all its manifestations was consigned to the realm of the individual - the realm of the instincts, needs, behavioural tendencies. It was therefore open to those explanations which started from universalising and essentialising forms of explanation.
Accounts of sexual relations were however no more adequate from those disciplines which superficially appeared to avoid the problems of the position outlined above. On the one hand marxism offered a rigorous account of the way in which relations of domination and subordination were determined; they were to be explained as effects of the economic relations of production. Psychoanalysis, on the other hand, offered a non-essentialist theory of sexuality. Both these theories, however, have been shown to be extremely limited in their explanations of the relationship between sexual arrangement and social formation. Marxism's insistence on the analytical and political priority of economic social divisions rendered its theory of sexual relations open to essentialising accounts. Psychoanalysis concentrated on a detailed account of the construction of sexual identity in sexual regulation but adhered to a universalising account of the familial determination of sexual forms.

Both marxism and psychoanalysis claimed totalising explanations for the form taken by sexual regulations. Neither paid attention to the emergent criticism of unilinear theories of the family. This blindness reveals the place occupied by a universal history of the family in both theories. The universal history of the family was made necessary by other aspects in the theories; they were mobilised as specific theoretical solutions, to provide totalising accounts of elements within the social formation.

Within marxism it was, paradoxically, the centrality of the conception of the family which in fact blocked any systematic understanding of the family from the perspective of sexual division. In the study of marxism's treatment of the woman question, it became apparent that there was a requirement for the conception of the family to fit in with an overall conception of the interrelation between elements within the social formation. This conception of the totality of social arrangements was seen to emerge from a series of political priorities specified by the theory,
political priorities which appeared in their full inadequacy when confronted with the woman question.

For psychoanalysis, the family was conceptualised in a particular way in order to theorise the relationship between the instinct, the complex and society. There emerged an account of the history of the family and the universality of the emotions within the procreative family. The account compromised other more radical conceptualisations of sexuality within the theory. In so far as orthodox psychoanalysis offered an account of social relations it was taken to describe a complex of emotions resulting from a real nuclear family. This position was at the basis of some of the formative divergencies within psychoanalysis, divergencies which simultaneously reveal the proximity of the discourses under scrutiny and their divergence through different forms of attention.

Within orthodox psychoanalysis, the result was that the radical non-essentialist notion of sexuality gained only a very limited place in accounts of the relationship between sexuality and social forms. Initial bisexuality was posited as the precursor of the final reproductive outcome of sexual construction, and a source of subversion of that reproductive outcome. Far from embracing the precariousness of sexual identity as a constant element within social relations, orthodox psychoanalysis returned to the idea of universal history of the family which had determined the reproductive outcome of sexual identity.

The critics of this orthodox psychoanalytic history of the family also failed to develop the implication of initial bixuality. The critics of
the orthodox position on the family compromised the idea of the structural status of the unconscious through their espousal of 'culturalist' arguments. These arguments were subject to the same problem as those found within marxism. In other words they fell prey to implicit forms of essentialism, either by presupposing that anatomical difference was a sufficient basis for a coherent adoption of social roles or by failing to take account of the tenacity of sexual construction within the social formation.

In the exchanges which took place between the discourses traced here, several elements are striking. One is the extent to which all these discourses were limited by the terms set by the earlier discussions of the family. Anthropology alone attempted to deconstruct the general theories of these earlier debates but left untouched any critique of the conceptualisation of sexuality. Cause or effect of social relations, heterosexual reproductive sexual identity tended to be presupposed at the heart of its studies.

What is also striking in the history of these discourses is the way in which the division of attentions affected in the emergence of different discourses meant that some investigations disappeared altogether. Psychoanalysis tried to investigate the construction of sexuality as process and contradiction. This however has no place in the social sciences. Sociology rarely explores sexual relations at all. The typical object of study is the household - an institution assumed to function unproblematically on reproductive sexual relations. An amorphous commitment to the idea of determination of sexual relations by other social forms tended to be offered as sufficient explanation. Anthropology has paid endless attention to the variety of sexual organisations but has rarely addressed the radical implications of psychoanalytic theories of sexuality. Where psychoanalytic theories appeared, they appeared either under the regime of culturalism or under the regime of a universalising psychology. Marxism has an attention to the construction of social identity and to detailing
historical circumstances, but it has constructed a theory where under
the importance of the family, the social contradiction between men and
women disappears in anything other than essentialising terms.

Divergencies and divisions: the determination of social life

There are important lessons to be learned both from the division of attention
between different discourses and from the violent divisions between
discourses. The division of attentions has made remote any chance of
explanations of certain phenomena. It becomes difficult to explain
hierarchies between the sexes, the cause of different statuses, the
determination of different familial forms and their effect on sexual
behaviour while delivering an historically specific account. Some
discourses have concentrated on sexuality in isolation from society; some
have simply taken sexuality for granted as the reproductive instinct.
Various discourses have offered various proofs and forms of explanation
as to what is specific about women as a sex; how a society constructs
sexual division; and what are the determinants on the forms taken by
sexual division. Yet all these various proofs are compromised; they do
not deliver an historically specific account of these processes. The
reason underlying this compromise is that all these discourses, apart
from psychoanalysis, rely on a notion of sexual identity, (and therefore
sexual regulation) as pre-given.

Wherever a theory functions with a given notion of sexual organisation,
it necessarily implies something eternal about the differences between men
and women. This implication makes it virtually impossible to provide an
account of how sexual status and division is produced within a given
historical moment. Even with a rigourous culturalism, which insists on
the variability of sexual identity and relations, there is a problem of
pre-supposing sexual characteristics. For even where the individual is
taken to be a tabula rasa onto which sexual identity is written, there is
a problem where men and women are assumed to take up coherent roles. For here, too, it is suggested that anatomical difference guarantees the roles required by different arrangements of the social. Despite this apparently common limitation, there have been violent divisions between modes of explanation. Within the social sciences for example there is division as to how social forms, like marriage, the family, beliefs and so on are determined. It is a debate as to whether social phenomena are adequately accounted for by reference to the interdependence of social institutions or whether those social institutions can themselves be explained by the characteristics of individuals, that is by the needs, instincts and forms of behaviour of individuals. The theorisation of social phenomena involving sexual behaviour has been plagued by this division and there is good reason for this.

The thesis has shown how, in the development of studies of the family, sexual regulations were taken as regulations on the borderline between nature and culture. It has been argued that the resolution of the place of sexuality in the social sciences was achieved through the agreement that sexual regulations were on the borderline between nature and culture. As such they came under two major arguments between modes of explanation within the social sciences. On the one hand is the division between explanations which take their starting point either as the individual or society. On the other hand, there is the concomitant discussion as to how social phenomena are determined, that is, either by the characteristics of an individual or by reference to the interrelation of social institutions.

These dominant discussions under which sexual regulations have been treated in the social sciences frequently polarise around a series of sterile divisions, divisions exemplified by the Jones/Malinowski debate. The problem is presented in terms of whether patterns of sexual behaviour are derived from a universal human imperative or whether they are
conditioned by the interaction of elements with a particular culture.
Posed in another way, it is the question as to whether sexual behaviour
is natural (instinctual) or socially conditioned.

It is to be hoped that this thesis has shown that these options
were structured by dominant ideological principles. Under the theoretical
division between individual and society, sexual behaviour has been consigned
to the realm of the individual. Sex has been taken as belonging to the
realm of the behavioural, the emotions, biology. This consigning has
taken place primarily because the heterosexual reproductive instinct has
rarely been questioned. Sexuality and the "reproductive" instinct are
often taken to be synonymous. It would not be an exaggeration to say
that virtually all social phenomena entailing sexuality - marriage, the
family, the household - have been assumed to operate on the basis of this
so-called fundamental instinct. A conceptual separation then becomes
possible on the grounds of a division consolidated in the social sciences
between the so-called social and the so-called individual realms.

This conceptual division has structured the debates within the social
sciences. In general it would be correct to say that there has been a
division between discourses which start from those areas deemed, the
individual, and those which start from the social. Such a division itself
points to the assumptions as to what is usually taken to be a social science.
It is a discourse whose primary object of attention is the interaction of
social elements. However, it is apparent from the argument made here that
while this might be the primary object of interrogation, there is an
unresolved space whereby explanations from the so-called individual sciences
can and do creep in. This is precisely the division between individual
and society, and between two dominant modes of explanation. Thus even
within discourses like sociology or anthropology there is still division as
to whether the individual should be explained as a substantive to be
accounted for by the sciences treating emotions, instincts and behaviours,
or whether these phenomena should be explained by the particularities of a given culture.

Whichever side of the division is espoused marks a failure. Amorphous, or rigorous, determination, leaves a space which can be filled by one of two options. Either nothing is said about sexuality except society determines the social manifestations of sexual relations, in which case the objects to be studied are the so-called determinant forms. Or, ironically, biological and psychological capacities are presupposed but not discussed explicitly. Those theories which start from the realm, designated the individual, and refuse the assumptions of determination (like psychoanalysis) appear to be falling into universalising and naturalising claims.

These divisions around the question of sex have a dull note of familiarity. They are none other than the divisions between nature and culture, the individual and society. It is the old nature versus nurture debate and it encompasses our understanding of sex because sexual behaviour has been consigned to the realm of the individual. Thus the two modes of integration of sexual behaviour in some discourses of the social sciences are in fact witness to the non-theorisation of sex. The fact that there has been no substantial theorisation of sexual construction, sexual relations and sexual hierarchies is the result of this classification and the conceptual division between individual and society.

Two points should be made if there is to be any advance in our understanding of sexual relations within society. The first is that sex cannot be consigned to the realm of the individual. Secondly, that the division between individual and society is purely conceptual. It is a conceptual division which must be displaced if we are to develop an understanding of how sexual division can be the basis for oppressive relations.

Sex: Individual or social?

The division between individual and society is a theoretical division, based
on the way in which areas of investigation have been carved up between
different discourses. On the one side there are a number of phenomena
which are deemed to be individual - instincts, behaviour, needs, emotions,
desires, fantasies. These phenomena are usually thought to be found in
the so-called primary situation or procreative group. On the other side
are the phenomena deemed to be social - the economy, ideological (collective)
beliefs, institutions and customary social forms. Sexuality has in general
been consigned to the side of the individual, whether it is taken as cause
or effect of social practices. However even if one accepts this conceptual
division it would be difficult to confine sexuality to this area.

Sexuality does not only concern forms of behaviour and personal
desires. Everywhere sexuality is defined publicly. Most obviously,
sexuality appears in public customs, like marriage. It also appears in
a number of discourses and practices in a less obvious way. Governmental
policies on housing, population, and education all in a variety of ways,
concern the definition and regulation of aspects of sexual behaviour. One
has only to mention the kinds of houses made and provisions for families
within housing policy, or the sex segregation within education to
realise that public policies are constantly engaged in the task of
defining and redefining sexual behaviour.

Even the areas, such as the economy, carefully detailed as the
social, crucially involve sexual definitions. Within contemporary western
society, the wage paid for male labour is a family wage regardless of
the marital status of the recipient. This has important correspondences
with other aspects of the economy; it constitutes women as a low-paid
group; it marks out sexually-ghettoised areas of employment; and it
constructs relations of economic dependence of women and children on men.
There is no way in which any study of the economic relations of contemporary
society could afford to neglect the sexual division and sexual organisation
which provides its logic.
How sexuality is talked about, displayed and organised is a central feature of social existence. Moreover there are many forms of behaviour and desire which cannot be attributed to an 'individual' conceptually separated from society. Pornography for example while it may address a hypothesised individual, is an aspect of public arousal of desire. (5)

Psychoanalysis has even undermined the idea that what we think of as the most personal and intimate aspects of behaviour can be attributed to the spontaneous production of any individual. Even that most individual form of behaviour, that is, fantasy, is taken by psychoanalysis to be a form of hallucinated sexual satisfaction which cannot evade reference to the complexes by which sexuality enters social existence.

The function of these brief points is to indicate that sex, separated into the realm of the individual behaviour cannot be confined there. Sexual division and definition is a crucial element in our contemporary social organisation. Moreover even those elements of the 'individual' are seen by psychoanalysis to be pre-structured by the social complex. The instinctual, in other words, cannot be abstracted from the complex.

Yet more extensive criticism could however be made of the conceptual division between individual and society, and these criticisms are important for clearing away major obstacles to developing non-essentialising notions of sexual relations.

Why the division between individual and society is a problem
One immediate problem which strikes us confronted with the division between individual and society is that a theoretical space has been constructed in which elements like behaviour, desire, fantasy can be thought as somehow separate from society. It becomes possible to think of the individual as somehow outside society.
It is clear that to think about it in this way constructs a false problem. In so far as we talk about the human we refer to a living creature, existing in society. Even the unborn child has a place decreed to it. The generalised habit in our society of taking the father's surname is an example of this. There is nothing in the child's first engagement with the world that is somehow outside society, everything that occurs is part of a social structure: the practices of child care; the ways in which affection is displayed; who cares for the child; and in what way care is given. The statement seems like a truism and would certainly be received as such by the majority of social sciences, yet a separation is still affected. Certain elements of human and social behaviour are thought to be subject to forms of explanation, which start from this hypothesised individual. For as long as this separation is maintained the endless tedium about the relative determination of nature and nurture will roll on.

Recent attempts to explain all of culture by reference to biological explanations have been rather successful. This indicates the extent to which the social sciences, despite their commitment to social determination, have left open a space into which smuggly fit psychological and biological explanations, with their universalising and reductionist views.

Both the claims and the counter-claims share one assumption on which the conceptual division is operative. Both the idea of individual as tabula rasa, whose behaviour, emotions, desires are conditioned by social forces; and the idea of individual instincts, drives and needs which are expressed in social forms, are operative on one condition. The condition is that a homogeneous individual is supposed to exist, in other words that there is such a thing as a coherent individual which can be accounted for either in terms of an identity, a social role, a sum total of behaviour, or an instinctual disposition. Agent of social roles or perpetrator of the selfish gene, it assumes a coherent subject as outcome or origin.
But if psychoanalytic theory has taught us anything, it is that such a proposition cannot bear scrutiny. It has shown how the idea of a coherent subject is a fantasy. For in bringing to light unconscious processes, it has demonstrated that conscious or public identity is only a tip of an iceberg. Symptoms, dreams, modes of expression like jokes, all bear witness to other modalities of desire, repressed perhaps but in a continuous relationship with conscious representation, disrupting, displacing, seeking satisfaction or expression. There are several points of importance in this account. One is that not only is identity a construct, but that it is continuously and precariously reconstructed. Any aspect of behaviour or desire will only ever be a moment in a process; the exact opposite can frequently be revealed co-existing in the unconscious. In addition, as has been demonstrated earlier, psychoanalysis has undermined essentialist notions of the instincts. In stressing that the complex must take precedence over the instinct, Freud has demonstrated that 'instinctual' behaviour never has pure expression. The variability of the object through which instinctual satisfaction is sought clearly demonstrates the inseparability of instinct from the object by which it finds satisfaction. Such a distinction clearly places the instinct under the primacy of sociality. There is never any activity which 'expresses' instinctual behaviour. Sociality and its renunciations confront us only with the instinct displaced and fluid, defined in the object through which it seeks satisfaction.

The conceptual division between individual and society assumes that on the one hand the elements under the term individual are somehow presocial, and on the other, that the individual is a coherent and homogeneous entity. This is presupposed by biological explanations, by psychological explanations and even by explanations which assert that the individual is culturally conditioned. (For this too assumes a presocial empty space filled up with coherent social roles). Attention to the
discourse of the unconscious however reveals contradiction and conflict. This is an important discovery from the point of view of conceptualisation of sexual relations, for it undermines the possibility that any sexual practice could be the expression of any one pregiven instinctual drive, for example, the expression of reproductive interests. Freud has shown much too clearly that the acquisition of reproductive, heterosexual positions is a painful process whose outcome is extremely precarious. Psychoanalysis has demonstrated that there is nothing essential about the sexual drive of male and female.

The reason why challenging the notion of the centred subject produced in the individual/society division is important is because it is on this notion that essentialist notions of sex operate. The fantasy of a coherent individual - behaviour, instinctual disposition, social role or whatever - allows for an idea of sex as a consistent, coherent feature which unilaterally affects men in one way, women in another. This is self-evident in biological and psychological explanations. But even the idea of cultural conditioning productive of roles presupposes something essential; it suggests that men and women are constructed differentially by a given society. Superficially this argument would not appear to support essentialist notions of men and women but in fact it does. For how is it that a society unilaterally affects anatomical women in one way, and anatomical men in another way? And what is it about that anatomical state which guarantees that anatomical men and women will consistently take up these roles, as social men and women?

Against this, the psychoanalytic hypothesis has very radical implications. It would seem to suggest that any analysis which implied a homogeneous subject, however theorised, will ultimately lead to a reductionist notion of sexuality. This suggestion presents a serious problem for some of the recent attempts to advance the understanding of sexual relations in society. Aware of the inadequacies of previous approaches, recent writings on the
construction of sexual identities and hierarchies have suggested the need to 'integrate' various aspects from various disciplines in order to produce an adequate understanding.

Recent proposals for theoretical integration bear witness to how widespread is the sense of inadequacy about the accounts of sexual relations in society given by discrete disciplines. A plethora of proposed mergers could be detailed. Sociology casts a greedy eye from the confines of the household to anthropology's study of kinship. Anthropologists look to marxism, sometimes even to psychoanalysis to restore the possibility of general explanations of the forms taken by sexual relations. Marxism looks to psychoanalysis to compensate for its own inattention to the question of social and sexual identity.

Yet when examined closely these theoretical mergers do not seem to avoid the pitfalls of the dominant interpretations of sexual relations. Neither do they challenge the theoretical distinction between individual and society, nor do they challenge the presuppositions of some of the central terms mobilised in particular discourses. Thus the legacy accruing to certain conceptions within disciplines threatens constantly to compromise the desire for new interpretations. These problems raise the whole question of the implications which discourses hold for one another if the aim is not the impossible one of integrating their various objects of attention.

The psychology of sexuality under capitalism

It has been suggested that a merger between the theories of Marx and Freud could do much for advancing our understanding of how sexuality is constructed under capitalism. It has been suggested that sexual construction occurs in the ideological level of society, and that this ideological level is relatively autonomous from the economic and political instances of a given society. The proposed merger of Freud and Marx is offered here as a solution to that phenomenon so puzzling for marxism: that sexual behaviour
and practices do not seem to correspond directly with the economic mode of production. (8)

A number of very real problems present themselves to this attempted merger of concepts drawn from both marxist and psychoanalytic writings. The assertion that the merger assists understanding of sexual relations in society works on certain assumptions. Sex is again consigned to the realm of the individual, and therefore the psychological. While this is a large element in sexual behaviour, it has already been argued that the psychological or individual does not exhaust the realm of the sexual. It neglects the centrality of sexual preoccupations in a series of governmental, political and economic concerns.

The attempt to make marxism 'more adequate' by importing a number of psychoanalytic observations runs the risk of constructing the individual/society division anew. Marxism will provide the account of how the economic and political level function; Freudian theory will illuminate the process by which individual identity is acquired in this social formation.

The history of psychoanalysis and marxism has been witness to several similar projects, which have been briefly mentioned in this thesis. (9) While these did not deal specifically with the issue of sexual identity, their problems are still illuminating in the context of current endeavours. In these earlier theories, psychoanalysis was reduced to an account of personality types, explicitly so in some theoretical developments. (10) Within such a trajectory the idea of the unconscious is reduced to being simply a repository of anti-social elements, repressed in the construction of a definite personality by a particular social formation. What is again presupposed is the idea of a coherent subject, lacking in contradiction with a fixed identity, in recent cases, a fixed sexual identity.

There are further problems arising from the attempt to integrate marxism and psychoanalysis across the terrain of the relative autonomy of the ideological level. Usually this form of argument suggests that the
relative autonomy of the ideological level can be attributed to a
structure of kinship relations which have been superseded but which
continue to impose a pattern on the form taken by sexual identity, that
is the pattern of patriarchal monogamy. Given what has been said however
about the division between individual and society around sexuality, there
is surely a problem about assuming that identity is acquired almost
exclusively through the family, when sexuality is being constantly
constructed and reconstructed in a number of social practices? Why, in
other words, should it be assumed that the family is relatively autonomous
from the rest of society, when examination reveals that these other social
practices crucially rely on familial and sexual definitions. Sexuality
is clearly not confined to the family; it is constructed and addressed in
a number of different ways, including by national economic and political
strategy. Why therefore should identity be acquired only through the
family?

Reservations can also be raised about the notion of determinacy
at play here, a problem which will be dealt with only cursorily here. (11)
The problem here is how the capitalist mode of production can be ultimately
determining if sexual identity is produced within the context of a familial
ideology whose actual structures have long since been superseded. This
proposition is problematic again for its reliance on the individual/society
division. The family is posited as a separate site which is the place
where individual identity is acquired. For even though the economy is
said to be ultimately determining on all forms taken by social life, the
familial ideology is relatively autonomous from this determination and the
space where individual identity is formed. It seems almost impossible to
specify in what way the economic mode of production might be determinant,
if sexual identity and desire arise within a realm obedient to its own
logic. Such a perspective of course means that we do not properly challenge
the conception of social division which is operative within marxism. Sexual
division is attributed to a different logic, a logic which is frequently left unexplained.

In this way, a number of limitations are encapsulated in the proposal of a merger between Marx and Freud across the idea of the relative autonomy of the ideological instance. There is the problem of the supposition of a homogeneous identity; there is the problem of a rigorously deterministic theory which cannot account for the non-correspondence between sexual and familial forms and the economic mode of production and there is the concomitant problem of not being able to account for the relation between economic mode of production and social forms through the concept of relative autonomy. If sexuality is not confined to the family or individual behaviour, how is it that sexual identity is only produced within the family? Similar reservations can be raised to the other principal theoretical mergers which have been proposed.

Patriarchy or the Relations of Human Reproduction

The concepts of relations of human reproduction and patriarchy are once more beginning to dominate attempts to theorise sexual relations in society. Both have emerged as solutions to problems within marxist theory. In general they are offered as possible explanations or descriptions of the 'relative autonomy' of human sexual relations from the economic mode of production. Concentration on the relations of reproduction appears as a response to two things. One is quite simply the inescapable evidence of a very definite relation between women's subordinate position and the role of child-bearer and child-carer. Assumptions about women's child-bearing and child-rearing capacity seem to underlie practices like the family wage; hence they underpin women's economic dependency and oppression as well as the ghettoisation of women in low-paid work.

Confronted with the seemingly unavoidable relation between many social practices and women's role as reproducer, it has seemed logical that reproduc-
tion should be a primary site of investigation. But there is another reason which should be apparent from the rest of the thesis; the emphasis on this is already present within marxism and the social sciences. Such an interpretation fits readily into existing schemas.

On the surface, this theoretical approach appears to meet the requirement of escaping the reductionism sometimes encountered within marxism. It insists on a distinct theory of social relations as they affect women specifically; it refuses to look at the subordination of women as the effect of somehow 'more basic' social relations such as private property. It is, therefore, open to accounts from psychoanalysis and anthropology. Simultaneously, by offering itself as analogous to the marxist concept of the relations of production, it appears to remain firmly within marxism - a commitment sought both because of sympathy with marxism's analytic specification of structural economic contradiction and principled anti-naturalism. (12) At the same time, as the thesis has shown, the concept is by no means a challenge to the theoretical tenets of marxism; both the concepts of patriarchy and the specificity of human relations of production are crucially interlinked with existing marxist priorities.

Two primary positions associated with the way in which the concept has been taken up demonstrate the possible limitations with the idea of a specific level, that of 'the human relations of reproduction'. One of these is the way in which it sometimes appears as indistinguishable from biological essentialism. (13) It is by virtue of women's reproductive capacity that they are controlled or subordinated. Yet whatever the cause is said to be for this control - demographic factors or the requirements of private property - what it does not explain is why women should be controlled by men. (14) These arguments regularly make the assumption that men always control women and draw on underlying assumptions about a universal male psychology or inherent female capacities.

The second way in which the concept has been used has been a sort of
doubling over of other implications of the term, reproduction, within marxism. There are, for example, attempts to incorporate women’s biological reproductive capacity into the idea of women’s specific contribution to the reproduction of the economy. The family is organised as a site of reproduction of labour power in the form of children. In addition, the labourer is reproduced outside the costs of capital, through the performance of domestic labour. These accounts all fail to explain sexual division. In a mode of argument reminiscent of those outlined in chapters five and six, they presuppose sexual division. It is a natural division which is utilised by the capitalist economy. These arguments have been extremely important in drawing attention to the differential relationship between men and women to the economy, a direction which is now being more usefully pursued.

Other, apparently less reductionist, accounts have run into similar problems. For example, the suggestion that the family might be the site of ideological reproduction of the capitalist mode of production no less assumes the functionality of the family for capitalism, again ultimately depriving it of any specificity. It offers no account of why or how sexual division arises, and ultimately reduces the family to being a function of capital.

**Patriarchy**

The most insistent analysis of the specificity of the relations of human reproduction has been in terms of patriarchy. In fact the revival of various patriarchal theories has been a major contribution to the endeavour to produce an adequate analysis of the position of women. However, like discussions of the specificity of relations of human reproduction, the accounts of patriarchy tend to be similarly characterised by a surprising lack of attention to what patriarchal relations are and how they operate.

Variously, patriarchal relations describe the oppression of all women
by all men (what is often also referred to as sexism), a particular kind of kinship structure, or finally a residual ideology of male dominance. This latter is thought to have arisen from a kinship organisation which has since been superseded.

Patriarchy has a loose currency. It is generally employed to designate a problem - a contradiction between men and women, the recognition of a specific problem around gender division which implies power and demands explanation. There can be no doubt as to the political importance of this insistence: it has given a theoretical basis for arguing for the specificity of women's oppression. It has been a powerful tool in arguing this against traditional marxist analyses, for example.

But this thesis has made a series of related arguments which have indicated that there are aspects of the patriarchal theory which should be treated with caution. We have seen in fact that the notion of the patriarchal family as it appears within both marxism and psychoanalysis is, if anything, a stumbling block to the development of an understanding of the construction of sexual division in historically specific terms. Within marxism, the integral relation between the patriarchal family and other concepts led to a mode of theorisation where the specificity of sexual division within the family did not appear. Within psychoanalysis, it was the conceptualisation of the patriarchal family which constantly pulled back the radical implications of psychoanalytic theory, committing psychoanalysis to a universalising account of the procreative family.

There are two points which must be made in relation to the term patriarchy. The first is that if the term is to be developed at all rigorously as describing a real structure of social relations, it appears to be limited in crucial ways. For one thing, the arrangement of the contemporary family retains few of the features of a classic patriarchal structure. Changes in family law have slowly begun to undermine the conception of father as absolute head of the family, financially, legally
and politically responsible for his wife as a dependent. Descent is neither reckoned nor controlled exclusively by the father; our culture has no strict laws of residence. Historically there have been definite transitions in family forms and we need ways of describing rigorously the forms taken by familial arrangements at particular historical moments. It is the same problem as that facing the anthropologist. The application of the term 'patriarchal' to aspects of male control and dominance can obscure the differences between familial forms, differences which are vitally important if any understanding of sexual relations is to be constructed. We need ways of talking about shifts from male dominance within the patriarchal family to male dominance outside the family.

In addition, the term 'patriarchal' describes a form of power which does not do justice to the complexity of the problem of sexual division and society. It limits what can be said in terms of the production and redefinition of sexual identities in a number of forms. It does not do justice to the subtle workings of discrimination. For the term 'patriarchal' implies a model of power as interpersonal domination, a model where all men have forms of literal, legal and political power over all women. Yet many of the aspects of women's oppression are constructed diffusely, in representational practices, in forms of speech, in sexual practices. This oppression is rarely carried out through the literal overpowering of a woman by a man.

The point of these criticisms is to indicate that the concept of patriarchy has to be treated with caution; it does not deal sufficiently with the diffused workings of power in relation to sexuality, for example in representational structures. Nor does the term allow sufficient space for the contradictory effects of practices. There is for example no homogeneous relationship between the state and the patriarchal family as is sometimes suggested under this concept. As a result of determinate social conditions practices often construct contradictory notions of the
family and act according to these different categories. (19)

The previous three points have dealt with some of the limitations involved in the attempt to 'merge' disciplines to produce an adequate understanding of sexual relations in society. These three points have shown how none of these mergers fulfil the requirements of a non-essentialist historically specific account of sexual regulations. At the same time they do insist on the need for a definite account of oppression entailed in sexual division.

Structuralism and Patriarchy

It might be thought at this stage that these criticisms have been raised from a position where some of the problems have already been solved. Perhaps the concluding chapters of the thesis gave the impression that a structuralist rereading of psychoanalysis might lay the foundation of an account of patriarchal relations which did not rely on essentialising notions of sex.

It is certainly true that there are some important implications for understanding sexuality within structuralist interpretations of psychoanalysis. On the one hand, the idea of a pre-given sexual disposition has been displaced by Freud's theory of sexual construction; on the other hand, the structuralist interpretation of phylogenetic theory apparently abolished the need for psychoanalysis' universal history of the family. Instead it argued that Freud was trying to deal with the fact that kinship itself was made up to relations of difference like language. Levi-Strauss suggested that it was these systems of classification and difference which underlay kinship systems. He argued for an analogy to be drawn between kinship and linguistic relations, as described by structural linguistics. They are made up of the same elements: systems of difference, signs, relations of exchange.

In this way both Levi-Strauss and Lacan insist that the universals
described by Freud are the universals of differentiation, constitutive of culture. They are not the universals of emotions but an outline of the primacy of the complex, that is culture, over the instinctual. The question is whether the emphasis on the fact of the systematicity of kinship rules—so valuable in arguing against functionalism (20)—is in fact useful for understanding sexual relations in society.

There are serious flaws within the structuralist approach as it now stands. In stressing the systematicity of kinship, Levi-Strauss described it as a system of communication. It guaranteed the possibility of reciprocity and therefore integration between self and others. In this system of communication, women are exchanged as signs. It is on this element that many feminists have attempted to reintegrate an explanation for the subordination of women. They say that it is the fact that women are exchanged by men in the kinship system which explains their universal subordination. (21)

The way in which Levi-Strauss explains that it is women who are exchanged needs to be carefully scrutinised. He assumes a natural promiscuity of men and an inevitable shortage of "desirable" women; this makes women the most "valuable" possession of the group. However there is no theoretical necessity in his argument that it should be women who are exchanged. Nor does he assume that the exchange of women entails forms of subordination—legal, political, economic or intersubjective. This assumption has been added by the subsequent feminist interpretations.

Levi-Strauss' argument is problematic in several ways. First of all, anthropological evidence disputes his universalising generalisation that all marriage customs involve the exchange of women; secondly, it will be apparent that the assumptions of kinship as intellectual systems are assumptions deeply entrenched in philosophical anthropology. Joined with the Freudian account of the necessity for sexual renunciation, Levi-Strauss' becomes an especially poignant variant of the negative critique of culture.
Finally, it can be argued that Levi-Strauss' hypothesis of value undermines his reliance on Saussurean linguistics. Saussurean linguistics argues that language is simply a system of differences. There is no pre-given meaning which is free floating and freely apprehended by the individual. Language is simply signifiers (sound-images) whose differential arrangements construct signifieds (the concept); the relationship between signifier and signified is arbitrary, agreed through social convention. In such a system there is no room for presupposing elements as valuable. The relations of difference the signifying system of a culture construct how elements signify as valuable. The construction of value takes place within a socially signifying system.

Levi-Strauss' own claim that culture is analogous to signification can be subverted by his own proposition. For to insist on the primacy of signifying systems means no element can be given a value pre-existing a social signifying system. To assume pre-existent value commits structuralism to the same kinds of universalising assumptions about the function of sexual division which already presuppose the categories of men and women. The attempt to develop structuralism as a description of patriarchy is therefore no less problematic. It assumes that the exchange of women can be equated with a form of political control of women. It is men who initiate relations between groups and women are circulated between them as signs. Again this presupposes sexual division where men are in a position to control and dominate women; it therefore obliterates the construction of sexual identity as process and problem. Given these reservations, what value can be attributed to the structuralist rereading of Freud? This question relates to the wider one; what are the implications of one theory for another if they cannot simply be added to one another?

The structuralist rereading of Freud is important on several fronts. It delivers an account of sexual construction which insists that maleness and femaleness are constructs, not consequences of anatomical division.
It also draws attention to the systematicity of kinship relations, and therefore to a certain systematicity in the way in which sexuality is governed. This systematicity is not however a universal form of sexuality. Thus it insists on the primacy of the social over the instinct, without falling into the pitfalls of culturalism. Finally it relies on a theory of representation which has significance for the way in which social phenomena are interpreted. Instead of reliance on an idea that a certain group of social phenomena express or reflect other social practices in a simple relationship, the structuralist re-reading of psychoanalysis insists that representational practices have a complex relation with other social practices. It emphasises the activity of the means of representation, rather than suggesting that representations simply reflect some more 'material' practice.

Yet the contemporary mobilisation of psychoanalysis frequently compromises these vital elements of the theory. They end up presupposing aspects of sexual division and identity that structuralism has fundamentally challenged. This indicates that adequate questions relating to sexuality cannot be asked either from within existing discourses or by simply adding elements from other discourses. These discourses have mutually exclusive ways of defining sexual relations and sexual division, definitions which are crucial to other aspects of the theories. Thus in mergers, it is almost invariably the case that radical challenges to conceptions of sexuality disappear.

Does this mean that these discourses are doomed to remain in splendid isolation? Does it mean that nothing can be usefully exchanged between theories? That nothing can be exchanged between discourses other than criticisms? The point is that these discourses do have important implications for one another but not by supplying missing elements. The implications are that they displace the possibility of certain forms of arguments and therefore demand drastic changes in how the problems are
formulated and considered. Thus the Freudian insistence on initial bisexuality and the construction of hetero-sexual identity cannot be accepted as a possible element of a theory which otherwise depends on assumptions of essential sexual division. The Freudian hypothesis if it is taken seriously must leave no room for theories which take sexuality as a given. It must displace any argument where sexual identity or sexual behaviour is thought to arise out of a sexual predisposition.

The implications of structuralism and psychoanalysis can be made yet more searching. They can substantiate a displacement of those forms of thought which deprive the consideration of sexual division of its specificity. This displacement of so-called reductionist arguments would seem to be necessary if understanding of sexual relations is to be advanced. This displacement arises from the theory of representation on which much contemporary structuralist writing is based. (23) The theory of representation has been a precondition for challenges which have been made of simplistic theories of the way in which cultural practices express or reflect a general principle of the social formation. For example within marxism, it is sometimes assumed that cultural practices express a general principle of economic arrangement of a given society. The theory of representation on which contemporary work within structuralism relies, suggests that it is the activity of the means of representation (signifiers) which produces what is represented. What is represented does not therefore necessarily reflect any pre-given external condition. Although representational practices occur in determinate social conditions it does not express any of those conditions. The tradition within marxism which argues that all levels of cultural relations represent the general features of the mode of production in which they occur cannot stand up to these arguments. There seem pressing reasons why the criticisms made of this version of marxism should be allowed to displace the assumptions about expressive totalities altogether, some of which have been seen in the earlier discussion.
The effect of this displacement is not to reduce the significance of the marxist analysis of the economy. On the contrary there emerges a possible approach to the organisation of the economy and social life which encompasses issues arising from sexual division. Marxism is a varied tradition under which a variety of analyses of the organisation of the economy have been made. It is the one tradition which has always correctly insisted on social antagonism built into the organisation of the capitalist economy. However, the tradition which insists that all aspects of society are structured by and reflect a general abstract principle has limited any specific attention to sexual division in the economy and has become a sterile dogma. The displacement of a marxism which insists on the structuring of all aspects of society through a general principle allows for an approach to contemporary society, not as the effect of abstract principles working on undifferentiated agents but as a society structured around sexual division and hierarchy. These divisions have immense significance within the economy; they are not secondary to an abstract general principle of class division, nor are they somehow less antagonistic divisions than those of class. The structural contradictions of capitalism occur in a society which is structured around sexual hierarchies. The only way in which marxism can be helpful to an understanding of the place of sexual relations within society is if it is liberated as a tradition of attention to class and structural contradiction within an economy and is not championed as a series of rigid principles by which society is understood in abstract.

The implications then of recent developments within psychoanalysis are not simply that it gives insights to the structures of sexuality, but also because they make impossible and irrelevant certain arguments. Psychoanalytic understandings of both sexual construction and the process of representation reveal that some versions of marxism as expressive totality
will never be able to understand sexuality in anything other than essentialist terms.

**Sexuality and discourse**

Recently arguments have been made about the study of sexuality which do in fact start out from a critique of reductionism. In considering sexuality and social relations it is important to understand what kind of advance, if any, these studies might constitute. Recently the work of Foucault has been promoted as offering a form of analysis which does not appear to commit the theoretical errors of reductionism. As one of his recent works is on the history of sexuality, it would seem useful to assess whether this theoretical position, in avoiding reductionism really does advance us in a theoretical direction useful for feminist politics.

Foucault refuses the division, outlined earlier, between individual and society. He addresses himself only to the discursive construction of sexuality; that is what is said about and done in the name of sexual regulation, control, direction etc. As far as Foucault's argument is concerned, the problem of the psychology or instinct of the individual is outside the scope of any argument which seeks to avoid epistemological reasoning. According to this argument only the discourses and representations delivered to us by history are the only proper objects of analysis in any attempt to understand the history of sexuality. It is in these discourses that the construction of subjectivity can be understood. This process of construction entails the modes of subjectivity constructed in discourse; consequently these modes are multiple and any individual would be subject to the workings of any number of discursive constructions. The object to be interrogated for Foucault is not the individual as substantive but the possibilities for individualisation, or subjection in discourse. Foucault then refuses the traditional complex of concerns which has come under the term, the individual, that is, questions of behaviour, identity, needs, biology.
Many aspects of Foucault's work would appear to offer important perspectives for any assessment of the construction of sexual identities in history. Already the perspective has been employed to undermine a dominant mythology about the course taken by sexual relations in the last century. On the one hand, he has demonstrated that contrary to popular mythology, the Victorian era was not a period marked by sexual repression from which we are only now beginning to recover. He makes this assertion on the strength of two related ideas. Firstly, contrary to customary mythology, the last two centuries are witness to a discursive explosion around the issue of sexuality. He is able to make this assertion on the basis of the second argument that the family is not the exclusive guardian of sexuality. A number of discourses which we would not normally associate with sexuality can be seen to be concerned with the production of sexual definitions: education, legal definitions, etc. Even though these discourses may be articulated around a central prohibition of sex or its negation, nevertheless they are concerned with the production of definitions of sex. (25)

Foucault's analysis is useful in many respects. It does indeed begin to produce a history where essentialist definitions of the sexes are avoided. Moreover, it begins to produce an account of the history of social relations where the production of sexual categories is no longer marginalised as the effect of 'superstructural' relations but is a crucial element in the definitions of the social, practices addressed to the social, and indeed the operations of 'governmentality', as he calls it. His work has been followed by a more detailed analysis of the discursive construction of the family in the same period in France, drawing attention to the construction of definite relations between e.g. mother and doctor, in the supervision of sexuality. (26) These new relations it is argued are at the basis of new statuses ascribed to women through the course of the nineteenth century.
But this approach has multiple limitations especially considered
from the perspective of feminism. It is to these limitations that the
following remarks will be addressed since currently there is a plethora
of more or less interesting general critiques of Foucault's arguments.

The strengths of Foucault's arguments are also a source of weakness.
He concentrates on discourses in order to show the means by which
individualisation is effected without falling into speculation on individual
behavioural patterns. However this focus means that what is presented is
a description of texts. While this description may avoid a whole series
of epistemological presuppositions about the relationship between individual
and social conditions, it is no more useful as an approach in terms of
illuminating problems around the question of sexual relations.

One immediate problem related to the difficulty connected with this
approach is assessing how representative a text might be. Because Foucault
refuses to consider the relationship between discourses and reality as one
of reflection, he suspends the question of what text might represent what
approach, interest group or tendency. Any text might be considered
representative of the particular period in which it appears and there are
small means offered for assessing the relationship between texts and social
forces.

An example of the problems which this raises are exemplified by Jacques
Donzelot's *The Policing of Families*. Using the same approach as Foucault,
he traces the history of discourses surrounding the family over the last
century. One of his arguments concerns the way in which there was increased
intervention in the family and the regulation of sexuality through a number
of discourses - educational, medical and political. He argues that these
interventions constructed a new status for motherhood, throughout the
nineteenth century. Mothers were invested with a series of investigative,
punitive, and guardian roles. Because Donzelot discovers the literature
of nineteenth century feminism to be steeped in the language of moral and
physical health, he goes on to assert that it was this discursive
transformation of the status of women which underlay the emergence of the
feminist movement. While Donzelot has usefully demonstrated the discursive
construction of the family and motherhood, his assertions about the birth
of feminism are extremely limited. The observation that nineteenth
century feminism is steeped in the language and aims of moral and physical
reform, and is quite often addressed to improving women's lot within the
family, neither exhausts nor explains nineteenth century feminism. This
thesis has already argued that early feminism was crossed by numerous
political and social discourses; it was by no means a homogeneous movement.
As much as feminism was about bettering the family, it was equally possible
to find far reaching critiques of the family. More seriously, Donzelot's
argument neglects the historical and social oppression of women. All
discourses or practices clearly have social conditions of existence. In
the case of nineteenth century feminism, medical, educational and governmental
discourses would provide some of the terms in which problems were thought.
However that does not exhaust the problem of politicisation; it neglects
the power relations between men and women which would motivate, in diverse
ways, the various attempts to reformulate women's position.

The inadequacies of concentration on texts do not end here. There
are two further insuperable problems with this approach. First of all,
because areas which are traditionally designated under the term 'the
individual' frequently lead to theoretical reductionism, does not mean that
they can simply be ignored. To mention behavioural practices, sexual
practices, fantasy, immediately indicates what crucial areas are being
neglected. It is precisely areas such as these that have been interrogated
by contemporary feminism in order to understand the dynamic of sexual
relations. Interestingly, they are the areas, traditionally by-passed by
the social sciences, areas left to the 'natural' or individual sciences.
Foucault's perspective simply reinforces this division. Instead of producing a perspective where these areas can be questioned they are simply abdicated.

A further problem presents itself in relation to this textual concentration. Because it suspends the questions of the external referent of a text, it deprives itself of the means of assessing the representation which a text gives of itself. This is in fact a feature of all reactionary social sciences; they accept what a discourse says of itself, without analysing the relationship between representations, and between representations and other social practices. Thus a legal representation of 'equal' but 'differentiated' sexual status would be accepted as truly representing 'equal' but 'differentiated' social status. On the contrary, feminism has amply demonstrated that what is said in one representation interacts with others and with social practices. Thus the sex discrimination act may insist of equality of treatment and opportunity in the letter but this can be rendered almost meaningless given the structural inequalities determined by familial organisation and patterns of labour. Indeed if one lesson can confidently be claimed by contemporary feminism it is that formal and legal statements may make representations of themselves and ascribe statuses which do not intervene in the dynamic of sexual relationships. Legislation may not have anything to say about the sexual hierarchies in which they exist. Thus legislation on pornography might declare that it harms no-one, whereas the organisation of dominant modes of representing women's sexuality may be a major enforcement of hierarchies built on sexual differentiation.

Concentration on what discourses say of themselves neglect the social practices which surround them. Forms of expression, sexual practices, familial organisations are all practices which effect social subordination. Focussing on discursive constructions cannot engage in the dynamic of sexual subordination which has its tenacity precisely because it is rooted in practices of speech, representation and behaviour as much as it is in legal,
economic and political decisions. Indeed it is precisely these areas, hived off under characteristics of the 'individual' which constantly escape legislation. They are the realm of freedom, or personal identity, which our society so cherishes, resisting any legislative intervention in this realm. Yet it is in these areas that sexual oppression is so potent.

Finally the insistence on the particularities of discursive construction in the production of the individual, is often accompanied by an emphasis on the separation of discourses. As Foucault's work has been taken up by some feminists in England, its effect has been to suggest that there are no general categories of 'men' and 'women'. This is offered as a solution to the problem of universalising and therefore essentialising sexual relations. It stresses that the categories of men and women are produced differently in different practices. In its initial moments this tendency rightly drew attention to the fact there is no homogeneity of sex roles. Even in the mass-media, often berated for its reproduction of stereotypes, dominant stereotypes of women differ quite considerably; the glamorous sensuality presented one minute is often followed by the efficient, all-beneficent mother, or the fiendish mother-in-law. Different conceptions of women are indeed presented in different discourses, conceptions of women with or without children, married or unmarried etc. But, and this is the crux of the matter, this plurality of representations, does not mean that general categories of men and women are not operative. To suggest this is to be blind to the fact that the general categories themselves may be operative and significant. Such blindness has been parodied by Borges whose character Funes, having fallen from his horse, loses his memory and begins to perceive everything as new and different:

He was...almost incapable of general platonic ideas. It was not only difficult for him to understand that the generic term dog embraced so many unlike specimens of differing sizes and forms; he was disturbed by the fact that a dog at three-fourteen (seen in profile) should have the same name as the dog at three-fifteen (seen from the front). (27)
In our society, sexual difference is ascribed with a significance. Anatomical men and women are ascribed different places, however much different discourses might produce different categories of men and women, however feminine men may be, or masculine women may be. Sexual difference is perhaps the primary difference in our society; forms of hierarchy and symbolism are constructed on this difference. Whatever we might want to say about the deconstruction of sexual identity within the individual, there comes, as Lacan suggests, 'the moment of truth of the toilet door'. Anatomical men are recognised in one way, anatomical women in other. The categories of male and female are constantly recognised in all discourses, however differently.

We are confronted with an inescapable fact. Our society is preoccupied with anatomical difference. On this difference, a whole series of symbolic differences are constructed. A number of practices reveal that anatomic distinction is a problem and preoccupation. Attempts to redefine sexual relations based on symbolic anatomical differences are rarely met with neutrality; they disturb and upset; they meet with opposition. Some uses of psychoanalysis have pointed the way towards understanding social practices as involving attempts at sexual definition.

Several points can be made briefly in conclusion. They are made from the perspective of the implications of psychoanalysis for the study of sexuality within society. The discovery of 'bisexuality' and the construction of reproductive sexuality is irreducible. It disallows those theories which assume any given-ness to sexual behaviour or sexual instinct. Psychoanalysis also suggests that the whole notion of the instinct is problematic. The instinct is always overdetermined by the complex, and therefore by sociality. In addition, psychoanalysis criticises the idea of a homogeneous or coherent individual, and exposes the area of the unconscious as contradictory process. The implications of both these points - the primacy of the social over the instinct and the displacement of the coherent subject - are critical for the
idea of the individual which operates in so many studies of sexual behaviour. The implications of these points render as useless the traditional notion of the individual as reservoir of behavioural and instinctual phenomena; hence psychoanalysis rules out arguments that start from biological or psychological givens.

However far from turning its back on the phenomena of traditionally treated under the term, "the individual" psychoanalysis provides us with a series of insights into the way in which behaviour is structured. Despite the very severe limitations of psychoanalysis, it is still a theoretical approach which renders us a great service in the study of sexuality. For it delivers to us an account of what is at stake in sexual behaviours and practices, even if its theory of determination of sexual forms is ultimately reductive. It gives insight to the anxieties and complexes which frequently underly fantasies, sexual behaviour, and sexual practices in society, and without such insight our interpretation of sexual division will constantly return to theoretical approaches which reduce the significance of sexual division.

Psychoanalysis is not offered here as a theory which can fulfill the theoretical or political requirements of feminism. The discussion of the psychoanalytic theory of patriarchy has made it clear that such a position would answer no questions. It has been offered as an example of the challenge which a non-essentialist theory of sexuality presents to dominant explanations within the social sciences. The aim of this thesis has been to account for these dominant explanations and to hang on tenaciously to criticisms which have been and can be made of the assumptions about sexual division. At this stage such tenacity can only deliver limited rewards. It indicates decisively that our conceptions of sexuality must be rethought. We can no longer assume that all practices involving sexuality - the family, marriage, sexual behaviour and representations - operate on a common sexual factor such as a reproductive instinct. At the same time it hints
at an analytic approach which could give insight to the dynamic within these practices. This insight to sexual dynamic, and the processes of representation associated with it, have fundamentally challenged the sufficiency of those social sciences which seek to explain a given social phenomenon simply by reference to the interaction of social institutions and practices in which it occurs. It has therefore levelled a challenge to dominant explanations of sexuality within the social sciences, despite its own limited foundations. A delicate future awaits the study of sexual relations within society. It requires the critical revaluation of the notion of the complex. It requires a rear-guard fight against the return of essentialising explanations. Finally it requires the development of social theories like marxism. This development must be in the direction which opposes reductive dogmas and treats them as traditions of attention to forces such as class, whose conceptualisation must now be submitted to the problem of sexual relations.
INTRODUCTION

3. ibid. p. 27.
CHAPTER ONE


2. For an account of this development, see Foucault, K., *The Order of Things*, Tavistock, 1970, pps. 250-302.

3. This is traced in Meek, R., *Social Sciences and the Ignoble Savage*, C.U.P., 1976.

4. This argument is made, for example, by Myres, J., in relation to the ideas of Locke and Hobbes, in 'The Influence of Anthropology on the course of Political Science' in *University of California Publications in History*, Vol.IV, No.1, 1916.

5. The best-known of these works is Millar's *Observations concerning the Distinction of Ranks in Society*, London, 1771.

6. It was Sir Robert Filmer who had developed a version of the patriarchal order in *Patriarcha* (1630); he argued 'that the power of the monarch derived from literal paternity of his people, so that the authority of the parent and the authority of the statesmen were one and the same. All forms of social obedience were construed in terms of the patriarchal family... and, indeed, so were all forms of social organisation.' (Tribe, K., *Land, Labour and Economic Discourse*, Routledge and Kegan Paul, 1978, p. 39). Tribe goes on to argue that this theory became the main theoretical buttress of the monarchy and Tory Party throughout the seventeenth century. Locke challenged Filmer over his theory of the relation between the paternal and political power. Yet he still retains a notion of the patriarchal household as the basis of political and civil society, and the possession of property.

7. This is argued by Meek, R., op.cit. He draws attention to the way in which a particular conception of the development of human society had become dominant by the middle of the eighteenth century. He calls this conception the "four stages theory". "In its most specific form, the theory was that society "naturally" or "normally" progressed over time through four more or less distinct and consecutive stages, each corresponding to a definite mode of subsistence, these stages being defined as hunting, pasturage, agriculture and commerce. To each of these modes of subsistence, it came to be argued, there corresponded different sets of ideas and institutions relating to law, property and government, and also different sets of customs, manners and morals". p.2.


9. See, for example;
   de Coulanges, Pustel *The Ancient City*, translated 1674, Boston, Mass.

11. ibid., pp. 73-74.

12. ibid., p. 74.

13. ibid., p. 74.

14. ibid., p. 74.

15. ibid., p. 74.

16. ibid., p. 74.

17. This summary of Maine's theory is advanced by McLennan, D., in *The Patriarchal Theory*, Macmillan, 1885, p.4.


19. ibid., p.88.

20. ibid., p.88.


23. In particular Maine objected to the cultural relativism which he detected in Montesquieu's writings. He objects to the attribution to climate and geography all cultural variables. 'The inference constantly suggested is that laws are the creatures of climate, local situation, accident or imposture - the fruit of any cause except those which appear to operate with tolerable constancy. Montesquieu seems, in fact, to have looked on the nature of man as entirely plastic, as passively reproducing the impressions and submitting implicitly to the impulses, which it receives from without. And here, no doubt, lies the error which vitiates his system as a system. He greatly underrates the stability of human nature. He pays little or no regard to the inherited qualities of the race, those qualities which each generation receives from its predecessor and transmits but slightly altered to the generation which follows it.' p.69.

24. ibid., p. 73.

25. Le Play *L'Organisation de la Famille*, Tours 1884
    Kovalevsky, M., 'Tableau des origines et de l'evolution de la famille et de la propriete', Skrifter ufgina af Lovenska Stiffelsen, no.2, 1890.
    Delavaley, E. *Les Communautes de famille et de village*, 1889.
    Bogisic, *De la forme dite Inokusna de la famille rurale chez les Serbes et les Croates*, Thorin, Paris, 1884.

27. Bogisic sarcastically remarks,

Now we come to mention the tendency towards uniformity.
Nothing is more interesting than to watch the unshakeable faith and naive belief that this dogma advances, that all forms of the family ought to converge on a single form. What form? You've guessed it already, no doubt, bearing in mind the dominant attitudes of our lawyers. Indeed, how could it be anything other than the urban family? It is the march of civilisation which requires it should be thus.' p. 43, La forme dite Inokosna etc. op. cit. It is interesting to note two things about the zadruga family form. First of all, it was a form of social organisation which attracted an enormous amount of social research and social speculation during the second half of the nineteenth century. Numerous social theorists commented on the implications for our understanding of European history of the discovery of this extant 'extended' family. It was even an important element within marxist theory. The second point of interest connected with the zadruga is its history subsequent to its treatment by writers such as Bogisic. Despite the repeated attempts made under the Austro-Hungarian Empire to legislate in favour of the urban family, the zadruga remained a primary element in social organisation in rural Yugoslavia until after the second World War. Interestingly, in the post-war reconstruction, the zadruga was taken as the model on which rural co-operatives were based, an experiment which was however soon abandoned.

29. In LePlay p. 84., op.cit.
32. Locke's First Treatise of Government, 1679-80, was written as a reply to and criticism of Filmer's Patriarcha.
35. Lafitau, Les Moeurs de Sauvages Ameriquains comparees aux moeurs des premiers temps. (Paris, 1724) Lafitau eulogises on the social and political superiority of women in terms very similar to those employed
by Bachofen much later. (See Chapter Two).

It is in the woman that the nation, the nobility of blood, the
genealogical tree, the order of generations and the conservation
of the families truly consists. It is in that all real authority
resides... The men on the other hand are entirely isolated and
confined to themselves, their children are strangers to them,
and everything perishes with their own death.

36. Buchanan, A Journey from Madras through the Countries of Mysore, Canada,

37. Pinkerton, A Collection of the best and most interesting voyages and
travels in all parts of the world, 17 vols., London, 1808-1814.

38. Mackensie, J., Ten Years North of the Orange River, 1852-1862,
Edinburgh, 1871.
Livingstone, D., Narrative of an Expedition to the Zambesi and its
tributaries, (1858-64), London, 1865.
Hunter, Manners and Customs of Several Indian Tribes located West of
the Mississippi, Philadelphia, 1823.

39. Gallatin, Archaeologia Americanana, Philadelphia, 1820 onwards
Schoolcraft, T., Travels, 1825.
Notes on the Iroquois, 1846.

40. Meek, R., op.cit., has described the impact of this encounter.
He claims that socialist scientists turned with relish to areas
which, unlike the Americas, had escaped 'corruption' by contact
with Western imperialising regimes. They appeared to offer a more
viable chance of studying mankind in a primitive state.

41. The full significance of the term will be discussed more thoroughly
in Chapter Two.

42. MacLennan, D., The Patriarchal Theory, op.cit.,

43. ibid., p. 25.

44. ibid., p. 26.

45. ibid., p. 27.

46. See Thompson, G., Aeschylus and Athens Lawrence & Wishart, 1942.
Harrison, J., Prolegomena to the Study of Greek Religion, University
Promm, E., 'The Oedipus Myth and the Oedipus Complex', in ed.
Anshen, R.H., The Family, its Function and Destiny, Harper and Bros.
N.Y. 1949.

47. These oft-quoted scenes from Aeschylus' Eumenides are said to
bear incontrovertible witness to the fact that the play is about
the struggle between matriarchal and patriarchal principles;
Erinnyes - The prophet bade thee to be a matricide?
Prestes - And to this hour I am well content withal.
Erinnyes - Thou'lt change thy tune when judgment seizes thee.
Orestes - My father from his tomb will take my part, I fear not,
Erinnyes - Ay, rely on dead men's aid,
When guilty of matricide.
Orestes - She that's slain,
Was doubly tainted.
Orestes - She slew her wedded lord, and slew my sire.
Erinnyes - Death gave her quittance then. But yet thou livest.
Orestes - And while she lived, why didn't thou not pursue her?
Erinnyes - No tie of blood bound her to whom she slew.
Orestes - But I was tied by blood - affinity to her who bore me?
Erinnyes - Else, thou accursed one,
How nourished she thy life within her womb?
Would'st thou renounce the holiest bond of all?

The Erinnyes defence of the greater maternal claims are counted
by Apollo's defence. He argues that it is the paternal rights which
bind the child closest;
That scuple likewise I can satisfy.
She who is called the mother of the child
Is not its parent, but the nurse of seed
Implanted in begetting. He that sows
Is author of the shoot, which she, if Heaven
prevent not, keeps as in a garden-ground.
In proof whereof, to show that fatherhood
May be without the mother, I appeal
to Pallas, daughter of Olympian Zeus
In present witness here. Behold a plant,
Not moulded in the darkness of the womb,
Yet nobler than all scions of Heaven's stock.

48. Bachofen, J.J., Myth, Religion and Mother-Right, selections from
Bachofen's writing including from Das Mutter-recht 1861, Routledge
and Kegan Paul, 1968. This quotation, as the subsequent ones, comes
from the extracts from Das Mutter-recht, p.75.

49. ibid., p. 77.
50. ibid., p. 71.
51. ibid., p. 80.
52. ibid., p. 80.
53. ibid., p. 85.
54. ibid., p. 109.
55. ibid., p. 109.
56. ibid., p. 109.
57. ibid., p. 109.
58. Bachofen's last book, *The Myth of Tanaquil*, was written as a reply to Mommsen's *History of Rome*, 1854-56, objecting to the neglect of man's spirituality by the economic, political and rational determinism of writers like Mommsen.

59. Bachofen, op. cit., p. 78.


61. ibid., p. 1.

62. ibid., p. 6.

63. ibid., p. 6.

64. Bachofen, op. cit., p. 76.


67. ibid., p. 113.

68. ibid., pp. 121-123.

69. While McLennan's term 'exogamy' has been influential in subsequent debates, his distinction between exogamy and endogamy was soon abandoned. It was recognised that all societies practised some form of prohibition on categories of marriageability. Therefore all societies, were, in some way, exogamous.


71. See footnotes 4 and 8.


73. ibid., p. 501.

74. ibid., p. 27.


77. Morgan, L.H., op. cit., p. 50.

78. ibid., p. 505.

79. ibid., p. 505.

80. ibid., pp. 345-346.
CHAPTER TWO


2. Ibid., p. 9.

3. Ibid., p. 9.

4. Here Kovalevsky cited the work of Morgan on the Iroquois Indians and Pison and Howitt's study of the Australians.


8. Ibid., p. 204.

9. Ibid., p. 205.

10. Ibid., p. 217.

11. Ibid., p. 218.

12. This is from Maine's own earlier work, quoted here in Dissertations on Early Law and Custom, op. cit., p. 206.


21. ibid., p. 95.


23. ibid.

24. For an account of this period - both the development of state intervention in the social field and the growth of working-class political participation, see Helen Lynd's excellent book, England in the 1880's (1945, reprinted by Frank Cass, 1968). She lists the various forms of intervention and debate over the possibilities of legislation: debate over the possibilities of protective legislation, debate over the land question; intervention around the area of health and housing. She points to a period of 40 years where a series of acts were passed by which the state intervened in the organisation of the social: acts giving the Board of Trade control over railroads, 1845; the ten-hour factory act of 1851; the health act, 1858; the Joint Stock Company Act, 1862; the Bankruptcy Act, 1869; the Civil Service and Elementary Education Acts of 1870; the Mines Regulation Act, 1872; the public health Act; the Cross Housing Act; the Factory Act, the public Health Act all in 1875; and, in 1883 the Diseases Prevention Act.


26. ibid., p. 11.


33. Tylor, E.B., op. cit., p. 84.

34. Rattray, R.S., Ashanti, Clarendon Press, Oxford, 1932, p. 84.


43. ibid., p. 184.


49. Schouten was a seventeenth century Dutch explorer whose pronouncement on paternity was often quoted, *Voyage aux Indes Orientales*, Amsterdam, 1757, pp. 458-459.

50. McLennan, J.F., op. cit., p. 86.


52. ibid., p. 216.

53. Three books were particularly influential here; Morgan, L.H. *Ancient Society*, Henry Holt and Co., N.Y., 1877.


55. Hartland, ibid., p. 325.

57. See Levi-Strauss, C., Totemism, Penguin Books, 1973. Levi-Strauss argues that the treatment of totemism by early anthropology incorrectly grouped together a series of very different social phenomena under one grand heading, totemism. He writes, 'Totemism is like hysteria, in that once we are persuaded to doubt that it is possible arbitrarily to isolate certain phenomena and to group them together as diagnostic signs of an illness, or of an objective institution, the symptoms themselves vanish or appear refractory to any unifying interpretation.' (p. 69).


59. Frazer acknowledges the work of Walter Heape for developing this idea. Heape's Sex Antagonism is discussed in the following chapter; it illuminates many of the assumptions in Frazer's work.

60. Frazer, J., op. cit., Vol.4, p. 60.

61. Frazer makes the political nature of his study explicit. Totemism, like magic, belongs to the "primitive" mind; it is democratic and simple. "True advances" in civilisation can only take place when the human learns that submission to any authority is better than the lack of discipline characteristic of primitive democratic forms.

62. The effect of this most primitive, two-class, exogamous system is to bar marriage between brother and sister.


65. ibid., Vol.2, p. 98.

66. ibid., Vol.2, p. 98.


70. Kovalevsky, M., op. cit., p. 59.


73. Kovalevsky, M., op. cit., p. 43.

74. ibid., p. 46.

76. ibid., pp. 85–86.
77. ibid., p. 86.
78. ibid., p. 96.
79. ibid., p. 93.
80. ibid., p. 93.
81. ibid., p. 94.
82. ibid., p. 94.
84. ibid., p. 39.
86. Carveth Read, 'No Paternity' in Man, the Journal of the Royal Anthropological Institute, 1918.
87. ibid., p. 146.
88. ibid., p. 150.
89. ibid., p. 151.
91. ibid., p. 359.
92. ibid., p. 359.
93. ibid., p. 359.
95. ibid., pps. 696, 697, 702.
CHAPTER THREE

1. This was a title of one of the chapters in Tylor's book Anthropology, Macmillan & Co., 1881.


3. ibid., p. 81.


6. ibid., p. 89.

7. ibid., p. 24.


9. ibid., p. 4.

10. ibid., p. 4.


15. ibid., p. 214.


19. ibid., Vol. 4, p. 98.


22. ibid., p. 46.

23. ibid., p. 48.

24. For accounts of the eugenicist theory and politics, see Weeks, J., Sex, Politics and Society, Longmans, forthcoming.


Darwin, A., "Imperialism and Motherhood", in History Workshop No.5, Spring, 1970.


28. Simon, 2nd. Annual Report to the City of London from the Medical Health Officer, 1840, pp. 118-119.


33. For an account of these arguments in British politics see, especially, Weeks, J., *op. cit.*


37. 'Anthropology, as social anthropology, became important to administration, colonial administration, in the context of retreat from direct co-ercive rule, and in the context of its direction of reforms from above, after it had been involved in what it recognised to be wasteful mistakes or when a need for a response from its subjects arose and was in danger of being thwarted.' Feuchtwang, S., 'The Colonial Formation of British Social Anthropology', in Asad, T., *Anthropology and the Colonial Encounter*, Ithaca Press, London, 1973.


44. ibid., Vol. II, p. 77.
45. ibid., p. 77.
46. ibid., p. 77.
51. ibid., p. 1.
52. ibid., p. 1.
53. ibid., pp. 1-2.
54. ibid., p. 2.
55. ibid., p. 3.
56. ibid., p. 3.
57. ibid., p. 4.
58. ibid., p. 102.
59. ibid., p. 43.
60. ibid., p. 48.
61. ibid., p. 49.
62. ibid., p. 208.
63. ibid., p. 34.
64. ibid., p. 207.


71. ibid., p. 185.

72. ibid., p. 77.

73. ibid., pp. 85-86.

CHAPTER FOUR

1. Malinowski, B., "Must kinship be Dehumanised by Mock-Algebra?" in Man, February, 1930.

2. For an account of the consolidation of anthropology as a distinct academic discipline, see, Feuchtwang, S., 'The Colonial Formation of British Anthropology' in Asad, T., ed. Anthropology and the Colonial Encounter, Ithaca Press, London, 1973. Feuchtwang traces the consolidation of academic anthropology throughout the twenties, a development marked by Malinowski's readership at the L.S.E. created in 1923, and the appointment of Radcliffe-Brown to a chair of Anthropology at Cape Town University.

4. ibid., p. 20.
5. ibid., p. 20.
6. ibid., p. 21.
12. ibid., p. 3.
15. A form of diffusionism had existed for a considerable length of time in the social sciences. Argument over the origins of the American Indians was precisely conducted in these terms during the Seventeenth and Eighteenth Centuries. The aim was to establish the diffusion of all humanity from a single point.
16. Lowie, R., Primitive Society, op. cit., p. 3.
17. ibid., p. 7.
18. ibid., p. 8.
19. ibid., p. 11.
20. ibid., p. 177.
21. ibid., p. 178.
22. ibid., p. 178.
23. ibid., p. 182.
24. ibid., p. 184.
25. ibid., p. 184.
26. ibid., p. 184.
26. ibid., p. 185.
27. For a fuller discussion of this see the previous chapter.
29. ibid., pp. 188-189.
30. ibid., p. 196.
31. ibid., p. 220.
32. ibid., p. 195.
33. ibid., p. 162.
34. ibid., p. 158.
35. Malinowski, B., op. cit., p. 22.
37. ibid., p. 159.
40. Malinowski, B., op. cit., p. 22.
42. ibid., p. 57.
43. ibid., p. 58.
44. Malinowski, op. cit., p. 22.
45. ibid., p. 22.
46. ibid., p. 22.
47. ibid., p. 22.


50. ibid., p. 183.

51. ibid., p. 184.

52. Malinowski, B., 'Must Kinship be Dehumanised by Mock Algebra?' op. cit., p. 25.

53. ibid., p. 25.

54. ibid., p. 25.


56. Malinowski, B., 'Must Kinship be Dehumanised by Mock Algebra?' p. 25.


58. The falseness of this hypothesis can immediately be realised when one considers how sexual intercourse in no way undermines structural inequalities between men and women.


62. Malinowski, B., 'Must Kinship be Dehumanised by Mock Algebra?' op. cit., p. 23.

63. ibid., p. 23.

64. Radcliffe-Brown, A.A., op. cit., p. 82.

65. This is evidenced by several books and articles treating the subject, for example: Copans, and Seddon (eds.) *Marxism and Anthropology*, Frank Cass, 1978, Banaji, J., Anthropology in Crisis, *New Left Review*, no. 64, 1970.

66. The idea of a general articulating principle will be criticised more thoroughly in the following chapter.


68. ibid., p. 378.

69. ibid., p. 378.

70. ibid., p. 378.
71. ibid., p. 378
72. ibid., p. 380.
73. ibid., p. 380.
74. These criticisms have for example been made of the recent writings of Paul Hirst and Barry Hnies.
CHAPTER FIVE


12. Both Cunow and Kautsky criticise Engels for introducing factors outside the schema of materialist causation. Cunow took issue with Engels for his separation of women's child-bearing capacities into an independent element in the determination of human history. The social forms of sexual relationships he argued, were determined by the conditions of material production alone. Kautsky was particularly critical of Engels' psychologism. By this he referred to the fact that Engels appears to presuppose the psychology of the monogamous nuclear bourgeois family to account for the history of its emergence. These criticisms foreshadowed those made by recent marxist feminist writings on Engels.

13. See in particular the work of Althusser, L., and the so-called neo-Althusserians.

15. The term 'civil society' was used to designate the sphere of economic life, in which the individual's relations with others are governed by selfish needs and individual interests. Hence it is a sphere of conflict.

17. ibid., pp. 62-63.
18. ibid., pp. 62-63.


23. ibid., p. 167.
24. ibid., p. 168.

25. These selections, written between 1857 and 1858 were published in England as Marx, K., Pre-Capitalist Economic Formations, ed. Hobsbawn, Lawrence and Wishart, 1965.

27. ibid., p. 43.
28. ibid., p. 43.
29. ibid., p. 44.
30. ibid., p. 44.
31. ibid., p. 49.
32. ibid., p. 49.
33. ibid., p. 50.
34. ibid., p. 50.

35. See, for example, Brown, B., 'The Natural and Social Division of Labour', N/P, No. 1, 1978.


38. See footnote 13.

40. ibid., p. 15.
44. ibid., p. 71.
45. ibid., pp. 71-72.
46. See, for example, the article, 'Patriarchy and Relations of Production' by Harrison, R., and McDonough, R., in eds. Kuhn, A. and Wolpe, A., Feminism and Materialism, R.K.P., 1978.
47. For an account of McLennan's position see Chapter One.
49. Engels here adopts a position on the primacy of the collective which is typical of socialist and anarchist writers of the period. Kropotkin for example in Mutual Aid, (1902, reprinted by Pelican Books, 1939), even extended the hypothesis back into the animal kingdom. He engaged in dialogue with the conservative, Huxley, who had derived a theory of the origins of society based on Darwin's theory of the struggle for survival and the survival of the fittest in the animal kingdom. Against this, Kropotkin advanced his own observation of animal behaviour, arguing that mutual aid and selfless co-operation is readily observable in all forms of social behaviour amongst animals.
51. ibid., p. 100.
52. ibid., p. 101.
53. ibid., p. 103.
54. Morgan's definition of a gens, it will be remembered, was a 'group of consanguinei' bearing the gentile name.
58. ibid., p. 138.
59. ibid., p. 159.
60. ibid., p. 161.
Engels is in argument with classical historians and indeed writers like Maine who suggest that the gens is a grouping made up of individual families. On the contrary it was expedient for Engels to stress that the gens had a different basis for unification;

Under the gentile family constitution the family never was an organisational unit and could not be so, for man and wife necessarily belonged to two different gentes. The whole gens was incorporated within the phratry and the whole phratry within the tribe; but the family belonged half to the gens of the man and half to the gens of the woman. In public law the state also does not recognize the family; up to this day, the family only exists in private law. And yet all our histories have hitherto started from the absurd assumption which since the 18th century in particular has become inviolable, that the monogamous single family which is hardly older than civilization, is the core around which society and the state have gradually crystallised. (p. 164)


ibid., p. 222.

ibid., p. 226.

In The Origins, Engels traces three principal forms which have characterised the transition from gentile to political organisation. The Athenian state springs directly out of the class oppositions which developed within the gentile constitution itself. In Rome gentile society becomes a closed aristocracy surrounded by plebs who have no rights but only duties. It is the victory of the plebs which breaks up the old constitution based on kinship and erects the state on the ruins of the gentile constitution. Finally in the case of the Germans, the state emerges as a consequence of large-scale conquests which can no longer be governed by the gentile constitution.


Robert Lowie in The Origins of the State, Harcourt Brace & Co., N.Y. 1927, argued against the marxist assumptions of the qualitatively-different nature of gentile and political society. He shows how American Indian social organisation in fact exhibited both forms: territorial and gentile bonds are frequently found co-existing. Moreover 'police' forces are sometimes found with gentile organisations.


ibid., p. 231.

ibid., p. 125.

ibid., p. 126.

ibid., p. 128.

ibid., p. 233.

See, for example Hirst, P.Q., and Hindess, B., Pre-Capitalist Modes of Production, Routledge and Kegan Paul, 1977;

The structure and mechanism of complex redistribution involves the organisation of the social formation into groups structured
internally by kinship relations, e.g. between cadet and elder, and combined into larger units, villages, tribes, etc., through a wider network of marriage exchanges."

75. See Molyneux, M., 'Androcentrism in Marxist Anthropology', *Critique of Anthropology*, nos. 9/10.


77. This position can only be sustained if it is agreed that capitalist social relations can be specified as abstract general principles which inform all manifestations of the social formation. However if this position is challenged, it remains to approach the actual history of capitalist social relations. Here the importance of sexual division, the organisation of the family, etc., are inescapable determinants on the form taken by the development of capitalist social relations. This argument has been suggested by Taylor, B., and Phillips, A., in 'Sex and Skill' in *Feminist Review*, No. 6, 1980.

78. For an early critique of this see Russell, B., *German Social Democracy*, Longman and Co., 1896. For a contemporary critique see Cutler et al, op. cit.

79. This is the reason given by Maxine Molyneux, op. cit., who resists carrying her critique of androcentrism in marxist anthropology towards designating women as a class.


81. See Cutler et al, op. cit.

82. This formulation is drawn from Molyneux, M., 'Androcentrism in Marxist Anthropology', op. cit.
CHAPTER SIX


7. Lenin, V.I., Quoted in The Woman Question, op. cit., p. 47.


9. The re-evaluation of the place of feminism within socialism and the relationship between the two is now under investigation. Barbara Taylor's 'The Feminist Theory & Practice of the Socialist Movement in Britain 1820-45, Ph.D. Sussex, is an important exploration of the relationship between feminism and socialism in pre-marxist socialism. Other studies can be found in Rowbotham, S., and Weeks, J., Socialism and the New Life, Pluto Press Rowbotham, S., Stella Browne, Socialist and Feminist, Pluto Press Weeks, J., Sex, Politics and Society, Longmans (forthcoming).


11. Lenin, V.I., Quoted in The Woman Question, op. cit., p. 46.

12. It should be noted that Engels was here overthrowing a tradition within socialism that was centrally concerned with the question of morality and sexual relations.

13. See below in the section concerned with the woman question and the German Social Democratic party.


19. The Exceptional Laws against Social Democracy 1878-90, when all party organs were banned.

20. See for example Eliza Butler's The Tyranny of Greece over Germany, Cambridge 1935.


23. e.g. Von Gizycki, L., Zur Beurteilung der Frasenbewegung in England und Deutschland.


27. ibid., p. 32.


30. ibid., p. 10.

31. ibid., p. 9.

32. ibid., p. 232.

33. ibid., p. 87.

34. ibid., p. 85.

35. ibid., p. 85-86.

36. ibid., p. 146.

37. ibid., p. 180.

38. The Erfurt Programme 1891.

40. ibid., p. 249.

41. e.g. Porter, C., *Alexandra Kollontai*, Virago 1980

42. Kollontai, A., op. cit., p. 245.

43. ibid., p. 248.

44. Russell, A., Appendix on Social Democracy and the Woman Question in
    Russell, B. *German Social Democracy*, op. cit.

45. ibid., p. 176.

46. ibid., p. 180.

47. ibid., p. 182.

48. This position which predominated amongst the Fabians, and was
    exemplified by writers like H.G.Wells, was also espoused by writers
    like Havelock Ellis and Ellen Kay.


50. For an account of these divisions and their relation to the
    theorisation of class interest see Hindess, B., *Marxism and
    Parliamentary Democracy* in A.Hunt, (ed.) *Marxism and Democracy*, Lawrence
    & Wishart 1980.


52. ibid., p. 187.
CHAPTER SEVEN


4. Levi-Strauss writes that Freud's Totem and Taboo is both an example and a lesson.
Freud successfully accounts, not for the beginning of civilization but for its present state; and setting out to explain the origin of a prohibition, he succeeds in explaining certainly not why incest is consciously condemned but how it happens to be unconsciously desired. It has been stated and restated that what makes Totem and Taboo unacceptable, as a prohibition of incest and its origins, is the gratuitousness of the hypothesis of the male horde and of primitive murder, a vicious circle deriving the social state from events which presupposes it. However, like all myths, the one presented in Totem and Taboo with such dramatic force admits of two interpretations: The desire for the mother or the sister, the murder of the father and the son's repentance, undoubtedly do not correspond to any fact or group of facts occupying a given place in history. Perhaps they symbolically express an ancient and lasting dream.

5. Das Jahrbuch der Psychoanalyse, replaced in 1913 the original psychoanalytic organ, the Jahrbuch für psychoanalytische und psychopathologische Forschung. The latter was founded in 1908, edited for the first five years by Jung. After the split between Jung and Freud, Freud himself became the director, with Abraham and Hitlmann. Imago was founded in 1912. Its aim was the application of psychoanalysis to the mental sciences and it was edited by Rank and Sachs.


7. Arguments based on the constitutional nature of sexual 'disturbance' can be found in any number of medical and social discourses of the period. Lombroso and Ferrero's theory of constitution as the basis of the female criminal type in their The Female Offender, The Criminology Series, Vol.1, 1895 was typical of this period. Virchow's Das Weib und die Zelle, was a much-quoted medical authority on mental disorders among women, claiming that these arose from constitutional defects.

9. Freud, S., ibid., p. 57. This footnote was added in 1910.


11. ibid., p. 144.


18. ibid., p. 198.

19. ibid., p. 200.

20. ibid., p. 221.

21. ibid., p. 221.

22. ibid., p. 260.


29. It is this concept which draws Freud's schema so close to Bachofen's. Bachofen hypothesised an advance in intellectuality with the recognition of paternity and the triumph of patriarchy. For Freud the advance is achieved by the possibility of a social form where psychic anxiety can be successfully expressed. It should be noted that Freud saw the neurotic resolution of monotheistic religion as a stage in the development of mankind towards a truly rational philosophy, that is science.


31. ibid., p. 41.

32. For a discussion of Rank's book and the general application of psychoanalysis to mythological phenomena, see the following chapter.

33. Freud, S., Group Psychology and Analysis of the Ego, S.E., XVIII.


37. Freud, S., Moses and Monotheism, op. cit., p. 100.

38. ibid., p. 99.


41. ibid., pp. 88-89.


43. Freud, S., Moses and Monotheism, op. cit., p. 118.
CHAPTER EIGHT


4. Evidence of this perspective can be found in European marxist writing of the Interwar period, especially in England and Germany. In England writers like Eden and Cedar Paul championed psychoanalysis as the branch of psychology most likely to be of profit to a marxist study of society. This position was advanced in 'An Outline of Psychology', the first of the Plebs Text Books, produced in 1921, and based on the idea of workers' education advanced by Prolekult in the U.S.S.R. Eden and Cedar Paul translated Marxist tests prolifically, but they also translated important books in the area of psychology and sex psychology. They translated the Vaertings' The Dominant Sex (see chapter 3). The close links between marxism and psychoanalysis were evident from the way in which psychoanalysis entered Britain. It was introduced by the Fabians, Virginia and Leonard Woolf who published the Psychoanalytic library with the Hogarth Press. That tradition was upheld throughout the Thirties with the Left Book Club publishing several books on the subject of psychoanalysis and marxism, (see, for example, Osborne, R., Freud and Marx, and The Psychology of Reaction.) These books were characteristic of a whole genre of marxist psychology in Europe. Most influential of this tendency were books like Aurel Kolnai's Psychoanalysis and Sociology, George Allen and Unwin, 1921, (an attack on anarchism as 'maternal' and regressive) and Paul Federn's Zur Psychologie der Revolution: Die Vaterlässe Gesellschaft, (The Psychology of Revolution: Fatherless Studies), where it is argued that the collective attitudes of the working class would prohibit patriarchal fascistic attitudes. The influence of such attitudes on the Frankfurt school should be apparent. Their study of Authoritarianism and the Family attempts to develop the idea of a marxist psychology, ed. Horkheimer, M., Studien über Autorität und Familie, Paris, Alcan, 1936.

Finally, it is worth mentioning the extent which this perspective influenced a whole movement towards radical studies of society. The work of Mass Observation grew directly out of the dream of a human science, influenced by anthropology, psychoanalysis and marxism which would provide a way of understanding and interpreting society. See The First Year's Work of Mass Observation, ed. Harrison and Madge, with an introductory essay by B. Malinowski, Lindsay Drummond, 1937-38. For a short account of the intellectual influence on Mass Observation see Jeffrey, T., 'Mass Observation - A Short History', Centre for Contemporary Cultural Studies Stencilled Paper.


24. Ibid., p. 49.

25. Ibid., p. 51.

26. Ibid., p. 53.
27. ibid., p. 87.
28. ibid., p. 88.
37. ibid., p. 175.
38. ibid., p. 140.
39. ibid., p. 86.
40. ibid., p. 120.
42. ibid., p. 166.
46. ibid., p. 192.
47. Malinowski, B., Sex and Repression, op. cit., p. 2.
48. ibid., p. 81.
49. ibid., p. 4.
50. ibid., p. 4.
51. ibid., p. 9.
52. ibid., p. 82.
53. ibid., p. 82.
55. ibid., p. 163.
56. ibid., p. 163.
57. ibid., p. 166.
58. ibid., p. 169.
59. ibid., p. 170.
60. ibid., p. 173.
62. ibid., p. 168.
71. ibid., p. 282.
CONCLUSION

1. The study of how sex has been studied is now being pioneered by Jeffrey Weeks in England.

2. Two important areas have been somewhat arbitrarily neglected. There has been no attempt to deal with either sexology or social psychology, even though there are important overlaps between these areas and those examined in the thesis. Nor has there been any attempt to follow up developments within the study of kinship subsequent to those outlined in Chapter Four. Both of these may appear as serious absences especially as recent developments within anthropology have attempted to raise similar questions to those raised in the conclusion to this thesis. See, for example, articles in Critique of Anthropology, where there are signs that work on how to specify regularities and correspondences in different social and sexual organisations is now underway.

3. An example of the divisions between these explanations can be found in the collection of essays on Rationality, ed. Wilson, B., Basil Blackwell, Oxford, 1979.

4. Foucault's History of Sexuality, Allen Lane, 1978 has drawn attention to the ways in which there was increased intervention around the issue of sexuality in the last century.

5. The first criticisms of this wage form were raised in the domestic labour debate. For a summary of this see Kaluzynska, B., 'Wiping the Floor with Theory', in Feminist Review, no. 6, 1980. Recently the criticism of the family wage have become more extensive, see Hilary Land, 'The Family Wage', in Feminist Review, No. 6, 1980. Campbell, B., 'Divided we Fall' in Red Rag, 1980.


8. This is discussed in chapters 5 and 6. Briefly the problem of non-correspondence has forced itself on the attention of marxists with the development of socialism in a number of countries. It has become all too painfully obvious in the case of the U.S.S.R. that collective ownership of the means of production means neither democracy nor changes in the organisation of familial and sexual organisation. Both China and Cuba have acknowledged the difficulty of effecting sexual and familial transformations and have recognised the need to intervene specifically and separately within family organisation if any real changes are to be effected.

9. These attempts to join Marx and Freud have been mentioned briefly in chapter 8.

10. This is the case in the so-called neo-Freudians, like Fromm and Erikson, who have attempted to develop a theory of the personality types of various social formations.
11. A theoretical discussion of the notion of determination in marxism can be found in Cutler, Hindess, Hirst and Hussein in *Marx's Capital and Capitalism Today*, 2 vols, op. cit.

12. This principle, anti-naturalism, has been an integral part of marxist philosophy arising from the tenet, 'social being determines social consciousness.'


14. This point has been made by Harris, C., Edholm, F., and Young, K., in 'Conceptualising Women', *Critique of Anthropology*, No. 9/10.

15. This position is characteristic of the domestic labour debate. For references, see Kaluzynska, E., op. cit.

16. This presupposition becomes glaringly obvious when it is realised that in its early stages the domestic labour debate frequently had to presume that the waged labourer was male and the domestic labourer an unwaged female.


18. A spate of recent writings have discussed the issue of patriarchy. Briefly these can be found in the debate over patriarchy between Sheila Rowbotham on one side and Barbara Taylor and Sally Alexander on the other in the *New Statesman*, 1979/80. Veronica Beechey provides a summary of recent uses of the term in 'On Patriarchy', *Feminist Review*, no. 3, 1979. Diana Adlam's "Capitalist Patriarchy and Socialist Feminism" in *M/F*, No. 3, 1979, criticises the use of the term patriarchy in contemporary debates.


22. This is best exemplified by Saussure himself in his *Course in General Linguistics*, 1906, printed by Fontana, 1974. Here he argues: "Language is a system of independent terms in which the value of each term results from the simultaneous presence of others." The argument has been made by Cowie, E., in 'Women as Sign', in *M/F*, No. 1, 1978.


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